

# 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](http://www.dec.ny.gov)

December 22, 2023

Gowanus Union Street LLC  
Attn: Philip Caporaso  
19 West 24th Street, 12th Floor  
New York, NY 10010

Re: Certificate of Completion  
585 Union Street  
Brooklyn, Kings County  
Site No. C224329

Dear Mr. Caporaso,

Congratulations on having satisfactorily completed the remedial program at the 585 Union Street. 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:

Rafi Alam, Bureau B  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway  
Albany, NY 12233

- 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;

- 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 in 16 months on April 21, 2025.

If you have any questions, please do not hesitate to contact Rafi Alam, NYSDEC's project manager, at 518-402-8606.

Sincerely,

*Andrew Guglielmi*

Andrew Guglielmi  
Division Director  
Division of Environmental Remediation

ec w/ enclosure:

K. Kleaka – Rem. Party Consultant - [kkleaka@impactenvironmental.com](mailto:kkleaka@impactenvironmental.com)  
D. Posten – Rem. Party Consultant - [dposten@impactenvironmental.com](mailto:dposten@impactenvironmental.com)  
J. Fuente – Rem. Party Consultant - [jdela Fuente@impactenvironmental.com](mailto:jdela Fuente@impactenvironmental.com)  
M. Bogin - Rem. Party Attorney - [mbogin@Sprlaw.com](mailto:mbogin@Sprlaw.com)  
C. Vooris – NYSDOH, [christine.vooris@health.ny.gov](mailto:christine.vooris@health.ny.gov)  
S. McLaughlin – NYSDOH, [scarlett.mclaughlin@health.ny.gov](mailto:scarlett.mclaughlin@health.ny.gov)  
M. Sergott -NYSDOH, [mark.sergott@health.ny.gov](mailto:mark.sergott@health.ny.gov)  
Matt Gokey, [matthew.gokey@tax.ny.gov](mailto:matthew.gokey@tax.ny.gov)  
Paul Takac, [paul.takac@tax.ny.gov](mailto:paul.takac@tax.ny.gov)

ec w/o enc.:

R. Alam – NYSDEC PM  
H. Dudek – NYSDEC SC  
S. Deyette – NYSDEC BD  
J. Andaloro – NYSDEC OGC PA  
K. Lewandowski – NYSDEC Chief, Site Control Section

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)

*CERTIFICATE OF COMPLETION*

**CERTIFICATE HOLDER(S):**

**Name**

GOWANUS UNION STREET LLC

**Address**

19 West 24th Street, 12th Floor, New York, NY 10010

**BROWNFIELD CLEANUP AGREEMENT:**

**Application Approval:** 9/29/21    **Agreement Execution:** 10/5/21

**Agreement Index No.:** C224329-09-21

**Application Amendment Approval:** 7/27/23

**Agreement Amendment Execution:** 7/27/23

**SITE INFORMATION:**

**Site No.:** C224329    **Site Name:** 585 Union Street

**Site Owner:** GOWANUS UNION STREET LLC

**Street Address:** 577-599 Union Street (aka 586 Sackett Street)

**Municipality:** Brooklyn

**County:** Kings

**DEC Region:** 2

**Site Size:** 0.770 Acres

**Tax Map Identification Number(s):** 433-28

**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:** 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 because the certificate holder submitted documentation to the Department's satisfaction that the project was an Affordable Housing project. If affordable housing is not constructed there is no Tangible Property Credits. Tangible Property Credit is 10%. Comprised of 10% Base.

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 2023000298006.

### **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.

Basil Seggos  
Commissioner  
New York State Department of Environmental Conservation

By: Andrew Guglielmi Date: 12/22/2023

Andrew O. Guglielmi, Director  
Division of Environmental Remediation

**EXHIBIT A**  
**(SITE DESCRIPTION)**

## **METES AND BOUND DESCRIPTION**

### **BOROUGH OF KINGS, BLOCK: 433, LOT:28 (FORMER LOTS 28 & 46)**

#### Environmental Easement Area:

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

1. BEGINNING at the corner formed by the intersection of the southerly side of Sackett Street with the westerly side of 3<sup>rd</sup> Avenue;
2. RUNNING THENCE southerly along the westerly side of 3<sup>rd</sup> Avenue 190 feet to its intersection with the northerly side of Union Street;
3. THENCE westerly along the northerly side of Union Street, 228 feet 4 inches to a point;
4. THENCE northerly and parallel with 3<sup>rd</sup> Avenue, 90 feet to a point;
5. THENCE easterly and parallel with Union Street, 98 feet 4 inches to a point;
6. THENCE northerly and parallel with 3<sup>rd</sup> Avenue, 100 feet to the southerly side of Sackett Street;
7. THENCE easterly along the southerly side of Sackett Street, 130 feet to its intersection with the westerly side of 3<sup>rd</sup> Avenue, the point or place BEGINNING.

