Brownfield Cleanup Program Application
Addendum
1676 Third Avenue
New York, New York

Section I. Requestor Information

The members/owners of Bevin Associates LLC include Elias Kefalidis, Melanie Kefalidis, and Marisa Kefalidis.

A copy of the entity information from the NYS Department of State’s Corporation & Business Entity Database is attached hereto as Exhibit A.

Pursuant to ECL § 27-1405(1), Bevin Associates LLC is properly designated as a Volunteer because its liability arises solely from site ownership acquired after the disposal/discharge of petroleum and because it has taken reasonable steps to discover and to stop any continuing release, to prevent any threatened future release, and to prevent or limit human, environmental or natural resource exposures to any previously released hazardous substance. The underground storage tanks (the “USTs”) that are considered to be the source of the contamination found on the property were owned and operated by a gasoline station until the 1980s and were removed from the site before the Applicant took title to the property.

Prior to taking title to the property, the Applicant reviewed all available information provided by the Seller and available as a matter of public record. Among the documents provided by Seller was a PBS Application dated October 1989 that was prepared with respect to the closure/removal of seven tanks from the property. In addition, Seller provided copies of correspondence dated February 1990 pursuant to which Breeze Demolition informed the NYSDEC that it was hired to remove and dispose of the tanks for West Bradhurst Parking, at which time Breeze completed a new PBS application for submission to NYSDEC. Finally, Seller provided evidence that in May 1990, Breeze Demolition contracted with Tyree Brothers to remove the contents from the tanks. Such information indicated that contaminated water was pumped from the tanks by Tyree Brothers on May 21 and 22, 1990, to prepare the USTs for removal. Based on a review of the NYSDEC database, in September 1996 the tanks were administratively closed.

Applicant purchased the property in December 2006 and shortly thereafter engaged consultants to prepare geotechnical and environmental investigations in advance of site redevelopment activities. Among the investigations conducted was an Environmental Site Investigation by Dvirka and Bartilucci Consulting Engineers (D&B) in June 2007. The field investigations included a geophysical survey to verify that no anomalies that might indicate the presence of USTs were present at the property. The geophysical survey did not identify USTs at the property, enabling further confirmation that the seven tanks that were administratively closed were previously removed from the property.

In January 2012, during site grading activities, a small vessel was discovered in the northwestern corner of the site, which is away from the areas of the property that contain the highest levels of contamination and considered to be source areas. The vessel was found to be approximately 30” deep x 28” wide x 60” long, which means the tank was approximately 215 gallons. In addition,
the vessel contained no dispensing line, indicating that it was most likely used to contain waste oil. The subject tank did not leak its contents and the soils beneath and surrounding the tank were not impacted by gasoline constituents. Accordingly, this tank was not one of the seven 550-gallon gasoline USTs that was closed prior to Applicant’s purchase of the property.

Applicant Bevin Associates LLC purchased the property in December 2006 – over fifteen years after the tank contents were removed and over ten years after the tanks were administratively closed. As a result, Bevin Associates LLC’s liability arises solely from site ownership acquired after the disposal/discharge of petroleum at the property. During redevelopment activities, Applicant discovered contaminated soils and immediately initiated appropriate steps, including the reporting of the conditions (the “Spill”) to NYSDEC and engaging consultants to delineate the extent of the Spill, to prevent or limit exposures to the previously released hazardous substance. Since the source of the contamination that has been discovered at the property was removed from the property many years before Bevin’s acquisition of the property, there was no continuing release or threatened future release at the time of acquisition. Based on the foregoing, Applicant’s status as a Volunteer is appropriate.

Section II. Property Information

A Site Location Map, Site Map, Adjacent Property and Surrounding Land Uses Map, and a Tax Map are attached hereto as Exhibit B.

Project Description Narrative

The Site is designated by New York City as Block 1522, Lot 40 and is located on the city block bordered by 94th Street to the north, Third Avenue to the east, 93rd Street to the south, and Lexington Avenue to the west. The Site encompasses an approximate area of 930 square feet. The superstructure for a new five-story plus penthouse townhouse building is complete, but the basement slab has not yet been poured. Excavation for the basement extended to approximately 10 feet below the Third Avenue sidewalk grade. Construction activities within the basement at the Site are currently halted due to the discovery of impacted soils and groundwater. According to the United States Geological Survey (USGS) Central Park Quadrangle 7.5-minute Series Topographic Map, the Site sits at an elevation of approximately 60 feet above mean sea level (msl).

