



## 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 Queensboro Tower, LLC

ADDRESS 28-18 Steinway Street

CITY/TOWN Long Island City

ZIP CODE 11103-3349

PHONE 718-204-0300

FAX Unavailable

E-MAIL Matt@criteriongroup.com

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

☒ Yes ☐ No

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

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

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

#### Section II. Project Description

1. What stage is the project starting at?

☒ Investigation

☐ Remediation

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

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

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

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

### 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		X	
Chlorinated Solvents		X	
Other VOCs			
SVOCs	X	X	
Metals	X		
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):**

- |   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> Coal Gas Manufacturing | <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Agricultural Co-op | <input type="checkbox"/> Dry Cleaner                |
| <input type="checkbox"/> Salvage Yard           | <input type="checkbox"/> Bulk Plant    | <input type="checkbox"/> Pipeline           | <input checked="" type="checkbox"/> Service Station |
| <input type="checkbox"/> Landfill               | <input type="checkbox"/> Tannery       | <input type="checkbox"/> Electroplating     | <input type="checkbox"/> Unknown                    |

Other: electrical/machine repair, lumber yard, pump station

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME 22-09 Queens Plaza North				
ADDRESS/LOCATION 22-09 Queens Plaza North				
CITY/TOWN Long Island City		ZIP CODE 11101		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Long Island City, Borough of Queens, NYC				
COUNTY Queens		SITE SIZE (ACRES) 2.56		
LATITUDE (degrees/minutes/seconds) 40 ° 45 ' 9.5 "		LONGITUDE (degrees/minutes/seconds) 73 ° 56 ' 29.8 "		
<b>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.</b>				
Parcel Address	Section No.	Block No.	Lot No.	Acreage
22-09 Queens Plaza North, Long Island City, NY 11101	4	412	1	1.87
22-09 41st Avenue, Long Island City, NY 11101	4	412	25	0.69
1. Do the proposed site boundaries correspond to tax map metes and bounds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, please attach an accurate map of the proposed site.				
2. Is the required property map attached to the application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (application will not be processed without map)				
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See <a href="#">DEC's website</a> for more information) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, identify census tract : <u>33</u> Percentage of property in En-zone (check one): <input type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 100%				
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, identify name of properties (and site numbers if available) in related BCP applications: _____				
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach relevant supporting documentation.				
7. Are there any lands under water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, these lands should be clearly delineated on the site map.				

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

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

Easement/Right-of-way Holder

Description

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

Type

Issuing Agency

Description

N/A

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: ML \_\_\_\_\_



**BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)**

<b>Section V. Additional Requestor Information</b> <b>See Instructions for Further Guidance</b>		DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE <b>Matthew Lawrence</b>			
ADDRESS <b>28-18 Steinway Street</b>			
CITY/TOWN <b>Long Island City, NY</b>		ZIP CODE <b>11103</b>	
PHONE <b>718-204-0300</b>	FAX <b>N/A</b>	E-MAIL <b>matt@criteriongroup.com</b>	
NAME OF REQUESTOR'S CONSULTANT <b>AKRF, Inc.</b>			
ADDRESS <b>440 Park Avenue South, 7th Floor</b>			
CITY/TOWN <b>New York, NY</b>		ZIP CODE <b>10016</b>	
PHONE <b>646-388-9767</b>	FAX <b>212-726-0942</b>	E-MAIL <b>dkapson@akrf.com</b>	
NAME OF REQUESTOR'S ATTORNEY <b>Sive, Paget &amp; Riesel P.C.; Michael Bogin</b>			
ADDRESS <b>560 Lexington Avenue</b>			
CITY/TOWN <b>New York, NY</b>		ZIP CODE <b>10022</b>	
PHONE <b>646-378-7210</b>	FAX <b>212-421-1891</b>	E-MAIL <b>mbogin@sprlaw.com</b>	
<b>Section VI. Current Property Owner/Operator Information – if not a Requestor</b>			
CURRENT OWNER'S NAME <b>Queensboro Tower, LLC</b>		OWNERSHIP START DATE: <b>1/8/2019</b>	
ADDRESS <b>28-18 Steinway Street</b>			
CITY/TOWN <b>Long Island City, New York</b>		ZIP CODE <b>11103</b>	
PHONE <b>718-204-0300</b>	FAX <b>N/A</b>	E-MAIL <b>matt@criteriongroup.com</b>	
CURRENT OPERATOR'S NAME <b>See attached Table 4</b>			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
<b>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".</b>			
<b>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.</b>			
<b>Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)</b>			
If answering "yes" to any of the following questions, please provide an explanation as an attachment.			
1. Are any enforcement actions pending against the requestor regarding this site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

## Section VII. Requestor Eligibility Information (continued)

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

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

☐ PARTICIPANT

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

☒ VOLUNTEER

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

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

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

## Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

☐ Previous Owner ☒ Current Owner ☐ Potential /Future Purchaser ☐ Other \_\_\_\_\_

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

☐ Yes ☐ No

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

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

1. Is / was the property, or any portion of the property, listed on the National Priorities List?  
If yes, please provide relevant information as an attachment. ☐ Yes ☒ No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305? ☐ Yes ☒ No  
If yes, please provide: Site # \_\_\_\_\_ Class # \_\_\_\_\_
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? ☐ Yes ☒ No  
If yes, please provide: Permit type: \_\_\_\_\_ EPA ID Number: \_\_\_\_\_  
Date permit issued: \_\_\_\_\_ Permit expiration date: \_\_\_\_\_
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. ☐ Yes ☐ No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? ☐ Yes ☒ No  
If yes, please provide: Order # \_\_\_\_\_
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? ☐ Yes ☒ No  
If yes, please provide explanation as an attachment.

## Section IX. Contact List Information

To be considered complete, the application must include the Brownfield Site Contact List in accordance with [DER-23 / Citizen Participation Handbook for Remedial Programs](#). Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.

## Section X. Land Use Factors

1. What is the current municipal zoning designation for the site? M1-5

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?

See response to Item 5 below. Surrounding area is manufacturing, commercial and residential with increasing conversion from manufacturing to residential. Rezoning of the property to allow for the proposed mixed use development is underway.

☒ Yes ☐ No

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

The current zoning designation of the Site is M1-5. As part of the proposed redevelopment, the Site zoning is anticipated to be changed to M1-6/R9/R10 (manufacturing and residential). The zoning change is under review by the NYC Department of City Planning as part of the Uniform Land Use Review Procedure (ULURP).

☐ 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.

The zoning change is under review by the NYC Department of City Planning as part of the Uniform Land Use Review Procedure (ULURP). See attached.

☒ Yes ☐ No

## XI. Statement of Certification and Signatures

(By requestor who is an individual)

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

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

(By a requestor other than an individual)

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

Date: 7/29/2020 Signature: Matthew Lawrence

Print Name: Matthew Lawrence

### 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.

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Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Please answer questions below and provide documentation necessary to support answers.</b>	
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see <a href="#">DEC's website</a> for more information.	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
2. Is the property upside down or underutilized as defined below?	Upside Down? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Underutilized? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>From ECL 27-1405(31):</b>	
<p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p>	
<p><b>From 6 NYCRR 375-3.2(I) as of August 12, 2016:</b> (Please note: Eligibility determination for the underutilized category can only be made at the time of application)</p>	
<p>375-3.2:</p> <p>(I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and</p> <p>(1) the proposed use is at least 75 percent for industrial uses; or</p> <p>(2) at which:</p> <p>(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;</p> <p>(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(iii) one or more of the following conditions exists, as certified by the applicant:</p> <p>(a) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or</p> <p>(c) there are no structures.</p> <p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.</p>	



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

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

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

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

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

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

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

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

**BCP Application Summary (for DEC use only)**

**Site Name:** 22-09 Queens Plaza North  
**City:** Long Island City

**Site Address:** 22-09 Queens Plaza North  
**County:** Queens **Zip:** 11101

**Tax Block & Lot**

**Section (if applicable):** 4 **Block:** 412 **Lot:** 1

**Requestor Name:** Queensboro Tower, LLC  
**City:** Long Island City

**Requestor Address:** 28-18 Steinway Street  
**Zip:** 11103-3349 **Email:** Matt@criteriongroup.com

**Requestor's Representative (for billing purposes)**

**Name:** Matthew Lawrence

**Address:** 28-18 Steinway Street

**City:** Long Island City, NY

**Zip:** 11103

**Email:** matt@criteriongroup.com

**Requestor's Attorney**

**Name:** Sive, Paget & Riesel P.C.; Michael Bogin **Address:** 560 Lexington Avenue

**City:** New York, NY

**Zip:** 10022

**Email:** mbogin@sprlaw.com

**Requestor's Consultant**

**Name:** AKRF, Inc.

**Address:** 440 Park Avenue South, 7th Floor

**City:** New York, NY

**Zip:** 10016

**Email:** dkapson@akrf.com

**Percentage claimed within an En-Zone:** ☐ 0% ☐ <50% ☐ 50-99% ☒ 100%

**DER Determination:** ☐ Agree ☐ Disagree

**Requestor's Requested Status:** ☒ Volunteer ☐ Participant

**DER/OGC Determination:** ☐ Agree ☐ Disagree

Notes:

**For NYC Sites, is the Requestor Seeking Tangible Property Credits:** ☒ Yes ☐ No

**Does Requestor Claim Property is Upside Down:** ☐ Yes ☒ No

**DER/OGC Determination:** ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

**Does Requestor Claim Property is Underutilized:** ☐ Yes ☒ No

**DER/OGC Determination:** ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

**Does Requestor Claim Affordable Housing Status:** ☐ Yes ☐ No ☒ Planned, No Contract

**DER/OGC Determination:** ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

**Brownfield Cleanup Program Application Supporting Documentation**

**PART A**

**Section I. – Applicant Information**

*Applicant Information*

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

**Table 1  
Applicant Information**

<b>Entity Name/Applicant</b>	<b>Members/Owners</b>	<b>Contact Information</b>
Queensboro Tower, LLC (a New York Limited Liability Company)	Mr. Matthew Lawrence, Vice President	28-18 Steinway Street Long Island City, NY 11103-3349 Tel: (718) 204-0300 Fax: Unavailable Email: matt@criteriongroup.com

The NYS Department of State’s Corporation and Business Entity Database information for the Applicant is included as *Attachment A*. The entity is herein referred to as (the “Applicant”). The proposed Brownfield Cleanup Program (BCP) property includes the parcels located at 22-09 Queens Plaza North and 22-09 41<sup>st</sup> Avenue in the neighborhood of Long Island City in Queens, New York (hereinafter referred to as the “Site”). The Site is also identified as Block 412, Lots 1 and 25 on the New York City Tax Map.

**Section II - Project Description**

The following figures are included in *Attachment B*:

- Figure 1 – Site Location
- Figure 2 – Site and Sample Location Plan
- Figure 3 – En-Zone Boundary Map
- Figure 4 – Tax Map
- Figure 5 – Surrounding Land Use
- Figure 6 – Zoning Map
- Figure 7 – Soil Sample Concentrations Above NYSDEC UUSCOs and/or RRSCO
- Figure 8 – Groundwater Sample Concentrations Above NYSDEC AWQSGVs
- Figure 9 – Historic Remedial Activities

***1 & 2. Remedial Investigation Report***

A Final Remedial Investigation Report (RIR) is not included with the application. Merritt Environmental Consulting Corp. (MECC) conducted a Focused Subsurface Site Investigation (FSSI) at the Site in February 2019. The findings of the investigation are being used to support this Brownfield Cleanup Program (BCP) Application and the associated report is included in *Attachment C*.

***3. Description of Development Project***

The Applicant is seeking Volunteer status to enter into the BCP. The Site consists of an approximately 111,500-square foot parcel located at 22-09 Queens Plaza North and 22-09 41<sup>st</sup> Avenue in the Long Island City section of Queens, New York. The Site is identified by the City of New York as Borough of Queens, Block 412, Lots 1 and 25. Currently, Lot 1 contains an approximately 67,600-square foot, one- to two-story building, occupied by commercial office space and storage. The northern portion of Lot 1

contains a concrete- and asphalt-paved yard occupied by vehicles and storage of construction equipment. The yard and storage area extend further north into Lot 25. The surrounding area comprises predominantly industrial and commercial uses. A Site Location map and Site Plan are included in *Attachment B* as *Figures 1* and *2*, respectively.

The Site is part of the Queens Census Tract 33. According to the 2014-2018 American Community Survey (ACS) Profile data, approximately 17.5% of the population in Census Tract 33 are living below the poverty level. The unemployment rate for Census Tract 33 is approximately 7%, compared to the New York City unemployment rate of 6.9% (as of October 2018) and the national unemployment rate of 3.8% in October 2018, and 4.4% in March 2020. The entire Site is located within an En-Zone (Type B). The boundaries of the En-Zone are presented on *Figure 3*.

Entry into the BCP would facilitate the remediation and redevelopment of the Site into the proposed mixed-use, affordable housing project. The proposed redevelopment plan includes demolition of the existing structures and construction of a 58-story mixed-use building and 28-story mixed-use building with approximately 1,256 residential units. Approximately 30% of the units will be affordable. Approximately 40,160 square feet (40%) of open space is proposed throughout the Site and will be open to the tenants and community. Preliminary redevelopment plans are included in *Attachment D*. The Applicant 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 August 2021 and the Certificate of Completion (COC) is anticipated to be obtained in December 2022. The BCP project will likely include some or all of the activities listed in Table 2. This preliminary project schedule is subject to change.

**Table 2 - Estimated Project Schedule**

<b>Activity</b>	<b>Time To Complete</b>
Submittal of BCP Application	June 2020
30-day Completeness Review	June-July 2020
Submittal of Revised BCP Application	August 2020
30-day Public Notice/Public Comment Period is Initiated	September 2020
BCA Execution	October 2020
Submittal and Approval of Citizen Participation Plan	October 2020
Submit Draft Remedial Investigation Work Plan (RIWP)	October-November 2020
Distribute Fact Sheet/30-day Public Comment Period Is Initiated	December 2020
Remedial Investigation (RI)	January 2021
Draft RIR and Draft Remedial Action Work Plan (RAWP) Submitted to NYSDEC	March 2021
45-day Public Comment Period for RIR and RAWP is Initiated	May 2021
Public Comment Period for RIR and RAWP Ends	June 2021
Final RIR and RAWP Submitted/DEC Approves and Issues Decision Document	August 2021
Issue Remedial/Construction Notice Fact Sheet	August 2021
Begin Redevelopment (Construction) with Implementation of RAWP	September 2021
Execution of Environmental Easement	July 2022
Draft Site Management Plan (SMP) Submitted to NYSDEC	August 2022
Draft Final Engineering Report and Fact Sheet	September 2022
Certificate of Completion and Fact Sheet	December 2022
Completion of Building (first occupancy)	December 2024

### Section III – Property’s Environmental History

#### 1. Environmental Reports

Copies of the following previous reports for the Site are included as *Attachment C*:

- *NYSDEC Progress Reports* – Petrocelli Electric Company Inc. Facility, 22-09 Queens Bridge Plaza North, Long Island City, NY, Spill #9705856, EnSolutions, Inc., May 1999 through September 2002.
- *Groundwater Investigation Report* – Petrocelli Electric Company Inc. Facility, 22-09 Queens Bridge Plaza North, Long Island City, NY, Spill # 0330001, Brinkerhoff Environmental Services, Inc., September 2010.
- *Site Investigation Report* – Petrocelli Electric Co., Inc. Facility, 22-09 Queens Bridge Plaza North, Long Island City, Borough of Queens, New York, Spill No. 0330001, Brinkerhoff Environmental Services, Inc., December 2010.
- *Phase I Environmental Site Assessment* – 22-01/19 Queens Plaza North, AKA 22-09 Bridge Plaza & 22-09 & 22-02/20 41<sup>st</sup> Avenue, AKA 41-01/13 22<sup>nd</sup> Street & 41-02/14 23<sup>rd</sup> Street, Merritt Environmental Consulting Corp., October 2018.
- *Focused Subsurface Site Investigation* – 22-01/19 Queens Plaza North, Queens, New York 11101, Merritt Environmental Consulting Corp., February 2019.

Summaries of previous investigations are provided below.

*Phase I Environmental Site Assessment – 22-01/19 Queens Plaza North, AKA 22-09 Bridge Plaza & 22-09 & 22-02/20 41<sup>st</sup> Avenue, AKA 41-01/13 22<sup>nd</sup> Street & 41-02/14 23<sup>rd</sup> Street, Merritt Environmental Consulting Corp., October 2018.*

MECC prepared a Phase I Environmental Site Assessment (ESA) for the Site, dated October 2018, on behalf of New York Community Bank of Hicksville, New York, prior to acquisition of the Site by the Applicant. The Phase I ESA was performed in conformance with ASTM Standard E1527-13 and assessed: the potential presence of hazardous materials based on reconnaissance of the Site and surrounding area; reviewed data on the geology and hydrology of the surrounding area; examined historical Sanborn Fire Insurance maps and aerial photographs; and reviewed pertinent federal and state regulatory databases.

Historically, Lot 1 was occupied by Broadway Maintenance Corp. since approximately the 1950s through 1980. The building contained two electric motor repair rooms, and a service station was located in the southern portion of the building. Lot 25 was used as a lumber yard between approximately 1936 and 1947. A pump station was located in the parking lot from approximately 1950 through 1986. The northeastern portion of Lot 25 was occupied by Mahrco Printer and Stationers between approximately 1985 and 1991.

The Phase I ESA identified the following Recognized Environmental Conditions (RECs):

- Based on a reconnaissance and regulatory database review, five 4,000-gallon gasoline and diesel underground storage tanks (USTs) were closed-removed from the Site in 2013. The Site is registered under the NYSDEC Petroleum Bulk Storage (PBS) database as Facility ID 2-603679.
- During the reconnaissance, several groundwater monitoring wells were observed within the exterior portion of the Site that were associated with the remediation of NYSDEC Spill No. 9705856 (opened August 1997, closed August 2003). Petroleum contamination was later detected in the on-site groundwater monitoring wells in May 2013, and Spill No. 1301128 was assigned to

the Site. This spill is still open. Further evaluation of the status of the spill is being coordinated with the NYSDEC case manager.

The Phase I ESA identified the following Historical REC's (HREC's):

- The Site was listed in the NYSDEC Spills database with four closed spill cases reported between 1997 and 2015. The spills were due to contaminated soil or equipment failure.

Based on the findings of the Phase I ESA, MECC recommended that further evaluation be conducted to determine if the former USTs were properly closed and whether a Subsurface (Phase II) Investigation was warranted. MECC also recommended that the on-site wells be evaluated to determine their status and condition.

The Phase I ESA also included responses to Freedom of Information Law (FOIL) requests from NYSDEC pertaining to Spill Nos. 9705856 and 0330001. Summaries of the provided information is included below and associated report copies included in Attachment C:

*Spill No. 9705856*

- A soil vapor extraction (SVE) system was installed at the Site in 1998 and routine groundwater monitoring began in 1999 as part of the December 1998 Stipulation requirements set forth by NYSDEC to address petroleum contamination in soil and groundwater associated with this spill. SVE system piping was connected to a series of six overburden wells (MW-1 through MW-6) that were utilized for both vapor extraction and groundwater monitoring until 2003 to address this spill (and have been utilized to monitor conditions of other related spills thereafter). SVE system components included a positive displacement vacuum pump and two granular activated carbon treatment units situated in a small temporary enclosure along the western boundary of the Site. Four air sparge (AS) points were installed as part of the remedial system and were brought online in May 1999 to enhance air flow and provide oxygen to the subsurface in the vicinity of the former tank farm in the central portion of the Site. Based on available reports, the AS/SVE system operated at the site from 1999 through 2003. The components of the AS/SVE system are depicted on *Figure 9* in *Attachment B* based on prior report records included in *Attachment C*.
- Soil vapor results (one round of system vapor data collected to confirm that an air quality permit was not needed following startup) and several rounds of quarterly groundwater monitoring results were summarized in Progress Reports submitted to NYSDEC between 1999 through 2003, prepared by EnSolutions, Inc. (EnSolutions) of Dover, New Jersey. In March 2003, EnSolutions requested that NYSDEC close Spill No. 9705856, stating that petroleum contaminant levels in groundwater had reached asymptotic levels and operation of the SVE system was not warranted. In August 2003, NYSDEC closed spill No. 9705856 and indicated that monitoring wells MW-5 and MW-6 would be monitored under Spill No. 0330001, reported in April 2003.

*Spill No. 0330001*

- A Groundwater Investigation Report (GIR) prepared by Brinkerhoff Environmental Services, Inc. (Brinkerhoff), dated September 2010, documents the sampling and gauging of on-site monitoring wells in an effort to determine the source of free petroleum product [or light non aqueous phase liquid (NAPL)]. Two groundwater samples were collected from newly installed wells and gauged existing on-site wells. NAPL was not detected in any of the wells. Tetrachloroethene (PCE) was detected in wells MW-8 and MW-9 at concentrations of 13.7 and 5.18 micrograms per liter (µg/L), above the NYSDEC 6 NYCRR Part 703.5 Class GA Groundwater Quality Standards and Guidance Value (AWQSGV) of 5 µg/L. Elevated levels of petroleum-related compounds were not detected in groundwater.
- A Site Investigation Report (SIR) prepared by Brinkerhoff, dated December 2010, included the gauging and sampling of eight of nine permanent groundwater monitoring wells (MW-1, MW-2,



MW-3, MW-4, MW-6, MW-7, MW-8, and MW-9). Monitoring well MW-5 could not be located. All wells were reported to be constructed with 10 feet of slotted well screen set between approximately 5 and 15 feet below grade. Groundwater samples were collected using disposable bailers. The well locations are shown on Figure 8. NAPL was not detected in any of the wells. Elevated levels of petroleum-related volatile organic compounds (VOCs), including 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, benzene, chlorobenzene, n-butylbenzene, n-propylbenzene, sec-butylbenzene, and methyl tert-butyl ether (MTBE) were detected at concentrations above the NYSDEC 6 NYCRR Part 703.5 Class GA Groundwater Quality Standards and Guidance Values (AWQSGVs). PCE was also detected above the AWQSGV. Historic exceedances of the AWQSGVs are shown on Figure 8.

*Focused Subsurface Site Investigation – 22-01/19 Queens Plaza North, Queens, New York 11101, Merritt Environmental Consulting Corp., February 2019*

MECC conducted a FSSI at the Site post-acquisition by the Applicant in February 2019 to evaluate soil and groundwater quality beneath the Site due to the potential presence of elevated chlorinated VOCs (CVOCs). The Site was historically occupied by industrial uses and contained USTs. MECC also cited a nearby New York State Hazardous Waste Site (SHWS) with documented CVOC contamination in groundwater.

MECC advanced 10 soil borings and installed 10 temporary monitoring wells across the Site using a track-mounted direct-push drill rig, including locations on Lot 25 and Lot 1. All soil borings were advanced to approximately 15 feet below grade (approximately 5 feet below the observed depth to groundwater).

MECC reported that no odors, staining, or elevated photoionization detector (PID) readings were detected in the soil borings; however, a petroleum sheen was noted on groundwater. One grab sample was collected from each boring within the upper 8 feet below ground surface (bgs) to evaluate shallow soil and fill quality; however, the report does not clearly indicate why certain intervals were selected for laboratory analysis. All 10 soil samples were analyzed for NYSDEC Part 375 plus NYSDEC Final Commissioner Policy (CP-51) list of VOCs by EPA Method 8260. All soil samples except for those collected from borings B1, B3, and B9 were additionally analyzed for CP-51 SVOCs [polycyclic aromatic hydrocarbons (PAHs)] by EPA Method 8270, Target Analyte List (TAL) metals plus cyanide by EPA Methods 9012B, 7471B, 6010D, 6020B, and polychlorinated biphenyls (PCBs) by EPA Method 8082. The report does not clearly indicate why the remaining three samples were not analyzed for the aforementioned analyses.

A summary of the soil sample analytical results is as follows:

- Petroleum-related VOCs, including toluene, naphthalene, and xylenes, and the CVOC, tetrachloroethene (PCE), were detected at low levels below the NYSDEC 6 NYCRR Part 375 Unrestricted Use Soil Cleanup Objectives (UUSCOs) and Restricted Use Soil Cleanup Objectives (RRSCOs).
- PAHs were detected at concentrations ranging from 0.69 mg/kg to 24 mg/kg, above the UUSCOs and RRSCOs in two samples collected from the northern and central exterior yards.
- The metals barium, chromium, copper, lead, mercury, and/or zinc were detected in five samples at concentrations above their respective UUSCOs. Barium, copper, lead, and mercury were additionally detected at concentrations above their respective RRSCOs.
- No PCBs were detected at concentrations above the UUSCO of 0.1 mg/kg or RRSCO of 1 mg/kg in any of the samples.

All 10 temporary wells were installed to approximately 15 feet below grade with 10 feet of slotted well screen. The groundwater sample depths were not reported. Groundwater within the 1-inch diameter

temporary wells was measured between approximately 8 to 11 feet bgs in the northern portion of the Site, and to approximately 9 to 10 feet bgs in the southern portion of the Site. One groundwater sample was collected from an off-site well installed by others within the sidewalk along 23<sup>rd</sup> Street, located northeast-adjacent to the Site. All 11 groundwater samples were analyzed for VOCs by EPA Method 8260. Four groundwater samples (B2GW, B3GW, B4GW, and B6GW) were additionally analyzed for PAHs by EPA Method 8270. A summary of the groundwater sample analytical results is as follows:

- Petroleum-related VOCs and the CVOC, PCE, were detected in four groundwater samples at concentrations ranging from 2.7 to 47 micrograms per liter (µg/L), above the NYSDEC 6 NYCRR Part 703.5 Class GA Groundwater Quality Standards and Guidance Values (AWQSGVs). The highest concentrations were generally detected in sample B2GW and B3GW, collected from the central-western portion of the Site (downgradient of the former USTs).
- PAHs were primarily detected in sample B6GW at concentrations above the AWQSGVs. Naphthalene was detected in one sample at a concentration of 12 µg/L, above the AWQSGV of 10 µg/L.

MECC concluded that elevated concentrations of petroleum-related VOCs in groundwater may be related to the former on-site USTs and/or open Spill No. 1301128, and that residual petroleum contamination may be present within the vicinity of the former USTs.

The Applicant believes that there is sufficient information to proceed expeditiously with this BCP application. Based on the Site history and findings from the previous subsurface investigation, petroleum contaminated soil and groundwater are present beneath the Site. The Applicant seeks to enroll in the BCP as a Volunteer to remediate the Site in a timely manner under the oversight of the NYSDEC.

## *2. Sampling Data*

Based on the findings of the previous investigations, AKRF concluded that contaminated soil and groundwater are present at the Site. Soil vapor was not analyzed during previous investigations. The following subsurface contamination warrants remediation for the following areas of concern at the Site:

- SVOC- and metals-contaminated soil; and
- Petroleum-related VOCs, PCE, and SVOC contamination in groundwater

Figures indicating soil sample concentrations above UUSCOs and RRSCOs and groundwater sample concentrations above AWQSGVs, are provided in *Attachment B* as *Figures 7* and *8*, respectively.

## **Section IV- Property Information**

### *2. Tax Map*

A tax map of the Site and adjacent properties is provided as *Figure 4*. The Site is identified by the City of New York as Block 412, Lots 1 and 25.

### *3. Environmental Zone*

The entirety of the Site is located within Census Tract 33. The En-zone is Type B, indicating that the poverty rate of the census tract is at least two times the poverty rate of the county.

### *6. Previous Remediation*

#### Stipulation Agreement

Effective December 14, 1998, the Site was subject to a Stipulation Agreement pursuant to Section 17-0303 of the Environmental Conservation Law and Article 12, Section 176 of the Navigation Law, related to NYSDEC Spill No. 9705856. A Corrective Action Plan (CAP) was prepared by NYSDEC in order to outline the necessary steps to cleanup and remediate the spill. Petrocelli Electric Company, Inc. submitted

a Remediation Plan that was approved by NYSDEC. The Remediation Plan included the installation of a SVE system, which was started up on December 26, 1998.

Routine SVE and groundwater monitoring and sampling was conducted and documented in Progress Reports prepared by EnSolutions between 1999 and 2002. In March 2003, EnSolutions requested that NYSDEC close Spill No. 9705856, citing that petroleum contaminant levels in groundwater had reached asymptotic levels and further operation of an active remedial system was not warranted. In August 2003, NYSDEC closed spill No. 9705856 and indicated that monitoring wells MW-5 and MW-6 would be monitored under Spill No. 0330001, reported in April 2003.

A copy of the executed Stipulation Agreement and CAP is included in *Attachment E*.

