

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director
625 Broadway, 12th Floor, Albany, New York 12233-7011
P: (518) 402-9706 | F: (518) 402-9020
www.dec.ny.gov

May 29, 2024

Throop Corners Housing Development Fund Company, Inc.
Throop Corners Community LLC
Throop Corners Community LIHTC LLC
Throop Corners UNP LLC
Throop Corners Managers LLC
217 Wyckoff Avenue
Brooklyn, NY 11237

United Neighborhood Partners LLC
c/o Riseboro Community Partnership
2 Kingsland Avenue
Brooklyn, NY 11211

Throop Corners C Corp.
c/o Goldstein Hall PLLC
80 Broad St, Suite 30
New York, NY 10004

Drew E. Vanderburg
dvanderburg@riseboro.org

Re: Certificate of Completion
Broadway Triangle Site C
Brooklyn, Kings County
C224324

Dear Mr. Vanderburg,

Congratulations on having satisfactorily completed the remedial program at the Broadway Triangle Site C 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:
 Madeleine Babick, Region 2
 New York State Department of Environmental Conservation
 Division of Environmental Remediation
 47-40 21st Street
 Long Island City, NY 11101
- Provide the Certificate of Completion fact sheet 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;
- Implement the 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 in September 2025.

If you have any questions, please do not hesitate to contact Madeleine Babick, NYSDEC's project manager, at (718) 482-4992.

Sincerely,

Andrew Guglielmi

Andrew Guglielmi
 Division Director
 Division of Environmental Remediation

Enclosures

ec w/ enclosure:

C. Vooris – NYSDOH christine.vooris@health.ny.gov
 S. McLaughlin – NYSDOH scarlett.mclaughlin@health.ny.gov
 H. Hood – NYSDOH harolyn.hood@health.ny.gov
 J. Taylor – Roux Environmental Engineering & Geology jtaylor@rouxinc.com
 B. Vella – Roux Environmental Engineering & Geology bvella@rouxinc.com
 G. C. D. Duke – Connell Foley LLP gduke@connellfoley.com
 Matt Gokey – NYSDTF matthew.gokey@tax.ny.gov
 Paul Takac – NYSDTF paul.takac@tax.ny.gov

ec w/o enc.:

J. O'Connell, C. Maycock, S. Deyette, K. Lewandowski, M. Babick, L. Schmidt, G. Nam
 – NYSDEC

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

Address

Throop Corners Community LIHTC LLC

217 Wyckoff Ave, Brooklyn, NY 11237

Throop Corners Community LLC

217 Wyckoff Ave, Brooklyn, NY 11237

Throop Corners Housing Development Fund Company, Inc.

217 Wyckoff Ave, Brooklyn, NY 11237

Throop Corners Managers LLC

217 Wyckoff Ave, Brooklyn, NY 11237

Throop Corners UNP LLC

217 Wyckoff Ave, Brooklyn, NY 11237

Throop Corners C Corp.

c/o Goldstein Hall PLLC

80 Broad St, Suite 303, New York, NY 10004

Unified Neighborhood Partners LLC

c/o Riseboro Community Partnership

2 Kingsland Ave, Brooklyn, NY 11211

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 7/13/2021

Agreement Execution: 7/28/2021

Agreement Index No.: C224324-07-21

Application Amendment Approval: 9/3/21

Agreement Amendment Execution: 9/3/21

Application Amendment Approval: 10/21/21

Agreement Amendment Execution: 10/21/21

Application Amendment Approval: 7/18/22

Agreement Amendment Execution: 7/18/22

Application Amendment Approval: 9/30/22

Agreement Amendment Execution: 9/30/22

Application Amendment Approval: 5/24/24

Agreement Amendment Execution: 5/24/24

SITE INFORMATION:

Site No.: C224324

Site Name: Broadway Triangle Site C

Site Owner(s): Throop Corners Housing Development Fund Company, Inc.

