



**Department of
Environmental
Conservation**

BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT

Please refer to the attached instructions for guidance on completing this application.

Submission of a full BCP application will be required should this application be determined to be a major amendment. If the amendment seeks to add or subtract more than an insignificant acreage of property to the BCA, applicants are encouraged to consult with the DEC project team prior to submitting this application.

PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

1. Check the appropriate box(es) below based on the nature of the amendment modification(s) requested:

<input checked="" type="checkbox"/>	Amendment to modify the existing BCA (check one or more boxes below):
<input checked="" type="checkbox"/>	Add applicant(s)
<input type="checkbox"/>	Substitute applicant(s)
<input type="checkbox"/>	Remove applicant(s)
<input type="checkbox"/>	Change in name of applicant(s)
<input type="checkbox"/>	Amendment to reflect a transfer of title to all or part of the brownfield site:
	<p>a. A copy of the recorded deed must be provided. Is this attached? <input type="radio"/> Yes <input type="radio"/> No</p> <p>b. <input type="checkbox"/> Change in ownership <input type="checkbox"/> Additional owner (such as a beneficial owner)</p> <p>c. Pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been submitted prior to a transfer of ownership. If this has not yet been submitted, include the form with this application. Is this form attached? <input type="radio"/> Yes <input type="radio"/> No Submitted on: _____</p>
<input type="checkbox"/>	Amendment to modify description of the property(ies) listed in the existing BCA
<input type="checkbox"/>	Amendment to expand or reduce property boundaries of the property(ies) listed in the existing BCA
<input type="checkbox"/>	Sites in Bronx, Kings, New York, Queens or Richmond Counties ONLY: amendment to request determination that the site is eligible for tangible property credit component of the brownfield redevelopment tax credit.
<input type="checkbox"/>	Other (explain in detail below)

2. REQUIRED: Please provide a brief narrative describing the specific requests included in this amendment:

On or around December 15, 2025 (anticipated closing date), Archer Towers II Housing Development Fund Corporation will become the fee title owner of the BCP Site. Archer Towers II Owner LLC will become the equitable and beneficial owner of the non-affordable housing condominiums units (including residential, commercial and parking) to be established on the BCP Site prior to development. Archer Towers II LIHTC Owner LLC will become the equitable and beneficial owner of the affordable housing residential condominium units to be established on the BCP Site prior to development. Also at closing, both Archer Tower II Owner LLC and Archer Towers II LIHTC Owner LLC will be executing and recording a regulatory agreement. Archer Towers II Owner LLC and Archer Towers II LIHTC Owner LLC are being added to the Brownfield Cleanup Agreement ("BCA"). Please see Exhibit A - NYS DOS Entity Information, Exhibit B - Organizational Chart, Exhibit C - Volunteer Statements, Exhibit D - Site Access Agreement and Exhibit E - Written Consent. Archer Towers II Housing Development Fund Corporation is not being added to the BCA at this time. After closing, another BCA Amendment Application will be submitted to the DEC for the change in ownership and to confirm tangible property tax credit eligibility.

SECTION I: CURRENT AGREEMENT INFORMATION*This section must be completed in full. Attach additional pages as necessary.*

BCP SITE NAME: Archer Ave Auto Repair and Coal Yard Site	BCP SITE NUMBER: C241283
NAME OF CURRENT APPLICANT(S): Archer Towers Development LLC	
INDEX NUMBER OF AGREEMENT: C241283-06-24	DATE OF ORIGINAL AGREEMENT: 08/09/24
APPLICANT'S SIGNATORY: Meredith Marshall	

SECTION II: NEW REQUESTOR INFORMATION*Complete this section only if adding new requestor(s) or the name of an existing requestor has changed.*

NAME: Archer Towers II Owner LLC			
ADDRESS: 100 Park Avenue, 36th Floor			
CITY/TOWN: New York, New York			ZIP CODE: 10017
PHONE: (212) 488-4169	EMAIL: gflournoy@brpcompanies.com		
REQUESTOR CONTACT: Geoffroi Flournoy			
ADDRESS: 100 Park Avenue, 36th Floor			
CITY/TOWN: New York, New York			ZIP CODE: 10017
PHONE: (212) 488-4169	EMAIL: gflournoy@brpcompanies.com		
REQUESTOR'S CONSULTANT: SESI Engineering	CONTACT: Fuad Dahan, PhD, P.E., LSRP		
ADDRESS: 959 Route 46E, 3rd Floor, Suite 300			
CITY/TOWN: Parsippany, New Jersey			ZIP CODE: 07054
PHONE: (862) 702-5719	EMAIL: fd@sesi.org		
REQUESTOR'S ATTORNEY: Knauf Shaw LLP	CONTACT: Linda R. Shaw, Esq.		
ADDRESS: 2600 Innovation Square, 100 S. Clinton Avenue			
CITY/TOWN: Rochester, New York			ZIP CODE: 14604
PHONE: (585) 546-8430	EMAIL: lshaw@nyenvlaw.com		
		Y	N
1. Is the requestor authorized to conduct business in New York State?		<input checked="" type="radio"/>	<input type="radio"/>
2. If the requestor is a corporation, LLC, LLP, or other entity requiring authorization from the NYS Department of State (NYSDOS) to conduct business in NYS, the requestor's name must appear exactly as given above in the NYSDOS Corporation & Business Entity Database. A print-out of entity information from the NYSDOS database must be submitted with this application. Is this print-out attached?		<input checked="" type="radio"/>	<input type="radio"/>
3. Requestor must submit proof that the party signing this application and amendment has the authority to bind the requestor. This would be documentation showing the authority to bind the requestor in the form of corporate organizational papers, a Corporate Resolution or an Operating Agreement or Resolution for an LLC. Is this proof attached?		<input checked="" type="radio"/>	<input type="radio"/>
4. If the requestor is an LLC, the names of the members/owners must be provided. Is this information attached?	N/A	<input type="radio"/>	<input checked="" type="radio"/>
5. Describe the new requestor's relationship to all existing applicants: Partial ownership in common via Geoffroi Flournoy, Meredith Marshall and Steven Smith See Exhibit B - Organizational Chart			

SECTION III: CURRENT PROPERTY OWNER/OPERATOR INFORMATION

Complete this section only if a transfer of ownership has taken place. Attach additional pages if necessary.

