

NYSDEC BROWNFIELD CLEANUP PROGRAM APPLICATION

FORMER TILSDALE LUMBER AND COAL REDEVELOPMENT SITE
8-01 AND 8-51 26TH AVENUE
BLOCK 906, LOTS 1 AND 5
QUEENS, NEW YORK

PREPARED FOR:
KS ASTORIA HOLDINGS LLC
60 PARK PLACE, 20TH FLOOR
NEWARK, NEW JERSEY 07102



H & A of New York Engineering and
Geology, LLP
213 W 35th Street
7th Floor
New York, NY 10123
Tel: 646.277.5686

June 26, 2025
File No. 0211417

New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway,
Albany, New York 12233

Attention: Ms. Jenn Hathaway

Subject: Revised Brownfield Cleanup Program Application
Former Tilsdale Lumber and Coal Redevelopment Site
8-01 and 8-51 26th Avenue
Queens, New York 11102 (Site)
BCP Site No. 241295

Dear Ms. Hathaway,

H & A of New York Engineering and Geology, LLP (Haley & Aldrich of New York), on behalf of KS Astoria Holdings LLC, is submitting for review and approval of the New York State Department of Environmental Conservation (NYSDEC) these responses to comments received on June 24, 2025. The comments were provided by NYSDEC on the draft Brownfield Cleanup Program (BCP) Application submitted for the above referenced site ("Site").

Enclosed in this package is the full revised BCP Application package including a Phase I Environmental Site Assessment (ESA) dated July 29, 2013, prepared by G.C. Environmental, Inc., a Limited Phase II ESA dated December 2014 prepared by G.C. Environmental, Inc., an Astoria Cove Additional Subsurface Sampling report dated June 30, 2020, prepared by GEI Consultants, Inc., P.C., a Remedial Investigation Report (RIR) dated April 2022, prepared by GEI Consultants, Inc., P.C., a Geotechnical Report Astoria Cove Development dated December 2023, prepared by GEI Consultants, Inc., P.C., a Remedial Action Plan (RAP) dated January 2024, prepared by GEI Consultants, Inc., P.C., a Remedial Action Plan Stipulation List dated January 11, 2024 prepared by GEI Consultants, Inc., P.C., and a Phase I ESA dated March 20, 2025, prepared by Haley & Aldrich of New York.

The comments have been addressed as follows:

Section I: Property Information

1. Please provide a site map as prescribed in the application instructions, including a north arrow and the adjacent property owners clearly identified.

Response: A site map with a north arrow and the adjacent property owners clearly identified is included as Figure 3.



2. Please provide a tax map as prescribed in the application instructions, including the SBLs of surrounding parcels.

Response: A tax map is included as Figure 2 in Section I which includes the SBLs of surrounding parcels.

3. Enzone Map – please indicate site location on the map.

Response: The Enzone Map has been updated in Section I to include the site location on the map.

4. Item 4 - please indicate site location on the map with the Disadvantaged Community overlay.

Response: The site location is indicated on the Disadvantaged Communities map in Figure 5.

5. Item 9 – please provided a site map clearly delineating the lands under water and title the map as such.

Response: A site map showing the lands under water is included as Figure 6.

Section II: Project Description

6. Item 4 – Please modify the project schedule as the application was not received until June 2025 and the comment period will likely not commence until some point in July 2025.

Response: An updated project schedule is included in Section II.

7. Item 5 – please provide a description of how Green and Sustainable Remediation will be evaluated and incorporated throughout the remedial phases of the project.

Response: A description of how Green and Sustainable Remediation will be evaluated and incorporated throughout the remedial phases of the project is included in Section II.

Section V: Current and Historical Property Owner and Operator Information

8. On Form – Current Owner – the response does not coincide with the information that was provided in Section X. Either revise Section V to indicate the requestor is the owner or provide an access agreement from the owner indicated in Section V granting access to the requestor (see comment in Section X).

Response: The current owner has been updated on the form in Section V to indicate that the Requestor is the owner.

Section VII: Requestor Information

9. Supporting Documentation – please provide all the names of the LLC members/owners.

Response: Section VII has been updated to provide the name of the sole member of the Requestor.

Section X: Requestor Eligibility

10. Item 14 – the response does not coincide with the information that was provide in Section V. Either revise Section V to indicate the requestor is the owner or provide an access agreement from the owner indicated in section V granting access to the requestor (see comment in Section V).

Response: The current owner has been updated on the form in Section V to indicate that the Requestor is the owner.

Section XII: Site Contact List

11. Per the instructions on the form, please include the Director of the Mayor's Office of Environmental Remediation.

Response: The Site Contact List in Section XII has been updated to include the Director of the Mayor's Office of Environmental Remediation.

Additional Comments:

12. Please include a cover letter reiterating Site Control comments, including Applicant responses and indicating where revisions can be found within the revised application.

13. **Response:** A cover letter reiterating Site Control comments, including Applicant responses and indicating where revisions can be found within the revised application is included here.

14. In the top section of Page 1 of the revised application, please select "yes" to indicate that the submittal is a revised application and include the NYSDEC site code in the subject line of this letter.

Response: "Yes" is selected in the top section of Page 1 of the revised application to indicate that the submittal is a revised application, and the NYSDEC site code is included in the subject line of this letter.

Project Manager Comments

Section II: Project Description – Items 5-6: Green & Sustainable Remediation

15. Application must include a Green & Sustainable Remediation plan.

Response: A description of how Green and Sustainable Remediation will be evaluated and incorporated throughout the remedial phases of the project is included in Section II.

Should you have any questions, please do not hesitate to contact me at 646.277.5686 or via email at jbellew@haleyaldrich.com.

Sincerely yours,

H & A OF NEW YORK ENGINEERING AND GEOLOGY, LLP



Emily Butler
Project Manager



James M. Bellew
Principal

Enclosed copies provided via email to:

Abe Smiliowitz (KS Astoria Holdings LLC)

Daniel Epstein (KS Astoria Holdings LLC)

Yitz Kaufman (KS Astoria Holdings LLC)

Daniel Spiegel (KS Astoria Holdings LLC)

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SUBMITTAL INSTRUCTIONS:

1. Compile the application package in the following manner:
 - a. one file in non-fillable PDF which includes a Table of Contents, the application form, and supplemental information (excluding the previous environmental reports and work plans, if applicable);
 - b. one individual file (PDF) of each previous environmental report; and,
 - c. one file (PDF) of each work plan being submitted with the application, if applicable.
2. *OPTIONAL: Compress all files (PDFs) into one zipped/compressed folder
3. Submit the application to the Site Control Section either via NYSDEC dropbox or ground mail, as described below.

Please select only ONE submittal method – do NOT submit both via dropbox and ground mail.

a. VIA SITE CONTROL DROPBOX:

- [Request an invitation](#) to upload files to the Site Control submittal dropbox.
- In the “Title” field, please include the following: “New BCP Application - *Proposed Site Name*”.
- 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.
- Application packages submitted through third-party file transfer services will not be accepted.

b. VIA GROUND MAIL:

- Save the application file(s) and cover letter to an external storage device (e.g., thumb drive, flash drive). Do NOT include paper copies of the application or attachments.
- 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

SITE NAME:

Is this an application to amend an existing BCA with a major modification? Please refer to the application instructions for further guidance related to BCA amendments.

If yes, provide existing site number: _____

Yes

No

Is this a revised submission of an incomplete application?

If yes, provide existing site number: _____

Yes

No



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

BCP App Rev 16.1 – March 2025

SECTION I: Property Information

PROPOSED SITE NAME

ADDRESS/LOCATION

CITY/TOWN

ZIP CODE

MUNICIPALITY (LIST ALL IF MORE THAN ONE)

COUNTY

SITE SIZE (ACRES)

LATITUDE

LONGITUDE

Provide tax map information for all tax parcels included within the proposed site boundary below. If a portion of any lot is to be included, 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 acreage column.

ATTACH REQUIRED TAX MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section	Block	Lot	Acreage

1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach an accurate map of the proposed site including a metes and bounds description.	Y	N
2. Is the required property map, provided in electronic format, included with the application? (Application will not be processed without a map)		
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information) If yes, identify census tract: _____ Percentage of property in En-zone (check one): 0% 1-49% 50-99% 100%		
4. Is the project located within a disadvantaged community? See application instructions for additional information.		
5. Is the project located within a NYS Department of State (NYS DOS) Brownfield Opportunity Area (BOA)? See application instructions for additional information.		
6. Is this application one of multiple applications for a large development project, where the development spans more than 25 acres (see additional criteria in application instructions)? If yes, identify names of properties and site numbers, if available, in related BCP applications:		

SECTION I: Property Information (continued)		Y	N
7. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?			
8. Has the property previously been remediated pursuant to Titles 9, 13 or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? If yes, attach relevant supporting documentation.			
9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.			
10. Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number: _____			
11. Is the site currently listed on the Registry of Inactive Hazardous Waste Disposal Sites (Class 2, 3, or 4) or identified as a Potential Site (Class P)? If yes, please provide the DEC site number: _____ Class: _____			
12. Are there any easements or existing rights-of-way that would preclude remediation in these areas? If yes, identify each here and attach appropriate information. <div style="display: flex; justify-content: space-between;"> <div><u>Easement/Right-of-Way Holder</u></div> <div><u>Description</u></div> </div>			
13. List of permits issued by the DEC or USEPA relating to the proposed site (describe below or attach appropriate information): <div style="display: flex; justify-content: space-between;"> <div><u>Type</u></div> <div><u>Issuing Agency</u></div> <div><u>Description</u></div> </div>			
14. Property Description and Environmental Assessment – please refer to the application instructions for the proper format of each narrative requested. Are the Property Description and Environmental Assessment narratives included in the prescribed format?			
Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.			
15. Is the Requestor seeking a determination that the site is eligible for tangible property tax credits? If yes, Requestor must answer the Supplemental Questions for Sites Seeking Tangible Property Credits Located in New York City ONLY on pages 11-13 of this form.		Y	N
16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?			
17. If you have answered YES to Question 16 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?			
NOTE: If a tangible property tax credit determination is not being requested at the time of application, 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 I are required prior to application approval, a new page, initialed by each Requestor, must be submitted with the application revisions.			
Initials of each Requestor: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> </div>			

SECTION II: Project Description

1. The project will be starting at:	Investigation	Remediation		
If the project is proposed to start at the remediation stage, at a minimum, a Remedial Investigation Report (RIR) must be included, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Action Work Plan (RAWP) are also included (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, does it meet the requirements in ECL Article 27-1415(2)?	Yes	No	N/A	
3. Have any draft work plans been submitted with the application (select all that apply)?	RIWP	RAWP	IRM	No
4. Please provide a short description of the overall project development, including the date that the remedial program is to begin, and the date by which a Certificate of Completion is expected to be issued. Is this information attached?	Yes	No		
Beginning January 1, 2024, all work plans and reports submitted for the BCP shall address Green and Sustainable Remediation (GSR) and DER-31 (see DER-31, Green Remediation). Work plans, reports and design documents will need to be certified in accordance with DER-31.				
5. Please provide a description of how Green and Sustainable Remediation will be evaluated and incorporated throughout the remedial phases of the project including Remedial Investigation, Remedial Design/Remedial Action, and Site Management and reporting efforts. Is this information attached?	Yes	No		
6. If the project is proposed to start at the remediation stage (Section 2, Item 1, above), a climate change screening or vulnerability assessment must have been completed. Is this attached?	Yes	No		

SECTION III: Ecological Concerns

	Y	N
1. Are there fish, wildlife, or ecological resources within a ½-mile radius of the site?		
2. Is there a potential path for contamination to potentially impact fish, wildlife or ecological resources?		
3. Is/are there a/any Contaminant(s) of Ecological Concern?		
If any of the conditions above exist, a Fish and Wildlife Resources Impact Analysis (FWRIA) Part I, as outlined in DER-10 Section 3.10.1, is required. The applicant may submit the FWRIA with the application or as part of the Remedial Investigation Report.		
4. Is a Fish and Wildlife Resources Impact Analysis Part I included with this application? N/A		

SECTION IV: Land Use Factors

1. What is the property's current municipal zoning designation? _____				
2. What uses are allowed by the property's current zoning (select all that apply)?				
Residential	Commercial	Industrial		
3. Current use (select all that apply):				
Residential	Commercial	Industrial	Recreational	Vacant
4. Please provide 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 by which the site became vacant. Is this summary included with the application?		Y	N	
5. Reasonably anticipated post-remediation use (check all that apply):				
Residential Commercial Industrial				
If residential, does it qualify as single-family housing? N/A				
6. Please provide a statement detailing the specific proposed post-remediation use. Is this summary attached?				
7. Is the proposed post-remediation use a renewable energy facility? See application instructions for additional information.				
8. Do current and/or recent development patterns support the proposed use?				
9. Is the proposed use consistent with applicable zoning laws/maps? Please provide a brief explanation. Include additional documentation if necessary.				
10. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Please provide a brief explanation. Include additional documentation if necessary.				

SECTION V: Current and Historical Property Owner and Operator Information

CURRENT OWNER		
CONTACT NAME		
ADDRESS		
CITY	STATE	ZIP CODE
PHONE	EMAIL	
OWNERSHIP START DATE		
CURRENT OPERATOR		
CONTACT NAME		
ADDRESS		
CITY	STATE	ZIP CODE
PHONE	EMAIL	
OPERATION START DATE		

SECTION VI: Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that contamination of environmental media exists on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the site property and that the site requires remediation. To the extent that existing information/studies/reports are available to the requestor, please attach the following (***please submit 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). Please do NOT submit paper copies of ANY supporting documents.**
2. **SAMPLING DATA:** Indicate (by selecting the options below) known contaminants and the media which are known to have been affected. Data summary tables should be included as an attachment, with laboratory reports referenced and included.

CONTAMINANT CATEGORY	SOIL	GROUNDWATER	SOIL GAS
Petroleum			
Chlorinated Solvents			
Other VOCs			
SVOCs			
Metals			
Pesticides			
PCBs			
PFAS			
1,4-dioxane			
Other – indicated below			

*Please describe other known contaminants and the media affected:

3. For each impacted medium above, include a site drawing indicating:

- Sample location
- Date of sampling event
- Key contaminants and concentration detected
- For soil, highlight exceedances of reasonably anticipated use
- For groundwater, highlight exceedances of 6 NYCRR part 703.5
- For soil gas/soil vapor/indoor air, refer to the NYS Department of Health matrix and highlight exceedances that require mitigation

These drawings are to be representative of all data being relied upon to determine if the site requires remediation under the BCP. Drawings should be no larger than 11"x17" and should only be provided electronically. These drawings should be prepared in accordance with any guidance provided.

Are the required drawings included with this application?

YES

NO

4. Indicate Past Land Uses (check all that apply):

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

Other:

SECTION VII: Requestor Information					
NAME					
ADDRESS					
CITY/TOWN			STATE	ZIP CODE	
PHONE		EMAIL			
1. Is the requestor authorized to conduct business in New York State (NYS)?				Y	N
2. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS DOS 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 with this application to document that the requestor is authorized to conduct business in NYS. Is this attached?					
3. If the requestor is an LLC, a list of the names of the members/owners is required on a separate attachment. Is this attached? N/A					
4. Individuals that will be certifying BCP documents, as well as their employers, must 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. Do all individuals that will be certifying documents meet these requirements? Documents that are not properly certified will not be approved under the BCP.					

SECTION VIII: Requestor Contact Information			
REQUESTOR'S REPRESENTATIVE			
ADDRESS			
CITY		STATE	ZIP CODE
PHONE		EMAIL	
REQUESTOR'S CONSULTANT (CONTACT NAME)			
COMPANY			
ADDRESS			
CITY		STATE	ZIP CODE
PHONE		EMAIL	
REQUESTOR'S ATTORNEY (CONTACT NAME)			
COMPANY			
ADDRESS			
CITY		STATE	ZIP CODE
PHONE		EMAIL	

SECTION IX: Program Fee

Upon submission of an executed Brownfield Cleanup Agreement to the Department, the requestor is required to pay a non-refundable program fee of \$50,000. Requestors may apply for a fee waiver with supporting documentation.

	Y	N
1. Is the requestor applying for a fee waiver?		
2. If yes, appropriate documentation must be provided with the application. See application instructions for additional information. Is the appropriate documentation included with this application? N/A		

SECTION X: Requestor Eligibility

If answering "yes" to any of the following questions, please provide appropriate explanation and/or documentation as an attachment.

	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?		
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?		
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.		
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 or regulation of the State or Federal government?		
5. Has the requestor previously been denied entry to the BCP? If so, please provide the site name, address, assigned DEC site number, the reason for denial, and any other relevant information regarding the denied application.		
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?		
7. Has the requestor been convicted of a criminal offence (i) involving the handling, storing, treating, disposing or transporting of contaminants; or (ii) that involved 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?		
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 a false statement in connection with any document or application submitted to DEC?		
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?		
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?		
11. Are there any unregistered bulk storage tanks on-site which require registration?		

SECTION X: Requestor Eligibility (continued)

12. The requestor must certify that he/she/they is/are 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 selecting this option, 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; and, (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.

13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?

Yes

No

N/A

14. Requestor relationship to the property (check one; if multiple applicants, check all that apply):

Previous Owner

Current Owner

Potential/Future Purchaser

Other: _____

If the requestor is not the current owner, **proof of site access sufficient to complete remediation must be provided.** 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 environmental easement on the site.

Is this proof attached?

Yes

No

N/A

Note: A purchase contract or lease agreement does not suffice as proof of site access.

SECTION XI: Property Eligibility Information

	Y	N
1. Is/was the property, or any portion of the property, listed on the National Priorities List? If yes, please provide additional information.		
2. Is/was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Site pursuant to ECL 27-1305? If yes, please provide the DEC site number: _____ Class: _____		
3. Is/was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? If yes, please provide: Permit Type: _____ EPA ID Number: _____ Date Permit Issued: _____ Permit Expiration Date: _____		
4. If the answer to question 2 or 3 above is <i>YES</i> , is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? If yes, attach any available information related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filings and corporate dissolution documents. N/A		
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? If yes, please provide the order number: _____		
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide additional information as an attachment.		

SECTION XII: Site Contact List

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 mailing addresses of the following:

- The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
- Residents, owners, and occupants of the property and adjacent properties.
- Local news media from which the community typically obtains information.
- The public water supplier which services the area in which the property is located.
- Any person who has requested to be placed on the contact list.
- The administrator of any school or day care facility located on or near the property.
- The location of a document repository for the project (e.g., local library). **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.
- For sites located in the five counties comprising New York City, the Director of the Mayor's Office of Environmental Remediation.

SECTION XIII: Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the [DER-32, Brownfield Cleanup Program Applications and Agreements](#); and (3) that in the event of a conflict between the general terms and conditions of participation and 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 _____ (title) of _____ (entity); that I am authorized by that entity to make this application and execute a Brownfield Cleanup Agreement (BCA) and all subsequent documents; that this application was prepared by me or under my supervision and direction. If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the [DER-32, Brownfield Cleanup Program Applications and Agreements](#); and (3) that in the event of a conflict between the general terms and conditions of participation and 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: _____



PLEASE REFER TO THE APPLICATION COVER PAGE AND BCP APPLICATION INSTRUCTIONS FOR DETAILS OF PAPERLESS DIGITAL SUBMISSION REQUIREMENTS.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY

Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27-1407(1-a) must be submitted if requestor is seeking this determination.

BCP App Rev 16.1

Please respond to the questions below and provide additional information and/or documentation as required. Please refer to the application instructions.	Y	N
1. Is the property located in Bronx, Kings, New York, Queens or Richmond County?		
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?		
3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?		
4. Is the property upside down or underutilized as defined below?		
Upside down		
Underutilized		

From ECL 27-1405(31):

“Upside down” shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.

From 6 NYCRR 375-3.2(I) as of August 12, 2016 (Please note: Eligibility determination for the underutilized category can only be made at the time of application):

375-3.2:

- (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.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

5. 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

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’ household’s 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 homeowners 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.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

6. Is the site a planned renewable energy facility site as defined below?

Yes – planned renewable energy facility site with documentation

Pending – planned renewable energy facility awaiting documentation

*Selecting this option will result in a “pending” status. The appropriate documentation 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.

No – not a planned renewable energy facility site

If yes, please provide any documentation available to demonstrate that the property is planned to be developed as a renewable energy facility site.

From ECL 27-1405(33) as of April 9, 2022:

“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.

From Public Service Law Article 4 Section 66-p as of April 23, 2021:

(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.

7. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and plans to meet the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?

Yes - *Selecting this option will result in a “pending” status, as a BOA conformance determination has not yet been made. Proof of conformance 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.

No

From ECL 75-0111 as of April 9, 2022:

(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.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**BROWNFIELD CLEANUP PROGRAM (BCP)
INSTRUCTIONS FOR COMPLETING AND SUBMITTING A BCP APPLICATION**

The New York State Department of Environmental Conservation (DEC) strongly encourages all applicants to schedule a pre-application meeting with DEC staff to review the benefits, requirements, and procedures for completing a project in the BCP. Contact your [Regional Office](#) to schedule a meeting. To add a party to an existing BCP Agreement, use the [BCP Agreement Amendment Application](#).

For further information regarding the determination of a complete application, please refer to the guidance following these instructions, as well as the [NYSDEC BCP website](#).

SUBMITTAL INSTRUCTIONS

- Compile the application package in the following manner:
 - one file in non-fillable portable document format (PDF) which includes a Table of Contents, the application form, and supplemental information (excluding the previous environmental reports and work plans, if applicable);
 - one individual file (PDF) of each previous environmental report; and,
 - one file (PDF) of each work plan being submitted with the application, if applicable.
- *OPTIONAL: Compress all files (PDFs) into one zipped/compressed folder
- Submit the application to the Site Control Section either via NYSDEC dropbox or ground mail, as described below.

Please select only ONE submittal method - do NOT submit both via dropbox and via ground mail.

VIA SITE CONTROL DROPBOX:

- Click [here](#) to request an invitation to upload files to the Site Control submittal dropbox.
- In the "Title" field, please include the following: "New BCP Application - *Proposed Site Name*".
- 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.
- Application packages submitted through third-party file transfer services will not be accepted.

VIA GROUND MAIL:

- Save the application file and cover letter to an external storage device (e.g., flash drive). **DO NOT INCLUDE PAPER COPIES OF THE APPLICATION OR ATTACHMENTS.**
- 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	
PLEASE NOTE	If any changes to SECTION I are required prior to application approval, a new page 2, initialed by each requestor, must be submitted with the revisions.
Proposed Site Name	Provide a name for the proposed site. The name could be an owner's name, current or historical operations (i.e., ABC Furniture) or the general location of the property. Consider whether the property is known by DEC by a particular name, and if so, use that name.
Site Address	Provide a street address, city/town, zip code, and each municipality and county in which the site is located.
Site Size	Provide the approximate acreage of the site.
GIS Information	Provide the latitude and longitude for the approximate center of the property. Show the latitude and longitude in degrees, minutes and seconds.
Tax Parcel Information	Provide the tax parcel address/section/block/lot information and map. Tax map information may be obtained from the tax assessor's office for all tax parcels that are included in the property boundaries. Attach a county tax map with identifier numbers, along with any figures needed to show the location and boundaries of the property. Include a USGS 7.5-minute quad map on which the property appears and clearly indicate the proposed site's location.
Tax Map Boundaries	State whether the boundaries of the site correspond to the tax map boundaries. If no, a metes and bounds description of the property must be attached. The site boundary can occupy less than a tax lot or encompass portions of one or more tax lots and may be larger or smaller than the overall redevelopment/ reuse project area. A site survey with metes and bounds will be required to establish the site boundaries before the Certificate of Completion can be issued.
Site Map	Provide a property base map(s) of sufficient detail, clarity and accuracy to show the following: (i) map scale, north arrow orientation, date, and location of the property with respect to adjacent streets and roadways; and (ii) proposed brownfield property boundary lines, with adjacent property owners clearly identified.
En-zone	If any part of the site is located within an En-zone, please provide a map showing the location of the site with the En-zone overlay. For information on En-zones, please see DEC's website . Note that new En-zone boundaries are effective January 1, 2023.
Disadvantaged Communities	If the site is located within a Disadvantaged Community, please provide a map showing the location of the site with the Disadvantaged Community overlay. For additional information on disadvantaged communities, please refer to the Climate Leadership and Community Protection Act website .

SECTION I: Property Information (continued)

Brownfield Opportunity Area (BOA)	If the site is located within a NYS Department of State designated Brownfield Opportunity Area, please provide a map showing the location of the site with the BOA overlay. For more information on designated BOAs, please refer to the NYS DOS website . Additional information on BOA conformance determinations can be found at the Office of Planning and Development website . A BOA conformance determination cannot be made until a Decision Document has been issued for the site.
Multiple Applications	Generally, only one application can be submitted, and one BCA executed, for a development project. In limited circumstances, the DEC may consider multiple applications/BCAs for a development project where (1) the development project spans more than 25 acres; (2) the approach does not negatively impact the remedial program, including timing, ability to appropriately address areas of concern, and management of off-site concerns; and (3) the approach is not advanced to increase the value of future tax credits (i.e., circumvent the tax credit caps provided under New York State Tax Law Section 21).
Previous BCP Applications	If all or part of the proposed site has been the subject of a previous BCP application (whether accepted, denied or withdrawn), please provide the assigned DEC site number from the previous application as well as any relevant information regarding why the property is not currently in the program.
Registry Listing and P-site Status	If all or part of the proposed site is now or ever was listed on the Registry of Inactive Hazardous Waste Disposal Sites or is currently the subject of investigation as a Potential Site, please provide the assigned DEC site number.

SECTION I: Property Information (continued)

Property Description Narrative

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

Location:

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

Site Features:

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

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

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

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

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

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

Site Geology and Hydrogeology:

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

SECTION I: Property Information (continued)

Environmental Assessment	<p>The goal of this section is to describe the nature and extent of contamination at the site. When describing the nature of contamination, identify just the primary contaminants of concern (i.e., those that will likely drive remedial decisions/actions). If there are many contaminants present within a group of contaminants (i.e., volatile organic compounds, semi-volatile organic compounds, metals), identify the group(s) and one or two representative contaminants within the group. When addressing the extent of contamination, identify the areas of concern at the site, contaminated media (i.e., soil, groundwater, etc.), relative concentration levels, and a broad-brush description of contaminated areas/depths. The reader should be able to know if contamination is widespread or limited and if concentrations are marginally or greatly above Standards, Criteria and Guidance (SCGs) for the primary contaminants. If the extent is described qualitatively (e.g., low, medium, high), representative concentrations should be given and compared with appropriate SCGs. For soil contamination, the concentrations should be compared with the soil cleanup objectives (SCOs) for the intended use of the site.</p> <p>A typical Environmental Assessment would look like the following:</p> <p>Based upon investigations conducted to date, the primary contaminants of concern for the site include cadmium and trichloroethene (TCE).</p> <p><i>Soil</i> - Cadmium is found in shallow soil, mostly near a dry well at the northeast end of the property. TCE is found in deeper soil, predominantly at the north end of the site. Concentrations of cadmium found on site (approximately 5 ppm) slightly exceed the soil cleanup objective (SCO) for unrestricted use (2.5 ppm). Concentrations of TCE found on site (5 ppm to 300 ppm) significantly exceed the soil cleanup objectives for the protection of groundwater (0.47 ppm).</p> <p><i>Groundwater</i> - TCE and its associated degradation products are also found in groundwater at the north end of the site, moderately exceeding groundwater standards (typically 5 ppb), with a maximum concentration of 1500 ppb. A moderate amount of TCE from the site has migrated 300 feet down-gradient off-site. The primary contaminant of concern for the off-site area is TCE, which is present at a maximum concentration of 500 ppb, at 10 feet below the groundwater table near Avenue A.</p> <p><i>Soil Vapor & Indoor Air</i> - TCE was detected in soil vapor at elevated concentrations and was also detected in indoor air at concentrations up to 1,000 micrograms per cubic meter.</p>
Questions 15-17: New York City Sites	<p>These questions pertain ONLY to sites located within the five counties comprising New York City. If the requestor is seeking a determination that the site is eligible for tangible property tax credits, this section and the <i>Supplemental Questions for Sites Seeking Tangible Property Credits in New York City</i> must be completed.</p>

SECTION II: Project Description

Question 3: Inclusion of Work Plans	If a work plan is to be released for public comment concurrently with the BCP application, <u>the work plan must be submitted at the time of application submittal</u> . Work plans submitted during the completeness review phase will require a separate public comment period and will not be released with the application.	
Question 4: Post-Remediation Use and Project Schedule	As a separate attachment, provide complete and detailed information about the project (remedial and post-remediation development), including the purpose of the project, the date the remedial program is to start, and the date the issuance of the Certificate of Completion is anticipated.	
Questions 5-6: Green and Sustainable Remediation	As a separate attachment, provide complete and detailed information about the GSR principles to be evaluated and incorporated into each phase of the project.	
	Remedial Investigation/ Alternatives Analysis	The description must provide information on how GSR will be incorporated into RI project planning, the proposed environmental footprint analysis tool, and how climate resiliency will be included. Potential end uses such as greenways and pollinator habitats should be considered as appropriate.
	Remedial Design	The description must provide information on how GSR will be incorporated into RD project planning and refine the environmental footprint analysis as the baseline to track metrics. RD documents should add or incorporate GSR techniques to ensure reduced impacts on core metrics. Climate resiliency design measures should also be incorporated.
	Remedial Action	The description must provide information on how GSR will be implemented into the construction and how metrics will be tracked. Methods of reporting should be included.
	Site Management	The description must provide information on how GSR will be incorporated into SM, including use of DEC's SM template, resource and energy consumption reduction, waste minimization, and climate resiliency evaluation within PRRs and RSOs.
	Redevelopment	The description must provide details of any planned renewable energy, energy efficient equipment, greenways, green roofs, community spaces and any re-use or recycling of on-site materials in redevelopment or remediation.
	Climate Screening/ Climate Vulnerability Assessment	The description must provide an initial Climate Screening checklist. If the screening suggests a Climate Vulnerability Assessment will be required, list additional references for the assessment.