#### Tank Removal

Four, 4,000-gallon diesel USTs and one 4,000-gallon gasoline UST were removed from the Site in 2013. During the tank removal activities, contaminated soil was encountered surrounding the tanks, and Spill No. 1301128 was assigned to the Site. The approximate extent of the excavation area is shown on *Figure 9*, provided in *Attachment B*. Eleven sidewall samples were collected around the base of the excavation. Laboratory analytical results indicated that VOCs were not detected above laboratory reporting limits in any samples and PAHs were detected at low levels in each of the samples. Additional soil excavation was conducted beneath the dispenser piping, located south of the tanks. Evidence of petroleum contamination was observed down to approximately 10 feet bgs. Based on the limited information available, additional tank closure details are unknown. Spill No. 1301128 is currently open.

#### *10. Property Description and Environmental Assessment*

Location – The Site is located at 22-09 Queens Plaza North (Lot 1) and 22-09 41<sup>st</sup> Avenue (Lot 25), in the Long Island City section of Queens, New York. The Site is bound to the north by 41<sup>st</sup> Avenue and underground train tracks for the Metropolitan Transit Authority (MTA) F line, followed by a commercial building occupied by a printing and graphics facility and an electrical supply company, an office building, and a hotel; to the east by 23<sup>rd</sup> Street, followed by mixed residential and commercial buildings; to the south by Queens Plaza North, the Queensboro Bridge roadway, and aboveground railroad tracks for the MTA N line, followed by parking areas; and to the west by 22<sup>nd</sup> Street, followed by a commercial building, vacant land, and a warehouse for a lighting facility.

Site Features – The Site consists of two tax lots on an approximately 2.56-acre parcel. Lot 1 contains an approximately 67,600-square foot, one- to two-story building, currently occupied by commercial office space and storage. The northern portion of Lot 1 contains a concrete- and asphalt-paved yard occupied by vehicles and storage of construction equipment. The yard and storage area extend further north into Lot 25.

Current Zoning and Land Use – The current zoning designation of the Site is M1-5 (manufacturing). The proposed rezoning plan would change the Site zoning to M1-6/R9/R10; however, this is currently under review by the New York City Department of City Planning (NYCDP) as part of the Uniform Land Use Review Procedure (ULURP).

The surrounding area is largely developed with industrial and commercial uses with residential uses located further west and east. A zoning map is provided as *Figure 6*.

Past Use of the Site – Available records indicate the Site was used for residential purposes from the late 1800s through the early 1900s. Broadway Maintenance Corporation and Water House occupied the Site from the 1950s through approximately 1985. A 1971 Certificate of Occupancy identified electrical and machine repair, and engine rebuilding in the southern portion of the Site. Electric motor repair rooms, automotive garage and service station operations, and related activities have remained ongoing at the Site for over the last 30 years. Other industrial uses included a lumber yard between approximately 1936 and 1947. A pump station first associated with the Broadway Maintenance Corp. and Water House was

located in the central portion of the Site from approximately 1950 through 1986 (this location is generally consistent with five 4,000-gallon USTs closed-removed in 2013). Tenants following operations by Broadway Maintenance Corp. included Mahrco Printer and Stationers (approximately 1985 to 1991) and a taxi storage and maintenance yard (approximately 1991 to 2000). More recent Site occupants between approximately 2000 and 2015 have included Petrocelli Electric Company, Welsbach Electric Corp., Ronart Leasing Corp., and Grace Industries Corp.

**Site Geology and Hydrology** – Based on reports compiled by the U.S. Geological Survey Central Park Quadrangle map, the Site lies at an elevation of approximately 20 to 25 feet above the National Geodetic Vertical Datum of 1988 (an approximation of mean sea level) and slopes slightly down toward the west to southwest. Groundwater elevation ranges from approximately 41.4 to 42.0 feet above NAVD 88 (approximately 8.5 to 10.2 feet bgs). Groundwater is expected to flow in a southwesterly direction toward the East River, located approximately 0.5 mile west of the Site.

During MECC’s February 2019 FSSI, subsurface materials beneath the Site consisted of approximately 5 feet to 10 feet of fill material (predominantly sand with varying amounts of clay, brick, ash, wood, and cinder), underlain by sand and clay down to the maximum boring terminus of 15 feet below grade. The fill thickness was thinner beneath the Site building.

**Environmental Assessment** – Based on available data and previous reports provided to AKRF, the primary contaminants of concern for the Site are petroleum-related VOCs, PCE, PAHs, and metals.

**Soil** – During the February 2019 FSSI conducted by MECC, 10 soil borings were advanced across the Site using a track-mounted direct-push drill rig. All soil borings were advanced to approximately 15 feet below grade (approximately 5 feet below the observed depth to groundwater). According to the FSSI, one grab sample was collected from each boring for laboratory analysis from the upper 8 feet below grade to evaluate shallow soil and fill conditions; however, the report did not clearly indicate why certain intervals were selected for laboratory analysis. All 10 soil samples were analyzed for NYSDEC Part 375 plus CP-51 list of VOCs by EPA Method 8260. All soil samples, except for those collected from borings B1, B3, and B9, were additionally analyzed for CP-51 SVOCs (PAHs) by EPA Method 8270, TAL metals plus cyanide by EPA Methods 9012B, 7471B, 6010D, 6020B, and PCBs by EPA Method 8082. The report did not clearly indicate why those three samples (from borings B1, B3, and B9) were not analyzed for the aforementioned analyses. Table 3 below summarizes the soil samples collected and their respective laboratory analyses.

**Table 3 - Soil Sample Analysis Summary**

Soil Boring Location	Sampling Interval (feet below grade)	Laboratory Analyses			
		Part 375 + CP-51 VOCs	CP-51 SVOCs (PAHs)	TAL Metals + Cyanide + Mercury	PCBs
B1	5	X			
B2	3-5	X	X	X	X
B3	6	X			
B4	5.5-6.5	X	X	X	X
B5	4.5-5.5	X	X	X	X
B6	4-5	X	X	X	X
B7	7-8	X	X	X	X
B8	5-6	X	X	X	X
B9	5	X			
B10	2-3	X	X	X	X

Soil sample analytical results obtained during previous investigations were compared to 6 NYCRR Part 375 UUSCOs and RRSCOs.

- No VOCs were detected in the soil samples at concentrations above the UUSCOs or RRSCOs. Low levels of petroleum-related VOCs, including toluene, naphthalene, and xylenes were detected in five soil samples collected from the upper 6.5 feet below grade. One low-level detection of PCE was detected in one sample (B4) at a concentration of 0.024 mg/kg, at 5.5 to 6.5 feet below grade.
- Up to seven PAHs were detected above their respective UUSCOs and/or RRSCOs in two soil samples (B5 and B6), at depths of 4.5-5.5 feet and 4-5 feet, respectively. Benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, and/or indeno(1,2,3-cd)pyrene were detected above their respective RRSCOs in two soil samples at concentrations ranging from 0.69 to 24 mg/kg. In the remaining soil samples, PAHs were detected at concentrations ranging from 0.04 mg/kg (naphthalene in sample B8) to 40 mg/kg (fluoranthene in sample B6), below the UUSCOs and RRSCOs.
- Up to 21 metals were detected in one or more of the soil samples analyzed at depths between 4 and 8 feet below grade. Arsenic (maximum concentration of 16 mg/kg), barium (maximum concentration of 1,600 mg/kg), copper (maximum concentration of 280 mg/kg), lead (maximum concentration of 3,100 mg/kg), mercury (maximum concentration of 1.4 mg/kg), and zinc (maximum concentration of 1,300 mg/kg) were detected at concentrations above their respective UUSCOs. Barium, copper, lead, and mercury were additionally detected at concentrations above their respective RRSCOs in up to two soil samples. Metals were not detected above the UUSCOs and RRSCOs in two samples (B2 and B10).
- PCBs were not detected in any soil samples above the UUSCO or RRSCO.
- Soil samples were not analyzed for pesticides. The FSSI did not indicate why the samples were not analyzed for pesticides.

Soil sample results are summarized on *Figure 7* respectively, provided in *Attachment B*. Only exceedances of the UUSCOs and RRSCOs are shown on *Figure 7*. Exceedances (of the UUSCOs and RRSCOs) were not detected at boring locations and sampling intervals where no data is shown.

*Groundwater* – Groundwater was sampled by EnSolutions between 1999 and 2003 as part of the ongoing monitoring under Spill No. 9705856. Groundwater samples were analyzed for BTEX and MTBE. The monitoring wells were sampled using a dedicated disposable bailer. The most recent sample results from February 2003 are summarized below.

Two groundwater samples were collected from permanent monitoring wells MW-8 and MW-9 during Brinkerhoff's May 2010 study documented in the Groundwater Investigation Report, dated September 2010. The wells were installed under the supervision and direction of Brinkerhoff, and were constructed with 10 feet of slotted well screen set at the bottom of the well (approximately 15 feet below grade). Groundwater samples were collected using disposable bailers; however, the sampling depth was not reported. The groundwater samples were analyzed for VOCs by EPA Method 8260 and SVOCs by EPA Method 8270.

During Brinkerhoff's December 2010 SIR, eight groundwater samples were collected from eight previously installed permanent groundwater monitoring wells (MW-1, MW-2, MW-3, MW-4, MW-6, MW-7, MW-8, and MW-9). The wells were installed during a previous investigation Spill Nos. 9705856 and 0330001. Although nine wells were previously installed, only eight wells could be located during the SIR. All wells were reported to be constructed with 10 feet of slotted well screen set between approximately 5 and 15 feet below grade. Groundwater samples were collected using disposable bailers; however, the sampling depth was not reported.

During MECC's February 2019 FSSI, a one-inch diameter temporary groundwater monitoring well was installed in each of the 10 soil borings (B1 through B10) using a track-mounted direct-push drill rig. Each temporary well was installed to 15 feet below grade with 10 feet of slotted screen straddling the water table. Groundwater sample depths were not reported. One groundwater sample was also collected from an off-site well installed by others within the sidewalk along 23<sup>rd</sup> Street, located northeast-adjacent to the Site. All 11 groundwater samples were analyzed for VOCs by EPA Method 8260. Four groundwater samples (B2GW, B3GW, B4GW, and B6GW) were additionally analyzed for PAHs by EPA Method 8270.

Groundwater samples collected during the previous investigations were compared to the NYSDEC AWQSGVs.

- The petroleum-related VOCs 1,2,4-trimethylbenzene, 1,4-dichlorobenzene, benzene, chlorobenzene, isopropylbenzene, MTBE, naphthalene, n-butylbenzene, n-propylbenzene, and sec-butylbenzene, were detected above their respective AWQSGVs at concentrations ranging from 2.33 µg/L (benzene in MW-6, October 2010) to 670 µg/L (toluene in MW-6, February 2003).
- The CVOC, PCE, was detected above the AWQSGV of 5 µg/L at the following sample locations (sampling dates): MW-8 at concentrations of 13.7 µg/L (May 2010) and 12.4 µg/L (October 2010); MW-9 at concentrations of 5.18 µg/L (May 2010) and 5.24 µg/L (October 2010); and in B4GW at a concentration of 6 µg/L (February 2019).
- The PAHs, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, indeno(1,2,3-c,d)pyrene, and pyrene were detected in samples MW-8 (May 2010) B6GW (February 2019) at concentrations ranging from 0.0673 µg/L to 56 µg/L, above their respective AWQSGVs. Naphthalene was detected in samples B3GW and B8GW at concentrations of 12 µg/L and 11 µg/L, respectively, above the AWQSGV of 10 µg/L.
- Groundwater samples were not analyzed for PCBs, pesticides, or metals.

Groundwater sample results are summarized on Figure 8, provided in *Attachment B*. Only exceedances of the AWQSGVs are shown on Figure 8.

*Soil Vapor* – Extracted vapor from the SVE system was sampled for benzene, toluene, ethylbenzene, and xylenes (collectively referred to as BTEX) and hydrocarbons as part of the remediation and monitoring for Spill No. 9705856. Soil vapor intrusion (i.e., subsurface soil vapor, slab soil vapor, and/or indoor air) testing was not conducted as part of historic or more recent ongoing spill investigation activities, based on the information available and provided to AKRF.

In December 1998, soil vapor samples were collected from three locations: at the discharge of the SVE blower (denoted as IN), between the two carbon canisters (denoted as C-1), and at the discharge of the second carbon canister (denoted as C-2). There were no detections in samples C-1 and C-2 for the compounds analyzed. At the SVE effluent blower (IN), concentrations of petroleum hydrocarbons ranged from 0.15 to 45 parts per million by volume (ppmv) or 786.69 to 132,791.4 micrograms per cubic meter (µg/m<sup>3</sup>). BTEX concentrations ranged from 0.47 to 1.42 ppmv or 2,040.9 to 5,350.7 µg/m<sup>3</sup>. Analysis was only completed for petroleum hydrocarbons based on regulatory requirements at that time. The laboratory analytical results are included in January 1999 Progress Report prepared by EnSolutions, provided in *Attachment C*. The SVE system was taken offline in 2003 following the closure of Spill No. 9705856. The AS/SVE system components are shown on *Figure 9* in *Attachment B*.



## PART B

### Section VI. – Current Property Owner/Operation Information

**Table 4 - Current Property Operator Information**

<u>Operator's Name</u>	<u>Contact Information</u>
E-J Electric Installation Co.	212 East 48 <sup>th</sup> Street New York, NY 10017 Phone: (914) 840-0010 Fax: unavailable
Hylan Datacom & Electrical, LLC	455 Morgan Avenue Brooklyn, NY 11222 Phone: (718) 599-0133 Fax: unavailable
JR Cruz Corp.	675 Line Road Aberdeen, NJ 07747 Phone: 1-877-290-0722 Fax: 732-290-8960
Pete Ice Cream Truck Rental Corp.	22-09 Queens Plaza North Long Island City, NY 11101 Phone: unavailable Fax: unavailable
Super Scrap, Inc.	22-09 Queens Plaza North Long Island City, NY 11101 Phone: unavailable Fax: unavailable
Tangent Construction Inc.	224 West 35 <sup>th</sup> Street, Suite 604 New York, NY 10001 Phone: (212) 239-8410 Fax: unavailable
US Aerials and Equipment, LLC	22-09 Queens Plaza North Long Island City, NY 11101 Phone: (718) 707-0124 Fax: (718) 707-0126
Williamsburg Materials Corp.	52-46 69 <sup>th</sup> Street Maspeth, NY 11378 Phone: (347) 585-3429 Fax: unavailable

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

The Applicant anticipates voluntarily investigating and remediating the Site, as required under the Brownfield Cleanup Program, as part of its redevelopment of the Site into a mixed-use development that will include affordable housing. There is no relationship, corporate or otherwise, between the Applicant, its members, and the current owner or prior owners or operators at the Site.

**Table 5 - Previous Property Owners/Operators**

Property Owners	Years of Ownership	Status of Entity	Contact Information	Relationship to Applicant	Operator(s)
<b>Lots 1 &amp; 25</b>					
Queensboro Tower, LLC % Criterion Group, LLC	2019-Present	Active	28-18 Steinway Street Long Island City, NY 11103 (718) 204-0300	BCP Applicant	Manhattan Tool Rental, E-J Electric Installation Co., Hylan Datacom & Electrical, LLC, JR Cruz Corp., Pete Ice Cream Truck Rental Corp., Super Scrap, Inc., Tangent Construction Inc., US Aerials and Equipment, LLC, Williamsburg Materials Corp.
PEC Realty Corp.	2014-2019	Active	360 Lexington Avenue, Suite 601 New York, NY 10017 Phone: Unknown	None	Petrocelli Electric Company, Inc. / Allan Briteway Electrical Contractors, Inc.
New York City Industrial Development Agency	1997-2014	Active	110 William Street, 5 <sup>th</sup> Floor New York, New York 10038 (212) 312-2598	None	Petrocelli Electric, Petrocelli Communications, Inc., Welsbach Electric Corp., Grace Industries, Inc., Nesco Industries Inc., Allan Briteway Electrical Contractor, Ronart Leasing Corporation, USA Pipelining of North America LLC
PEC Realty Corp.	1997	Active	360 Lexington Avenue, Suite 601 New York, NY 10017 Phone: Unknown	None	Petrocelli Electric Company, Inc.
Four Sons Realty Co.	1982-1997	Dissolved	2208 Surf Avenue Brooklyn, NY 11224 Phone: Unknown	None	Parking lot, Broadway Maintenance Corp (repair shop, service station, and warehouse)
Bridge Plaza North Corp. / Broadway Maintenance Corp.	Prior to 1982	Dissolved	1256 South Railroad Avenue Staten Island, NY 10306 Phone: Unknown  277 Park Avenue New York, NY 10017 Phone: Unknown	None	Residential, parking lot, Broadway Maintenance Corp (repair shop, service station, and warehouse)

## **Section VII. – Requestor Eligibility Information**

### Volunteer Status

The Applicant is seeking Volunteer status with respect to the Site because they have completed due diligence satisfying all appropriate inquiry prior to the acquisition in January 2019 and have continued to expend effort to promote the protection of public health thereafter. Following the acquisition of the Site, the Applicant conducted follow-up investigation activities in February 2019 to re-confirm there was not a continuing release and help establish baseline conditions for future commercial tenants. Testing done in February 2019 did not indicate a continuing release or present data indicative of a potential human or environmental exposure scenario; the site remains capped with building slabs and asphalt paved parking areas and is used for commercial purposes consistent with current zoning. Following the property acquisition, the Applicant also worked diligently to remove tenants who had established leases with the prior owner.

While it was the Applicant's understanding at the time of the acquisition that NYSDEC Spill No. 1301128 had been or was being addressed in a manner that was expected to obtain closure by the prior owner, the Applicant's recent discovery of the need for additional work was respectfully acknowledged and a response is in process. The Applicant has retained additional consultants to re-engage with the NYSDEC Spills program to develop and implement a Spill Closure Work Plan and is coordinating with tenants for access to promptly address any remaining requirements to achieve closure of Spill No. 1301128.

## **Section VIII. – Property Eligibility Information**

The Site was subject to a Stipulation Agreement pursuant to Article 12 of the Navigation Law and Article 17 of the ECL, effective December 14, 1998. The Stipulation Agreement was prepared by NYSDEC to outline the cleanup requirements of Spill No. 9705856. Based on available records, Petrocelli Electric Company, Inc. completed obligations identified in the Corrective Action Plan (CAP) for the Stipulation Agreement, which included the installation of a soil vapor extraction (SVE) system. As a result, the spill was closed NYSDEC in August 2003.

Spill No. 1301128 was reported at the Site in May 2013 due to petroleum contamination encountered in groundwater. This spill is currently open and pending further investigation and cleanup (further discussed below).

### *Registry Listings*

#### *a. Petroleum Bulk Storage (PBS)*

- Petrocelli Electric Co. Inc., located at 22-09 Bridge Plaza North on Lot 1, is listed in the NYSDEC PBS under facility ID 2-603679 with one closed-removed 4,000-gallon gasoline UST and 4 closed-removed 4,000-gallon diesel USTs. The tanks were installed in 1998 and closed in 2013. The facility owner is listed as Petrocelli Electric Company, Inc.
- 57<sup>th</sup> Street / Marcia Management, Inc., located at 22-09 Bridge Plaza North on Lot 1, is listed in the NYSDEC PBS database under facility ID 2-603106 with five 4,000-gallon gasoline USTs converted to non-regulated use, four closed-removed 550-gallon gasoline USTs, and one 10,000-gallon No. 2 fuel oil UST converted to non-regulated use. The facility owner is listed as Four Sons Realty Co.

#### *b. Spills*

- NYSDEC Spill No. 9705856 was reported in August 1997 at 22-09 Queens Plaza North. According to the listing, one 550-gallon tank was removed and contaminated soil was encountered and stockpiled on plastic. A sparge/vent system was installed as part of soil and groundwater remediation. Site contamination was reportedly decreasing and an

investigation of off-site sources was being conducted. No further pertinent information was provided. The spill was closed in August 2003.

- NYSDEC Spill No. 0211175 was reported in February 2003 at 22-09 Queens Plaza North due to a tank test failure. This spill was closed in March 2005 and consolidated to Spill No. 0330001.
- NYSDEC Spill No. 0330001 was reported in April 2003 at 22-09 Queens Plaza North. According to the listing, a monitoring well previously indicating little or no contamination was later indicating evidence of significant contamination, potentially due to an off-site source. Soil and groundwater samples collected across the Site in 1998 indicated petroleum contamination in both soil and groundwater. Compounds included BTEX, MTBE, trimethylbenzene, and naphthalene. Groundwater was encountered between approximately 8 and 10 feet below grade and was determined to flow in a southerly to southwesterly direction. Groundwater monitoring continued through 2010. In December 2010, no free product was detected in any of the wells. Concentrations of PCE up to 12.4 ppb were detected in two wells (MW-8 and MW-9). NYSDEC closed the spill in January 2011.
- NYSDEC Spill No. 1301128 was reported in May 2013 due to the presence of petroleum contamination in soil encountered during the removal of USTs. The Applicant and Applicant's consultant have recently engaged with NYSDEC and will be completing any follow-up testing and/or remediation necessary to address the closure of this spill.
- NYSDEC Spill No. 1410826 was reported in February 2015. Based on the spill listing, petroleum contamination was encountered during subsurface work at the former dispenser island in relation to the tank removal activities. NYSDEC closed Spill. No. 1410826 the next day, and merged with Spill No. 1301128 since it was reported during the tank removal work.

*c. Resource Conservation and Recovery Act (RCRA) Listings*

- Ronart Leasing Corp., located at 22-09 Queens Plaza North, is listed as a RCRA Non-Generator and historical Conditionally Exempt Small Quantity Generator (CESQG) in 1992 (EPA ID NYD987018223). Waste streams included ignitable waste (D001), corrosive waste (D002), arsenic (D004), benzene (D018), and PCE (D039). No violations were reported.

**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. Jumaane Williams Public Advocate 1 Centre Street, 15 <sup>th</sup> Floor North New York, NY 10007	Hon. Sharon Lee Queens Borough President 120-55 Queens Boulevard Kew Gardens, NY 11424
Hon. Catherine Nolan New York State Assembly District 37 47-40 21 <sup>st</sup> Street, Room 810 Long Island City, NY 11101	Hon. James Van Bramer New York City Council District 26 47-01 Queens Boulevard Suite 205 Sunnyside, New York 11104

Marisa Lago - Chair NYC Department of City Planning 120 Broadway, 31 <sup>st</sup> Floor New York, NY 10271	NYC Department of City Planning Queens Borough Office 120-55 Queens Boulevard, 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
Hon. Carolyn Maloney U.S. House of Representatives 31-19 Newtown Avenue Astoria, NY 11102	Hon. Audrey I. Pheffer, County Clerk Queens County Clerk 8811 Sutphin Boulevard #106 Jamaica, NY 11435
Mark McIntyre, Esq. - Director Mayor's Office of Environmental Remediation 100 Gold Street, 2 <sup>nd</sup> Floor New York, NY 10038	Hon. Michael Gianaris New York State Senator, 12 <sup>th</sup> District 31-19 Newtown Avenue, Suite 402 Astoria, NY 11102
Pinar Balci, Assistant Commissioner Bureau of Environmental Planning and Analysis 11 <sup>th</sup> Floor NYCDEP 59-17 Junction Boulevard Flushing, NY 11373	Vincent Sapienza Commissioner, NYC Dept. of Environmental Protection 59-17 Junction Boulevard Flushing, NY 11373
Florence Koulouris District Manager, Queens Community Board 1 45-02 Ditmars Boulevard, LL Suite 1025 Astoria, NY 11105	Marie Torniali Chair, Queens Community Board 1 45-02 Ditmars Boulevard, LL Suite 1025 Astoria, NY 11105

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

The Site (Block 412, Lots 1 and 25) is owned by Queensboro Tower, LLC, located at 28-18 Steinway Street, Long Island City, NY 11103. A list of adjacent properties and owners is provided below:

Block/Lot	Owner	Occupant
<b>Site</b>		
412/1 and 25	Queensboro Tower LLC % Criterion Group, LLC 28-18 Steinway Street Long Island City, NY 11103 Phone: (718) 204-0300	E-J Electric Installation Co. 212 East 48 <sup>th</sup> Street New York, NY 10017 Phone: (914) 840-0010  Hylan Datacom & Electrical, LLC 455 Morgan Avenue Brooklyn, NY 11222 Phone: (718) 599-0133  JR Cruz Corp. 675 Line Road Aberdeen, NJ 07747 Phone: 1-877-290-0722  Pete Ice Cream Truck Rental Corp. 22-09 Queens Plaza North Long Island City, NY 11101 Phone: unavailable  Super Scrap, Inc. 22-09 Queens Plaza North Long Island City, NY 11101 Phone: unavailable  Tangent Construction Inc. 224 West 35 <sup>th</sup> Street, Suite 604 New York, NY 10001 Phone: (212) 239-8410  US Aerials and Equipment, LLC 22-09 Queens Plaza North Long Island City, NY 11101 Phone: (718) 707-0124  Williamsburg Materials Corp. 52-46 69 <sup>th</sup> Street Maspeth, NY 11378 Phone: (347) 585-3429
<b>Adjacent to the North</b>		
409/7	Ratan Realty Three LLC 1300 Tonnelle Avenue North Bergen, NJ 07047 Phone number: unavailable	The Vue Hotel 40-47 22 <sup>nd</sup> Street Long Island City, NY 11101 Phone: (929) 208-0006
409/6	Stalingrad Ventures, LLC 320 Northern Boulevard, Suite 14 Great Neck, NY 11021 Phone number: unavailable	Commercial / Office Building 22-07 41 <sup>st</sup> Avenue Long Island City, NY 11101 Phone number: unavailable
409/1	Spar Knitwear Corp. 21-21 41 <sup>st</sup> Avenue Long Island City, NY 11101 Phone: (718) 786-6877	Cooper Electric Supply Co. 22-19 41 <sup>st</sup> Avenue Long Island City, NY 11101 Phone: (718) 269-4900
410/38	Spar Knitwear Corp. 21-21 41 <sup>st</sup> Avenue Long Island City, NY 11101 Phone: (718) 786-6877	Bridgeview School of Fine Arts 21-21 41 <sup>st</sup> Avenue Long Island City, NY 11101 Phone: (301) 681-6987



Adjacent to the East		
408/7501	Owner unavailable	Multi-family apartment building 23-01 41 <sup>st</sup> Avenue Long Island City, NY 11101 Phone number: unavailable
413/2	24 <sup>th</sup> Street LIC, LLC % The World Wide Group 950 Third Avenue, 18 <sup>th</sup> Floor New York, NY 10022 Phone: (212) 486-2000	Mixed residential (Garage) & commercial 41-42 24 <sup>th</sup> Street Long Island City, NY 11101 Phone: (347) 242-8143
413/10	Dalva Storage Inc. 53 East 77 <sup>th</sup> Street New York, NY 10075 Phone: (212) 717-6600	Unoccupied – storage garage 41-31 23 <sup>rd</sup> Street Long Island City, NY 11101 Phone number: unavailable
413/12	Pinn Day Day LLC 38-19 24 <sup>th</sup> Street Long Island City, NY 11101 Phone number: unavailable	Multi-family apartment building 41-27 23 <sup>rd</sup> Street Long Island City, NY 11101 Phone number: unavailable
413/14	Park Plaza Associates LLC 175 Great Neck Road, #402 Great Neck, NY 11021 Phone number: unavailable	Unoccupied- vacant land 41-25 23 <sup>rd</sup> Street Long Island City, NY 11101 Phone number: unavailable
413/15	Park Plaza Associates LLC 175 Great Neck Road, #402 Great Neck, NY 11021 Phone number: unavailable	Unoccupied- vacant land 41-21 23 <sup>rd</sup> Street Long Island City, NY 11101 Phone number: unavailable
413/16	23 <sup>rd</sup> Street Estates, LLC 320 Roebling Street, Suite 316 Brooklyn, NY 11211 Phone: (718) 433-4320	Multi-family elevator building 41-15 23 <sup>rd</sup> Street Long Island City, NY 11101 Phone number: unavailable
413/7501	Owner unavailable	Mixed residential & commercial (parking) MTP Parking 41-01 23 <sup>rd</sup> Street Long Island City, NY 11101 Phone: (718) 482-8140
Adjacent to the South		
426/50 427/45 421/17	NYS Department of Transportation 50 Wolf Road Albany, NY 12232 (518) 457-6195	Unoccupied – transportation/utility facility
Adjacent to the West		
411/10	QPN 10 DE LLC % Storage Deluxe 26 West 17 <sup>th</sup> Street New York, NY 10011 (212) 904-0404	UOVO: NYC 41-54 22 <sup>nd</sup> Street Long Island City, NY 11101 (212) 265-3111
411/12	LIC Venture Capital, LLC 112-15 Northern Boulevard, #2 Corona, NY 11368 Phone number: unavailable	Unoccupied – vacant land 41-50 21 <sup>st</sup> Street Long Island City, NY 11101
411/31	United Development Venture, LLC 112-15 Northern Boulevard, #2 Corona, NY 11368 Phone number: unavailable	Edison Price Lighting 41-50 22 <sup>nd</sup> Street Long Island City, NY 11101 (718) 685-0700

### 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
Spectrum New York 1 News 75 Ninth Avenue New York, NY 10011	WPIX-TV (Channel 11 News) 220 East 42 <sup>nd</sup> Street New York, NY 10017
Queens Chronicle 71-19 80 <sup>th</sup> Street Glendale, NY 11385	Queens Gazette 42-16 34 <sup>th</sup> Avenue Long Island City, NY 11101
Queens Daily Eagle 8900 Sutphin Boulevard, LL11 Jamaica, NY 11435	The Long Island City/Astoria Journal 69-60 Grand Avenue Maspeth, NY 11378

### 4. Public Water Supply

Public water is provided by The City of New York, Department of Environmental Protection:

Customer Service Center  
59-17 Junction Boulevard, 13<sup>th</sup> Floor  
Flushing, New York 11373

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

### 5. Additional Contacts

None

### 6. Nearby Schools and Day Care Centers

#### Daycares:

Long Island City Family Daycare, Inc.  
40-34 28<sup>th</sup> Street  
Long Island City, NY 11101  
(347) 669-4009  
Director: Unknown  
Distance: 1,060 feet east of the Site

New York City Housing Authority's Queensbridge South Day Care Center  
10-26 41<sup>st</sup> Avenue  
Long Island City, NY 11101  
(718) 657-8300  
Director: Unknown  
Distance: 1,140 feet northwest of the Site

Bright Horizons at Long Island City  
42-09 28<sup>th</sup> Street  
Long Island City, NY 11101  
(718) 361-6414  
Aziza Matzelle, Center Director  
Distance: 1,200 feet southeast of the Site

Schools:

Evangel Christian School  
3921 Crescent Street  
Long Island City, NY 11101  
(718) 937-9600  
Pastor Carolyn Marko, Headmaster  
Distance: 1,000 feet northeast of the Site

P.S. 555, Newcomers High School  
28-01 41<sup>st</sup> Avenue  
Long Island City, NY 11101  
(718) 937-6005  
Lilliam Katcher, Principal  
Distance: 1,150 feet east of the Site

Queen's Paideia School  
4402 23<sup>rd</sup> Street  
Long Island City, NY 11101  
(718) 361-0070  
Francis Mechner, PhD, Director  
Distance: 1,190 feet south of the Site

Growing Up Green Charter School  
39-37 28<sup>th</sup> Street  
Long Island City, NY 11101  
(718) 433-2944  
Aris Colgan, Principal  
Distance: 1,270 feet east of the Site

*7. Document Repositories*

Queens Community Board 1  
45-02 Ditmars Boulevard, LL Suite 1025  
Astoria, NY 11105  
(718) 786-3335

Queens Community Board 1 acknowledged via email that their office will be a document repository for the Site. Due to the “New York State on PAUSE” Executive Order, effective March 22, 2020, all public libraries in Queens County are currently closed and a confirmation could not be obtained from the local library branch. The acknowledgement from Queens Community Board 1 is included in *Attachment F*.

