

57 Alexander Street

Brownfield Cleanup Program Application & Support Document

71 Alexander Street, Yonkers (SBL 2-2610-0050)

65 Alexander Street, Yonkers (SBL 2-2610-0053)

57 Alexander Street, Yonkers (SBL 2-2610-0057)

47 Alexander Street, Yonkers (SBL 2-2605-0051)

PREPARED FOR

Chief of Site Control
Division of Environmental Remediation
NYS Department of Environmental Conservation
625 Broadway
Albany, New York

PREPARED BY



**VHB Engineering, Surveying, Landscape
Architecture and Geology, P.C.**

One Penn Plaza
Suite 715
New York, New York 10119

AUGUST 2019
revised October 4, 2019



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

Yes **No** **If yes, provide existing site number:** _____

PART A (note: application is separated into Parts A and B for DEC review purposes) *BCP App Rev 10*

Section I. Requestor Information - See Instructions for Further Guidance			DEC USE ONLY BCP SITE #: _____
NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
<p>Is the requestor authorized to conduct business in New York State (NYS)? Yes No</p> <ul style="list-style-type: none"> If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's Corporation & Business Entity Database. A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. Please note: If the requestor is an LLC, the members/owners names need to be provided on a separate attachment. <p>Do all individuals that will be certifying documents meet the requirements detailed below? Yes No</p> <ul style="list-style-type: none"> Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of DER-10: Technical Guidance for Site Investigation and Remediation and Article 145 of New York State Education Law. Documents that are not properly certified will be not approved under the BCP. 			
Section II. Project Description			
<p>1. What stage is the project starting at? Investigation Remediation</p> <p>2. If the project is starting at the remediation stage, a Remedial Investigation Report (RIR), Alternatives Analysis, and Remedial Work Plan must be attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance).</p> <p>3. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): Yes No</p> <p>4. Please attach a short description of the overall development project, including:</p> <ul style="list-style-type: none"> the date that the remedial program is to start; and the date the Certificate of Completion is anticipated. 			

Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (**please submit the information requested in this section in electronic format only**):

- 1. Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). **Please submit a separate electronic copy of each report in Portable Document Format (PDF).**

2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum			
Chlorinated Solvents			
Other VOCs			
SVOCs			
Metals			
Pesticides			
PCBs			
Other*			

*Please describe: _____

3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:

- **SAMPLE LOCATION**
- **DATE OF SAMPLING EVENT**
- **KEY CONTAMINANTS AND CONCENTRATION DETECTED**
- **FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE**
- **FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5**
- **FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX**

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

Yes No

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

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

Other: _____

Section IV. Property Information - See Instructions for Further Guidance

PROPOSED SITE NAME

ADDRESS/LOCATION

CITY/TOWN

ZIP CODE

MUNICIPALITY(IF MORE THAN ONE, LIST ALL):

COUNTY

SITE SIZE (ACRES)

LATITUDE (degrees/minutes/seconds)

LONGITUDE (degrees/minutes/seconds)

Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed, please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section No.	Block No.	Lot No.	Acreage

1. Do the proposed site boundaries correspond to tax map metes and bounds?
If no, please attach an accurate map of the proposed site. Yes No

2. Is the required property map attached to the application?
(application will not be processed without map) Yes No

3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)?
(See [DEC's website](#) for more information) Yes No

If yes, identify census tract : _____

Percentage of property in En-zone (check one): 0-49% 50-99% 100%

4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? Yes No

If yes, identify name of properties (and site numbers if available) in related BCP applications: _____

5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? Yes No

6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? Yes No

If yes, attach relevant supporting documentation.

7. Are there any lands under water? Yes No
If yes, these lands should be clearly delineated on the site map.

Section IV. Property Information (continued)

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

<u>Easement/Right-of-way Holder</u>	<u>Description</u>
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9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>
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10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**? Yes No

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

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

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

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

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

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

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

Initials of each Requestor: _____

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

Section V. Additional Requestor Information See Instructions for Further Guidance	DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____
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NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE		
ADDRESS		
CITY/TOWN	ZIP CODE	
PHONE	FAX	E-MAIL
NAME OF REQUESTOR'S CONSULTANT		
ADDRESS		
CITY/TOWN	ZIP CODE	
PHONE	FAX	E-MAIL
NAME OF REQUESTOR'S ATTORNEY		
ADDRESS		
CITY/TOWN	ZIP CODE	
PHONE	FAX	E-MAIL

Section VI. Current Property Owner/Operator Information – if not a Requestor		
CURRENT OWNER'S NAME	OWNERSHIP START DATE:	
ADDRESS		
CITY/TOWN	ZIP CODE	
PHONE	FAX	E-MAIL
CURRENT OPERATOR'S NAME		
ADDRESS		
CITY/TOWN	ZIP CODE	
PHONE	FAX	E-MAIL
<p>PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".</p> <p>IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.</p>		

Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)		
If answering "yes" to any of the following questions, please provide an explanation as an attachment.		
1. Are any enforcement actions pending against the requestor regarding this site?	Yes	No
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?	Yes	No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.	Yes	No

Section VII. Requestor Eligibility Information (continued)

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

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

PARTICIPANT

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

VOLUNTEER

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

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

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

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

Previous Owner Current Owner Potential /Future Purchaser Other_____

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

Yes No

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

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

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

Section IX. Contact List Information

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

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

Section X. Land Use Factors

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

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

Residential Commercial Industrial

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

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

Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.

3. Reasonably anticipated use Post Remediation: Residential Commercial Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**

If residential, does it qualify as single family housing? Yes No

4. Do current historical and/or recent development patterns support the proposed use?

Yes No

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

Yes No

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

Yes No

XI. Statement of Certification and Signatures

(By requestor who is an individual)

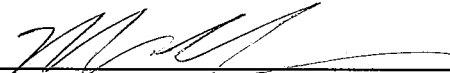
If this application is approved, I hererby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3)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

Date: _____ Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am Authorized Signatory (title) of 57 Alexander JV LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 8/13/19 Signature: 

Print Name: Marc Ehrlich - Authorized Signatory

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:
 - Chief, Site Control Section
 - New York State Department of Environmental Conservation
 - Division of Environmental Remediation
 - 625 Broadway
 - Albany, NY 12233-7020

FOR DEC USE ONLY
BCP SITE T&A CODE: _____ **LEAD OFFICE:** _____

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY. Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

BCP App Rev 10

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

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

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

Project is an Affordable Housing Project - Regulatory Agreement Attached;

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

This is Not an Affordable Housing Project.

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

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

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

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

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

BCP Application Summary (for DEC use only)

Site Name:

City:

Site Address:

County:

Zip:

Tax Block & Lot

Section (if applicable):

Block:

Lot:

Requestor Name:

City:

Requestor Address:

Zip:

Email:

Requestor's Representative (for billing purposes)

Name:

Address:

City:

Zip:

Email:

Requestor's Attorney

Name:

Address:

City:

Zip:

Email:

Requestor's Consultant

Name:

Address:

City:

Zip:

Email:

Percentage claimed within an En-Zone:

0%

<50%

50-99%

100%

DER Determination:

Agree

Disagree

Requestor's Requested Status:

Volunteer

Participant

DER/OGC Determination:

Agree

Disagree

Notes:

For NYC Sites, is the Requestor Seeking Tangible Property Credits:

Yes

No

Does Requestor Claim Property is Upside Down:

Yes

No

DER/OGC Determination:

Agree

Disagree

Undetermined

Notes:

Does Requestor Claim Property is Underutilized:

Yes

No

DER/OGC Determination:

Agree

Disagree

Undetermined

Notes:

Does Requestor Claim Affordable Housing Status:

Yes

No

Planned, No Contract

DER/OGC Determination:

Agree

Disagree

Undetermined

Notes:

BCP Application Support Document

Exhibit List

Exhibit A – DOS Entity Information

Exhibit B – Corporate Consent

Exhibit C – Summary of Soil, Groundwater, and Soil Vapor Exceedances Maps

Exhibit D – Tax Map, Site Survey, Site Location Map

Exhibit E – Base Property Map

Exhibit F – Site Access Agreement

Exhibit G – Document Repository Confirmation

Exhibit H – Special Use Permit Zoning Resolution

Attachments (included separately on CD)

**Attachment A – 2016 Phase I Environmental Site Assessment, prepared by VHB and
2018 Phase II Environmental Site Assessment, prepared by VHB**

Attachment B – Alexander Street Master Plan



Part A

Section I – Requestor Information

The Requestor is 57 Alexander JV LLC, a Delaware limited liability company, located at 777 Third Avenue, 6th Floor, New York, New York. 57 Alexander JV LLC is authorized to conduct business in the State of New York. The members of 57 Alexander JV LLC are as follows:

- › Moore Real Estate Holdings, LLC, a Delaware limited liability company;
- › Rose Exploration and Development Fund, LLC, a New York limited liability company.

A copy of the New York State Department of State Entity Information can be found in Exhibit A. Additionally, written consent, dated June 7, 2019, provides Marc Ehrlich with authority to sign all Brownfield Cleanup Program (BCP) documents on behalf of the Requester, 57 Alexander JV LLC (See Exhibit B).

Exhibit A - NYSDOS Entity Information

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through July 12, 2019.