Section VI. Project Description

The purpose of the project is to develop a contaminated 930 square foot parcel into market rate residential use, while implementing remedial measures that are protective of human health and the environment. The project consists of a ground-up two-family townhouse containing approximately 4,829 square feet of above-grade floor area. Only the superstructure for a new five-story (plus penthouse) townhouse building is complete. The basement slab has not yet been poured, the roof has not been constructed and no interior finishes have been installed. The project is intended for sale upon completion; if the market does not support such sale, then the premises can be leased to residential tenants.

Total project costs are estimated at $3 million. The development is estimated to support 50 to 100 construction jobs.
Section VII. Property’s Environmental History

1. Environmental Reports

Environmental reports prepared for the Site include the following:

- Phase I Environmental Site Assessment (ESA) Report, dated April 2007, prepared by D&B (attached hereto as Exhibit C)
- Phase II Environmental Site Investigation (ESI) Report, dated July 2, 2007, prepared by D&B (attached hereto as Exhibit D)
- Soil Sample Analysis Report, dated February 20, 2012, prepared by Environmental Maintenance Contractors (EMC) (attached hereto as Exhibit E)
- Soil & Groundwater Sample Analysis Report, dated April 24, 2012, prepared by EMC (attached hereto as Exhibit F)

Below is a summary of each report:

April 2007 D&B Phase I ESA

The Phase I ESA provides an evaluation of potential environmental concerns relating to hazardous materials and wastes at the Site and surrounding properties. The Phase I ESA was conducted in general accordance with the ASTM Standard (Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process). This Phase I ESA included a site inspection of the property; interviews with the owner and building superintendent of the adjoining properties; a review of historical information sources (i.e., Sanborn fire insurance maps, aerial photographs, topographic maps); and a review of local, tribal, state and federal environmental databases.

The Phase I ESA identified the following on-site and off-site recognized environmental conditions (RECs):
• The Site was historically used as a gasoline station between the 1930s and 1980s. New York State Department of Environmental Conservation (NYSDEC) records indicate that seven underground storage tanks (USTs) for leaded and unleaded gasoline were present on the Site that were administratively closed in 1996. In the absence of documentation verifying that the seven USTs were removed or properly closed in place, D&B recommended that a geophysical survey of the property be completed. Additionally, no information regarding potential impacts from petroleum USTs on soil and groundwater quality conditions underlying the Site was available. Therefore, D&B recommended that a limited subsurface investigation be conducted at the Site.

• The adjoining properties to the northwest and southwest of the Site were previously used as, or were occupied by, dry cleaning facilities. The adjoining site uses were identified as having the potential to impact soil and groundwater quality conditions at the Site.

July 2007 D&B Phase II ESI
The Phase II ESI was completed to evaluate potential impacts from the RECs identified by the Phase I ESA. D&B implemented the Phase II Investigation on May 11, 2007. The field investigation included a geophysical survey, installation of three soil borings ranging from 16 to 37 feet below grade surface (ft bgs), and collection of 3 grab soil samples collected at depths ranging from 4 ft to 11 ft bgs. The geophysical survey did not reveal any anomalies indicative of underground storage tanks present at the Site. The soil samples were analyzed for volatile organic compounds (VOCs), semivolatile organic compounds (SVOCs) and metals and were compared with NYSDEC Technical and Administrative Guidance Memorandum (TAGM) #4046 Recommended Soil Cleanup Objectives (RSCOs), the applicable standard at the time.

The Phase II findings included the following:

• The subsurface soil profile generally consisted of historic urban fill material predominately characterized as gray silt and clay with brick fragments in the approximate upper 10 feet, underlain by fine sand with trace fine gravel from approximately 10 to 20 ft bgs, underlain by weathered schistose bedrock. Based on the Phase II ESI, groundwater was not encountered in the boreholes advanced on the Site.

• The geophysical survey did not identify significant anomalies to indicate the presence of USTs at the Site. A few minor anomalies, low response intensities in areas less than one square foot, were detected in the northeast corner of the property.