Owner listed below is: <input type="radio"/> Existing Applicant <input type="radio"/> New Applicant <input type="radio"/> Non-Applicant	
OWNER'S NAME:	CONTACT:
ADDRESS:	
CITY/TOWN:	ZIP CODE:
PHONE:	EMAIL:
OPERATOR:	CONTACT:
ADDRESS:	
CITY/TOWN:	ZIP CODE:
PHONE:	EMAIL:

SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION

Complete this section only if adding new requestor(s). Attach additional pages if necessary.

If answering "yes" to any of the following questions, please provide additional information as an attachment. Please refer to ECL § 27-1407 for details.

	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor presently subject to an existing order for the investigation, removal or remediation relating to contamination at the site?	<input type="radio"/>	<input checked="" type="radio"/>
3. Is the requestor subject to an outstanding claim by the Spill Fund for the site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.	<input type="radio"/>	<input checked="" type="radio"/>
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of (i) any provision of the subject law; (ii) any order or determination; (iii) any regulation implementing ECL Article 27 Title 14; or (iv) any similar statute or regulation of the state or federal government? If so, provide additional information as an attachment.	<input type="radio"/>	<input checked="" type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as site name, address, DEC site number, reason for denial, and any other relevant information.	<input type="radio"/>	<input checked="" type="radio"/>
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 or contaminants?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of the Department, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to the Department?	<input type="radio"/>	<input checked="" type="radio"/>

SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION (continued)		Y	N
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?	<input type="radio"/>	<input checked="" type="radio"/>	
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?	<input type="radio"/>	<input checked="" type="radio"/>	
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>	<input checked="" type="radio"/>	
12. THE NEW REQUESTOR MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL § 27-1405(1) BY CHECKING ONE OF THE BOXES BELOW:			
<input type="radio"/> PARTICIPANT A requestor who either (1) was the owner of the site at the time of the disposal of contamination 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 contamination.	<input checked="" type="radio"/> 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 a 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 they have 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's liability arises solely as a result of ownership, operation of or involvement with the site, they must submit a statement describing why they should be considered a volunteer – be specific as to the appropriate care taken.		
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?	<input type="radio"/> N/A	<input checked="" type="radio"/> Y	<input type="radio"/> N
14. Requestor's relationship to the property (check all that apply): <input type="checkbox"/> Prior Owner <input type="checkbox"/> Current Owner <input type="checkbox"/> Potential/Future Purchaser <input checked="" type="checkbox"/> Other: <u>Future Beneficial Owner</u>			
15. If the 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 being added to the BCA and throughout the BCP project, including the ability to place an easement on the site. Is this proof attached?	<input type="radio"/> N/A	<input checked="" type="radio"/> Y	<input type="radio"/> N

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NAME: Archer Towers II LIHTC Owner LLC			
ADDRESS: 100 Park Avenue, 36th Floor			
CITY/TOWN: New York, New York			ZIP CODE: 10017
PHONE: (212) 488-4169	EMAIL: gflournoy@brpcompanies.com		
REQUESTOR CONTACT: Geoffroi Flournoy			
ADDRESS: 100 Park Avenue, 36th Floor			
CITY/TOWN: New York, New York			ZIP CODE: 10017
PHONE: (212) 488-4169	EMAIL: gflournoy@brpcompanies.com		
REQUESTOR'S CONSULTANT: SESI Engineering	CONTACT: Fuad Dahan, PhD, P.E., LSRP		
ADDRESS: 959 Route 46E, 3rd Floor, Suite 300			
CITY/TOWN: Parsippany, New Jersey			ZIP CODE: 07054
PHONE: (862) 702-5719	EMAIL: fd@sesi.org		
REQUESTOR'S ATTORNEY: Knauf Shaw LLP	CONTACT: Linda R. Shaw, Esq.		
ADDRESS: 2600 Innovation Square, 100 S. Clinton Avenue			
CITY/TOWN: Rochester, New York			ZIP CODE: 14604
PHONE: (585) 546-8430	EMAIL: lshaw@nyenvlaw.com		
		Y	N
1. Is the requestor authorized to conduct business in New York State?		<input checked="" type="radio"/>	<input type="radio"/>
2. If the requestor is a corporation, LLC, LLP, or other entity requiring authorization from the NYS Department of State (NYSDOS) to conduct business in NYS, the requestor's name must appear exactly as given above in the NYSDOS Corporation & Business Entity Database. A print-out of entity information from the NYSDOS database must be submitted with this application. Is this print-out attached?		<input checked="" type="radio"/>	<input type="radio"/>
3. Requestor must submit proof that the party signing this application and amendment has the authority to bind the requestor. This would be documentation showing the authority to bind the requestor in the form of corporate organizational papers, a Corporate Resolution or an Operating Agreement or Resolution for an LLC. Is this proof attached?		<input checked="" type="radio"/>	<input type="radio"/>
4. If the requestor is an LLC, the names of the members/owners must be provided. Is this information attached?	N/A	<input type="radio"/>	<input checked="" type="radio"/>
5. Describe the new requestor's relationship to all existing applicants: Partial ownership in common via Geoffroi Flournoy, Meredith Marshall and Steven Smith See Exhibit B - Organizational Chart			

SECTION III: CURRENT PROPERTY OWNER/OPERATOR INFORMATION

Complete this section only if a transfer of ownership has taken place. Attach additional pages if necessary.

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OWNER'S NAME:	CONTACT:
ADDRESS:	
CITY/TOWN:	ZIP CODE:
PHONE:	EMAIL:
OPERATOR:	CONTACT:
ADDRESS:	
CITY/TOWN:	ZIP CODE:
PHONE:	EMAIL:

SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION

Complete this section only if adding new requestor(s). Attach additional pages if necessary.