Selected Entity Name: 57 ALEXANDER JV LLC

Selected Entity Status Information

Current Entity Name: 57 ALEXANDER JV LLC

DOS ID #: 5553901

Initial DOS Filing Date: MAY 16, 2019

County: NEW YORK

Jurisdiction: DELAWARE

Entity Type: FOREIGN LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

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

57 ALEXANDER JV LLC
777 THIRD AVENUE 6TH FLOOR
NEW YORK, NEW YORK, 10017

Registered Agent

NONE

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

***Stock Information**

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

No Information Available

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
MAY 16, 2019	Actual	57 ALEXANDER JV LLC

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

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

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CERTIFICATE OF AUTHORITY UNDER SEC. 805 OF THE LIMITED LIABILITY COMPANY LAW

ENTITY NAME: 57 ALEXANDER JV LLC

DOCUMENT TYPE: APPLICATION FOR AUTHORITY (FOR LLC)

COUNTY: NEWY

FILED:05/16/2019 DURATION:***** CASH#:190516000156 FILM #:190516000151
DOS ID:5553901

FILER:

EXIST DATE

PAUL, WEISS, RIFKIND, WHARTON
& GARRISON LLP
1285 AVENUE OF THE AMERICAS
NEW YORK, NY 10019

05/16/2019

ADDRESS FOR PROCESS:

COGENCY GLOBAL, INC.
850 NEW BURTON ROAD, SUITE 201
DOVER, DE 19904

REGISTERED AGENT:



The limited liability company is required to file a Biennial Statement with the Department of State every two years pursuant to Limited Liability Company Law Section 301. Notification that the biennial statement is due will only be made via email. Please go to www.email.ebiennial.dos.ny.gov to provide an email address to receive an email notification when the Biennial Statement is due.

=====

SERVICE COMPANY: COGENCY GLOBAL INC. - 26

SERVICE CODE: 26

FEES 285.00

FILING 250.00
TAX 0.00
CERT 0.00
COPIES 10.00
HANDLING 25.00

PAYMENTS 285.00

CASH 0.00
CHECK 0.00
CHARGE 0.00
DRAWDOWN 285.00
 OPAL 0.00
REFUND 0.00

STATE OF NEW YORK
DEPARTMENT OF STATE

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on May 17, 2019.

A handwritten signature in black ink, appearing to read "Whitney Clark".

Whitney Clark
Deputy Secretary of State

APPLICATION FOR AUTHORITY

OF

57 ALEXANDER JV LLC

Under Section 802 of the Limited Liability Company Law

FIRST: The name of the limited liability company is 57 Alexander JV LLC (the "Company").

SECOND: The Company was organized under the laws of the State of Delaware on August 22, 2018.

THIRD: The county within this state in which the Company is to be located is New York County.

FOURTH: The Secretary of State of the State of New York is designated as agent of the Company upon whom process against it may be served. The post office address within this state to which the Secretary of State shall mail a copy of any process served against it is: 777 Third Avenue, 6th Floor, New York, New York 10017.

FIFTH: The address of the office that the Company is required to maintain under the laws of the jurisdiction of its organization is c/o Cogency Global, Inc., 850 New Burton Road, Suite 201, Dover, DE 19904.

SIXTH: The Company is in existence in the jurisdiction of its organization at the time of the filing of this Application of Authority.

SEVENTH: The name and the address of the authorized officer in the jurisdiction of the LLC's organization where a copy of its certificate of formation is filed and can be obtained are: The Secretary of State of the State of Delaware, Department of State, Division of Corporations, John G. Townsend Building, 401 Federal Street Suite 4, Dover, Delaware 19901.

IN WITNESS WHEREOF, this certificate has been subscribed this 15th day of May, 2019.

By: /s/ Carolyn Carlsen
Carolyn Carlsen, Authorized Person

Delaware

Page 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "57 ALEXANDER JV LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE FIFTEENTH DAY OF MAY, A.D. 2019.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "57 ALEXANDER JV LLC" WAS FORMED ON THE TWENTY-SECOND DAY OF AUGUST, A.D. 2018.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.



7026383 8300

SR# 20193950809

You may verify this certificate online at corp.delaware.gov/authver.shtml

A handwritten signature in black ink, appearing to read "JBULLOCK", written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed.

Authentication: 202830703

Date: 05-15-19

151

APPLICATION FOR AUTHORITY
OF

57 ALEXANDER JV LLC

(Insert name of Foreign Limited Liability Company)

Under Section 802 of the Limited Liability Company Law

Filer's Name and Mailing Address:

Paul, Weiss, Rifkind, Wharton & Garrison LLP

Name:

Company, if Applicable:

1285 Avenue of the Americas

Mailing Address:

New York, New York 10019

City, State and Zip Code:

1 CC

NOTES:

1. This form was prepared by the New York State Department of State for filing an application for authority for a foreign limited liability company to conduct business in New York State. It does not contain all optional provisions under the law. You are not required to use this form. You may draft your own form or use forms available at legal supply stores.
2. Attach a Certificate of Existence, Certificate of Good Standing or Certificate of Status from the official who files and maintains limited liability company records in the jurisdiction of the foreign limited liability company's formation.
3. The name of the foreign limited liability company and its date of formation provided on this document must exactly match the name of the foreign limited liability company and, if applicable, the date of formation stated in the Certificate of Existence, Certificate of Good Standing or Certificate of Status.
4. The Department of State recommends that legal documents be prepared under the guidance of an attorney.
5. The application for authority must be submitted with a \$250 filing fee made payable to the Department of State.

(For office use only.)

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED MAY 16 2019

156

TAX \$
BY:

SC

RECEIVED

2018 MAY 16 AM 9:04

2018 MAY 16 11:11:58

Exhibit B – Corporate Consent

WRITTEN CONSENT OF THE MANAGER

The undersigned, being the manager of 57 Alexander JV, LLC, a Delaware limited liability company (the "Company") authorized to conduct business in New York, does hereby resolve that:

1. Marc Ehrlich is a representative of the Company and has the full power and authority on behalf of the Company, as an Authorized Signatory, 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 Conservation (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, easements and tax returns;
 - 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 passage of this consent are hereby approved and ratified. The authority hereby conferred shall continue in full force and effect until the DEC shall have received notice, in writing, of the revocation hereof by a resolution duly adopted by the Manager of the Company. Any such revocation shall be effective only as to actions taken by the Company subsequent to DEC's receipt of such notice.
3. The undersigned hereby represents and warrants that (i) the undersigned is the Manager of the Company; and (ii) the consent of the Manager is sufficient to authorize the Company to take the aforementioned actions.



Marc Ehrlich, Manager

Dated: 6/7/19

New York, NY

Section II – Project Description

4. Short Project Description

The overall development project includes the demolition of existing structures across four contiguous tax lots comprising 87,120 square feet (sf), and subsequent construction of a seven-story multi-family residential apartment building containing a ground-floor parking garage, second-floor parking garage and residential units along the exteriors of the building, and five upper floors comprising residential units and common area space. The development as a whole will contain 440 residential units. The residential building will consist of three sections connected through common hallways running parallel to Alexander Street. Separating each section will be two outdoor courtyards.

The remedial action is anticipated to begin the first quarter of 2020 and continue through the end of the first quarter of 2020, with the issuance of the Certificate of Completion expected by the first quarter of 2021.

Section III – Property’s Environmental History

1. Environmental Investigation Reports

The following environmental investigation reports for the 57 Alexander Street Site are included separately as Attachment A:

- › Phase I Environmental Site Assessment (ESA) Report, prepared by VHB, dated 2016
- › Phase II ESA Report, prepared by VHB, dated November 2018.

3. Site Drawings

The following Site drawings can be found in Exhibit C:

1. Summary of Soil Exceedances
2. Summary of Groundwater Exceedances
3. Summary of Soil Vapor Exceedances

Exhibit C – Summary of Soil Exceedances Map

Summary of Groundwater Exceedances Map

Summary of Soil Vapor Exceedances Map

LEGEND

- FORMER SPILLS INVESTIGATION SOIL BORING SAMPLE LOCATION
- SOIL INVESTIGATION SOIL BORING SAMPLE LOCATION
- STORM DRAIN SEDIMENT SAMPLE LOCATION
- ← INFERRED GROUNDWATER FLOW DIRECTION
- PROJECT BOUNDARY



