

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director  
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[www.dec.ny.gov](http://www.dec.ny.gov)

December 27, 2023

Ari Worch  
1015 Holdings LLC  
143 Division Avenue  
Brooklyn, NY 11211  
[Findari@gmail.com](mailto:Findari@gmail.com)

Re: Certificate of Completion  
1015 Atlantic  
Brooklyn, Kings County  
C224293

Dear Ari Worch,

Congratulations on having satisfactorily completed the remedial program at the 1015 Atlantic Site. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (NYSDEC) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the COC to be issued for the above-referenced site.

Please note that you are required to perform the following tasks:

- If you are the site owner, you must record the Notice of Certificate of Completion in the recording office for the county (or counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record the Notice within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the Notice is recorded within the time frame specified. A standard Notice of Certificate of Completion form is attached to this letter.
- Provide electronic copies of the recorded Notice and proof of recording to NYSDEC's project manager. Please return the hard copy of the proof of recording to:

Steven Wu  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
47-40 21<sup>st</sup> Street  
Long Island City, NY 11101



- Provide the Notice of Certificate of Completion to the Document Repositories within 10 days of issuance of the COC. NYSDEC will develop a fact sheet announcing the issuance of the COC and describing the institutional and engineering controls (IC/ECs), if any, that are required at the site and distribute it to the County Listserv within 10 days;

If you have any questions, please do not hesitate to contact Steven Wu, NYSDEC's project manager, at [steven.wu@dec.ny.gov](mailto:steven.wu@dec.ny.gov)

Sincerely,

*Andrew Guglielmi*

Andrew Guglielmi  
Division Director  
Division of Environmental Remediation

ec w/ enclosure:

C. Vooris – NYSDOH, [christine.vooris@health.ny.gov](mailto:christine.vooris@health.ny.gov)  
S. McLaughlin, NYSDOH, [scarlet.mclaughlin@health.ny.gov](mailto:scarlet.mclaughlin@health.ny.gov)  
A. Perretta, NYSDOH [anthony.perretta@health.ny.gov](mailto:anthony.perretta@health.ny.gov)  
J. Brooks, Abramson Brooks LLP [jbrooks@abramsonbrooks.com](mailto:jbrooks@abramsonbrooks.com)  
M. Carroll, Tenen [mc Carroll@tenen-env.com](mailto:mc Carroll@tenen-env.com)  
M. Gokey, [matthew.gokey@tax.ny.gov](mailto:matthew.gokey@tax.ny.gov)  
P. Takac, [paul.takac@tax.ny.gov](mailto:paul.takac@tax.ny.gov)

ec w/o enc.:

S. Wu, A. Obligado, J. O'Connell, G. Nam, L. Schmidt, K. Lewandowski -  
NYSDEC

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)

*CERTIFICATE OF COMPLETION*

**CERTIFICATE HOLDER(S):**

**Name**

1015 Holdings LLC

**Address**

143 Division Avenue, Brooklyn, NY 11211

**BROWNFIELD CLEANUP AGREEMENT:**

**Application Approval:** 7/8/19    **Agreement Execution:** 9/5/19

**Agreement Index No.:** C224293-07-19

**Application Amendment Approval:** 12/19/23

**Agreement Amendment Execution:** 12/19/23

**SITE INFORMATION:**

**Site No.:** C224293    **Site Name:** 1015 Atlantic

**Site Owner:** 1015 Holdings LLC

**Street Address:** 1013-1015 Atlantic

**Municipality:** Brooklyn

**County:** Kings

**DEC Region:** 2

**Site Size:** 0.192 Acres

**Tax Map Identification Number(s):** 2019-51

**Percentage of site located in an EnZone:** 0 - 49 %

A description of the property subject to this Certificate is attached as Exhibit A and a site survey is attached as Exhibit B.

**CERTIFICATE ISSUANCE**

This Certificate of Completion, hereinafter referred to as the "Certificate," is issued pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law ("ECL").

This Certificate has been issued upon satisfaction of the Commissioner, following review by the Department of the Final Engineering Report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the site, that the applicable remediation requirements set forth in the ECL have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

The remedial program for the site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

**Allowable Uses under the BCP:** Unrestricted, Residential, Restricted-Residential, Commercial, and Industrial

**Cleanup Track:** Track 1: Unrestricted use

**Tax Credit Provisions:**

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 50 %.