If answering "yes" to any of the following questions, please provide additional information as an attachment. Please refer to ECL § 27-1407 for details.

	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor presently subject to an existing order for the investigation, removal or remediation relating to contamination at the site?	<input type="radio"/>	<input checked="" type="radio"/>
3. Is the requestor subject to an outstanding claim by the Spill Fund for the site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.	<input type="radio"/>	<input checked="" type="radio"/>
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of (i) any provision of the subject law; (ii) any order or determination; (iii) any regulation implementing ECL Article 27 Title 14; or (iv) any similar statute or regulation of the state or federal government? If so, provide additional information as an attachment.	<input type="radio"/>	<input checked="" type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as site name, address, DEC site number, reason for denial, and any other relevant information.	<input type="radio"/>	<input checked="" type="radio"/>
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 or contaminants?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of the Department, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to the Department?	<input type="radio"/>	<input checked="" type="radio"/>

SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION (continued)		Y	N
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?	<input type="radio"/>	<input checked="" type="radio"/>	
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?	<input type="radio"/>	<input checked="" type="radio"/>	
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>	<input checked="" type="radio"/>	
12. THE NEW REQUESTOR MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL § 27-1405(1) BY CHECKING ONE OF THE BOXES BELOW:			
<input type="radio"/> PARTICIPANT A requestor who either (1) was the owner of the site at the time of the disposal of contamination 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 contamination.	<input checked="" type="radio"/> 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 a 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 they have 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's liability arises solely as a result of ownership, operation of or involvement with the site, they must submit a statement describing why they should be considered a volunteer – be specific as to the appropriate care taken.		
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?	N/A <input type="radio"/>	Y <input checked="" type="radio"/>	N <input type="radio"/>
14. Requestor's relationship to the property (check all that apply): <input type="checkbox"/> Prior Owner <input type="checkbox"/> Current Owner <input type="checkbox"/> Potential/Future Purchaser <input checked="" type="checkbox"/> Other: <u>Future Beneficial Owner</u>			
15. If the 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 being added to the BCA and throughout the BCP project, including the ability to place an easement on the site. Is this proof attached?	N/A <input type="radio"/>	Y <input checked="" type="radio"/>	N <input type="radio"/>

SECTION V: PROPERTY DESCRIPTION AND REQUESTED CHANGES

Complete this section only if property is being added to or removed from the site, a lot merger or other change to site SBL(s) has occurred, or if modifying the site address for any reason.

1. Property information on current agreement (as modified by any previous amendments, if applicable):

ADDRESS:

CITY/TOWN:

ZIP CODE:

CURRENT PROPERTY INFORMATION

TOTAL ACREAGE OF CURRENT SITE:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

2. Requested change (check appropriate boxes below):

a. Addition of property (may require additional citizen participation depending on the nature of the expansion – see instructions)

PARCELS ADDED:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

TOTAL ACREAGE TO BE ADDED: _____

b. Reduction of property

PARCELS REMOVED:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

TOTAL ACREAGE TO BE REMOVED: _____

c. Change to SBL (e.g., lot merge, subdivision, address change)

NEW PROPERTY INFORMATION:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

3. TOTAL REVISED SITE ACREAGE: _____

4. For all changes requested in this section, documentation must be provided. Required attachments are listed in the application instructions. Is the required documentation attached?

Y
☐

N
☐

SECTION V: PROPERTY DESCRIPTION AND REQUESTED CHANGES (continued)

Complete this section for any addition of property. Use additional copies of this section as necessary.

5. Property information for parcels being added to the BCA

PARCEL ADDRESS	SECTION	BLOCK	LOT	ACREAGE
CURRENT OWNER:	CONTACT NAME:			
ADDRESS:				
CITY:		STATE:	ZIP:	
PHONE:	EMAIL:			
OWNERSHIP START DATE:				
CURRENT OPERATOR:	CONTACT NAME:			
PHONE:	EMAIL:			
REQUESTOR RELATIONSHIP TO NEW PROPERTY (select from below)				
<input type="checkbox"/> PREVIOUS OWNER	<input type="checkbox"/> CURRENT OWNER	<input type="checkbox"/> POTENTIAL/FUTURE PURCHASER	<input type="checkbox"/>	OTHER: _____

If the applicant is not the current owner of the property, documentation demonstrating site access (which includes the ability to place an environmental easement on the site) must be provided. If the applicant currently owns the property being added to the site, a copy of the deed must be included.

IS PROOF OF ACCESS / OWNERSHIP ATTACHED? ☐ YES ☐ NO ☐ N/A

PARCEL ADDRESS	SECTION	BLOCK	LOT	ACREAGE
CURRENT OWNER:	CONTACT NAME:			
ADDRESS:				
CITY:		STATE:	ZIP:	
PHONE:	EMAIL:			
OWNERSHIP START DATE:				
CURRENT OPERATOR:	CONTACT NAME:			
PHONE:	EMAIL:			
REQUESTOR RELATIONSHIP TO NEW PROPERTY (select from below)				
<input type="checkbox"/> PREVIOUS OWNER	<input type="checkbox"/> CURRENT OWNER	<input type="checkbox"/> POTENTIAL/FUTURE PURCHASER	<input type="checkbox"/>	OTHER: _____

If the applicant is not the current owner of the property, documentation demonstrating site access (which includes the ability to place an environmental easement on the site) must be provided. If the applicant currently owns the property being added to the site, a copy of the deed must be included.

IS PROOF OF ACCESS / OWNERSHIP ATTACHED? ☐ YES ☐ NO ☐ N/A

6. Data supporting the addition of property to the site must be included. Please refer to the instructions for a list of required tables and figures.

ARE THE REQUIRED FIGURES AND TABLES ATTACHED?

☐ YES ☐ NO ☐ N/A (land being added has been merged with an existing BCP lot and the applicant is not seeking to add more than an insignificant acreage of property to the BCA)

**APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT SUPPLEMENT
QUESTIONS FOR SITE SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY**

Complete this section only if the site is located within the five counties comprising New York City and the requestor is seeking a determination of eligibility for tangible property credits. Provide supporting documentation as required. Refer to the application instructions for additional information.