*8. Local Community Board*

Florence Koulouris  
District Manager, Queens Community Board 1  
45-02 Ditmars Boulevard, LL Suite 1025  
Astoria, NY 11105  
(718) 786-3335

**Section X. – Land Use Factors**

*1. Zoning*

The current zoning designation of the Site is M1-5 (manufacturing). As part of the proposed redevelopment, the zoning is anticipated to be changed to M1-6/R9/R10 (manufacturing and residential) as part of Uniform Land Use Review Procedure (ULURP)

## *2. Current Site Use*

Currently, Lot 1 contains an approximately 67,600-square foot, one- to two-story building, occupied by commercial office space and storage. The northern portion of Lot 1 contains a concrete- and asphalt-paved yard occupied by vehicles and storage of construction equipment. The yard and storage area extend further north into Lot 25. An Existing Land Use map is included as *Figure 5* in *Attachment B*.

## *3. Proposed Site Use*

The proposed redevelopment plan includes demolition of the existing structures and construction of a 58-story building and 28-story mixed-use building with approximately 1,256 residential units. Approximately 30% of the units will be affordable. Approximately 40,160 square feet of public open space is proposed throughout the Site.

## *6. Applicable Community Master Plans*

The Site is located within the Long Island City (LIC) Core Neighborhood Planning Study area, coordinated by the NYC Department of City Planning. The study aims to target land use and zoning issues within Long Island City and identify community needs pertaining to housing and business growth. The Study is part of *Housing New York*, the New York City Mayor's housing initiative to encourage the development of affordable housing across the city.

**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 August 6, 2020.

---

Selected Entity Name: QUEENSBORO TOWER, LLC

Selected Entity Status Information

**Current Entity Name:** QUEENSBORO TOWER, LLC

**DOS ID #:** 4543242

**Initial DOS Filing Date:** MARCH 12, 2014

**County:** KINGS

**Jurisdiction:** NEW YORK

**Entity Type:** DOMESTIC LIMITED LIABILITY COMPANY

**Current Entity Status:** ACTIVE

Selected Entity Address Information

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

VCORP AGENT SERVICES, INC.

25 ROBERT PITT DRIVE

SUITE 204

MONSEY, NEW YORK, 10952

**Registered Agent**

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by [viewing the certificate](#).

**\*Stock Information**

# of Shares	Type of Stock	\$ Value per Share
-------------	---------------	--------------------

No Information Available

\*Stock information is applicable to domestic business corporations.

### Name History

Filing Date	Name Type	Entity Name
MAR 12, 2014	Actual	QUEENSBORO TOWER, LLC

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

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

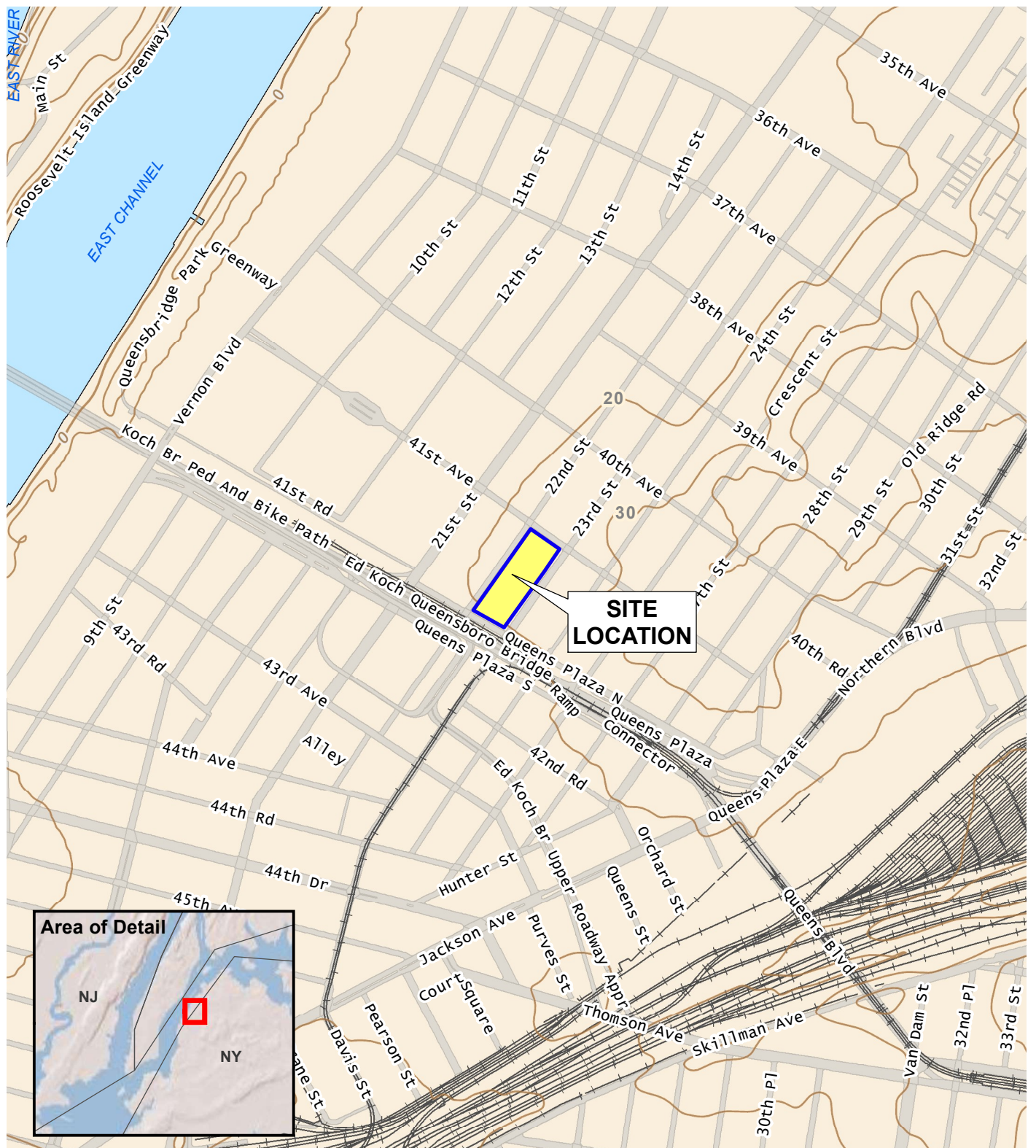
[Search Results](#) [New Search](#)

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

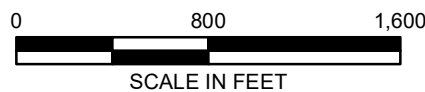
**ATTACHMENT B**

**Figures**





Service Layer Credits: USGS The National Map: 3d Elevation Program 2020.



440 Park Avenue South, New York, NY 10016

**22-09 Queens Plaza North**  
Long Island City, New York

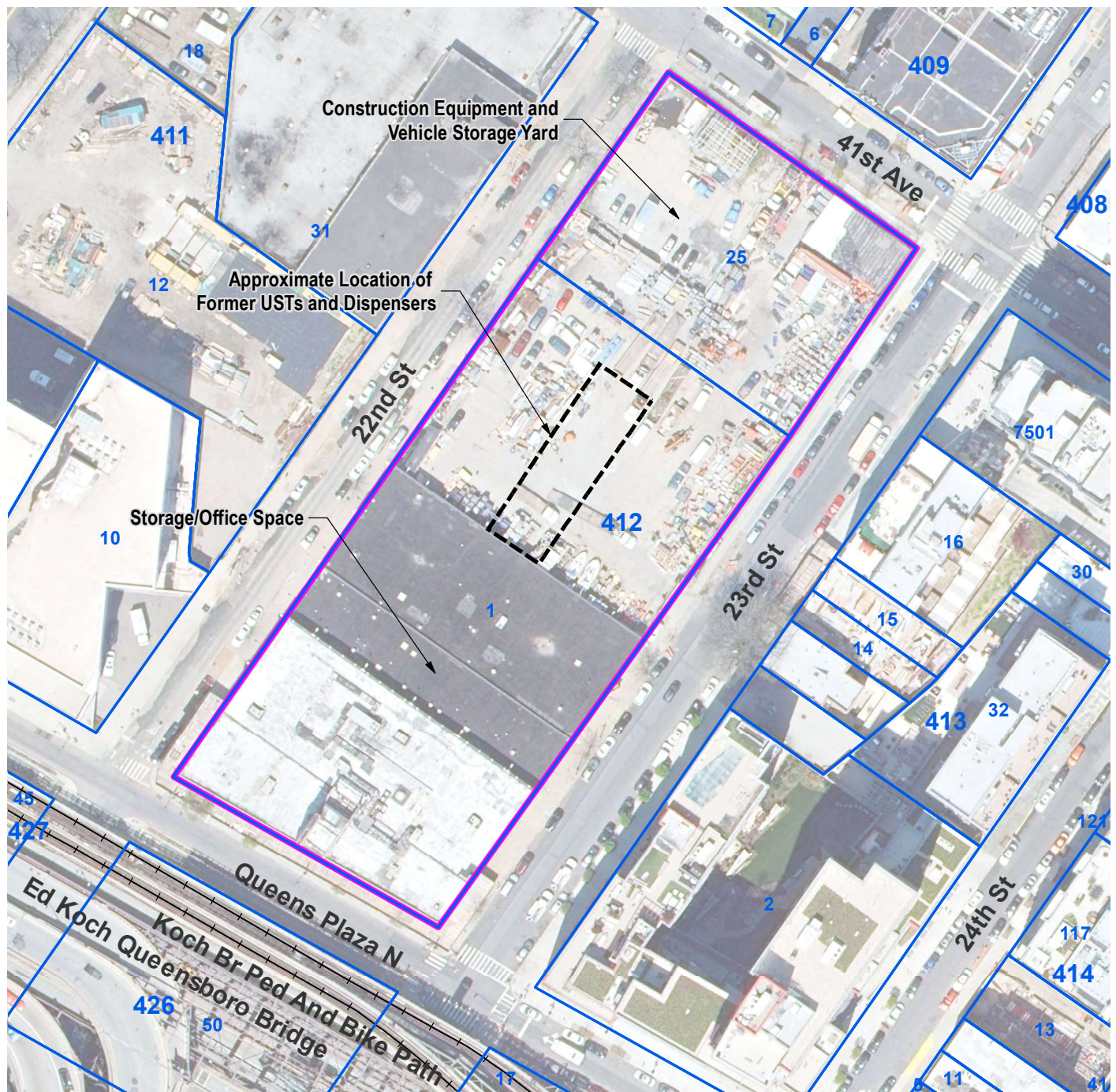
**SITE LOCATION**

DATE  
**4/24/2020**

PROJECT NO.  
**200106**

FIGURE  
**1**

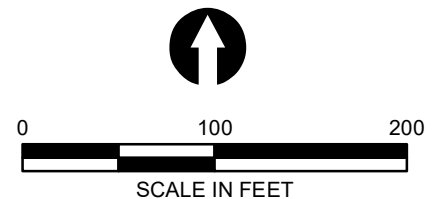




# **LEGEND**

- PROJECT SITE BOUNDARY
- 1 LOT BOUNDARY AND TAX LOT NUMBER
- 412 BLOCK NUMBER
- +—+— RAILROAD
- UST: UNDERGROUND STORAGE TANK

Aerial Source:  
2018 New York State ITS GIS Orthoimagery.  
Map Source:  
NYC DCP (NYC Dept. of City Planning) GIS database.



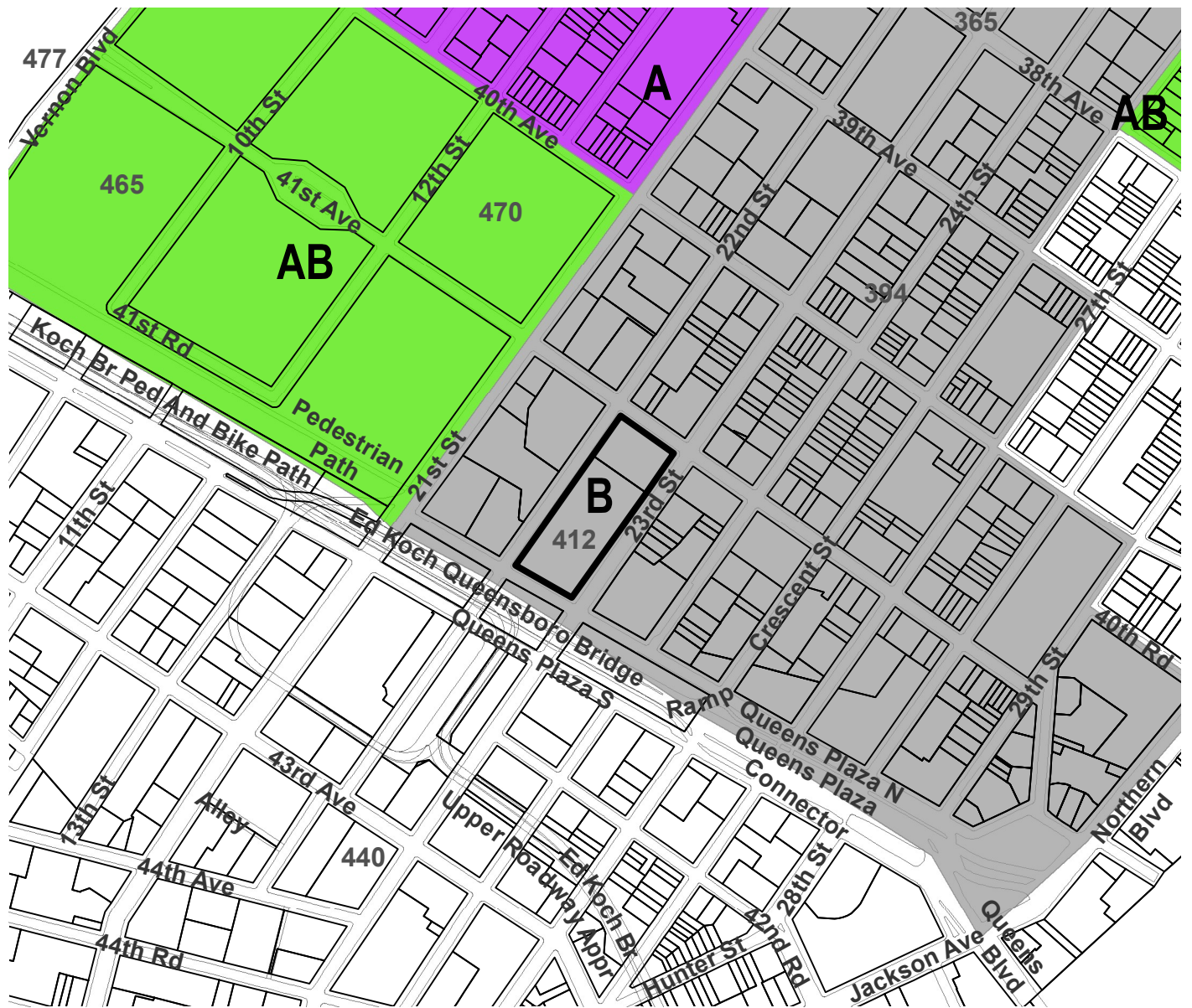
440 Park Avenue South, New York, NY 10016

**22-09 Queens Plaza North**  
Long Island City, New York

## **SITE PLAN**

DATE <b>4/28/2020</b>
PROJECT NO. <b>200106</b>
FIGURE <b>2</b>





### LEGEND



PROJECT SITE BOUNDARY



CRITERIA A, Y - INDICATOR FOR CENSUS TRACT HAVING A "POVERTY RATE OF AT LEAST 20% AND UNEMPLOYMENT RATE OF AT LEAST 125% THE STATEWIDE UNEMPLOYMENT RATE." 'Y' INDICATES THAT THE CENSUS TRACT MEETS THIS CRITERIA



CRITERIA B, Y - INDICATOR FOR CENSUS TRACT HAVING A "POVERTY RATE OF AT LEAST 2 TIMES THE POVERTY RATE FOR THE COUNTY." 'Y' INDICATES THAT THE CENSUS TRACT MEETS THIS CRITERIA.



CRITERIA AB, Y - INDICATOR THAT THE CENSUS TRACT MEETS BOTH CRITERIA A AND B. 'Y' INDICATES THAT THE CENSUS TRACT MEETS THIS CRITERIA

412

BLOCK NUMBER



440 Park Avenue South, New York, NY 10016

**22-09 Queens Plaza North**  
Long Island City, New York

**EN-ZONE BOUNDARY MAP**

DATE

**4/14/2020**

PROJECT NO.

**200106**

FIGURE




**3**

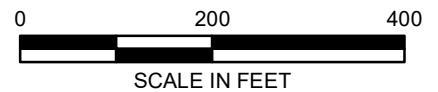


Map Source:  
NYC DCP (NYC Dept. of City Planning) GIS database.

Adjacent Property Owners		
Block	Lot	Owner Name
410	38	Spar Knitwear Corp.
409	7	Ratan Realty Three LLC
409	6	Stalingrad Ventures LLC
409	1	Spar Knitwear Corp.
408	7501	Owner Unavailable
413	7501	Owner Unavailable
413	16	23 <sup>rd</sup> Street Estates, LLC
413	15	Park Plaza Associates LLC
413	14	Park Plaza Associates LLC
413	12	Pinn Day Day LLC
413	10	Dalva Storage, Inc.
413	2	24 <sup>th</sup> Street LIC LLC
421	17	NYS Department of Transportation
426	50	NYS Department of Transportation
427	45	NYS Department of Transportation
411	10	QPN 10 DE LLC
411	11	LIC Venture Capital, LLC
411	31	United Development Venture, LLC

#### LEGEND

-  PROJECT SITE BOUNDARY
-  ADJACENT PROPERTY
-  LOT BOUNDARY AND TAX LOT NUMBER
- 412** BLOCK NUMBER



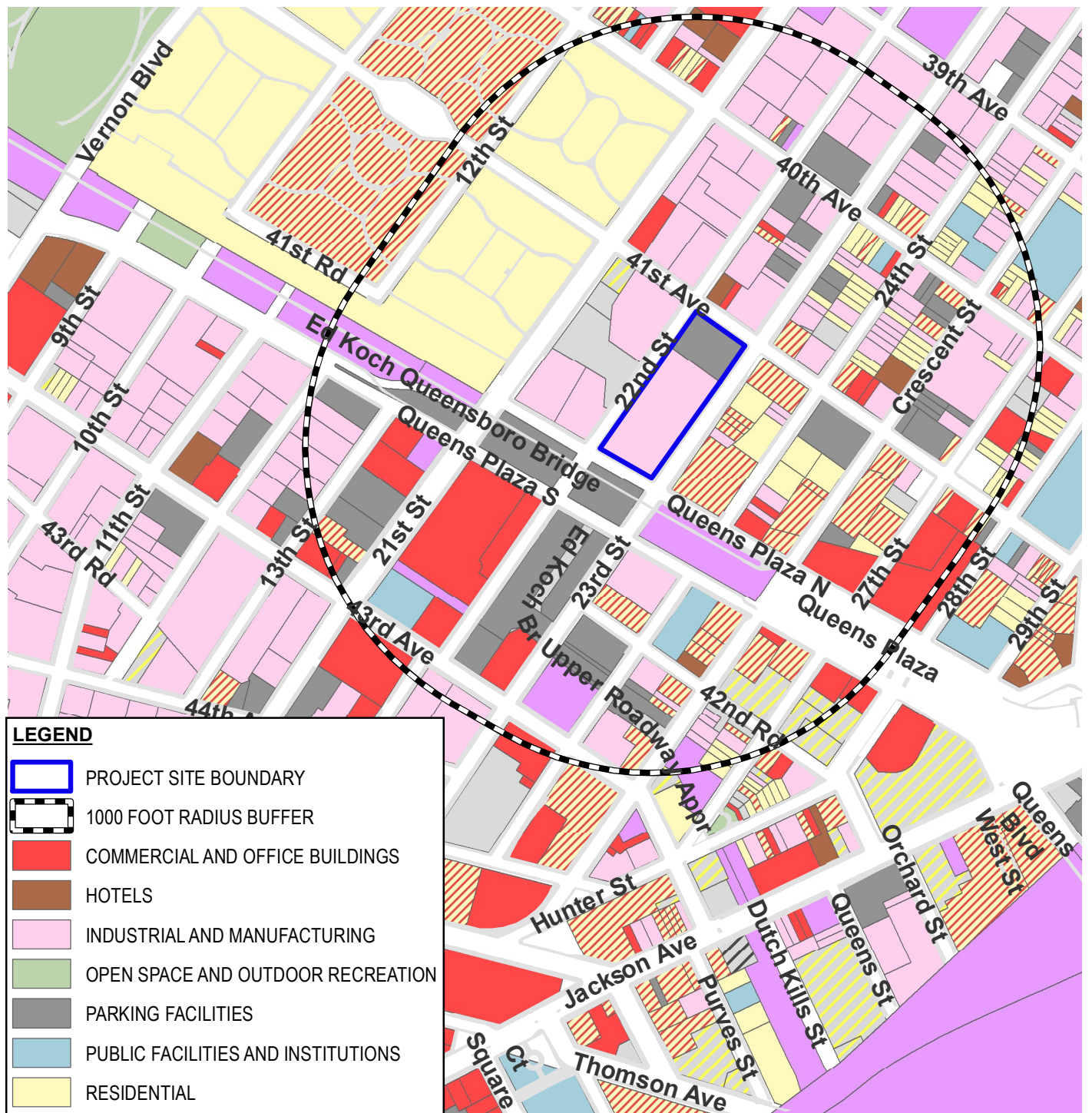
440 Park Avenue South, New York, NY 10016

**22-09 Queens Plaza North**  
Long Island City, New York

**TAX MAP**

DATE <b>4/28/2020</b>
PROJECT NO. <b>200106</b>
FIGURE <b>4</b>














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



#### LEGEND

-  PROJECT SITE BOUNDARY
-  1000 FOOT RADIUS BUFFER
-  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
-  HYDROGRAPHY - WATER

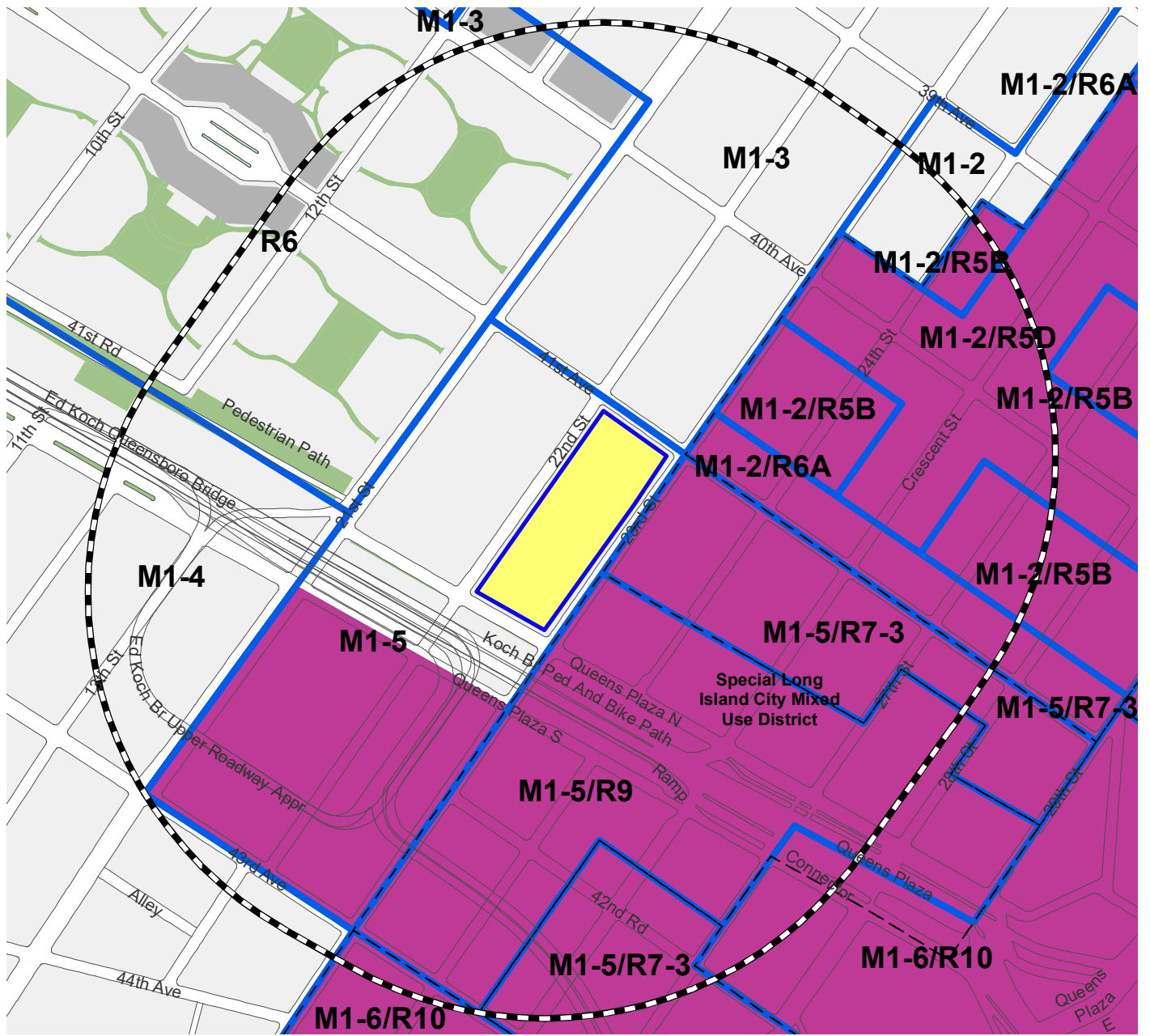


440 Park Avenue South, New York, NY 10016

**22-09 Queens Plaza North**  
Long Island City, New York

**SURROUNDING LAND USE**

DATE <b>4/13/2020</b>
PROJECT NO. <b>200106</b>
FIGURE <b>5</b>



Source:  
NYC Department of City Planning, Technical Review Division

### LEGEND

- PROJECT SITE BOUNDARY
- 1000-FOOT RADIUS BUFFER
- ZONING - SPECIAL PURPOSE SUB-DISTRICTS
- ZONING DISTRICTS
- COMMERCIAL OVERLAY DISTRICTS
- SPECIAL PURPOSE DISTRICT
- NYC OPEN SPACE



