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

September 18, 2024

Jacob Kohn 101 Fleet Place LLC 84 Kosciuszko Street Brooklyn, NY 11205

101 Fleet Realty LLC 25 West 36th Street, 2nd Floor New York, NY 10018 kohnjacob@gmail.com

Re: Certificate of Completion

101 Fleet Place Redevelopment

Brooklyn, Kings County

C224345

Dear Mr. Kohn,

Congratulations on having satisfactorily completed the remedial program at the 101 Fleet Place Redevelopment 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 January 2026.

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
- K. Kulow NYSDOH kristin.kulow@health.ny.gov
- J. Kohn 101 Fleet Holding LLC joel@jaygroupny.com
- J. Bellew H & A of New York Engineering and Geology, LLP

JBellew@haleyaldrich.com

- S. Underhill H & A of New York Engineering and Geology, LLP SUnderhill@haleyaldrich.com
- M. Levy H & A of New York Engineering and Geology, LLP MLevy@haleyaldrich.com
- P. DiNardo H & A of New York Engineering and Geology, LLP PDiNardo@haleyaldrich.com
- C. Leas Sive, Paget & Riesel, PC cleas@sprlaw.com
- M. Gokey NYSDTF matthew.gokey@tax.ny.gov
- P. Takac NYSDTF paul.takac@tax.ny.gov

ec w/o enc.:

J. O'Connell, C. Maycock, K. Lewandowski, M. Babick, L. Schmidt, J. Agosta - NYSDEC

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP) $CERTIFICATE\ OF\ COMPLETION$

CERTIFICATE HOLDER(S):

Name Address

101 Fleet Realty LLC 25 West 36th Street, 2nd Floor, New York, NY 10018

101 Fleet Holding LLC 84 Kosciuszko Street, Brooklyn, NY 11205 101 Fleet Place LLC 84 Kosciuszko Street, Brooklyn, NY 11205

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 3/1/22 Agreement Execution: 3/7/22

Agreement Index No.: C224345-03-22

Application Amendment Approval: 8/31/23 Agreement Amendment Execution: 8/31/23

SITE INFORMATION:

Site No.: C224345 Site Name: 101 Fleet Place Redevelopment

Site Owner: 101 Fleet Realty LLC

101 Fleet Holding LLC

Street Address: 101 Fleet Place

Municipality: Brooklyn County: Kings DEC Region: 2

Site Size: 0.472 Acres

Tax Map Identification Number(s): 2061-100 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: 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 5 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 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 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 %.

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 2024000184748.

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.

Sean Mahar

Interim Commissioner

New York State Department of Environmental Conservation

Bv:

Andrew Guglislmi

Date: 9/18/24

Andrew O. Guglielmi, Director

Division of Environmental Remediation

Exhibit A Site Description

SCHEDULE "A" PROPERTY DESCRIPTION

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, bounded and described as follows:

BEGINNING at a point on the easterly side of Fleet Place, where the same is intersected by the center line of a certain old party wall, said point of beginning being located 172 feet 5 inches (deed) 172 feet 7 3/8 inches (tax map) southerly from the corner formed by the intersection of the southerly side of Myrtle Avenue with the easterly side of Fleet Place as the same formerly existed;

RUNNING THENCE easterly through the center of said party wall, 30 feet 3-1/2 inches (deed lot 100) 30 feet 4 ¼ inches (deed lot 110 and actual) to the rear of said party wall, which point is distant 172 feet southerly from the southerly side of Myrtle Avenue when measured on a line parallel with Fleet Place;

THENCE easterly parallel with Myrtle Avenue, 61 feet 9-3/4 inches (deed lot 100) 61 feet 11 1/8 inches (deed lot 110 and actual) to the land now or formerly of Prince and Fraser;

THENCE southerly along said last mentioned land now or formerly of Prince and Fraser 46 feet 7-3/4 inches (deed lot 100) 46 feet 8 3/8 inches (deed lot 110 and actual);

THENCE easterly in a straight line 104 feet 4 inches (deed lot 100) 104 feet 7 1/8 inches (tax map and actual) to the corner formed by the intersection of the westerly side of Hudson Avenue with the northwesterly side of Fleet Street as the same formerly existed;