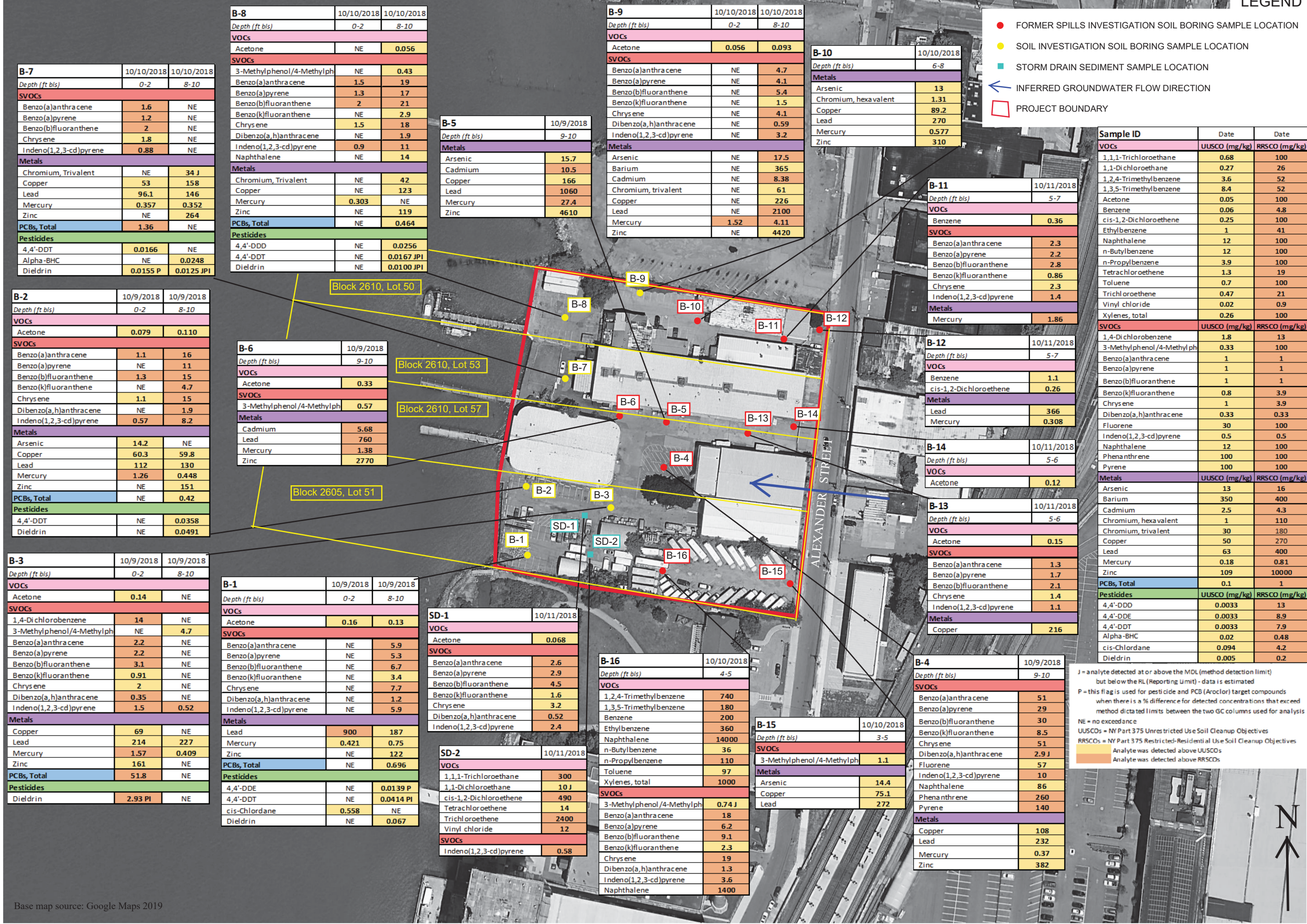
VHB Engineering,
 Surveying, Landscape
 Architecture & Geology, P.C
 One Penn Plaza, Suite 715
 New York, NY 10119
 Phone: 212.857.7350
 Fax: 646.707.3879

Notes:
 NYSDEC Brownfield
 Cleanup Program
 Application
 57 Alexander Street
 Yonkers, New York

Drawing Title
**Summary
 of Soil
 Exceedances**
 57 Alexander Street
 Yonkers, New York

Scale N.T.S. Project No. 25720.02 Date 03-22-19
 Drawn By R.P. Checked By J.C. Page No. 1 of 1

Drawing No. 1



Base map source: Google Maps 2019

J = analyte detected at or above the MDL (method detection limit) but below the RL (Reporting Limit) - data is estimated
 P = this flag is used for pesticide and PCB (Aroclor) target compounds when there is a % difference for detected concentrations that exceed method dictated limits between the two GC columns used for analysis
 NE = no exceedance
 UUSCOs = NY Part 375 Unrestricted Use Soil Cleanup Objectives
 RRSCO = NY Part 375 Restricted-Residential Use Soil Cleanup Objectives
 Analyte was detected above UUSCOs
 Analyte was detected above RRSCO



LEGEND

- FORMER SPILLS SOIL BORING LOCATION AND DESIGNATION
- SOIL BORING LOCATION AND DESIGNATION
- TEMPORARY MONITORING WELL LOCATION AND DESIGNATION
- SEDIMENT SAMPLE LOCATION AND DESIGNATION
- ← INFERRED GROUNDWATER FLOW DIRECTION
- PROJECT BOUNDARY



VHB Engineering,
 Surveying, Landscape
 Architecture & Geology, P.C
 One Penn Plaza, Suite 715
 New York, NY 10119
 Phone: 212.857.7350
 Fax: 646.707.3879

Notes:
 NYSDEC Brownfield
 Cleanup Program
 Application
 57 Alexander Street
 Yonkers, New York

Drawing Title
**Summary of
 Groundwater
 Exceedances**
 57 Alexander Street
 Yonkers, New York

Scale N.T.S. Project No. 25720.02 Date 03-22-19
 Drawn By R.P. Checked By J.C. Page No. 1 of 1

Drawing No.
2

GW-6 (B-9)		10/11/2018
SVOCs		
Benzo(a)anthracene	3.2	
Benzo(a)pyrene	2.7	
Benzo(b)fluoranthene	3.8	
Benzo(k)fluoranthene	1.3	
Chrysene	2.8	
Indeno(1,2,3-cd)pyrene	1.8	
Dissolved Metals		
Iron	1950	
Magnesium	51500	
Manganese	1122	
Sodium	577000	

GW-7 (B-10)		10/11/2018
SVOCs		
Benzo(a)anthracene	0.4	
Benzo(a)pyrene	0.27	
Benzo(b)fluoranthene	0.43	
Benzo(k)fluoranthene	0.17	
Chrysene	0.35	
Indeno(1,2,3-cd)pyrene	0.12	
Dissolved Metals		
Iron	889	
Manganese	383.5	
Sodium	69500	

GW-8 (B-11)		10/11/2018
SVOCs		
Benzo(a)anthracene	0.03 J	
Benzo(a)pyrene	0.03 J	
Benzo(b)fluoranthene	0.04 J	
Benzo(k)fluoranthene	0.02 J	
Chrysene	0.03 J	
Indeno(1,2,3-cd)pyrene	0.03 J	
Dissolved Metals		
Iron	593	
Manganese	341.3	
Sodium	75600	
Pesticides		
Dieldrin	0.005 J	

Sample ID	Date
VOCs	
1,2,4,5-Tetramethylbenzene	5
Benzene	1
sec-Butylbenzene	5
SVOCs	
AWQSGVs (ug/L)	
Acenaphthene	20
Benzo(a)anthracene	0.002
Benzo(a)pyrene	0.002
Benzo(b)fluoranthene	0.002
Benzo(k)fluoranthene	0.002
Bis(2-ethylhexyl)phthalate	5
Chrysene	0.002
Indeno(1,2,3-cd)pyrene	0.002
Pentachlorophenol	2.0
Dissolved Metals	
AWQSGVs (ug/L)	
Antimony	3
Iron	300
Magnesium	35000
Manganese	300
Sodium	20000
PCBs, Total	
AWQSGVs (ug/L)	
Chlordane	0.05
Dieldrin	0.004

J = analyte detected at or above the MDL (method detection limit) but below the RL (Reporting Limit) - data is estimated
 NE = no exceedance
 AWQSGVs = Ambient Water Quality Standards and Guidance Values

GW-3 (B-5)		10/10/2018
VOCs		
1,2,4,5-Tetramethylbenzene	35	
sec-Butylbenzene	5.6 J	
SVOCs		
Benzo(a)anthracene	1.2	
Benzo(a)pyrene	0.66 J	
Benzo(b)fluoranthene	0.95 J	
Benzo(k)fluoranthene	0.34 J	
Bis(2-ethylhexyl)phthalate	7.4	
Chrysene	1.5	
Indeno(1,2,3-cd)pyrene	0.43 J	
Dissolved Metals		
Magnesium	71100	
Manganese	857	
Sodium	142000	

GW-4 (B-6)		10/10/2018
SVOCs		
Benzo(a)anthracene	5.1	
Benzo(a)pyrene	4.6	
Benzo(b)fluoranthene	6.7	
Benzo(k)fluoranthene	6.8	
Chrysene	4.5	
Indeno(1,2,3-cd)pyrene	2.7	
Pentachlorophenol	4.8	
Dissolved Metals		
Iron	343	
Manganese	450.9	
Sodium	111000	

GW-2 (B-2)		10/9/2018
SVOCs		
Benzo(a)anthracene	0.28	
Benzo(a)pyrene	0.25	
Benzo(b)fluoranthene	0.46	
Benzo(k)fluoranthene	0.17	
Chrysene	0.25	
Indeno(1,2,3-cd)pyrene	0.22	
Dissolved Metals		
Manganese	1183	
Sodium	81900	
PCBs, Total		
0.732		
Pesticides		
Chlordane	2.01	

GW-1 (B-1)		10/9/2018
SVOCs		
Benzo(a)anthracene	0.64	
Benzo(a)pyrene	0.6	
Benzo(b)fluoranthene	1.2	
Benzo(k)fluoranthene	0.42	
Chrysene	0.58	
Indeno(1,2,3-cd)pyrene	0.58	
Dissolved Metals		
Antimony	6.49 J	
Iron	444	
Manganese	571.1	
Sodium	52800	
PCBs, Total		
6.15		
Pesticides		
Chlordane	0.19 PI	
Dieldrin	0.022 J	

GW-5 (B-15)		10/10/2018
SVOCs		
Benzo(a)anthracene	0.33	
Benzo(a)pyrene	0.3	
Benzo(b)fluoranthene	0.62	
Benzo(k)fluoranthene	0.26	
Chrysene	0.36	
Indeno(1,2,3-cd)pyrene	0.23	
Dissolved Metals		
Manganese	440.8	
Sodium	161000	

GW-9 (B-12)		10/11/2018
VOCs		
Benzene	1.3	
SVOCs		
Acenaphthene	39	
Benzo(a)anthracene	0.6	
Benzo(a)pyrene	0.56	
Benzo(b)fluoranthene	0.68	
Benzo(k)fluoranthene	0.22	
Chrysene	0.55	
Indeno(1,2,3-cd)pyrene	0.27	
Dissolved Metals		
Iron	1230	
Manganese	471.3	
Sodium	127000	

GW-10 (B-14)		10/11/2018
SVOCs		
Benzo(a)anthracene	0.06 J	
Benzo(a)pyrene	0.05 J	
Benzo(b)fluoranthene	0.07 J	
Benzo(k)fluoranthene	0.03 J	
Chrysene	0.06 J	
Indeno(1,2,3-cd)pyrene	0.03 J	
Dissolved Metals		
Iron	2820	
Manganese	487.2	
Sodium	176000	