The Certificate Holder has sworn by affidavit that the project is an Affordable Housing Project because it is being developed and will be operated under the following affordable housing program: Affordable New York as described in section 421-a(16) of the New York Real Property Tax Law. Eligibility for Tangible Property Credits is available as an Affordable Housing Project only if the Certificate Holder presents a certification of compliance or other evidence of eligibility by a federal, state, or local government affordable housing agency that the redevelopment of the site meets the requirements of the aforementioned affordable housing program. Such documentation shall be provided to the Department and presented to the Department of Taxation & Finance (together with this Certificate) with each claim for Tangible Property Credits. If an affordable housing project is not constructed, the Site is not eligible for Tangible Property Credits.

Tangible Property Credit is 15%. Comprised of 10% Base, 5% Track 1.

Dependent upon the project being developed in a manner consistent with the approved Brownfield Cleanup Program application, additional rate increases may be available if the site is developed as affordable housing (5%), if the Certificate Holder receives a separate Determination of Conformance with the BOA from the Secretary of State (5%), if the site is located in a disadvantaged community and not located in an EnZone (5%), if the site is developed as a renewable energy facility site (5%), or if the site is used primarily for manufacturing activities (5%) not to exceed a maximum 24 %

No Environmental Easement has been granted pursuant to ECL Article 71, Title 36 as there are no use restrictions and there is no reliance on the long-term employment of institutional controls.

#### **LIABILITY LIMITATION**

Upon issuance of this Certificate of Completion, and subject to the terms and conditions set forth herein, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the site and to a person who develops or otherwise occupies the site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

#### **CERTIFICATE TRANSFERABILITY**

This Certificate may be transferred to the Certificate holder's successors or assigns upon transfer or sale of the site as provided by ECL Section 27-1419.5 and 6NYCRR Part 375-1.9.

#### **CERTIFICATE MODIFICATION/REVOCATION**

This Certificate of Completion may be modified or revoked by the Commissioner following notice and an opportunity for a hearing in accordance with ECL Section 27-1419 and 6NYCRR Part 375-1.9(e) upon finding any of the following:

- (1) either the Applicant or the Applicant's successors or assigns have failed to comply with the terms and conditions of the Brownfield Site Cleanup Agreement;
- (2) the Applicant made a misrepresentation of a material fact tending to demonstrate that it was qualified as a Volunteer;
- (3) either the Applicant or the Applicant's successors or assigns made a misrepresentation of a material fact tending to demonstrate that the cleanup levels identified in the Brownfield Site Cleanup Agreement were reached;
- (4) there is good cause for such modification or revocation.

The Certificate holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency is not cured or a request for a hearing is not received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

Basil Seggos  
Commissioner  
New York State Department of Environmental Conservation

By: Andrew Guglielmi Date: 12/27/2023

Andrew O. Guglielmi, Director  
Division of Environmental Remediation

**Exhibit A**

**Site Description**

The metes and bounds description is as follows:

ALL that certain plot, piece, parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, to wit:

BEGINNING at the corner formed by the intersection of the westerly side of Classon Avenue with the northeasterly side of Atlantic Avenue; running thence North  $8^{\circ} 37' 20''$  East along the westerly side of Classon Avenue 128.25 feet; running thence North  $81^{\circ} 22' 40''$  West and part of the distance through a party wall 73.67 feet; running thence South  $8^{\circ} 37' 20''$  West and parallel with Classon Avenue 13.33 feet;

RUNNING THENCE: South  $57^{\circ} 22' 05''$  East and parallel with Atlantic Avenue 15.39 feet; running thence South  $32^{\circ} 37' 55''$  West 75 feet to the northeasterly side of Atlantic Avenue; and running thence South  $57^{\circ} 22' 05''$  East along the northeasterly side of Atlantic Avenue 98.67 feet to the corner the point or place of BEGINNING.

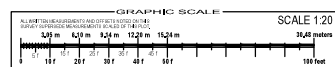
## **Exhibit B**

### **Site Survey**



BEGINNING at the corner formed by the intersection of the westerly side of Classon Avenue with the northeasterly side of Atlantic Avenue;  
 RUNNING THENCE North 08°37'20" East along the westerly side of Classon Avenue 128.25 feet;  
 RUNNING THENCE North 81°22'40" West and part of the distance through a party wall 73.67 feet;  
 RUNNING THENCE South 08°37'20" West and parallel with Classon Avenue 13.33 feet;  
 RUNNING THENCE South 57°22'05" East and parallel with Atlantic Avenue 15.39 feet;  
 RUNNING THENCE South 57°22'05" West 75 feet to the northeasterly side of Atlantic Avenue;  
 RUNNING THENCE South 57°22'05 East along the northeasterly side of Atlantic Avenue 96.87 feet to the corner, the point of place of BEGINNING.