	Y	N
1. Is the site located in Bronx, Kings, New York, Queens or Richmond County?	<input type="radio"/>	<input type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input type="radio"/>	<input type="radio"/>
3. Is at least 50% of the site area located within an environmental zone pursuant to Tax Law 21(6)? Please see DEC's website for more information.	<input type="radio"/>	<input type="radio"/>
4. Is the property upside down as defined below? From ECL 27-1405(31): "Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.	<input type="radio"/>	<input type="radio"/>
5. <u>For new tax parcels being added to the BCA through this amendment ONLY:</u> Are the parcels being added underutilized as defined below? From 6 NYCRR 375-3.2(I) as of August 12, 2016 (Please note: Eligibility determination for the underutilized category for the new tax parcels can only be made at the time of amendment application): 375-3.2: (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 (1) the proposed use is at least 75 percent for industrial uses; or (2) at which: (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses; (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and (iii) one or more of the following conditions exists, as certified by the applicant: (a) property tax payments have been in arrears for at least five years immediately prior to the application; (b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or (c) there are no structures. "Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.	<input type="radio"/>	<input type="radio"/>

<p>6. Is the project and affordable housing project as defined below?</p> <p>From 6 NYCRR 375-3.2(a) as of August 12, 2016:</p> <p>(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.</p> <p>(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' household's annual gross income.</p> <p>(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 homeowners at a defined maximum percentage of the area median income.</p> <p>(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.</p>	<input type="radio"/>	<input type="radio"/>
<p>7. Is the project a planned renewable energy facility site as defined below?</p> <p>From ECL 27-1405(33) as of April 9, 2022:</p> <p>"Renewable energy facility site" shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system.</p> <p>From Public Service Law Article 4 Section 66-p as of April 23, 2021:</p> <p>(b) "renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.</p>	<input type="radio"/>	<input type="radio"/>
<p>8. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and meets the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?</p> <p>From ECL 75-0111 as of April 9, 2022:</p> <p>(5) "Disadvantaged communities" means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.</p>	<input type="radio"/>	<input type="radio"/>

PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT**EXISTING AGREEMENT INFORMATION**

BCP SITE NAME: Archer Ave Auto Repair and Coal Yard Site	BCP SITE NUMBER: C241283
NAME OF CURRENT APPLICANT(S): Archer Towers Development LLC	
INDEX NUMBER OF AGREEMENT: C241283-06-24	DATE OF ORIGINAL AGREEMENT: 08/09/24

Declaration of Amendment:

By the requestor(s) and/or applicant(s) signature(s) below, and subsequent signature by the Department, the above application to amend the Brownfield Cleanup Agreement described above is hereby approved. This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from obligations held under the Agreement or those same laws.

STATEMENT OF CERTIFICATION AND SIGNATURES: NEW REQUESTOR

Complete the appropriate section (individual or entity) below only if this Amendment adds a new requestor. Attach additional pages as needed.

(Individual)

I hereby affirm that the 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. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am Authorized Signatory (title) of Archer Towers II Owner LLC (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and 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.

Geoffroi Flournoy's signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 11/4/25 Signature: 

Print Name: Geoffroi Flournoy

PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT**EXISTING AGREEMENT INFORMATION**

BCP SITE NAME: Archer Ave Auto Repair and Coal Yard Site	BCP SITE NUMBER: C241283
NAME OF CURRENT APPLICANT(S): Archer Towers Development LLC	
INDEX NUMBER OF AGREEMENT: C241283-06-24	DATE OF ORIGINAL AGREEMENT: 08/09/24

Declaration of Amendment:

By the requestor(s) and/or applicant(s) signature(s) below, and subsequent signature by the Department, the above application to amend the Brownfield Cleanup Agreement described above is hereby approved. This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from obligations held under the Agreement or those same laws.

STATEMENT OF CERTIFICATION AND SIGNATURES: NEW REQUESTOR

Complete the appropriate section (individual or entity) below only if this Amendment adds a new requestor. Attach additional pages as needed.

(Individual)

I hereby affirm that the 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. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am Authorized Signatory (title) of Archer Towers II LIHTC Owner LLC (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and 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.

Geoffroi Flournoy's signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 11/4/25 Signature: Print Name: Geoffroi Flournoy

STATEMENT OF CERTIFICATION AND SIGNATURES: EXISTING APPLICANT(S)

An authorized representative of each applicant must complete and sign the appropriate section (individual or entity) below. Attach additional pages as needed.

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am a Member (title) of Archer Towers Development LLC (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. Meredith Marshall's signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 11/4/25 Signature: 

Print Name: Meredith Marshall

PLEASE SEE THE FOLLOWING PAGE FOR SUBMITTAL INSTRUCTIONS

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Status of Agreement:



PARTICIPANT

A requestor who either (1) was the owner of the site at the time of the disposal of contamination 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 contamination.



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 contamination.

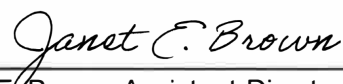
Effective Date of the Original Agreement: 08/09/24

Signature by the Department:

DATED: 12/19/2025

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By:

Janet E. Brown, Assistant Director
Division of Environmental Remediation

SUBMITTAL REQUIREMENTS:

- The Department accepts both hard copy and electronic submittal of the *Application to Amend Brownfield Cleanup Agreement and Amendment* form.
- Hard copy submissions must also include an electronic version of the complete application form and attachments, in final, non-fillable Portable Document Format (PDF), on an external storage device (such as a thumb drive or CD). Applications must be sent to:
 - Chief, Site Control Section
 - New York State Department of Environmental Conservation
 - Division of Environmental Remediation
 - 625 Broadway, 12th Floor
 - Albany, NY 12233-7015
- NOTE: Electronic applications submitted in fillable format will be rejected.

