



**Department of  
Environmental  
Conservation**

**KATHY HOCHUL**  
Governor

**AMANDA LEFTON**  
Commissioner

November 25, 2025

Katherine Kelman  
LMXD INNOQ B1 LLC  
1865 Palmer Ave, Suite 203  
Larchmont, NY 10538

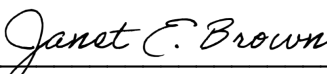
RE: Site Name: Former Bordens Farm Products  
Site No.: C241294  
Location of Site: 35-18 Steinway Street, Astoria, Queens County, NY 11101

Dear Katherine Kelman,

To complete your file, attached is a fully executed copy of the Brownfield Cleanup Agreement for the site Former Bordens Farm Products.

If you have any further questions relating to this matter, please contact the project attorney for this site, Adam Balick, Esq., NYS Department of Environmental Conservation, Office of General Counsel, 625 Broadway, Albany, NY 12233-1500 or by email at [Adam.Balick@dec.ny.gov](mailto:Adam.Balick@dec.ny.gov).

Sincerely,

  
\_\_\_\_\_  
Janet E. Brown, Assistant Director  
Division of Environmental Remediation

Enclosure

ec: Robert Strang, Project Manager  
  
cc: Adam Balick, Esq.  
Leia Schmidt, Esq./Cheryl Salem

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
BROWNFIELD CLEANUP PROGRAM  
ECL §27-1401 *et seq.*

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In the Matter of a Remedial Program for

**BROWNFIELD SITE  
CLEANUP AGREEMENT  
Index No. C241294-08-25**

**Former Bordens Farm Products**

DEC Site No: C241294

Located at: 35-18 Steinway Street  
Queens County  
Astoria, NY 11101

Hereinafter referred to as "Site"

by:

LMXD INNOQ B1 LLC  
1865 Palmer Ave, Suite 203, Larchmont, NY 10538

Hereinafter referred to as "Applicant"

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**WHEREAS**, the Department of Environmental Conservation ("Department") is authorized to administer the Brownfield Cleanup Program ("BCP") set forth in Article 27, Title 14 of the Environmental Conservation Law ("ECL"); and

**WHEREAS**, the Applicant submitted an application received by the Department on April 28, 2025; and

**WHEREAS**, the Department has determined that the Site and Applicant are eligible to participate in the BCP.

**NOW, THEREFORE**, IN CONSIDERATION OF AND IN EXCHANGE FOR THE MUTUAL COVENANTS AND PROMISES, THE PARTIES AGREE TO THE FOLLOWING:

I. Applicant Status

The Applicant, LMXD INNOQ B1 LLC, is participating in the BCP as a Volunteer as defined in ECL 27-1405(1)(b).

II. Tangible Property Tax Credit Status

F. Applicant requested a determination that the Site is eligible for tangible property tax credits. Pursuant to ECL § 27-1407(1-a), the Department has determined that the Site is not eligible for tangible property tax credits because the Site is located in a City having a population of one million or more and the Applicant has not submitted documentation sufficient to demonstrate that at least one of the following conditions exists: at least half of the site area is located in an environmental zone as defined in section twenty-one of the tax

law, the property is upside down, the property is underutilized, or the project is an affordable housing project. In accordance with ECL § 27-1407(1-a), the Applicant may request an eligibility determination for tangible property tax credits at any time from application until the site receives a certificate of completion except for sites seeking eligibility under the underutilized category.

### III. Real Property

The Site subject to this Brownfield Cleanup Agreement (the "BCA" or "Agreement") consists of approximately 0.739 acres, a Map of which is attached as Exhibit "A", and is described as follows:

Tax Map/Parcel No.: Portion of 668-5  
Street Number: 35-18 Steinway Street, Astoria  
Owner: 35-18 Steinway Street, LLC

### IV. Communications

A. All written communications required by this Agreement shall be transmitted by United States Postal Service, by private courier service, by hand delivery, or by electronic mail.

1. Communication from Applicant shall be sent to:

Robert Strang  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway  
Albany, NY 12233  
[robert.strang@dec.ny.gov](mailto:robert.strang@dec.ny.gov)

Note: one hard copy (unbound) of work plans and reports is required, as well as one electronic copy.

Christine Vooris (electronic copy only)  
New York State Department of Health  
Bureau of Environmental Exposure Investigation  
Empire State Plaza  
Corning Tower Room 1787  
Albany, NY 12237  
[christine.vooris@health.ny.gov](mailto:christine.vooris@health.ny.gov)



Adam Balick, Esq. (correspondence only)  
New York State Department of Environmental Conservation  
Office of General Counsel  
625 Broadway, NY  
Albany, NY 12237  
[adam.balick@dec.ny.gov](mailto:adam.balick@dec.ny.gov)

2. Communication from the Department to Applicant shall be sent to:

LMXD INNOQ B1 LLC  
Attn: Katherine Kelman  
1865 Palmer Ave, Suite 203  
Larchmont, NY 10538  
[kkelman@lmsd.com](mailto:kkelman@lmsd.com)

B. The Department and Applicant reserve the right to designate additional or different addressees for communication on written notice to the other. Additionally, the Department reserves the right to request that the Applicant provide more than one paper copy of any work plan or report.

C. Each party shall notify the other within ninety (90) days after any change in the addresses listed in this paragraph or in Paragraph III.

V. Miscellaneous

A. Applicant acknowledges that it has read, understands, and agrees to abide by all the terms set forth in Appendix A - "Standard Clauses for All New York State Brownfield Site Cleanup Agreements" which is attached to and hereby made a part of this Agreement as if set forth fully herein.

B. In the event of a conflict between the terms of this BCA (including any and all attachments thereto and amendments thereof) and the terms of Appendix A, the terms of this BCA shall control.

C. The effective date of this Agreement is the date it is signed by the Commissioner or the Commissioner's designee.

DATED: *11/25/2025*

THIS BROWNFIELD CLEANUP AGREEMENT IS  
HEREBY APPROVED, Acting by and through the  
Department of Environmental Conservation as Designee  
of the Commissioner,

By:

*Janet E. Brown*

\_\_\_\_\_  
Janet E. Brown, Assistant Director  
Division of Environmental Remediation

CONSENT BY APPLICANT

Applicant hereby consents to the issuing and entering of this Agreement, and agrees to be bound by this Agreement.

LMXD INNOQ B1 LLC

By: [Signature]

Title: Authorized Signatory

Date: 10/31/2025

STATE OF NEW YORK    )  
                                  ) ss:  
COUNTY OF                )

On the 31 day of October in the year 2025, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



[Signature]  
Signature and Office of individual  
taking acknowledgment