Throop Corners Community LLC

Throop Corners Community LIHTC LLC

Street Address: 88 Throop Avenue

Municipality: Brooklyn

County: Kings

DEC Region: 2

Site Size: 0.630 Acres

Tax Map Identification Number(s): 2269-25

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: Restricted-Residential, Commercial, and Industrial

Cleanup Track: Track 4: Restricted use with site-specific soil cleanup objectives

Tax Credit Provisions: Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 28%.

Eligibility for Tangible Property Credit is available through: EnZone.
Tangible Property Credit Component Rate is 15%. Comprised of 10% Base, 5% EnZone.

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 Kings County as 2024000098450.

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;
- (4) 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;
- (5) 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.

Sean Mahar
Interim Commissioner
New York State Department of Environmental Conservation

By: Andrew Guglielmi Date: May 29, 2024

Andrew O. Guglielmi, Director
Division of Environmental Remediation

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

Broadway Triangle Site C, Site ID No. C224324
88 Throop Avenue, Brooklyn, NY 11206
Brooklyn, Kings County, Tax Map Identification Number: 2269-25

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 Throop Corners Community LIHTC LLC, Throop Corners Community LLC, Throop Corners Housing Development Fund Company, Inc., Throop Corners Managers LLC, Throop Corners UNP LLC, Throop Corners C Corp. and United Neighborhood Partners LLC for a parcel approximately 0.630 acres located at 88 Throop 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.

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 Kings County as City Register File No. 2024000098450.

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 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

**Broadway Triangle Site C, C224324
88 Throop Ave, Brooklyn, NY 11206**

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/C224324>.

WHEREFORE, the undersigned has signed this Notice of Certificate

Throop Corners Housing Development Fund Company, Inc.

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

**Broadway Triangle Site C, C224324
88 Throop Ave, Brooklyn, NY 11206**

Throop Corners Community 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

**Broadway Triangle Site C, C224324
88 Throop Ave, Brooklyn, NY 11206**

Throop Corners Community LIHTC 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:
Drew E. Vanderburg
Throop Corners Housing Development Fund
Company, Inc.
217 Wyckoff Avenue
Brooklyn, NY 11237

Exhibit A

Site Description

ENVIRONMENTAL EASEMENT DESCRIPTION

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough and County of

Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

BEGINNING at a point formed by the intersection of the southwesterly line of Throop Avenue with the southeasterly line of Gerry Street;

RUNNING THENCE Southwest along the southeasterly line of Gerry Street, 125 feet to a point;

THENCE Southeast on a line parallel with Throop Avenue, 100 feet to a point;

THENCE Southwest on a line parallel with Bartlett Street 25 feet to a point;

THENCE Southeast on a line parallel with Throop Avenue 100 feet to a point on the northwesterly line of Bartlett Street;

THENCE Northeast along the northwesterly line of Bartlett Street, 150 feet to a point on the southwesterly line of Throop Avenue;

THENCE Northwest along the southwesterly line of Throop Avenue, 200 feet to the southeasterly line of Gerry Street and the point or place of BEGINNING.

CONTAINING WITHIN SAID BOUNDS 0.63 ACRES OR 27,500.00 SQUARE FEET

Exhibit B

Site Survey

LEGEND

Sewer Manhole	TC48.65
Water Manhole	BC48.40
Electric Manhole	LG49.52
Monitoring Well	RIM=48.97
Tree & Caliper	Inv=36.9
Catch Basin	TCB48.65
Water Valve	BCB48.40
Gas Valve	T48.56
Catch Basin	
Chain Link Fence	
Steel Face Curb	
Concrete or Stone Curb	
Drop Curb	
Sewer Line	
Water Line	
Gas Line	

LEGAL DESCRIPTION

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

BEGINNING at a point formed by the intersection of the southwesterly line of Throop Avenue with the southeasterly line of Gerry Street;

RUNNING THENCE Southwest along the southeasterly line of Gerry Street, 125 feet to a point;

THENCE Southeast on a line parallel with Throop Avenue, 100 feet to a point;

THENCE Southwest on a line parallel with Bartlett Street 25 feet to a point;