440 Park Avenue South, New York, NY 10016

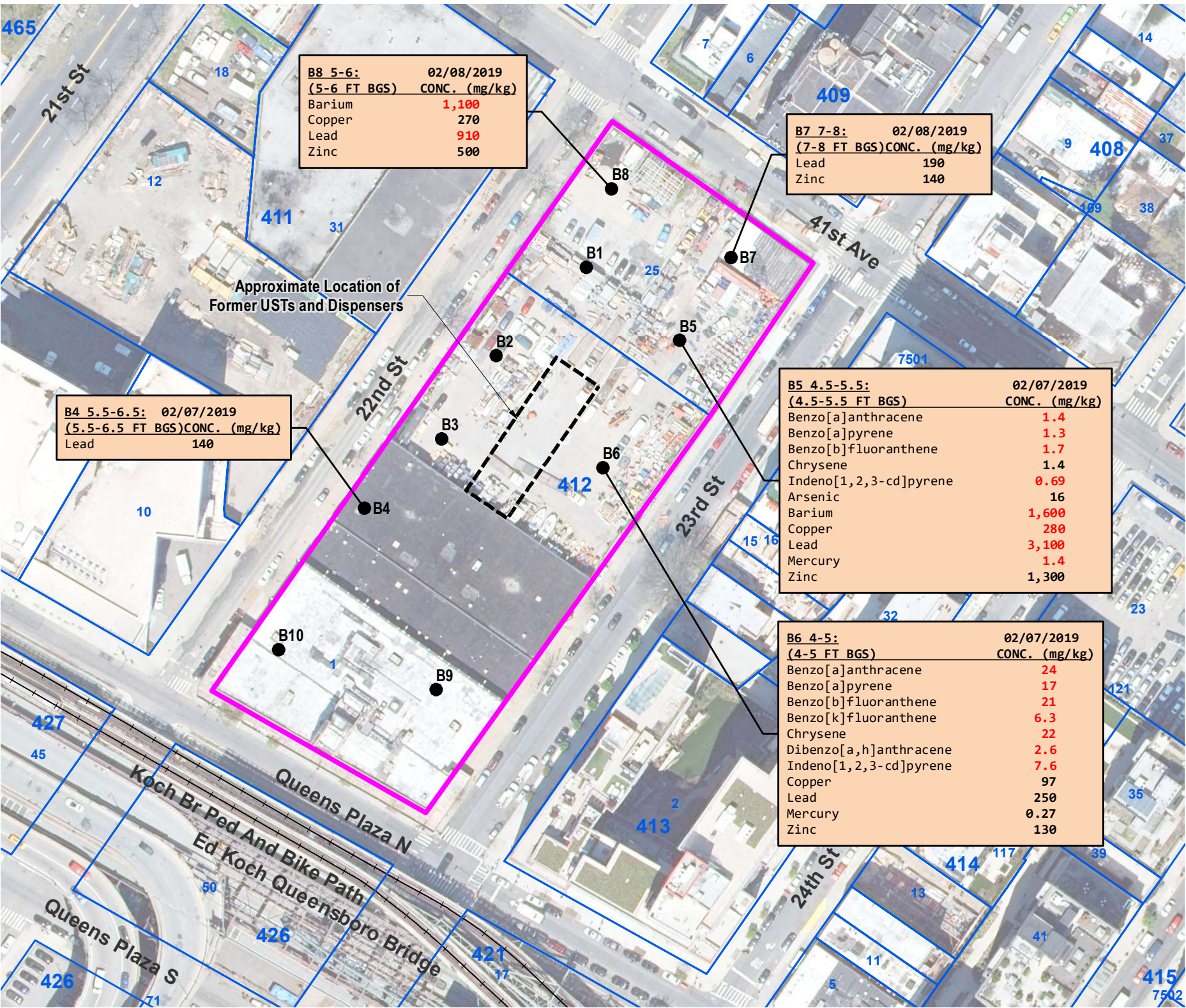
**22-09 Queens Plaza North**  
Long Island City, New York

### ZONING MAP

DATE <b>4/14/2020</b>
PROJECT NO. <b>200106</b>
FIGURE <b>6</b>



© 2020 AKRF. W:\Projects\200106 - 22-09 QPN\Technical\GIS and Graphics\Hazmat\200106\_Fig 7 Soil Sample Concentrations.mxd 8/3/2020 4:51:14 PM deolombini



**Note:**  
Only soil samples/intervals with exceedances of the UUSCOs and/or RRSCOs are presented. Exceedances of the UUSCOs and/or RRSCOs were not detected in samples collected from boring locations B1, B2, B3, B9, and B10. Refer to Attachment C of the BCP Application for the complete laboratory analytical data.

Aerial Source:  
2018 New York State ITS GIS Orthoimagery.  
  
Map Source:  
NYCDP (NYC Dept. of City Planning) GIS database.

	NYSDEC UUSCOs	NYSDEC RRSCOs
<b>Polycyclic Aromatic Hydrocarbons</b>		
Benzo[a]anthracene	1	1
Benzo[a]pyrene	1	1
Benzo[b]fluoranthene	1	1
Benzo[k]fluoranthene	0.8	3.9
Chrysene	1	3.9
Dibenzo[a,h]anthracene	0.33	0.33
Indeno[1,2,3-cd]pyrene	0.5	0.5
<b>Metals</b>		
	mg/kg	mg/kg
Arsenic	13	16
Barium	350	400
Copper	50	270
Lead	63	400
Mercury	0.18	0.81
Zinc	109	10,000

LEGEND

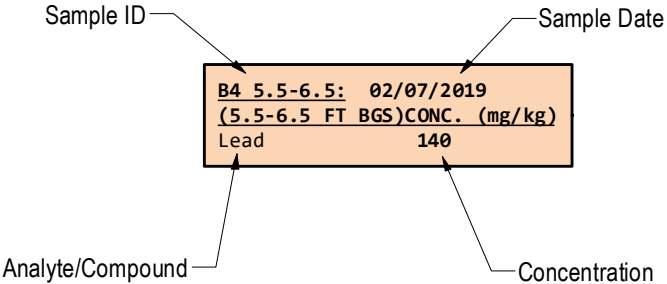
- PROJECT SITE BOUNDARY
- LOT BOUNDARY AND TAX LOT NUMBER
- BLOCK NUMBER
- RAILROAD
- SOIL BORING LOCATION (MECC, FEBRUARY 2019)
- UST: UNDERGROUND STORAGE TANK

SOIL

**Part 375 Soil Cleanup Objectives (SCOs):** SCOs listed in the New York State Department of Environmental Conservation (NYSDEC) "Part 375" Regulations (6 NYCRR Part 375).

**Exceedances of NYSDEC Unrestricted Use Soil Cleanup Objectives (UUSCOs) are presented in bold font.**  
**Exceedances of NYSDEC Restricted Residential Soil Cleanup Objectives (RRSCOs) are presented in red.**

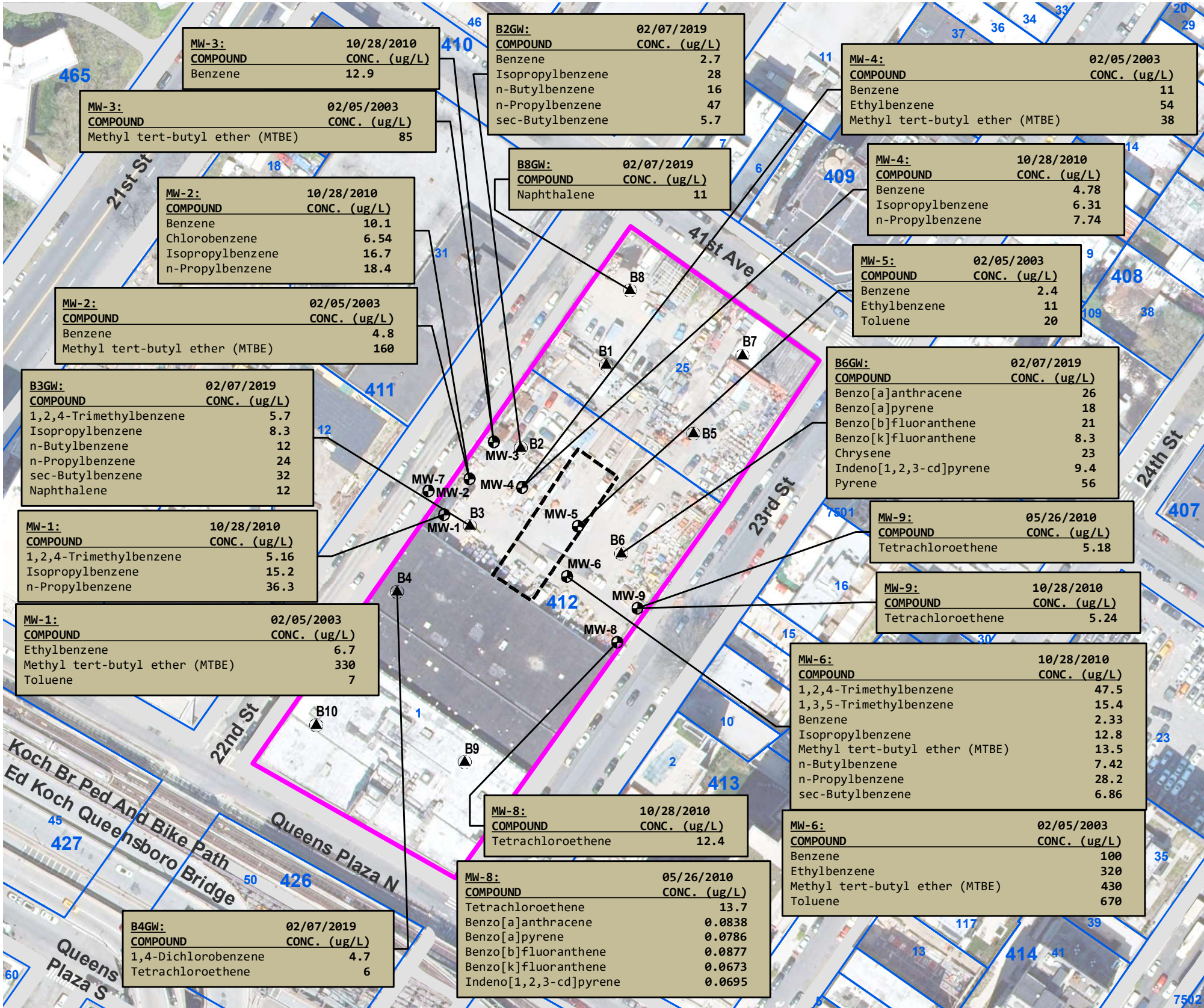
mg/kg: milligrams per kilogram = parts per million (ppm)



22-09 Queens Plaza North  
Long Island City, New York



© 2020 AKRF W:\Projects\200106 - 22-09 QPNT\Technical\GIS and Graphics\Hazard\200106 Fig 8 GW Sample Conc.mxd 8/3/2020 12:31 PM dcabmbini



Aerial Source:  
2018 New York State ITS GIS Orthoimagery.

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

**NOTE:** No exceedances of NYSDEC AWQSGVs were reported for groundwater samples collected from temporary wells installed at borings B-1, B-5, B-7, B-9, or B-10 or from samples collected from monitor well MW-7. See Attachment C for laboratory analytical data reports associated with all historic reports available for review.

NYSDEC AWQSGVs		NYSDEC AWQSGVs	
Petroleum Volatile Organic Compounds	µg/L	Polycyclic Aromatic Hydrocarbons	µg/L
1,2,4-Trimethylbenzene	5	Benzo[a]anthracene	0.002
1,3,5-Trimethylbenzene	5	Benzo[a]pyrene	ND
1,4-Dichlorobenzene	3	Benzo[b]fluoranthene	0.002
Benzene	1	Benzo[k]fluoranthene	0.002
Chlorobenzene	5	Chrysene	0.002
Ethylbenzene	5	Indeno[1,2,3-cd]pyrene	0.002
Isopropylbenzene	5	Naphthalene	10
Methyl tert-butyl ether (MTBE)	10	Pyrene	50
Naphthalene	10		
n-Butylbenzene	5		
n-Propylbenzene	5		
sec-Butylbenzene	5		
Toluene	5		
Chlorinated Volatile Organic Compounds	µg/L		
Tetrachloroethene	5		

**LEGEND**

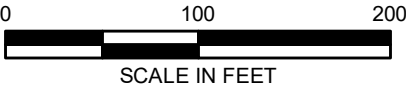
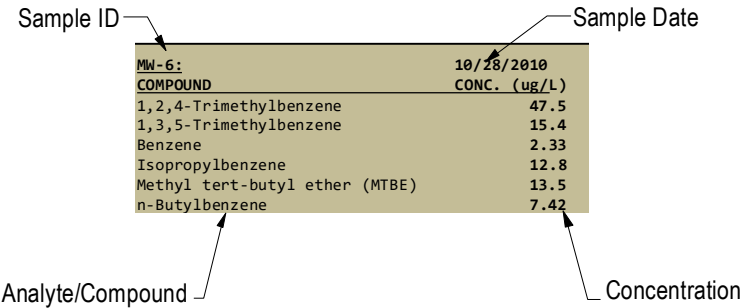
- PROJECT SITE BOUNDARY
- LOT BOUNDARY AND TAX LOT
- BLOCK NUMBER
- TEMPORARY GROUNDWATER MONITORING WELL LOCATION (MECC, FEBRUARY 2019)
- PERMANENT GROUNDWATER MONITORING WELL LOCATION (ENSOLUTIONS, FEBRUARY 2003 AND BRINKERHOFF, MAY/OCTOBER 2010)
- Former UST and Dispensers (Approx.)

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

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

Only groundwater samples with exceedances of the NYSDEC AWQSGVs are presented. Refer to Attachment C of the BCP Application for the complete laboratory analytical data.

UST: UNDERGROUND STORAGE TANK



**22-09 Queens Plaza North**  
Long Island City, New York

**GROUNDWATER SAMPLE CONCENTRATIONS ABOVE NYSDEC AWQSGVs**



440 Park Avenue South, New York, NY 10016

DATE  
**8/3/2020**

PROJECT NO.  
**200106**

FIGURE  
**8**



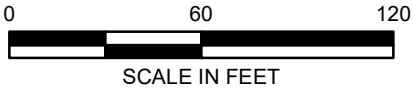
© 2020 AKRF W:\Projects\200106 - 22-09 OPN\Technical\GIS and Graphics\Hazmat\200106 Fig 9 Historic Remedial Activities.mxd 8/7/2020 10:30:57 AM mveilleux



**LEGEND**

- PROJECT SITE BOUNDARY
- LOT BOUNDARY AND TAX LOT
- BLOCK NUMBER
- REMEDIAL EXCAVATION EXTENT
- PERMANENT GROUNDWATER MONITORING WELL USED FOR SOIL VAPOR EXTRACTION (SVE)
- AIR SPARGE (AS) POINT
- UST: UNDERGROUND STORAGE TANK

Aerial Source:  
NY Digital Orthoimagery Program, 2016  
Map Source:  
NYCDOP (NYC Dept. of City Planning) GIS database.



**22-09 Queens Plaza North**  
Long Island City, New York

**HISTORIC REMEDIAL ACTIVITIES**



440 Park Avenue South, New York, NY 10016

DATE  
**8/7/2020**

PROJECT NO.  
**200106**

FIGURE  
**9**



**ATTACHMENT C**  
**Previous Reports**  
**(Provided Electronically Under Separate Attachment)**

**ATTACHMENT D**  
**Proposed Redevelopment Plans**

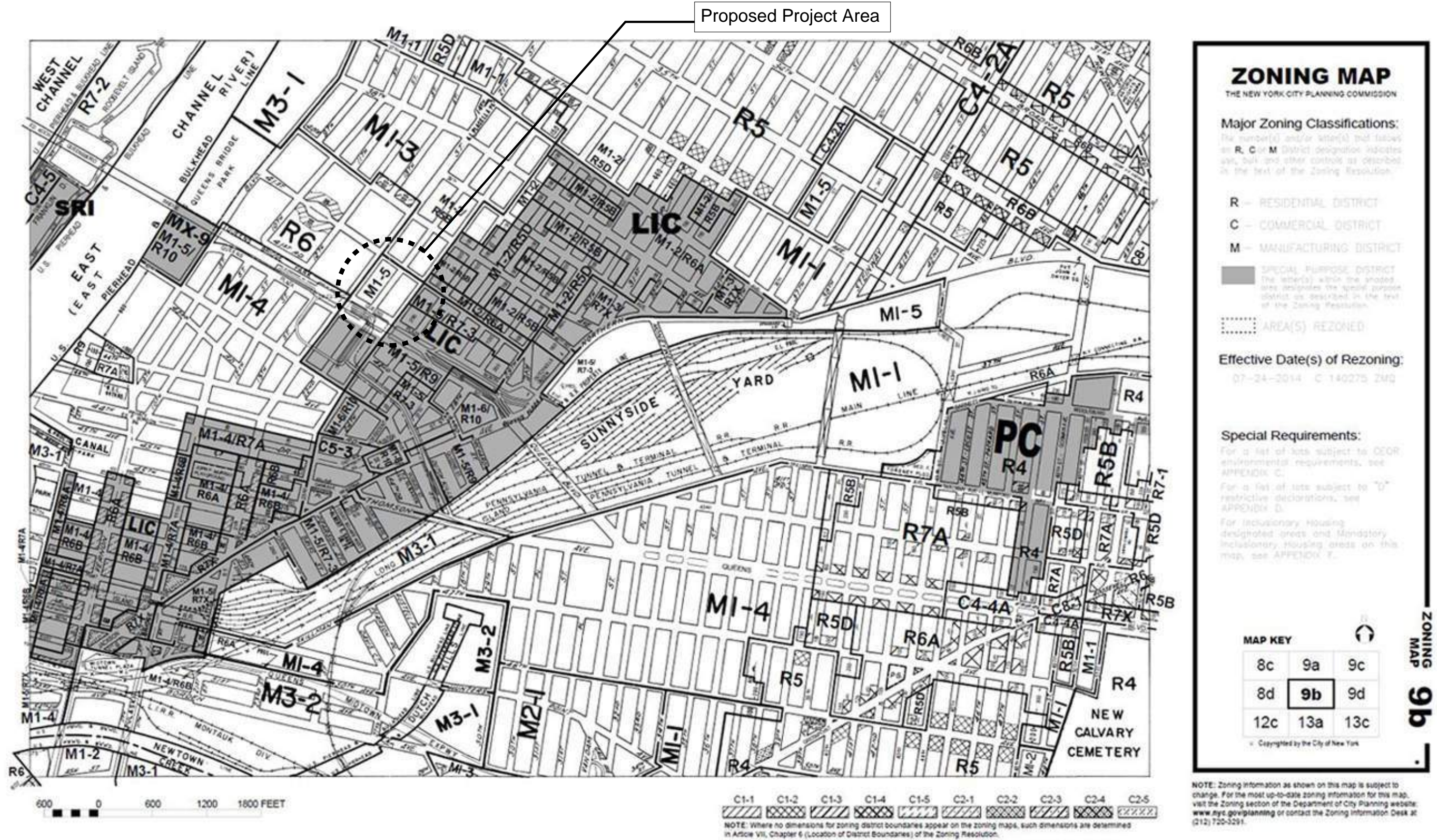
# QPN

QUEENS PLAZA NORTH  
LARGE-SCALE DEVELOPMENT  
**ID MEETING**





# PROPOSAL\_ZONING MAP





C1-1

C1-2

C1-3

C1-4

C1-5

C2-1

C2-2

C2-3

C2-4

C2-5

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

Zoning Change map





PROPOSAL\_TAX MAP



NYC Digital Tax Map

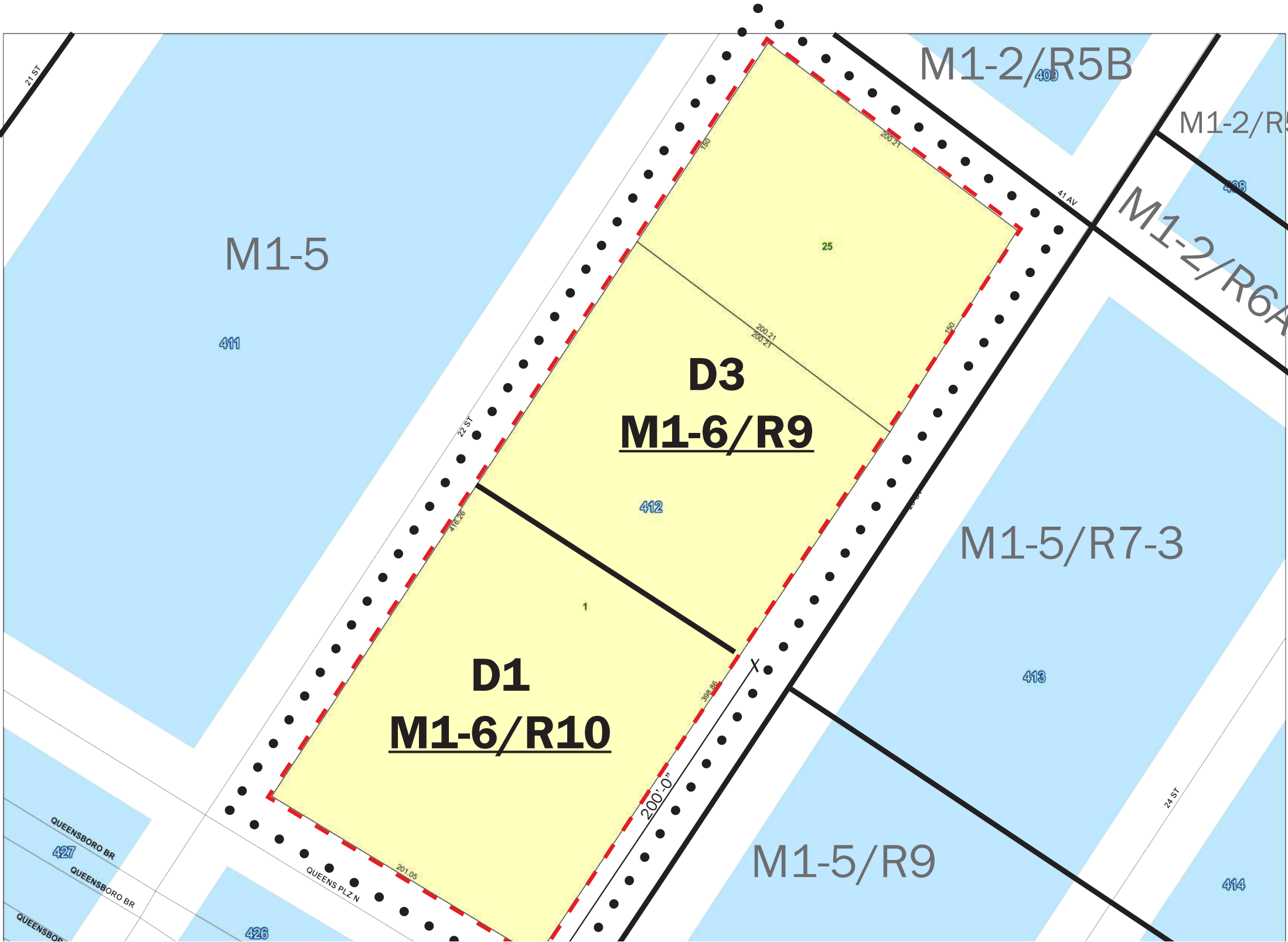
Effective Date : 12-07-2008 10:52:35  
End Date : Current  
Queens Block: 412



Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon

- Zoning District Line
- M1-6/R9**
- M1-6/R10** Proposed Zoning District
- M1-5 Existing Zoning District
- Area of Rezoning
- Development Site








# PROPOSAL LAND USE MAP



# Queens Plaza North Large-scale Development Area Map

CRITERION GROUP LLC  
QUEENS, BLOCK 412, LOTS: 1-25

## Project

-  Project Area
  Development Site
-  Rezoning Area
  600 Foot Radius

## Zoning

- |  | Zoning District          |   |                                  |
|---|--------------------------|---|----------------------------------|
|   | C1-1                     |  | 1-2 Family Residential           |
|   | C1-2                     |  | Multifamily Walkup               |
|   | C1-3                     |  | Multifamily Elevator             |
|   | C1-4                     |  | Mixed Commercial/Residential     |
|   | C1-5                     |  | Commercial & Office              |
|   | C2-1                     |  | Industrial & Mfg                 |
|   | C2-2                     |  | Transportation & Utility         |
|   | C2-3                     |  | Public Facilities & Institutions |
|   | C2-4                     |  | Open Space & Outdoor Recreation  |
|   | C2-5                     |  | Parking                          |
|   |                          |  | Vacant/No Data                   |
|  | Special Purpose District |  | Other                            |

## Land Use

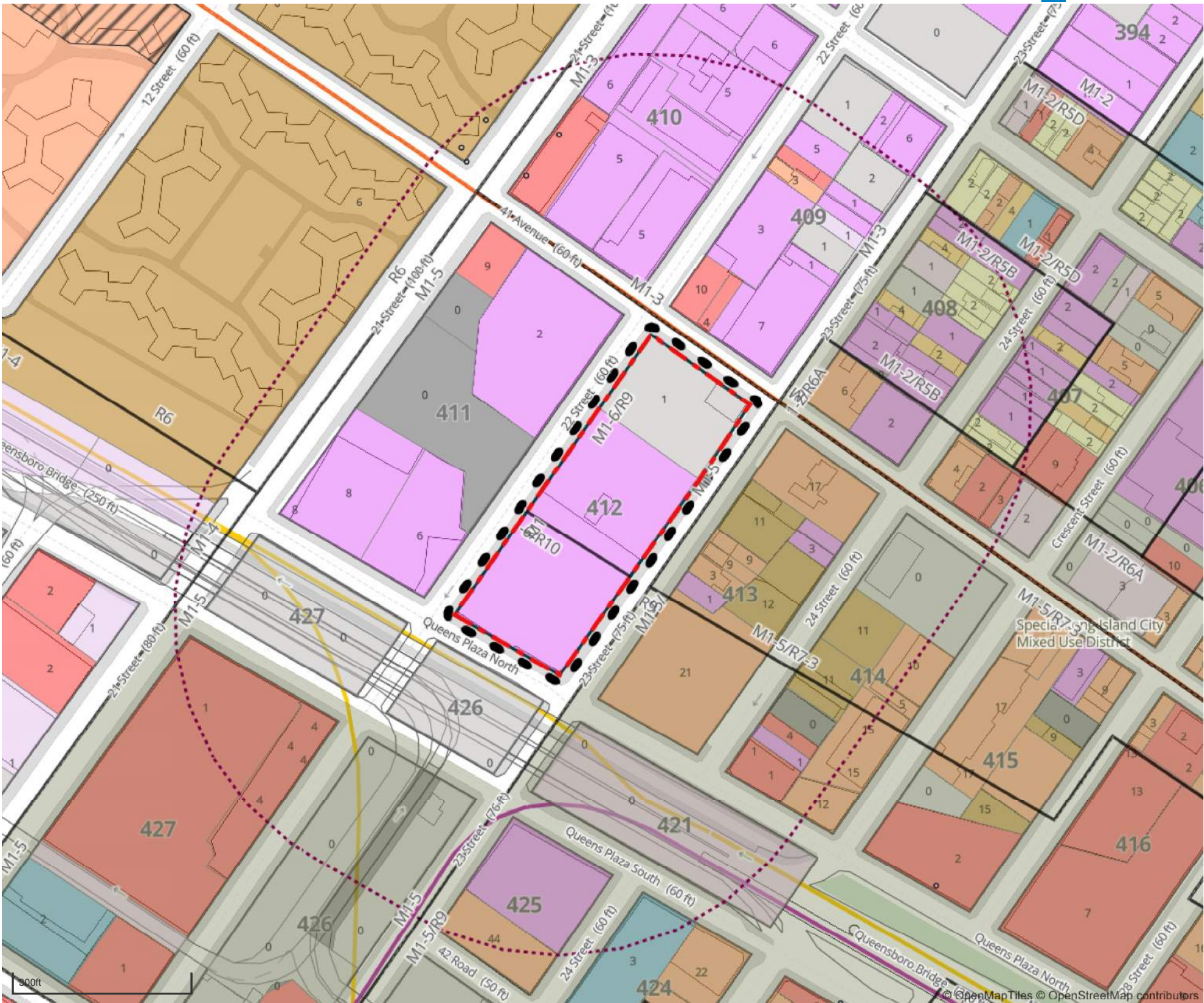
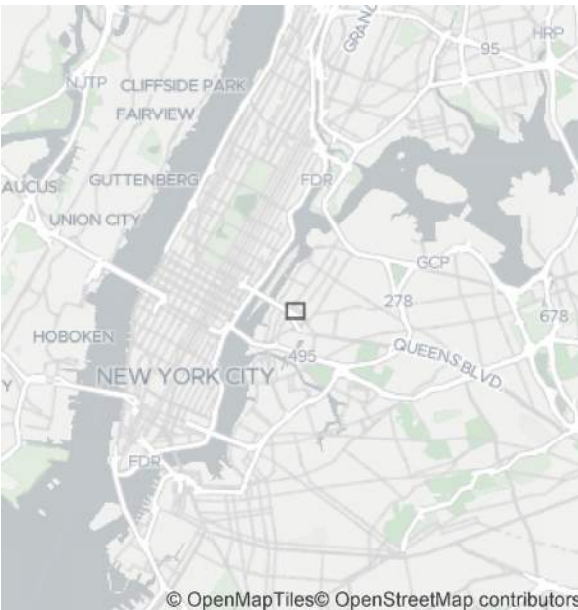
- 1-2 Family Residential
- Multifamily Walkup
- Multifamily Elevator
- Mixed Commercial/Residential
- Commercial & Office
- Industrial & Mfg
- Transportation & Utility
- Public Facilities & Institutions
- Open Space & Outdoor Recreation
- Parking
- Vacant/No Data
- Other