SECTION III: Ecological Concerns

Please refer to [DER-10](#) Section 3.10.1 for the requirements of a Fish and Wildlife Impact Assessment.

SECTION IV: Land Use Factors

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

This information consists of responses to the “land use” factors to be considered relative to the “Land Use” section of the BCP application. The information will be used to determine the appropriate land use in conjunction with the investigation data provided, in order to establish eligibility for the site based on the definition of a “brownfield site” pursuant to ECL 27-1405(2).

This land use information will be used by DEC, in addition to all other relevant information provided, to determine whether the proposed use is consistent with the currently identified, intended and reasonably anticipated future land use of the site at this stage. Further, this land use finding is subject to information regarding contamination at the site or other information which could result in the need for a change in this determination being borne out during the remedial investigation.

Zoning and Current Use	Provide the current municipal zoning designation and uses permitted by that designation. Provide a summary of the current use of the site, including identifying possible contaminant source areas. If the site is no longer in use, provide the date by which operations ceased.
Anticipated Use	Identify the anticipated post-remediation use of the site and provide a detailed description of the specific anticipated post-remediation use as an attachment.
Renewable Energy Facility Site	Indicate if the post-remediation use of the site is proposed to be a renewable energy facility. A “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. Section 66-p of the Public Service Law: "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. Provide any detailed plans or documentation to support this. Appropriate documentation must be provided as follows: for planned renewable energy facilities generating/storing less than twenty-five (25) megawatts, a local land use approval must be provided. For planned renewable energy facilities generating/storing twenty-five (25) megawatts or greater, a permit issued by the Office of Renewable Energy Siting must be provided.
Compliance with Zoning Laws, Recent Development, and Community Master Plans	Provide an explanation to support the responses to each of these items. Attach additional documentation if applicable.

SECTION V: Current and Historical Property Owner and Operator Information

Owner Information	Provide requested information of the current owner of the property. List <u>all</u> parties holding an interest in the property and, if the requestor is not the current owner, describe the requestor's relationship to the current owner. If the property consists of multiple parcels, be sure to include the ownership start date of each.
Operator Information	Provide requested information of the current operator(s). If multiple operators, attach the requested information for each operator, including the date each operator began utilizing the property.
Historical Owners and Operators	Provide a list of previous owners and a list of previous operators, including dates of ownership or operation and last-known addresses and phone numbers. Describe the requestor's relationship to each previous owner and operator; if no relationship, indicate "none". When describing the requestor's relationship to current and historical owners and operators, include any relationship between the requestor's corporate members and the previous owners and operators.

SECTION VI: Property's Environmental History

For all sites, an investigation report is required that is sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data include site drawings and data summary tables requested in Section VI, #3 of the BCP application form. Specific instructions regarding the data summary tables are attached at the end of these instructions.

SECTION VII: Requestor Information

Requestor Name	<p>Provide the name of the person(s)/entity requesting participation in the BCP (if more than one, attach additional sheets with requested information.) The requestor is the person or entity seeking DEC review and approval of the remedial program.</p> <p>If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear exactly as given in the NYS Department of State's Corporation & Business Entity Database. A print-out of entity information from the database must be submitted to DEC with the application, to document that the requestor is authorized to do business in NYS.</p>
Address, etc.	Provide the requestor's mailing address, telephone number and e-mail.
LLC Information	If the requestor(s) is/are an LLC, the names of the members/owners need to be provided on a separate attachment.

SECTION VII: Requestor Information (continued)

Document Certification	<p>All documents, which are prepared in final form for submission to DEC for approval, are to be prepared and certified in accordance with Section 1.5 of DER-10. Persons preparing and certifying the various work plans and reports identified in Section 1.5 include:</p> <ul style="list-style-type: none">• New York State licensed professional engineers (P.E.s), as defined at 6 NYCRR 375-1.2(aj) and paragraph 1.3(b)47. Engineering documents must be certified by a P.E. with current license and registration for work that was done by them or those under their direct supervision. The firm by which the P.E. is employed must also be authorized to practice engineering in New York State;• qualified environmental professionals as defined at 6 NYCRR 375-1.2(ak) and DER-10 paragraph 1.3(b)49;• remedial parties, as defined at 6 NYCRR 375-1.2(ao) and DER-10 paragraph 1.3(b)60; or• site owners, which are the owners of the property comprising the site at the time of the certification.
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SECTION VIII: Requestor Contact Information

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

SECTION IX: Program Fee

If the requestor is applying for a fee waiver, sufficient documentation must be provided to demonstrate the basis for such request. Depending on the basis for the fee waiver, this may be provided in the form of financial statements, not-for-profit designation paperwork, a statement waiving the requestor's right to tax credits, a statement that the project will be a 100% affordable housing project, or any other documentation that the Department may require. Some bases for the fee waiver will be memorialized in the Brownfield Cleanup Agreement, and may result in termination of the Agreement if not complied with.

If the requestor is applying for a fee waiver based on the requestor's status as a not-for-profit entity, please provide documentation of non-profit designation.

SECTION X: Requestor Eligibility

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

Volunteer Statement	If the requestor's liability arises solely as a result of ownership, operation of, or involvement with the site, and requests consideration for volunteer status, the requestor must submit a statement describing why they should be considered a volunteer. Describe in detail how the requestor's potential liability arose subsequent to the discharge of contaminants at the potential site and how the requestor took reasonable steps to (i) stop any continuing release; (ii) prevent any threatened future release; and (iii) prevent or limit human, environmental or natural resource exposure to any previously released contamination. Be specific as to the appropriate action taken, and provide information to support this, such as date of purchase, date and source of knowledge of contamination, and steps taken to protect human health and the environment from such contaminants (e.g., notification of authorities of the contamination, restricting site access, monitoring and addressing lessee conduct, preventing deterioration of site conditions, etc.).
Proof of Site Access	If a requestor is not the current owner of the entirety of the site, a site access agreement must be provided that demonstrates that the requestor will have access to the property before signing the BCA and throughout the BCP project. Additionally, the access agreement must include language allowing the requestor the ability to place an environmental easement on the site should the requestor not be the owner at the time remediation is complete and a Track 1 cleanup has not been achieved. If the requestor is the current property owner, include a copy of the deed as proof of ownership and access.

SECTION XI: Property Eligibility Information

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

CERCLA / NPL Listing	Has any portion of the property ever been listed on the National Priorities List (NPL) established under CERCLA? If so, provide relevant information.
Registry Listing	Has any portion of the property ever been listed on the New York State Registry of Inactive Hazardous Waste Disposal Sites established under ECL 27-1305? If so, please provide the site number and classification. See the Division of Environmental Remediation (DER) website for a database of sites with classifications.
RCRA Listing	Does the property have a Resource Conservation and Recovery Act (RCRA) TSD Permit in accordance with the ECL 27-0900 et seq? If so, please provide the EPA Identification Number, the date the permit was issued, and its expiration date. Note: for purposes of this application, interim status facilities are not deemed to be subject to a RCRA permit.

SECTION XI: Property Eligibility Information (continued)

Registry/RCRA Sites Owned by Volunteers	If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27- 1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation.
Existing Order	Is the property subject to an order for cleanup under Article 12 of the Navigation Law or Article 17 Title 10 of the ECL? If so, please provide information on an attachment. Note: if the property is subject to a stipulation agreement, relevant information should be provided; however, property will not be deemed ineligible solely on the basis of the stipulation agreement.
Pending Enforcement Actions	Is the property subject to an enforcement action under Article 27, Titles 7 or 9 of the ECL or subject to any other ongoing state or federal enforcement action related to the contamination which is at or emanating from the property? If so, please provide information as an attachment.

SECTION XII: Site Contact List

Provide the names and addresses of the parties on the Site Contact List (SCL) and a letter from the repository acknowledging agreement to act as the document repository for the proposed BCP project. For sites located in a city with a population of one million or more, the appropriate community board must be included as an additional document repository, and acknowledgement of their agreement to act as such must also be provided.

For sites located in Region 2 (the five counties comprising New York City), the Site Contact List must also include the Director of the Mayor's Office of Environmental Remediation.

SECTION XIII: Statement of Certification and Signatures

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

DATA SUMMARY TABLE INSTRUCTIONS

Data summary tables should include the following columns:

Soil Table:

Analytes > SCOs ^a	Detections > SCOs ^b	Max. Detection (ppm) ^c	SCO (ppm) ^d	Depth (ft bgs)
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Groundwater Table:

Analytes > AWQS ^e	Detections > AWQS ^f	Max. Detection (ppb) ^c	AWQS (ppb) ^g
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Soil Gas Table:

Analytes ^h	Total Detections	Max. Detection (ug/m3) ^c	Type ⁱ
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^a Include all contaminants over the applicable soil cleanup objectives (SCOs). Column header should specify which SCOs are being compared to. (i.e., "RRSCOs" for Restricted Residential SCOs)

^b Number of detections over applicable SCOs. Specify which SCOs are being compared to in column header.

^c Maximum detection in parts per million (ppm) for soil, parts per billion (ppb) for groundwater, or micrograms per cubic meter (ug/m3) for soil gas.

^d List the respective SCO. Specify which SCOs are being compared to in column header.

^e Include all contaminants over Class GA Ambient Water Quality Standards (AWQS).

^f Number of detections over AWQS.

^g List the respective AWQS.

^h Include all chlorinated volatile organic compound (VOCs) detections.

ⁱ Specify type: soil vapor, sub-slab or indoor air.

Example Data Summary Tables

Soil Table:

Analytes > RR SCOs	Detections > RR SCOs	Maximum Detection (ppm)	RR SCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	3	11	1	5 – 7
Benzo(a)pyrene	4	15	1	5 – 7
Benzo(b)fluoranthene	5	15	1	5 – 7
Benzo(k)fluoranthene	1	5.3	3.9	5 – 7
Indeno(1,2,3-cd)pyrene	7	8.4	0.5	5 – 7
barium	2	967	400	0.5 – 2.5
cadmium	2	94.1	4.3	6 – 8
lead	3	1,790	400	0.5 – 2.5

Groundwater Table:

Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQS (ppb)
Benz(a)anthracene	2	0.2	0.002
Benzo(a)pyrene	2	0.221	ND
Benzo(b)fluoranthene	2	0.179	0.002
Benzo(k)fluoranthene	2	0.189	0.002
Indeno(1,2,3-cd)pyrene	2	0.158	0.002
Tetrachloroethene (PCE)	1	12	5

Soil Gas Table:

Analytes	Total Detections	Max. Detection (µg/m³)	Type
Carbon tetrachloride	1	0.84	Soil vapor
Methylene chloride	1	2.6 J	Soil vapor
Tetrachloroethene	2	47	Soil vapor
Trichloroethene	1	1.2	Soil vapor
Trichlorofluoromethane	1	21	Soil vapor

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

DETERMINATION OF A COMPLETE APPLICATION

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

DETERMINATION OF A COMPLETE APPLICATION (CONTINUED)

4. If the application is found to be incomplete:
 - a. the requestor will be notified via email or phone call regarding minor deficiencies. The requestor must submit information correcting the deficiency to DEC within the 30-day review time frame; or
 - b. the requestor will receive a formal Letter of Incomplete Application (LOI) if an application is substantially deficient, if the information needed to make an eligibility determination identified in #3 above is missing or found to be incomplete, or if a response to a minor deficiency is not received within the 30-day period. The LOI will detail all of the missing information and request submission of the information. If the information is not submitted within 30 days from the date of the LOI, the application will be deemed withdrawn. In this case, the requestor may resubmit the application without prejudice.
5. If the application is determined to be complete, DEC will send a Letter of Complete Application (LOC) that includes the dates of the public comment period. The LOC will:
 - a. include an approved public notice to be sent to all parties on the Contact List included with the application;
 - b. provide instructions for publishing the public notice in the newspaper on the date specified in the letter, and instructions for mailing the notice to the Contact List;
 - c. identify the need for a certification of mailing form to be returned to DEC along with proof of publication documentation; and
 - d. specify the deadline for publication of the newspaper notice, which must coincide with, or occur before, the date of publication in the Environmental Notice Bulletin (ENB).
 - i. DEC will send a notice of the application to the ENB. As the ENB is only published on Wednesdays, DEC must submit the notice by the Wednesday before it is to appear in the ENB.
 - ii. The mailing to parties on the Contact List must be completed no later than the Tuesday prior to ENB publication. If the mailings, newspaper notice and ENB notice are not completed within the timeframes established by the LOC, the public comment period on the application will be extended to ensure that there will be the required comment period.
 - iii. Marketing literature or brochures are prohibited from being included in mailings to the Contact List.

Section I: Property Information

SECTION I: PROPERTY DESCRIPTION NARRATIVE

Site Location

The address of the Former Tilsdale Lumber and Coal Redevelopment Site is 8-01 and 8-51 26th Avenue in Astoria, New York 11102 (the “Site”). The Site is located in the Astoria neighborhood of Queens County, New York and is identified as Block 906, Lots 1 and 5 on the New York City Tax Map. The Site is approximately 1.60 acres in size (approximately 69,616 square feet [sq ft]) and is currently vacant.

The Site is bounded, to the north by the East River; to the east by 9th Street, followed by a 23-story residential building and two three-story residential buildings; to the south by 26th Avenue, followed by an industrial and manufacturing lot; and to the west by two one-story industrial and manufacturing use buildings. The Site is located within an urban area characterized by manufacturing, industrial, commercial, and multi-story residential use buildings.

A project locus is included in Figure 1. An aerial photograph of the Site is included on Figure 2. A map showing surrounding land use is included as Figure 3.

Site Features

The Site is a 1.60-acre (69,616-sq-ft) irregularly shaped parcel. Two one-story industrial and manufacturing warehouse buildings, one vacant and one utilized for storage that contains partial basements, extend to approximately 10 feet below grade surface (ft bgs). These buildings were demolished in 2023 and the Site is currently vacant.

Current Zoning and Land Use

According to the New York City Planning Commission Zoning Map 9a, the Site is located within a residential zoning district (R7-3) with a commercial overlay (C2-4). The proposed development of this property is consistent with the current zoning. The Site has been assigned an E-Designation (E-343) for hazardous materials and air quality as part of the Astoria Cove Rezoning (City Environmental Quality Review [CEQR] Project No.13DCP127Q).

Past Site Use

Based on the Phase I Environmental Site Assessment (ESA) prepared by H & A of New York Engineering and Geology, LLP (Haley & Aldrich of New York), the Site was first developed in the late 1890s. Sanborn maps depicted Lot 1 as improved with a dwelling and Lot 5 as improved with a lumber shed, a coal bin, coal pockets, and a small office and dwelling operated by “Tisdale Lumber & Coal Yard.” By 1915, the dwelling on Lot 1 was depicted as razed and replaced with lumber piles and was labeled as being occupied by “Tisdale Lumber & Coal Yard.” During that time, Lot 5 was depicted as improved with coal pockets, lumber piles, a lumber shed, and multiple storage buildings. By 1948, the lumber yard structures no longer depicted were replaced on Sanborn maps by a large industrial building on Lot 5 and a smaller building on Lot 1, which were attached to the west-adjacent buildings and labeled as being operated by “Morey Machinery Co. Inc.,” a machine shop. The building on Lot 5 was depicted as being utilized for assembly and the building on Lot 1 was depicted as being utilized for heat treatment, grinding, and storage. By 1981, the buildings were labeled on Sanborn maps as occupied by “Superstud Superior Steel Stud Manufacturing.” From the 1990s to 2006, both lots remained unchanged. The buildings were demolished in 2023.

Site Geology and Hydrogeology

Based on observations from subsurface investigations at the Site completed in 2020 and 2022, the Site is underlain by urban fill consisting of sand with silt and gravel containing brick and concrete fragments from surface grade to approximately 5 to 10 ft bgs. The urban fill layer is underlain by native glacial sands and gravel.

The Site topography varies across the Site, with the northern portion of the Site generally flat at an elevation of approximately 20 feet above mean sea level (ft amsl), sloping upwards to the southern end of the Site at an elevation of approximately 22 ft amsl, and downwards to the East River at an elevation of approximately 13 ft amsl. During the August 2022 Remedial Investigation (RI), groundwater was encountered about 10 to 20 ft bgs at the Site. The inferred regional groundwater flow direction for the area surrounding the Site is to the north toward the East River.

Environmental Zone Designation

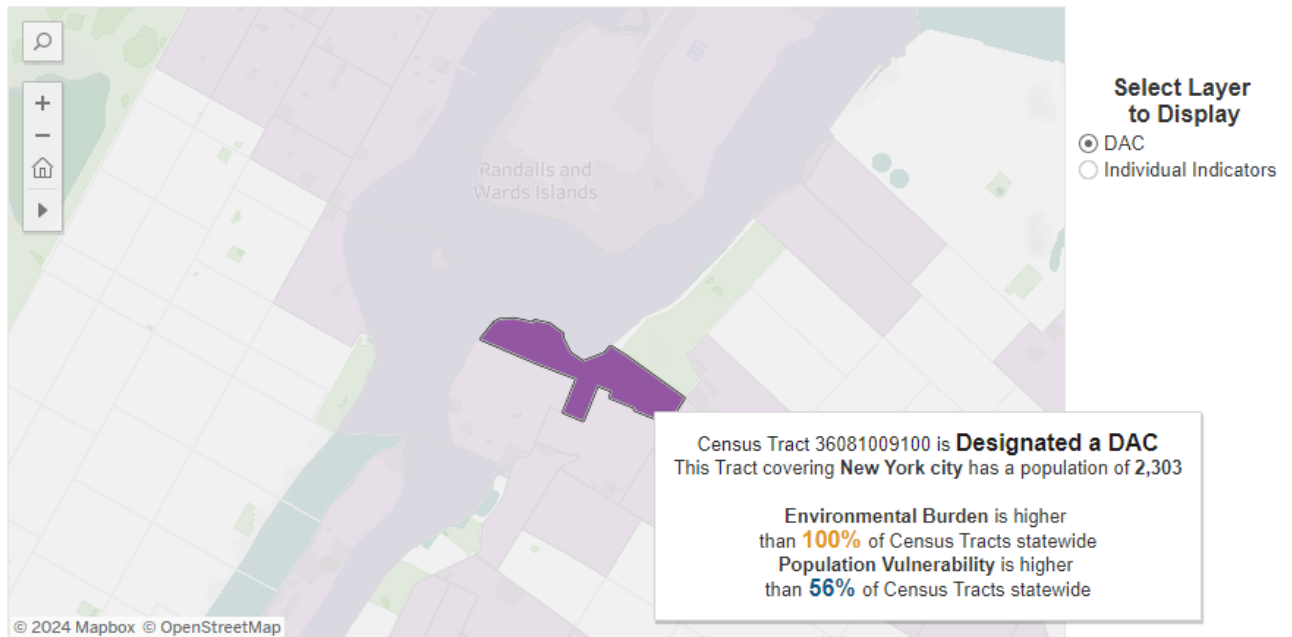
The Site is not located within an EnZone.

91

91
STATEFP 36
COUNTYFP 081
TRACTCE 009100
GEOID 36081009100
NAME 91
NAMESAD Census Tract 91
MTFCC G5020
FUNCSTAT S
ALAND 186329
AWATER 0
INTPTLAT +40.7758580
INTPTLON -073.9296772
FIPS 36081009100
County_FIPS 36081
Geography Census Tract 91
County Queens County
UnempRate 0.5
NYS_UR 7.1
Pov_Rate 7.7
County_PR 11.6
CountyRateX223.2
Criteria_A
Criteria_B
Both_AB
EnZoneType None



The entire Site footprint (100%) is located in a Disadvantaged Community (DAC).



SECTION I.8: PREVIOUSLY REMEDIATED

It is our understanding that the Site has not been subject to any remedial activities.

SECTION I.14: ENVIRONMENTAL ASSESSMENT

The Requestor seeks entry into the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) at the investigation stage. The following reports were previously completed for the Site:

- Phase I Environmental Site Assessment prepared by G.C. Environmental, Inc., dated July 29, 2013;
- Limited Phase II Environmental Site Assessment prepared by G.C. Environmental, Inc., dated December 2014;
- Additional Subsurface Sampling Report prepared by GEI Consultants, Inc., P.C., dated June 30, 2020;
- Remedial Investigation Report (RIR) prepared by GEI Consultants, Inc., P.C., dated April 2022;
- Geotechnical Report prepared by GEI Consultants, Inc., P.C., dated December 2023;
- Remedial Action Plan prepared by GEI Consultants, Inc., P.C., dated January 2024;
- Remedial Action Plan Stipulation List prepared by GEI Consultants, Inc., P.C., dated January 11, 2024.
- Phase I Environmental Site Assessment prepared by Haley & Aldrich of New York, dated March 20, 2025.

These reports are summarized below in Section IV.1 and are appended to this BCP application package.

Based on the findings of the June 2020 Additional Subsurface Sampling Report and April 2022 RIR, the primary contaminants of concern for the Site are heavy metals, volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), chlorinated volatile organic compounds (CVOCs), specifically tetrachloroethene (PCE), pesticides, and polychlorinated biphenyls (PCBs) in soil; CVOCs, dissolved metals, and per- and polyfluoroalkyl substances (PFAS) in groundwater; and VOCs and CVOCs in soil vapor. Additional investigation is necessary to determine if an onsite source of contamination exists. A summary of findings from the above referenced environmental investigation is provided below:

Soil

Soil analytical results were compared to NYSDEC Title 6 of the Official Compilation of New York Codes, Rules, and Regulations (NYCRR) Part 375 Unrestricted Use Soil Cleanup Objectives (UUSCOs) and Restricted-Residential Use Soil Cleanup Objectives (RRSCOs).

VOCs and CVOCs were detected above UUSCOs and RRSCOs in soil samples collected at the Site. Acetone was detected at a concentration of 0.12 parts per million (ppm) in SB-102 (0 to 2 ft bgs). Trichloroethene (TCE) was detected at a maximum concentration of 1.3 ppm in B-23 (20 to 22 ft bgs). Tetrachloroethene (PCE) was detected at a maximum concentration of 38 ppm in SB-103 (0 to 2 ft bgs).

Seven SVOCs, specifically polycyclic aromatic hydrocarbons (PAHs), were identified in shallow and one deep soil samples collected from fill exceeding UUSCOs and RRSCOs. Six PAHs were detected above RRSCOs, including benzo(a)anthracene (maximum concentration of 8.1 ppm) in B-23 (20 to 22 ft bgs), benzo(a)pyrene (maximum concentration of 7.9 ppm,) in B-22 (0 to 2 ft bgs), benzo(b)fluoranthene (maximum concentration of 8.8 ppm,) in B-22 (0 to 2 ft bgs), dibenzo(a,h)anthracene (maximum concentration of 1.1 ppm,) in B-22 (0 to 2 ft bgs), chrysene (maximum concentration of 6.8 ppm,) in B-23 (20 to 22 ft bgs), and indeno(1,2,3-cd)pyrene (maximum concentration of 5.1 ppm) in B-22 (0 to 2 ft bgs).

Benzo(k)fluoranthene was detected above its UUSCO at a maximum concentration of 2.9 ppm in B-23 (20 to 22 ft bgs).

Metals were detected above UUSCOs and RRSCOs in shallow and one deep soil samples across the Site. Trivalent chromium was detected above its RRSCO at a maximum concentration of 220 ppm in SB-106 (3 to 5 ft bgs). Six additional metals were detected above UUSCOs, including copper (maximum concentration 156 ppm in SB-106 [3 to 5 ft bgs]), lead (maximum concentration 168 ppm in SB-106 [3 to 5 ft bgs]), mercury (maximum concentration 1.45 ppm in SB-106 [3 to 5 ft bgs]), nickel (maximum concentration 140 ppm in SB-106 (3 to 5 ft bgs)), and zinc (maximum concentration 265 ppm in SB-105 [0 to 2 ft bgs]).

Total PCBs were detected above UUSCOs and RRSCOs in shallow and one deep soil samples collected at the Site. Total PCBs were detected above RRSCOs in two soil samples with a maximum concentration of 3.44 ppm in SB-106 (0 to 2 ft bgs). Total PCBs were detected above UUSCOs in two additional soil samples with a maximum concentration of 0.91 ppm in B-15 (0 to 2 ft bgs).

Three pesticides were detected above UUSCOs in soil sample SB-107 (0 to 2 ft bgs); 4,4'-DDE was detected at a concentration of 0.01 ppm, 4,4'-DDD was detected at a concentration of 0.0072 ppm, and 4,4'-DDT was detected at a concentration of 0.0233 ppm. In addition, 4,4'-DDT was detected at a maximum concentration of 6.81 ppm in B-21 (0 to 2 ft bgs).

Comparisons of soil analytical results to UUSCOs and RRSCOs are mapped on Figure 7.

Groundwater

Groundwater analytical results were compared to 6NYCRR Part 703.5 NYSDEC Technical and Operational Guidance Series 1.1.1 Ambient Water Quality Standards (AWQSs).

Two CVOCs were detected above AWQS in groundwater samples collected at the Site. TCE was detected at a concentration of 13 parts per billion (ppb) in both the MW-3 sample and its duplicate sample (DUP01). PCE was detected at a concentration of 11 ppb in the MW-2 sample.

Six SVOCs, specifically polycyclic aromatic hydrocarbons (PAHs), were detected above AWQS in groundwater samples collected at the Site. These include, benzo(a)anthracene (maximum concentration of 0.54 ppb in MW-2), benzo(a)pyrene (maximum concentration of 0.56 ppb in MW-2), benzo(b)fluoranthene (maximum concentration of 0.77 ppb in MW-2), benzo(k)fluoranthene (maximum concentration of 0.2 ppb in MW-2), chrysene (maximum concentration of 0.45 ppb in MW-2), and indeno(1,2,3-cd)pyrene (maximum concentration of 0.47 ppb in MW-2). In addition, phenol was detected above AWQS in three groundwater samples with a maximum concentration of 3.9 ppb in MW-2.

Three dissolved metals were detected at concentrations exceeding AWQSs in groundwater samples collected at the Site, including: dissolved magnesium (maximum concentration of 494,000 ppb in MW-2), dissolved manganese (concentration of 1,124 micrograms per liter [µg/L] in MW-4), and dissolved sodium (maximum concentration of 4,410,000 ppb in MW-2). Five total metals were detected at concentrations exceeding AWQS in groundwater samples collected at the Site, including: total iron (maximum concentration of 10,800 ppb in MW-2), total lead (maximum concentration of 158.1 ppb in MW-3), total magnesium (maximum concentration of 571,000 ppb in MW-2), total manganese (concentration of 1,251 ppb in MW-4), and total sodium (maximum concentration of 4,200,000 ppb in MW-2).

Analysis for PFAS compounds, perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS), were completed on the MW-2 and MW-4 groundwater samples. PFOA and PFOS were detected in both

samples at concentrations exceeding the ambient water quality guidance values (AWQGVs) established in the NYSDEC-issued April 2023 “Sampling, Analysis, and Assessment of PFAS Under NYSDEC’s Part 375 Remedial Programs.” PFOA was detected at a maximum concentration of 0.0409 ppb in MW-4 and PFOS was detected at a maximum concentration of 0.0380 ppb in MW-2.