THENCE Southeast on a line parallel with Throop Avenue 100 feet to a point on the northwesterly line of Bartlett Street;

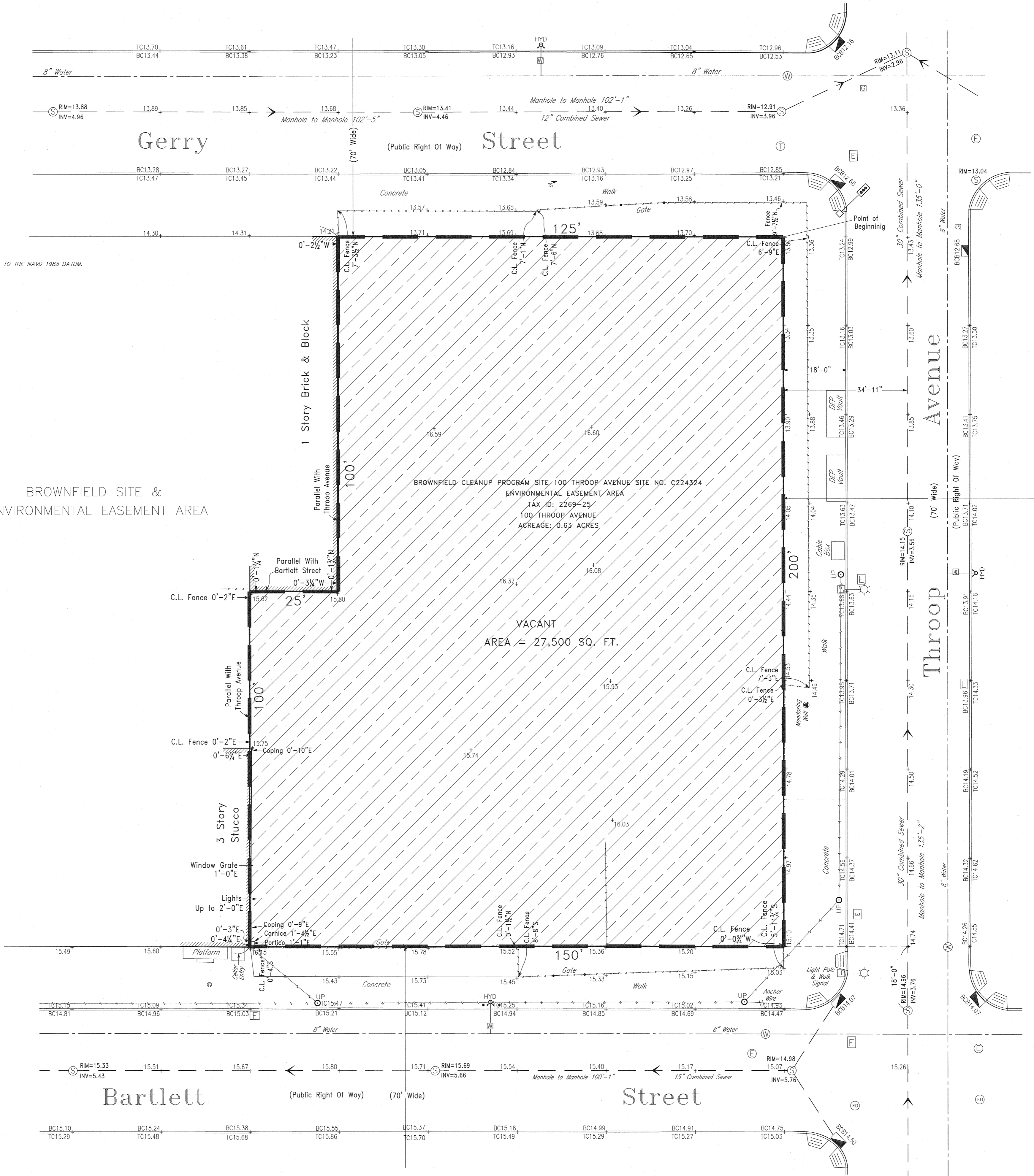
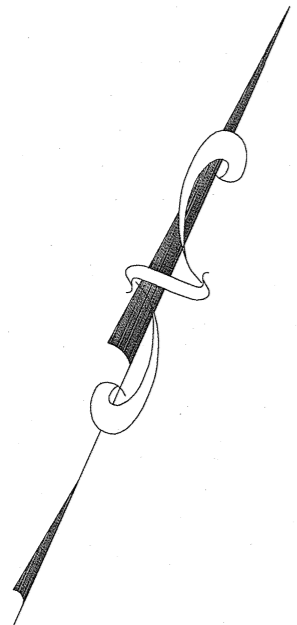
THENCE Northeast along the northwesterly line of Bartlett Street, 150 feet to a point on the southwesterly line of Throop Avenue;