• Petroleum odors, as well as occasional black-stained zones, were encountered in the material above the weathered bedrock in all three soil borings.

• RSCO exceedances of VOCs, typically associated with gasoline, including benzene, toluene, ethyl benzene and xylenes (BTEX), were detected in all three boring locations. One SVOC, naphthalene, exceeded the RSCO in the westernmost boring. Four metals (copper, iron, nickel, and zinc) exceeded the RSCOs.
The Soil Sample Analysis Report was completed to summarize the results of the endpoint soil samples collected at the base of the cellar excavation. A total of six endpoint soil samples were collected at approximately 12 ft bgs and analyzed for VOCs and SVOCs. Soil analytical data was compared with NYSDEC TAGM RSCOs.

Report findings were as follows:

- SVOCs were not detected in endpoint soil samples at concentrations exceeding the RSCOs.
- Elevated concentrations of VOCs, including 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, ethylbenzene, n-propyl benzene, sec-butylbenzene, toluene, and total xylenes were detected at concentrations above the TAGM RSCOs in soil samples collected from five of the six endpoint soil samples.

April 2012 EMC Soil & Groundwater Sample Analysis Report

The Soil & Groundwater Sample Analysis Report was completed to characterize soil and groundwater at the Site. The field investigation included the installation of one soil boring and one groundwater monitoring well within the basement of the Site and three soil borings and three groundwater monitoring wells along the sidewalk of the Site. A total of 11 grab soil samples and four groundwater samples were collected and analyzed for VOCs and SVOCs. Soil samples were collected from shallow fill material and from the groundwater interface. Soil analytical data was compared with 6 NYCRR Part 375 Unrestricted Use SCOs and groundwater analytical data was compared to NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Class GA Ambient Water Quality Standards (AWQS).

Report findings and conclusions were as follows:

- VOCs and SVOCs were not detected in soil samples at concentrations exceeding the SCOs for the soil samples collected in the Site basement.
- Elevated concentrations of VOCs, including 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, methylbenzene, isopropylbenzene, naphthalene, n-propyl benzene, toluene, and total xylenes were detected at concentrations above the SCOs in soil samples collected from the soil borings located along the sidewalk of the Site (depths ranging from 8 to 15 ft bgs). One SVOC, naphthalene, was detected in the one sample above its SCO in sidewalk soil boring SB-3 at a depth of 8 to 10 ft bgs.
- Elevated concentrations of VOCs, including 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, ethylbenzene, isopropylbenzene, naphthalene, n-butylbenzene, n-propyl benzene, toluene, and total xylenes were detected at concentrations above the AWQS in the groundwater samples. One SVOC, naphthalene, was also detected above its AWQS in the groundwater samples.

2. Sampling Data (maximum concentration detected)
Site
A total of four borings have been advanced on Site, one of which was converted into a groundwater monitoring well, and a total of five soil samples and one groundwater sample have been collected for laboratory analysis from the Site. Soil samples were collected from shallow fill material or from the groundwater interface. Additionally, a total of six endpoint soil samples were collected from the base of the cellar excavation associated with the development of the site.

Site soil and groundwater have been impacted by a petroleum (gasoline) release related to former use as a gasoline filling station as evidenced by analytical data exceedances and observation of petroleum staining and odor. The following table summarizes maximum concentrations identified in the Site’s soil and groundwater for constituents exceeding their respective comparison criterion.