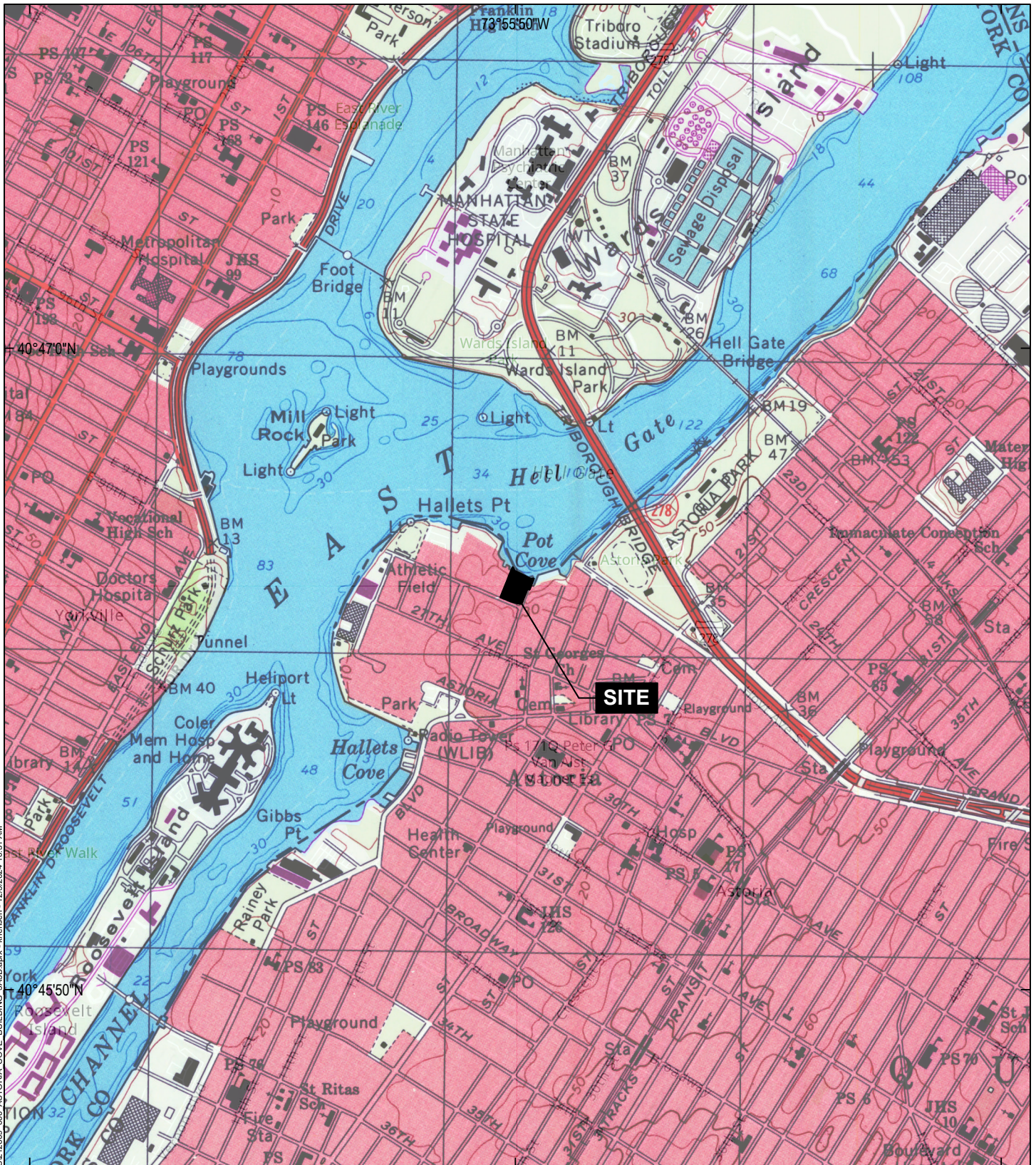
Comparisons of groundwater analytical results to AWQS are mapped on Figure 8.

Soil Vapor

Total VOC concentrations in soil vapor samples ranged from 2.48 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) in SV-6 to 655.21 $\mu\text{g}/\text{m}^3$ in SV-3. Total concentration of benzene, toluene, ethylbenzene, and xylenes (BTEX) ranged from non-detect in SV-6 to 12.14 $\mu\text{g}/\text{m}^3$ in SV-5. Total concentrations of CVOCs in soil vapor samples ranged from non-detect in SV-6 to 606 $\mu\text{g}/\text{m}^3$ in SV-3.

Three CVOCs, including cis-1,2-dichloroethene (maximum concentration 16.9 $\mu\text{g}/\text{m}^3$ in SV-5), 1,1,1-trichloroethane (maximum concentration 606 $\mu\text{g}/\text{m}^3$ in SV-3), and TCE (maximum concentration 23.2 $\mu\text{g}/\text{m}^3$ in SV-5), were detected above laboratory detection limits in one or more soil vapor samples analyzed. Multiple petroleum-related VOCs were detected at elevated concentrations in soil vapor samples, including benzene (maximum concentration of 5.62 $\mu\text{g}/\text{m}^3$ in SV-5), cyclohexane (maximum concentration of 5.2 $\mu\text{g}/\text{m}^3$ in SV-5), 2,2,4-trimethylpentane (concentration of 1.03 $\mu\text{g}/\text{m}^3$ in SV-2), heptane (maximum concentration of 3.38 $\mu\text{g}/\text{m}^3$ in SV-3), n-Hexane (maximum concentration of 10.8 $\mu\text{g}/\text{m}^3$ in SV-5), and toluene (maximum concentration of 8.86 $\mu\text{g}/\text{m}^3$ in SV-3). Methylene chloride was detected at a concentration of 2.48 $\mu\text{g}/\text{m}^3$ in SV-3.

Detected concentrations of soil vapor are mapped on Figure 9.



GIS: \\haleyaldrich.com\share\CF\Projects\0211417\GIS\212609_000 ASTORIA COVE BUILDING 3A3B.aprx - khensen - 12/3/2024 10:31 AM



MAP SOURCE: USGS
SITE COORDINATES: 40°46'34"N, 73°55'50"W

**HALEY
ALDRICH**

8-01 AND 8-51 26TH AVENUE
QUEENS, NEW YORK

PROJECT LOCUS

APPROXIMATE SCALE: 1 IN = 2000 FT
DECEMBER 2024

FIGURE 1

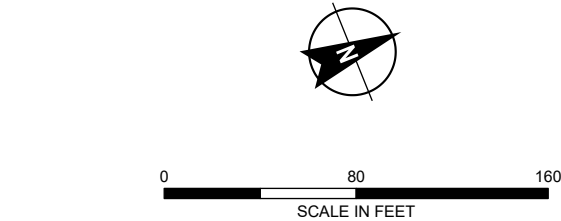


LEGEND

SITE BOUNDARY

TAX LOT BOUNDARY

- NOTES**
1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
 2. ASSESSOR PARCEL DATA SOURCE: NEW YORK CITY DEPARTMENT OF CITY PLANNING (DCP)
 3. AERIAL IMAGERY SOURCE: NEARMAP, 11 OCTOBER 2024



**HALEY
ALDRICH**

8-01 AND 8-51 26TH AVENUE
QUEENS, NEW YORK

TAX MAP

DECEMBER 2024

FIGURE 2



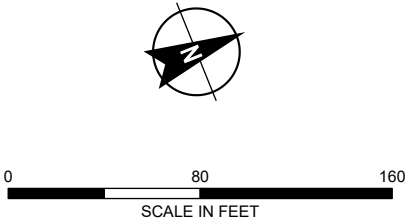
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LEGEND

SITE BOUNDARY

TAX LOT BOUNDARY

- NOTES**
1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
 2. ASSESSOR PARCEL DATA SOURCE: NEW YORK CITY DEPARTMENT OF CITY PLANNING (DCP)
 3. AERIAL IMAGERY SOURCE: NEARMAP, 11 OCTOBER 2024



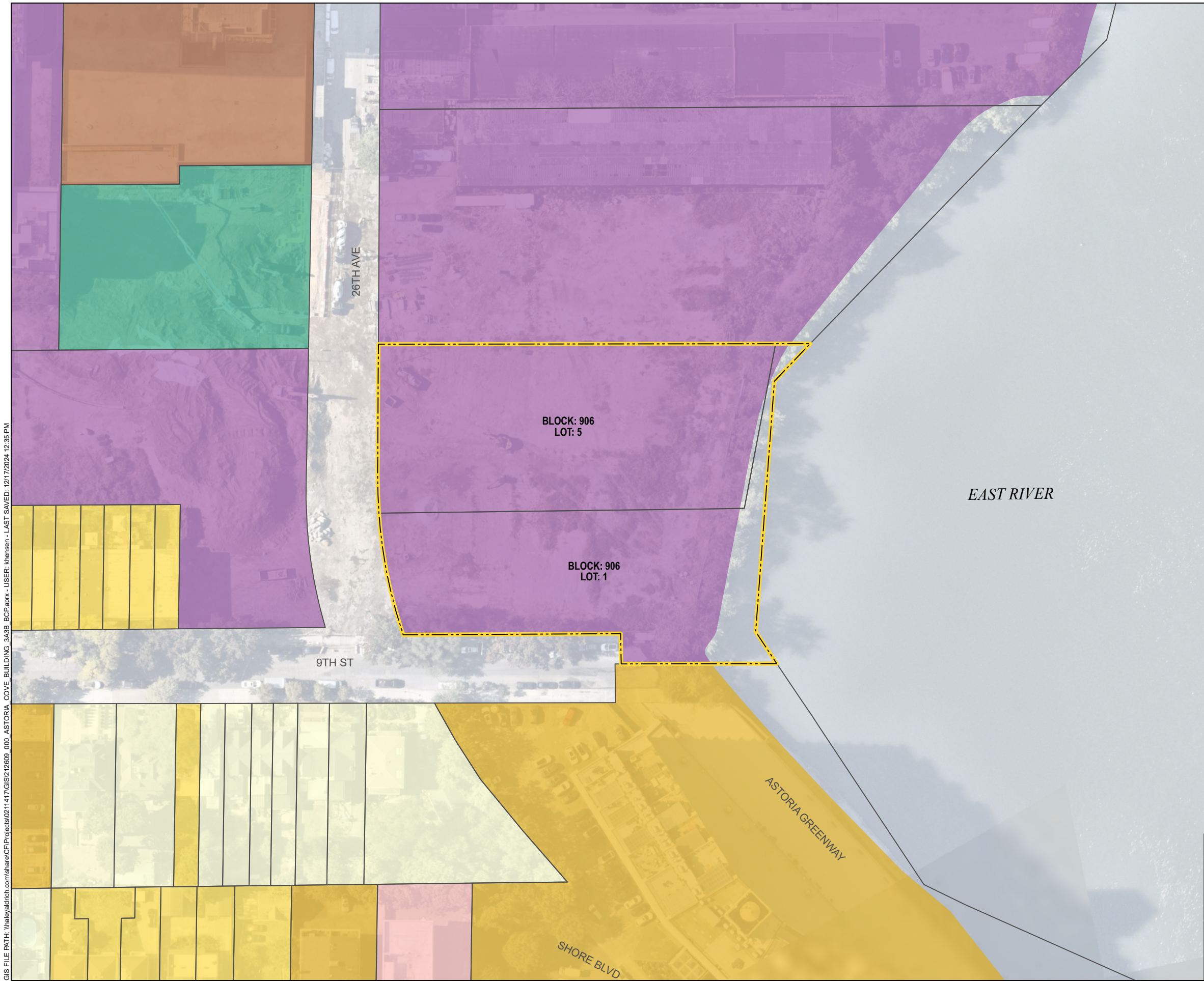
**HALEY
ALDRICH**

8-01 AND 8-51 26TH AVENUE
QUEENS, NEW YORK

ADJOINING SITE MAP

DECEMBER 2024

FIGURE 3



LEGEND

LAND USE CATEGORY

- ONE AND TWO FAMILY BUILDINGS
- MULTI-FAMILY WALK-UP BUILDINGS
- MULTI-FAMILY ELEVATOR BUILDINGS
- MIXED RESIDENTIAL AND COMMERCIAL BUILDINGS
- INDUSTRIAL AND MANUFACTURING BUILDINGS
- VACANT LAND
- NOT CATEGORIZED
- SITE BOUNDARY
- TAX LOT BOUNDARY

NOTES

- ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
- ASSESSOR PARCEL DATA SOURCE: NYC DEPARTMENT OF CITY PLANNING, INFORMATION TECHNOLOGY DIVISION
- LAND USE DATA SOURCE: NYC DEPARTMENT OF CITY PLANNING
- AERIAL IMAGERY SOURCE: NEARMAP, 11 OCTOBER 2024



0 80 160
SCALE IN FEET

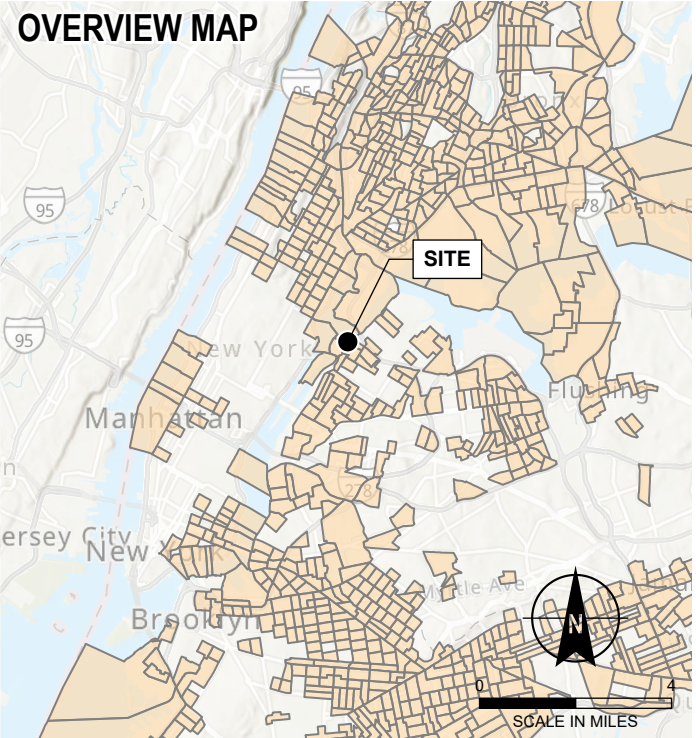
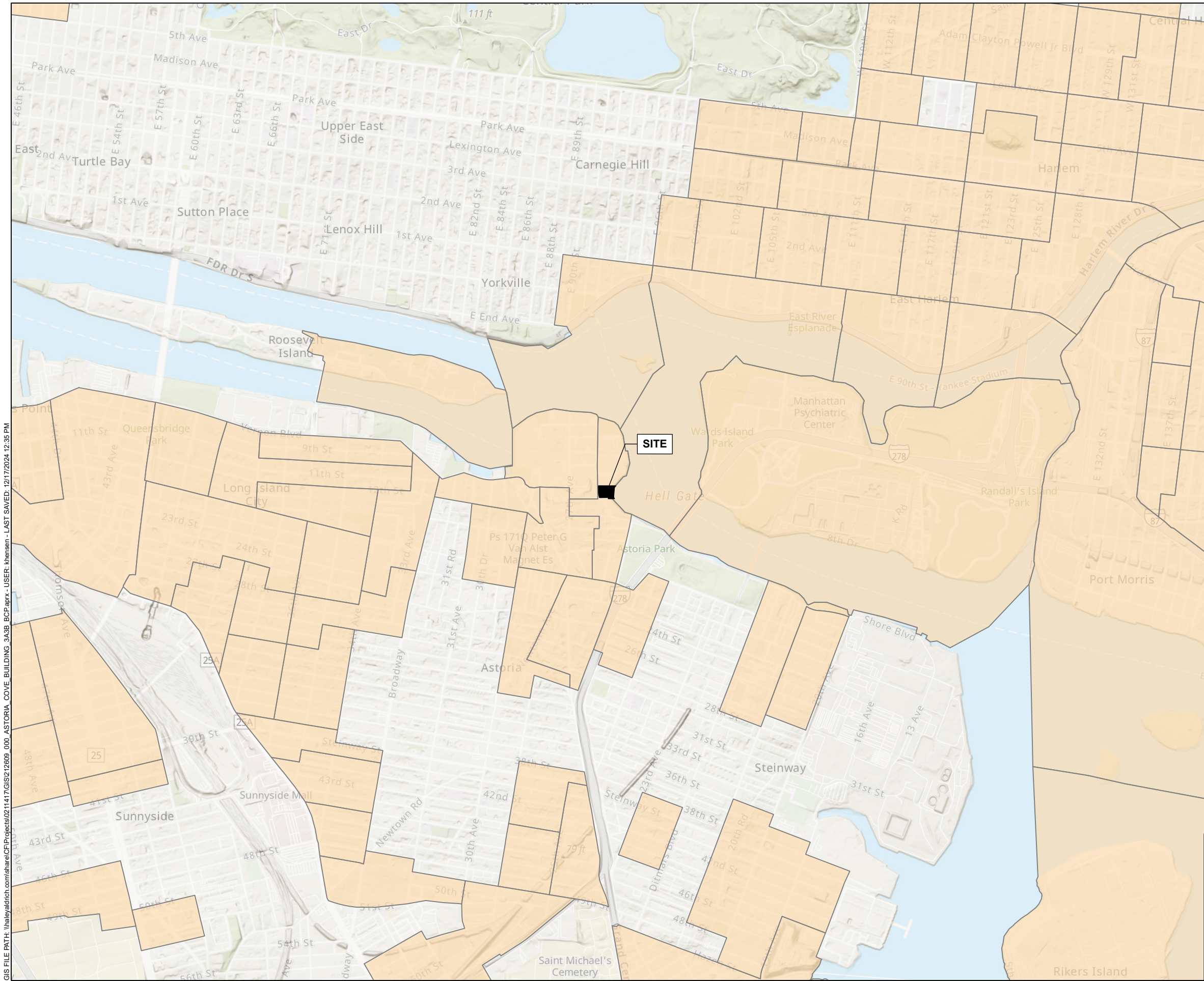
HALEY
ALDRICH

8-01 AND 8-51 26TH AVENUE
QUEENS, NEW YORK

SURROUNDING LAND USE

DECEMBER 2024

FIGURE 4



LEGEND

DISADVANTAGED COMMUNITY, NEW YORK CITY AREA

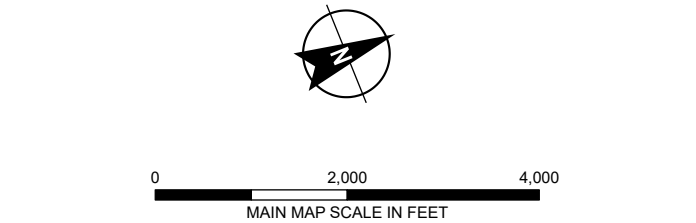
SITE BOUNDARY

NOTES

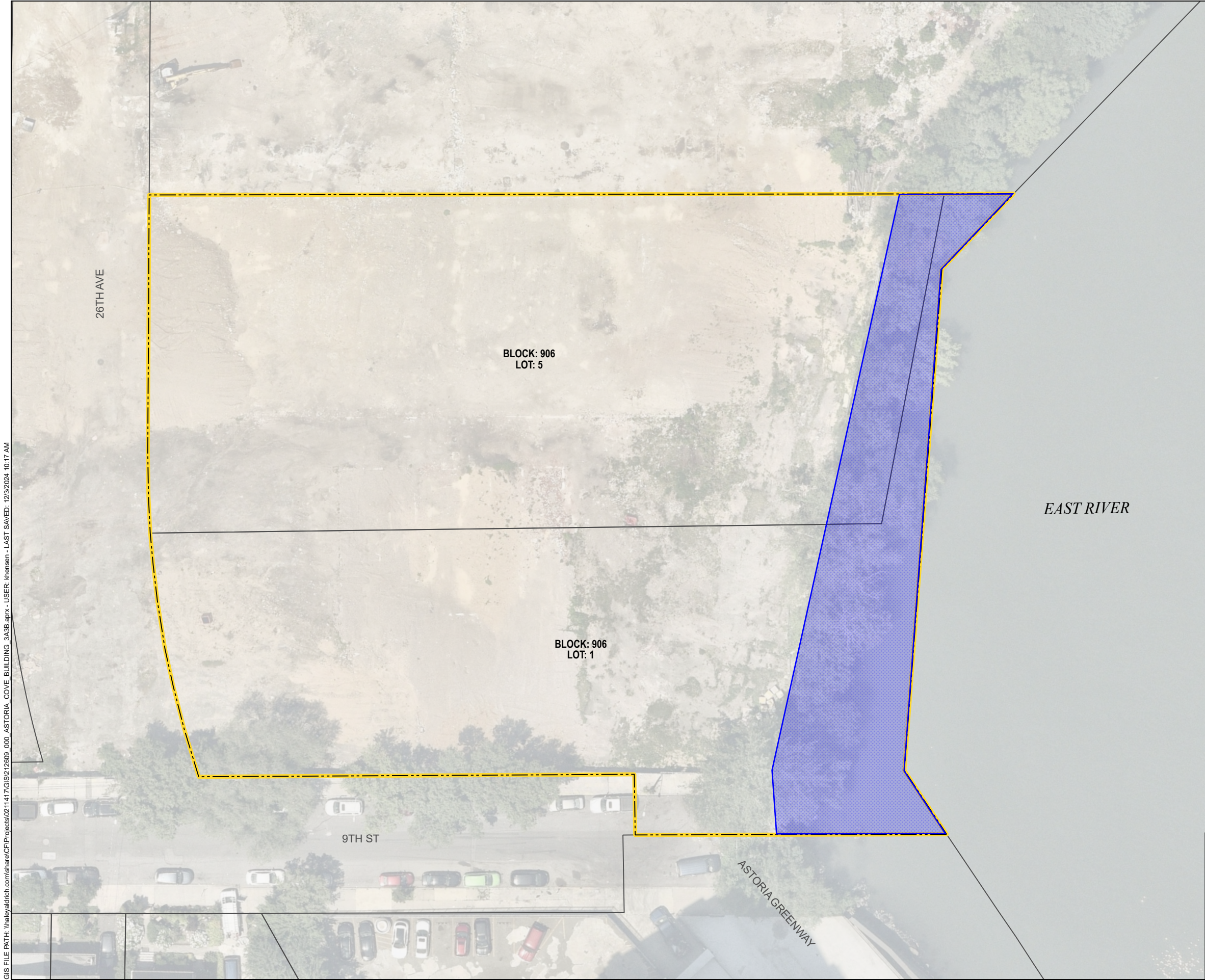
1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.

2. DISADVANTAGED COMMUNITY DATA SOURCE: THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (NYSERDA) AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYSDEC) DISADVANTAGED COMMUNITIES CRITERIA MAPS, 2023




3. BASE MAP SOURCE: ESRI



GIS FILE PATH: \\haleyaldrich.com\share\CF\Projects\0211417\GIS\12609_000 ASTORIA COVE BUILDING 3A3B.aprx - USER: khansen - LAST SAVED: 12/3/2024 10:17 AM



LEGEND

-  SITE BOUNDARY
-  PARCEL BOUNDARY
-  APPROXIMATE EXTENT OF LANDS UNDER WATER

NOTES

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. ASSESSOR PARCEL DATA SOURCE: NEW YORK CITY DEPARTMENT OF CITY PLANNING (DCP)
3. AERIAL IMAGERY SOURCE: NEARMAP, 18 JUNE 2024



0 40 80
SCALE IN FEET

**HALEY
ALDRICH**

8-01 AND 8-51 26TH AVENUE
QUEENS, NEW YORK

LANDS UNDER WATER MAP

JUNE 2025

FIGURE 6

Section II: Project Description

SECTION II: PROJECT DESCRIPTION

The purpose of the project is to redevelop a contaminated property in addition to implementing remedial measures to protect human health and the environment. The Site is an irregularly shaped lot that is approximately 69,616 sq ft (1.60 acres) in size, consisting of two lots (Block 906, Lots 1 and 5), that are currently vacant. The Site formerly operated as a lumber and coal yard, a machine shop, and a steel stud manufacturing facility. The Site has been assigned an E-designation for hazardous materials and air quality as part of the Astoria Cove Rezoning. The Requestor is not the current owner.

Following NYSDEC approval of this BCP Application and its associated Remedial Investigation Work Plan (RIWP), the proposed work will include:

1. Performance of a remedial investigation to characterize the nature and extent of contamination and identify remedial measures.
2. Excavation and offsite disposal of contaminated soil.
3. Implementation of remedial measures, as required, in tandem with Site-wide redevelopment.

Proposed Development

While the development plans are conceptual at this time, the planned project will consist of two mixed-use buildings, designated as Building 3A and Building 3B. Buildings 3A and 3B will consist of an eight-story and 26-story building, respectively, with a full cellar extending approximately 10 ft bgs with a combined footprint of approximately 40,000 sq ft, a combined gross floor area of approximately 446,000 sq ft, and a combined zoning floor area of approximately 344,000 sq ft.

Rationale for BCP Program

The Requestor seeks to enter the NYSDEC BCP at the investigation stage.

Upon review of analytical results from previous environmental investigations conducted at the Site (discussed in further detail in Section IV), the Requestor seeks to enter the NYSDEC BCP due to the contaminants of concern identified at the Site, primarily heavy metals, VOCs, SVOCs, CVOCs specifically PCE and TCE, pesticides, and PCBs.; VOCs, SVOCs, PCBs, dissolved metals, and PFAS in groundwater; and VOCs and CVOCs in soil vapor.

While the 2014, 2020 additional investigation and April 2022 RI provide preliminary site characterization data, they do not fully determine the nature and extent of contamination. The Requestor is, therefore, also submitting for NYSDEC approval a Draft Remedial Investigation Work Plan (RIWP) along with this BCP Application.

Project Schedule

It is anticipated that, once Requestor is accepted into the BCP and the draft RIWP is approved by the Department, the 30-day public comment period will commence. Following acceptance into the program and approval of the draft RIWP, the RI will commence. Implementation of the remedy would start within 6 to 8 months following acceptance of the Remedial Investigation Report by NYSDEC. Completion of the remedy is anticipated by January 2027 with a Certificate of Completion expected by 2028. A tentative project schedule is below.

Task	Duration (days)	Start	End	2025												2026												2027											
				Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Preparation and Submission of BCP Application, RIWP and CPP	150	1/1/2025	6/30/2025																																				
30-Day Public Comment Period for BCP Application	30	7/15/2025	8/18/2025																																				
Execute BCA and NYSDEC & NYSDOH Approval of RIWP	60	8/18/2025	10/18/2025																																				
Implementation of Remedial Investigation	30	10/18/2025	11/18/2025																																				
Preparation and Submission of RIR and RAWP	90	11/18/2025	2/18/2026																																				
NYSDEC & NYSDOH Review of RIR & RAWP	60	2/18/2026	4/18/2026																																				
45-Day Public Comment Period for RAWP and issuance of Decision Document	45	5/1/2026	7/1/2026																																				
Implementation of RAWP with Engineering Oversight	210	7/1/2026	2/1/2027																																				
Preparation of FER and SMP (if required)	90	2/1/2027	5/1/2027																																				
NYSDEC & NYSDOH Review of FER (and SMP, if required)	60	5/1/2027	7/1/2027																																				
NYSDEC Issues COC	60	7/1/2027	9/1/2027																																				

Notes:

This is an estimated schedule; all items are subject to change

Completion of Implementation of RAWP refers to the completion of remediation and not the end of overall construction

BCP = Brownfield Cleanup Program

NYSDEC = New York State Department of Environmental Conservation

BCA = Brownfield Cleanup Agreement

RIWP = Remedial Investigation Work Plan

CPP = Citizen Participation Plan

NYSDOH = New York State Department of Health

RIR = Remedial Investigation Report

RAWP = Remedial Action Work Plan

FER = Final Engineering Report

SMP = Site Management Plan

COC = Certificate of Completion

Green and Sustainable Remediation

NYSDEC's DER-31 Green Remediation requires that Green Remediation concepts, best practices, and techniques be considered during all stages of the remedial program, including remedial investigation, remedial design/remedial action, and site management, as applicable, with the goal of improving the sustainability of the cleanup and summarizing the net environmental benefit of any implemented green technology. Goals for the project related to green and sustainable remediation metrics will be incorporated into and tracked during each stage of the project, as appropriate. All green and sustainable practices and techniques employed will be discussed in applicable reports associated with each stage of the project, including completion of an environmental footprint analysis using an NYSDEC-accepted tool. A climate change vulnerability assessment will be completed, as necessary, at each stage of the project.

SECTION III: ECOLOGICAL CONCERNS

A Step 1 Fish and Wildlife Resources Impact Analysis (FWRIA) was conducted in accordance with NYSDEC (2014) Fish and Wildlife Impact and Analysis for Inactive Hazardous Waste Sites (NYSDEC 1994) and DER-10 Section 3.10. The document provides guidance used to evaluate ecological impacts in areas contaminated with hazardous waste. The FWRIA was conducted to evaluate the potential ecological impacts on and off site associated with on-site contaminants. A Step 2 FWRIA will be conducted and included as a part of the RIR.

Objective

The objectives of a Step 1 FWRIA are to identify fish and wildlife resources that exist and, that existed prior to contamination; and to provide information necessary to the remedial investigation (RI) design.

Site Description

The Site is an irregularly shaped lot that is approximately 69,616 sq ft (1.60 acres) in size, consisting of two lots (Block 906, Lots 1 and 5), that are currently vacant.

The Site is bound to the north by the East River; to the east by 9th Street, followed by a 23-story residential building and two three-story residential buildings; to the south by 26th Avenue, followed by an industrial and manufacturing lot; and to the west by two one-story industrial and manufacturing use buildings.

The site topography slopes downward to the North and surface water from hydrological events drains into the East River.

Fish and Wildlife Resources Description

The site has been demolished and is primarily compacted soil with scarce vegetation. The land area of the site provides poor conditions for wildlife population due to a lack of food sources and cover. Urban-adapted species such as raccoons and rats use the site infrequently. The site has 278 ft of frontage against the East River to the North and a portion of Block 906 Lot 1 extends into the river. The shoreline includes areas with 0.2% annual chance flood hazard. The East River is classified as an Estuarine and Marine Deepwater and provides good quality habitat for pelagic and benthic species, as well as birds.

The Site and adjacent tidal wetlands are valuable for marine food production, wildlife habitat, flood, hurricane and storm control, recreation, and aesthetic value.

Section IV: Land Use Factors

SECTION IV: LAND USE FACTORS

Zoning

According to the New York City Planning Commission Zoning Map 9a, the Site is zoned for residential (R7-3) with commercial (C2-4) overlay allowing for commercial and mixed-use buildings to be built in residential zones. The characteristics of this district range from large-scale developments to neighborhoods with a diverse mix of building types and heights. The C2-4 Zoning District is primarily residential with commercial uses on the street level. The commercial uses are usually typical commercial uses for residential areas, including retail, restaurants, and services for the day-to-day needs of a residential neighborhood. The proposed development of this property is consistent with the current zoning.