## Transportation

-  Subway Stop       Subway Entrance

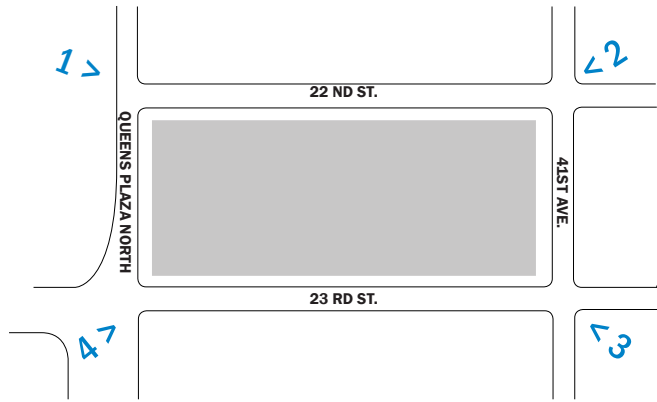
**Map Created:** Dec 18, 2019, 3:46pm

**Data Sources:** [layers-api.planninglabs.nyc/v1/sources](https://layers-api.planninglabs.nyc/v1/sources)  
planimetrics (26 February 2019); transportation (21 November 2017);  
supporting-zoning (Nov 2019); digital-citymap (6 April 2018); pluto  
MapPLUTO™ 19v2, Bytes of the Big Apple (Nov 2019)



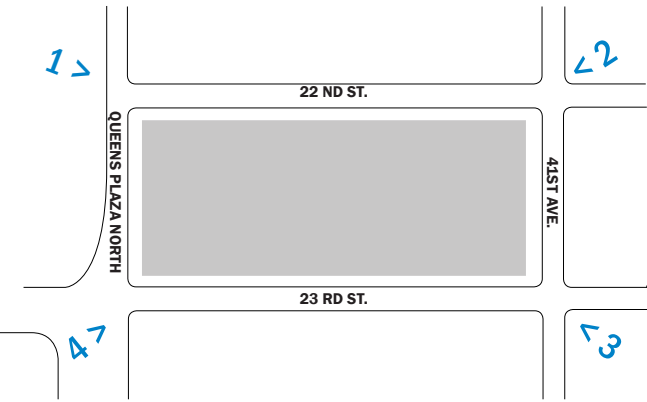
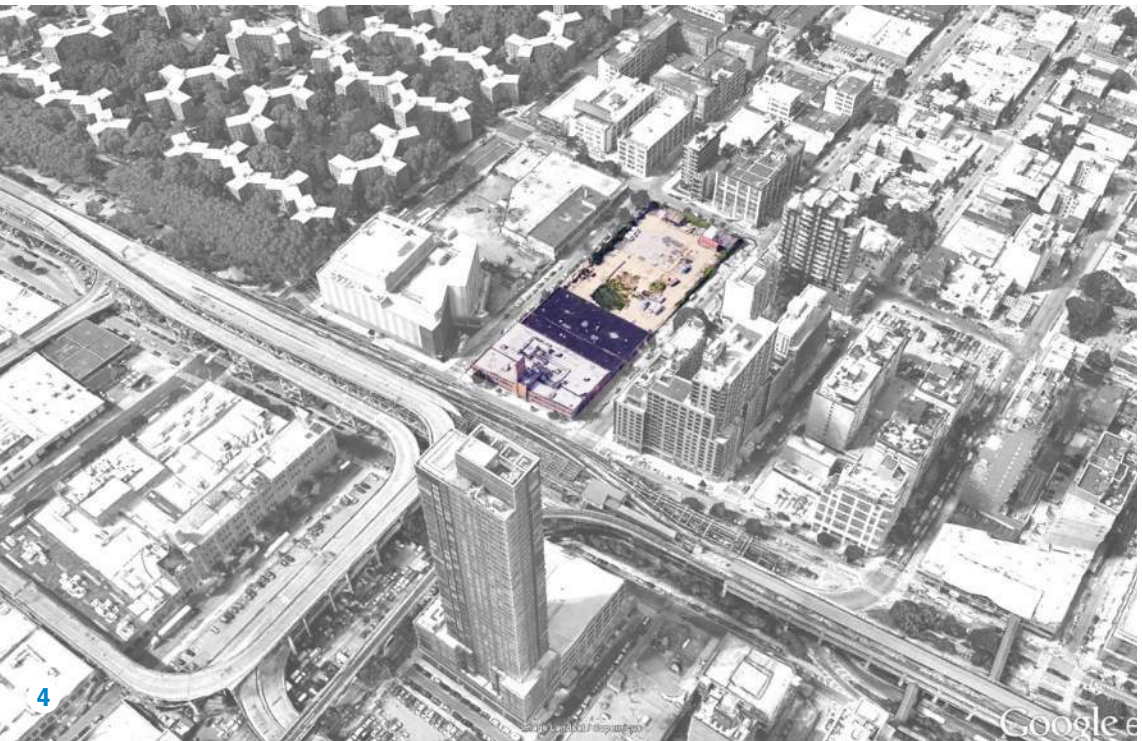
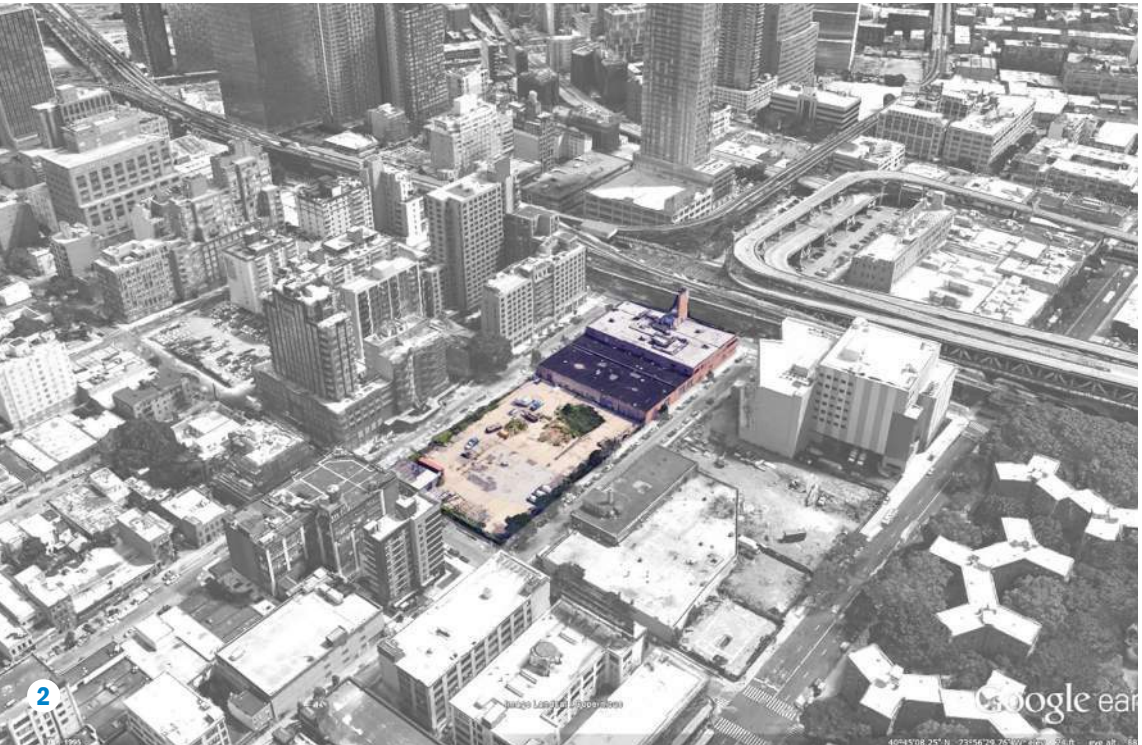


# EXISTING CONDITIONS STREET VIEWS



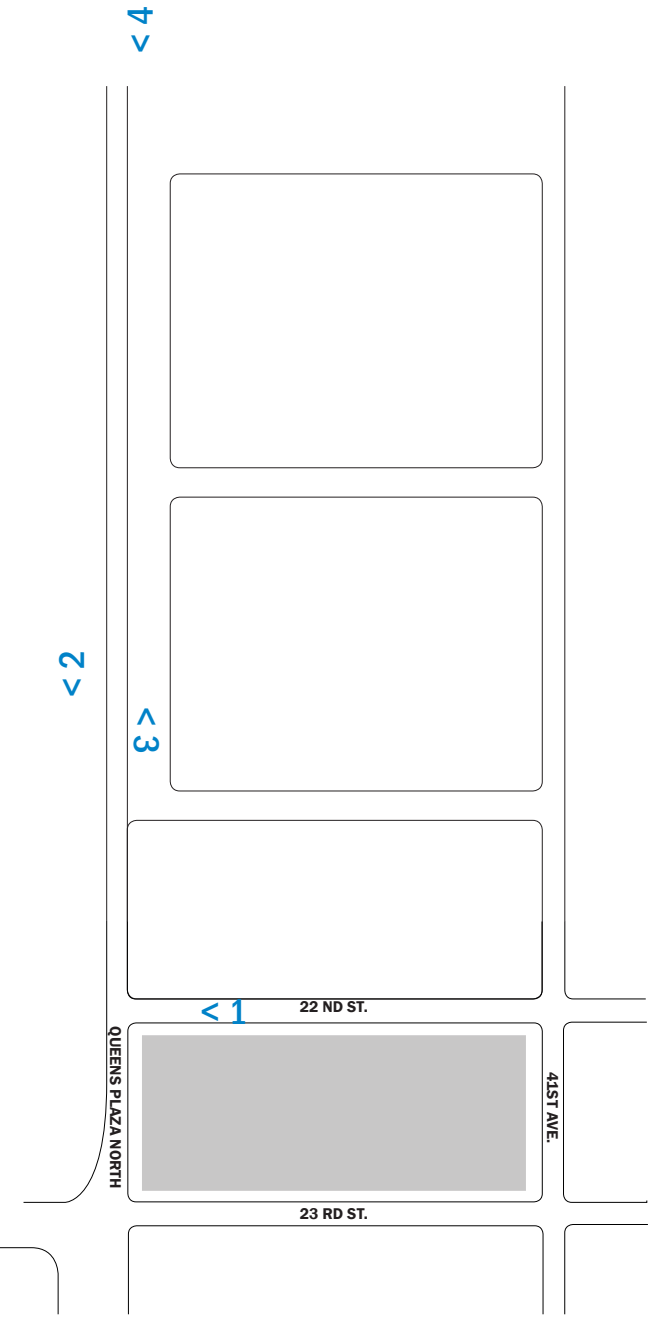


EXISTING CONDITIONS **CONTEXT AERIAL PHOTOS**





EXISTING CONDITIONS CONTEXT PHOTOS





## PROPOSAL\_PAS ACTIONS

01. A ZONING TEXT AMENDMENT TO THE SPECIAL LIC DISTRICT TEXT ESTABLISHING NEW SUBAREAS OF THE QUEENS PLAZA SUBDISTRICT (SUBAREAS D-1 AND D-3)

02. A ZONING MAP AMENDMENT REFLECTING THE SAME

03. A LARGE SCALE GENERAL DEVELOPMENT SPECIAL PERMIT TO FACILITATE THE DEVELOPMENT OF THE 58-STORY AND 28-STORY MIXED RESIDENTIAL AND COMMERCIAL BUILDING, ALONG WITH 40,160 SQ. FT. OF PUBLICLY ACCESSIBLE OPEN SPACE

04. A ZONING TEXT AMENDMENT TO APPENDIX F TO ESTABLISH AN MIH DESIGNATED AREA

05. A ZONING TEXT AMENDMENT TO ZR 117-54(A)(1) TO EXEMPT 23RD STREET FROM THE CURRENT PROHIBITION OF CURB CUTS ACCESSING OFF-STREET PARKING FACILITIES.

## PROPOSAL\_ **COMMUNITY BENEFITS**

1. OVER 1/3 OF SITE PROPOSED AS COMMUNITY-ACCESSIBLE, OPEN SPACE (40,160 SQFT)
2. ACTIVATED STREET FRONTS AROUND AND WITHIN THE SITE
3. AFFORDABLE HOUSING UNITS
4. NEW CLASS-A OFFICE SPACE
5. LOCAL-BASED RETAIL
6. COMMUNITY FACILITY SPACE



# SITE ANALYSIS CONTEXT

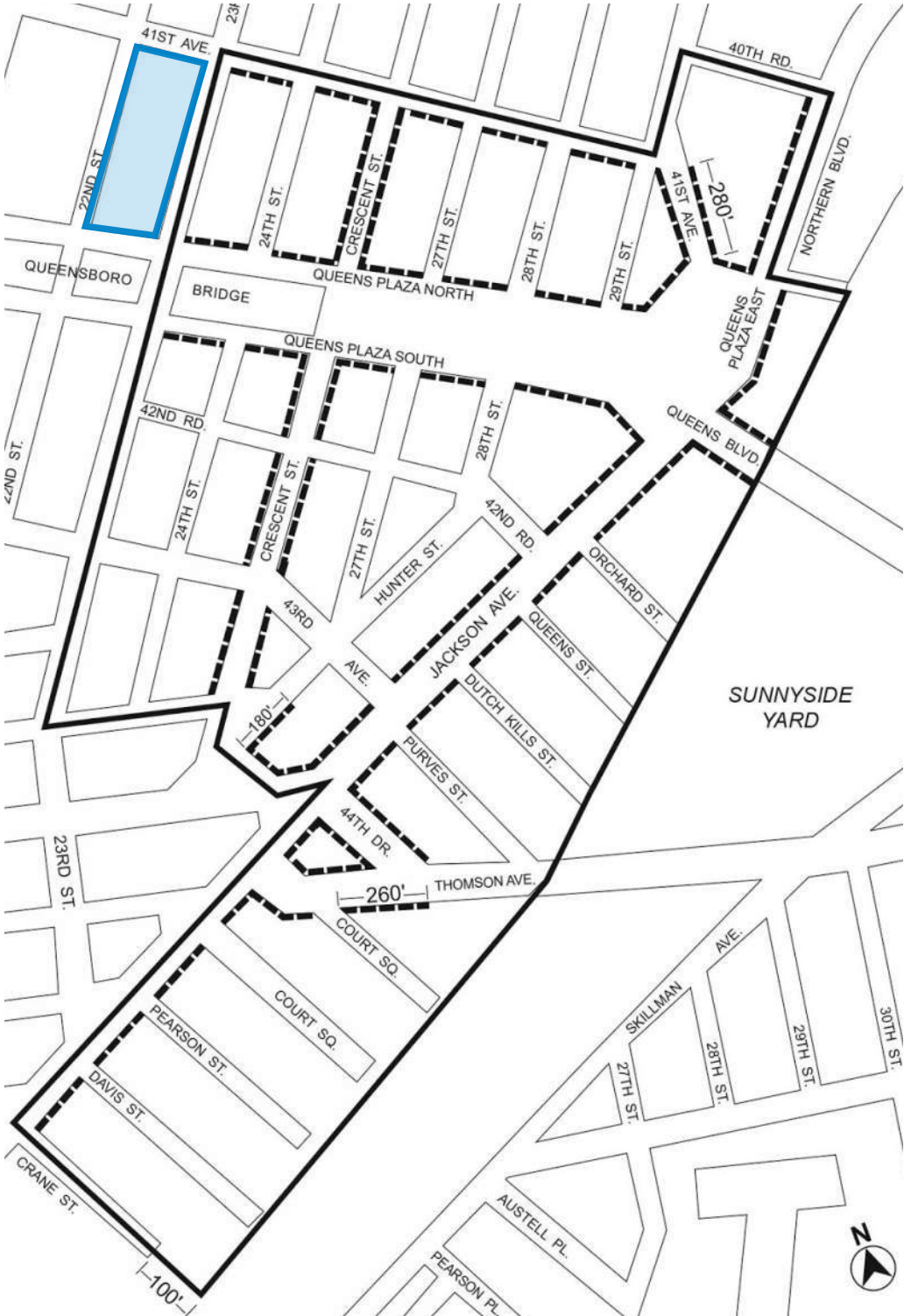
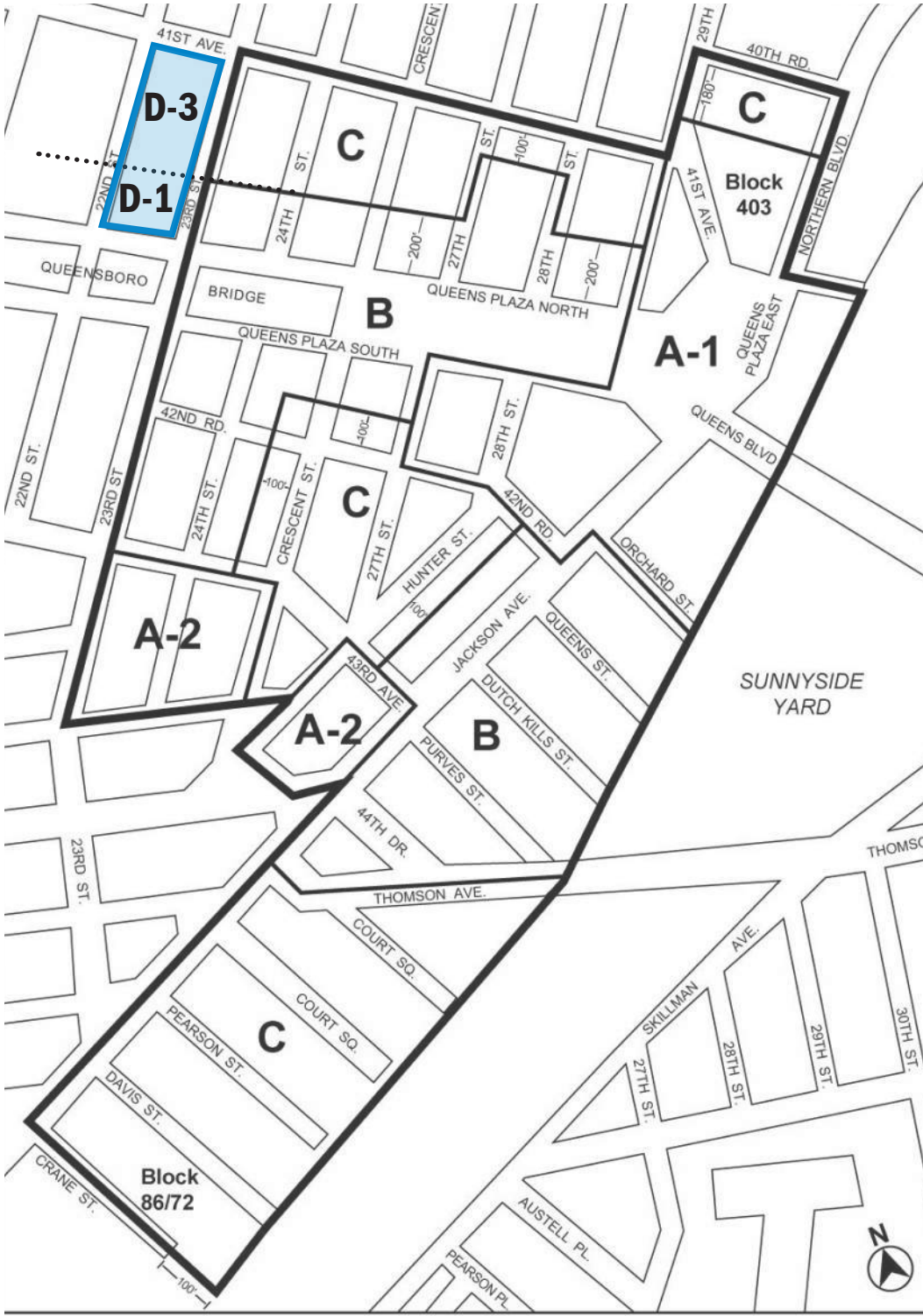
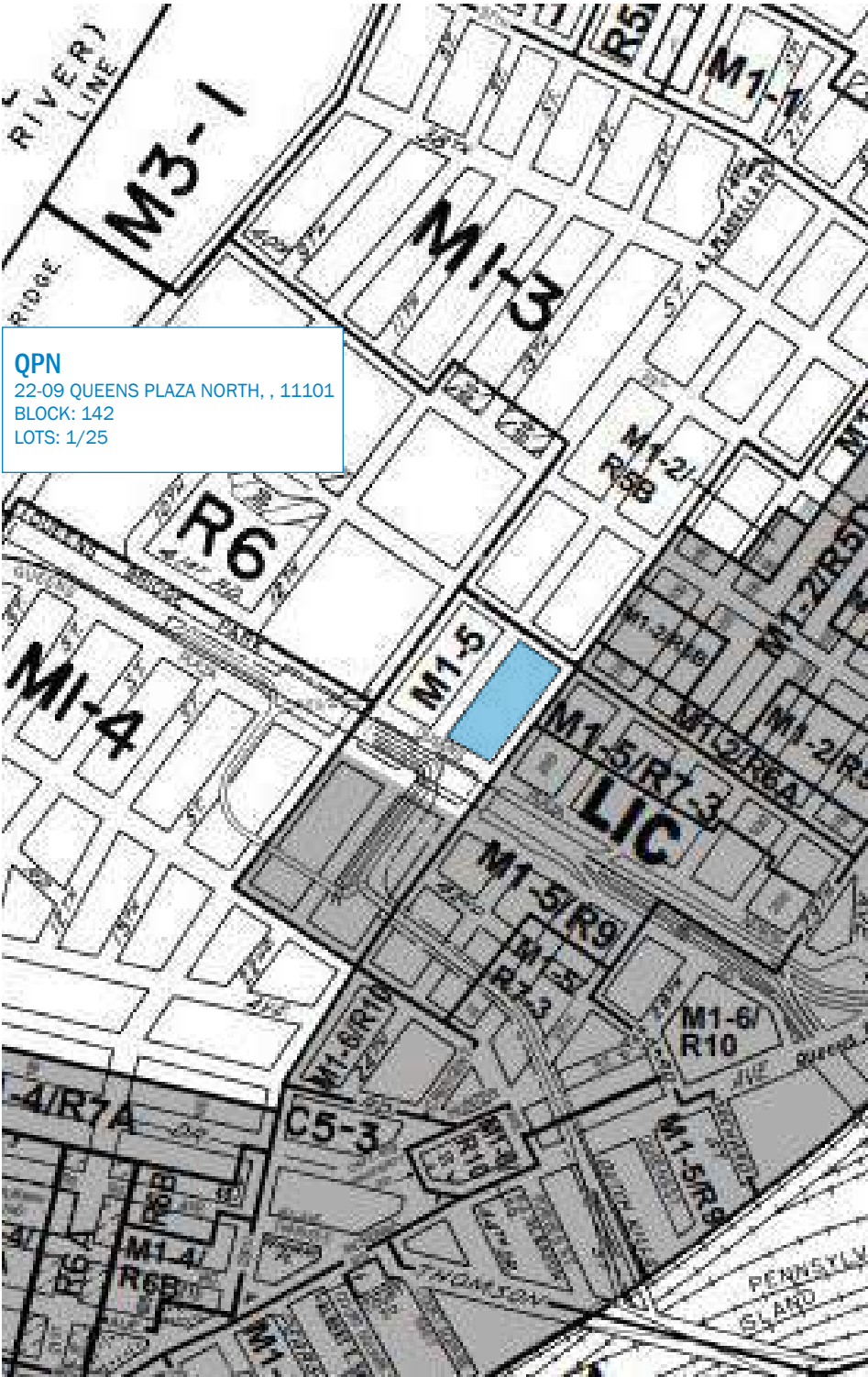




Proposed Zoning

Proposed zoning is to include the Site within the Queens Plaza Sub-district of the Special Long Island City Mixed-Use District to allow for a total built FAR of 12.00 on the development site.