EXHIBIT A



Department of State

Division of Corporations

Entity Information

[Return to Results](#)[Return to Search](#)

Entity Details



ENTITY NAME: ARCHER TOWERS II LIHTC OWNER LLC

DOS ID: 7696928

FOREIGN LEGAL NAME:

FICTITIOUS NAME:

ENTITY TYPE: DOMESTIC LIMITED LIABILITY COMPANY

DURATION DATE/LATEST DATE OF DISSOLUTION:

SECTION OF LAW: LIMITED LIABILITY COMPANY LAW - 203 LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW

ENTITY STATUS: ACTIVE

DATE OF INITIAL DOS FILING: 08/27/2025

REASON FOR STATUS:

EFFECTIVE DATE INITIAL FILING: 08/27/2025

INACTIVE DATE:

FOREIGN FORMATION DATE:

STATEMENT STATUS: CURRENT

COUNTY: NEW YORK

NEXT STATEMENT DUE DATE: 08/31/2027

JURISDICTION: NEW YORK, UNITED STATES

NFP CATEGORY:

[ENTITY DISPLAY](#)[NAME HISTORY](#)[FILING HISTORY](#)[MERGER HISTORY](#)[ASSUMED NAME HISTORY](#)

Service of Process on the Secretary of State as Agent

The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the Secretary of State by personal delivery:

Name: C/O BRP DEVELOPMENT

Address: 100 PARK AVENUE, , 36TH FLOOR, NEW YORK, NY, UNITED STATES, 10017

Electronic Service of Process on the Secretary of State as agent: Not Permitted

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Office Address

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: NO

Stock Information

Share Value

Number Of Shares

Value Per Share



Department of State

Division of Corporations

Entity Information

[Return to Results](#)[Return to Search](#)

Entity Details



ENTITY NAME: ARCHER TOWERS II OWNER LLC

DOS ID: 7696931

FOREIGN LEGAL NAME:

FICTITIOUS NAME:

ENTITY TYPE: DOMESTIC LIMITED LIABILITY COMPANY

DURATION DATE/LATEST DATE OF DISSOLUTION:

SECTION OF LAW: LIMITED LIABILITY COMPANY LAW - 203 LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW

ENTITY STATUS: ACTIVE

DATE OF INITIAL DOS FILING: 08/27/2025

REASON FOR STATUS:

EFFECTIVE DATE INITIAL FILING: 08/27/2025

INACTIVE DATE:

FOREIGN FORMATION DATE:

STATEMENT STATUS: CURRENT

COUNTY: NEW YORK

NEXT STATEMENT DUE DATE: 08/31/2027

JURISDICTION: NEW YORK, UNITED STATES

NFP CATEGORY:

[ENTITY DISPLAY](#)[NAME HISTORY](#)[FILING HISTORY](#)[MERGER HISTORY](#)[ASSUMED NAME HISTORY](#)

Service of Process on the Secretary of State as Agent

The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the Secretary of State by personal delivery:

Name: C/O BRP DEVELOPMENT

Address: 100 PARK AVENUE , 36TH FLOOR , NEW YORK, NY, UNITED STATES, 10017

Electronic Service of Process on the Secretary of State as agent: Not Permitted

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Office Address

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: NO

Stock Information

Share Value

Number Of Shares

Value Per Share

EXHIBIT B

Ownership Structure - Archer Towers II

(Block 10151 Lot: 65, 163-25 Archer Avenue) – **At Construction Loan Closing**

To be formed Archer Towers II Condominium

Unit 1
(Resi - LIHTC)
At or < 60%
200 units

Unit 2
(Resi - LIHTC)
60-80% of AMI
119 units

Unit 3
(Resi- Non- LIHTC)
At or < 90% AMI
80 units + Super

Unit 4
Parking

Unit 5
Commercial or
Community
Facility

**Archer Towers II
Housing Development
Fund Corporation**
(Fee Owner)

EIN: []

Nominee
Agreement

**ARCHER TOWERS II
OWNER LLC (“Non-LIHTC LLC”)**

(Beneficial Owner of entire Project)
(Master Lessor of Units 1 and 2)

EIN: 39-4685965

LIHTC Master Lease

Archer Towers II LIHTC Owner (“LIHTC LLC”)

(Master Lessee of Units 1 and 2)

EIN: 39-4649092

**RiseBoro Community
Partnership Inc.
(Sole Member)**

EIN:11-2453853

**Archer Towers II
Managing Member LLC (“MM”)**

Sole Member of Non-LIHTC LLC
Managing Member and .005% Owner of LIHTC LLC

EIN: 39-4750969

Archer Towers II Corp.

0.005% Member of LIHTC LLC

EIN: 39-4685844

**Wells Fargo Community
Investment Holdings, LLC**

(Investor Member,
99.99% Member of LIHTC LLC)
EIN: []

**Archer Towers II
Housing Development
Fund Corporation**

50% Member of MM

EIN: []

ARCHER TOWERS II MANAGER LLC

50% Member and Managing Member of MM
Sole Shareholder of Archer Towers II Corp.

EIN: 39-4685647

BRP DEVELOPMENT PARTNERS, LLC

EIN: 85-2054883
(Sole Member)

Members:

Geoffroi Flournoy - 38.25% - Co-Managing Member
Meredith Marshall - 38.25% - Co-Managing Member
Steven Smith - 13.5%- Member
Andrew Cohen - 5% - Member
Mary Serafy - 5%- Member