LEGEND

- FORMER SPILLS SOIL BORING LOCATION AND DESIGNATION
- SOIL BORING LOCATION AND DESIGNATION
- TEMPORARY MONITORING WELL LOCATION AND DESIGNATION
- ▲ SOIL VAPOR/INDOOR AIR SAMPLING LOCATION AND DESIGNATION
- SEDIMENT SAMPLE LOCATION AND DESIGNATION
- ← INFERRED GROUNDWATER FLOW DIRECTION
- PROJECT BOUNDARY



VHB Engineering,
 Surveying, Landscape
 Architecture & Geology, P.C
 One Penn Plaza, Suite 715
 New York, NY 10119
 Phone: 212.857.7350
 Fax: 646.707.3879

Indoor Air - 1 (IA-1)	10/10/2018
TO-15 VOCs	ug/m³
Carbon tetrachloride ^A	0.43
1,1-Dichloroethene ^A	ND
cis-1,2-Dichloroethene ^A	ND
Trichloroethene (TCE) ^A	0.371
Methylene chloride ^B	ND
Tetrachloroethene (PCE) ^B	0.441
1,1,1-Trichloroethane (1,1,1-TCA) ^B	ND
Vinyl chloride ^C	ND

Sample ID	Date	
	Sub-slab	Indoor Air
TO-15 VOCs	ug/m³	ug/m³
Carbon tetrachloride ^A	60	1
1,1-Dichloroethene ^A	60	1
cis-1,2-Dichloroethene ^A	60	1
Trichloroethene (TCE) ^A	60	1
Methylene chloride ^B	1000	10
Tetrachloroethene (PCE) ^B	1000	10
1,1,1-Trichloroethane (1,1,1-TCA) ^B	1000	10
Vinyl chloride ^C	60	0.2

Notes:
 NYSDEC Brownfield
 Cleanup Program
 Application
 57 Alexander Street
 Yonkers, New York

A - NYSDOH Soil Vapor/Indoor Air Matrix A
 B - NYSDOH Soil Vapor/Indoor Air Matrix B
 C - NYSDOH Soil Vapor/Indoor Air Matrix C
 ■ analyte was detected above "MITIGATE" level
 ND - analyte not detected

Soil Vapor - 2 (SV-2)	10/10/2018	
	Sub-slab	Indoor Air
TO-15 VOCs	ug/m³	ug/m³
Carbon tetrachloride ^A	ND	0.43
1,1-Dichloroethene ^A	ND	ND
cis-1,2-Dichloroethene ^A	ND	ND
Trichloroethene (TCE) ^A	ND	0.371
Methylene chloride ^B	ND	ND
Tetrachloroethene (PCE) ^B	6.58	0.441
1,1,1-Trichloroethane (1,1,1-TCA) ^B	51.5	ND
Vinyl chloride ^C	ND	ND

Soil Vapor - 1 (SV-1)	10/10/2018	
	Sub-slab	Indoor Air
TO-15 VOCs	ug/m³	ug/m³
Carbon tetrachloride ^A	ND	0.43
1,1-Dichloroethene ^A	ND	ND
cis-1,2-Dichloroethene ^A	ND	ND
Trichloroethene (TCE) ^A	6.77	0.371
Methylene chloride ^B	7.16	ND
Tetrachloroethene (PCE) ^B	7.59	0.441
1,1,1-Trichloroethane (1,1,1-TCA) ^B	27.90	ND
Vinyl chloride ^C	ND	ND

Drawing Title
**Summary of
 Soil Vapor
 Exceedances**
 57 Alexander Street
 Yonkers, New York

Scale N.T.S. Project No. 25720.02 Date 03-22-19
 Drawn By R.P. Checked By J.C. Page No. 1 of 1

Drawing No.
3

Section IV – Property Information

Tax Parcel Information

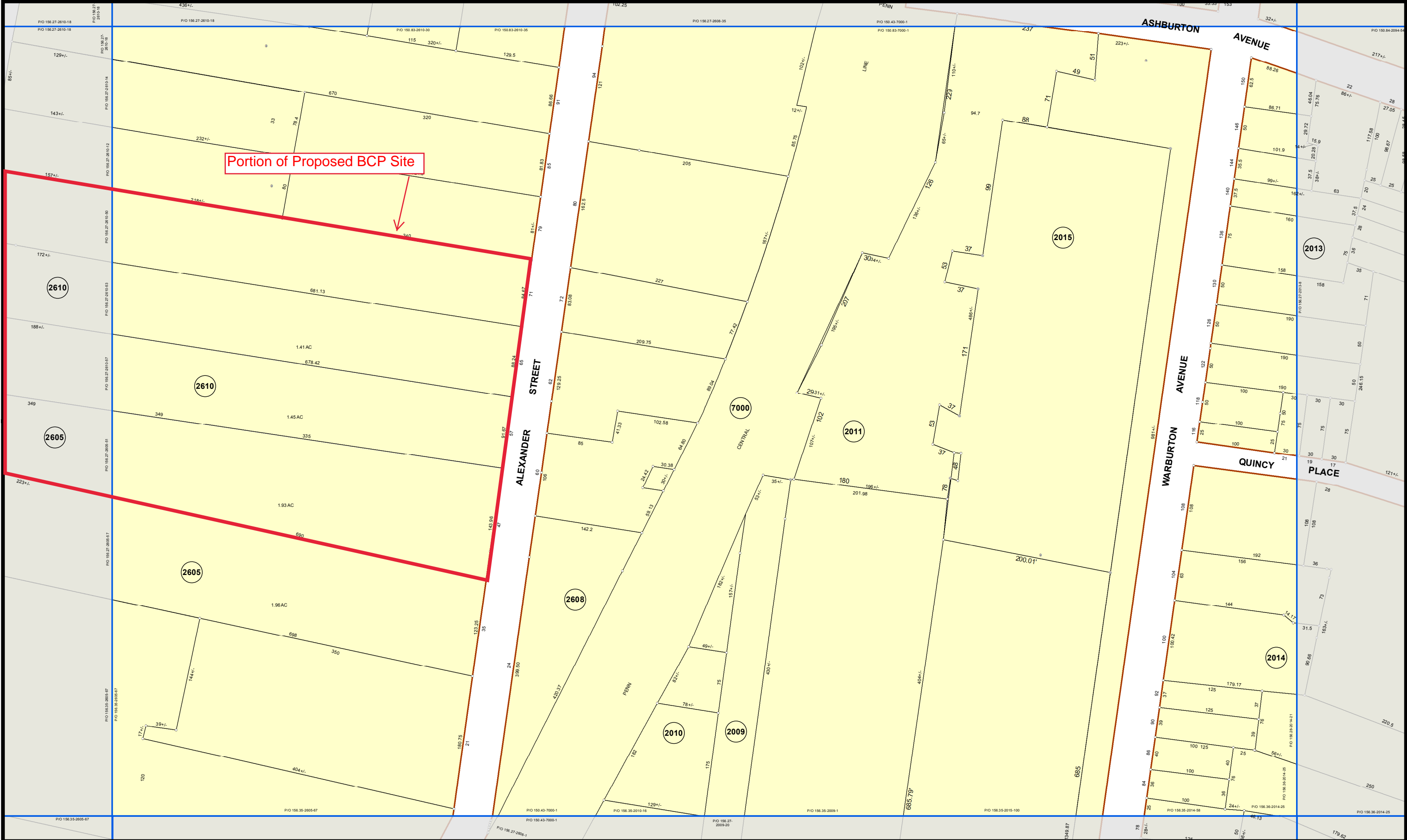
Parcel Address	Section No.	Block No.	Lot No.	Acreage
71 Alexander Street	› 2	2610	P/O 50	0.59
65 Alexander Street	› 2	2610	P/O 53	0.69
57 Alexander Street	› 2	2610	P/O 57	1.05
47 Alexander Street	› 2	2605	P/O 51	1.93

Site Drawings

The following Site drawings can be found in Exhibit D:

4. Tax Boundary Map
5. Site Survey
6. Site Location

Exhibit D – Tax Map, Site Survey, Site Location Map



Portion of Proposed BCP Site

CITY OF YONKERS
Assessment Department
FOR TAX PURPOSES ONLY
NOT TO BE USED FOR CONVEYANCE
LEGEND APPLIES ONLY TO THE
UNSHADED PORTION OF THE MAP

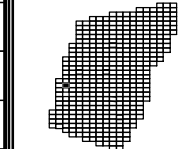


REVISION TABLE			
DATE	CHANGES	DATE	CHANGES
5/1/2013	Apportion of Lot 30 to Lots 20 and 1 in Block 2009		