Current Use

The Site is currently an undeveloped lot. The Site has been vacant since 2014.

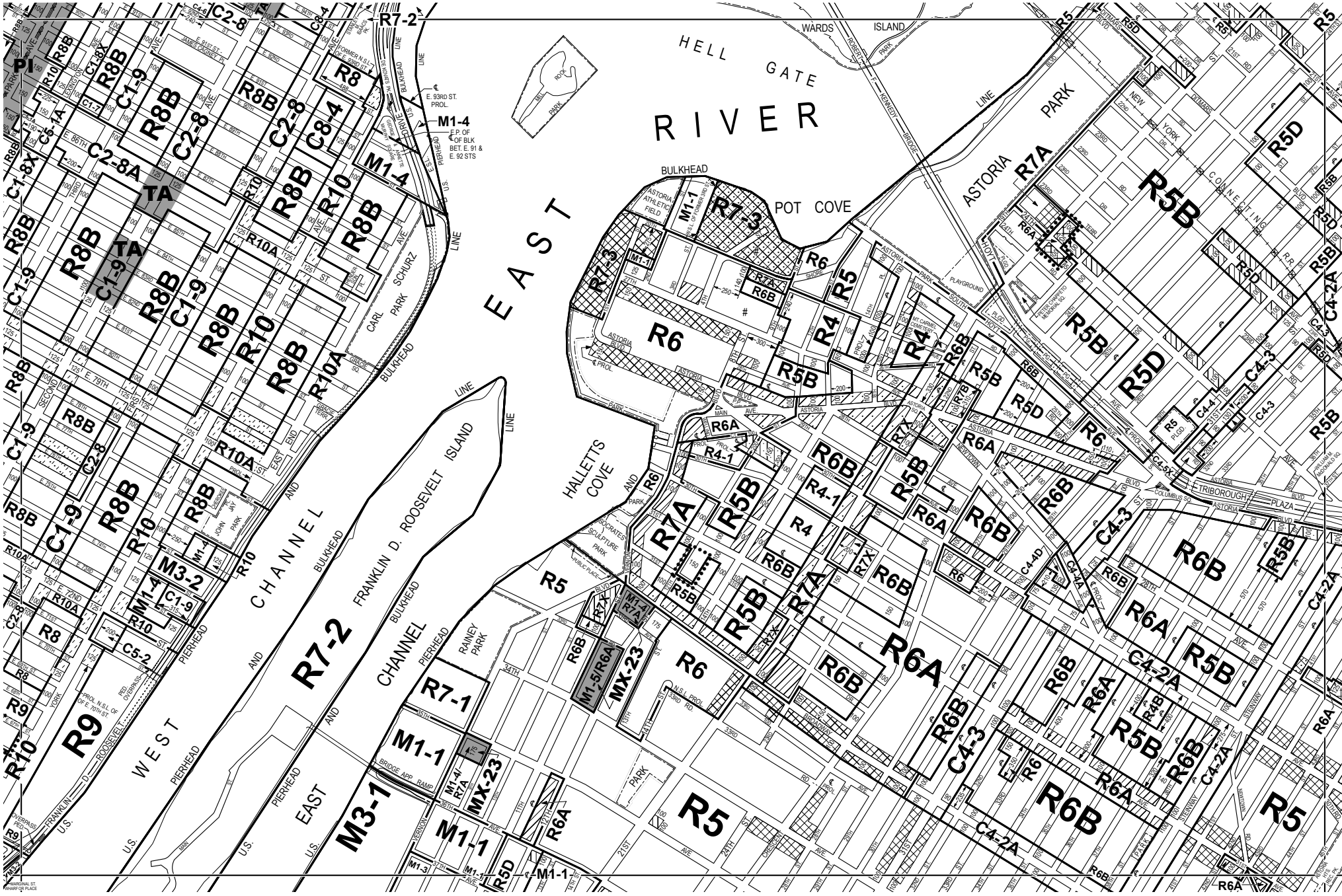
Intended Use Post-Remediation

While the development plans are conceptual at this time, the planned project will consist of constructing a new eight-story residential building with one cellar level as Building 3A and a new 26-story residential tower atop a nine-story residential space podium and one cellar level as Building 3B. The new development is anticipated to extend to approximately 10 ft bgs to an elevation of 8.5 ft North American Vertical Datum of 1988 (NAVD88). The area to the west of the building will be developed as the 8th Street Mews, a public access area. The area to the north of the building will be developed as a paved pedestrian walkway. The areas to the south and east of the building will be finished with sidewalks.

The architectural set is still in the design phase and will be released when available.

Compliance with Applicable Zoning Laws, Recent Development, and Community Master Plans

According to the New York City Planning Commission Zoning Map 9a, the Site is zoned for residential (R7-3) with commercial (C2-4) overlay. The Site has been assigned an E-Designation for hazardous materials and air quality as part of the Astoria Cove Rezoning (City Environmental Quality Review [CEQR] Project No. 13DCP127Q). The approved Final Environmental Impact Statement (FEIS) dated September 2014 lists the Site as projected development site Building 3 within a Zoning District change from M1-1 to R7-3/C2-4. The proposed development of this property is consistent with the current zoning and will be completed in accordance with the Astoria Cove Rezoning requirements. The applicable zoning map is included as an attachment. The Site is located in a Disadvantaged Community.




ZONING MAP


THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

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

- R** - RESIDENTIAL DISTRICT
- C** - COMMERCIAL DISTRICT
- M** - MANUFACTURING DISTRICT

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

 **AREA(S) REZONED**

Effective Date(s) of Rezoning:

10-10-2024 C 230022 ZMQ

Special Requirements:

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

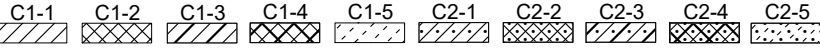
For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

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

MAP KEY

5d	6b	6d
8c	9a	9c
8d	9b	9d

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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.

NOTE: STREETS FOR THE STREET MAP CHANGE C 130384 MMQ ARE SHOWN ON THIS MAP PRIOR TO BECOMING EFFECTIVE IN ORDER TO LOCATE ZONING DISTRICT BOUNDARIES.

ZONING MAP **9a**

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

Section V: Current Property Owner/Operator Information

SECTION V: CURRENT PROPERTY OWNER/OPERATOR INFORMATION

Current Owner and Operator

KS Astoria Holdings LLC is the current owner of 8-01 26th Avenue and 8-51 26th Avenue (Lot 1 and Lot 5), which makes up the Site. The deed for both 8-51 26th Avenue (Lot 1) and 8-01 26th Avenue (Lot 5), dated March 21, 2025, is available on ACRIS and included as an attachment in Section V. The Site is currently vacant.

Previous Owners and Operators

A list of current and previous owners of 8-01 26th Avenue and 8-51 26th Avenue (Lots 1 and Lot 5), is provided in the below table.

Date	Document Type	First Party	First Party Address	Second Party	Relationship of First Party to Applicant
3/21/2025	Deed	2030 Astoria Developers LLC	8-01 and 8-51 26th Avenue Queens, New York 11102	KS Astoria Holdings LLC	None*
8/12/2014	Deed	Superior Steel Studs, Inc. C/O Superior Steel Building Products, Inc.	2960 Woodbridge Avenue, Edison, NJ 08837	2030 Astoria Developers LLC	None
7/31/2006	Deed	New York City Industrial Development Agency	110 William Street, New York, NY 10038	Superior Steel Studs, Inc.	None
1/14/1981	Deed	Momacco Inc.	4-57 26th Avenue, Astoria, NY 11102	New York City Industrial Development Agency	None

Reference: New York City Department of Finance Automated City Register Information System (ACRIS) website: <https://a836-acris.nyc.gov/DS/DocumentSearch/BBLResult>. Current and former addresses and telephone numbers of the previous property owners are not available.

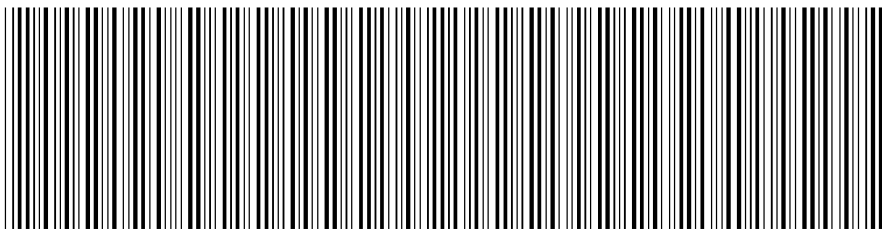
The Site is currently undeveloped and has been vacant since 2014. A list of previous known operators is provided in the below table.

Name	Relationship to Property	Address and Phone Number	Relationship to Applicant
2030 Astoria Developers LLC	Operator (2014-2025)	8-01 and 8-51 26th Avenue Queens, New York 11102 Phone No. (718) 267-0300	None*
Superior Steel Studs, Inc.	Operator (2006-2014)	8-01 and 8-51 26th Avenue Queens, New York 11102 Phone No. Unknown	None
Superstud Superior Steel Stud Manufacturing	Operator (1981-2006)	906 9th Street Queens, New York 11102 Phone No. Unknown	None
Morey Machinery Co., Inc.	Operator (1948-1979)	906 9th Street Queens, New York 11102 Phone No. Unknown	None
Tisdale Lumber & Coal Yard	Operator (1898-1936)	189 Wardell Street Queens, New York 11102 Phone No. Unknown	None

* 2030 Astoria Development LLC ("Seller") sold the Site to KS Astoria Holdings LLC on March 21, 2025, in an arms-length transaction for a negotiated Purchase Price. Part of the Purchase Price was paid at Closing; the balance of the Purchase Price is to be paid by a date certain. To secure payment of that balance, certain principals of Seller have formed a new entity ("NuCo") that has been given a membership interest in a twice-removed upstream entity in the ownership chain of the Requestor. Upon payment of the balance, NuCo will be removed from that upstream entity, and will have no ongoing relationship, direct or indirect, with Requestor. In the interim, for all intents and purposes, NuCo is a secured lender of Requestor.

**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.



2025040400172001001E6108

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 8

Document ID: 2025040400172001

Document Date: 03-21-2025

Preparation Date: 04-04-2025

Document Type: DEED

Document Page Count: 6

PRESENTER:

KENSINGTON VANGUARD NATIONAL LAND SERVICES
41 MADISON AVENUE, 21ST FLOOR
TITLE NO. 5218517-F-NY-MR-SJ
NEW YORK, NY 10010
212-532-8686

RETURN TO:

B. DAVID SCHREIBER, ESQ.
366 PEARSALL AVENUE, SUITE 1
CEDARHURST, NY 11516

PROPERTY DATA

Borough	Block	Lot	Unit	Address
QUEENS	906	1	Entire Lot	8-51 26 AVENUE

Property Type: NON-RESIDENTIAL VACANT LAND

Borough	Block	Lot	Unit	Address
QUEENS	906	5	Entire Lot	8-01 26 AVENUE

Property Type: NON-RESIDENTIAL VACANT LAND

☒ Additional Properties on Continuation Page

CROSS REFERENCE DATA

CRFN _____ or DocumentID _____ or _____ Year _____ Reel _____ Page _____ or File Number _____

PARTIES

GRANTOR/SELLER:

2030 ASTORIA DEVELOPERS LLC
31-10 37TH AVE, STE 500
LONG ISLAND CITY, NY 11101

GRANTEE/BUYER:

KS ASTORIA HOLDINGS LLC
60 PARK PLACE
NEWARK, NJ 07102

FEES AND TAXES

Mortgage :

Mortgage Amount:	\$	0.00
------------------	----	------

Taxable Mortgage Amount:	\$	0.00
--------------------------	----	------

Exemption:

TAXES: County (Basic):	\$	0.00
------------------------	----	------

City (Additional):	\$	0.00
--------------------	----	------

Spec (Additional):	\$	0.00
--------------------	----	------

TASF:	\$	0.00
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MTA:	\$	0.00
------	----	------

NYCTA:	\$	0.00
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Additional MRT:	\$	0.00
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TOTAL:	\$	0.00
--------	----	------

Recording Fee:	\$	74.00
----------------	----	-------

Affidavit Fee:	\$	0.00
----------------	----	------

Filing Fee:

\$	250.00
----	--------

NYC Real Property Transfer Tax:

\$	413,437.50
----	------------

NYS Real Estate Transfer Tax:

\$	102,377.50
----	------------

**RECORDED OR FILED IN THE OFFICE
OF THE CITY REGISTER OF THE**

CITY OF NEW YORK

Recorded/Filed 04-07-2025 11:36

City Register File No.(CRFN):

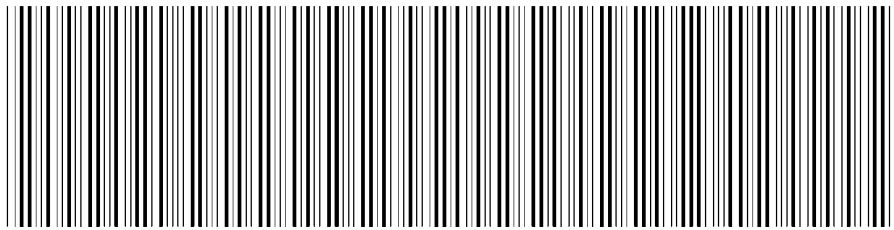
2025000093844



Colette N. Chiu-Jacques

City Register Official Signature

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2025040400172001001C6388

RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION) PAGE 2 OF 8

Document ID: 2025040400172001 Document Date: 03-21-2025 Preparation Date: 04-04-2025
Document Type: DEED

PROPERTY DATA

Borough	Block Lot	Unit	Address
QUEENS	908 12 Entire Lot		4-57 26 AVENUE
Property Type: NON-RESIDENTIAL VACANT LAND			
Borough	Block Lot	Unit	Address
QUEENS	909 35 Entire Lot		4-34 26 AVENUE
Property Type: APARTMENT BUILDING			

DEED

THIS INDENTURE, made as of the 21st day of March, 2025, between 2030 ASTORIA DEVELOPERS LLC, a Delaware limited liability company authorized to do business in the State of New York, having an address at 31-10 37th Avenue, Suite 500, Long Island City, NY 11101 ("Grantor") and KS ASTORIA HOLDINGS LLC, a Delaware limited liability company authorized to do business in the State of New York, having an address at principal business office of the Company shall be located at 60 Park Place, Newark, New Jersey 07102 ("Grantee").

W I T N E S S E T H :

That Grantor, in consideration of Ten Dollars (\$10.00) and other valuable consideration paid by Grantee, does hereby grant and release unto Grantee, the heirs or successors and assigns of Grantee forever, all that plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being known as 8-11/8-51 26th Avenue aka 25-18 9th Street, Long Island City, New York (Block: 906, Lot: 1), 8-01 26th Avenue aka 25-02 9th Street, Long Island City, New York (Block: 906, Lot: 5), 4-57 26th Avenue aka 4-42 26th Avenue aka 26-10 9th Street aka 8-02 26th Avenue, Long Island City, New York (Block: 908, Lot: 12), 4-34 26th Avenue, Long Island City, New York (Block: 909, Lot: 35) (collectively, the "Premises"), as more particularly described on Exhibit A annexed hereto and made a part hereof,

Together with all right, title and interest, if any, of Grantor in and to any streets and roads abutting the Premises to the center lines thereof;

Together with the appurtenances and all the estate and rights of Grantor in and to said Premises;

TO HAVE AND TO HOLD the Premises herein granted unto Grantee, the heirs or successors and assigns of Grantee, forever;

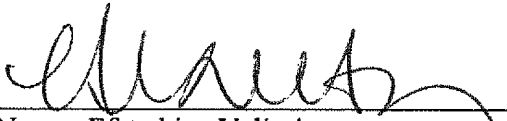
AND the Grantor covenants that the Grantor has not done or suffered anything whereby the said Premises have been encumbered in any way, except as aforesaid;

AND Grantor, in compliance with Section 13 of the Lien Law, covenants that Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvements at the Premises and will apply the same first to the payment of the cost of the improvements before using any part of the total of the same for any other purpose.

[NO FURTHER TEXT ON THIS PAGE]

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

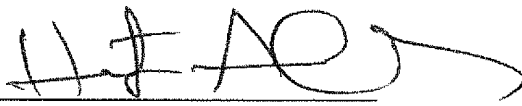
2030 ASTORIA DEVELOPERS LLC



Name: Efstathios Valiotis
Title: Manager

STATE OF NEW YORK)
) SS.:
COUNTY OF QUEENS)

On the 13th day of March 2025, before me, the undersigned, personally appeared Efstathios Valiotis, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity(ies), and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

HECTOR ALEXIADES
Notary Public, State of New York
Registration # 02AL6016470
Qualified in Queens County
Commission Expires Jan. 16, ~~2025~~



2027

EXHIBIT A

Legal Description

FIRST AMERICAN TITLE INSURANCE COMPANY

Title No.: 5218517-F-NY-MP-SJ

Schedule A Description

Parcel I, (Block: 906, Lot: 1):

ALL that certain plot, piece or parcel of land, situate, lying and being in the First Ward of the Borough and County of Queens, City and State of New York, bounded and described as Block 906, Lot 1:

BEGINNING at the point of the northerly side of 26th Avenue (formerly known as Orchard Boulevard), distance 131.76 (deed) and 131.91 (calc) from the corner formed by the intersection of northerly side of 26th Street and central line of 8th Street;

RUNNING THENCE northerly, a distance 305 feet (Deed) 303.26 (calc);

THENCE northwesterly, a distance 25.75 feet;

THENCE easterly, a distance of 125.03 feet;

THENCE northeasterly, a distance 36.25 feet;

THENCE southerly along centerline of 9th Street, a distance 140.56 feet;

THENCE westerly forming interior angle of 90 degrees, a distance 30.00 feet;

THENCE southerly along westerly side of 9th Street, a distance 162.00 feet;

Thence westerly along curve (concave South) along northerly side of 26th Avenue, a distance 102.03 (desc) and 101.98 (calc) and radius 440.852 to the point or place of BEGINNING.

Parcel II, (Block: 906 Lot: 5):

ALL that certain plot, piece or parcel of land, situate, lying and being in the First Ward of the Borough and County of Queens, City and State of New York, bounded and described as Block 906, Lot 5:

BEGINNING at a point formed by the intersection of the northerly side of 26th Avenue (formerly known as Orchard Boulevard) with the centerline of 8th Street (formerly known as Steven Street);

RUNNING THENCE northerly along centerline of 8th Street, a distance 346.39 feet (deed) and 346.37 feet (description);

THENCE southeasterly along line (exterior bulkhead line as in grant description), a distance 141 feet 5 inches (deed) and 141.47 (calc);

THENCE southerly, a distance 305 feet (Deed) and 303.26 (calc) to the northerly side of 26th Avenue;

THENCE westerly along northerly side of 26th Avenue having a radius of 440.852 and distance 38.54 feet;

THENCE westerly along northerly side of 26th Avenue, distance 93.37 feet to the point or place of BEGINNING.

Parcel III, (Block: 908 Lot: 12):

ALL that certain plots, piece or parcel of land, situate, lying and being in the First Ward of the Borough and County of Queens, City and State of New York, bounded and described as Block 908, Lot 12:

BEGINNING at a point formed by the intersection of the southerly side of 26th Avenue (formerly known as Orchard

SCHEDULE A DESCRIPTION (Continued)

Boulevard) with the center line of 8th Street (formerly known as Stevens Street).

RUNNING THENCE easterly along southerly side of 26th Street (not legal open), a distance 91.89 feet to the beginning of the curve;

THENCE easterly along curve concave North along southerly side of 26th Street (not legal open), distance of 141.41 feet with radius 500.852 feet;

THENCE southerly along westerly side of 9th Street, a distance 116.91 feet;

THENCE westerly forming interior angle 90 feet with previous course, a distance of 100.09 feet;

THENCE southerly forming exterior angle 90 feet with previous course, a distance 151.21;

THENCE westerly forming interior angle 88 degrees 43 minutes 20 seconds with previous course, a distance 106.15;

THENCE southerly along easterly side of 8th Street (not legal open) forming exterior angle 80 degrees 35 minutes 00 seconds with previous course to the northerly side of 27th Avenue, a distance 250.03 feet;

THENCE westerly along northerly side of 27th Avenue forming exterior angle 91 degrees 25 minutes 00 seconds with previous course, a distance of 25.01 feet;

THENCE northerly along centerline of 8th Street forming interior angle 91 degrees 25 minutes 00 seconds with previous course, a distance 500.56 feet to the point or place of BEGINNING.

Parcel IV, (Block: 909, Lot 35):

ALL that certain plot, piece or parcel of land, situate, lying and being in the First Ward of the Borough and County of Queens, City and State of New York, bounded and described as Block 909, Lot 35:

BEGINNING at the point of southerly side of 26th Avenue (formerly known Orchard Boulevard), distant 250.05 feet easterly from the corner formed by the intersection of the southerly side of 26th Avenue and 4th Street;

RUNNING THENCE easterly along southerly side of 26th Avenue, 150.36 feet;

THENCE southerly along the centerline of the 8th Street forming interior angle of 91 degrees 25 minutes 00 seconds with previous course, a distance 200.20 feet;

THENCE westerly forming interior angle of 88 degrees 35 minutes 00 seconds with previous course, a distance 135.35 feet;

THENCE northerly forming interior angle of 91 degrees 25 minutes 00 seconds with previous course, a distance of 96.2 feet;

THENCE westerly forming exterior angle of 91 degrees 25 minutes 00 seconds with previous course, a distance 15.00 feet;

THENCE northerly to the southerly side of 26th Avenue forming interior angle of 91 degrees 25 minutes 00 seconds with previous course, a distance of 104.00 feet to the point or place of BEGINNING.

TOGETHER with all right, title and interest of the party of the first part of, in and to the land lying in the street in front of and adjoining said premises.

DEED

2030 ASTORIA DEVELOPERS LLC

to

KS ASTORIA HOLDINGS LLC

BLOCK: 906
LOTS: 1 and 5
COUNTY: Queens

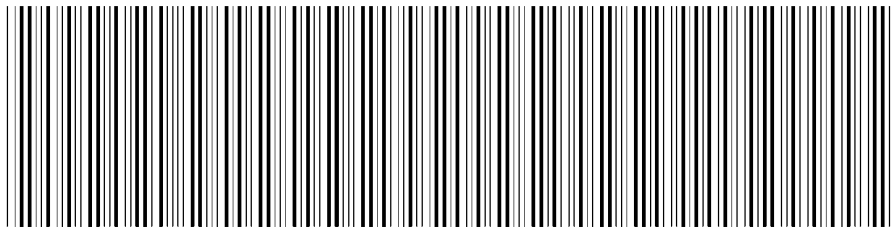
BLOCK: 908
LOT: 12
COUNTY: Queens

BLOCK: 909
LOT: 35
COUNTY: Queens

RECORD AND RETURN TO:

B. David Schreiber, Esq.
366 Pearsall Avenue, Suite 1
Cedarhurst, New York 11516

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2025040400172001001SAF89

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2025040400172001
Document Type: DEED

Document Date: 03-21-2025

Preparation Date: 04-04-2025

ASSOCIATED TAX FORM ID: 2025031200075

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING
RP - 5217 REAL PROPERTY TRANSFER REPORT

2
4



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

Customer Registration Form for Water and Sewer Billing

Property and Owner Information:

- (1) Property receiving service: BOROUGH: QUEENS BLOCK: 906 LOT: 1
- (2) Property Address: 8-51 26 AVENUE, QUEENS, NY 11102
- (3) Owner's Name: KS ASTORIA HOLDINGS LLC
- Additional Name:

Affirmation:



Your water & sewer bills will be sent to the property address shown above.

Customer Billing Information:

Please Note:

- A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, the property being placed in a lien sale by the City or Service Termination.
- B. Original bills for water and/or sewer service will be mailed to the owner, at the property address or to an alternate mailing address. DEP will provide a duplicate copy of bills to one other party (such as a managing agent), however, any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her liability to pay all outstanding water and sewer charges. Contact DEP at (718) 595-7000 during business hours or visit www.nyc.gov/dep to provide us with the other party's information.

Owner's Approval:

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

Print Name of Owner:

KS Astoria Holdings LLC

Signature: _____

Date (mm/dd/yyyy) 03/17/2025

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

SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES



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

Customer Registration Form for Water and Sewer Billing

Borough	Block	Lot	Street	City	State	Zip
QUEENS	906	5	8-01 26 AVENUE	NY	NY	11102
QUEENS	908	12	4-57 26 AVENUE	NY	NY	11102
QUEENS	909	35	4-34 26 AVENUE	NY	NY	11102

202503120007510103

FOR CITY USE ONLY

C1. County Code C2. Date Deed Recorded / /
 Month Day Year

C3. Book OR C4. Page
 C5. CRFN



REAL PROPERTY TRANSFER REPORT

 STATE OF NEW YORK
 STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217NYC

PROPERTY INFORMATION

1. Property Location 8-51 26 AVENUE QUEENS 11102
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name KS ASTORIA HOLDINGS LLC
 LAST NAME / COMPANY FIRST NAME

LAST NAME / COMPANY FIRST NAME

3. Tax Billing Address Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)
 LAST NAME / COMPANY FIRST NAME

STREET NUMBER AND STREET NAME CITY OR TOWN STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 4 # of Parcels OR ☐ Part of a Parcel

4A. Planning Board Approval - N/A for NYC

4B. Agricultural District Notice - N/A for NYC

5. Deed Property Size FRONT FEET X DEPTH OR ACRES

Check the boxes below as they apply:

6. Ownership Type is Condominium ☐7. New Construction on Vacant Land ☐

8. Seller Name 2030 ASTORIA DEVELOPERS LLC
 LAST NAME / COMPANY FIRST NAME

LAST NAME / COMPANY FIRST NAME

9. Check the box below which most accurately describes the use of the property at the time of sale:

A ☐ One Family Residential
 B ☐ 2 or 3 Family Residential

C ☐ Residential Vacant Land
 D ☐ Non-Residential Vacant Land

E ☒ Commercial
 F ☐ Apartment

G ☐ Entertainment / Amusement
 H ☐ Community Service

I ☐ Industrial
 J ☐ Public Service

SALE INFORMATION

10. Sale Contract Date 8 / 9 / 2023
 Month Day Year

11. Date of Sale / Transfer 3 / 21 / 2025
 Month Day Year

12. Full Sale Price \$ 4 5 0 0 0 0 0 0
 (Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

13. Indicate the value of personal property included in the sale

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

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

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

15. Building Class V 1 16. Total Assessed Value (of all parcels in transfer) 1 9 9 2 1 5 0

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

QUEENS 906 1

QUEENS 906 5

QUEENS 908 12

CERTIFICATION

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

BUYER**BUYER'S ATTORNEY**

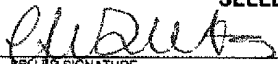
BUYER SIGNATURE 60 PARK PLACE		DATE	LAST NAME		FIRST NAME
STREET NUMBER		STREET NAME (AFTER SALE)		AREA CODE	TELEPHONE NUMBER
NEWARK		NJ	07102		SELLER
CITY OR TOWN		STATE	ZIP CODE		SELLER SIGNATURE
					DATE

2025031200075201

CERTIFICATION

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

BUYER**BUYER'S ATTORNEY**

BUYER SIGNATURE 60 PARK PLACE		DATE	LAST NAME		FIRST NAME
STREET NUMBER	STREET NAME (AFTER SALE)		AREA CODE	TELEPHONE NUMBER	
NEWARK				SELLER	
CITY OR TOWN	STATE NJ	ZIP CODE 07102	SELLER SIGNATURE 		DATE 3/13/25

Borough	Block	Lot
QUEENS	909	35

Section VI: Property's Environmental History

SECTION VI.1: REPORTS

The following reports were prepared for the site prior to the Requestor's application:

1. Phase I Environmental Site Assessment prepared by G.C. Environmental, Inc., dated July 29, 2013;
2. Limited Phase II Environmental Site Assessment prepared by G.C. Environmental, Inc., dated December 2014;
3. *Astoria Cove Additional Subsurface Sampling*, prepared by GEI Consultants, Inc., P.C., prepared for Alma Realty Corporation, June 30, 2020.
4. *Remedial Investigation Report*, prepared by GEI Consultants, Inc., P.C., prepared for Astoria Cove Phase 1, LLC, April 2022;
5. *Geotechnical Report Astoria Cove Development*, prepared by GEI Consultants, Inc., P.C., prepared for Slim Astoria 2468 LLC c/o CAD3 Construction and Development, December 2023;
6. *Remedial Action Plan*, prepared by GEI Consultants, Inc., P.C., prepared for Cape Astoria Cove JV, LLC, January 2024; and,
7. *Remedial Action Plan Stipulation List*, prepared by GEI Consultants, Inc., P.C., prepared for New York City Office of Environmental Remediation, January 11, 2024.
8. Phase I Environmental Site Assessment prepared by Haley & Aldrich of New York, dated March 20, 2025.

Environmental reports are summarized below and are included as separate standalone files on the attached USB.

June 2020 Astoria Cove Additional Subsurface Sampling, Prepared by GEI Consultants, Inc., P.C.