THENCE southerly along the northwesterly side of Fleet Street, 120 feet (deed lot 100) 120 feet 2 ¼ inches (deed lot 80 and tax map and actual) to a point distant 187 feet 1 inch northerly from the corner formed by the intersection of the northerly side of Willoughby Street with the northwesterly side of Fleet Street;

THENCE westerly at right angles to Fleet Street 75 feet (deed lot 100) 75 feet 5 5/8 inches (deed lot 80 and tax map and actual) to a point distant 77 feet 2 inches easterly from the easterly side of Fleet Place in a line drawn parallel with Willoughby Street through a point on the easterly side of Fleet Place, distant 200 feet northerly from the corner formed by the intersection of the northerly side of Willoughby Street with the easterly side of Fleet Place;

THENCE westerly parallel with Willoughby Street, 77 feet 2 inches (deed lot 100) 77 feet 3 ¾ inches (deed lot 80 and tax map and actual) to the easterly side of Fleet Place;

THENCE northerly along the easterly side of Fleet Place, 127 feet 7 inches (deed) 127 feet 8 5/8 inches (calculated and actual) to the point or place of BEGINNING.

Acreage: 0.4724 or 20,575.73 SF

Exhibit B

Site Survey

DATE

JUNE 10, 2024

JUNE 21, 2024

JUNE 24, 2024

DESCRIPTION

UPDATED PER COMMENTS

UPDATED PER COMMENTS

ENVIRONMENTAL EASEMENT

3280 SUNRISE HWY, SUITE 341

WANTAGH, NY 11793

TEL. 516-787-3299

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, bounded and described as follows:

BEGINNING at a point on the easterly side of Fleet Place, where the same is intersected by the center line of a certain old party wall, said point of beginning being located 172 feet 5 inches (deed) 172 feet 7 3/8 inches (tax map) southerly from the corner formed by the intersection of the southerly side of Myrtle Avenue with the easterly side of Fleet Place as the same formerly existed;

RUNNING THENCE easterly through the center of said party wall, 30 feet 3-1/2 inches (deed lot 100) 30 feet 4 ¼ inches (deed lot 110 and actual) to the rear of said party wall, which point is distant 172 feet southerly from the southerly side of Myrtle Avenue when measured on a line parallel with Fleet Place;

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THENCE easterly in a straight line 104 feet 4 inches (deed lot 100) 104 feet 7 1/8 inches (tax map and actual) to the corner formed by the intersection of the westerly side of Hudson Avenue with the northwesterly side of Fleet Street as the same formerly existed;