SITE ANALYSIS\_ZONING



— Queens Plaza Subdistrict  
— Designated Districts

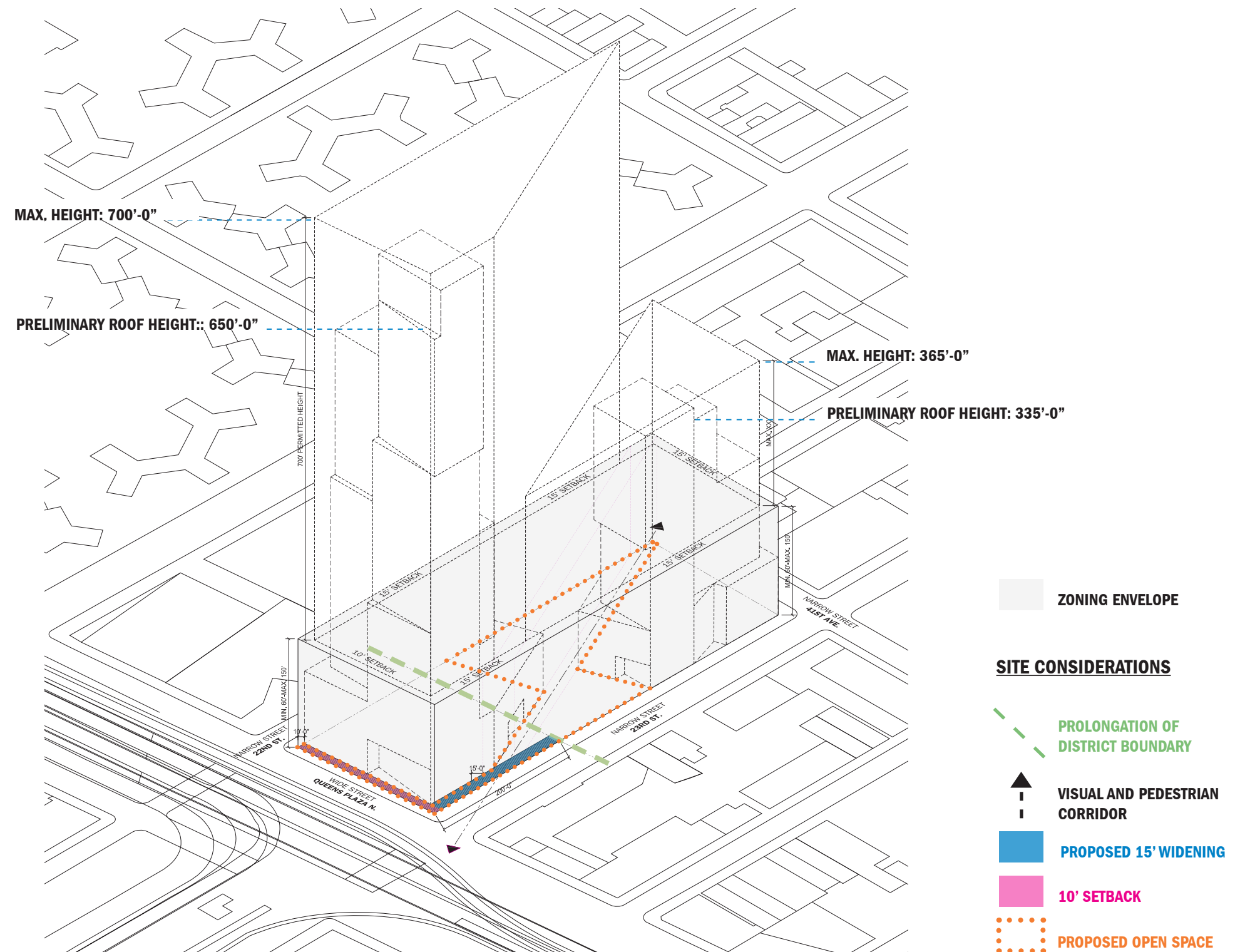
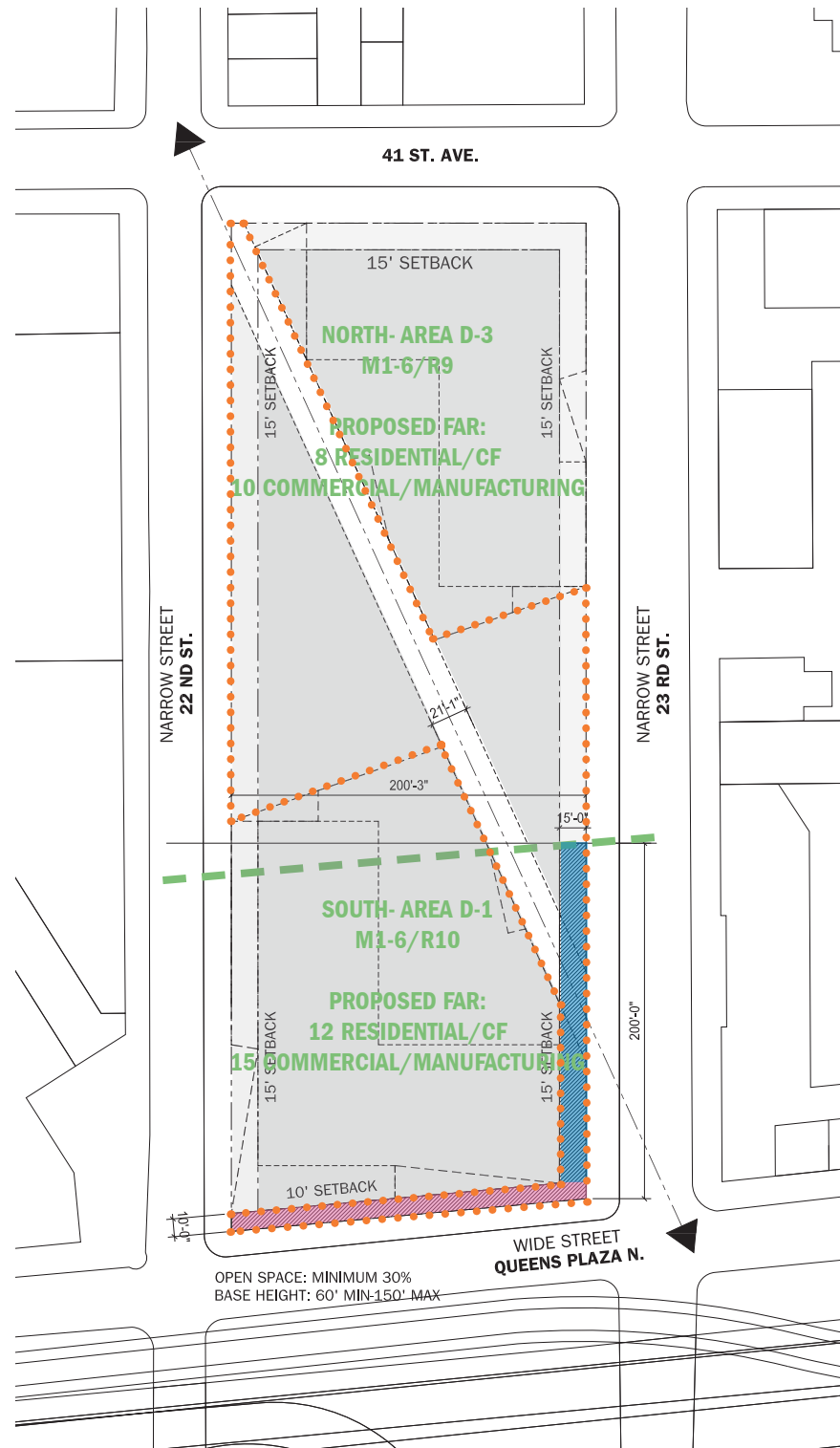
AREA D-1 M1-6/R10  
AREA D-3 M1-6/R9

AREA A-1, A-2 M1-6/R10  
AREA B M1-5/R9  
AREA C M1-5/R7-3

— Queens Plaza Subdistrict Boundary  
--- Street Frontages where Ground Floors are Restricted to Non-Residential



## PROPOSED DEVELOPMENT - ZONING ANALYSIS

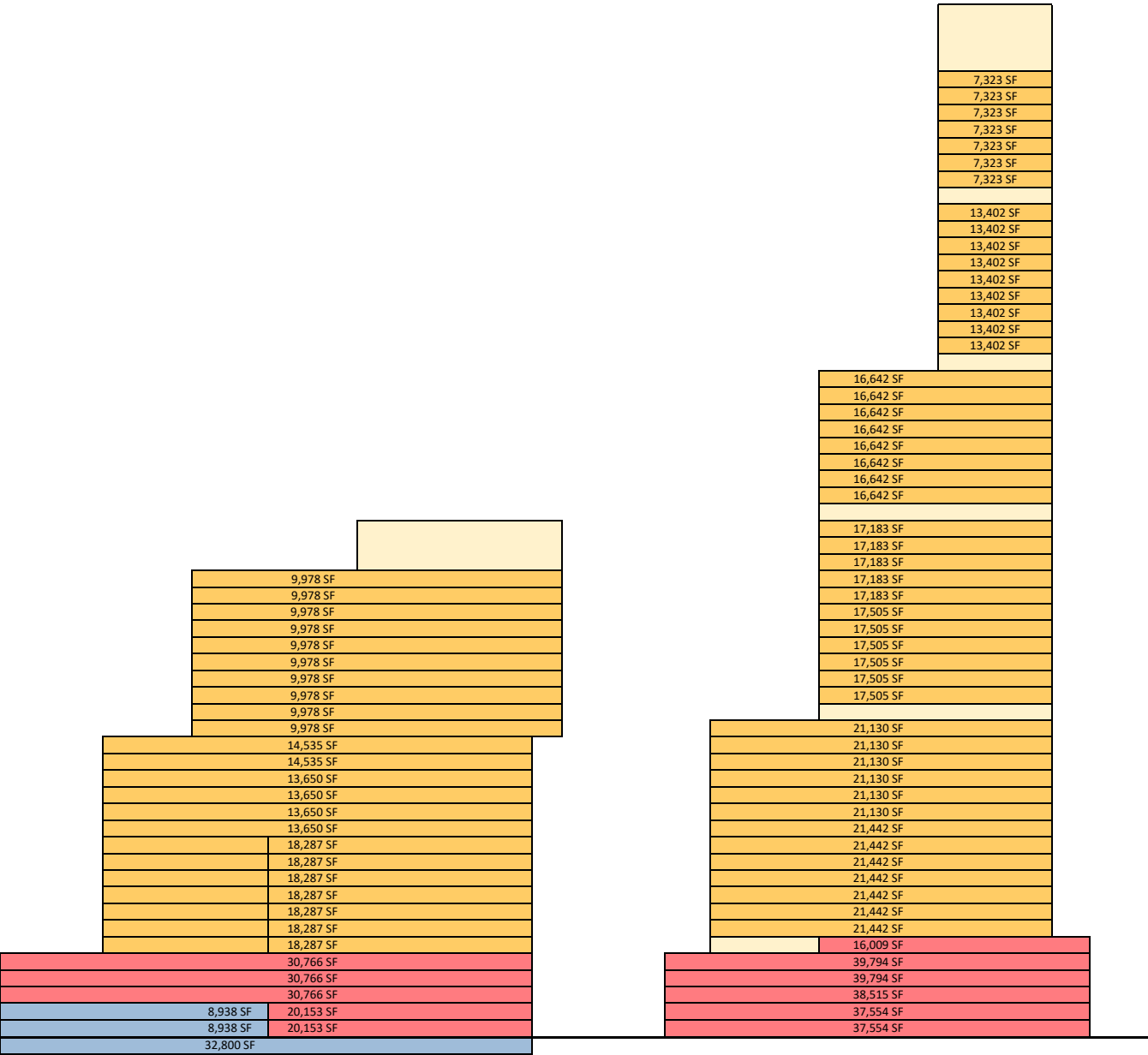


PROPOSED DEVELOPMENT - MASSING SUMMARY

NORTH

SOUTH

PROPOSED				
ZONINNG	C	CF	RESI	TOTAL
ROOF EMR 4	0 SF	0 SF	0 SF	0 SF
ROOF EMR 3	0 SF	0 SF	0 SF	0 SF
ROOF EMR 2	0 SF	0 SF	0 SF	0 SF
ROOF EMR 1	0 SF	0 SF	0 SF	0 SF
LEVEL 58	0 SF	0 SF	7,323 SF	7,323 SF
LEVEL 57	0 SF	0 SF	7,323 SF	7,323 SF
LEVEL 56	0 SF	0 SF	7,323 SF	7,323 SF
LEVEL 55	0 SF	0 SF	7,323 SF	7,323 SF
LEVEL 54	0 SF	0 SF	7,323 SF	7,323 SF
LEVEL 53	0 SF	0 SF	7,323 SF	7,323 SF
LEVEL 52	0 SF	0 SF	7,323 SF	7,323 SF
LEVEL 51	0 SF	0 SF	0 SF	0 SF
LEVEL 50	0 SF	0 SF	13,402 SF	13,402 SF
LEVEL 49	0 SF	0 SF	13,402 SF	13,402 SF
LEVEL 48	0 SF	0 SF	13,402 SF	13,402 SF
LEVEL 47	0 SF	0 SF	13,402 SF	13,402 SF
LEVEL 46	0 SF	0 SF	13,402 SF	13,402 SF
LEVEL 45	0 SF	0 SF	13,402 SF	13,402 SF
LEVEL 44	0 SF	0 SF	13,402 SF	13,402 SF
LEVEL 43	0 SF	0 SF	13,402 SF	13,402 SF
LEVEL 42	0 SF	0 SF	13,402 SF	13,402 SF
LEVEL 41	0 SF	0 SF	0 SF	0 SF
LEVEL 40	0 SF	0 SF	16,642 SF	16,642 SF
LEVEL 39	0 SF	0 SF	16,642 SF	16,642 SF
LEVEL 38	0 SF	0 SF	16,642 SF	16,642 SF
LEVEL 37	0 SF	0 SF	16,642 SF	16,642 SF
LEVEL 36	0 SF	0 SF	16,642 SF	16,642 SF
LEVEL 35	0 SF	0 SF	16,642 SF	16,642 SF
LEVEL 34	0 SF	0 SF	16,642 SF	16,642 SF
LEVEL 33	0 SF	0 SF	16,642 SF	16,642 SF
LEVEL 32	0 SF	0 SF	0 SF	0 SF
LEVEL 31	0 SF	0 SF	17,183 SF	17,183 SF
LEVEL 30	0 SF	0 SF	17,183 SF	17,183 SF
LEVEL 29	0 SF	0 SF	17,183 SF	17,183 SF
LEVEL 28	0 SF	0 SF	27,161 SF	27,161 SF
LEVEL 27	0 SF	0 SF	27,161 SF	27,161 SF
LEVEL 26	0 SF	0 SF	27,483 SF	27,483 SF
LEVEL 25	0 SF	0 SF	27,483 SF	27,483 SF
LEVEL 24	0 SF	0 SF	27,483 SF	27,483 SF
LEVEL 23	0 SF	0 SF	27,483 SF	27,483 SF
LEVEL 22	0 SF	0 SF	27,483 SF	27,483 SF
LEVEL 21	0 SF	0 SF	27,483 SF	27,483 SF
LEVEL 20	0 SF	0 SF	9,978 SF	9,978 SF
LEVEL 19	0 SF	0 SF	31,108 SF	31,108 SF
LEVEL 18	0 SF	0 SF	35,665 SF	35,665 SF
LEVEL 17	0 SF	0 SF	35,665 SF	35,665 SF
LEVEL 16	0 SF	0 SF	34,780 SF	34,780 SF
LEVEL 15	0 SF	0 SF	34,780 SF	34,780 SF
LEVEL 14	0 SF	0 SF	34,780 SF	34,780 SF
LEVEL 13	0 SF	0 SF	35,092 SF	35,092 SF
LEVEL 12	0 SF	0 SF	39,729 SF	39,729 SF
LEVEL 11	0 SF	0 SF	39,729 SF	39,729 SF
LEVEL 10	0 SF	0 SF	39,729 SF	39,729 SF
LEVEL 9	0 SF	0 SF	39,729 SF	39,729 SF
LEVEL 8	0 SF	0 SF	39,729 SF	39,729 SF
LEVEL 7	0 SF	0 SF	39,729 SF	39,729 SF
LEVEL 6	0 SF	0 SF	34,296 SF	34,296 SF
LEVEL 5	70,560 SF	0 SF	0 SF	70,560 SF
LEVEL 4	70,560 SF	0 SF	0 SF	70,560 SF
LEVEL 3	69,281 SF	0 SF	0 SF	69,281 SF
LEVEL 2	57,707 SF	8,938 SF	0 SF	66,645 SF
GROUND LEVEL	57,707 SF	8,938 SF	0 SF	66,645 SF
CELLAR		32,800 SF		32,800 SF
SUBTOTAL	325,815 SF	17,876 SF	1,100,302 SF	1,476,793 SF
DEDUCTIONS	13,033 SF	17,876 SF	88,024 SF	118,933 SF
TOTAL	312,782 SF	0 SF	1,012,278 SF	1,357,860 SF
	GROSS	REDUCTION	ZFA	FAR
COMMERCIAL	325,815 SF	4.00%	312,782 SF	2.80
COMM FACILITY	17,876 SF	4.00%	17,161 SF	0.15
RESIDENTIAL	1,100,302 SF	8.00%	1,012,278 SF	9.06
	1,443,993 SF	101,772 SF	1,342,221 SF	12.01



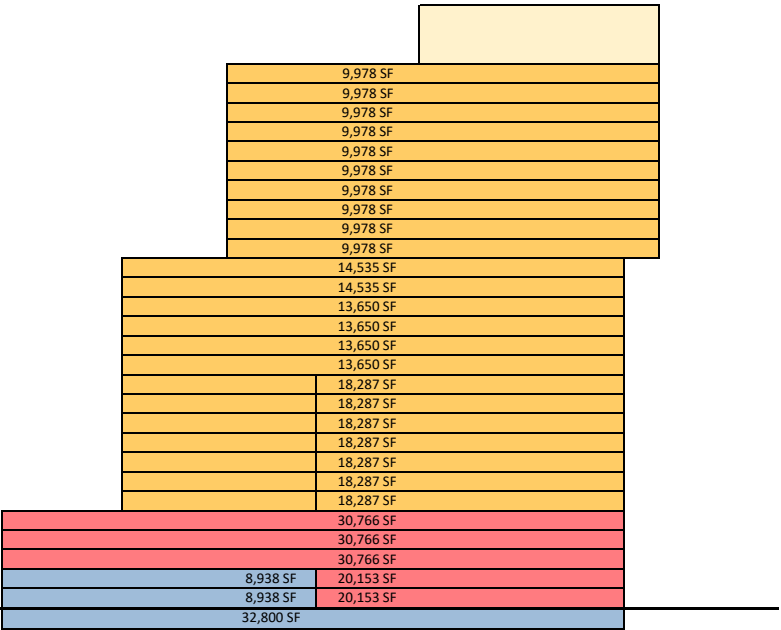
APROX. NUMBER OF UNITS 1200

PROPOSED DEVELOPMENT - MASSING SUMMARY NORTH

NORTH

ZONING	PROPOSED			TOTAL
	C	CF	RESI	
ROOF EMR 4	0 SF	0 SF	0 SF	0 SF
ROOF EMR 3	0 SF	0 SF	0 SF	0 SF
ROOF EMR 2	0 SF	0 SF	0 SF	0 SF
ROOF EMR 1	0 SF	0 SF	0 SF	0 SF
LEVEL 58	0 SF	0 SF	0 SF	0 SF
LEVEL 57	0 SF	0 SF	0 SF	0 SF
LEVEL 56	0 SF	0 SF	0 SF	0 SF
LEVEL 55	0 SF	0 SF	0 SF	0 SF
LEVEL 54	0 SF	0 SF	0 SF	0 SF
LEVEL 53	0 SF	0 SF	0 SF	0 SF
LEVEL 52	0 SF	0 SF	0 SF	0 SF
LEVEL 51	0 SF	0 SF	0 SF	0 SF
LEVEL 50	0 SF	0 SF	0 SF	0 SF
LEVEL 49	0 SF	0 SF	0 SF	0 SF
LEVEL 48	0 SF	0 SF	0 SF	0 SF
LEVEL 47	0 SF	0 SF	0 SF	0 SF
LEVEL 46	0 SF	0 SF	0 SF	0 SF
LEVEL 45	0 SF	0 SF	0 SF	0 SF
LEVEL 44	0 SF	0 SF	0 SF	0 SF
LEVEL 43	0 SF	0 SF	0 SF	0 SF
LEVEL 42	0 SF	0 SF	0 SF	0 SF
LEVEL 41	0 SF	0 SF	0 SF	0 SF
LEVEL 40	0 SF	0 SF	0 SF	0 SF
LEVEL 39	0 SF	0 SF	0 SF	0 SF
LEVEL 38	0 SF	0 SF	0 SF	0 SF
LEVEL 37	0 SF	0 SF	0 SF	0 SF
LEVEL 36	0 SF	0 SF	0 SF	0 SF
LEVEL 35	0 SF	0 SF	0 SF	0 SF
LEVEL 34	0 SF	0 SF	0 SF	0 SF
LEVEL 33	0 SF	0 SF	0 SF	0 SF
LEVEL 32	0 SF	0 SF	0 SF	0 SF
LEVEL 31	0 SF	0 SF	0 SF	0 SF
LEVEL 30	0 SF	0 SF	0 SF	0 SF
LEVEL 29	0 SF	0 SF	0 SF	0 SF
LEVEL 28	0 SF	0 SF	9,978 SF	9,978 SF
LEVEL 27	0 SF	0 SF	9,978 SF	9,978 SF
LEVEL 26	0 SF	0 SF	9,978 SF	9,978 SF
LEVEL 25	0 SF	0 SF	9,978 SF	9,978 SF
LEVEL 24	0 SF	0 SF	9,978 SF	9,978 SF
LEVEL 23	0 SF	0 SF	9,978 SF	9,978 SF
LEVEL 22	0 SF	0 SF	9,978 SF	9,978 SF
LEVEL 21	0 SF	0 SF	9,978 SF	9,978 SF
LEVEL 20	0 SF	0 SF	9,978 SF	9,978 SF
LEVEL 19	0 SF	0 SF	9,978 SF	9,978 SF
LEVEL 18	0 SF	0 SF	14,535 SF	14,535 SF
LEVEL 17	0 SF	0 SF	14,535 SF	14,535 SF
LEVEL 16	0 SF	0 SF	13,650 SF	13,650 SF
LEVEL 15	0 SF	0 SF	13,650 SF	13,650 SF
LEVEL 14	0 SF	0 SF	13,650 SF	13,650 SF
LEVEL 13	0 SF	0 SF	13,650 SF	13,650 SF
LEVEL 12	0 SF	0 SF	18,287 SF	18,287 SF
LEVEL 11	0 SF	0 SF	18,287 SF	18,287 SF
LEVEL 10	0 SF	0 SF	18,287 SF	18,287 SF
LEVEL 9	0 SF	0 SF	18,287 SF	18,287 SF
LEVEL 8	0 SF	0 SF	18,287 SF	18,287 SF
LEVEL 7	0 SF	0 SF	18,287 SF	18,287 SF
LEVEL 6	0 SF	0 SF	18,287 SF	18,287 SF
LEVEL 5	30,766 SF	0 SF	0 SF	30,766 SF
LEVEL 4	30,766 SF	0 SF	0 SF	30,766 SF
LEVEL 3	30,766 SF	0 SF	0 SF	30,766 SF
LEVEL 2	20,153 SF	8,938 SF	0 SF	29,091 SF
GROUND LEVEL	20,153 SF	8,938 SF	0 SF	29,091 SF
CELLAR		32,800 SF		32,800 SF
SUBTOTAL	132,604 SF	17,876 SF	311,459 SF	494,739 SF
DEDUCTIONS	5,304 SF	17,876 SF	24,917 SF	48,097 SF
TOTAL	127,300 SF	0 SF	286,542 SF	446,642 SF

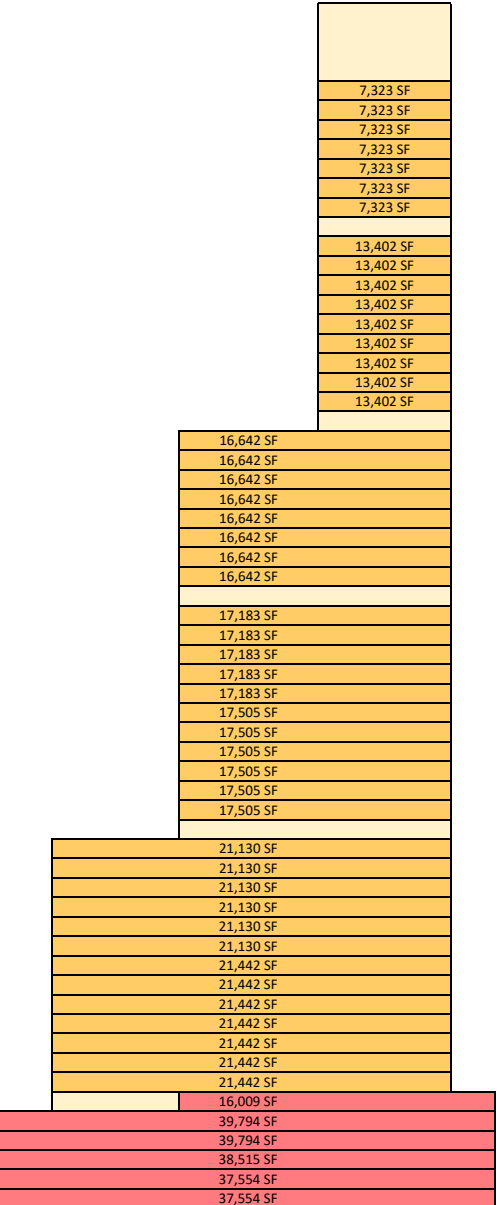
	GROSS	REDUCTION	ZFA	FAR
COMMERCIAL	132,604 SF	4.00%	127,300 SF	1.14
COMM FACILITY	17,876 SF	4.00%	17,161 SF	0.15
RESIDENTIAL	311,459 SF	8.00%	286,542 SF	2.56
	461,939 SF	30,936 SF	431,003 SF	3.86



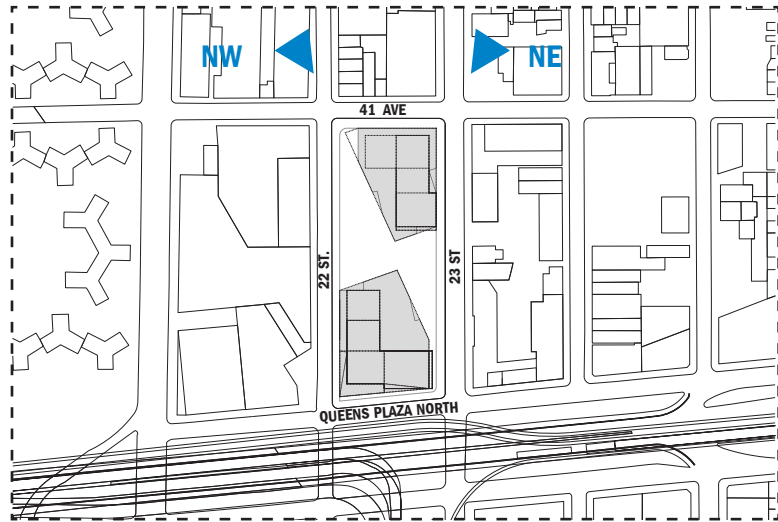
# PROPOSED DEVELOPMENT - MASSING SUMMARY SOUTH