<table>
<thead>
<tr>
<th>Compound</th>
<th>Concentration in Soil</th>
<th>Concentration in Groundwater</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Volatile Organic Compounds (VOCs)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1,2,4-trimethylbenzene</td>
<td>53 mg/kg (15 times SCO)</td>
<td>150 µg/L (30 times AWQS)</td>
</tr>
<tr>
<td>1,3,5-trimethylbenzene</td>
<td>17 mg/kg (2 times SCO)</td>
<td>52 µg/L (10 times AWQS)</td>
</tr>
<tr>
<td>isopropylbenzene</td>
<td>2.8 mg/kg (~)</td>
<td>40 µg/L (8 times AWQS)</td>
</tr>
<tr>
<td>Naphthalene</td>
<td>ND</td>
<td>48 µg/L (5 times AWQS)</td>
</tr>
<tr>
<td>n-Butylbenzene</td>
<td>2.7 mg/kg (no exceedance)</td>
<td>35 µg/L (7 times AWQS)</td>
</tr>
<tr>
<td>n-Propylbenzene</td>
<td>7.5 mg/kg (2 times SCO)</td>
<td>120 µg/L (24 times AWQS)</td>
</tr>
<tr>
<td>Benzene</td>
<td>0.14 mg/kg (2 times SCO)</td>
<td>ND</td>
</tr>
<tr>
<td>Ethylbenzene</td>
<td>32 mg/kg (32 times SCO)</td>
<td>270 µg/L (54 times AWQS)</td>
</tr>
<tr>
<td>Toluene</td>
<td>8.1 mg/kg (12 times SCO)</td>
<td>47 µg/L (9times AWQS)</td>
</tr>
<tr>
<td>Xylenes</td>
<td>78 mg/kg (300 times SCO)</td>
<td>320 µg/L (64 times AWQS)</td>
</tr>
<tr>
<td><strong>Semivolatile Organic Compounds (SVOCs)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Naphthalene</td>
<td>18 mg/kg (1.5 times SCO)</td>
<td>49 µg/L (5 times AWQS)</td>
</tr>
</tbody>
</table>

Notes:
SCO = NYSDEC 6 NYCRR Part 375 Unrestricted Use Soil Cleanup Objective
Off-Site
Three borings were advanced along the Site sidewalks. Each boring was converted into a groundwater monitoring well and nine soil samples and three groundwater samples were collected for laboratory analysis. Soil samples were collected from shallow fill material and from the groundwater interface.

The following table summarizes maximum concentrations identified in the soil and groundwater for constituents exceeding their respective comparison criterion for the sidewalk samples.

Off-Site Sampling Data Exceedance Summary

<table>
<thead>
<tr>
<th>Compound</th>
<th>Concentration in Soil</th>
<th>Concentration in Groundwater</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Volatile Organic Compounds (VOCs)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1,2,4-trimethylbenzene</td>
<td>56 mg/kg (16 times SCO)</td>
<td>4,200 µg/L (840 times AWQS)</td>
</tr>
<tr>
<td>1,3,5-trimethylbenzene</td>
<td>22 mg/kg (3 times SCO)</td>
<td>1,200 µg/L (240 times AWQS)</td>
</tr>
<tr>
<td>isopropylbenzene</td>
<td>3 mg/kg (~)</td>
<td>750 µg/L (150 times AWQS)</td>
</tr>
<tr>
<td>Naphthalene</td>
<td>15 mg/kg (1.5 times SCO)</td>
<td>810 µg/L (81 times AWQS)</td>
</tr>
<tr>
<td>n-Butylbenzene</td>
<td>4 mg/kg (no exceedance)</td>
<td>480 µg/L (96 times AWQS)</td>
</tr>
<tr>
<td>n-Propylbenzene</td>
<td>11 mg/kg (3 times SCO)</td>
<td>480 µg/L (96 times AWQS)</td>
</tr>
<tr>
<td>Benzene</td>
<td>ND</td>
<td>1,500 µg/L (1,500 times AWQS)</td>
</tr>
<tr>
<td>Ethylbenzene</td>
<td>13 mg/kg (13 times SCO)</td>
<td>4,000 µg/L (800 times AWQS)</td>
</tr>
<tr>
<td>Toluene</td>
<td>6.2 mg/kg (9 times SCO)</td>
<td>47 µg/L (9 times AWQS)</td>
</tr>
<tr>
<td>Xylenes</td>
<td>74 mg/kg (285 times SCO)</td>
<td>19,100 µg/L (3,820 times AWQS)</td>
</tr>
<tr>
<td><strong>Semivolatile Organic Compounds (SVOCs)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Naphthalene</td>
<td>1 mg/kg (equal to SCO)</td>
<td>1,900 µg/L (190 times AWQS)</td>
</tr>
</tbody>
</table>

Notes:
SCO = NYSDEC 6 NYCRR Part 375 Unrestricted Use Soil Cleanup Objective
3. Suspected Contaminants

The site has been properly characterized and no contaminants are suspected other than those identified above.

