



**Department of
Environmental
Conservation**

KATHY HOCHUL
Governor

AMANDA LEFTON
Acting Commissioner

May 22, 2025

Moses Karpen
Gerry Gardens LLC
320 Roebling Street #106
Brooklyn, NY 11211
moses@waterfrontmanagementny.com

Re: Certificate of Completion
Former Just4Wheels Site
Brooklyn, Kings County
Site No. C224321

Dear Moses Karpen:

Congratulations on having satisfactorily completed the remedial program at the Former Just4Wheels 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:

Sadique Ahmed, Remedial Bureau B
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233
- Provide the Certificate of Completion fact sheet to the Document Repositories within 10 days of issuance of the COC. NYSDEC will develop

the 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;

- Implement NYSDEC-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to NYSDEC in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to NYSDEC September 22, 2026.

If you have any questions, please do not hesitate to contact Sadique Ahmed, NYSDEC's project manager, at (518) 402-9656 or sadique.ahmed@dec.ny.gov.

Sincerely,

Andrew Guglielmi

Andrew Guglielmi
Division Director
Division of Environmental Remediation

Enclosure

ec w/ enclosure:

Moses Karpen, Gerry Gardens LLC, (moses@waterfrontmanagementny.com)
C. Vooris – NYSDOH, christine.vooris@health.ny.gov
Scarlett McLaughlin, NYSDOH SC, scarlett.mclaughlin@health.ny.gov
Anthony Perretta, NYSDOH PM, anthony.perretta@health.ny.gov
James Bellew, Haley & Aldrich, jbellew@haleyaldrich.com
Suzanne Bell, Haley & Aldrich, sbell@haleyaldrich.com
Jon Schuyler Brooks, Freeborn & Peters LLP, jbrooks@abramsonbrooks.com
Matt Gokey, matthew.gokey@tax.ny.gov
Paul Takac, paul.takac@tax.ny.gov

ec w/o enc.:

Sadique Ahmed, PM, sadique.ahmed@dec.ny.gov
William Bennett, SC, william.bennett@dec.ny.gov
R. Scott Deyette, Remedial BD, scott.deyette@dec.ny.gov
Jane O'Connell, RHWRE, jane.oconnell@dec.ny.gov
Leia Schmidt, Esq., OGC, leia.schmidt@dec.ny.gov
Michael Murphy, Esq., OGC, michael.murphy1@dec.ny.gov
Kelly Lewandowski, Chief, Site Control Section, kelly.lewandowski@dec.ny.gov

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

Gerry Gardens LLC

Address

320 Roebling Street #106, Brooklyn, NY 11211

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 6/2/21 **Agreement Execution:** 6/14/21

Agreement Index No.: C224321-06-21

Application Amendment Approval: 10/3/24

Agreement Amendment Execution: 10/3/24

Application Amendment Approval: 11/21/24

Agreement Amendment Execution: 11/21/24

SITE INFORMATION:

Site No.: C224321 **Site Name:** Former Just4Wheels Site

Site Owner: Gerry Gardens LLC

Street Address: 91 Gerry Street

Municipality: Brooklyn **County:** Kings

DEC Region: 2

Site Size: 0.114 Acres

Tax Map Identification Number(s): 2266-40

Percentage of site located in an EnZone: 100 %

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: Conditional Track 1: Unrestricted Use, provided that the remedial goals for soil vapor intrusion are achieved within five years of the date of the Certificate. If those goals are not achieved within five years, this Certificate shall be modified to a Track 2 Residential cleanup.

Tax Credit Provisions:

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

Eligibility for Tangible Property Credit is available through: EnZone.

Tangible Property Credit Component Rate is 20%. Comprised of 10% Base, 5% EnZone, 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%.

The Remedial Program includes use restrictions or reliance on the long-term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for the City of New York as CRFN 2025000068050.

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;
- (5) either the Applicant or the Applicant's successors or assigns failed to manage the controls or monitoring in full compliance with the terms of the remedial program;
- (6) the terms and conditions of the environmental easement have been intentionally violated or found to be not protective or enforceable.

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.

Amanda Lefton
Acting Commissioner
New York State Department of Environmental Conservation

By: Andrew Guglielmi Date: 5/22/2025
Andrew O. Guglielmi, Director
Division of Environmental Remediation

Exhibit A

Site Description

SCHEDULE "A" PROPERTY DESCRIPTION

ALL that certain plot, piece, or parcel of land, situate, lying and being in the Borough of Brooklyn, County of Kings, State of New York, bounded and described as follows:

BEGINNING at a point on the northerly side of Gerry Street, distant 200 feet westerly from the northwesterly corner of Throop Ave and Gerry Street.

RUNNING THENCE northerly with Throop Ave, 100 feet.

THENCE westerly parallel with Gerry Street, 50 feet.

THENCE southerly parallel with Throop Ave, 100 feet to the northerly side of Gerry Street.

THENCE easterly along the northerly side of Gerry Street, 50 feet to the point of place of BEGINNING.

Encompassing an area of 5,000 Square Feet OR 0.114 Acres, more or less.