**BCP SITE AREA = 8340.48 sq.ft. = 0.1915 acre**

[illegible][illegible]

— UNDERGROUND UTILITIES NOTES

UNDERGROUND, OVERHEAD AND GROUND LEVEL UTILITIES ARE NOT GUARANTEED  
AS TO ACCURACY, EXACT LOCATION, TYPE OR USE. ACTIVE OR INACTIVE.  
VERIFICATION IS MANDATORY WITH MUNICIPAL AGENCIES, PUBLIC AND PRIVATE  
UTILITY COMPANIES PRIOR TO TAKING TITLE AND/OR DESIGN WORK. BOUNDARIES  
ARE NOT GUARANTEED UNLESS SO NOTED.

PROFESSIONAL LAND SURVEYOR  
**ARKADIUSZ JUSIEGA**  
N.Y.S. L.L.S. 050569-2  
8629 BAY PARKWAY, UNIT CFU  
BROOKLYN, NY 11214  
TEL. 718-474-7700

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S INKED SEAL OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID COPY. GUARANTEES OR CERTIFICATIONS INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. GUARANTEES OR CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

GUARANTEED TO:  
New York State Department of Environmental Conservation

COUNTY: KINGS CITY: BROOKLYN, NY 11238

SECTION: BLOCK: 2019 LOT(S): 51

PROPERTY ADDRESS: 1015 ATLANTIC AVENUE

ENVIRONMENTAL EASEMENT SURVEY

PREPARED BY



**PERFECT POINT**  
LAND SURVEYING  
brooklyn • queens • manhattan • bronx  
staten island • nassau  
phone: (718) 474-7700  
fax: (718) 872-9699  
info@ppsurveying.com  
www.ppsurveying.com

DATE: SEP 19, 2023

NY 6115 00066



**NOTICE OF CERTIFICATE OF COMPLETION**  
**Brownfield Cleanup Program**  
**6 NYCRR Part 375-1.9(d)**

**1015 Atlantic, Site ID No. C224293**  
**1013-1015 Atlantic Avenue, Brooklyn, NY 11238**  
**Brooklyn, Kings County, Tax Map Identification Numbers: 2019-51**

**PLEASE TAKE NOTICE**, the New York State Department of Environmental Conservation (NYSDEC) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to 1015 Holdings LLC for a parcel approximately 0.192 acres located at 1013-1015 Atlantic Avenue in Brooklyn, Kings County.

**PLEASE TAKE NOTICE**, the Certificate was issued upon satisfaction of the Commissioner, following review by NYSDEC of the final engineering report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the site, that the remediation requirements set forth in ECL Article 27, Title 14 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

**PLEASE TAKE NOTICE**, the remedial program for the site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

- ☒ Unrestricted Use, as set forth in 6 NYCRR 375-1.8(g)(1)i
- ☒ Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- ☒ Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- ☒ Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- ☒ Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

**PLEASE TAKE NOTICE**, provided that the Certificate is complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the site and to a person who develops or otherwise occupies the site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

Further, the use of groundwater is restricted and may not be used, unless treated in accordance with the requirements provided by the New York State Department of Health, or a local County Health Department with jurisdiction in such matters and such is approved by NYSDEC as not inconsistent with the remedy.

**PLEASE TAKE NOTICE**, the Certificate may entitle the Certificate holder(s) to tax credits in accordance with Tax Law Sections 21, 22 and 23.

**PLEASE TAKE NOTICE**, the Certificate may only be transferred to the Certificate holder's successors or assigns upon transfer or sale of the site as provided by ECL Section 27-1419.5 and 6 NYCRR Part 375-1.9. Failure to comply with the regulatory requirements for transfer **WILL** bar the successors and assigns from the benefits of the Certificate.

**PLEASE TAKE NOTICE**, the Certificate may be modified or revoked by the Commissioner as set forth in the applicable regulations.

**1015 Atlantic, C224293**  
**1013-1015 Atlantic Ave, Brooklyn, NY 11238**

**PLEASE TAKE NOTICE**, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 Office located at 47-40 21<sup>st</sup> Street, Long Island City, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C224293/>

**WHEREFORE**, the undersigned has signed this Notice of Certificate

1015 Holdings LLC

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF NEW YORK            ) SS:  
COUNTY OF                    )

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 20\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Signature and Office of individual  
taking acknowledgment

**Please record and return to:**  
Ari Worch  
1015 Holdings LLC  
143 Division Avenue  
Brooklyn, NY 11211