6. List of Previous Property Owners and Operators

<table>
<thead>
<tr>
<th>Name</th>
<th>Relationship to Property</th>
<th>Address and Phone Number</th>
<th>Relationship to Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bevin Associates LLC</td>
<td>Owner (2006-present)</td>
<td>155 East 56 Street</td>
<td>Applicant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>New York, NY 10022</td>
<td></td>
</tr>
<tr>
<td>Meir Yaloz Farmer’s Market</td>
<td>Operator (1993-2006)</td>
<td>153 76th Road</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Flushing, NY 11367</td>
<td></td>
</tr>
<tr>
<td>Blue Third Corporation</td>
<td>Owner (1993-2006)</td>
<td>155 East 56 Street</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td></td>
<td>New York, NY 10022</td>
<td></td>
</tr>
<tr>
<td>West Bradhurst Parking Corp</td>
<td>Operator (1989-1990)</td>
<td>Unknown</td>
<td>None</td>
</tr>
<tr>
<td>Soledad Place Corp/Preferred Entity Etal</td>
<td>Owner (1981-1993)</td>
<td>238 East 53 Street</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td></td>
<td>New York, NY 10022</td>
<td></td>
</tr>
<tr>
<td>Quevedo, Catherine</td>
<td>Owner (1974-1981)</td>
<td>Unknown</td>
<td>None</td>
</tr>
<tr>
<td>Thomas, Edward J EX</td>
<td>Owner (1966-1974)</td>
<td>Unknown</td>
<td>None</td>
</tr>
</tbody>
</table>

The above table represents the extent of the operator information known to Applicant, and is based upon a review of available information including NYC DOB Records, PropertyShark.com, Sanborn Maps, and other sources. Although a gas station occupied the site from the 1930s to the late 1980s, the entity that operated the gas station is unknown.

Section VIII. Contact List Information

1. Chief Executive Officer
   Mayor Michael J. Bloomberg
   City Hall
   New York, New York, 10007

   New York City Planning Commission
   Amanda M. Burden
2. Adjacent properties include:

<table>
<thead>
<tr>
<th>Property Name</th>
<th>Address</th>
<th>Phone Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Osso Buco</td>
<td>1662 Third Ave, New York, NY 10028</td>
<td>2124265422</td>
</tr>
<tr>
<td>Little J Cleaners</td>
<td>189 93rd St, New York, NY 10028</td>
<td>2124260111</td>
</tr>
<tr>
<td>Isohama Japanese Restaurant</td>
<td>1666 Third Ave, New York, NY 10028</td>
<td>2128280099</td>
</tr>
<tr>
<td>Seton Day Care</td>
<td>201 93rd St, New York, NY 10028</td>
<td>2123699626</td>
</tr>
<tr>
<td>Aza International Lounge of Music</td>
<td>1668 Third Ave, New York, NY 10028</td>
<td>2124261416</td>
</tr>
<tr>
<td>Rupert Wash n Dry</td>
<td>1670 Third Ave, New York, NY 10028</td>
<td>2123698387</td>
</tr>
<tr>
<td>Upper East Veterinary Center</td>
<td>1435 Lexington Ave, New York, NY 10028</td>
<td></td>
</tr>
<tr>
<td>Kinsale Tavern and REM</td>
<td>1672 Third Ave, New York, NY 10028</td>
<td>2123484370</td>
</tr>
<tr>
<td>Alcon Builders Group</td>
<td>180 94th St, New York, NY 10028</td>
<td></td>
</tr>
<tr>
<td>Unique Boutique</td>
<td>1674 Third Ave, New York, NY 10028</td>
<td>2128603936</td>
</tr>
<tr>
<td>Precious Nails</td>
<td>180 94th St, New York, NY 10028</td>
<td></td>
</tr>
</tbody>
</table>
Barking Dog
1678 Third Ave
New York, NY 10028
2128311800

Carnegie Garage
1675 3rd Ave
New York, NY 10028

Highgate Cleaners and Residential Unit
1680 Third Ave
New York, NY 10028
2128769295