SPECIAL DISTRICTS					
TYPE	SYMBOL	NAME	TYPE	SYMBOL	NAME

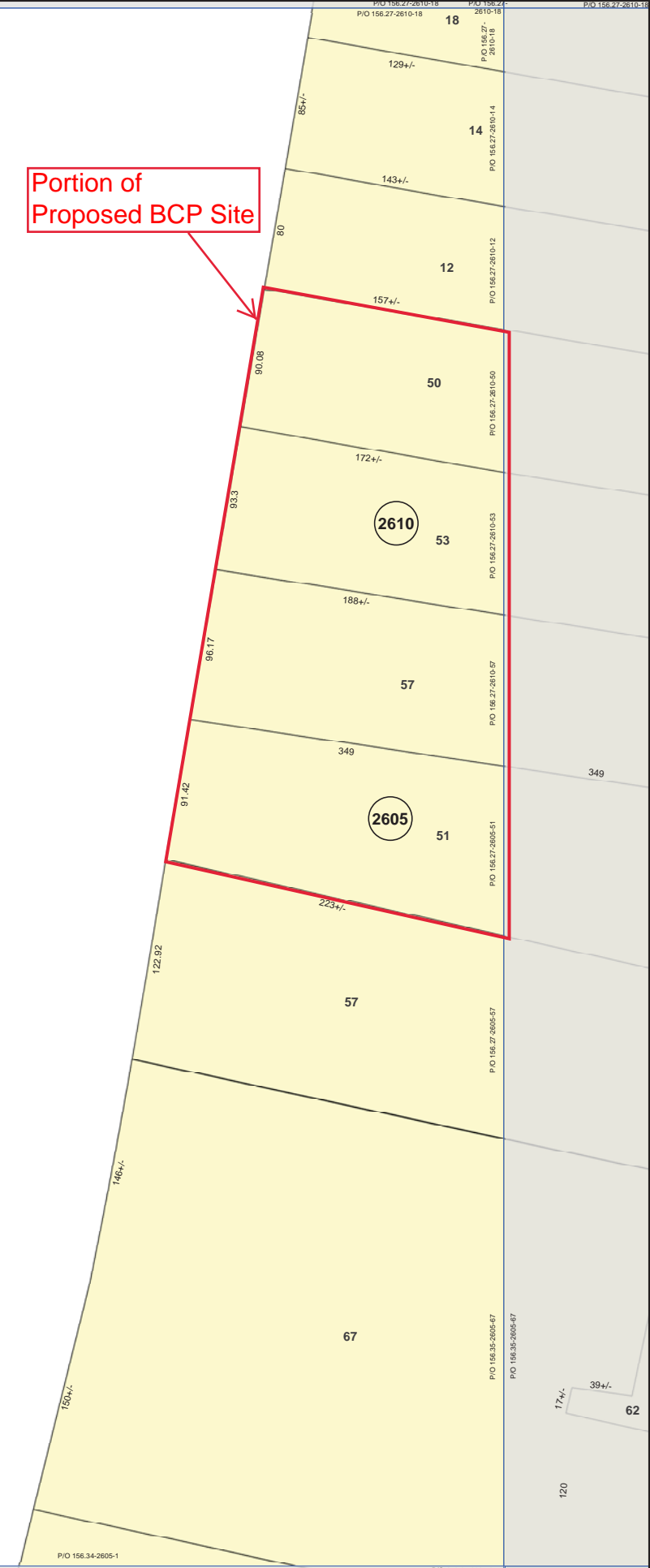
LEGEND	
COUNTY LINE	TAX MAP BLOCK NO.
CITY LINE	TAX MAP LOT NO.
BLOCK LINE	ACREAGE
SEWER DISTRICT LINE	DIMENSION
EASEMENT LINE	STREET NAME
PROPERTY LINE	LEGAL ADDRESS
MATCH LINE	

218	219	220
232	233	234
246	247	248



Tax Map 233 of 399
Assessment Section 2
Tile 156.27

Portion of Proposed BCP Site



CITY OF YONKERS
Assessment Department
FOR TAX PURPOSES ONLY
NOT TO BE USED FOR CONVEYANCE
LEGEND APPLIES ONLY TO THE
UNSHADED PORTION OF THE MAP

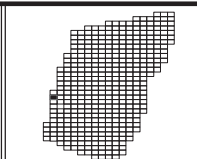


REVISION TABLE			
DATE	CHANGES	DATE	CHANGES

SPECIAL DISTRICTS					
TYPE	SYMBOL	NAME	TYPE	SYMBOL	NAME
		CC001-City Charge Unit Feet			
		CC004-Safety Inspection Fee			
		CS003-Central Yonkers Sewer			
		CS004-NO. Yonkers Sewer			
		CW001-Solid Waste District			

LEGEND	
COUNTY LINE	TAX MAP BLOCK NO.
CITY LINE	TAX MAP LOT NO.
BLOCK LINE	ACREAGE
SEWER DISTRICT LINE	DIMENSION
EASEMENT LINE	STREAM
PROPERTY LINE	LEGAL ADDRESS
MATCH LINE	

218	219
232	233
246	247



Tax Map 232 of 399

Assessment Section 2

Title 156.26

25 0 25 50 75 100 Feet

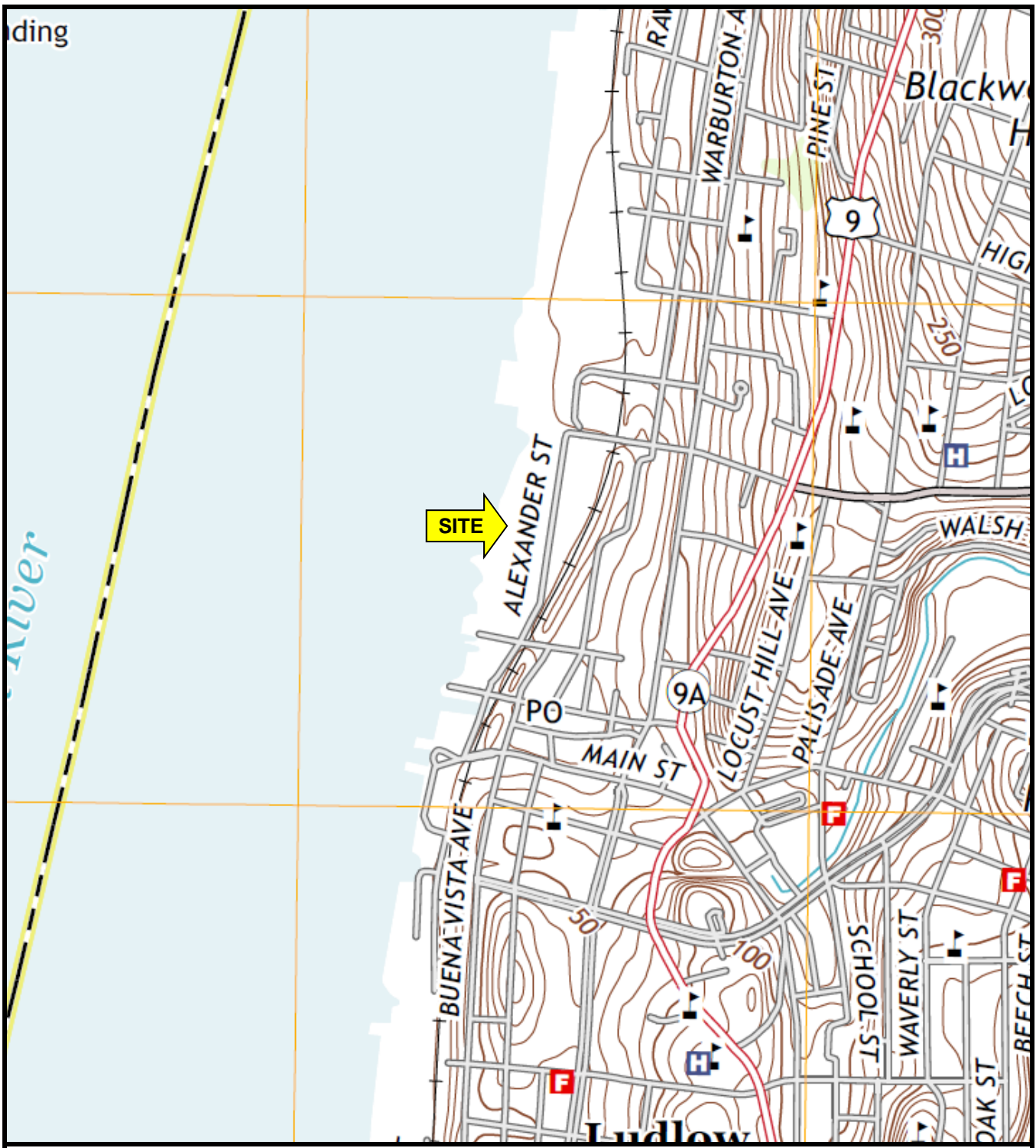
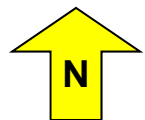


FIGURE 6 – SITE LOCATION MAP

SITE NAME: 57 Alexander Street
STREET ADDRESS: 47-71 Alexander Street
CITY, STATE, ZIP: Yonkers, NY 10701
PROJECT: 25720.02
BASE MAP SOURCE: USGS Topographic Map – Yonkers Quadrangle



1. Site Boundary and Tax Parcel Information

The Site boundaries do not correspond to the existing tax parcel boundaries for Lots 50, 53, 57, and 51, in that almost half of each of the lots include land under water, located west of the existing bulkhead. The proposed BCP Site will include only those lands not under water. There is no planned development for the portions of the parcels that are considered land under water. The following metes and bounds description was provided by a New York State licensed Surveyor for the proposed BCP Site:

BCP PROJECT SITE (PORTIONS OF SEC. 2, BLK. 2605, LOT 51 AND 8/K. 2610, LOTS 50, 5.3 & 57)

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE CITY OF YONKERS, COUNTY OF WESTCHESTER, AND STATE OF NEW YORK BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY SIDE OF ALEXANDER STREET, A PUBLIC STREET 50 FEET WIDE, DISTANT 561.96 FEET NORTHERLY AS MEASURED ALONG SAID WESTERLY SIDE OF ALEXANDER STREET FROM THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF WELLS AVENUE WITH THE SAID WESTERLY SIDE OF ALEXANDER STREET, SAID POINT BEING THE SOUTHEASTERLY CORNER OF THE PREMISES HEREIN DESCRIBED;

RUNNING THENCE IN A GENERAL WESTERLY DIRECTION ALONG LANDS FORMERLY OF THE ESTATE OF ERVIN SAUNDERS, NOW OR FORMERLY WESTCHESTER COUNTY ON A LINE FORMING AN INTERIOR ANGLE OF 85 DEGREES 40 MINUTES 00 SECONDS WITH SAID WESTERLY SIDE OF ALEXANDER STREET, A DISTANCE OF 397.62 FEET TO THE MEAN HIGH WATER LINE DEFINING THE EASTERLY SIDE OF THE HUDSON RIVER;