GEI Consultants, Inc., PC (GEI Consultants) completed an Additional Subsurface Sampling Report for the northern portion of the Site in June 2020. A total of twelve geotechnical soil borings (B-12 through B-23) were advanced in the subject property. The soil borings were generally advanced to 75 to 100 ft bgs, or approximately 10 ft into bedrock. One of these borings (B-16) was finished as a well to obtain depth to water readings. Soil samples were collected from what appeared to be the most environmentally impacted zone of five of the borings (B-15, B-16, B-21, B-22, and B-23) based on visual and olfactory findings and PID screening results. Samples were analyzed for target compound list (TCL) volatile organic compounds (VOCs), SVOCs, polychlorinated biphenyls (PCBs), organic pesticides, chlorinated herbicides, and target analyte list (TAL) Metals. The analytical data was compared to Title 6NYCRR Part 375 6.8 UUSCOs, Restricted Residential Use Soil Cleanup Objectives (RRUSCOs), and Commercial Use Soil Cleanup Objectives (CUSCOs).

Historic urban fill was encountered throughout the subject property and ranged in thickness from 2 ft to a maximum of 23 ft in the northern portion of the subject property along the waterfront. Visual/olfactory impacts, including PLOs and black soil staining, along with elevated PID readings, were also encountered along the waterfront from the surface down to approximately 22 ft bgs. SVOCs exceeding UUSCOs, RRUSCOs, CUSCOs, and IUSCOs, and metals and PCBs exceeding UUSCOs were identified in the soil along the waterfront and in the southeast portion of the subject property. VOCs and pesticides exceeding UUSCOs were identified in the soil along the waterfront in the subject property.

April 2022 Remedial Investigation Report, Prepared by GEI Consultants, Inc., P.C.

GEI Consultants performed a Remedial Investigation (RI) at Block 906 Lots 1 & 5 and a small portion of Block 907 Lot 1 (proposed Building 3A and 3B; the subject property) in addition to Block 909 Lot 35 (proposed Building 4) and Block 908 Lot 12 (proposed Building 5) between January and February 2022 to provide information sufficient for establishing remedial action objectives, evaluating remedial actions, and selecting a remedy. The investigation included a geophysical survey, installation of nine soil borings (SB-100 through SB-114) across the subject property to collect 18 samples, four groundwater monitoring wells (MW-1 through MW-4) to collect four samples, and six soil vapor probes (SV-1 through SV-6) to collect six samples. Soil samples were analyzed for VOCs, SVOCs, TAL metals, pesticides, PCBs, 1,4-dioxane, and PFAS. Groundwater samples were analyzed for VOCs, SVOCs, TAL metals, pesticides, PCBs, 1,4-dioxane, and PFAS. Soil vapor samples were analyzed for VOCs.

Field observations and laboratory analytical results are summarized below:

- The stratigraphy from the site, from the surface down, consists of historic fill material to a depth of 5 to 10 ft underlain by glacial sands and gravel to the termination depth of the borings. The historic fill generally consisted of sand with silt and gravel containing brick and concrete fragments. No visual impacts (e.g., staining, odors, sheens, etc.) were identified and no PID readings above background were noted. Depth to bedrock was encountered at a previous geotechnical investigation at approximately 75 to greater than 100 ft bgs. The depth to groundwater at the site ranges between 10 to 20 ft in the northern portion of the subject property and generally flows from south to north beneath the site towards the East River.
- Soil/fill samples collected during the RI were compared to the Title 6 New York Codes, Rules, and Regulations (6NYCRR) Part 375-6.8 Unrestricted Use Soil Cleanup Objectives (UUSCOs) and the Restricted Residential Use SCOs (RRUSCOs). Soil results for proposed Building 3A and 3B are summarized below:
 - VOCs, including acetone (max. of 0.12 milligrams per kilogram [mg/kg]), PCE (max. of 38 mg/kg), and trichloroethene (at 0.86 mg/kg) were detected at concentrations exceeding UUSCOs. Of these VOCs, PCE was also detected at concentrations above RRUSCOs.
 - SVOCs, including benzo(a)anthracene (max. of 3.4 mg/kg), benzo(a)pyrene (max. of 2.9 mg/kg), benzo(b)fluoranthene (max. of 4.2 mg/kg), benzo(k)fluoranthene (at 1.2 mg/kg), chrysene (max. of 3.1 mg/kg), dibenzo(a,h)anthracene (at 0.38 mg/kg), and indeno(1,2,3-cd)pyrene (max. of 2 mg/kg) were detected at concentrations exceeding their UUSCOs. Of these SVOCs, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene were also detected at concentrations exceeding their RRUSCOs.
 - Pesticides, including 4,4'-DDE (at 0.00562 mg/kg), 4,4'-DDD (at 0.0072 mg/kg), and 4,4'-DDT (at 0.0233 mg/kg) were detected at concentrations exceeding their UUSCOs.
 - PCBs, including Aroclor 1248 (max. of 3.21 mg/kg), Aroclor 1254 (at 3.44 mg/kg), Aroclor 1260 (at 0.117 mg/kg), Aroclor 1268 (at 1.22 mg/kg), and total PCBs (max. of 3.44 mg/kg) were detected at concentrations exceeding their UUSCOs. Of these PCBs, Aroclor 1248, Aroclor 1254, Aroclor 1268, and total PCBs were also detected at concentrations exceeding their RRUSCOs.
 - Metals, including copper (max. of 156 mg/kg), lead (max. of 168 mg/kg), mercury (max. of 1.45 mg/kg), nickel (at 140 mg/kg), trivalent chromium (max. of 220 mg/kg), and zinc (max. of 265 mg/kg) were detected at concentrations exceeding their UUSCOs. Of these

metals, mercury and trivalent chromium were also detected at concentrations exceeding their RRUSCOs.

- Emerging contaminants, including perfluorooctanoic acid (PFOA) (at 0.000046 mg/kg), PFOS (at 0.00128 mg/kg), and perfluoroundecanoic acid (PFUnA) (at 0.000059 mg/kg) were detected in the soil samples. 1,4-dioxane was not detected in any of the soil samples.
- Groundwater samples collected during the RI were compared to the New York State 6NYCRR Part 703.5 Class GA AWQs. Groundwater results for Building 3A and 3B are summarized below:
 - No pesticides were detected at concentrations above their AWQS.
 - VOCs, including PCE (at 11 µg/L) and TCE (max. of 13 µg/L), were detected at concentrations exceeding their AWQS.
 - SVOCs, including benzo(a)anthracene (max. of 0.54 µg/L), benzo(a)pyrene (max. of 0.56 µg/L), benzo(b)fluoranthene (max. of 0.77 µg/L), benzo(k)fluoranthene (max. of 0.2 µg/L), chrysene (max. of 0.45 µg/L), indeno(1,2,3-cd)pyrene (max. of 0.47 µg/L), and phenol (max. of 3.9 µg/L), were detected at concentrations exceeding their AWQS. Phenol was detected in the field blank sample (FB-020222) at a concentration of 2.4 µg/L, which is above the AWQS of 1 µg/L.
 - PCBs, including Aroclor 1248 (at 1.01 µg/L), Aroclor 1254 (at 1.13 µg/L), Aroclor 1260 (at 0.145 µg/L), and total PCBs (at 2.29 µg/L) were detected at concentrations exceeding their AWQS.
 - Dissolved metals, including magnesium (max. of 494,000 µg/L), manganese (at 1,124 µg/L), and sodium (max. of 4,410,000 µg/L), were detected at concentrations exceeding their AWQS.
 - Emerging contaminants, including perfluorobutanoic acid (PFBA) (max. of 0.0131 µg/L), perfluoropentanoic acid (PFPeA) (max. of 0.0204 µg/L), perfluorobutanesulfonic acid (PFBS) (max. of 0.00727 µg/L), perfluorohexanoic acid (PFHxA) (max. of 0.0227 µg/L), perfluoroheptanoic acid (PFHpA) (max. of 0.0157 µg/L), perfluorohexanesulfonic acid (PFHxS) (max. of 0.0272 µg/L), PFOA (max. of 0.0409 µg/L), perfluoroheptanesulfonic acid (PFHpS) (max. of 0.00638 µg/L), PFNA (at 0.0026 µg/L), PFOS (max. of 0.038 µg/L), PFDA (at 0.00081 µg/L), PFTA (at 0.000508 µg/L), and 1,4-dioxane (max. of 0.425 µg/L), were detected in the groundwater samples.
- Soil vapor samples collected during the RI were compared to the New York State Department of Health (NYSDOH) Final Guidance for Evaluating Soil Vapor Intrusion matrices dated October 2006. Soil vapor results are summarized below:
 - Soil vapor results indicated low levels of petroleum-related VOCs and elevated levels of chlorinated VOCs (CVOCs).
 - The total concentration of petroleum-related VOCs (BTEX) ranged from 2.449 µg/m³ to 14.9 µg/m³.
 - CVOCs, including 1,1,1-trichloroethane (ranging from 7.15 µg/m³ to 606 µg/m³), methylene chloride (at 2.48 µg/m³), and TCE (at 23.2 µg/m³) were detected in the soil vapor samples. Other CVOCs, including carbon tetrachloride, PCE, and vinyl chloride were not detected in any of the soil vapor samples.
 - Acetone was detected in the soil vapor samples ranging from 69.8 µg/m³ to 3,470 µg/m³. Acetone is a common laboratory contaminant.

December 2023 Geotechnical Report Astoria Cove Development, Prepared by GEI Consultants, Inc., P.C.

GEI Consultants completed a subsurface investigation to investigate subsurface conditions at the subject property (Building 3A/3B) and present recommendations for foundations and other geotechnical aspects of design and construction. The geotechnical subsurface investigation tasks included:

- Engaging a test boring contractor to drill 27 geotechnical test borings and install six observation wells in the support of Building 3A/3B, Building 4, Building 5 for geotechnical design. Borings B12 through B23, B101, and B102 are located on the subject property.
- Performing split spoon sampling and cumulatively collected about 68 ft of rock cores.
- Evaluating soil and rock samples recovered from the test borings and prepared test boring logs.
- Performing geotechnical index testing on soil samples from the test borings.
- Groundwater levels were gauged in six observation wells installed in geotechnical test borings in March 2020 as B5 (OW), B8 (OW), B16 (OW), B29(OW), and B53 (OW). The observation well located within the subject property boundary, B16(OW), had a groundwater level reading of 17.3 ft bgs (el. 4 ft [NAVD88]). In February 2022, four temporary wells (MW-1 through MW-4) were installed in the subject property and subsequently gauged. Groundwater level readings during the February 2022 gauging event were approximately 11.3 to 17.6 ft bgs (el. 1.1 to 2 ft [NAVD88]).

January 2024 Remedial Action Plan, Prepared by GEI Consultants, Inc., P.C.

A Remedial Action Plan (RAP) for Building 3A/3B was prepared by GEI Consultants under the Office of Environmental Remediation (OER) Voluntary Cleanup Program (VCP). The remedial action described in the RAP provides for the protection of public health and the environment consisted with the proposed mixed-use commercial and residential development. The proposed redevelopment of the site consists of two mixed-use commercial and residential buildings, designated Building 3A and Building 3B. Buildings 3A and 3B will be located on Block 906 Lots 1 & 5 and the 8th Street Mews will be located on a small portion of Block 907 Lot 1. The proposed buildings 3A and 3B consists of an eight-story and 26-story building, respectively, with a full cellar extending approximately 10 ft bgs on average. For development purposes, soil beneath Building 3A and 3B was planned to be excavated to 4.5 to 12.5 ft bgs to an elevation of approximately 8.5 ft (NAVD88) for the full cellar. To facilitate development, GEI Consultants proposed excavation and removal of soil/fill exceeding Track 4 Site-Specific SCOs. Proposed engineering controls included installation of a composite cover system consisting of 6-inch-thick concrete building slab underlain by compacted crushed stone, and the installation of a vapor barrier system consisting of vapor barrier beneath the building cellar slab and outside of sub-grade foundation walls to grade of the building. Additionally, a passive sub-slab depressurization system (SSDS) was proposed and would consist of a network of horizontal pipe set in the middle of a gas permeable layer immediately beneath the building slab and vapor barrier system. The RAWP included provisions to establish institutional controls and prepare a Site Management Plan (SMP). The SMP would provide for long-term management of residual contamination and include plans for the operation, maintenance, monitoring, and inspection certification requirements of the engineering and institutional controls.

January 2024 Remedial Action Plan Stipulation List, Prepared by GEI Consultants, Inc., P.C.

A Remedial Action Plan (RAP) Stipulation List for Building 3A and 3B was prepared by GEI Consultants under the OER VCP. The Stipulation List serves as an addendum to the RAP to stipulate additional content, requirements, and procedures that would be followed during site remediation.

SECTION VI.2: SAMPLING DATA

Analytical Results Summary Tables

Soil Summary Table

Analytes > RRSCO/UUSCO	Detections > UUSCOs	Detections > RRSCOs	Max Concentration (ppm)	UUSCO (ppm)	RRSCO (ppm)	Depth (ft bgs)
Benzo(k)fluoranthene	5	0	2.9	0.8	3.9	20-22
Dieldrin	1	0	0.00581	0.005	0.2	20-22
Chrysene	3	3	6.8	1	3.9	20-22
Benzo(a)anthracene	0	6	8.1	1	1	20-22
Benzo(a)pyrene	0	6	7.9	1	1	0-2
Indeno(1,2,3-cd)pyrene	0	6	5.1	0.5	0.5	0-2
Dibenzo(a,h)anthracene	0	5	1.1	0.33	0.33	20-22
Benzo(b)fluoranthene	0	6	8.8	1	1	0-2
Trichloroethene	3	0	1.3	0.47	21	20-22
Lead, Total	6	0	168	63	400	3-5
Copper, Total	7	0	156	50	270	3-5
Nickel, Total	1	0	140	30	310	3-5
Zinc, Total	6	0	265	109	10000	0-2
Acetone	2	0	0.12	0.05	100	0-2
4,4'-DDE	1	0	0.01	0.0033	8.9	0-2
4,4'-DDD	1	0	0.0072	0.0033	13	0-2
4,4'-DDT	2	0	6.81	0.0033	7.9	0-2
Tetrachloroethene	1	2	38	1.3	19	0-2
Trivalent Chromium	1	1	220	30	180	3-5
PCBs, Total	4	2	3.44	0.1	1	0-2
Mercury, Total	1	0	1.45	0.18	2.8	3-5
PFOS	1	0	0.00128	0.00088	0.044	0-2

Groundwater Summary Table

Analytes > AWQS	Detections > AWQS	Max Concentration (ppb)	AWQS (ppb)
Trichloroethene	1	13	5
Iron, Total	4	10,800	300
Lead, Total	2	158.1	25
Magnesium, Total	4	571,000	35,000
Magnesium, Dissolved	4	494,000	35,000
Manganese, Total	1	1,251	300
Manganese, Dissolved	1	1,124	300
Sodium, Total	4	42,000,000	20,000
Sodium, Dissolved	4	4,410,000	20,000
Perfluorooctanoic Acid (PFOA)	3	0.0409	0.01
Perfluorooctanesulfonic Acid (PFOS)	3	0.038	0.01
PCBs, Total	1	2.29	0.09
Phenol	3	3.9	1
Benzo(a)anthracene	3	0.54	0.002
Benzo(a)pyrene	3	0.56	0.002
Benzo(b)fluoranthene	4	0.77	0.002
Benzo(k)fluoranthene	3	0.2	0.002
Chrysene	3	0.45	0.002
Indeno(1,2,3-cd)pyrene	3	0.47	0.002

Soil Vapor Summary Table

Analytes	Total Detections	Max Detection ($\mu\text{g}/\text{m}^3$)	Type
1,1-Dichloroethene	1	32.9	Soil Vapor
cis-1,2-Dichloroethene	1	16.9	Soil Vapor
1,1,1-Trichloroethane	4	606	Soil Vapor
Methylene chloride	1	2.48	Soil Vapor
Benzene	3	5.62	Soil Vapor
Cyclohexane	3	5.2	Soil Vapor
Trichloroethene	1	23.2	Soil Vapor
Heptane	2	3.38	Soil Vapor
Toluene	4	8.86	Soil Vapor
Ethylbenzene	1	1.13	Soil Vapor
2,2,4-Trimethylpentane	1	1.03	Soil Vapor
n-Hexane	4	10.8	Soil Vapor
o-xylene	1	1.15	Soil Vapor
p/m-xylene	1	3.19	Soil Vapor

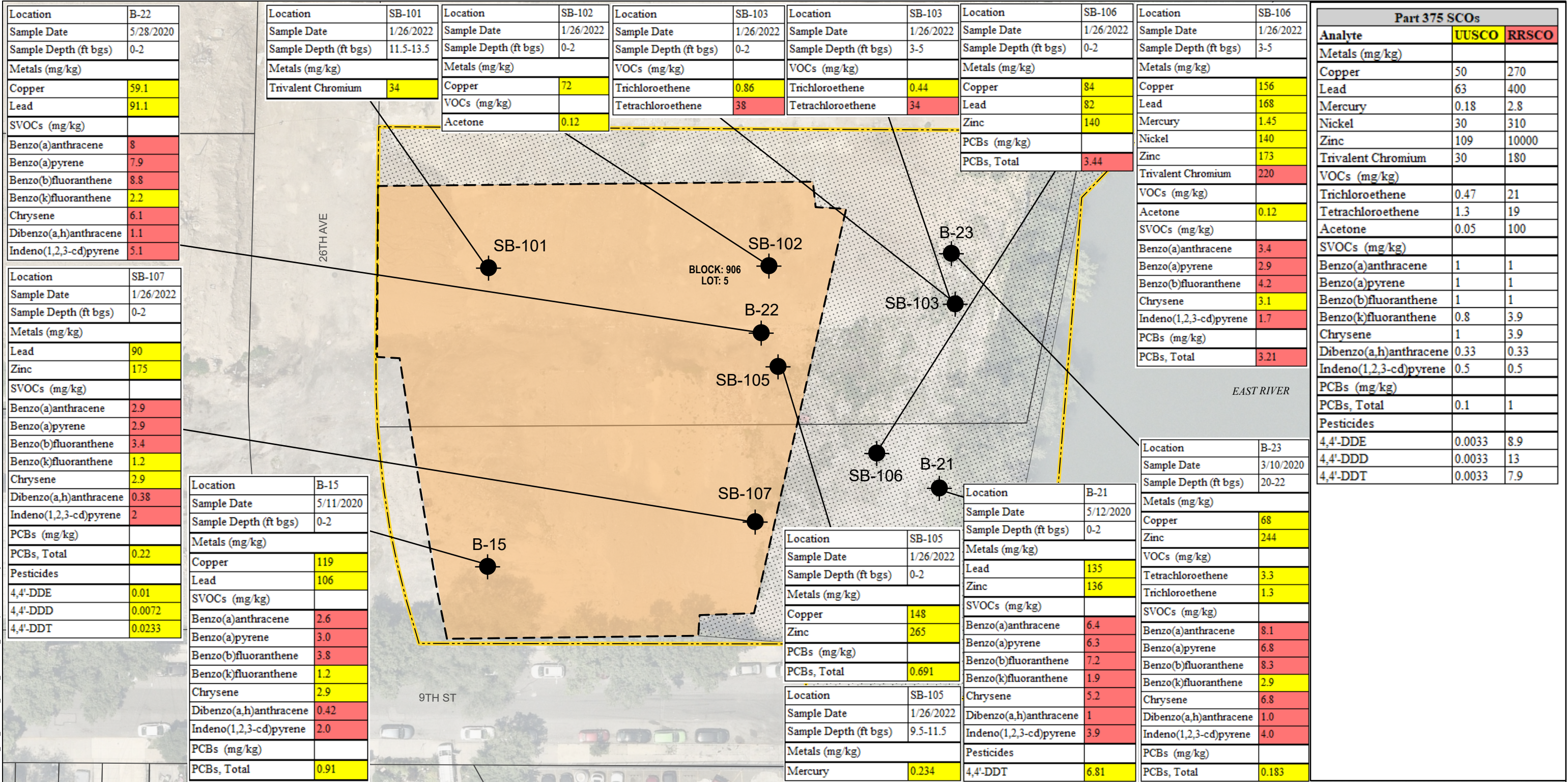
Notes:*RRSCO = NYSDEC Restricted Residential Use Soil Cleanup Objectives**UUSCO = NYSDEC Unrestricted Use Soil Cleanup Objectives* *$\mu\text{g}/\text{m}^3$ = Microgram per cubic meter**ppb = parts per billion**ppm = parts per million**AWQS = Ambient Water Quality Standards*

SECTION VI.3: SAMPLING DATA

For each impacted medium above, see attached Figures 7, 8, and 9 below summarizing analytical results from the June 2020 Astoria Cove Additional Subsurface Sampling Report and the April 2022 RI both prepared by GEI Consultants, Inc., P.C., which include detailed information requested in Application Section IV.3.

Figures from June 2020 Additional Subsurface Sampling Report and April 2022 Remedial Investigation (Figures 7-9)

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LEGEND

- PROPOSED BUILDING FOOTPRINT
- EXCAVATION DEPTHS IN FEET BELOW GRADE
- LIMITED TO GRADING AS NEEDED
- 4.5 TO 12.5 FEET
- SITE BOUNDARY
- PARCEL BOUNDARY
- SOIL SAMPLE

NOTES

- ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
- ASSESSOR PARCEL DATA SOURCE: NEW YORK CITY DEPARTMENT OF CITY PLANNING (DCP)
- AERIAL IMAGERY SOURCE: NEARMAP, 18 JUNE 2024



HALEY
ALDRICH

8-01 AND 8-51 26TH AVENUE
ASTORIA, NEW YORK

MAP OF SOIL CHEMISTRY

AUGUST 2024

FIGURE 7

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Location	MW-1
Sample Date	2/1/2022
Metals (µg/L)	
Magnesium (Dissolved)	36,300
Sodium (Dissolved)	80500

Location	MW-2
Sample Date	2/2/2022
Metals (µg/L)	
Magnesium (Dissolved)	494,000
Sodium (Dissolved)	4410000
PFAS (µg/L)	
Perfluorooctanoic Acid (PFOA)	0.0287
Perfluorooctanesulfonic Acid (PFOS)	0.0380

Analyte	AWQS
Metals (µg/L)	
Magnesium (Dissolved)	35,000
Manganese (Dissolved)	300
Sodium (Dissolved)	20,000
VOCs (µg/L)	
Trichloroethene	5
PFAS (µg/L)	
Perfluorooctanoic Acid (PFOA)	0.01
Perfluorooctanesulfonic Acid (PFOS)	0.01

Location	MW-4
Sample Date	2/1/2022
Metals (µg/L)	
Magnesium (Dissolved)	41,700
Manganese (Dissolved)	1,124
Sodium (Dissolved)	112,000
PFAS (µg/L)	
Perfluorooctanoic Acid (PFOA)	0.0409
Perfluorooctanesulfonic Acid (PFOS)	0.0271

Location	MW-3
Sample Date	2/2/2022
Metals (µg/L)	
Magnesium (Dissolved)	330,000
Sodium (Dissolved)	2,950,000
VOCs (µg/L)	
Trichloroethene	13
PFAS (µg/L)	
Perfluorooctanoic Acid (PFOA)	0.0287
Perfluorooctanesulfonic Acid (PFOS)	0.0380

LEGEND

- PROPOSED BUILDING FOOTPRINT
- EXCAVATION DEPTHS IN FEET BELOW GRADE
- LIMITED TO GRADING AS NEEDED
- 4.5 TO 12.5 FEET

- SITE BOUNDARY
- PARCEL BOUNDARY
- GROUND WATER SAMPLE

NOTES

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. ASSESSOR PARCEL DATA SOURCE: NEW YORK CITY DEPARTMENT OF CITY PLANNING (DCP)
3. AERIAL IMAGERY SOURCE: NEARMAP, 18 JUNE 2024



HALEY
ALDRICH

8-01 AND 8-51 26TH AVENUE
ASTORIA, NEW YORK

MAP OF GROUNDWATER
CHEMISTRY

AUGUST 2024

FIGURE 8

GIS FILE PATH: \\haleyaldrich.com\share\CF\Projects\0211417_000_ASTORIA_COVE_BUILDING_3A3B.aprx - USER: rmljones - LAST SAVED: 7/17/2024 10:03 PM

Location	SV-2
Sample Date	2/02/2022
VOCs $\mu\text{g}/\text{m}^3$	
n-Hexane	1.5
1,1,1-Trichloroethane	7.15
Benzene	1.36
Cyclohexane	0.76
2,2,4-Trimethylpentane	1.03
Heptane	0.979
Toluene	2.69

Location	SV-6
Sample Date	2/02/2022
VOCs $\mu\text{g}/\text{m}^3$	
n-Hexane	2.48

Location	SV-3
Sample Date	2/02/2022
VOCs $\mu\text{g}/\text{m}^3$	
1,1-Dichloroethene	32.9
n-Hexane	2.1
1,1,1-Trichloroethane	606.00
Benzene	1.19
Cyclohexane	0.78
Heptane	3.38
Toluene	8.86

Location	SV-4
Sample Date	2/02/2022
VOCs $\mu\text{g}/\text{m}^3$	
1,1,1-Trichloroethane	0.80
Toluene	1.65

Location	SV-5
Sample Date	2/02/2022
VOCs $\mu\text{g}/\text{m}^3$	
cis-1,2-Dichloroethene	16.9
n-Hexane	10.8
1,1,1-Trichloroethane	316.00
Benzene	5.62
Cyclohexane	5.20
Trichloroethene	23.2
Toluene	6.52

LEGEND

- PROPOSED BUILDING FOOTPRINT
- EXCAVATION DEPTHS IN FEET BELOW GRADE
- LIMITED TO GRADING AS NEEDED
- 4.5 TO 12.5 FEET

- SITE BOUNDARY
- PARCEL BOUNDARY
- SOIL VAPOR SAMPLE

NOTES

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. ASSESSOR PARCEL DATA SOURCE: NEW YORK CITY DEPARTMENT OF CITY PLANNING (DCP)
3. AERIAL IMAGERY SOURCE: NEARMAP, 18 JUNE 2024



HALEY
ALDRICH

8-01 AND 8-51 26TH AVENUE
ASTORIA, NEW YORK

MAP OF SOIL VAPOR
CHEMISTRY

AUGUST 2024

FIGURE 9

Section VII: Requestor Information

SECTION VII: REQUESTOR INFORMATION

The entity requesting participation in the Brownfield Cleanup Program is KS Astoria Holdings LLC. A printout of the entity information from the New York State Department of State's Corporation & Business Entity Database for KS Astoria Holdings LLC is included in this attachment.

The sole member of KS Astoria Holdings LLC is KS Astoria 3B LLC.

The designated authorized signatory of KS Astoria Holdings LLC for all matters related to the BCP is Daniel Spiegel.

The contact information for KS Astoria Holdings LLC is:

Daniel Spiegel
60 Park Place, 20th Floor
Newark, NJ 07102
Phone: (973) 931-9295
Email: daniel@ksgroup.biz

The Site is currently comprised of two lots: Lot 1 and Lot 5. KS Astoria Holdings LLC acquired on both lots from the prior owner, 2030 Astoria Developers, LLC on March 21, 2025. The Deeds for both 8-51 26th Avenue (Lot 1) and 8-01 26th Avenue (Lot 5), dated March 21, 2025, are available on ACRIS and included as an attachment.

REC-1311-1958

THIS INDENTURE, made the 14th day of January, 1981
BETWEEN MOMACCO, INC. (formerly known as Morey Machinery Co.,
Inc.), a New York corporation having its office and principal
place of business at 4-57 26th Avenue, Astoria, New York 11102,
party of the first part, and

NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY, a corporate
governmental agency constituting a body corporate and politic
and a public benefit corporation of the State of New York,
having its principal office at 225 Broadway, New York, New York,
party of the second part;

WITNESSETH, that the party of the first part, in con-
sideration of Ten Dollars and other good and valuable consideration
paid by the party of the second part, does hereby grant and release
unto the party of the second part, its successors and assigns,
forever, the following Parcels I through IV:

PARCEL I

ALL those certain plots, pieces or parcels of land situ-
ate, lying and being in the First Ward of the Borough and County
of Queens, City and State of New York, bounded and described as
follows:

PARCEL "A"

BEGINNING at a point on the northerly side of 26th Avenue formerly
known as the Boulevard as shown upon the Commissioner's Map of
Long Island City, distant 131.76 feet easterly measured along
the northerly side of 26th Avenue from a point formed by the
intersection of the northerly side of 26th Avenue with the centre
line of 8th Street formerly known as Stevens Street as shown on
said Commissioner's Map;
RUNNING THENCE Northerly parallel with the westerly side of 9th
Street formerly known as Wardell Street as shown on said Commis-
sioner's Map 200 feet to the original high water line of the East
River;
THENCE Easterly along said high water line to a point in the
westerly side of 9th Street distant 162 feet more or less
northerly from the corner formed by the intersection of the
westerly side of 9th Street with the northerly side of said 26th
Avenue;
THENCE Southerly along the westerly side of said 9th Street, 162
feet more or less to the corner formed by the intersection of
the westerly side of 9th Street with the northerly side of 26th
Avenue; and
THENCE Westerly along the northerly side of 26th Avenue as same
curves, 102.03 feet to the point or place of BEGINNING.