Residents
169 East 94th St
New York, NY 10028

Duane Reade
1675 Third Ave
New York, NY 10028
2123487400

Residents
171 East 94th St
New York, NY 10028

Carnegie Park Leasing Center
200 East 94th St
New York, NY 10028
2127220666

Residents
173 East 94th St
New York, NY 10028

S.P.O.N.Y Real Estate/Mr. Lucky Barbershop
1681 Third Ave
New York, NY 10028
2127224765/2127223344

Residents
175 East 94th St
New York, NY 10028

Shoe Repair/Cleaners and Custom Tailoring
1683 Third Ave
New York, NY 10028
2124275788

Residents
177 East 94th St
New York, NY 10028

Jade Cleaners
1685 Third Ave
New York, NY 10028
2129965185

Wanderers In Hostel East
179 East 94th St
New York, NY 10028

Yorkville Gallery
1687 Third Ave
New York, NY 10028

SD (Institution- Church)
215 East 94th St
New York, NY 10028

Al Gaithy Deli and Grocery
1689 Third Ave
New York, NY 10028

Residents
1469 Lexington Ave
New York, NY 10028
1676 Third Avenue  
New York, New York  

2128318376  

Zesty's Pizza  
1691 Third Ave  
New York, NY 10028  
2128767210  

International Plant Center  
1425 Lexington Ave  
New York, NY 10028  
2128280022  

Residents  
155 93rd St  
New York, NY 10028  

Residents  
175 93rd St  
New York, NY 10028  

Residents  
177 93rd St  
New York, NY 10028  

Residents  
179 93rd St  
New York, NY 10028  

Residents  
181 93rd St  
New York, NY 10028  

Residents  
150 94th St  
New York, NY 10028  

Residents  
152 94th St  
New York, NY 10028  

Residents  
170 94th St  
New York, NY 10028  

Residents  
172 94th St  
New York, NY 10028  

Residents  
174 94th St  
New York, NY 10028  

Residents  
176 94th St  
New York, NY 10028
3. Local news media from which the community typically obtains information includes the New York Post, 1211 Avenue of the Americas, New York, New York 10036-8790.

4. The responsibility for supplying water in New York City is shared between the NYC Department of Environmental Protection, the Municipal Water Finance Authority, and the New York City Water Board.
5. We are unaware of any requests for inclusion on the contact list.

6. The following are schools or day care facilities located within ½ mile of the property:

   Seton Day Care Center and Elizabeth Seton Pre-School
   (approximately 300 feet southeast of the Site)
   Administrator: Betzaida Stroz
   1675 Third Avenue
   New York, NY 10128
   (212) 369-9626

   92nd Street Y Nursery School
   (approximately 630 feet southwest of the site)
   Administrator: Fretta Reitzes
   1395 Lexington Avenue
   New York, NY 10128

   PS Lower Lab School / PS 198 Isador E Ida Straus
   (approximately 475 feet north of the Site)
   Administrator: Dr. Mara Ratesic-Koetke
   1700 Third Avenue
   New York, NY 10128

   House of the Little People
   (approximately 1,000 feet southwest of the Site)
   Administrator: Debra Tuohy
   122 East 91 Street
   New York, NY 10128

   Town House International School
   (approximately 900 feet northwest of the Site)
   Administrator: Nenita N. Dillera
   1209 Park Avenue
   New York, NY 10128

   Life Sciences Secondary School
   (approximately 1,300 feet east of the Site)
   Administrator: Genevieve Stanislaus
   320 East 96 Street
   New York, NY 10128

   Brick Church School
   (approximately 1,300 feet west of the Site)
   Administrator: Dr. Lydia Spinelli
   62 East 92 Street
   New York, NY 10128
Horace Mann School for Nursery Years  
(approximately 1,600 feet west of the Site)  
Administrator: Dr. Thomas Kelly  
55 East 90 Street  
New York, NY 10128  

Louis Green & Evelyn Green (Innovative Learning)  
(approximately 1,400 feet northwest of the Site)  
Administrator: Nancy Echavarria  
60 East 97 Street  
New York, NY 10029  

Lexington Children’s Center  
(approximately 1,500 feet north of the Site)  
Administrator: Rosa Gillece  
115 East 98 Street  
New York, NY 10029  

Lexington Children’s Center 2  
(approximately 1,500 feet north of the Site)  
Administrator: Rosa Gillece  
183 East 98 Street  
New York, NY 10029  