Updated: 9/30/2025

Ownership Structure - Archer Towers II

(Block 10151 Lot: 65, 163-25 Archer Avenue) – **At Placed in Service**

Archer Towers II Condominium

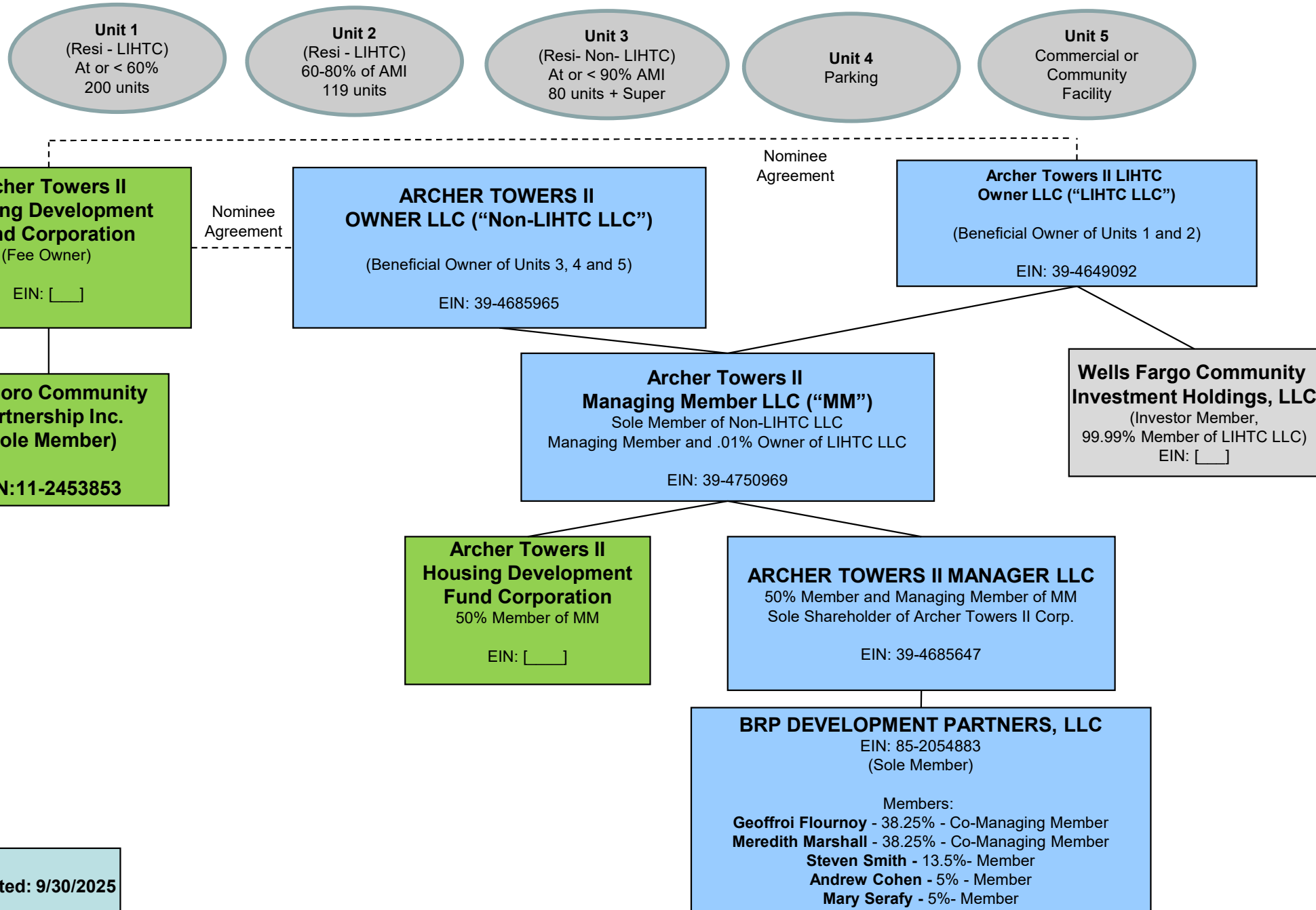


EXHIBIT C

VOLUNTEER STATEMENTS

The Requestor Archer Towers II Owner LLC certifies it is a Volunteer, since it does not have nor has ever had a relationship with any of the past owners or operators that caused the contamination of the Brownfield Cleanup Program (“BCP”) Archer Ave Auto Repair and Coal Yard Site, BCP Site No. C241283 with an address of 163-25 Archer Avenue, Jamaica, New York 11433 (“BCP Site”). Archer Towers II Owner LLC did not have any involvement with the BCP Site at the time of disposal. Archer Towers II Owner LLC is the prospective equitable and beneficial owner of the non-affordable housing condominiums units (including residential, commercial and parking) to be established on the BCP Site prior to development. Archer Towers II Owner LLC will perform all required environmental due diligence prior to becoming a beneficial owner of the BCP Site and will implement due care of the BCP Site during any BCP Site access activities once they become a beneficial owner.

The Requestor Archer Towers II LIHTC Owner LLC certifies it is a Volunteer, since it does not have nor has ever had a relationship with any of the past owners or operators that caused the contamination of the Brownfield Cleanup Program (“BCP”) Archer Ave Auto Repair and Coal Yard Site, BCP Site No. C241283 with an address of 163-25 Archer Avenue, Jamaica, New York 11433 (“BCP Site”). Archer Towers II LIHTC Owner LLC did not have any involvement with the BCP Site at the time of disposal. Archer Towers II LIHTC Owner LLC is the prospective equitable and beneficial owner of the affordable housing residential condominium units to be established on the BCP Site prior to development. Archer Towers II LIHTC Owner LLC will perform all required environmental due diligence prior to becoming a beneficial owner of the BCP Site and will implement due care of the BCP Site during any BCP Site access activities once they become a beneficial owner.

EXHIBIT D

Archer Towers II Owner LLC and Archer Towers II LIHTC Owner LLC

100 Park Avenue, 36th Floor
New York, New York 10017

Archer Towers Development LLC
Attn: Meredith Marshall
100 Park Avenue, 36th Floor
New York, New York 10017

**Re: Site Access to Perform Brownfield Cleanup Program Work
Archer Ave Auto Repair and Coal Yard Site
C241283**

Dear Meredith:


Archer Towers Development LLC is a Volunteer in Brownfield Cleanup Program ("BCP") pursuant to a Brownfield Cleanup Agreement ("BCA") and any amendments thereof, with the New York State Department of Environmental Conservation to voluntarily investigate and remediate 163-25 Archer Avenue, Jamaica, New York 11433 (Queens, Block 10151, Lot 65). The BCP site is known as Archer Ave Auto Repair and Coal Yard Site, Site No.: C241283 (the "BCP Site"). Archer Towers II Owner LLC and Archer Towers II LIHTC Owner LLC are being added to the BCA as Volunteers, via an amendment. As you are aware, Archer Towers Development LLC is the current owner of the BCP Site. Archer Towers II Owner LLC and Archer Towers II LIHTC Owner LLC need your written permission below, as a representative of the current owner, to access the BCP Site for the purpose of performing environmental investigation and remediation work to be added to the BCA.