906
1,5
907
1
903
12

PARCEL "B"

BEGINNING at a point where the centre line of 8th Street formerly known as Stevens Street intersects the northerly side of 26th Avenue formerly known as the Boulevard as said 8th Street and 26th Avenue are shown on the Commissioner's Map of Long Island City;

RUNNING THENCE easterly along the northerly side of 26th Avenue 233.79 feet to the corner formed by the intersection of the northerly side of 26th Avenue with the westerly side of 9th Street formerly known as Wardell Street as shown on said Commissioner's Map; RUNNING THENCE Southerly on a line in prolongation of the westerly side of 9th Street 31.27 feet to the centre line of 26th Avenue; RUNNING THENCE westerly along the centre line of 26th Avenue as the same curves 233.46 feet to a point in the centre line of 8th Street if said centre line were prolonged; and

THENCE Northerly along said prolongation of the centre line of 8th Street 30.01 feet to the point or place of BEGINNING.

PARCEL II

ALL that piece or parcel of land, with the buildings and improvements thereon, situated, lying and being in the Borough of Queens, County of Queens, City and State of New York, bounded and described as follows:

BEGINNING at a point where the center line of Stevens Street is intersected by the Northerly line of Boulevard;

RUNNING THENCE Northerly and along the center line of said Stevens Street, two hundred and forty-two (242) feet to the line of original high water;

RUNNING THENCE Easterly and along the line of original high water to a point in a line drawn parallel to Wardell Street and distant one hundred and eight hundredths (100.08) feet Westerly therefrom, which point is two hundred (200) feet Northerly from the northerly side of Boulevard, measured along above mentioned line;

RUNNING THENCE Southerly and parallel to Wardell Street two hundred (200) feet to the Northerly side of Boulevard;

RUNNING THENCE Westerly and along the said Northerly side of the Boulevard, one hundred thirty-one and seventy-six hundredths (131.76) feet to the center line of Stevens Street, the point or place of BEGINNING.

ALSO all right, title and interest in and to that certain parcel of land under the waters of the East River in front of the upland now or lately owned by the heirs of Josiah Blackwell, deceased, in that part of Long Island City, lately known as the Village of Astoria, which land under water is described as follows:

BEGINNING at the intersection of the original high water line of the East River with the center line of Stevens Street and

RUNNING THENCE North thirty degrees, thirty minutes East (NO. 30 degrees 30' E.) one hundred nine (109) feet to the exterior bulkhead line of the East River, as established by the Harbor Commissioners and laid down on the map filed by them in the Office of the Secretary of State;

THENCE along said exterior line South thirty-nine degrees, six minutes East (S. 39 degrees 6' E.), one hundred forty-one feet, five inches (141'5");

THENCE South thirty degrees, thirty-eight minutes West (S. 30 degrees 38' W.) one hundred five (105) feet to the original high water line aforesaid; and

RECORDED
1911-1939

THENCE Northwesterly, along said line to the place of BEGINNING. Containing fourteen thousand two hundred and three (14,203) square feet.

PARCEL III

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

BEGINNING at a point on the northeasterly side of 26th Avenue (The Boulevard) (formerly Orchard Street), distant 200.19 feet southeasterly from the point of intersection of the southeasterly side of Perrot Place, formerly Perrot Avenue, and the northeasterly side of the Boulevard;
THENCE Northeasterly parallel to Perrot Place, 562.23 feet to the U.S. Pier and Bulkhead Line; and
RUNNING THENCE in a southerly direction and along the U.S. Pier and Bulkhead Line, 282 feet, more or less, to its intersection with the center line of 8th Street (Stevens Street); and
RUNNING THENCE Southwesterly and along the center line of said 8th Street (Stevens Street), 346.37 feet to the northeasterly side of 26th Avenue; and
RUNNING THENCE Northwesterly along the Northeasterly side of 26th Avenue, 200.16 feet to the point or place of BEGINNING.

PARCEL IV

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

BEGINNING at a point where the center line of 8th Street formerly known as Stevens Street intersects the southerly side of 26th Avenue, formerly known as Boulevard;
RUNNING THENCE Easterly along the southerly side of 26th Avenue 233.30 feet to the corner formed by the intersection of the southerly side of 26th Avenue with the westerly side of 9th Street formerly known as Wardell Street;
RUNNING THENCE Southerly along the westerly side of 9th Street 116.91 feet to a point distant 403.46 feet northerly from the corner formed by the intersection of the westerly side of 9th Street with the northerly side of 27th Avenue formerly known as Franklin Street, measured along the westerly side of 9th Street;
THENCE Westerly at right angles to 9th Street 100.09 feet;
THENCE Southerly parallel with the westerly side of 9th Street 151.21 feet to a line drawn parallel with the northerly side of 27th Avenue and distant 250.03 feet northerly therefrom measured along the easterly side of 8th Street;
THENCE Westerly parallel with the northerly side of 27th Avenue 106.15 feet to the easterly side of 8th Street;
THENCE Southerly along the easterly side of 8th Street 250.03 feet to the corner formed by the intersection of the easterly side of 8th Street with the northerly side of 27th Avenue;
THENCE Westerly along a prolongation of the northerly side of 27th Avenue 25.01 feet to the center line of 8th Street; and
THENCE Northerly along the center line of 8th Street 500.56 feet

RECEIVED
1911
FEB 1 1900

to the southerly side of 26th Avenue at the point or place of BEGINNING. The above distances are according to the United States Standard of Measurement.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above-described premises to the center lines thereof;

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises;

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, its successors and assigns, forever.

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

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that it will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement, and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

This conveyance has been made with the consent, in writing, of the sole stockholder of the party of the first part.

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

IN PRESENCE OF

Pat May

MOMACCO, INC.

By

[Signature]
Vice President

REC 1311 PM 1961

REL 131-1362

Lura Weston

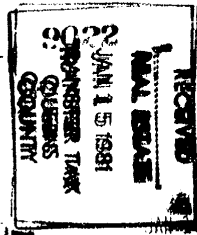
Qualified in Nassau County
Commission Expires March 30, 1982

REEL 1311 PG 1963

THIS DEED IS EXEMPT FROM THE NEW YORK CITY REAL PROPERTY TRANSFER TAX by virtue of the provisions of Section II 46-6.0 of the Administrative Code of City of New York; this deed being a deed to a public corporation which is exempt from payment of the New York City real property transfer tax.

REC 1311 1964

JAN 15 PM 1 33



NO CHARGE

REC. FEE

SST #

RPT #

NO CHARGE

1311

1511

1511

1511

BARGAIN and SALE DEED
With Covenant Against Grantor's Acts
Title No. Q 304 503

MOMACCO, INC.

-TO-

INDUSTRIAL DEVELOPMENT AGENCY
OF THE CITY OF NEW YORK

EXTRA BLOCKS

- Section 6
- (a) Lots 1 & 5 in Block 906;
 - (b) Lot 1 in Block 907;
 - (c) Lot 12 in Block 908.

County: Queens County

Tax Billing Address:

4-57 26th Avenue
Astoria, NY 11102

BRAUNER BARON ROSENZWEIG KUGLER SPARBER & BAUMAN

ATTORNEYS AT LAW
120 BROADWAY
NEW YORK, N.Y. 10005

10271

OFFICE OF CITY REGISTER
Queens County
RECORDED
Witness my hand
and official seal

John J. Legattina
CITY REGISTER

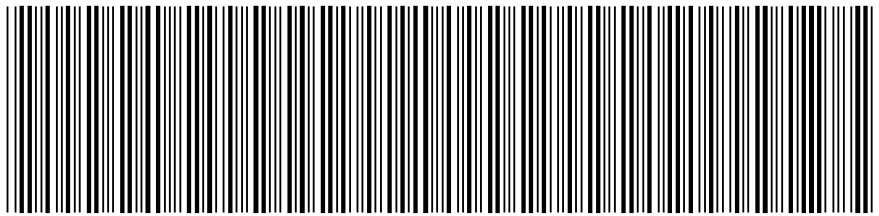
RECORD AND RETURN TO:

Anne Purdue, Esq.
Hawkins, Delatfield & Wood
67 Wall Street
New York, New York 10005

METROPOLITAN ABSTRACT CORPORATION
ONE OLD COUNTRY ROAD
CAPT. PLACE, NEW YORK 11514
N.Y.C. 273-3333

**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.



2006080401462001002EA04C

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 12

Document ID: 2006080401462001

Document Date: 07-31-2006

Preparation Date: 08-25-2006

Document Type: DEED

Document Page Count: 10

PRESENTER:

FIRST MANHATTAN ABSTRACT- PICKUP
AS AGENT FOR TICOR
215 PARK AVENUE SOUTH, SUITE 714
NEW YORK, NY 10003
212-460-5200
joe@fmabstract.com

RETURN TO:

SEGAL, TESSER & RYAN, LLP
509 MADISON AVE 10TH FLOOR
NEW YORK, NY 10022

PROPERTY DATA

Borough	Block	Lot	Unit	Address
QUEENS	906	1	Entire Lot	8-51 26 AVENUE

Property Type: INDUSTRIAL BUILDING

Borough	Block	Lot	Unit	Address
QUEENS	906	5	Entire Lot	8-01 26 AVENUE

Property Type: INDUSTRIAL BUILDING

x Additional Properties on Continuation Page

CROSS REFERENCE DATA

CRFN _____ or Document ID _____ or _____ Year _____ Reel _____ Page _____ or File Number _____

PARTIES

GRANTOR/SELLER:

NEW YORK CITY INDUSTRIAL DEVELOPMENT
AGENCY
110 WILLIAM STREET
NEW YORK, NY 10038

GRANTEE/BUYER:

SUPERIOR STEEL STUDS, INC.
4-57 26TH AVENUE
ASTORIA, NY 11102

FEES AND TAXES

Mortgage		Recording Fee: \$	94.00
Mortgage Amount:	\$	Affidavit Fee: \$	0.00
Taxable Mortgage Amount:	\$	NYC Real Property Transfer Tax Filing Fee:	
Exemption:		\$	165.00
TAXES: County (Basic):	\$	NYS Real Estate Transfer Tax:	
City (Additional):	\$	\$	0.00
Spec (Additional):	\$		
TASF:	\$		
MTA:	\$		
NYCTA:	\$		
Additional MRT:	\$		
TOTAL:	\$		0.00

NYC HPD Affidavit in Lieu of Registration Statement

**RECORDED OR FILED IN THE OFFICE
OF THE CITY REGISTER OF THE
CITY OF NEW YORK**

Recorded/Filed 08-31-2006 16:52

City Register File No.(CRFN):

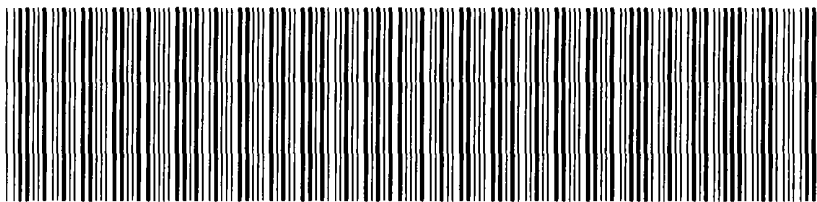
2006000496615



Annette McMill

City Register Official Signature

**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**



2006080401462001002CA2CC

RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION) PAGE 2 OF 12

Document ID: 2006080401462001

Document Date: 07-31-2006

Preparation Date: 08-25-2006

Document Type: DEED

PROPERTY DATA

Borough	Block	Lot	Unit	Address
QUEENS	907	1	Entire Lot	4-55 26 AVENUE
Property Type: INDUSTRIAL BUILDING				
Borough	Block	Lot	Unit	Address
QUEENS	908	12	Entire Lot	4-57 26 AVENUE
Property Type: INDUSTRIAL BUILDING				

THIS INDENTURE, made the 31st day of July, two thousand and six

BETWEEN NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY, a corporate governmental agency constituting a body corporate and politic and a public benefit corporation of the State of New York, duly organized and existing under the laws of the State of New York, having its principal office located at 110 William Street, New York, New York 10038

Grantor

party of the first part, and

Superior Steel Studs, Inc., a corporation organized and existing under and by virtue of the laws of the State of New York having its principal office at 4-57 26th Avenue, Astoria, New York 11102

Grantee

party of the second part,

WITNESSETH, that the party of the first part, in consideration of -----
-----ONE \$(1.00)-----dollar,
lawful money of the United States, paid
by the party of the second part, does hereby grant and release unto the party of the second part, the
heirs or successors and assigns of the party of the second part forever,

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

PLEASE SEE PROPERTY DESCRIPTION ATTACHED HERETO AND MADE A PART
HEREOF AS EXHIBIT A

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

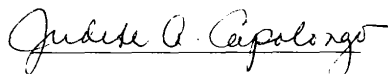
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

In PRESENCE OF:

New York City Industrial
Development Agency




Deputy Executive Director

STATE OF NEW YORK, COUNTY OF

SS:

On the day of 20 , before me personally came
to me known to be the individual described in and who
executed the foregoing instrument, and acknowledged
that executed the same.

STATE OF NEW YORK, COUNTY OF SS:

On the day of 20 , before me personally came
to me known to be the individual described in and who
executed the foregoing instrument, and acknowledged
that executed the same.

STATE OF NEW YORK, COUNTY OF NEW YORK SS:

On the 26th day of July the year 2006 before me,
the undersigned, a Notary Public in and for (said State)
(The City of New York), personally appeared Kei
Hayashi , personally known to me or proved to me on
the basis of satisfactory evidence to be the individual
whose name is subscribed to the within instrument and
acknowledged to me that she executed the same in her
capacity, and that by her signature on the instrument,
the individual, or the person on behalf of which the
individual acted, executed the instrument.

Carol M. Hyde
CAROL M. HYDE
Notary Public, State of New York
No. 4977270
Qualified in Queens County
Commission Expires Jan. 28, 2007

Bargain and Sale Deed

Without Covenant Against Grantor's Acts

TITLE NO.

19144 FMQ
NEW YORK CITY INDUSTRIAL DEVELOPMENT
AGENCY

TO

SUPERIOR STEEL STUDS, INC.

STATE OF NEW YORK, COUNTY OF

SS:

On the day of 20 , before me
personally came
to me known, who, being by me duly sworn, did depose
and say that he resides at No.

that he is the
of

, the corporation described in and which
executed the foregoing instrument; that he knows the
seal of said corporation; that the seal affixed to said
instrument is such corporate seal; that it was so affixed
by order of the board of directors of said corporation,
and that he signed h name thereto by like order.

FIRST MANHATTAN ABSTRACT CORP.

SECTION:

BLOCK: 906 Lots: 1 & 5

BLOCK: 907 Lot: 1

BLOCK: 908 Lot: 12

COUNTY OR TOWN: Queens County

RETURN BY MAIL TO:

Segal, Tesser + Ryan, LLP
509 Madison Ave. 10th Fl.
New York, NY
Attn: Gregory J. Ryan
Zip No. 10022

Reserve this space for Recording Office.

EXHIBIT A

PARCEL I

ALL these certain plots, pieces or parcels of land situate, lying and being in the First Ward of the Borough and County of Queens, City and State of New York, bounded and described as follows:

PARCEL "A"

Beginning at a point on the northerly side of 26th Avenue formerly known as the Boulevard as shown upon the Commissioners Map of Long Island City, distant 131.76 feet easterly measured along the northerly side of 26th Avenue from a point formed by the intersection of the northerly side of 26th Avenue with the centre line of 8th Street formerly known as Stevens Street as shown on said Commissioners Map; RUNNING THENCE Northerly parallel with the westerly side of 9th Street formerly known as Wardell Street as shown on said Commissioners Map 200 feet to the original high water line of the East River; THENCE Easterly along said high water line to a point in the westerly side of 9th Street distant 162 feet more or less northerly from the corner formed by the intersection of the westerly side of 9th Street with the northerly side of said 26th Avenue; THENCE Southerly along the westerly side of said 9th Street, 162 feet more or less to the corner formed by the intersection of the westerly side of 9th Street with the northerly side of 26th Avenue and THENCE Westerly along the northerly side of 26th Avenue as same curves, 102.03 feet to the point or place of BEGINNING. (Continued)

PARCEL I (Continued)

PARCEL "B"

BEGINNING at a point where the centre line of 8th Street formerly known as Stevens Street intersects the northerly side of 26th Avenue formerly known as the Boulevard as said 8th Street and 26th Avenue are shown on the Commissioners Map of Long Island City;

RUNNING THENCE easterly along the northerly side of 26th Avenue 233.79 feet to the corner formed by the intersection of the northerly side of 26th Avenue with the westerly side of 9th Street formerly known as Wardell Street as shown on said Commissioners Map;

RUNNING THENCE Southerly on a line in prolongation of the westerly side of 9th Street 31.27 feet to the centre line of 26th Avenue;

RUNNING THENCE westerly along the centre line of 26th Avenue as the same curves 233.46 feet to a point in the centre line of 8th Street if said centre line were prolonged and

THENCE Northerly along said prolongation of the centre line of 8th Street 30.01 feet to the point or place of BEGINNING.

PARCEL II

ALL that piece or parcel of land, with the buildings and improvements thereon, situated, lying and being in the Borough of Queens, County of Queens, City and State of New York, bounded and described as follows:

BEGINNING at a point where the center line of Stevens Street is intersected by the Northerly line of Boulevard;

RUNNING THENCE Northerly and along the center line of said Stevens Street, two hundred and forty-two (242) feet to the line of original high water;

RUNNING THENCE Easterly and along the line of original high water to a point in a line drawn parallel to Wardell Street and distant one hundred and eight hundredths (100.08) feet Westerly therefrom, which point is two hundred (200) feet Northerly from the northerly side of Boulevard, measured along above mentioned line;

RUNNING THENCE Southerly and parallel to Wardell Street two hundred (200) feet to the Northerly side of Boulevard;

RUNNING THENCE Westerly and along the said Northerly side of the Boulevard, one hundred thirty-one and seventy-six hundredths (131.76) feet to the center line of Stevens Street, the point or place of BEGINNING.

ALSO all right, title and interest in and to that certain parcel of land under the waters of the East River in front of the upland now or lately owned by the heirs of Josiah Blackwell, deceased, in that
(Continued)

PARCEL II (Continued)

part of Long Island City, lately known as the Village of Astoria,
which land under water is described as follows:

BEGINNING at the intersection of the original high water line of the
East River with the center line of Stevens Street and

RUNNING THENCE North thirty degrees, thirty minutes East (NO. 30
degrees 30' E.), one hundred nine (109) feet to the exterior bulkhead
line of the East River, as established by the Harbor Commissioners and
laid down on the map filed by them in the Office of the Secretary of
State;

THENCE along said exterior line South thirty-nine degrees, six minutes
East (S. 39 degrees 6' E.), one hundred forty-one feet, five inches
(141'5");

THENCE South thirty degrees, thirty-eight minutes West (S. 30 degrees
38' W.) one hundred five (105) feet to the original high water line
aforesaid; and

THENCE Northwesterly, along said line to the place of beginning.
Containing fourteen thousand two hundred and three (14,203) square
feet.

PARCEL III

ALL that certain lot, piece or parcel of land, situate, lying and being in the First Ward of Long Island City, Borough and County of Queens, City and State of New York, bounded and described as follows: BEGINNING at a point on the northeasterly side of 26th Avenue (The Boulevard) (Formerly Orchard Street), distant 200.19 feet southeasterly from the point of intersection of the southeasterly side of Perrot Place, formerly Perrot Avenue, and the northeasterly side of the Boulevard,

THENCE Northeasterly parallel to Perrot Place, 562.23 feet to the U.S. Pier and Bulkhead Line; and

RUNNING THENCE in a southerly direction and along the U.S. Pier and Bulkhead Line, 282 feet, more or less to its intersection with the center line of 8th Street (Stevens Street); and

RUNNING THENCE Southwesterly and along the center line of said 8th (Stevens Street), 346.37 feet to the northeasterly side of 26th Avenue; and

RUNNING THENCE Northwesterly along the Northeasterly side of 26th Avenue, 200.16 feet to the point or place of BEGINNING.

PARCEL IV

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

BEGINNING at a point where the center line of 8th Street formerly known as Stevens Street intersects the southerly side of 26th Avenue, formerly known as Boulevard;

RUNNING THENCE Easterly along the southerly side of 26th Avenue 233.30 feet to the corner formed by the intersection of the southerly side of 26th Avenue with the westerly side of 9th Street formerly known as Wardell Street;

RUNNING THENCE Southerly along the westerly side of 9th Street 116.91 feet to a point distant 403.46 feet northerly from the corner formed by the intersection of the westerly side of 9th Street with the northerly side of 27th Avenue formerly known as Franklin Street, measured along the westerly side of 9th Street;

THENCE Westerly at right angles to 9th Street 100.09 feet;

THENCE Southerly parallel with the westerly side of 9th Street 151.21 feet to a line drawn parallel with the northerly side of 27th Avenue and distant 250.03 feet northerly therefrom measured along the easterly side of 8th Street;

THENCE Westerly parallel with the northerly side of 27th Avenue 106.15 feet to the easterly side of 8th Street;

(Continued)

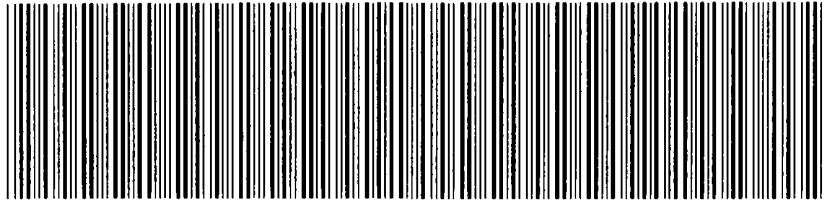
PARCEL IV (Continued)

THENCE Southerly along the easterly side of 8th Street 250.03 feet to the corner formed by the intersection of the easterly side of 8th Street with the northerly side of 27th Avenue;

THENCE Westerly along a prolongation of the northerly side of 27th Avenue 25.01 feet to the center line of 8th Street; and

THENCE Northerly along the center line of 8th Street 500.56 feet to the southerly side of 26th Avenue at the point or place of beginning. The above distances are according to the United States Standard of Measurements.

**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**



2006080401462001002S6ECD

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2006080401462001

Document Date: 07-31-2006

Preparation Date: 08-25-2006

Document Type: DEED

ASSOCIATED TAX FORM ID: 2006062700658

SUPPORTING DOCUMENTS SUBMITTED:

Page Count:

RP - 5217 REAL PROPERTY TRANSFER REPORT

5

FOR CITY USE ONLY

C1. County Code C2. Date Deed Recorded / /
 Month Day Year

C3. Book OR C4. Page

C5. CRFN



REAL PROPERTY TRANSFER REPORT

 STATE OF NEW YORK
 STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217NYC

(Rev 11/2002)

PROPERTY INFORMATION

1. Property Location 8-51 26 AVENUE QUEENS 11102
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name SUPERIOR STEEL STUDS, INC.
 LAST NAME / COMPANY FIRST NAME

3. Tax Billing Address 4-57 26TH AVENUE ASTORIA NY 11102
 Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form) LAST NAME / COMPANY FIRST NAME
 STREET NUMBER AND STREET NAME CITY OR TOWN STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 4 # of Parcels OR ☐ Part of a Parcel

4A. Planning Board Approval - N/A for NYC
 4B. Agricultural District Notice - N/A for NYC

5. Deed Property Size X OR ACRES
 FRONT FEET DEPTH

6. Ownership Type is Condominium ☐
 7. New Construction on Vacant Land ☐

8. Seller Name NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY
 LAST NAME / COMPANY FIRST NAME

9. Check the box below which most accurately describes the use of the property at the time of sale:

A ☐ One Family Residential C ☐ Residential Vacant Land E ☐ Commercial G ☐ Entertainment / Amusement I ☒ Industrial
 B ☐ 2 or 3 Family Residential D ☐ Non-Residential Vacant Land F ☐ Apartment H ☐ Community Service J ☐ Public Service

SALE INFORMATION

10. Sale Contract Date 7 / 31 / 2006
 Month Day Year

11. Date of Sale / Transfer 7 / 31 / 2006
 Month Day Year

12. Full Sale Price \$ 1
 (Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

13. Indicate the value of personal property included in the sale

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

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

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

15. Building Class E, 9 16. Total Assessed Value (of all parcels in transfer) 1980900

17. Borough, Block and Lot / Roll Identifier(s) (If more than three, attach sheet with additional identifier(s))
QUEENS 906 1 QUEENS 906 5 QUEENS 907 1

CERTIFICATION

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

Superior Steel Studs, Inc. BUYER
 By: Kay 7/31/2006
 BUYER SIGNATURE DATE
4-57 26TH AVENUE
 STREET NUMBER STREET NAME (AFTER SALE)
ASTORIA
 CITY OR TOWN NY 11102
 STATE ZIP CODE

BUYER'S ATTORNEY
RYAN GREGORY
 LAST NAME FIRST NAME
212 754-9000
 AREA CODE TELEPHONE NUMBER
 SELLER
 SELLER SIGNATURE DATE

2006062700658201

C1. County Code _____ C2. Date Deed Recorded _____
Month Day Year
C3. Book OR _____ C4. Page _____
C5. CRFN _____



**STATE OF NEW YORK
STATE BOARD OF REAL PROPERTY SERVICES**

(Rev 11/2002)

1. Property Location	8-51	26 AVENUE	QUEENS	11102
	STREET NUMBER	STREET NAME	BOROUGH	ZIP CODE

2. Buyer Name _____

3. Tax Billing Address	Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)				SUPERIOR STEEL STUDS, INC.			
					LAST NAME / COMPANY		FIRST NAME	
	4-57 26TH AVENUE				ASTORIA		NY 11102	
	STREET NUMBER AND STREET NAME				CITY OR TOWN		STATE ZIP CODE	

4. Indicate the number of Assessment Roll parcels transferred on the deed 4 # of Parcels OR Part of a Parcel

4A. Planning Board Approval - N/A for NYC
4B. Agricultural District Notice - N/A for NYC

5. Deed
Property
Size

FRONT FEET X DEPTH OR ACRES

Check the boxes below as they apply:

6. Ownership Type is Condominium
7. New Construction on Vacant Land

NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY	
8. Seller Name	
LAST NAME / COMPANY	FIRST NAME
LAST NAME / COMPANY	FIRST NAME

9. Check the box below which most accurately describes the use of the property at the time of sale:

A	<input type="checkbox"/>	One Family Residential	C	<input type="checkbox"/>	Residential Vacant Land	E	<input type="checkbox"/>	Commercial	G	<input type="checkbox"/>	Entertainment / Amusement	I	<input checked="" type="checkbox"/>	Industrial
B	<input type="checkbox"/>	2 or 3 Family Residential	D	<input type="checkbox"/>	Non-Residential Vacant Land	F	<input type="checkbox"/>	Apartment	H	<input type="checkbox"/>	Community Service	J	<input type="checkbox"/>	Public Service

10. Sale Contract Date 7 / 31 / 2006
Month Day Year

11. Date of Sale / Transfer 7 / 31 / 2006
Month / Day / Year

12. Full Sale Price \$

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

13. Indicate the value of personal property included in the sale

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

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

15. Building Class E 9

16. Total Assessed Value (of all parcels in transfer) 1 9 8 0 9 0 0

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

QUEENS 906 1 || QUEENS 906 5 || QUEENS 907 1

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

BUYER'S ATTORNEY

BUYER SIGNATURE		DATE	
4-57 26TH AVENUE			
STREET NUMBER		STREET NAME (AFTER SALE)	
ASTORIA			
CITY OR TOWN		NY	11102
STATE		ZIP CODE	

LAST NAME		FIRST NAME	
212		754-9000	
AREA CODE		TELEPHONE NUMBER	
SELLER			
SELLER SIGNATURE		DATE	
Ke / J		07/31/2006	

2006062700658201

CERTIFICATION

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

BUYER <i>Superior Steel Structures Inc.</i> <i>Ralph J. Friedman</i> 7/30/06 <small>BUYER SIGNATURE</small> <small>DATE</small> 4-57 26TH AVENUE <i>President</i>		BUYER'S ATTORNEY <i>RYAN</i> <i>GREGORY</i> <small>LAST NAME</small> <small>FIRST NAME</small>	
STREET NUMBER ASTORIA		AREA CODE 212	
STREET NAME (AFTER SALE) NY		TELEPHONE NUMBER 754-9000	
CITY OR TOWN ASTORIA		SELLER 07/31/2006	
STATE NY		DATE 07/31/2006	
ZIP CODE 11102		SELLER SIGNATURE	

2006062700658201

CERTIFICATION

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

BUYER**BUYER'S ATTORNEY**

BUYER SIGNATURE 4-57 26TH AVENUE		DATE	LAST NAME 212		FIRST NAME	754-9000	
STREET NUMBER ASTORIA		STREET NAME (AFTER SALE)		AREA CODE	TELEPHONE NUMBER SELLER		
CITY OR TOWN		STATE NY	ZIP CODE 11102		SELLER SIGNATURE C. /		DATE 07/31/2006