Union Washington Children’s Center  
(approximately 1,250 feet northeast of the Site)  
Administrator: Stephanie Irby  
1893 Second Avenue  
New York, NY 10029  

Holmes Towers-Eisman Day Nursery  
(approximately 1,750 feet southeast of the Site)  
Administrator: Ramonita Maldonando  
1794 First Avenue  
New York, NY 10128  

Abc Merricat’s Castle  
(approximately 2,000 feet south of the Site)  
Administrator: Lynda Wosczyk  
316 East 88 Street  
New York, NY 10128  

Rhinelander Children’s Aide Society  
(approximately 2,100 feet south of the Site)  
Administrator: Laura Colin Klein  
350 East 88 Street
New York, N 10128

Park Avenue Methodist Church DD School
(approximately 2,350 feet southwest of the Site)
Administrator: Louis Blumka
106 East 86 Street
New York, NY 10028

Park Avenue Synagogue Ecc
(approximately 2,300 feet southwest of the Site)
Administrator: Carol Hendin
50 East 87 Street
New York, NY 10128

The Spence School
(approximately 1,850 feet west of the Site)
Administrator: Brodie Brizendine
22 East 91 Street
New York, NY 10128

The Nightingale Bamford School
(approximately 1,750 feet west of the Site)
Administrator: Paul A. Burke
20 East 92 Street
New York, NY 10128

La Seuola Ditalia G. Marconi
(approximately 1,750 feet northwest of the Site)
Administrator: Prof. Anna Fiore
12 East 96 Street
New York, NY 10128

Manhattan Country School
(approximately 1,850 feet northwest of the Site)
Administrator: Michele Sola
7 East 96 Street
New York, NY 10128

St. Bernard School
(approximately 2,000 feet northwest of the Site)
Administrator: Stuart Johnson
4 East 98 Street
New York, NY 10029

Children’s Aid Society East Harlem Center HS
(approximately 1,950 feet north of the Site)
Administrator: David L. Giordano
Metro North Day Care Center  
(approximately 2,350 feet northeast of the Site)  
Administrator: Laeda Rizera  
304 East 102 Street  
New York, NY 10029

Booker T. Washington Learning  
(approximately 2,350 feet northeast of the Site)  
Administrator: Rev. Kimberly Wright  
325 East 101 Street  
New York, NY 10029

Addie Mae Collins Community Service HS  
(approximately 2,350 feet northeast of the Site)  
Administrator: Judy Edwards Greene  
345 East 101 Street  
New York, NY 10029

7. The New York Public Library – Yorkville Library at 222 East 79th Street, New York, New York 10021-1295 has been designated as the document repository for the project. The letter sent to the repository acknowledging that it agrees to act as the document repository for the property is attached hereto as Exhibit G.

Section IX. Land Use Factors

1. Basement construction activities at the site are currently halted. According to available information, prior (gas station) operations ceased sometime between 1988 and 1990.

2. The project consists of a ground-up two-family townhouse containing approximately 4829 square feet of above-grade floor area. The building will be five stories plus a penthouse and full cellar level. The project is intended for sale upon completion.

4. Please see the Adjacent Property and Surrounding Land Uses Map attached hereto as part of Exhibit B.

10. There are several City Landmarks and National Register listed sites within ½-mile of the Site. The below table lists City Landmarks and Properties Listed on National Register of Historic Places within approximately ½-mile of the Site:

<table>
<thead>
<tr>
<th>Property/Site</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>House at 160 East 92 Street</td>
<td>160 east 92 Street</td>
</tr>
<tr>
<td>House at 122 East 92 Street</td>
<td>122 East 92 Street</td>
</tr>
</tbody>
</table>
### Table of Locations