RUNNING THENCE ALONG SAID EASTERLY LINE OF THE HUDSON RIVER THE FOLLOWING COURSES AND DISTANCES:

IN A NORTHERLY DIRECTION ON A LINE FORMING AN INTERIOR ANGLE OF 96 DEGREES 54 MINUTES 50 SECONDS WITH THE LAST MENTIONED COURSE, 109.37 FEET TO A POINT,

IN A WESTERLY DIRECTION ON A LINE FORMING AN INTERIOR ANGLE OF 271 DEGREES 1.3 MINUTES 52 SECONDS WITH THE LAST MENTIONED COURSE, 6.73 FEET TO A POINT,

IN A NORTHERLY DIRECTION ON A LINE FORMING AN INTERIOR ANGLE OF 81 DEGREES 3 MINUTES 52 SECONDS WITH THE LAST MENTIONED COURSE, 48.62 FEET TO A POINT,

IN A NORTHERLY DIRECTION ON A LINE FORMING AN INTERIOR ANGLE OF 178 DEGREES 12 MINUTES 24 SECONDS WITH THE LAST MENTIONED COURSE, 42.87 FEET TO A POINT,

IN A NORTHERLY DIRECTION ON A LINE FORMING AN INTERIOR ANGLE OF 178 DEGREES 42 MINUTES 54 SECONDS WITH THE LAST MENTIONED COURSE, 33.19 FEET TO A POINT,

IN A NORTHERLY DIRECTION ON A LINE FORMING AN INTERIOR ANGLE OF 181 DEGREES 17 MINUTES 5.3 SECONDS WITH THE LAST MENTIONED COURSE, 66.28 FEET TO A POINT,

IN A NORTHWESTERLY DIRECTION ON A LINE FORMING AN INTERIOR ANGLE OF 229 DEGREES 46 MINUTES 28 SECONDS WITH THE LAST MENTIONED COURSE, 13.42 FEET TO A POINT,

AND IN A NORTHERLY DIRECTION ON A LINE FORMING AN INTERIOR ANGLE OF 134 DEGREES 47 MINUTES 10 SECONDS WITH THE LAST MENTIONED COURSE, 84.71 FEET TO A POINT,

RUNNING THENCE ALONG THE SOUTHERLY LINE OF LAND FORMERLY OF THE WESTCHESTER FERRY CORPORATION, NOW OR FORMERLY OF CFS-AT/ LLC THE FOLLOWING COURSES AND DISTANCES:

IN AN EASTERLY DIRECTION ON A LINE FORMING AN INTERIOR ANGLE OF 92 DEGREES 15 MINUTES 22 SECONDS WITH THE LAST MENTIONED COURSE, 81.91 FEET TO A POINT,

AND STILL IN AN EASTERLY DIRECTION ON A LINE FORMING AN INTERIOR ANGLE OF 177 DEGREES 27 MINUTES 15 SECONDS WITH THE LAST MENTIONED COURSE, 310.00 FEET TO A POINT ON SAID WESTERLY SIDE OF ALEXANDER STREET,

RUNNING THENCE ALONG THE WESTERLY SIDE OF ALEXANDER STREET IN A SOUTHERLY DIRECTION ON A LINE FORMING AN INTERIOR ANGLE OF 92 DEGREES 38 MINUTES 00 SECONDS, 408.60 FEET TO THE POINT OR PLACE OF BEGINNING.

CONTAINS 3.67 ACRES.

As such, the Site is likely to be described in the Brownfield Cleanup Agreement (BCA) as “the landside portion of Lots 50, 53, 57, and 51”.

For additional Site information, i.e., the location and names of adjacent property owners, please see the Base Property Map (Figure 7) in Exhibit E.

Exhibit E - Base Property Map



VHB Engineering,
 Surveying, Landscape
 Architecture & Geology, P.C
 One Penn Plaza, Suite 715
 New York, NY 10119
 Phone: 212.857.7350
 Fax: 646.707.3879

Notes:

NYSDEC Brownfield
 Cleanup Program
 Application
 57 Alexander Street
 Yonkers, New York

Drawing Title

Base Property
 Map

57 Alexander Street
 Yonkers, New York

Scale	Project No.	Date
See map	25720.02	9/27/2019

Drawn By	Checked By	Page No.
R.P	J.C	1 of 1

Drawing No.

9. Permits

No permits have yet been procured for the proposed BCP Site, however, a NYSDEC permit necessary for the repair and/or replacement of the existing bulkhead is anticipated to be necessary for the proposed remediation of the BCP site. Additionally, a SPDES permit will be necessary to support planned remedial excavation.

10. Property Description Narrative

Location

The 57 Alexander Street Site is located in an urban area, with a street address of 47-71 Alexander Street. The Site is located on the west side of Alexander Street between Ashburton Avenue to the north and Wells Avenue to the south and the Hudson River to the west, in the City of Yonkers, Westchester County, New York.

Site Features

The Site is currently improved with five industrial warehouse buildings and two storage sheds located on four contiguous tax parcels, totaling approximately 4.26 acres. The portion of the site outside of the building footprints is mostly asphalt-paved parking with limited landscaped areas. The southeastern portions of the Site are utilized for school bus parking. A bulkhead extends along the western perimeter of the Site, with three wooden piers extending into the Hudson River. Entry to the Site can be accessed via two asphalt-paved driveways from Alexander Street.

Current Zoning and Land Use

The Site is zoned for industrial use. In May 2009, the City of Yonkers adopted the Alexander Street Master Plan and Urban Renewal Plan for the entire Alexander Street corridor. These plans permit residential development with a Planned Urban Development (PUR) Special Use Permit. The intended end use for this Site is multi-family rental apartments with outdoor esplanade and can be considered restricted residential, as per NY Part 375.

Past Use of the Site

The history of the Site has been established dating back to 1898, when the Site was improved with structures along the historic Hudson River shoreline pertaining to boat storage and maintenance on the western and southwestern portions of the Site. By 1917 the western half of the Site was filled to its approximate current configuration. It appears that a bulkhead has been in place since at least 1917. From at least 1942, the Site was improved with multiple structures associated with manufacturing, multiple automotive repair shops, machine shop, boat storage, and most recently, stage lighting manufacturing. Former underground storage tanks (USTs) were located on the central and northwestern portions of the Site and have impacted the subsurface. Two closed NYSDEC Spill Nos. 07-02708 and 12-03845 are related to impacts from these USTs. According to historic records, during tank

removal activities, approximately 38 tons of fuel oil-impacted soil were removed from the Site and disposed off-site in July 2007. Post-excavation soil and groundwater samples exhibited evidence of residual contamination, however the spill incidents were closed administratively.

Site Geology and Hydrogeology

Site soils consist of fill materials to an approximate depth of 5 feet below grade surface (bgs), and below that sand, gravel, and clay. Groundwater flow is generally to the west toward the Hudson River. Depth to groundwater at the site varies from approximately 5 to 9 feet below ground surface.

Environmental Assessment

Based upon the Phase II investigation, the primary contaminants of concern for the Site include metals, volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs), and pesticides in onsite soil and groundwater; and VOCs in onsite soil vapor.

Soil – arsenic, cadmium, lead, and mercury were detected in shallow and deep soil across the Site at concentrations in excess of NY Part 375 Restricted Residential Soil Cleanup Objectives (RRSCOs), with maximum concentrations of 17.5 mg/kg (arsenic), 10.5 mg/kg (cadmium), 2,100 mg/kg (lead), and 27.4 mg/kg (mercury). VOCs, specifically BTEX constituents, were detected in soil at concentrations in excess of RRSCOs, specifically maximum concentrations of 1,2,4-trimethylbenzene at 740 mg/kg, 1,3,5-trimethylbenzene at 180 mg/kg, benzene at 200 mg/kg, ethylbenzene at 360 mg/kg, naphthalene at 14,000 mg/kg, and xylenes at 1,000 mg/kg. SVOCs, specifically polycyclic aromatic hydrocarbons (PAHs) ranging in concentration from 11mg/kg (indeno[1,2,3-cd]pyrene) to 1,400 mg/kg (naphthalene). PCBs were detected in soil at concentrations ranging from 0.464 mg/kg to 51.8 mg/kg, significantly exceeding RRSCOs. Dieldrin was detected in soil at concentrations ranging from 0.01 mg/kg to 2,93 mg/kg. Two onsite storm drains with the potential to drain in-situ, were sampled and analyzed during the Phase II investigation. No metals were detected in either of the two (2) on-site storm drains exceeding their respective UUSCOs. VOCs were detected at concentrations exceeding their respective UUSCOs in each storm drain. In addition, storm drain SD-2 contained concentrations of VOCs exceeding their respective RRSCOs, specifically the chlorinated VOCs, 1,1,1-trichloroethane, cis-1,2-dichloroethene, trichloroethene and vinyl chloride. Furthermore, SVOCs were detected in both storm drains, exceeding their respective UUSCOs and/or RRSCOs.

Groundwater – Three VOCs were detected in groundwater samples, specifically 1,2,3,4,5-tetramethylbenzene at maximum concentration of 56 ug/L, benzene at 1.3 ug/L, and sec-butylbenzene at 5.6 ug/L, slightly to moderately exceeding their respective Ambient Water Quality Standards and Guidance Values (AWQSGVs). PAHs were detected in groundwater at concentrations ranging from 2.7 ug/L to 39 ug/L, significantly exceeding the AWQSGVs. Pesticides, specifically chlordane and dieldrin were detected in groundwater at maximum concentrations of 2.01 ug/L and 0.02 ug/L, respectively, exceeding AWQSGVs. PCBs were

detected in groundwater ranging from 0.732 ug/L to 6.15 ug/L, significantly exceeding the AWQSGVs.