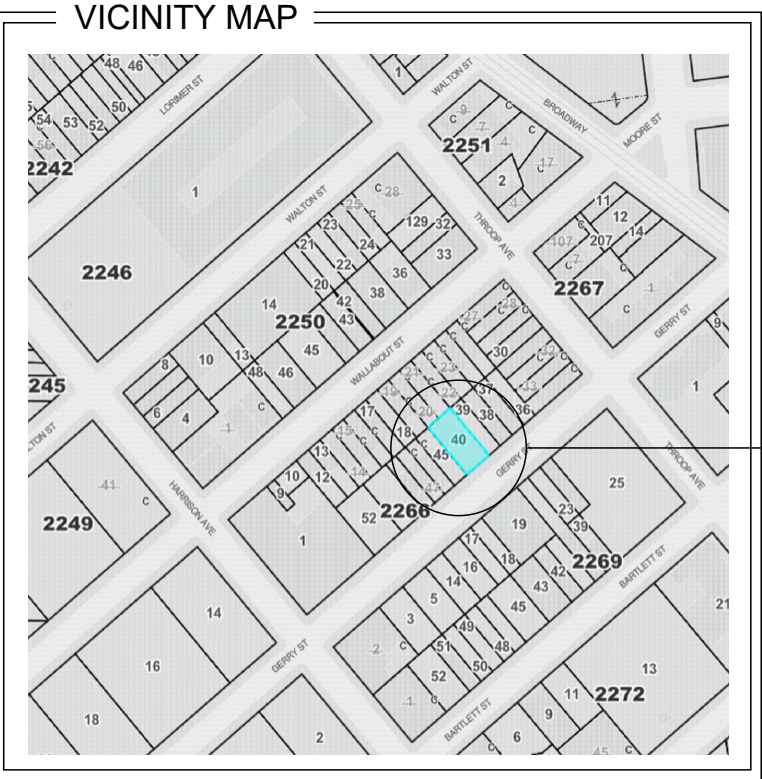
FOR information only:

Said premises also known as 91 Gerry Street AKA 89-91 Gerry Street, Brooklyn, New York.
Block: 2266 Lot:40

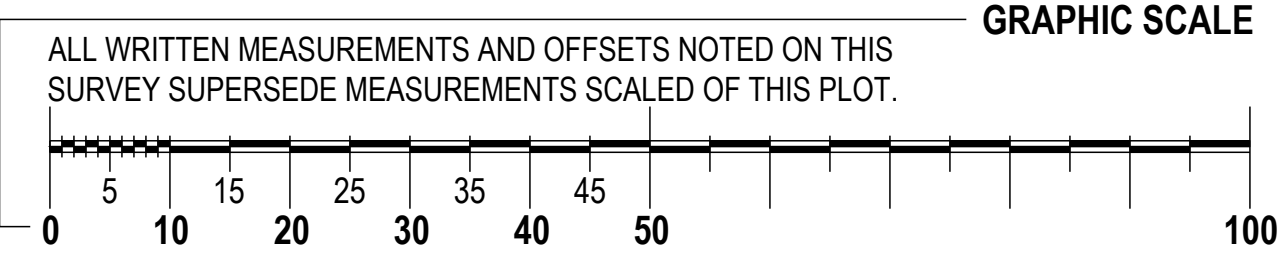
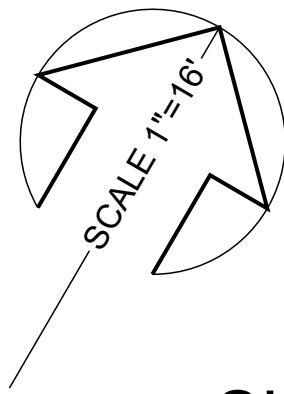
Exhibit B

Site Survey

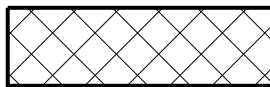
JOB NUMBER: B2266-40
PROPERTY ADDRESS: 89-91 GERRY STREET
BUILDING DEPARTMENT PURPOSES ONLY



SUBJECT
PROPERTY



SUBJECT PROPERTY AREA = 5000.0 SQ.FT.



ENVIRONMENTAL EASEMENT BOUNDARY

This property is subject to an environmental easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the New York Environmental Conservation Law. The engineering and institutional controls for this Easement are set forth in the Site Management Plan ("SMP"). A copy of the SMP must be obtained by any party with an interest in the property. The SMP may be obtained from the New York State Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233 or at derweb@dec.ny.gov.

SCHEDULE A
LEGAL DESCRIPTION

All that certain plot, piece or parcel of land situate, lying and being in the Borough of Brooklyn, County of Kings, State of New York bounded and described as follows:

BEGINNING at a point on the northerly side of Gerry Street, distant 200 feet westerly from the northwesterly corner of Throop Ave and Gerry Street;

RUNNING THENCE northerly with Throop Ave, 100 feet;

THENCE westerly parallel with Gerry Street, 50 feet;

THENCE southerly parallel with Throop Ave, 100 feet to the northerly side of Gerry Street;

THENCE easterly along the northerly side of Gerry Street, 50 feet to the point or place of BEGINNING.