# SOUTH

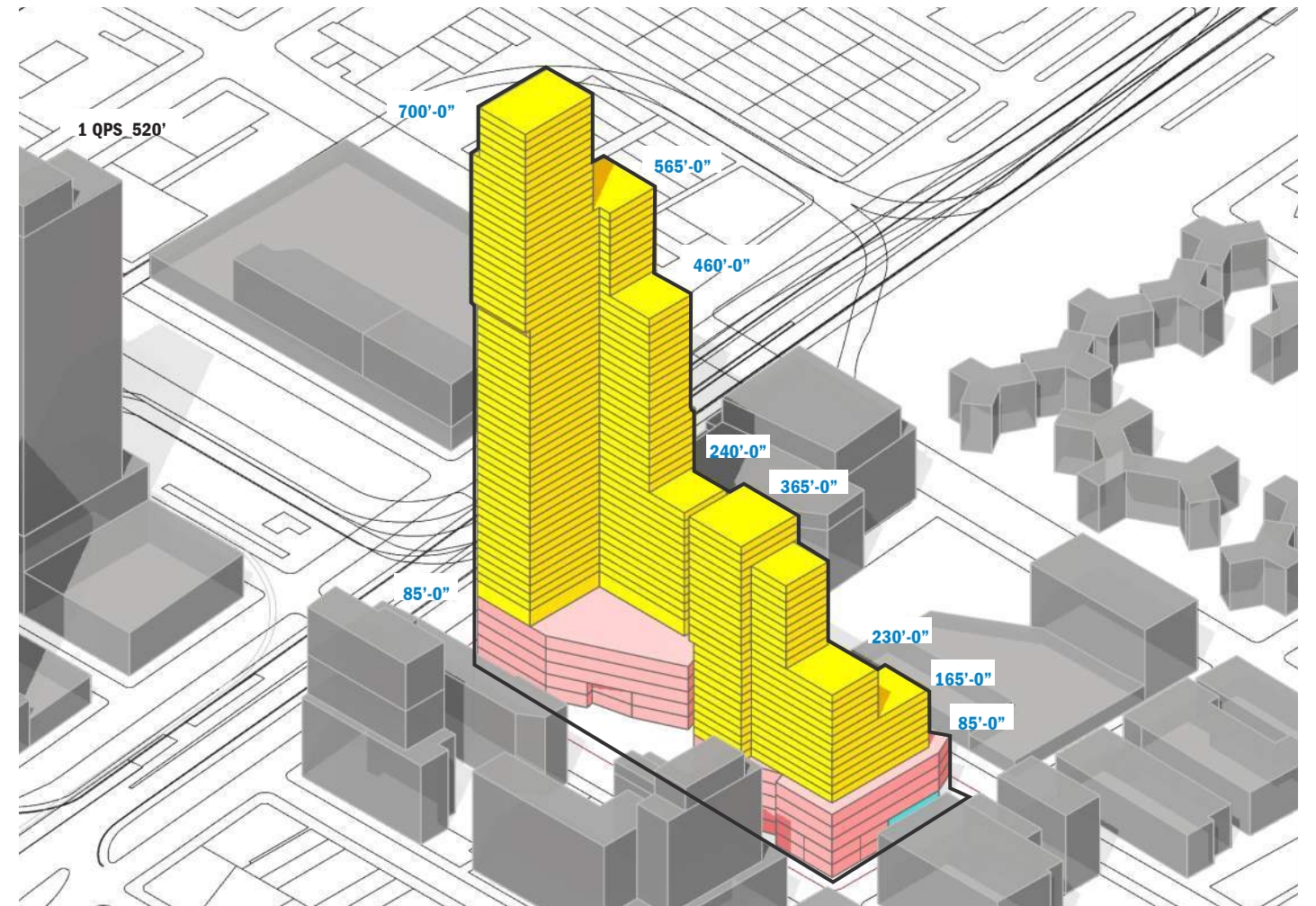
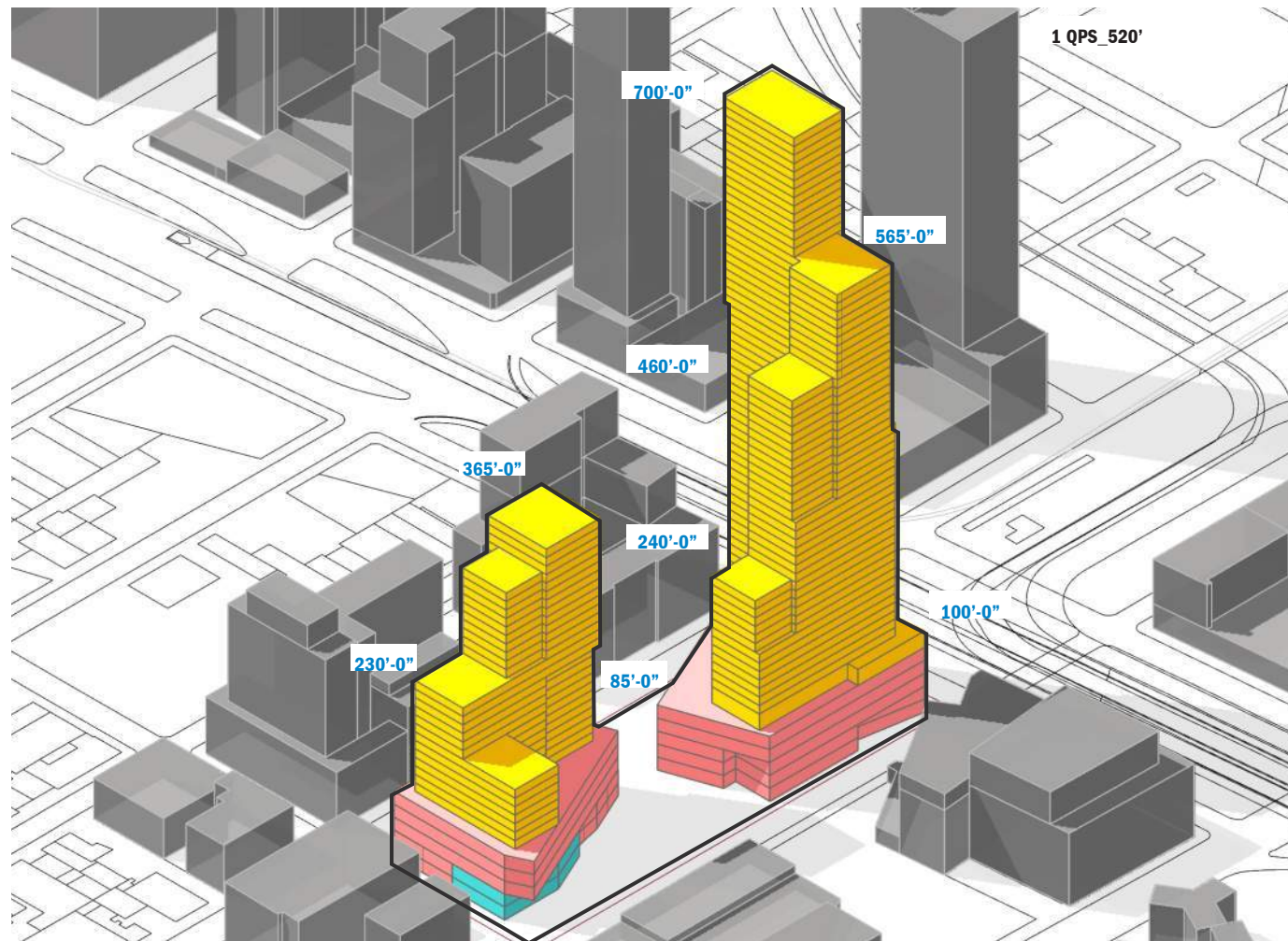
PROPOSED					
ZONING	€	CF	RESI	TOTAL	
ROOF EMR 4	0 SF	0 SF	0 SF	0 SF	
ROOF EMR 3	0 SF	0 SF	0 SF	0 SF	
ROOF EMR 2	0 SF	0 SF	0 SF	0 SF	
ROOF EMR 1	0 SF	0 SF	0 SF	0 SF	
LEVEL 58	0 SF	0 SF	7,323 SF	7,323 SF	
LEVEL 57	0 SF	0 SF	7,323 SF	7,323 SF	
LEVEL 56	0 SF	0 SF	7,323 SF	7,323 SF	
LEVEL 55	0 SF	0 SF	7,323 SF	7,323 SF	
LEVEL 54	0 SF	0 SF	7,323 SF	7,323 SF	
LEVEL 53	0 SF	0 SF	7,323 SF	7,323 SF	
LEVEL 52	0 SF	0 SF	7,323 SF	7,323 SF	
LEVEL 51	0 SF	0 SF	0 SF	0 SF	
LEVEL 50	0 SF	0 SF	13,402 SF	13,402 SF	
LEVEL 49	0 SF	0 SF	13,402 SF	13,402 SF	
LEVEL 48	0 SF	0 SF	13,402 SF	13,402 SF	
LEVEL 47	0 SF	0 SF	13,402 SF	13,402 SF	
LEVEL 46	0 SF	0 SF	13,402 SF	13,402 SF	
LEVEL 45	0 SF	0 SF	13,402 SF	13,402 SF	
LEVEL 44	0 SF	0 SF	13,402 SF	13,402 SF	
LEVEL 43	0 SF	0 SF	13,402 SF	13,402 SF	
LEVEL 42	0 SF	0 SF	13,402 SF	13,402 SF	
LEVEL 41	0 SF	0 SF	0 SF	0 SF	
LEVEL 40	0 SF	0 SF	16,642 SF	16,642 SF	
LEVEL 39	0 SF	0 SF	16,642 SF	16,642 SF	
LEVEL 38	0 SF	0 SF	16,642 SF	16,642 SF	
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LEVEL 36	0 SF	0 SF	16,642 SF	16,642 SF	
LEVEL 35	0 SF	0 SF	16,642 SF	16,642 SF	
LEVEL 34	0 SF	0 SF	16,642 SF	16,642 SF	
LEVEL 33	0 SF	0 SF	16,642 SF	16,642 SF	
LEVEL 32	0 SF	0 SF	0 SF	0 SF	
LEVEL 31	0 SF	0 SF	17,183 SF	17,183 SF	
LEVEL 30	0 SF	0 SF	17,183 SF	17,183 SF	
LEVEL 29	0 SF	0 SF	17,183 SF	17,183 SF	
LEVEL 28	0 SF	0 SF	17,183 SF	17,183 SF	
LEVEL 27	0 SF	0 SF	17,183 SF	17,183 SF	
LEVEL 26	0 SF	0 SF	17,505 SF	17,505 SF	
LEVEL 25	0 SF	0 SF	17,505 SF	17,505 SF	
LEVEL 24	0 SF	0 SF	17,505 SF	17,505 SF	
LEVEL 23	0 SF	0 SF	17,505 SF	17,505 SF	
LEVEL 22	0 SF	0 SF	17,505 SF	17,505 SF	
LEVEL 21	0 SF	0 SF	17,505 SF	17,505 SF	
LEVEL 20	0 SF	0 SF	0 SF	0 SF	
LEVEL 19	0 SF	0 SF	21,130 SF	21,130 SF	
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LEVEL 17	0 SF	0 SF	21,130 SF	21,130 SF	
LEVEL 16	0 SF	0 SF	21,130 SF	21,130 SF	
LEVEL 15	0 SF	0 SF	21,130 SF	21,130 SF	
LEVEL 14	0 SF	0 SF	21,130 SF	21,130 SF	
LEVEL 13	0 SF	0 SF	21,442 SF	21,442 SF	
LEVEL 12	0 SF	0 SF	21,442 SF	21,442 SF	
LEVEL 11	0 SF	0 SF	21,442 SF	21,442 SF	
LEVEL 10	0 SF	0 SF	21,442 SF	21,442 SF	
LEVEL 9	0 SF	0 SF	21,442 SF	21,442 SF	
LEVEL 8	0 SF	0 SF	21,442 SF	21,442 SF	
LEVEL 7	0 SF	0 SF	21,442 SF	21,442 SF	
LEVEL 6	0 SF	0 SF	16,009 SF	16,009 SF	
LEVEL 5	39,794 SF	0 SF	0 SF	39,794 SF	
LEVEL 4	39,794 SF	0 SF	0 SF	39,794 SF	
LEVEL 3	38,515 SF	0 SF	0 SF	38,515 SF	
LEVEL 2	37,554 SF	0 SF	0 SF	37,554 SF	
GROUND LEVEL	37,554 SF	0 SF	0 SF	37,554 SF	
CELLAR		0 SF		0 SF	
SUBTOTAL	193,211 SF	0 SF	788,843 SF	982,054 SF	
DEDUCTIONS	7,728 SF	0 SF	63,107 SF	70,836 SF	
TOTAL	185,483 SF	0 SF	725,736 SF	911,218 SF	
	GROSS	REDUCTION	ZFA	FAR	
COMMERCIAL	193,211 SF	4.00%	185,483 SF	1.66	
COMM FACILITY	0 SF	4.00%	0 SF	0.00	
RESIDENTIAL	788,843 SF	8.00%	725,736 SF	6.50	
982,054 SF		70.836 SF	911,218 SF	8.16	







# PROPOSED DEVELOPMENT- MASSING NW/NE

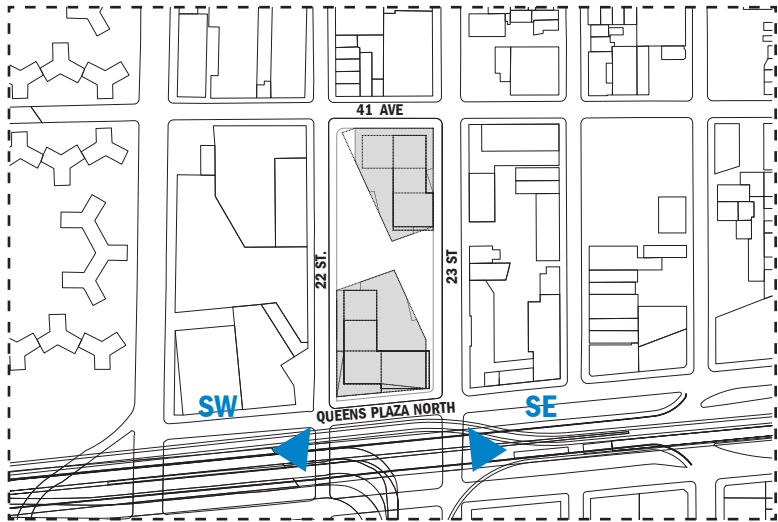


AXO NW

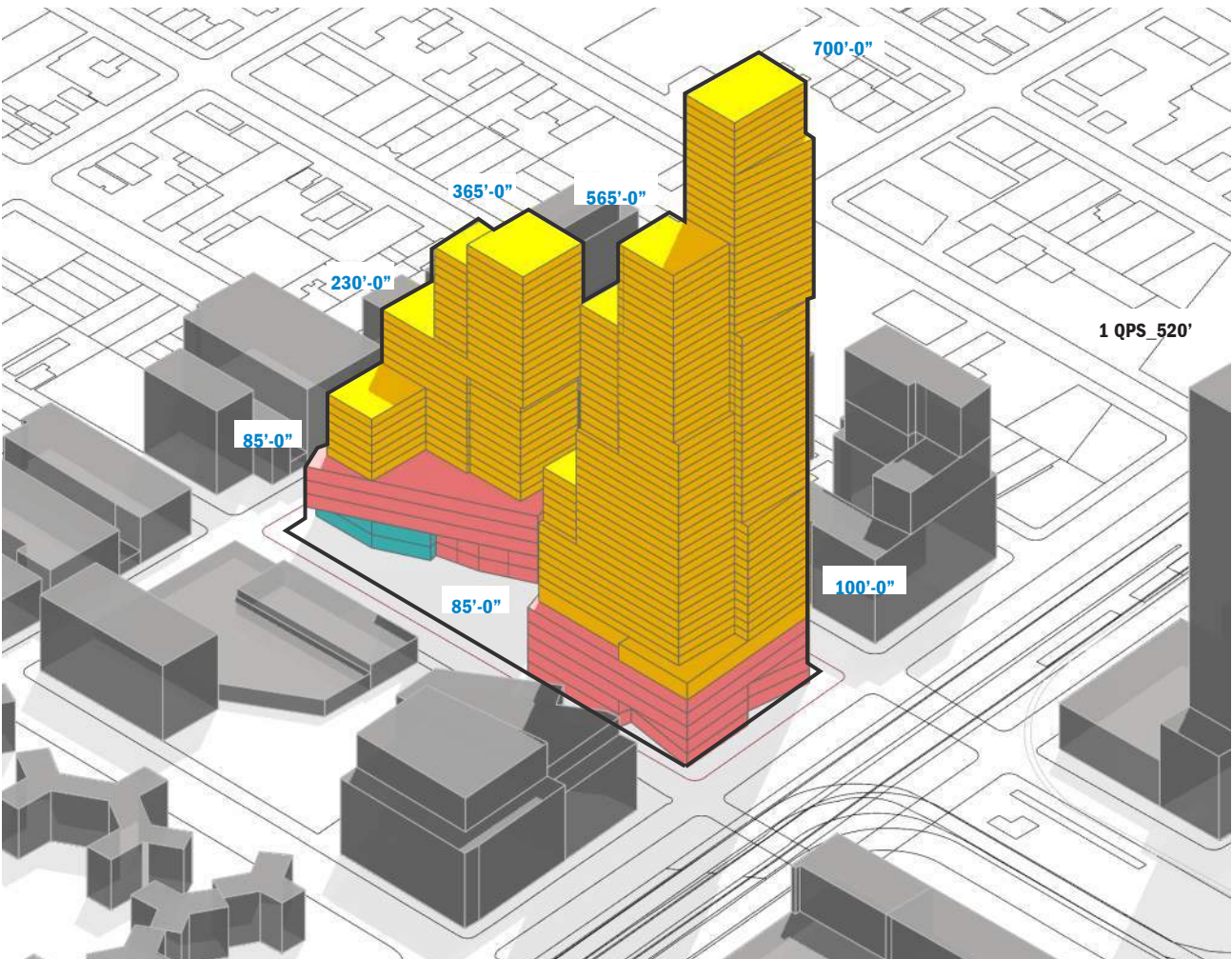
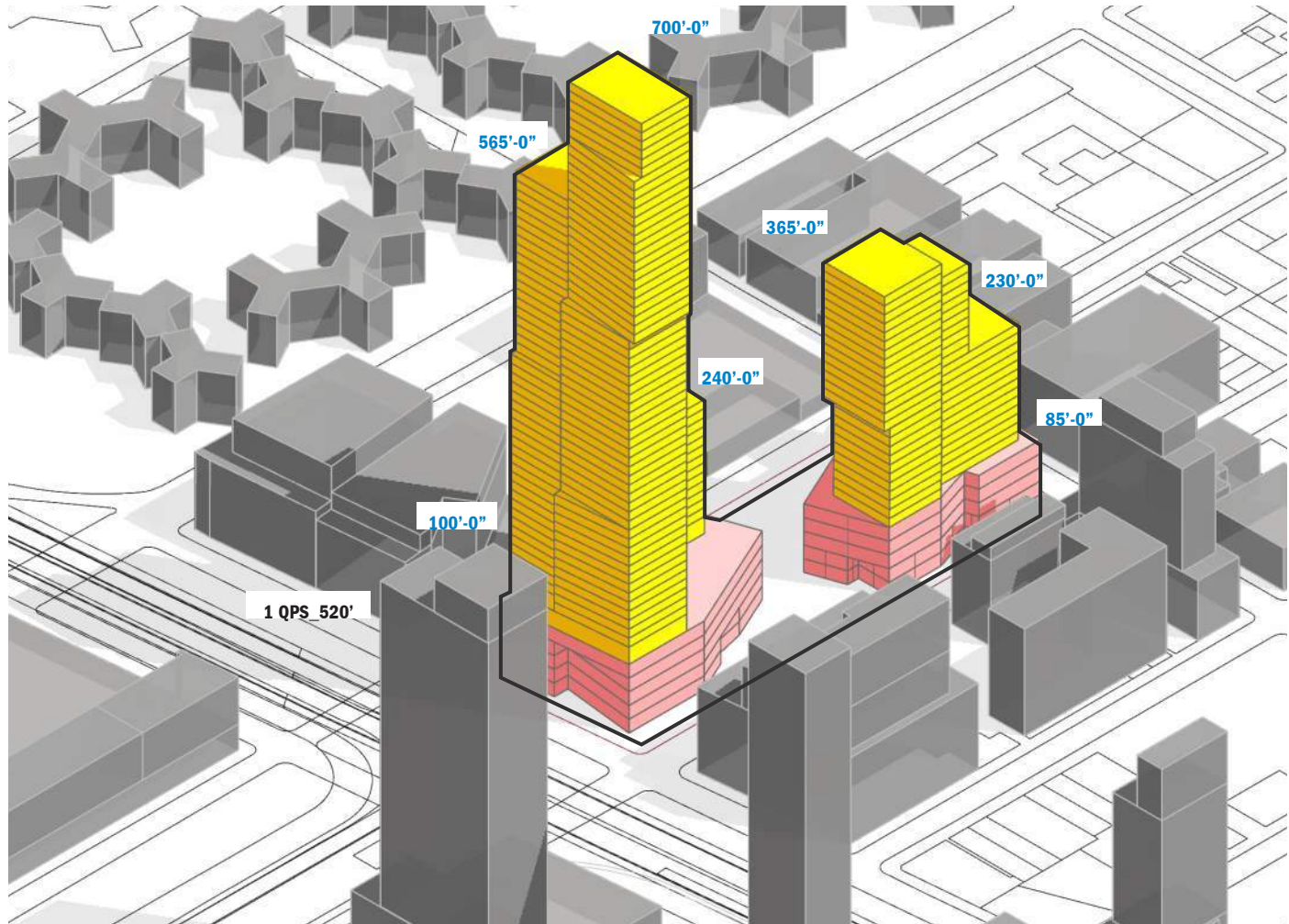
Marvel Architects 145 HUDSON STREET | NEW YORK, NY 10013