Soil Vapor - Several chlorinated VOCs that are subject to the NYSDOH matrices, including 1,1,1-trichloroethane, methylene chloride, tetrachloroethene, and trichloroethene, were detected in soil vapor samples and one associated indoor air sample. Based upon the soil vapor concentrations of same, the NYSDOH guidance recommends "No Further Action" for the majority of these compounds and their corresponding concentrations. However, according to NYSDOH Matrix B, TCE concentrations identified in sub-slab sample and the corresponding indoor air sample indicate that "Monitor" is a minimum requirement. It should also be noted that the sampling was conducted prior to the start of the heating season, so it is likely that detections of VOCs in soil vapor/indoor air are artificially low.

The data discussed in the preceding paragraphs can be viewed on Figures 1 through 3 in Section III – Property's Environmental History.

Part B

Section VI – Current Property Owner / Operator Information

The Requestor is not the current owner of the Site. The current owners are Altman Stage Lighting Co., Inc., Ron Rob Realty Corp., and Altman Holdings, LLC.

The Requestor has no prior relationship with any current or past owners or operators of the Site. The Requestor did not cause any of the contamination of the Site, which predates the Requestor's involvement at the Site.

A list and subsequent descriptions of past owners/operators are included below:

Parcel Address	Block No.	Lot No.	Year	Owner	Address/Number	Relationship to Requestor
71 Alexander Street 65 Alexander Street 57 Alexander Street 47 Alexander Street	2610, 2605	50, 53, 57, 51	1887	Alexander Saunders & Ervin Saunders Estate	unknown	none
71 Alexander Street	2610	50	1986	Robert Altman Altman Stage Lighting Co.	57 Alexander Street Yonkers, NY 10701 (914) 476-7987	none
71 Alexander Street	2610	50	1985	ASJL Realty	unknown	none
71 Alexander Street	2610	50	1946	Joseph & Edith Mirsky	27 Maple St Yonkers, NY	none
65 Alexander Street	2610	53	1969	RonRob Realty Corp	57 Alexander Street Yonkers, NY 10701	none
57 Alexander Street	2610	57	2012	RonRob Realty Corp	57 Alexander Street Yonkers, NY 10701	none
57 Alexander Street	2610	57	1992	Robert Altman	57 Alexander Street Yonkers, NY 10701	none
57 Alexander Street	2610	57	1989	RonRob Realty Corp	57 Alexander Street Yonkers, NY 10701	none
57 Alexander Street	2610	57	1976	Altman Stage Lighting Co.	57 Alexander Street Yonkers, NY 10701	none
57 Alexander Street	2610	57	1969	Anthony P. Lagana	764 Warburton Ave, Yonkers, NY 10701	none
47 Alexander Street	2605	51	2012	Altman Holdings LLC	550 Mamaroneck Ave, Suite 210 Harrison, NY 10528	none
47 Alexander Street	2605	51	1992	Robert Altman	57 Alexander Street Yonkers, NY 10701	none

Block 2610, Lot 50 (71 Alexander Street)

Altman Stage Lighting Co. (57 Alexander Street, Yonkers, New York) is the current owner. Altman Stage Lighting Co. acquired this property from ASJL Realty in December 1986. Edith and Joseph Mirsky owned the property from 1946 to 1985.

Lot 50 was improved with the existing rectangular-shaped building between 1942 and 1951. This building was characterized as a machine shop on the Sanborn maps. Former tenants include: Hudson River Pilots (prior to 2005), Grant Williams (prior to 1988), Yonkers Amusements (date unknown), Certified Auto (date unknown), and Falk-Progressive Woodworking (prior to 1986).

Current operator of this property is Robert Altman a.k.a. Altman Stage Lighting Co.

Block 2610, Lot 53 (65 Alexander Street)

Ron Rob Realty Corporation (57 Alexander Street, Yonkers, New York) currently owns this portion of the Site. No prior ownership information was available, although, historic Sanborn maps indicate that this property was part of the Alexander and Ervin Saunders Estate prior to 1951.

Based on the review of Sanborn maps and historical aerial photographs, Lot 53 was improved with a rectangular-shaped building between 1917 and 1942. By 1952, the building was used as a garage, and a trucking/warehouse building and a storage building were located to the west of the garage. By 1956, two additional storage buildings were constructed to the west of the trucking warehouse and an auto body shop was constructed to the east of the garage. By 1957, the trucking warehouse and storage buildings appeared to have been joined into one building that was used as a clubhouse, restaurant, and for storage.

Current operator of this property is Robert Altman a.k.a. Ron Rob Realty Corporation.

Block 2610, Lot 57 (57 Alexander Street)

Ron Rob Realty Corporation (57 Alexander Street, Yonkers, New York) currently owns this portion of the subject property. Ron Rob Realty Corp. acquired Lot 57 from Robert Altman on January 3, 2012. Robert Altman acquired the property from Ron Rob Realty on January 25, 1992. Ron Rob Realty acquired the property from Altman Stage Lighting Co. on May 28, 1989. Altman Stage Lighting Co. acquired the property from Anthony P. Lagana on July 1, 1976. Anthony P. Lagana acquired the property on February 2, 1969. No additional prior ownership information was available, although, historic Sanborn maps indicate that this property was part of the Alexander and Ervin Saunders Estate prior to 1951.

Based on review of Sanborn maps and historical aerial photographs, it appears that the western portion of Lot 57 was improved with two buildings between 1917 and 1942. In 1951, these buildings were characterized as dwellings. By 1956, these buildings were demolished and in 1957 a restaurant was constructed. By 1989, the restaurant building was replaced by the current square-shaped building and a rectangular-shaped building was constructed near the eastern lot border.

The current operator of this property is Robert Altman a.k.a. Ron Rob Realty Corporation.

Block 2605, Lot 51 (47 Alexander Street)

Altman Holdings LLC (550 Mamaroneck Avenue, Suite 210, Harrison, New York) currently owns this portion of the Site. According to property records, Altman Holdings LLC purchased the property from Robert Altman on January 3, 2012. No prior ownership information was available, although, historic Sanborn maps indicate that this property was part of the Alexander and Ervin Saunders Estate prior to 1951.

Based on review of Sanborn maps and historical aerial photographs, it appears that between 1898 and 1917, a building occupied by the Locust Boat Club was located in the southwest

corner of the lot. By 1951, the Locust Boat Club became Alexander's Boat Club, which then became a restaurant by 1956. Additions to this building were apparent in 1957 and by 1962, this building was demolished and replaced by a parking lot. The existing building and associated storage shed appear to have been constructed by 1997.

Robert Altman a.k.a. Altman Holdings LLC is the current operator of this property, which is now being utilized as a parking area for school buses.

Section VII – Requestor Eligibility Information

57 Alexander JV LLC qualifies to enter the NYS Brownfield Cleanup Program as a Volunteer because it will take ownership of the Site subsequent to the release of contamination to the environment and plans to commence implementation of the BCP immediately upon taking title. 57 Alexander JV LLC, LLC has no affiliation with prior owners or operators of the site.

In a letter dated June 12, 2019, Robert Altman, the authorized representative of the current owner(s), Altman Stage Lighting Co., Ron Rob Realty Corp., and Altman Holdings, LLC, granted access to the Requestor, 57 Alexander JV LLC, to implement any investigation or remedial work required by the NYSDEC pursuant to the BCP. The access letter can be found in Exhibit F.

Exhibit F – Site Access Agreement

ALTMAN STAGE LIGHTING CO., INC., RON ROB REALTY CORP., and ALTMAN HOLDINGS, LLC
57 Alexander Street Yonkers, NY 10701

6/12/19

57 Alexander JV LLC
c/o Rose Associates
777 Third Avenue, 6th Floor
New York, NY 10017

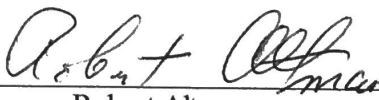
Re: *57 Alexander JV LLC*
57 Alexander Street
Yonkers, NY 10701

Dear 57 Alexander JV LLC:

This letter confirms that 57 Alexander JV LLC has access to the above-referenced site to implement any investigation or remedial work required by the New York State Department of Environmental Conservation (NYSDEC) pursuant to the Brownfield Cleanup Program (BCP), and otherwise comply with all obligations under the Brownfield Cleanup Agreement (BCA), including the recording of an environmental easement, if required, from the date hereof until such time as the BCA is terminated or NYSDEC issues a Certificate of Completion.

Very truly yours,

**ALTMAN STAGE LIGHTING CO., INC.,
RON ROB REALTY CORP., and
ALTMAN HOLDINGS, LLC**

By: 
Robert Altman,
Authorized Signatory

Section VIII – Property Eligibility Information

In addition to the responses on the BCP Application Form, which clarify the Site is an eligible brownfield site pursuant to ECL § 27-1405, the following information further demonstrates this Site’s eligibility for the BCP:

The Site meets the definition of an eligible “brownfield site” in Environmental Conservation Law § 27-1405(2) as “any real property where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by the department that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations.” Environmental investigation results show evidence of impacts from the Site’s previous commercial and industrial uses, which can be linked to the Site’s contamination above the applicable restricted residential use cleanup standards. See the Summary of Exceedances Maps in Section III – Property’s Environmental History and the Environmental Reports included in Attachment A, providing data demonstrating exceedances of the restricted residential use cleanup standards for this Site. As a result, the Site meets the definition of a brownfield site pursuant to Environmental Conservation Law §27-1405(2).