FOR information only:
Said premises also known as 91 Gerry Street AKA 89-91 Gerry Street, Brookly, New York;
Block: 2266 Lot: 40

SYMBOLS AND ABBREVIATIONS	FENCE	C.L.FENCE	WOOD FE.	U.P.	M.C.	METAL COVER
	UTILITY POLE				+	CITY MONUMENT
	CATCH BASIN	C.B.			⊕	CUT MONUMENT
	PARKING METER			⊗ P.M.	*	SET NAIL
	TRAFFIC LIGHT			⊙ T.L.	▲	SET STAKE
	LIGHT					
	STREET LIGHT				⬆	SET MARK (PAINTED)
	FIRE HYDRANT	HYD.			⬆	SET BENCHMARK
	SIAMASE CONNECTION				C.L.FE.	CHAIN LINK FENCE
	SHUT OFF VALVE	G.V.	G.V.	W.V.	F.E.	FIRE ESCAPE
	HANDICAPPED PARKING				PL. or PLTF.	PLATFORM
	EXISTING TREE	Ø 12"			C.E.	CELLAR ENTRANCE
	DRAINS	DR.			A.W.	AIR WAY
	PEDESTRIAN RAMP	EL			CONC.	CONCRETE
	SYMBOLS AND ABBREVIATIONS	EXISTING ELEVATIONS	× TC 7.03 TOP OF CURB	× EL 7.03		P.V.M.T.
CITY ESTABLISHED GRADES		× BC 6.72 BOTTOM OF CURB	L.G. 7.52		AC	AIR CONDITION
CURB AND CURB CUT					MET.	METAL
OVERHEAD SERVICE					N	NORTH OF PROPERTY LINE
CABLE TV MANHOLE					S	SOUTH OF PROPERTY LINE
MANHOLES		G	E	T	E	EAST OF PROPERTY LINE
					W	WEST OF PROPERTY LINE
SEWER MAIN	CITY SANITARY SEWER					
	PRIVATE SANITARY SEWER					
	CITY COMBINED SEWER	●	●	●	●	●
	PRIVATE COMBINED SEWER	●	●	●	●	●
	PRIVATE STORM SEWER	—	—	—	—	—
	PRIVATE STORM SEWER	—	—	—	—	—
SEWER MAIN						

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

Former Just4Wheels Site, Site ID No. C224321
91 Gerry Street, Brooklyn, NY 11206
Brooklyn, Kings County, Tax Map Identification Number: 2266-40

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 Gerry Gardens LLC for a parcel approximately 0.114 acres located at 91 Gerry Street 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.

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 remedial program relies upon use restrictions or the long-term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for The City of New York as CFRN 2025000068050¹.

PLEASE TAKE NOTICE, the Environmental Easement requires that the approved Site Management Plan (SMP) for this property be adhered to. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to NYSDEC's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

PLEASE TAKE NOTICE, provided that the Environmental Easement, SMP and Certificate are 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

¹ The header and Paragraph 6 of the Environmental Easement incorrectly identify the BCP Site Number as "C22321." All other references to the BCP site within the Environmental Easement, including the Brownfield Cleanup Agreement Index Number and the Property Description, are accurate.

**Former Just4Wheels Site, C224321
91 Gerry Street, Brooklyn, NY 11206**

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.

PLEASE TAKE NOTICE, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to NYSDEC in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of the property constitutes a change of use.

PLEASE TAKE NOTICE, the Certificate may be revoked if the Environmental Easement as implemented, if applicable, is not protective or enforceable.

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.

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 Office located at 47-40 21st Street, Long Island City, NY 11101, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C224321/>.

WHEREFORE, the undersigned has signed this Notice of Certificate

Gerry Gardens 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:
Gerry Gardens LLC
320 Roebling Street #106
Brooklyn, NY 11211



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
5/21/2025



SITE DESCRIPTION

SITE NO. C224321

SITE NAME Former Just4Wheels Site

SITE ADDRESS: 91 Gerry Street **ZIP CODE:** 11206

CITY/TOWN: Brooklyn

COUNTY: Kings

ALLOWABLE USE: Unrestricted, Residential, Restricted-Residential, Commercial, and Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES: YES NO

IC/EC Certification Plan ☒ ☐

Monitoring Plan ☒ ☐

Operation and Maintenance (O&M) Plan ☐ ☒

Periodic Review Frequency: once a year

Periodic Review Report Submitted Date: 10/30/2026

Description of Institutional Control

Gerry Gardens LLC

320 Roebling Street #106

91 Gerry Street

Environmental Easement

Block: 2266

Lot: 40

Sublot:

Section:

Subsection:

S_B_L Image: 2266-40

Building Use Restriction

Ground Water Use Restriction

IC/EC Plan

Monitoring Plan

Site Management Plan

Description of Engineering Control

Gerry Gardens LLC

320 Roebling Street #106

91 Gerry Street

Environmental Easement

Block: 2266

Lot: 40

Sublot:

Section:

Subsection:

S_B_L Image: 2266-40

Monitoring Wells