THENCE Northwest along the southwesterly line of Throop Avenue, 200 feet to the southeasterly line of Gerry Street and the point or place of **BEGINNING**.

CONTAINING WITHIN SAID BOUNDS 0.63 ACRES OR 27,500.00 SQUARE FEET

Notes:
1) ALL ELEVATIONS SHOWN HEREON REFER TO THE NAVD 1988 DATUM.

 BROWNFIELD SITE & ENVIRONMENTAL EASEMENT AREA



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 CAN 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.

DEC SITE NUMBER - C224324

ENVIRONMENTAL EASEMENT DESCRIPTION

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

BEGINNING at a point formed by the intersection of the southwesterly line of Throop Avenue with the southeasterly line of Gerry Street;

RUNNING THENCE Southwest along the southeasterly line of Gerry Street, 125 feet to a point;

THENCE Southeast on a line parallel with Throop Avenue, 100 feet to a point;

THENCE Southwest on a line parallel with Bartlett Street 25 feet to a point;

THENCE Southeast on a line parallel with Throop Avenue 100 feet to a point on the northwesterly line of Bartlett Street;

THENCE Northeast along the northwesterly line of Bartlett Street, 150 feet to a point on the southwesterly line of Throop Avenue;

THENCE Northwest along the southwesterly line of Throop Avenue, 200 feet to the southeasterly line of Gerry Street and the point or place of **BEGINNING**.

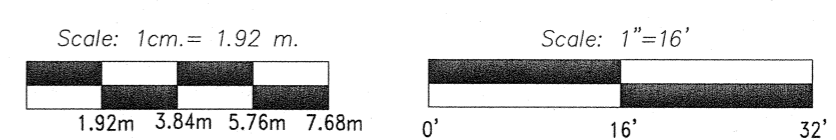
CONTAINING WITHIN SAID BOUNDS 0.63 ACRES OR 27,500.00 SQUARE FEET

ADDRESS: 100 THROOP AVENUE, BROOKLYN, NY, 11206
TAX BLOCK 2269, LOT 25 BOROUGH OF BROOKLYN, CITY OF NEW YORK



ERLANDSEN-CROWELL & SHAW
Civil Engineers & City Surveyors
241 JERICHO TPKE NEW HYDE PARK, NY 11040
516-326-4353
718-526-0339

DATE: May 6, 2022



69897
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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
 5/24/2024



SITE DESCRIPTION

SITE NO. **C224324**

SITE NAME **Broadway Triangle Site C**

SITE ADDRESS: 88 Throop Avenue ZIP CODE: 11206

CITY/TOWN: Brooklyn

COUNTY: Kings

ALLOWABLE USE: 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: 09/29/2025

Description of Institutional Control

Throop Corners Housing Development Fund Company, Inc.

217 Wyckoff Avenue

88 Throop Avenue

Environmental Easement

Block: 2269

Lot: 25

Sublot:

Section:

Subsection:

S_B_L Image: 2269-25

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

Description of Engineering Control

Throop Corners Housing Development Fund Company, Inc.

217 Wyckoff Avenue

88 Throop Avenue

Environmental Easement

Block: 2269

Lot: 25

Sublot:

Section:

Subsection:

S_B_L Image: 2269-25

Air Sparging/Soil Vapor Extraction

Cover System

Vapor Mitigation