2006062700658201

RP - 5217 NYC

ATTACHMENT

Borough

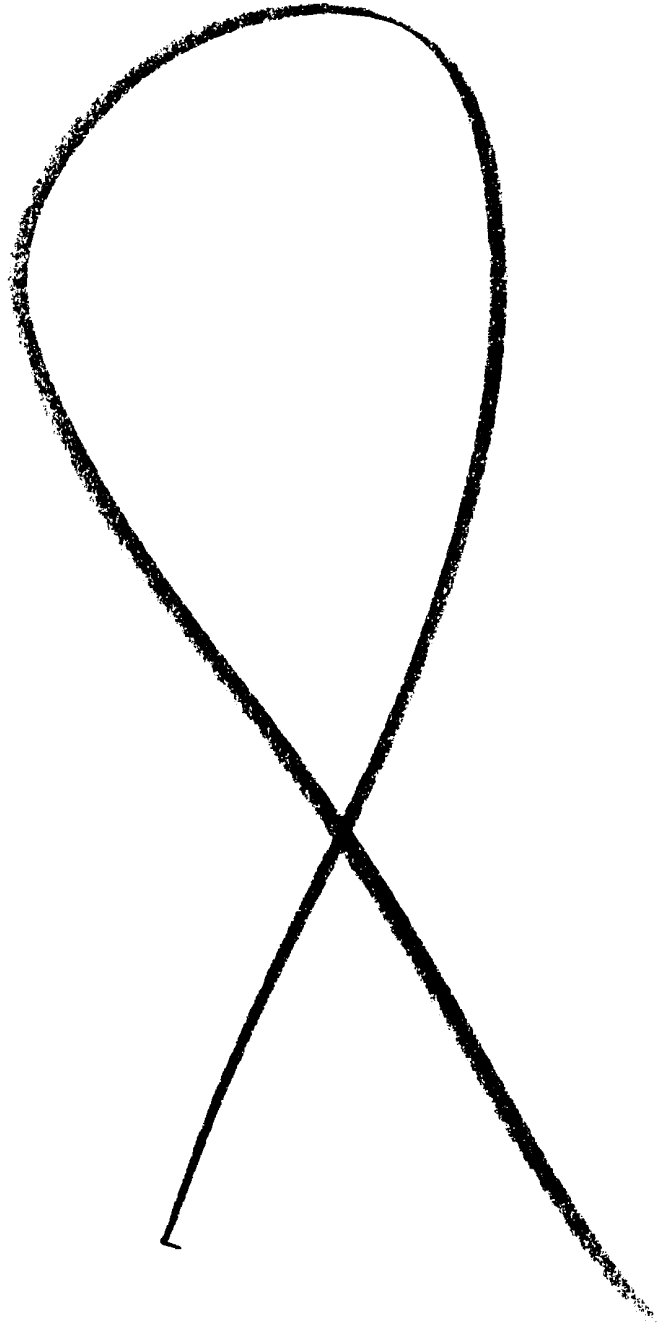
Block

Lot

QUEENS

908

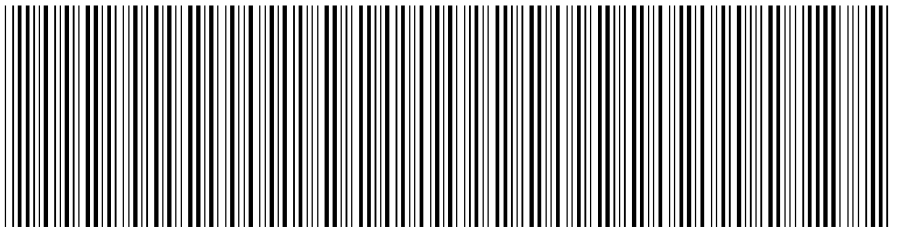
12



200606270065820102

**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.



2014082900991002002E507C

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 8

Document ID: 2014082900991002

Document Date: 08-12-2014

Preparation Date: 09-09-2014

Document Type: DEED

Document Page Count: 6

PRESENTER:

RIVERSIDE ABSTRACT LLC
3839 FLATLANDS AVE #208 - RANY-13834
BROOKLYN, NY 11234
718-252-4200
REC@RSABSTRACT.COM

RETURN TO:

RIVERSIDE ABSTRACT LLC
3839 FLATLANDS AVE #208 - RANY-13834
BROOKLYN, NY 11234
718-252-4200
REC@RSABSTRACT.COM

PROPERTY DATA

Borough	Block	Lot	Unit	Address
QUEENS	906	1	Entire Lot	8-51 26TH AVENUE

Property Type: COMMERCIAL REAL ESTATE

Borough	Block	Lot	Unit	Address
QUEENS	906	5	Entire Lot	8-01 26TH AVENUE

Property Type: COMMERCIAL REAL ESTATE

☒ Additional Properties on Continuation Page

CROSS REFERENCE DATA

CRFN _____ or DocumentID _____ or _____ Year _____ Reel _____ Page _____ or File Number _____

PARTIES

GRANTOR/SELLER:

SUPERIOR STEEL STUDS, INC.
C/O SUPERIOR STEEL BUILDING PRODUCTS, INC.,
2960 WOODBRIDGE AVENUE
EDISON, NJ 08837

GRANTEE/BUYER:

2030 ASTORIA DEVELOPERS LLC
1271 45TH STREET
BROOKLYN, NY 11219

FEES AND TAXES

Mortgage :

Mortgage Amount:	\$	0.00
------------------	----	------

Taxable Mortgage Amount:	\$	0.00
--------------------------	----	------

Exemption:

TAXES: County (Basic):	\$	0.00
------------------------	----	------

City (Additional):	\$	0.00
--------------------	----	------

Spec (Additional):	\$	0.00
--------------------	----	------

TASF:	\$	0.00
-------	----	------

MTA:	\$	0.00
------	----	------

NYCTA:	\$	0.00
--------	----	------

Additional MRT:	\$	0.00
-----------------	----	------

TOTAL:	\$	0.00
--------	----	------

Recording Fee:	\$	74.00
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Affidavit Fee:	\$	0.00
----------------	----	------

Filing Fee:

\$	250.00
----	--------

NYC Real Property Transfer Tax:

\$	1,050,525.00
----	--------------

NYS Real Estate Transfer Tax:

\$	160,080.00
----	------------

**RECORDED OR FILED IN THE OFFICE
OF THE CITY REGISTER OF THE**

CITY OF NEW YORK

Recorded/Filed 09-15-2014 15:14

City Register File No.(CRFN):

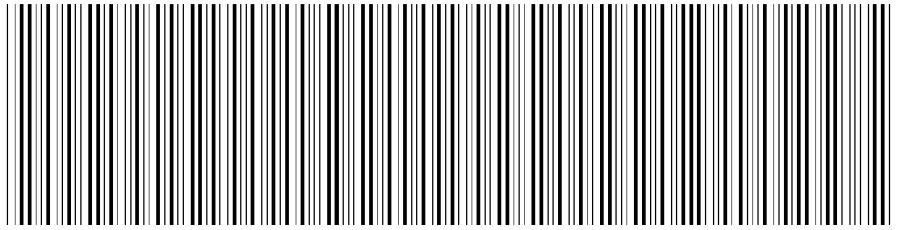
2014000305573



Annette McMill

City Register Official Signature

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2014082900991002002C52FC

RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION)

PAGE 2 OF 8

Document ID: 2014082900991002

Document Date: 08-12-2014

Preparation Date: 08-29-2014

Document Type: DEED

PROPERTY DATA

Borough	Block	Lot	Unit	Address
QUEENS	907	1	Entire Lot	4-55 26TH AVENUE
Property Type: COMMERCIAL REAL ESTATE				
Borough	Block	Lot	Unit	Address
QUEENS	908	12	Entire Lot	4-57 26TH AVENUE
Property Type: COMMERCIAL REAL ESTATE				

BARGAIN AND SALE DEED
WITH COVENANT

SUPERIOR STEEL STUDS, INC.

- to -

2030 ASTORIA DEVELOPERS LLC

Location:

PARCEL I:

8-51 26th Avenue
Astoria, New York
Block No.: 906
Lot No.: 1
Queens County
Official Tax Map

PARCEL II:

8-01 26th Avenue
Astoria, New York
Block No.: 906
Lot No.: 5
Queens County
Official Tax Map

PARCEL III:

4-55 26th Avenue
Astoria, New York
Block No.: 907
Lot No.: 1
Queens County
Official Tax Map

PARCEL IV:

4-57 26th Avenue
Astoria, New York
Block No.: 908
Lot No.: 12
Queens County
Official Tax Map

August 12, 2014

After recording, please return to:

Yisroel Y. Leshkowitz, Esq.
45 Broadway, Suite 3010
New York, New York 10006

BARGAIN AND SALE DEED WITH COVENANT

as of

THIS INDENTURE, made and dated the 12th day of August, 2014, by and between SUPERIOR STEEL STUDS, INC., a New York corporation, having an address c/o Superior Steel Building Products, Inc., 2960 Woodbridge Avenue, Edison, New Jersey 08837 ("Grantor"), and 2030 ASTORIA DEVELOPERS LLC, a New York limited liability company, having an address 1271 45th Street, Brooklyn, New York 11219 ("Grantee").

WITNESSETH, that Grantor, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration paid by Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and release unto Grantee and Grantee's successors and assigns forever:

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

See "**Schedule A**" Attached Hereto.

Premises known as and by the street addresses of 8-51 26th Avenue, Astoria, New York, designated as Block 906, Lot 1, 8-01 26th Avenue, Astoria, New York, designated as Block 906, Lot 5, 4-55 26th Avenue, Astoria, New York, designated as Block 907 Lot 1, and 4-57 26th Avenue, Astoria, New York, designated as Block 908, Lot 12, each as shown on the Tax Map of the City of New York, County of Queens.

Being and intended to be the same premises conveyed to Grantor by deed from New York City Industrial Development Agency dated July 31, 2006 and recorded August 31, 2006 as CRFN 2006000496615.

TOGETHER with (a) all right, title and interest, if any, of Grantor in and to any streets and roads abutting the above described premises to the center lines thereof and (b) the appurtenances and all the estate and rights of Grantor in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto Grantee and Grantee's successors and assigns forever.

AND GRANTOR covenants that Grantor has not done or suffered anything whereby the said premises have been encumbered in any way whatsoever, except as aforesaid.

AND GRANTOR, in compliance with Section 13 of the Lien Law, covenants that Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will

apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, Grantor has duly executed this Deed the day and year first above written.

GRANTOR:

SUPERIOR STEEL STUDS, INC

By:

Raymond C. Frobosilo
Raymond C. Frobosilo
President

STATE OF NEW JERSEY)

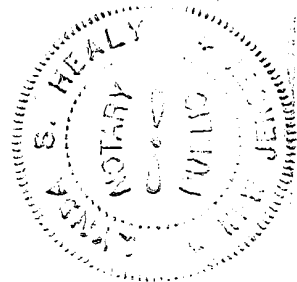
ss.:

COUNTY OF Middlesex)

On the 8th day of August in the year 2014, before me, the undersigned, personally appeared Raymond C. Frobosilo, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument, and that such individual made such appearance before the undersigned in the State of New Jersey, City of Edison, and County of Middlesex.

Lynda S. Healy
NOTARY PUBLIC

LYNDA S. HEALY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES 11-25-2018



Riverside Abstract, LLC
as Agent for
Old Republic National Title Insurance Company

OWNER'S POLICY
SCHEDULE A DESCRIPTION

Title Number: **RANY-13834**
Policy Number: **OX-09370055**

PARCEL 1:

ALL these certain plots, pieces or parcels of land situate, lying and being in the First Ward of the Borough and County of Queens, City and State of New York, bounded and described as Block 906, Lot 1:

BEGINNING at the point of the northerly side of 26th avenue (formerly known as Orchard Boulevard) distance 131.76 (deed) and 131.91 (calc) from the corner formed by the intersection of northerly side of 26th street and central line of 8^h street;

RUNNING THENCE northerly a distance 305 feet (deed) and 303.26 (calc);

THENCE northwesterly a distance 25.75 feet;

THENCE easterly a distance 125.03 feet;

THENCE northeasterly a distance 36.25 feet;

THENCE southerly along centerline of 9th street a distance 140.56 feet;

THENCE westerly forming interior angle of 90° a distance 30.00 feet;

THENCE southerly along easterly side of 9th street a distance 162.00 feet;

THENCE westerly along curve (concave south) along northerly side of 26th avenue a distance 102.03(desc) and 101.98 (calc) and radius 440.852 to the point or place of **BEGINNING**.

PARCEL 2:

ALL these certain plots, pieces or parcels of land situate, lying and being in the First Ward of the Borough and County of Queens, City and State of New York, bounded and described as Block 906, Lot 5:

BEGINNING at a point formed by the intersection of the southerly side of 26th avenue (formerly known as Orchard Boulevard) with the centerline of 8th street (formerly known as Steven Street);

RUNNING THENCE northerly along centerline of 8th street a distance 346.39 feet (deed) and 346.37 feet (description);

THENCE southeasterly along line (Exterior bulkhead line as in grant description) a distance 141'-5" (deed) and 141.47 (calc.);

THENCE southerly a distance 305 feet (deed) and 303.26 (calc) to the northerly side of 26th avenue;

THENCE westerly along northerly side of 26th avenue having a radius of 440.852 and distance 38.54 feet;

THENCE westerly along northerly side of 26th avenue distance 93.37 feet to the point or place of **BEGINNING**.

**SCHEDULE A DESCRIPTION
CONTINUED**

PARCEL 3:

ALL that certain lot, piece or parcel of land, situate, lying and being in the First Ward of Long Island City, Borough and County of Queens, City and State of New York, bounded and described as Block 907 Lot 1:

BEGINNING at a point formed by the intersection of the northerly side of 26th avenue (formerly known as Orchard Boulevard) with the centerline of 8th street (formerly known as Steven Street);

RUNNING THENCE westerly along northerly side of 26th avenue (formerly known as Orchard Boulevard) a distance 200.18 feet;

THENCE northerly forming exterior angle 88°35'00" with previous course a distance 562.23 feet;

THENCE southeasterly along line (modified u.s. pierhead and bulkhead line approved by July 16 1926) a distance 297.97 (calc.) and 292 feet (deed);

THENCE southerly along centerline of 8th street (formerly known as Steven Street) a distance 346.39 (calc) and 346.76 (description) to the point or place of **BEGINNING**.

Parcel 4:

ALL that certain lot, piece or parcel of land, situate, lying and being in the First Ward, of the Borough of Queens, City of New York, County of Queens, and State of New York, bounded and described as Block 908 Lot 12:

BEGINNING at a point formed by the intersection of the southerly side of 26th avenue (formerly known as Orchard Boulevard) with the center line of 8th street (formerly known as Stevens Street).

RUNNING THENCE easterly along southerly side of 26th & Street (Not legal Open) a distance 91.89 feet to the beginning of the curve;

THENCE easterly along curve concave north along southerly side of 26th street (Not legal open) distance of 141.41 feet with radius 500.852 feet;

THENCE southerly along westerly side of 9th street a distance 116.91 feet;

THENCE westerly forming interior angle 90° with previous course a distance of 100.09 feet;

THENCE southerly forming exterior angle 90° with previous course a distance 151.21;

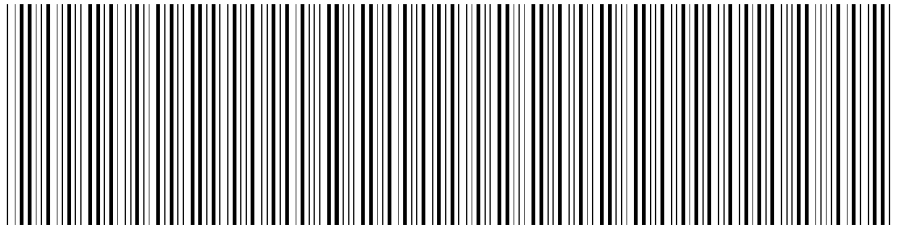
THENCE westerly forming interior angle 88°43'20" with previous course a distance 106.15;

THENCE southerly along easterly side of 8th street (not legal open) forming exterior angle 80°35'00" with previous course to the northerly side of 27th avenue a distance 250.03 feet;

THENCE westerly along northerly side of 27th avenue forming exterior angle 91°25'00" with previous course a distance 25.01 feet;

THENCE northerly along centerline of 8th street forming interior angle 91°25'00" with previous course a distance 500.56 feet to the point or place of **BEGINNING**.

**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**



2014082900991002002S9EFD

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2014082900991002
Document Type: DEED

Document Date: 08-12-2014

Preparation Date: 08-29-2014

ASSOCIATED TAX FORM ID: 2014060400338

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING
RP - 5217 REAL PROPERTY TRANSFER REPORT
SMOKE DETECTOR AFFIDAVIT

2
3
2



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

Customer Registration Form for Water and Sewer Billing

Property and Owner Information:

- (1) Property receiving service: BOROUGH: QUEENS BLOCK: 906 LOT: 1
- (2) Property Address: 8-51 26TH AVENUE, QUEENS, NY 11102
- (3) Owner's Name: 2030 ASTORIA DEVELOPERS LLC
- Additional Name: _____

Affirmation:



Your water & sewer bills will be sent to the property address shown above.

Customer Billing Information:

Please Note:

- A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, the property being placed in a lien sale by the City or Service Termination.
- B. Original bills for water and/or sewer service will be mailed to the owner, **at the property address or to an alternate mailing address**. DEP will provide a duplicate copy of bills to one other party (such as a managing agent), however, any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her liability to pay all outstanding water and sewer charges. Contact DEP at (718) 595-7000 during business hours or visit www.nyc.gov/dep to provide us with the other party's information.

Owner's Approval:

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

Print Name of Owner: _____

Signature: Meysa Schatz Date (mm/dd/yyyy) 8/12/14

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

SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES



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

Customer Registration Form for Water and Sewer Billing

Borough	Block	Lot	Street	City	State	Zip
QUEENS	906	5	8-01 26TH AVENUE	NY	NY	11102
QUEENS	907	1	4-55 26TH AVENUE	NY	NY	11102
QUEENS	908	12	4-57 26TH AVENUE	NY	NY	11102

201406040033810102

FOR CITY USE ONLY

C1. County Code C2. Date Deed Recorded / /
 Month Day Year

C3. Book OR C4. Page
 C5. CRFN



REAL PROPERTY TRANSFER REPORT

STATE OF NEW YORK
STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217NYC

PROPERTY INFORMATION

1. Property Location 8-51 26TH AVENUE QUEENS 11102
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name 2030 ASTORIA DEVELOPERS LLC
 LAST NAME / COMPANY FIRST NAME

3. Tax Billing Address
 LAST NAME / COMPANY FIRST NAME
 STREET NUMBER AND STREET NAME CITY OR TOWN STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 4 # of Parcels OR ☐ Part of a Parcel

5. Deed Property Size FRONT FEET ☒ DEPTH OR ACRES

8. Seller Name SUPERIOR STEEL STUDS, INC.
 LAST NAME / COMPANY FIRST NAME

4A. Planning Board Approval - N/A for NYC
 4B. Agricultural District Notice - N/A for NYC

Check the boxes below as they apply:
 6. Ownership Type is Condominium ☐
 7. New Construction on Vacant Land ☐

9. Check the box below which most accurately describes the use of the property at the time of sale:
 A ☐ One Family Residential C ☐ Residential Vacant Land E ☒ Commercial G ☐ Entertainment / Amusement I ☐ Industrial
 B ☐ 2 or 3 Family Residential D ☐ Non-Residential Vacant Land F ☐ Apartment H ☐ Community Service J ☐ Public Service

SALE INFORMATION

10. Sale Contract Date 8 / 25 / 2013
 Month Day Year

11. Date of Sale / Transfer 8 / 12 / 2014
 Month Day Year

12. Full Sale Price \$ 4 0 0 2 0 0 0 0
 (Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

13. Indicate the value of personal property included in the sale

14. Check one or more of these conditions as applicable to transfer:
 A ☐ Sale Between Relatives or Former Relatives
 B ☐ Sale Between Related Companies or Partners in Business
 C ☐ One of the Buyers is also a Seller
 D ☐ Buyer or Seller is Government Agency or Lending Institution
 E ☐ Deed Type not Warranty or Bargain and Sale (Specify Below)
 F ☐ Sale of Fractional or Less than Fee Interest (Specify Below)
 G ☐ Significant Change in Property Between Taxable Status and Sale Dates
 H ☐ Sale of Business is Included in Sale Price
 I ☐ Other Unusual Factors Affecting Sale Price (Specify Below)
 J ☒ None

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



15. Building Class E 9 16. Total Assessed Value (of all parcels in transfer) 2 4 5 2 2 3 5

17. Borough, Block and Lot / Roll Identifier(s) (If more than three, attach sheet with additional identifier(s))
QUEENS 906 1 QUEENS 906 5 QUEENS 907 1

201406040033820102

CERTIFICATION

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

 BUYER SIGNATURE 1271 45TH STREET		BUYER DATE 8/12/14		BUYER'S ATTORNEY LAST NAME FIRST NAME	
STREET NUMBER BROOKLYN		STREET NAME (AFTER SALE)		AREA CODE TELEPHONE NUMBER	
CITY OR TOWN		STATE NY		ZIP CODE 11219	
		SELLER  SELLER SIGNATURE		DATE 8/12/14	

RP - 5217 NYC

ATTACHMENT

Borough

Block

Lot

QUEENS

908

12

201406040033820102

**AFFIDAVIT OF COMPLIANCE
WITH SMOKE DETECTOR REQUIREMENT
FOR ONE- AND TWO-FAMILY DWELLINGS**

State of New ^{Jersey} York)
County of ^{Middlesex}) SS.:

The undersigned, being duly sworn, depose and say under penalty of perjury that they are the grantor and grantee of the real property or of the cooperative shares in a cooperative corporation owning real property located at

8-51 26TH AVENUE

Street Address		Unit/Apt.	
QUEENS	New York,	906	1
Borough		Block	Lot
(the "Premises");			

That the Premises is a one or two family dwelling, or a cooperative apartment or condominium unit in a one- or two-family dwelling, and that installed in the Premises is an approved and operational smoke detecting device in compliance with the provisions of Article 6 of Subchapter 17 of Chapter 1 of Title 27 of the Administrative Code of the City of New York concerning smoke detecting devices;

That they make affidavit in compliance with New York City Administrative Code Section 11-2105 (g). (The signatures of at least one grantor and one grantee are required, and must be notarized).

Superior Steel Studs, Inc
Name of Grantor (Type or Print)
Ray D. Probonis
Signature of Grantor

Meysa Lohman
Name of Grantee (Type or Print)
Meysa Lohman
Signature of Grantee

Sworn to before me
this 8th date of August 20 14

Lynda S. Healy
LYNDA S. HEALY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES 11-25-2018

Sworn to before me
this 12th date of August 20 14

STEVEN WEINREB
Notary Public State of New York
No. 02WE6076238
Qualified in Kings County
Commission Expires 06/24/2018

These statements are made with the knowledge that a willfully false representation is unlawful and is punishable as a crime of perjury under Article 210 of the Penal Law.

NEW YORK CITY REAL PROPERTY TRANSFER TAX RETURNS FILED ON OR AFTER FEBRUARY 6th, 1990, WITH RESPECT TO THE CONVEYANCE OF A ONE- OR TWO-FAMILY DWELLING, OR A COOPERATIVE APARTMENT OR A CONDOMINIUM UNIT IN A ONE- OR TWO-FAMILY DWELLING, WILL NOT BE ACCEPTED FOR FILING UNLESS ACCOMPANIED BY THIS AFFIDAVIT.

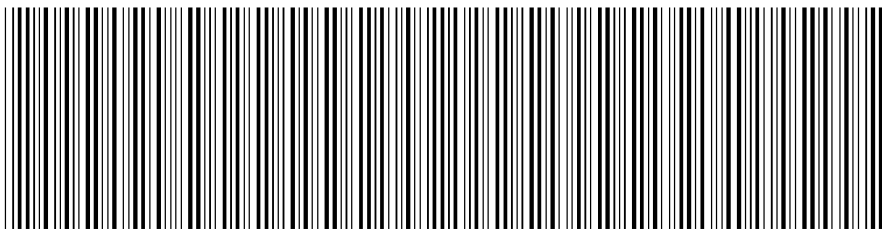
SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES

**Applicable properties compliant with the
Smoke Detector requirement**

Street Address	Unit/Apt	Borough	Block	Lot
8-01 26TH AVENUE		QUEENS	906	5
4-55 26TH AVENUE		QUEENS	907	1
4-57 26TH AVENUE		QUEENS	908	12

**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.



2025040400172001001E6108

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 8

Document ID: 2025040400172001

Document Date: 03-21-2025

Preparation Date: 04-04-2025

Document Type: DEED

Document Page Count: 6

PRESENTER:

KENSINGTON VANGUARD NATIONAL LAND SERVICES
41 MADISON AVENUE, 21ST FLOOR
TITLE NO. 5218517-F-NY-MR-SJ
NEW YORK, NY 10010
212-532-8686

RETURN TO:

B. DAVID SCHREIBER, ESQ.
366 PEARSALL AVENUE, SUITE 1
CEDARHURST, NY 11516

PROPERTY DATA

Borough	Block	Lot	Unit	Address
QUEENS	906	1	Entire Lot	8-51 26 AVENUE

Property Type: NON-RESIDENTIAL VACANT LAND

Borough	Block	Lot	Unit	Address
QUEENS	906	5	Entire Lot	8-01 26 AVENUE

Property Type: NON-RESIDENTIAL VACANT LAND

☒ Additional Properties on Continuation Page

CROSS REFERENCE DATA

CRFN _____ or DocumentID _____ or _____ Year _____ Reel _____ Page _____ or File Number _____

PARTIES

GRANTOR/SELLER:

2030 ASTORIA DEVELOPERS LLC
31-10 37TH AVE, STE 500
LONG ISLAND CITY, NY 11101

GRANTEE/BUYER:

KS ASTORIA HOLDINGS LLC
60 PARK PLACE
NEWARK, NJ 07102

FEES AND TAXES

Mortgage :

Mortgage Amount:	\$	0.00
------------------	----	------

Taxable Mortgage Amount:	\$	0.00
--------------------------	----	------

Exemption:

TAXES: County (Basic):	\$	0.00
------------------------	----	------

City (Additional):	\$	0.00
--------------------	----	------

Spec (Additional):	\$	0.00
--------------------	----	------

TASF:	\$	0.00
-------	----	------

MTA:	\$	0.00
------	----	------

NYCTA:	\$	0.00
--------	----	------

Additional MRT:	\$	0.00
-----------------	----	------

TOTAL:	\$	0.00
--------	----	------

Recording Fee:	\$	74.00
----------------	----	-------

Affidavit Fee:	\$	0.00
----------------	----	------

Filing Fee:

\$ 250.00

NYC Real Property Transfer Tax:

\$ 413,437.50

NYS Real Estate Transfer Tax:

\$ 102,377.50

**RECORDED OR FILED IN THE OFFICE
OF THE CITY REGISTER OF THE**

CITY OF NEW YORK

Recorded/Filed 04-07-2025 11:36

City Register File No.(CRFN):

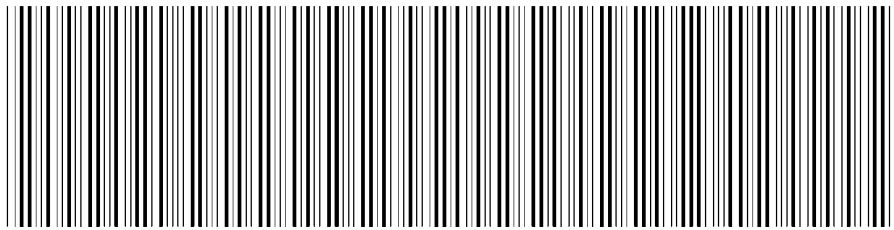
2025000093844



Colette McChia-Jacques

City Register Official Signature

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2025040400172001001C6388

RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION) PAGE 2 OF 8

Document ID: 2025040400172001 Document Date: 03-21-2025 Preparation Date: 04-04-2025
Document Type: DEED

PROPERTY DATA

Borough	Block Lot	Unit	Address
QUEENS	908 12 Entire Lot		4-57 26 AVENUE
Property Type: NON-RESIDENTIAL VACANT LAND			
Borough	Block Lot	Unit	Address
QUEENS	909 35 Entire Lot		4-34 26 AVENUE
Property Type: APARTMENT BUILDING			

DEED

THIS INDENTURE, made as of the 21st day of March, 2025, between 2030 ASTORIA DEVELOPERS LLC, a Delaware limited liability company authorized to do business in the State of New York, having an address at 31-10 37th Avenue, Suite 500, Long Island City, NY 11101 ("Grantor") and KS ASTORIA HOLDINGS LLC, a Delaware limited liability company authorized to do business in the State of New York, having an address at principal business office of the Company shall be located at 60 Park Place, Newark, New Jersey 07102 ("Grantee").

W I T N E S S E T H :

That Grantor, in consideration of Ten Dollars (\$10.00) and other valuable consideration paid by Grantee, does hereby grant and release unto Grantee, the heirs or successors and assigns of Grantee forever, all that plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being known as 8-11/8-51 26th Avenue aka 25-18 9th Street, Long Island City, New York (Block: 906, Lot: 1), 8-01 26th Avenue aka 25-02 9th Street, Long Island City, New York (Block: 906, Lot: 5), 4-57 26th Avenue aka 4-42 26th Avenue aka 26-10 9th Street aka 8-02 26th Avenue, Long Island City, New York (Block: 908, Lot: 12), 4-34 26th Avenue, Long Island City, New York (Block: 909, Lot: 35) (collectively, the "Premises"), as more particularly described on Exhibit A annexed hereto and made a part hereof,

Together with all right, title and interest, if any, of Grantor in and to any streets and roads abutting the Premises to the center lines thereof;

Together with the appurtenances and all the estate and rights of Grantor in and to said Premises;

TO HAVE AND TO HOLD the Premises herein granted unto Grantee, the heirs or successors and assigns of Grantee, forever;

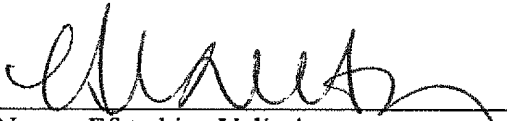
AND the Grantor covenants that the Grantor has not done or suffered anything whereby the said Premises have been encumbered in any way, except as aforesaid;

AND Grantor, in compliance with Section 13 of the Lien Law, covenants that Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvements at the Premises and will apply the same first to the payment of the cost of the improvements before using any part of the total of the same for any other purpose.