Section IX – Contact List Information

1. The Chief Executive Officer:

Mayor Michael Spano
City Hall
40 South Broadway
Yonkers, New York 10701

2. a. The City Zoning Bureau:

Wilson Kimball, Commissioner of Department of Planning and Development
Bureau of Housing and Buildings
87 Nepperhan Avenue
Yonkers, New York 10701

(914) 377-6150
Wilson.Kimball@yonkersny.gov

2. b. The County Zoning Bureau:

Richard Hyman, Chair
Westchester County Department of Planning
148 Martine Avenue, Room 432
White Plains, New York 10601

3. Residents, owners, and occupants of the Site and properties adjacent to the Site:

CURRENT OWNER:

Robert Altman
Altman Stage Lighting Co.
57 Alexander Street
Yonkers, New York 10701

(914) 476-7987

ADJACENT PROPERTIES:

1. Avalon Yonkers
79 Alexander Street
Yonkers, New York 10701

(914) 368-6238

Owned by:

- Avalon Yonkers ATI Site LLC
671 N Glebe Road, Suite 800
Arlington, Virginia 22203
2. Ryan Palmer
Beczak Environmental Education Center
35 Alexander Street
Yonkers, New York 10701

(914) 377-1900

Owned by:

- Westchester County
148 Martine Avenue, Suite 311
White Plains, New York 10601
3. Cahokia LLC
24 Alexander Street
Yonkers, New York 10701

- | | |
|---|--|
| 4. Deimifini Yonkers LLC
60 Alexander Street
Yonkers, New York 10701

<i>Owner address:</i>

700 White Plains Road, Ste 300
Scarsdale, New York 12779 | Gheorghe Sita
2515 Linden Street
Bellmore, New York 11710

Lenuta Sita
2515 Linden Street
Bellmore, New York 11710 |
| 5. Starr Windows & Doors, Inc.
62 Alexander Street
Yonkers, New York 10701

<i>Owner addresses:</i>

Ioan Sita
207 Starr Street
Brooklyn, New York 11237

Gheorghe Sita
207 Starr Street
Brooklyn, New York 11237 | 6. Fondak Enterprises LLC
72 Alexander Street
Yonkers, New York 10701

<i>Owner address:</i>

255 Paddock Street
Watertown, New York 13601 |
| | 7. Avalon Yonkers Sun Sites LLC
94 Alexander Street
Yonkers, New York 10701

<i>Owner address:</i>

1499 Post Road
Fairfield, Connecticut 06824 |

4. Local news media from which the community typically obtains information:

The Journal News
One Gannet Drive
White Plains, New York 10604

(914) 694-9300

5. The public water supplier that services the area where the Site is located:

City of Yonkers Bureau of Water
Thomas G. Meier, Commissioner
Department of Public Works, City Hall
40 South Broadway, Room 311
Yonkers, New York

(914) 377-6270
Thomas.Meier@yonkersny.gov

6. Any person who has requested to be placed on the Site contact list:

No one has requested to be put on the list to date.

7. The administrator of any school or day care facility located on or near the Site:

No schools or child care facilities are located on or near the Site. The closest school is located approximately 1,600 feet east of the Site.

8. The location of a document repository for the project (See Exhibit G for confirmation letter):

John A. Favareau, Reference Department
Yonkers Public Library
Riverfront Library Branch
1 Larkin Center
Yonkers, New York 10701

(914) 337-1500, ext. 486

Hours: Monday -	9AM to 8PM	Saturday -	9AM to 5PM
Tuesday -	9AM to 8PM	Sunday -	12PM to 5PM
Wednesday -	9AM to 8PM		
Thursday -	9AM to 8PM		
Friday -	9AM to 5PM		

Exhibit G – Document Repository Confirmation

From: Yonkers E-reference
To: [Collins, Jessica](mailto:Collins.Jessica)
Subject: [External] Re: Ask A Librarian NYSDEC Document Repository Request-
Date: Tuesday, July 30, 2019 4:31:02 PM

Thank you for your message.

We will be happy to serve as the document repository for this BCP project.

Kindly send all documents to John A. Favareau, Reference Department, Riverfront Library, 1 Larkin Center, Yonkers NY 10701.

On Tue, Jul 30, 2019 at 12:52 PM YPL Ask a Librarian Jessica Collins

<yonkerspl@gmail.com> wrote:

From: Jessica Collins <jscollins@vhb.com>
Subject: NYSDEC Document Repository Request

Message Body:

From:
Jessica Collins
jscollins@vhb.com

QUESTION

Hi there,

I'm writing on behalf of the future owner of the property located at 57 Alexander Street, Yonkers, NY. I am the environmental consultant who is responsible for preparing a NYS Department of Environmental Conservation Brownfield Cleanup Program (BCP) application for the aforementioned site. As part of that application process, we will need to keep any related documents at a "document repository". Please let this email serve as our request to utilize the Riverfront Branch of the Yonkers Public Library as the document repository for any BCP related documents pertaining to the redevelopment of 57 Alexander Street. If you could also respond via email (as we must include confirmation of establishing a doc repository in our application), it would be very appreciated. Should you have any questions or concerns, please do not hesitate to reach out to me.

Sincerely,
Jessica Collins
Senior Project Manager, Hydrogeologist
VHB
One Penn Plaza
Suite 715
New York, NY 10119-0800
P 646.809.8042 | M 516.220.2143 | F 646.707.3879
jscollins@vhb.com

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This e-mail was sent from a contact form on Yonkers Public Library
(<http://www.ypl.org/librarian>)

Section X – Land Use Factors

1. Current Zoning

The Site is zoned for industrial use. In May 2009, the City of Yonkers adopted the Alexander Street Master Plan and Urban Renewal Plan for the entire Alexander Street corridor. These plans permit residential development with a Planned Urban Development (PUR) Special Use Permit.

2. Current Use

The Site is currently improved with five industrial warehouse buildings and two storage sheds located on four contiguous tax parcels, totaling approximately 4.26 acres. The southeastern portions of the Site are utilized for school bus parking. The remaining portions of the Site are improved with asphalt-paved parking areas, landscaped areas, and a bulkhead along the western perimeter of the Site.

3. Reasonably Anticipated Use Post Remediation

Post remediation use of the Site will be a multi-family residential apartment building. Please see Section II – Project Description for additional information.

4. Do current historical and/or recent development patterns support the proposed use?

Yes, the City of Yonkers engaged in a comprehensive planning process in 2009, resulting in the development of The Alexander Street Master Plan which outlines the City of Yonkers' vision for redeveloping its Hudson River waterfront. This conceptual land use plan establishes a framework for the redevelopment of a critical segment of Yonkers' Hudson River waterfront. Overall, the Alexander Street Master Plan reflects a vision of the Alexander Street waterfront area as a transit oriented development that is a vibrant mixed-use district of residences and parks.

The May 2009 Master Plan also ties together several planning initiatives including the November 2008 City of Yonkers Alexander Street Urban Renewal Plan and a City of Yonkers Brownfield Opportunity Area Plan. We note that although adopted by the City of Yonkers, the Brownfield Opportunity Area Plan has not received certification by the NYS Department of State. The future land use of the Site is consistent with the goals of these plans, which include creating a transit oriented waterfront community with mixed residential and commercial uses.

The Special Use Permit zoning resolution can be viewed in Exhibit H, and the Alexander Street Master Plan can be viewed in Attachment B.

Exhibit H – Special Use Permit Zoning Resolution

RESOLUTION NO.58-2019

BY COUNCIL MEMBER WILLIAMS, COUNCIL PRESIDENT KHADER,
MAJORITY LEADER SABATINO, MINORITY LEADER BREEN,
COUNCILMEMBERS , PINEDA-ISAAC, RUBBO AND MERANTE:

WHEREAS, the owner of the property located at 57 Alexander Street, more properly known as Section 2, Block 2610, Lots 50, 53, 57, and Block 2605, Lot 51 on the Official Tax Map of the City of Yonkers, has submitted an application for a Planned Urban Redevelopment ("PUR") Special Use Permit, for the development of a 440 dwelling unit building with 443 parking spaces, to the Yonkers Planning Board which was approved by the Yonkers Planning Board in accordance with Article VII of the Zoning Code of the City of Yonkers; and

WHEREAS, upon review of the application and the record, this City Council believes it to be in the best interest of the City to grant said application; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Yonkers, in meeting assembled, that the proposed Special Use Permit should be granted and;

BE IT FURTHER RESOLVED, that upon the record and findings of the Planning Board, with respect to the application submitted by the property owner, for a PUR Special Use Permit, for the development of a 440 apartment building containing 443 parking spaces at Section 2, Block 2610, Lots 50, 53, 57 and Block 2605, Lot 51 on the Official Tax Map of the City of Yonkers, at the property known as 57 Alexander Street, Yonkers, New York, pursuant to Article VII of the Zoning Code of the City of Yonkers, the decision and actions of the Planning Board of the City of Yonkers are hereby approved, and this approval is subject to any conditions set forth in the decision of the Planning Board and;

RESOLUTION NO.58-2019 (CONTINUED)

BE IT FURTHER RESOLVED, that all of the conclusions, findings and conditions contained in the March 20, 2019 resolution of the Yonkers Planning Board are hereby incorporated by reference and made a part hereof; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MAY 14, 2019 BY A VOTE OF 7-0.

Mike De 5/20/19
COUNCIL PRESIDENT DATE

SENT TO MAYOR 5/21/19
DATE

Mike Spino APPROVED 5/21/19
MAYOR DATE

ATTEST:

DEPUTY Michael Rammello 5/21/19
CITY CLERK DATE

Attachments

Attachment – Environmental Reports **(included on CD)**

- 1. Phase I Environmental Site Assessment, prepared by VHB in 2016**
- 2. Phase II Environmental Site Assessment, prepared by VHB in 2018**

Attachment B – Alexander Street Master Plan

(included on CD)