AXO NE



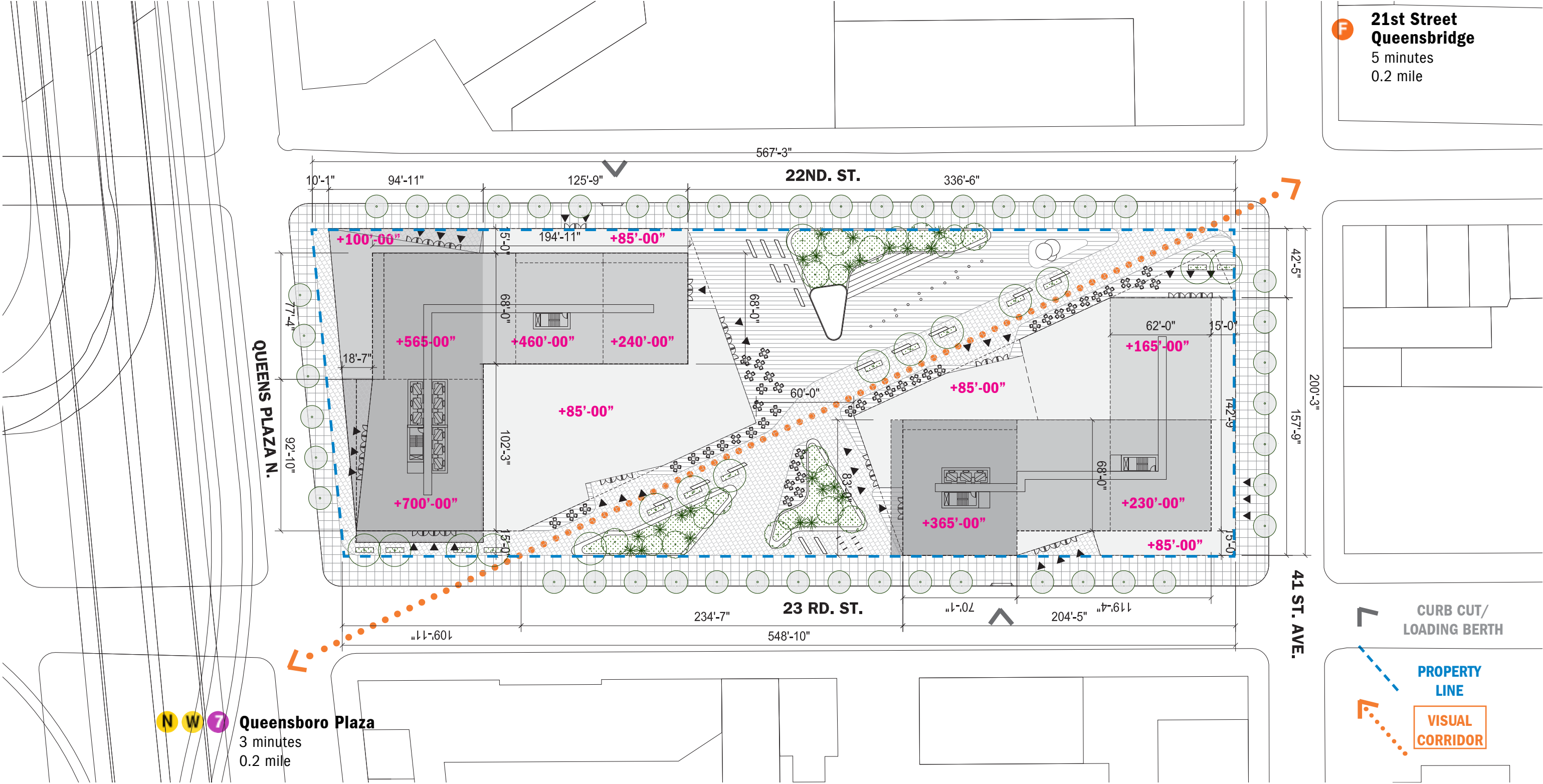


# PROPOSED DEVELOPMENT- MASSING SE/SW

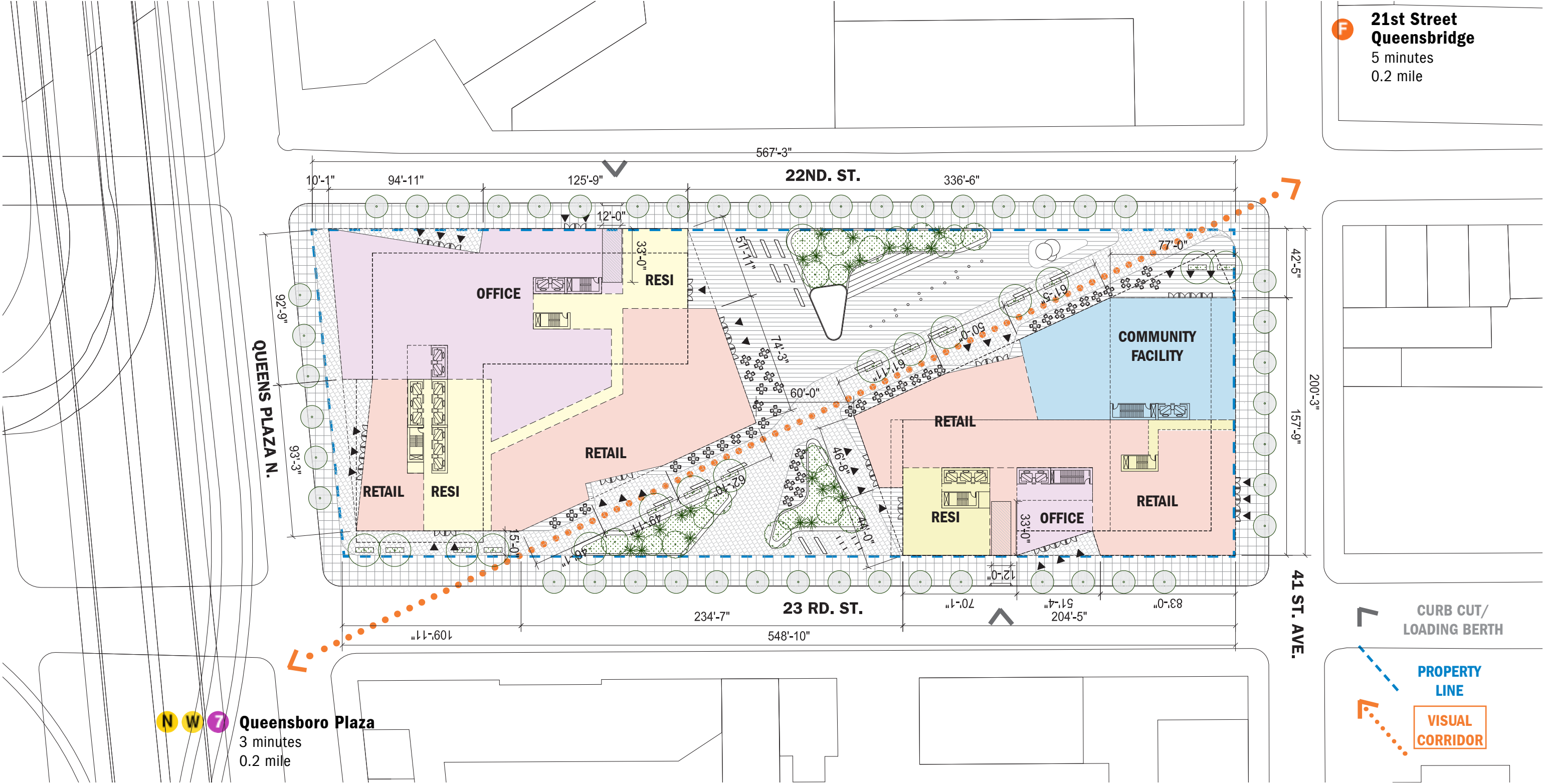




PROPOSED DEVELOPMENT -SITE PLAN

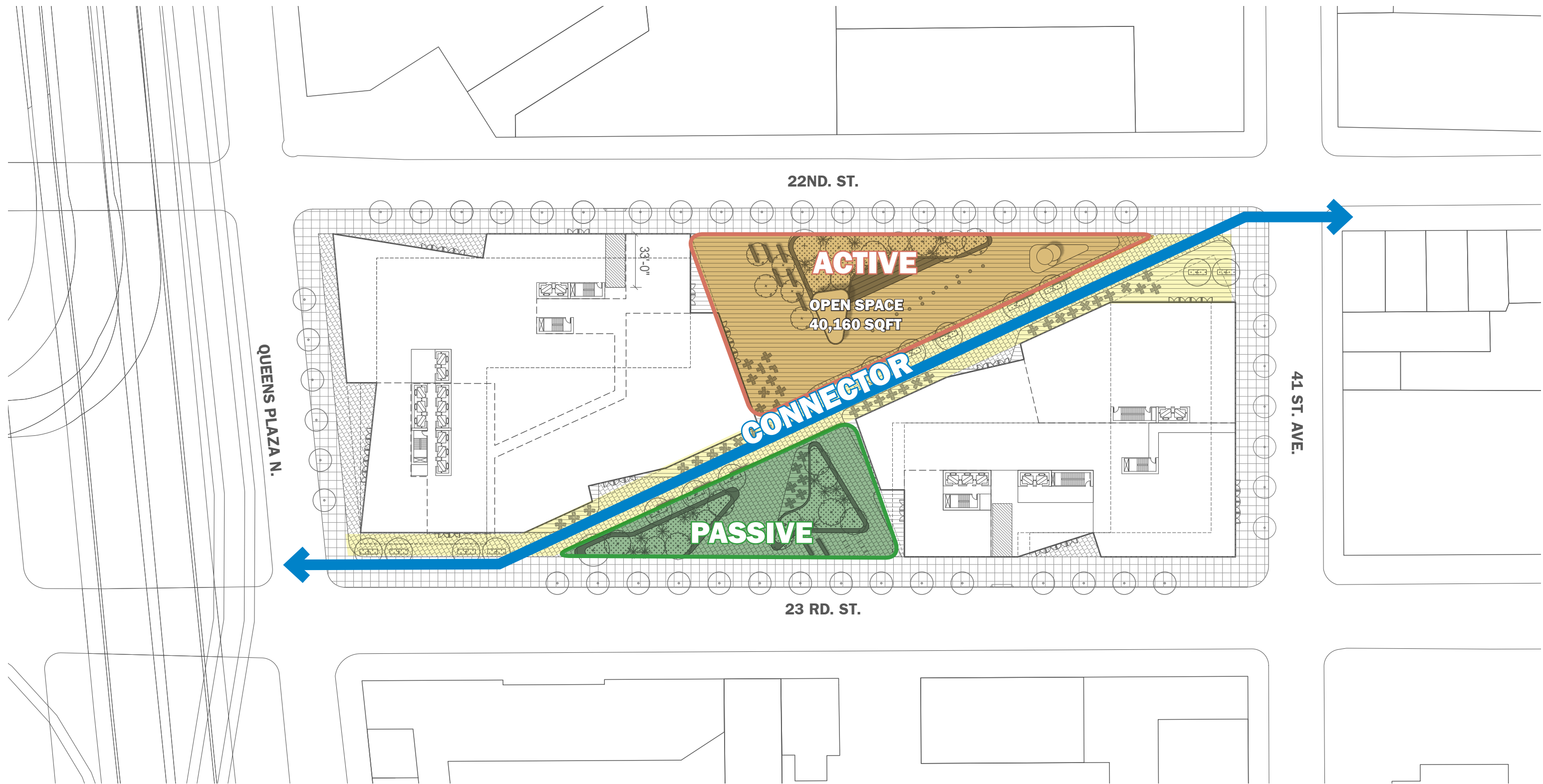


# PROPOSED DEVELOPMENT -GROUND FLOOR

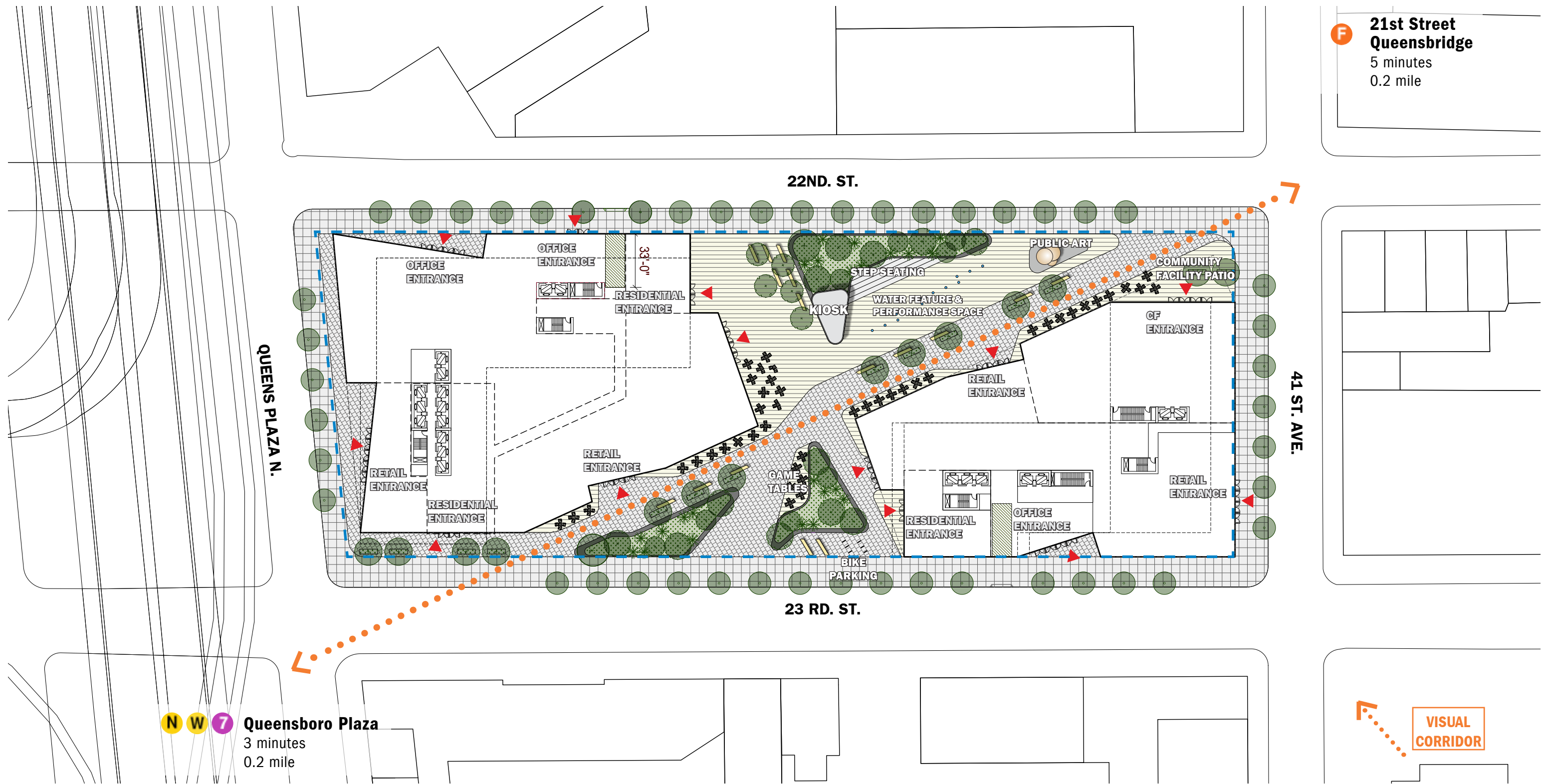




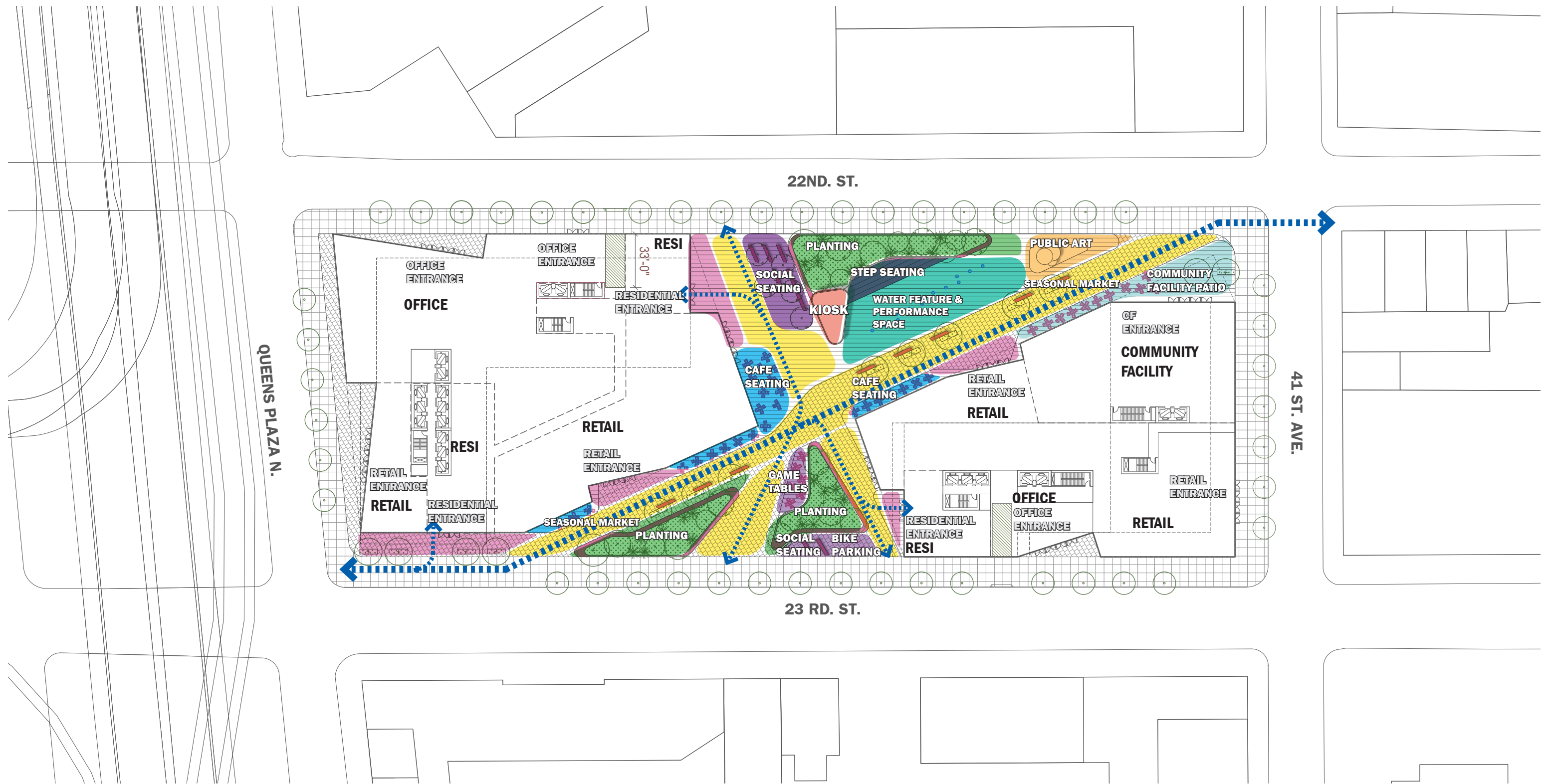
# PROPOSED DEVELOPMENT - SITE CONCEPT



# PROPOSED DEVELOPMENT - SITE PLAN

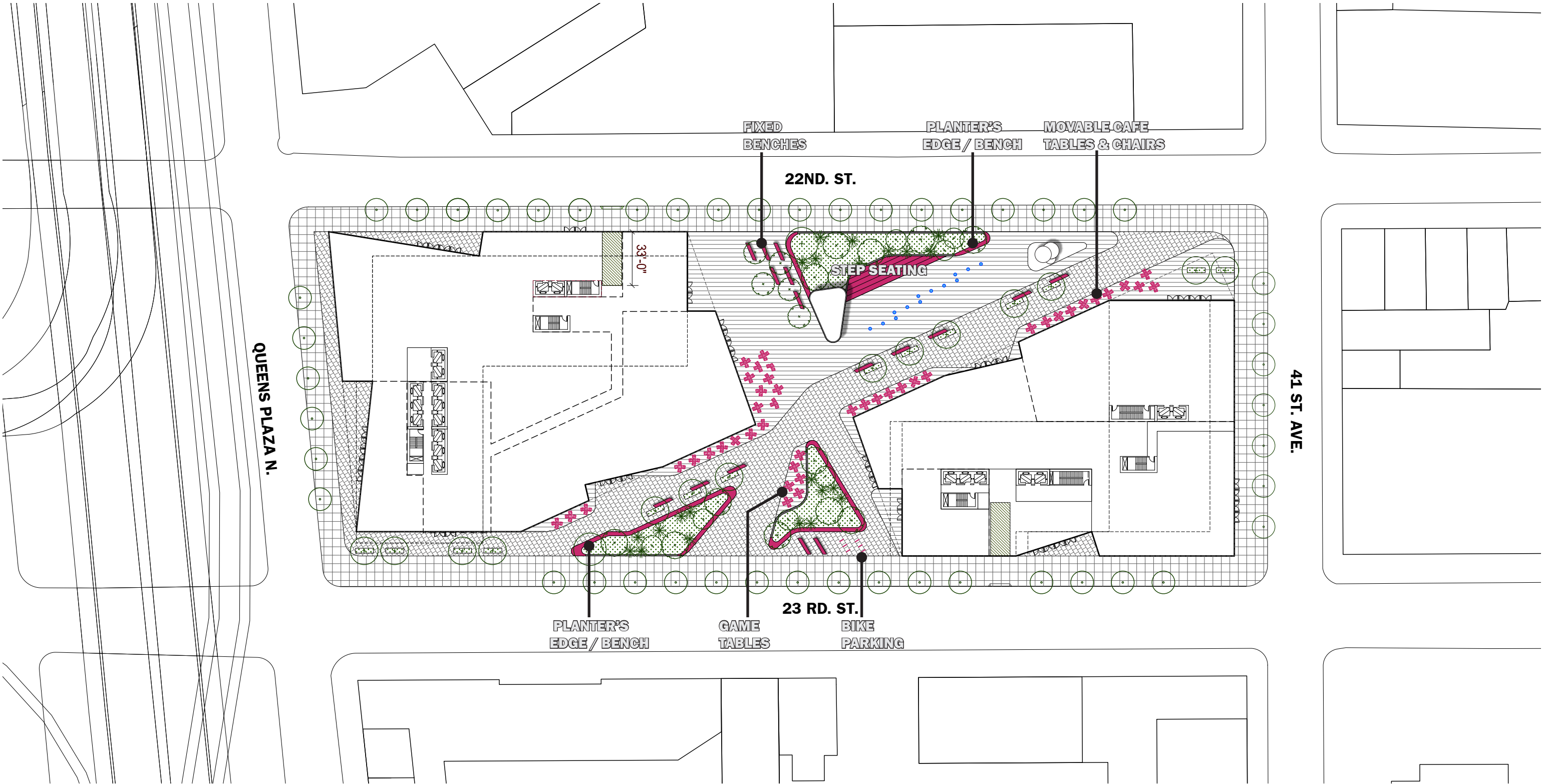


# PROPOSED DEVELOPMENT - SPACE PROGRAMMING





# PROPOSED DEVELOPMENT - SITE FURNISHINGS





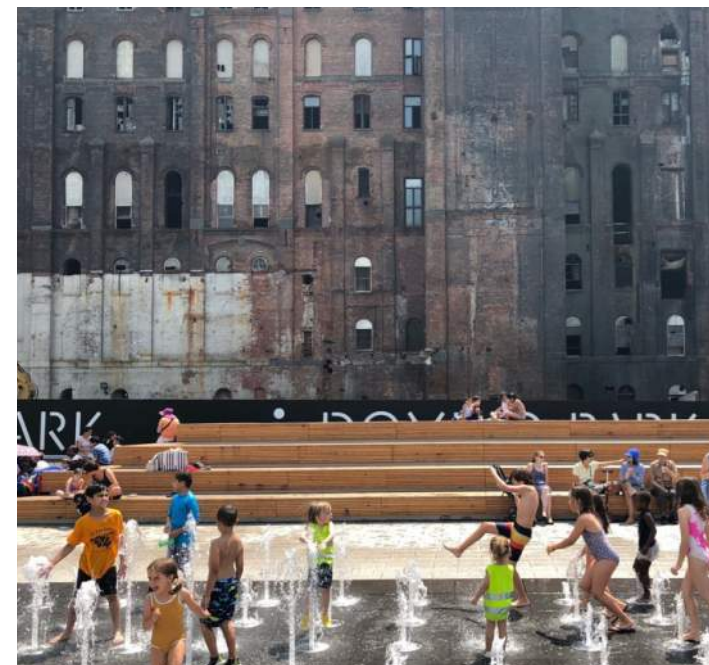
# PROPOSED DEVELOPMENT - PRECEDENTS



STEP SEATING / PERFORMANCE SPACE



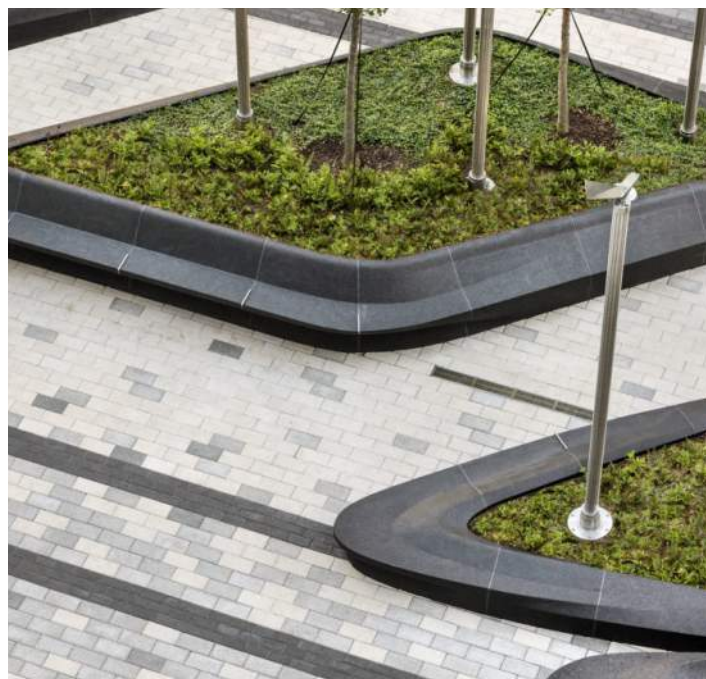
STEP SEATING



WATER FEATURE / PERFORMANCE SPACE



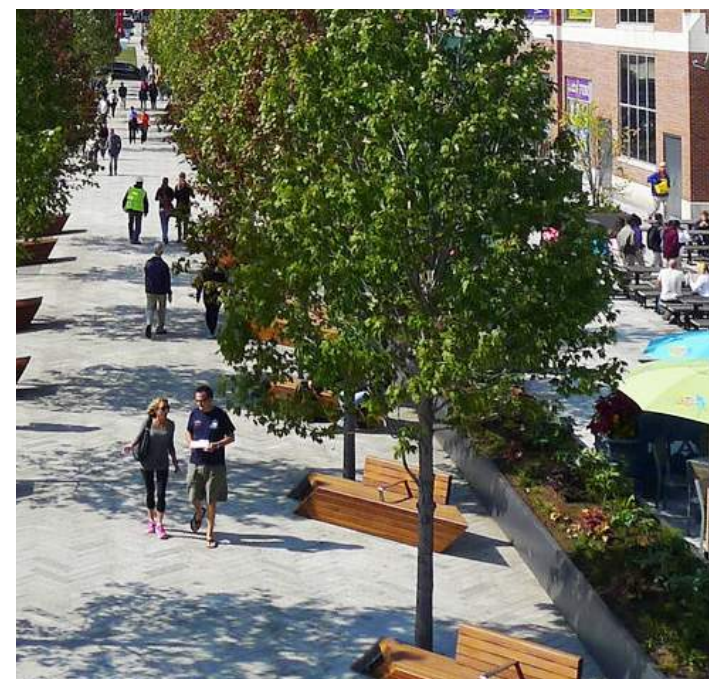
CAFE SEATING



PLANTER'S EDGE / BENCHES



PLANTERS / PLANTER'S EDGE / BENCHES



VIEW CORRIDOR / BENCHES / ALLEY OF TREES



ALLEY OF TREES / PLAZA / BENCHES



PROPOSED DEVELOPMENT - EYE LEVEL RENDERINGS



NW\_ACTIVE OPEN SPACE



## PROPOSED DEVELOPMENT - EYE LEVEL RENDERINGS



### SE\_PASSIVE OPEN SPACE

**ATTACHMENT E**  
**Stipulation Agreement**



NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

-----  
**STIPULATION PURSUANT TO SECTION 17-0303 OF THE ENVIRONMENTAL  
CONSERVATION LAW AND SECTION 176 OF THE NAVIGATION LAW BY:**  
Petrocelli Electric Company, Inc., Respondent SPILL NO. 97-05856  
-----

1. The Department of Environmental Conservation is the agency responsible for the cleanup and removal of discharges of petroleum pursuant to Article 12 of the Navigation Law and Article 17 of the Environmental Conservation Law.
2. Respondent has agreed to cleanup and remove a discharge of petroleum which occurred on August 6, 1997 at 22-09 Queens Plaza North, Long Island City, New York by taking the steps and according to the conditions set forth in the Corrective Action Plan attached to this Stipulation.
3. This Stipulation does not affect the Department's right to pursue any claims that the Department may have against Respondent, including but not limited to, claims for alleged violations of the Navigation Law or the Environmental Conservation Law. This Stipulation does not affect any defenses that Respondent may have to any such claims.
4. Respondent, without admitting liability, consents to the issuance of this Stipulation, waives the right to notice and hearing with respect to the issuance and entry of this Stipulation as provided by law, and agrees to be bound by the terms of this Stipulation, including any attachments thereto.
5. This Stipulation is equivalent to an order pursuant to ECL §§17-0303 and a directive pursuant to NL §176 and is enforceable as such.
6. The Corrective Action Plan may be modified in writing as may be agreed between the parties. The Corrective Action Plan may be modified by the Department in the same manner as a Department permit.
7. The effective date of this Stipulation is the date it is signed by the Department.

12/9/98  
Date

Mikhail Mcha  
Respondent's signature\*

12/14/98  
Date

Vice President  
Respondent's Title (if corporation)  
Paul W. Cat  
Regional Director or Regional Engineer, Region 2

\* NOTE: If stipulation is with a corporation, the respondent must be an official, authorized corporate representative.

## CORRECTIVE ACTION PLAN

### CORRECTIVE ACTION PLAN FOR SPILL NUMBER: 97-05856

1. Respondent has submitted to the Department an accepted investigation into the nature and extent of the contamination caused by the spill.
2. Respondent has submitted to the Department a verbally accepted Remediation Plan. An acceptance letter is enclosed in this package.
3. Respondent has implemented the Remediation Plan but has not started the remediation system. Within 30 days of receipt of the signed Stipulation agreement, respondent should start the remediation system.
4. The approved Remediation Plan shall be made part of the Stipulation agreement between Respondent and the Department.

Any modifications to this Corrective Action Plan must be approved in advance in writing by the Department.

**New York State Department of Environmental Conservation  
Division of Environmental Remediation, Region 2  
Hazardous Waste and Petroleum Remediation Section**

47-40 21st Street, Long Island City, NY 11101  
Phone: (718) 482-4097 FAX: (718) 482-4098  
E-mail: mctibbe@gw.dec.state.ny.us  
Website: www.dec.state.ny.us



Erin M. Crotty  
Commissioner

August 26, 2003

Michael Melia  
Petrocelli Electric Company Inc.  
22-09 Queens Bridge Plaza North  
Long Island City, NY 11101

RE: Spill # 97-05856  
Petrocelli Electric Company Inc.  
22-09 Queens Bridge Plaza North  
Long Island City, New York

Mr. Michael Melia,


Based on the submitted documentation provided to date, no further investigation or response will be required concerning this site, with regard to spill number referenced above. Due the appearance of separate phase product in monitoring well MW-6, apparently from an upgradient source, all wells associated with this project should be closed according to the Department's "Groundwater Monitoring Well Decommissioning Procedures" except for MW-5 and MW-6. These wells are to be maintained in good work order to be used to investigate the apparent new spill which has been assigned spill number 03-30001.

Notwithstanding this approval, the Department hereby reserves all of its rights concerning, and such forbearance shall not extend to, any further investigation or remedial action the Department deems necessary:

- I. Due to the off-site migration of petroleum contaminants that was not addressed by this evaluation.
- II. Due to environmental conditions related to the Site which were unknown to the Department at the time of this approval.
- III. Due to information received, in whole or part, after the Department's approval for inactivation, which indicates that inactivation decision and/or corrective action is not sufficiently protective of human health for the reasonably anticipated use of the site.
- IV. Due to fraud in obtaining this approval for inactivation.

Please be advised that you should maintain a permanent file of all documentation and correspondence regarding this release for future property transactions, refinancing, etc. The Department's files regarding this release may not be maintained indefinitely. If there are any questions concerning this issue, please call me at (718) 482-4097.

Sincerely,

  
Mark C. Tibbe  
Env. Program Specialist I

cc: Howard Fredericks, EnSolutions, Inc.  
File



**New York State Department of Environmental Conservation  
Division of Environmental Remediation, Region 2**

One Hunters Point Plaza

47-40 21<sup>st</sup> Street, Long Island City, 11101

**Phone:** (718) 482-6364 • **Fax:** (718) 482-4098 • **Website:** [www.dec.ny.gov](http://www.dec.ny.gov)



Peter M. Iwanowicz  
Acting Commissioner

January 03, 2011

Petrocelli Electric Co. Inc.  
22-09 Queens Plaza North  
Long Island City, NY 11101  
Attn.: Carlos Salmon

Re.: Spill at 22-09 Queens Plaza North, Queens, NY  
Spill Case #: 0330001

Dear Mr. Salmon,

Based on the documentation provided to date, the New York State Department of Environmental Conservation (the Department) has closed the spill case referenced above. All wells associated with this project should be closed according to the Department's *Groundwater Monitoring Well Decommissioning Procedures*.

The Department hereby reserves all of its rights concerning, and such forbearance shall not extend to, any further investigation or remedial action the Department deems necessary due to:

- I. The off-site migration of petroleum contaminants that was unknown at the time of this closure.
- II. Environmental conditions related to this spill case which were unknown to the Department at the time of this closure.
- III. Information received, in whole or part, after the Department's spill case closure, which indicates the corrective action was not sufficiently protective of human health and/or the environment.
- IV. Fraud in obtaining this spill case closure determination.

Please be advised that you should maintain a permanent file of all documentation and correspondence regarding this case for future use as the Department's files may not be maintained indefinitely.

Sincerely,

Hiralkumar Patel  
Environmental Engineer 1  
Spill Prevention & Response Programs

cc: Ron Rosenberg, Brinkerhoff Environmental Services, Inc.

**ATTACHMENT F**  
**Document Repository Acknowledgement**

From: [QN01@cb.nyc.gov](mailto:QN01@cb.nyc.gov) (CB) <[qn01@cb.nyc.gov](mailto:qn01@cb.nyc.gov)>  
Date: Mon, May 11, 2020 at 8:21 PM  
Subject: Re: Document Repository for 22-09 Queens Plaza North  
To: Adrianna Bosco <[abosco@akrf.com](mailto:abosco@akrf.com)>

Hello,

Good day. The Community Board agrees to be a document repository for this BCP project.  
Please send the drop box and mail a disk via the post office to our office we will be a repository.

We await your email.

Be safe. Be well.

F. Koulouris, DM  
CB1, Queens  
[Qn01@cb.nyc.gov](mailto:Qn01@cb.nyc.gov)

---

**From:** Adrianna Bosco <[abosco@akrf.com](mailto:abosco@akrf.com)>  
**Sent:** Tuesday, April 14, 2020 10:56 AM  
**To:** [QN01@cb.nyc.gov](mailto:QN01@cb.nyc.gov) (CB) <[qn01@cb.nyc.gov](mailto:qn01@cb.nyc.gov)>  
**Subject:** Re: Document Repository for 22-09 Queens Plaza North

Hi Florence,

Thank you for getting back to me and I hope your recovery is going well. I have created a Dropbox folder and updated the attached letter with the link. Please let me know if you have any other questions.

Thank you,  
**Adrianna Bosco**  
Site Assessment and Remediation

.....  
**AKRF, INC.**

*Environmental, Planning, and Engineering Consultants*

440 Park Ave South, 7th Floor | New York, NY 10016  
P) 646.388.9576 | C) 914.874.3358

BLOCKEDakrf[.]comBLOCKED

On Tue, Apr 14, 2020 at 10:27 AM [QN01@cb.nyc.gov](mailto:QN01@cb.nyc.gov) (CB) <[qn01@cb.nyc.gov](mailto:qn01@cb.nyc.gov)> wrote:

Due to the Corona Virus our Main office is closed. We are working remotely. I am in recovery from the virus. There is no feasible way to receive and share the information at this time unless you send a Drop-box with no expiration.

Please reach back to me and let me know your thoughts during this unprecedented time.  
Thank you for your email, I await your correspondence.

Be safe. Be well.

Sincerely,

F. Koulouris, D M  
C B 1, Queens  
[Qn01@cb.nyc.gov](mailto:Qn01@cb.nyc.gov)



**From:** Adrianna Bosco <[abosco@akrf.com](mailto:abosco@akrf.com)>  
**Sent:** Monday, April 13, 2020 8:04 PM  
**To:** [QN01@cb.nyc.gov](mailto:QN01@cb.nyc.gov) (CB) <[gn01@cb.nyc.gov](mailto:gn01@cb.nyc.gov)>  
**Subject:** Document Repository for 22-09 Queens Plaza North

Good evening,

I work with AKRF, Inc., an environmental consulting firm. We are submitting a Brownfield Cleanup Program (BCP) Application to the New York State Department of Environmental Conservation (NYSDEC) for the property located at 22-09 Queens Plaza North. As required by NYSDEC, the local community board will be a document repository to which all pertinent electronic documents generated for this project will be sent. Please review and return the attached at your earliest convenience. Thank you for your time regarding this matter.

Regards,  
**Adrianna Bosco**  
Site Assessment and Remediation

.....  
**AKRF, INC.**  
*Environmental, Planning, and Engineering Consultants*

440 Park Ave South, 7th Floor | New York, NY 10016  
**P)** 646.388.9576 | **C)** 914.874.3358

BLOCKEDakrf[.]comBLOCKED



***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](http://www.akrf.com)

April 14, 2020

Ms. Florence Koulouris  
District Manager  
Queens Community Board 1  
45-02 Ditmars Boulevard, LL Suite 1025  
Astoria, NY 11105  
Phone: (718) 626 1021  
Email: [qn01@cb.nyc.gov](mailto:qn01@cb.nyc.gov)

**Re: NYSDEC BCP Document Repository  
22-09 Queens Plaza North, Long Island City, NY 11101**

Dear Ms. Koulouris,

AKRF, Inc. is submitting a New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) Application on behalf of Queensboro Tower, LLC for the project site located at 22-09 Queens Plaza North, Long Island City, NY 11101. As required by NYSDEC, Queens Community Board District 1 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. As the Community Board office is currently closed due to the "New York State on PAUSE" Executive Order, effective March 22, 2020, a Dropbox folder has been created and all electronic documents will be stored in the folder below:

[https://www.dropbox.com/sh/bft47a8puh8i1fx/AAD45-BrDosobQUHNgwltk\\_Va?dl=0](https://www.dropbox.com/sh/bft47a8puh8i1fx/AAD45-BrDosobQUHNgwltk_Va?dl=0)

Please signify your understanding and agreement by signing in the appropriate space on the next page and returning a copy of the signed letter via email to [abosco@akrf.com](mailto:abosco@akrf.com). Please call me at (646) 388-9576 with any questions.

Sincerely,  
AKRF, Inc.

A handwritten signature in dark ink that reads "Adrianna Bosco".

Adrianna Bosco  
Technical Director

**ACKNOWLEDGED AND ACCEPTED:**

---

Name

Title

Signature