<table>
<thead>
<tr>
<th>Location</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>House at 120 East 92 Street</td>
<td>120 East 92 Street</td>
</tr>
<tr>
<td>Carnegie Hill Historical District</td>
<td>Bounded by Fifth Avenue, 96 Street, Lexington Avenue, and 86 Street</td>
</tr>
<tr>
<td>The Synod of Bishops of the Russian Orthodox Church</td>
<td>1190 Park Avenue</td>
</tr>
<tr>
<td>House at 67 East 93 Street</td>
<td>House at 67 East 93 Street</td>
</tr>
<tr>
<td>Romanian Permanent Mission to the United Nations</td>
<td>60 East 93 Street</td>
</tr>
<tr>
<td>House at 56 East 93 Street</td>
<td>56 East 93 Street</td>
</tr>
<tr>
<td>House at 1321 Madison Avenue</td>
<td>1321 Madison Avenue</td>
</tr>
<tr>
<td>Houses at 146-156 East 89 Street</td>
<td>146-156 East 89 Street</td>
</tr>
<tr>
<td>Madison Avenue Front of Squadron “A” Armory</td>
<td>Madison Avenue between 94 and 95 Streets</td>
</tr>
<tr>
<td>Edith Fabri House</td>
<td>7 East 95 Street</td>
</tr>
<tr>
<td>Mrs. Amory S. Carhart House (now Lycee Francais De New York)</td>
<td>3 East 95 Street</td>
</tr>
<tr>
<td>National Audobon Society</td>
<td>1130 5 Avenue</td>
</tr>
<tr>
<td>Felix Warburg Mansion</td>
<td>1109 5 Avenue</td>
</tr>
<tr>
<td>John B. Trevor House</td>
<td>11 East 91 Street</td>
</tr>
<tr>
<td>John Henry Hammond House</td>
<td>9 East 91 Street</td>
</tr>
<tr>
<td>James A. Burden House</td>
<td>7 East 91 Street</td>
</tr>
<tr>
<td>Otto Kahn House</td>
<td>1100 5 Avenue</td>
</tr>
<tr>
<td>Andrew Carnegie Mansion</td>
<td>1095 5 Avenue</td>
</tr>
<tr>
<td>1261 Mansion Avenue Apartments</td>
<td>1261 Madison Avenue</td>
</tr>
<tr>
<td>House at 15 East 90 Street</td>
<td>15 East 90 Street</td>
</tr>
<tr>
<td>The Solomon R. Guggenheim Museum</td>
<td>1070 5 Avenue</td>
</tr>
</tbody>
</table>

Sources: NYS Historic Preservation Office, NYC.gov NYCityMap

11. The Hudson River is located approximately 1,700 feet east of the Site.

12. According to Federal Emergency Management Agency (FEMA) flood maps, the Site is not located within a flood plain. However, a Special Flood Hazard Area subject to inundation by the 1% Annual Chance Flood is located approximately 1,100 feet east of the Site. A flood plain map is attached hereto as Exhibit H.

14. The project is in the Manhattan Borough of New York City. The property adjacent to the southwest is a five-story residential building with ground floor retail space. The property adjacent to the northwest is a two-story residential building attached to a three-story residential building with ground floor retail space. The property to the northeast across
East 94th Street is a four-story residential building with ground floor retail space. The property adjacent to the east across East 94th Street and Third Avenue is a five-story residential building with ground floor retail space. The property adjacent to the southeast across Third Avenue is an approximately 30-story residential building with ground floor retail space.

15. The groundwater is vulnerable and has been impacted. Petroleum-impacted groundwater, as evidenced by analytical results collected as part of the 2012 Soil & Groundwater Sample Analysis Report, has been identified in a groundwater monitoring well located on the Site and in three groundwater monitoring wells located along the sidewalk of the Site. Groundwater in this area of New York City is not used as a potable water source. Potable water is provided to the Subject Property by the City of New York and is derived from surface impoundments in the Croton, Catskill, and Delaware watersheds.

16. The Site is designated by New York City as Block 1522, Lot 40 and is located on the city block bordered by 94th Street to the north, Third Avenue to the east, 93rd Street to the south, and Lexington Avenue to the west. The Site encompasses an approximate area of 930 square feet. According to the USGS Central Park Quadrangle 7.5-minute Series Topographic Map, the Site sits at an elevation of approximately 60 feet above msl. The topography of the Site and the surrounding area slopes gently to the east towards the East River, which is located approximately 1,500 feet east of the Site.

According to the United States Department of Agriculture Soil Conservation Service, as reported by an Environmental Data Resources, Inc. Radius Map with Geocheck, shallow soil at the property is classified as Urban Land, which indicates that the majority of the property is covered by buildings and/or paved surfaces. Other shallow soil types in the area of the property are classified as sandy loam.