If you agree to sign below, Archer Towers Development LLC is granting Archer Towers II Owner LLC and Archer Towers II LIHTC Owner LLC what is known as a "temporary license" to allow an appropriate contractor hired to enter the BCP Site to perform investigation and remediation work. Archer Towers II Owner LLC and Archer Towers II LIHTC Owner LLC promise to provide Archer Towers Development LLC with copies of any information generated about the BCP Site, and if the property is accidentally damaged in any way, Archer Towers II Owner LLC and Archer Towers II LIHTC Owner LLC agree to repair the damage to restore the property to the way it was before entered. The contractor will also maintain insurance that would cover any accidents on the job. Archer Towers II Owner LLC and Archer Towers II LIHTC Owner LLC promise to minimize any and all inconvenience in connection with this work and will give one week notice before the work begins.

In addition, in the unlikely circumstance that Archer Towers Development LLC still owns the BCP Site when the remediation is complete and the Certificate of Completion is about to be obtained, and a Track 1 remediation level is not achieved, Archer Towers Development LLC hereby also agrees to impose an environmental easement on the BCP Site, if required by the New York State Department of Environmental Conservation.

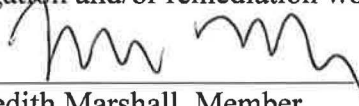
Thank you for your cooperation.

Sincerely,



Geoffroi Flournoy, Authorized Signatory
Archer Towers II Owner LLC
Archer Towers II LIHTC Owner LLC

As a member of the site owner, I am authorized to grant this temporary license and agree to allow Archer Towers II Owner LLC and Archer Towers II LIHTC Owner LLC and their agents to enter the BCP Site to perform the BCP Investigation and/or remediation work required.



Meredith Marshall, Member
Archer Towers Development LLC

EXHIBIT E

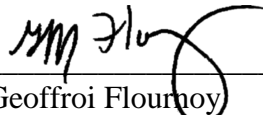
WRITTEN CONSENT

The undersigned, being a Member of Archer Towers Development LLC, does hereby certify as follows:

1. Archer Towers Development LLC is the prospective volunteer for the prospective Brownfield Cleanup Program (BCP) Site located at 163-25 Archer Avenue, Block 10151 Lot 65 (collectively the “BCP Site”).

2. Meredith Marshall, a member of Archer Towers Development LLC, has been authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of Brownfield Site Volunteer Archer Towers Development LLC in relation to the BCP Site.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 4th day of April, 2024.



Geoffroi Flournoy
Member of Archer Towers Development LLC

WRITTEN CONSENT

The undersigned, being a co-managing member of BRP Development Partners, LLC, which is the sole member of Archer Towers II Manager LLC, which is the sole shareholder of Archer Towers II Corp, which is a member of Archer Towers II LIHTC Owner LLC, does hereby certify as follows:

1. Archer Towers II LIHTC Owner LLC is a prospective Volunteer for the Brownfield Cleanup Program ("BCP") Site located at 163-25 Archer Avenue, Jamaica, New York (Queens, Block 10151, Lot 65), known as the Archer Ave Auto Repair and Coal Yard Site (DEC Site No.: C241283) (the "BCP Site").
2. Geoffroi Flournoy, a co-managing member of BRP Development Partners, LLC, which is the sole member of Archer Towers II Manager LLC, which is the sole shareholder of Archer Towers II Corp, which is a member of Archer Towers II LIHTC Owner LLC has been authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of BCP Site Volunteer Archer Towers II LIHTC Owner LLC, in relation to the BCP Site.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 5th day of November, 2025.

By: 

Name: Meredith Marshall, Co-Managing Member
BRP Development Partners, LLC, Sole Member of
Archer Towers II Manager LLC, Sole Shareholder of
Archer Tower II Corp, Member of
Archer Towners II LIHTC Owner LLC

WRITTEN CONSENT

The undersigned, being co-managing member of BRP Development Partners, LLC, which is the sole member of Archer Towers II Manager LLC, which is the managing member of Archer Towers II Managing Member LLC, which is the sole member of Archer Towers II Owner LLC, does hereby certify as follows:

1. Archer Towers II Owner LLC is a prospective Volunteer for the Brownfield Cleanup Program ("BCP") Site located at 163-25 Archer Avenue, Jamaica, New York (Queens, Block 10151, Lot 65), known as the Archer Ave Auto Repair and Coal Yard Site (DEC Site No.: C241283) (the "BCP Site").
2. Geoffroi Flournoy the co-managing member of BRP Development Partners, LLC, which is the sole member of Archer Towers II Manager LLC, which is the managing member of Archer Towers II Managing Member LLC, which is the sole member of Archer Towers II Owner LLC, has been authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of BCP Site Volunteer Archer Towers II Owner LLC, in relation to the BCP Site.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 5th day of November, 2025.

By: 

Name: Meredith Marshall, co-managing member
BRP Development Partners LLC, Sole Member of
Archer Towers II Manager LLC, Sole Shareholder of
Archer Towers II Managing Member LLC, Sole Member of
Archer Towers II Owner LLC



Department of
Environmental
Conservation

60-Day Advance Notification of Site Change of Use

Physical Alteration, Transfer of Certificate of Completion, and/or Ownership Required by 6NYCRR Part 375-1.11(d) and 375-1.9(f)

SUBMITTAL INSTRUCTIONS:

Please submit via Site Control Dropbox as described below, OR, if file size permits, by email to DERSiteControl@dec.ny.gov. Print to pdf before submitting.

You may submit your document(s) via ground mail at the address below however please – DO NOT submit both electronic and ground mail.

a.) VIA SITE CONTROL DROPBOX:

[Request an Invitation](#)

In the "Title" field, please include the following: "Change of Use – Site Name, Site # C241283."