[NO FURTHER TEXT ON THIS PAGE]

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

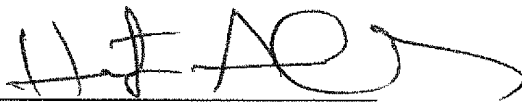
2030 ASTORIA DEVELOPERS LLC



Name: Efstathios Valiotis
Title: Manager

STATE OF NEW YORK)
) SS.:
COUNTY OF QUEENS)

On the 13th day of March 2025, before me, the undersigned, personally appeared Efstathios Valiotis, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity(ies), and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

HECTOR ALEXIADES
Notary Public, State of New York
Registration # 02AL6016470
Qualified in Queens County
Commission Expires Jan. 16, 2028



2027

EXHIBIT A

Legal Description

FIRST AMERICAN TITLE INSURANCE COMPANY

Title No.: 5218517-F-NY-MP-SJ

Schedule A Description

Parcel I, (Block: 906, Lot: 1):

ALL that certain plot, piece or parcel of land, situate, lying and being in the First Ward of the Borough and County of Queens, City and State of New York, bounded and described as Block 906, Lot 1:

BEGINNING at the point of the northerly side of 26th Avenue (formerly known as Orchard Boulevard), distance 131.76 (deed) and 131.91 (calc) from the corner formed by the intersection of northerly side of 26th Street and central line of 8th Street;

RUNNING THENCE northerly, a distance 305 feet (Deed) 303.26 (calc);

THENCE northwesterly, a distance 25.75 feet;

THENCE easterly, a distance of 125.03 feet;

THENCE northeasterly, a distance 36.25 feet;

THENCE southerly along centerline of 9th Street, a distance 140.56 feet;

THENCE westerly forming interior angle of 90 degrees, a distance 30.00 feet;

THENCE southerly along westerly side of 9th Street, a distance 162.00 feet;

Thence westerly along curve (concave South) along northerly side of 26th Avenue, a distance 102.03 (desc) and 101.98 (calc) and radius 440.852 to the point or place of BEGINNING.

Parcel II, (Block: 906 Lot: 5):

ALL that certain plot, piece or parcel of land, situate, lying and being in the First Ward of the Borough and County of Queens, City and State of New York, bounded and described as Block 906, Lot 5:

BEGINNING at a point formed by the intersection of the northerly side of 26th Avenue (formerly known as Orchard Boulevard) with the centerline of 8th Street (formerly known as Steven Street);

RUNNING THENCE northerly along centerline of 8th Street, a distance 346.39 feet (deed) and 346.37 feet (description);

THENCE southeasterly along line (exterior bulkhead line as in grant description), a distance 141 feet 5 inches (deed) and 141.47 (calc);

THENCE southerly, a distance 305 feet (Deed) and 303.26 (calc) to the northerly side of 26th Avenue;

THENCE westerly along northerly side of 26th Avenue having a radius of 440.852 and distance 38.54 feet;

THENCE westerly along northerly side of 26th Avenue, distance 93.37 feet to the point or place of BEGINNING.

Parcel III, (Block: 908 Lot: 12):

ALL that certain plots, piece or parcel of land, situate, lying and being in the First Ward of the Borough and County of Queens, City and State of New York, bounded and described as Block 908, Lot 12:

BEGINNING at a point formed by the intersection of the southerly side of 26th Avenue (formerly known as Orchard

SCHEDULE A DESCRIPTION (Continued)

Boulevard) with the center line of 8th Street (formerly known as Stevens Street).

RUNNING THENCE easterly along southerly side of 26th Street (not legal open), a distance 91.89 feet to the beginning of the curve;

THENCE easterly along curve concave North along southerly side of 26th Street (not legal open), distance of 141.41 feet with radius 500.852 feet;

THENCE southerly along westerly side of 9th Street, a distance 116.91 feet;

THENCE westerly forming interior angle 90 feet with previous course, a distance of 100.09 feet;

THENCE southerly forming exterior angle 90 feet with previous course, a distance 151.21;

THENCE westerly forming interior angle 88 degrees 43 minutes 20 seconds with previous course, a distance 106.15;

THENCE southerly along easterly side of 8th Street (not legal open) forming exterior angle 80 degrees 35 minutes 00 seconds with previous course to the northerly side of 27th Avenue, a distance 250.03 feet;

THENCE westerly along northerly side of 27th Avenue forming exterior angle 91 degrees 25 minutes 00 seconds with previous course, a distance of 25.01 feet;

THENCE northerly along centerline of 8th Street forming interior angle 91 degrees 25 minutes 00 seconds with previous course, a distance 500.56 feet to the point or place of BEGINNING.

Parcel IV, (Block: 909, Lot 35):

ALL that certain plot, piece or parcel of land, situate, lying and being in the First Ward of the Borough and County of Queens, City and State of New York, bounded and described as Block 909, Lot 35:

BEGINNING at the point of southerly side of 26th Avenue (formerly known Orchard Boulevard), distant 250.05 feet easterly from the corner formed by the intersection of the southerly side of 26th Avenue and 4th Street;

RUNNING THENCE easterly along southerly side of 26th Avenue, 150.36 feet;

THENCE southerly along the centerline of the 8th Street forming interior angle of 91 degrees 25 minutes 00 seconds with previous course, a distance 200.20 feet;

THENCE westerly forming interior angle of 88 degrees 35 minutes 00 seconds with previous course, a distance 135.35 feet;

THENCE northerly forming interior angle of 91 degrees 25 minutes 00 seconds with previous course, a distance of 96.2 feet;

THENCE westerly forming exterior angle of 91 degrees 25 minutes 00 seconds with previous course, a distance 15.00 feet;

THENCE northerly to the southerly side of 26th Avenue forming interior angle of 91 degrees 25 minutes 00 seconds with previous course, a distance of 104.00 feet to the point or place of BEGINNING.

TOGETHER with all right, title and interest of the party of the first part of, in and to the land lying in the street in front of and adjoining said premises.

DEED

2030 ASTORIA DEVELOPERS LLC

to

KS ASTORIA HOLDINGS LLC

BLOCK: 906
LOTS: 1 and 5
COUNTY: Queens

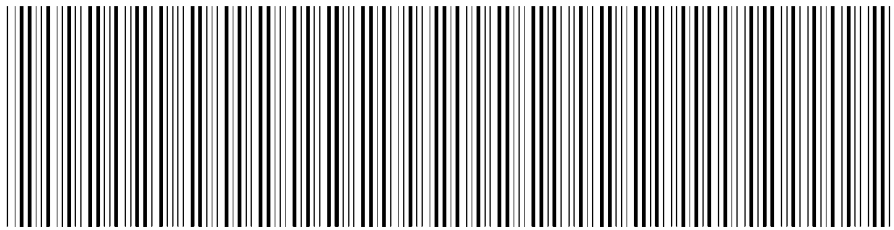
BLOCK: 908
LOT: 12
COUNTY: Queens

BLOCK: 909
LOT: 35
COUNTY: Queens

RECORD AND RETURN TO:

B. David Schreiber, Esq.
366 Pearsall Avenue, Suite 1
Cedarhurst, New York 11516

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2025040400172001001SAF89

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2025040400172001
Document Type: DEED

Document Date: 03-21-2025

Preparation Date: 04-04-2025

ASSOCIATED TAX FORM ID: 2025031200075

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING
RP - 5217 REAL PROPERTY TRANSFER REPORT

2
4



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

Customer Registration Form for Water and Sewer Billing

Property and Owner Information:

- (1) Property receiving service: BOROUGH: QUEENS BLOCK: 906 LOT: 1
- (2) Property Address: 8-51 26 AVENUE, QUEENS, NY 11102
- (3) Owner's Name: KS ASTORIA HOLDINGS LLC
- Additional Name:

Affirmation:



Your water & sewer bills will be sent to the property address shown above.

Customer Billing Information:

Please Note:

- A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, the property being placed in a lien sale by the City or Service Termination.
- B. Original bills for water and/or sewer service will be mailed to the owner, at the property address or to an alternate mailing address. DEP will provide a duplicate copy of bills to one other party (such as a managing agent), however, any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her liability to pay all outstanding water and sewer charges. Contact DEP at (718) 595-7000 during business hours or visit www.nyc.gov/dep to provide us with the other party's information.

Owner's Approval:

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

Print Name of Owner: KS Astoria Holdings LLC

Signature: _____ Date (mm/dd/yyyy) 03/17/2025

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

SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES



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

Customer Registration Form for Water and Sewer Billing

Borough	Block	Lot	Street	City	State	Zip
QUEENS	906	5	8-01 26 AVENUE	NY	NY	11102
QUEENS	908	12	4-57 26 AVENUE	NY	NY	11102
QUEENS	909	35	4-34 26 AVENUE	NY	NY	11102

202503120007510103

C1. County Code C2. Date Deed Recorded / /
Month Day Year
C3. Book
OR C4. Page
C5. CRFN



STATE OF NEW YORK
STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217NYC

1. Property Location	8-51	26 AVENUE	QUEENS	11102
	STREET NUMBER	STREET NAME	BOROUGH	ZIP CODE

2. Buyer Name	KS ASTORIA HOLDINGS LLC	
	LAST NAME / COMPANY	FIRST NAME
	LAST NAME / COMPANY	FIRST NAME

3. Tax Billing Address Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)

LAST NAME / COMPANY		FIRST NAME	
STREET NUMBER AND STREET NAME		CITY OR TOWN	STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 4 # of Parcels OR ☐ Part of a Parcel

4B. Agricultural District Notice - N/A for NYC

5. Deed
Property Size FRONT FEET X DEPTH OR ACRES

6. Ownership Type is Condominium

7. New Construction on Vacant Land

8. Seller Name	2030 ASTORIA DEVELOPERS LLC	
	LAST NAME / COMPANY	FIRST NAME
	LAST NAME / COMPANY	FIRST NAME

9. Check the box below which most accurately describes the use of the property at the time of sale:

A ☐ One Family Residential C ☐ Residential Vacant Land E ☒ Commercial G ☐ Entertainment / Amusement I ☐ Industrial
B ☐ 2 or 3 Family Residential D ☐ Non-Residential Vacant Land F ☐ Apartment H ☐ Community Service J ☐ Public Service

10. Sale Contract Date 8 / 9 / 2023
Month Day Year

11. Date of Sale / Transfer 3 / 21 / 2025
Month Day Year

12. Full Sale Price \$ 4500000

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) *Please round to the nearest whole dollar amount.*

13. Indicate the value of personal property included in the sale

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

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

15. Building Class V 1 16. Total Assessed Value (of all parcels in transfer) 1 9 9 2 1 5 0

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

QUEENS 906 1

QUEENS 906 5

QUEENS 908 12

CERTIFICATION

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

BUYER**BUYER'S ATTORNEY**


BUYER SIGNATURE 60 PARK PLACE		DATE	LAST NAME		FIRST NAME
STREET NUMBER		STREET NAME (AFTER SALE)		AREA CODE	TELEPHONE NUMBER
NEWARK		NJ	07102		SELLER
CITY OR TOWN		STATE	ZIP CODE		SELLER SIGNATURE
					DATE

2025031200075201

CERTIFICATION

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

BUYER**BUYER'S ATTORNEY**

BUYER SIGNATURE 60 PARK PLACE		DATE	LAST NAME		FIRST NAME
STREET NUMBER	STREET NAME (AFTER SALE)		AREA CODE	TELEPHONE NUMBER	
NEWARK				SELLER	
CITY OR TOWN	STATE NJ	ZIP CODE 07102	SELLER SIGNATURE 		DATE 3/13/25

Borough	Block	Lot
QUEENS	909	35



Department of State

Division of Corporations

Entity Information

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

Entity Details



ENTITY NAME: KS ASTORIA HOLDINGS LLC

DOS ID: 7480454

FOREIGN LEGAL NAME: KS ASTORIA HOLDINGS LLC

FICTITIOUS NAME:

ENTITY TYPE: FOREIGN LIMITED LIABILITY COMPANY

DURATION DATE/LATEST DATE OF DISSOLUTION:

SECTION OF LAW: LIMITED LIABILITY COMPANY - 802 LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW

ENTITY STATUS: ACTIVE

DATE OF INITIAL DOS FILING: 12/05/2024

REASON FOR STATUS:

EFFECTIVE DATE INITIAL FILING: 12/05/2024

INACTIVE DATE:

FOREIGN FORMATION DATE: 11/06/2024

STATEMENT STATUS: CURRENT

COUNTY: ALBANY

NEXT STATEMENT DUE DATE: 12/31/2026

JURISDICTION: DELAWARE, 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: THE LLC

Address: 60 PARK PLACE, NEWARK, NJ, UNITED STATES, 07102

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

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RESOLUTION OF LIMITED LIABILITY COMPANY

The undersigned, being the Managing Member of Astoria Manager LLC, a New York limited liability company, which is the managing member of KS Astoria LLC, a New York limited liability company, which is the sole member of KS Astoria Building 3B LLC, a Delaware limited liability company, which is the sole member of KS Astoria Holdings LLC, a Delaware limited liability company (the “Company”), does hereby resolve that:

1. Daniel Spiegel is an authorized representative of the Company and has the full power and authority on behalf of the Company to:

(a) Execute documents in connection with the application of the Company for participation in the New York State Brownfield Cleanup Program (the “BCP”);

(b) Enter into agreements with the New York State Department of Environmental Protection (the “DEC”) in connection with the Company’s participation in the BCP;

(c) Execute any and all documents in connection with the Company’s participation in the BCP, including but not limited to applications, agreements, and tax returns; and

(d) Take any action necessary to the furtherance of the Company’s participation in the BCP, including but not limited to conducting negotiations on behalf of the Company.

2. The authority hereby conferred shall be deemed retroactive, and any and all acts authorized herein which were performed prior to the adoption of this Resolution are hereby approved and ratified. The authority hereby conferred is in addition to that conferred by any other consent heretofore or hereafter delivered to the DEC and shall continue in full force and effect until the DEC shall have received notice in writing, certified by the sole member of this Company, of the revocation hereof by a resolution duly adopted by the sole member of this Company. Any such revocation shall be effective only as to actions taken by this company subsequent to DEC’s receipt of such notice.

3. The undersigned hereby represents and warrants that (i) as Managing Member of the indirect sole member of the Company, the undersigned is the *de facto* Managing Member of the Company; and (ii) the consent of the Managing Member is sufficient to authorize the Company to take the aforementioned actions.

Dated: Newark, NJ
May 30, 2025

KS ASTORIA HOLDINGS LLC

By: KS Astoria Building 3B LLC

By: KS Astoria LLC

By: Astoria Manager LLC

By: _____
YEHUDA KOTKES
Managing Member

Section X: Requestor Eligibility Information

SECTION X: REQUESTOR ELIGIBILITY INFORMATION

Volunteer Status

The Requestor, KS Astoria Holdings LLC, qualifies as a “Volunteer” in the BCP because it has no connection with any prior owner or operator of the former industrial/commercial activities on the Site, and did not cause, contribute, or permit the disposal of any contaminants at the Site, nor did the Requestor control the Site when such contamination occurred. The Requestor obtained a Phase I ESA for purposes of all appropriate inquiry prior to acquiring title to the Site property and intends to address Site contamination via the BCP. Requestor Upon taking title, Requestor inspected the Site, and did not observe (and is not aware of) any continuing release. Requestor has taken the necessary steps to prevent any threatened future release, and prevent and limit human, environmental or natural resource exposure to any previously released contamination at the Site such as maintaining the vacancies of the buildings, maintaining the building footprint cover, and providing site security in the form of locked exterior doors as well as the locked perimeter security fencing (consisting of an 8-foot galvanized chain link fence with posts affixed with barbed wire at the top, with a lockable swing fence accessible from 26th Avenue). As such, the Requestor qualifies as a Volunteer as defined in ECL 27-1405(1)(b).¹

¹¹ The Requestor purchased the Site from 2030 Astoria Developers LLC (“Seller”) on March 21, 2025, in an arms-length transaction for a negotiated Purchase Price. Part of the Purchase Price was paid at Closing; the balance of the Purchase Price is to be paid by a date certain. To secure payment of that balance, certain principals of Seller have formed a new entity (“NuCo”) that has been given a membership interest in a twice-removed upstream entity in the ownership chain of the Requestor. Upon payment of the balance, NuCo will be removed from that upstream entity, and will have no ongoing relationship, direct or indirect, with Requestor. In the interim, for all intents and purposes, NuCo is a secured lender of Requestor. As such, the Requestor understands this relationship does not impact Requestor’s status as a Volunteer.

Furthermore, even if Seller (or NuCo) itself were the Requestor (which it is not), it too would qualify as a “Volunteer”: Seller obtained a Phase I ESA for purposes of all appropriate inquiry, prior to acquiring title to the Site property in 2014, had no connection with any prior owner and/or operator of the former industrial/commercial activities on the Site, and did not cause, contribute, or permit the disposal of any contaminants at the Site, nor did the Seller control the Site when such contamination occurred. Upon taking title to the Site in August 2014, Seller inspected the Site, vacated all operators/tenants/occupants, and maintained the existing perimeter security fencing. This fence was locked and secured for the entirety of Seller’s ownership of the Site.

From 2014 through 2019, Seller was in the process of obtaining approval from the NYC Department of City Planning to rezone the Site for residential use. In 2019, Seller received approval to rezone the Site and entered into negotiations with the City of New York to include redevelopment provisions to construct affordable housing under the 421-a program. Based on the size of the Site, the 421-a program was integral to the viability of the project. In March 2018, the Site enrolled in the New York City Office of Environmental Remediation E-Designation Program with the intent to perform environmental investigations and remedial actions under the supervision of the New York City Office of Environmental Remediation (NYCOER), which is consistent with the rezoning requirements under the Department of City Planning. From 2019-2024 the Site proceeded with the remedial investigation and remedial action work plan design to obtain NYCOER approvals. The Site investigation and remediation was slowed from 2020 through 2022 due to the COVID-19 Pandemic and the shift to vest the site via foundational elements under the 421-a program. In 2024, New York State released a new affordable housing program, 485x, which extended the deadline for 421-a and was integral for the revitalization of this development.

Seller, therefore, took necessary steps to prevent any threatened future release, and prevent and limit human, environmental or natural resource exposure to any previously released contamination at the Site: vacating all buildings; maintaining the building footprint cover; prohibiting access to the Site (and the buildings); and, most important, enrolling in the NYCOER program. As such, even if the Seller were the requestor (which it is not), it too would qualify as a Volunteer as defined in ECL 27-1405(1)(b). Consequently, the fact that certain principals of Seller are the members of NuCo does not impact the Requestor’s status as a Volunteer.

Section XII: Contact List Information And Acknowledgement From Repository

SECTION XII – CONTACT LIST INFORMATION

SITE CONTACT LISTS

Executive

Role	Name	Phone	Mailing Address	Email / Contact
NYC Mayor	Mayor Eric L. Adams	212-NEW-YORK	City Hall New York, NY 10007	https://www1.nyc.gov/office-of-the-mayor/mayor-contact.page
NYC Department of City Planning Chairperson	Daniel R. Garodnick	212-720-3300	120 Broadway 31st Floor New York, NY 10271	https://www1.nyc.gov/site/planning/about/email-the-director.page
Queens Borough President	Donovan Richards, Jr.	718-286-3000	Queens Borough Hall 120-55 Queens Boulevard Kew Gardens, NY 11424	Drichards@council.nyc.gov
Queens Community Board 1 District Manager	Florence Koulouris	718-626-1021	45-02 Ditmars Boulevard LL Suite 1025, Astoria, NY, 11105	qn01@cb.nyc.gov
New York City Council District 22	Tiffany Caban	718-274-4500	30-83 31st Street, Astoria, NY 11102	District22@council.nyc.gov
NY Senate District 59 Senator	Kristen Gonzalez	518-455-3250	801 2nd Ave, Suite #303, New York, NY 10017	gonzalez@nysenate.gov
NY State Assembly District 037 Member	Juan Ardila	718-784-3194	45-10 Skillman Avenue, First Floor Sunnyside, NY 11104	ardilaj@nyassembly.gov
NYC Department of Health and Mental Hygiene (DOHMH)	Ashwin Vasan, M.D., PhD Commissioner	212-639-9675	42-09 28 th Street, Queens, NY 11101	opmc@health.ny.gov
Director of the Mayor's Office of Environmental Remediation	Shaminder Chawla	212-788-8841	100 Gold Street, 2 nd Floor New York, NY 10038	shaminder@dep.nyc.gov

Owners, Residents, Occupants

The Site comprises two tax lots: Lot 1 and Lot 5. The Site is undeveloped and has been vacant since 2014. The tables below provide current contact information for the owner and occupant of the Site.

Owner	Contact Name	Phone	Mailing Address	Email
KS Astoria Holdings, LLC	Dan Spiegel	(347)-528-6982	60 Park Place, 20 th Floor, Newark, NJ 07102	abe@ynhcon.com

Operator	Contact Name	Phone	Mailing Address	Email
N/A – Vacant	Not Available	N/A	N/A	N/A

Adjacent Properties

Below is a list of the adjoining properties which are also detailed on Figure 8.

Owner/Entity Name	Address	Contact Name	Owner Mailing Address	Site Use
2030 Astoria Developers LLC	4-34, 4-55, and 4-57 26th Avenue	N/A	31-10 37th Avenue, Suite 500, Long Island, NY 11101	Industrial Use Buildings
Shore Towers Condominium	25-40 Shore Boulevard	N/A	Santander Bank, 450 Penn Street, Reading, PA 19602	Multi-Family Residential
Mario Nacinovich	26-03 9th Street	N/A	26-03 9th Street, Long Island City, NY 11102	Multi-Family Residential
Diane Kantzoglou	26-05 9th Street	N/A	26-05 9th Street, Long Astoria, NY 11102	Multi-Family Residential
Asadur Miah	26-07 9th Street	N/A	20 Hemlock Drive Glen Head, NY 11545	Multi-Family Residential

Local News and Media:

Owner/Entity Name	Type	Address	Phone	Website
Queens Daily Eagle	Print Newspaper, Online Media	8900 Sutphin Boulevard, LL2, Jamaica, NY 11435	718-422-7409	www.queenseagle.com
Spectrum 1 News	Television	75 Ninth Avenue, New York, NY 10011	212-691-6397	https://www.ny1.com/nyc/all-boroughs/about-us/contact-us

Public Water Supply:

Public water supply is a shared responsibility between the New York City Department of Environmental Protection (NYCDEP) and the Municipal Water Finance Authority.

Owner/Entity Name	Contact	Address	Phone	Email
NYCDEP	Vincent Sapienza - Chief Operating Officer	59-17 Junction Blvd. Flushing, NY 11373	718-595-6565	ltp@dep.nyc.gov
NYC Municipal Water Finance Authority	Olga Chernat- Executive Director	255 Greenwich Street 6th Floor, New York, NY 10007	212-788-5889	Not Available

Additional Requests

We are unaware of any requests to be included on the contact list for the Former Tilsdale Lumber and Coal Redevelopment Site located at 8-11 26th Avenue and 25-02 9th Street in Queens, New York.

School or Day Care Located on or Proximal to the Site

Following schools or day care facilities are located within ½-mile radius to the Site:

School/Day Care Name	Approximate distance from Site in feet and (directional)	Administrator	Phone	Address
Adult and Continuing Education	600' (South)	Not Available	718-638-2635	4-21 27th Avenue, Astoria, NY 11102
Astoria Blue Feather Early Learning Center	930' (South)	Sandra Evangelista- Gilman	718-721-3960	27-07 8th Street, Astoria, NY, 11102
St Margaret Mary Head Start	1000' (East)	Not Available	718-721-8065	916 27th Avenue, Long Island City, NY 11102
Alphabet City Child Care Center	1050' (East)	Not Available	718-626-0050	26-27 2nd Street, Long Island City, NY 11102

School/Day Care Name	Approximate distance from Site in feet and (directional)	Administrator	Phone	Address
Little Blossoms Montessori	1165' (East)	Not Available	212-203-9898	14-08 Astoria Park South, Astoria, NY 11102
My Little Friend Daycare	2000' (East)	Not Available	347-507-0586	1217 30th Road, Astoria, NY 11102
P.S. 171 Peter G. Van Alst	2060' (South)	Not Available	718-932-0909	14-14 29th Avenue, Astoria, NY 11102
The Young Women's Leadership School of Astoria	2430' (Southeast)	Not Available	718-267-2839	23-15 Newtown Avenue, Astoria, NY 11102
Bright Start Child Learning Center	2500' (East)	Not Available	718-777-8848	30-11 21st Street, Astoria, NY 11102
Academy of the City Charter School	2600' (Southwest)	Not Available	718-487-9857	23-40 Astoria Boulevard, Astoria, NY 11102
The Day School of Astoria	2620' (Southwest)	Not Available	718-545-0535	25-44 Crescent St, Queens, NY 11102

Document Repository

Queens Community Board 1 and the Queens Public Library – Astoria Branch were notified on December 10, 2024 in regard to utilizing their space as a document repository and renotified on February 25, 2025. Repository information is detailed below:

Owner/Entity Name	Contact	Address	Phone	Email
Queens Public Library – Astoria Branch	Elisabeth de Bourbon	14-01 Astoria Boulevard Astoria, NY 11102	718-278-2220	edebourbon@queenslibrary.org

Owner/Entity Name	Contact	Address	Phone	Email
Queens Community Board 1	Florence Koulouris	45-02 Ditmars Boulevard LL Suite 1025, Astoria, NY 11105	718-626-1021	gn01@cb.nyc.gov

Acknowledgement from Queens Community Board 1 to Act as Document Repository



H & A OF NEW YORK ENGINEERING
AND GEOLOGY, LLP
213 W 35th Street
7th Floor
New York, NY 10123
Tel: 646.277.5686

25 February 2025
File No. 0211417-000

Queens Community Board 1
45-02 Ditmars Boulevard
LL Suite 1025
Astoria, NY 11105
Via email: qn01@cb.nyc.gov
Attn: Florence Koulouris

COMMUNITY BOARD No. 1 - QUEENS
THE PISTILLI GRAND MANOR

45-02 DITMARS BOULEVARD · LL SUITE 125
ASTORIA, NEW YORK 11105
Tel: (718) 626-1021

RECEIVED

JUN 05 2025

Subject: Brownfield Cleanup Program Application – Request for Repository Use
Proposed Former Tilsdale Lumber and Coal Redevelopment Site
8-01 and 8-51 26th Street
Astoria, NY 11102

Dear Florence Koulouris:

H & A of New York Engineering and Geology, LLP, on behalf of KS Astoria LLC, is requesting use of the Queens Community Board 1 as a document repository for the anticipated project located at 8-01 and 8-51 26th Street in Queens, NY. The New York State Department of Environmental Conservation (NYSDEC) requires a letter certifying that the proposed document repository is able to serve as a public repository for all documents pertaining to the environmental cleanup at the Site. Please sign below denoting that your facility would be amenable to serving as a temporary public repository.

Should you have any questions, please do not hesitate to contact me at (646) 893-4733 or mlevy@haleyaldrich.com.

Thank you,
H & A OF NEW YORK ENGINEERING AND GEOLOGY, LLP


Matthew Levy
Senior Project Manager

The Queens Community Board 1 is willing to act as a public document repository holding and making available of all provided environmental documents related to the Proposed Former Tilsdale Lumber and Coal Redevelopment Site Brownfield Cleanup Project.

Name

Date

Title

Acknowledgement from Queens Public Library – Astoria Branch to Act as Document Repository



H & A OF NEW YORK ENGINEERING
AND GEOLOGY, LLP
213 W 35th Street
7th Floor
New York, NY 10123
Tel: 646.277.5686

25 February 2025
File No. 0211417-000

Queens Public Library – Astoria Branch
14-01 Astoria Boulevard
Astoria, NY 11102
Via email: edebourbon@queenslibrary.org
Attn: Elisabeth de Bourbon

Subject: Brownfield Cleanup Program Application – Request for Repository Use
Proposed Former Tilsdale Lumber and Coal Redevelopment Site
8-01 and 8-51 26th Avenue
Astoria, NY 11102

Dear Elisabeth de Bourbon:

H & A of New York Engineering and Geology, LLP, on behalf of KS Astoria LLC, is requesting use of the Queens Public Library – Astoria Branch as a document repository for the anticipated project located at 8-01 and 8-51 26th Avenue in Astoria, NY. The New York State Department of Environmental Conservation (NYSDEC) requires a letter certifying that the proposed document repository is able to serve as a public repository for all documents pertaining to the environmental cleanup at the Site. Please sign below denoting that your facility would be amenable to serving as a temporary public repository.

Should you have any questions, please do not hesitate to contact me at (646) 893-4733 or mlevy@haleyaldrich.com.

Thank you,
H & A OF NEW YORK ENGINEERING AND GEOLOGY, LLP

Matthew Levy
Senior Project Manager

The Queens Public Library – Astoria Branch is willing to act as a public document repository holding and making available of all provided environmental documents related to the Proposed Former Tilsdale Lumber and Coal Redevelopment Site Brownfield Cleanup Project.

Jeremy Zorel
Name
CM
Title

6/5/25
Date