Acreage (Environmental Easement Area): 0.770 or 33,549.76 SQUARE FEET

**EXHIBIT B**  
**(SITE SURVEY)**



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 SMP must be obtained by any party with an interest in the property. The SMP can be obtained from NYS Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233 or at [derweb@dec.ny.gov](mailto:derweb@dec.ny.gov).

PROJECT ADDRESS  
585 UNION STREET  
BROOKLYN, N.Y.



ENVIRONMENTAL EASEMENT DESCRIPTION

ALL that certain lot, piece or parcel of land, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:  
BEGINNING at the corner formed by the intersection of the southerly side of Sackett Street with the westerly side of 3rd Avenue;  
RUNNING THENCE southerly along the westerly side of 3rd Avenue 190 feet to its intersection with the northerly side of Union Street;  
THENCE westerly along the northerly side of Union Street, 228 feet 4 inches to a point;  
THENCE northerly and parallel with 3rd Avenue, 90 feet to a point;  
THENCE easterly and parallel with Union Street, 98 feet 4 inches to a point;  
THENCE northerly and parallel with 3rd Avenue, 100 feet to the southerly side of Sackett Street;  
THENCE easterly along the southerly side of Sackett Street, 130 feet to its intersection with the westerly side of Third Avenue, the point or place of BEGINNING.

Acreage: 0.770 or 33549.76 SF

Legal Description - Per Recorded Deeds

Former Lot 28:

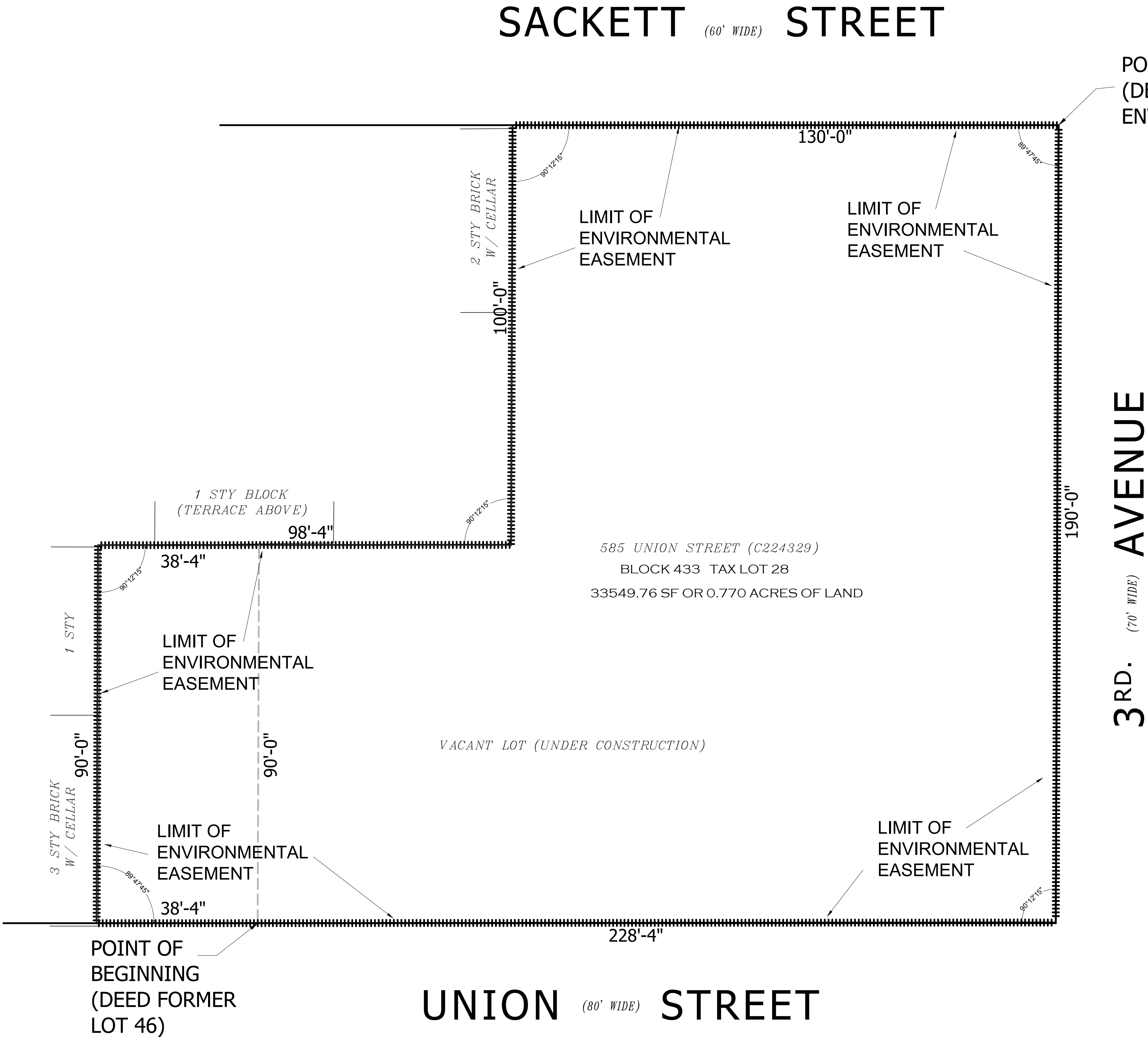
ALL that certain lot, piece or parcel of land, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:  
BEGINNING at the corner formed by the intersection of the southerly side of Sackett Street with the westerly side of 3rd Avenue;  
RUNNING THENCE southerly along the westerly side of 3rd Avenue 190 feet to its intersection with the northerly side of Union Street;  
THENCE westerly along the northerly side of Union Street, 190 feet to a point;  
THENCE northerly and parallel with 3rd Avenue, 90 feet to a point;  
THENCE easterly and parallel with Union Street, 60 feet to a point;  
THENCE northerly and parallel with 3rd Avenue, 100 feet to the southerly side of Sackett Street;  
THENCE easterly along the southerly side of Sackett Street, 130 feet to its intersection with the westerly side of Third Avenue, the point or place of BEGINNING.