After uploading files, an automated email will be sent to the submitter's email address with a link to verify the status of the submission. Please do not send a separate email to confirm receipt.

Packages submitted through third-party file transfer services will not be accepted.

b.) VIA GROUND MAIL:

Save the COU form w/attached file(s) and cover letter (optional) to an external storage device (e.g., thumb drive, flash drive). Do NOT include any paper.

Mail the external storage device to the following address:

Chief, Site Control Section
Division of Environmental Remediation
625 Broadway, 12th Floor
Albany, NY 12233-7020

Section I: Property Information

Site Name: Archer Ave Auto Repair and Coal Yard Site	DEC Site #C241283
Site Address: 163-25 Archer Avenue, Jamaica, New York 11433	

Section II: Contact Information Person Submitting Notification

Name: Linda R. Shaw, Esq., Knauf Shaw LLP	
Address 1: 2600 Innovation Square, 100 S. Clinton Avenue	
Address 2: Rochester, New York 14604	
Phone: (585) 546-8430	E-mail: lshaw@nyenvlaw.com

Section III: Type of Change and Date

<input checked="" type="checkbox"/> Change of Ownership
<input type="checkbox"/> Change of Remedial Parties
<input type="checkbox"/> Transfer of Certificate of Completion
<input type="checkbox"/> Other (e.g., any physical alteration or other change of use)
Proposed Date of Change (mm/dd/yyyy) 12/15/2025

Section IV: Description of Proposed Change (Required)

Please provide a brief narrative of the proposed changes(s) indicated above. Attach maps, drawings, and/or parcel information as needed. If "other" the description must explain and advise the DEC how such change may or may not affect the site's proposed, ongoing, or completed remedial program (attach additional sheets if needed).

On or around December 15, 2025 (anticipated closing date), Archer Towers II Housing Development Fund Corporation will become the fee title owner of the BCP Site. Archer Towers II Owner LLC will become the equitable and beneficial owner of the non-affordable housing condominiums units (including residential, commercial and parking) to be established on the BCP Site prior to development. Archer Towers II LIHTC Owner LLC will become the equitable and beneficial owner of the affordable housing residential condominium units to be established on the BCP Site prior to development.

Section V: Certification Statement

Where the change results in a change in ownership or in responsibility for the proposed, ongoing, or completed remedial program for the site, the following certification must be completed (by owner or designated representative: see § 375-1.11(d)(4)(i):

I hereby certify that the prospective purchaser and/or remedial party has been provided a copy of any order, agreement, Site Management Plan, or State Assistance Contract regarding the Site's remedial program as well as a copy of all approved remedial work plans and reports.

Name: _____

(Signature)

11/4/25

(Date)

Meredith Marshall

(Print Name)

Address1: Archer Towers Development LLCAddress2: 100 Park Avenue, 36th Floor, New York, New York 10017Phone: (212) 488-4169 Email: mmarshall@brpcompanies.com

Section VI: Contact Information for New Owner, Remedial Party, or CoC Holder

If the site will be sold or there will be a new remedial party, identify the prospective owner(s) or party(ies) along with contact information. If the site is subject to an Environment Easement, Deed Restriction, or Site Management Plan subject to periodic certification of institutional controls/engineering controls (IC/ECs), indicate who will be the certifying party (attach additional sheets if needed).

Fee Title

☒ Prospective Owner ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: Archer Towers II Housing Development Fund Corporation

Address:1 c/o Emily Kurtz, 217 Wyckoff Avenue

Address2: Brooklyn, New York 11237

Phone: (718) 366-3800 (1003) Email: ekurtz@riseboro.org

Cert. Party Name: Archer Towers Development LLC

Address:1 100 Park Avenue, 36th Floor

Address2: New York, New York 10017

Phone: (212) 488-4169 Email: mmarshall@brpcompanies.com

Section VII: Agreement to Notify DEC After Transfer

If Section VI applies, i.e., all or part of the site will be sold, in accordance with § 375-1.11(d)(4)(ii) 30 days after the transfer a letter to notify the DEC of the completion of the transfer must be provided. If the current owner is also the CoC holder for the site, the CoC should be transferred to the new owner using DEC's approved "Notice of Transfer of COC" forms found at [Initial Notice And Transfer Of Certificate Of Completion - NYSDEC](#). This form has its own filing requirements at §375-1.9(f).

Signing below indicates that theses notices will be provided to the DEC within the specified timeframes as follows:

Within 30 days of the sale of the site, I agree to submit to the DEC:

1. The name and contact information for the new owner(s) per §375-1.11(d)(4)(ii)
2. The name and contact information for any owner representative; and
3. A Notice of Transfer using the DEC form [Initial Notice And Transfer Of Certificate Of Completion - NYSDEC](#).

Name: _____

(Signature)

(Date)

Meredith Marshall

(Print Name)

Address1: **Archer Towers Development LLC**

Address2: **100 Park Avenue, 36th Floor, New York, New York 10017**

Phone: **(212) 488-4169** Email: **mmarshall@brpcompanies.com**

Continuation Sheet (if needed for multiple owners, representatives, or remedial parties)

Beneficial
☒ Prospective Owner ☒ Prospective Remedial Party ☐ Prospective Owner Representative

Name: Archer Towers II Owner LLC

Address:1 100 Park Avenue, 36th Floor

Address2: New York, New York 10017

Phone: (212) 488-4169 Email: gflournoy@brpcompanies.com

Beneficial
☒ Prospective Owner ☒ Prospective Remedial Party ☐ Prospective Owner Representative

Name: Archer Towers II LIHTC Owner LLC

Address:1 100 Park Avenue, 36th Floor

Address2: New York, New York 10017

Phone: (212) 488-4169 Email: gflournoy@brpcompanies.com

☐ Prospective Owner ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: _____

Address:1 _____

Address2: _____

Phone: _____ Email: _____

☐ Prospective Owner ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: _____

Address:1 _____

Address2: _____

Phone: _____ Email: _____