Acreage: 0.691 or 30100.00 SF

Former Lot 46:

BEGINNING at a point on the Northerly side of Union Street distant 190 feet westerly from the corner formed by the intersection of the northerly side of Union Street and the westerly side of 3rd Avenue;  
RUNNING THENCE northerly and parallel with Nevins Street, 90 feet;  
THENCE westerly parallel with Union Street, 38 feet 4 inches;  
THENCE southerly again parallel with Nevins Street, 90 feet to the northerly side of Union Street;  
THENCE easterly along the northerly side of Union Street, 38 feet 4 inches to the point or place of BEGINNING.

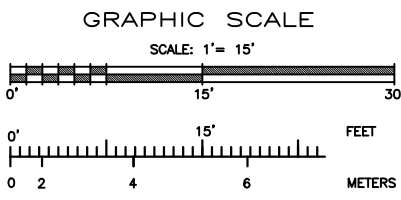
Acreage: 0.079 or 3449.95 SF



DATE	DESCRIPTION
APRIL 20, 2023	ENVIRONMENTAL EASEMENT
BLOCK _____	433
LOT _____	28
SECTION _____	3
COUNTY _____	KINGS
DWG BY _____	A.G.
CHK'D BY _____	J.A.
SCALE _____	1"= 15'

**NOTE:**  
Unauthorized alterations or additions 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 true 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 certification are not transferable to additional institutions or subsequent owners.

**CAUTION:**  
1) Before performing any digging or drilling on this site, it is required that subsurface services, including the underground mains be marked and identified by the utility involved in compliance with industrial code 53 of New York State.



VINCENT M. TEUTONICO  
REGISTRATION No. 050307



3280 SUNRISE HWY, SUITE 341  
WANTAGH, NY 11793

TEL. 516-787-3299



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

**585 Union Street, Site ID No. C224329**  
**577-599 Union Street (aka 586 Sackett Street), Brooklyn, New York, 11217**  
**Brooklyn, Kings County, Tax Map Identification Number: 433-28**

**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 GOWANUS UNION STREET LLC for a parcel approximately 0.770 acres located at 577-599 Union Street (aka 586 Sackett Street) in Brooklyn, King 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**, 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 2023000298006.

**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

**585 Union Street, C224329**  
**577-599 Union Street (aka 586 Sackett Street), Brooklyn, New York, 11217**

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 located at 47-40 21st St, Long Island City, NY 11101, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C224329/>.

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

GOWANUS UNION STREET 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:**  
GOWANUS UNION STREET LLC  
Attn: Philip Caporaso  
19 West 24th Street  
12<sup>th</sup> Floor  
New York, NY 10010



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
Site Management Form  
12/21/2023



**SITE DESCRIPTION**

**SITE NO.** C224329

**SITE NAME** 585 Union Street

**SITE ADDRESS:** 577-599 Union Street (aka 586 Sackett Street) **ZIP CODE:** 11217

**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: 04/28/2025

**Description of Institutional Control**

**Gowanus Union Street LLC**

19 West 24th Street, 12th Floor

**586 Sackett Street**

Environmental Easement

Block: 433

Lot: 28

Sublot:

Section:

Subsection:

S\_B\_L Image: 433-28

Ground Water Use Restriction

IC/EC Plan

Monitoring Plan

Site Management Plan

**Description of Engineering Control**

**Gowanus Union Street LLC**

19 West 24th Street, 12th Floor

**586 Sackett Street**

Environmental Easement

Block: 433

Lot: 28

Sublot:

Section:

Subsection:

S\_B\_L Image: 433-28

Cover System