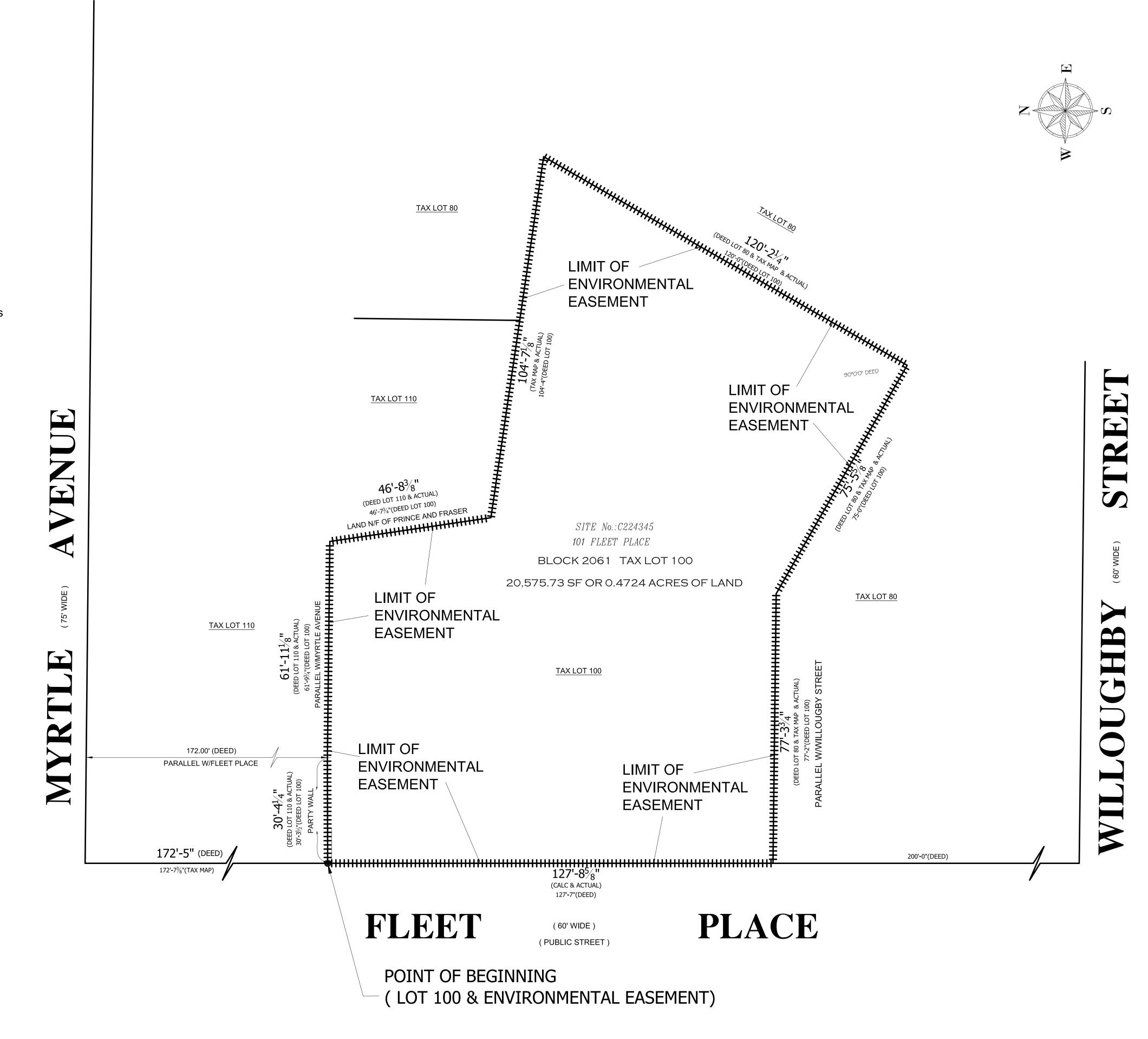
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THENCE westerly at right angles to Fleet Street 75 feet (deed lot 100) 75 feet 5 5/8 inches (deed lot 80 and tax map and actual) to a point distant 77 feet 2 inches easterly from the easterly side of Fleet Place in a line drawn parallel with Willoughby Street through a point on the easterly side of Fleet Place, distant 200 feet northerly from the corner formed by the intersection of the northerly side of Willoughby Street with the easterly side of Fleet Place;

THENCE westerly parallel with Willoughby Street, 77 feet 2 inches (deed lot 100) 77 feet 3¾ inches (deed lot 80 and tax map and actual) to the easterly side of Fleet Place;

THENCE northerly along the easterly side of Fleet Place, 127 feet 7 inches (deed) 127 feet 8 5/8 inches (calculated and actual) to the point or place of BEGINNING.

Acreage: 0.4724 or 20,575.73 SF



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



VINCENT M. TEUTONICO REGISTRATION No. 050307

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

101 Fleet Place Redevelopment, Site ID No. C224345 101 Fleet Place, Brooklyn, NY 11201 Brooklyn, Kings County, Tax Map Identification Number: 2061-100

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 101 Fleet Holding LLC, 101 Fleet Realty LLC, and 101 Fleet Place LLC for a parcel approximately 0.472 acres located at 101 Fleet Place 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. 2024000184748.

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 limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

101 Fleet Place Redevelopment, C224345 101 Fleet Place, Brooklyn, NY 11201

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/C224345.

WHEREFORE, the undersigned has signed this Notice of Certificate

	101 Fleet Holding LLC
	By:
	Title:
	Date:
personally appearedsatisfactory evidence to be the individual acknowledged to me that he/she/they expressions are supported by the satisfactory evidence to be the individual acknowledged to me that he/she/they expressions are supported by the satisfactory evidence to be the individual acknowledged to me that he/she/they expressions are supported by the satisfactory evidence to be the individual acknowledged to me that he/she/they expressions are supported by the satisfactory evidence to be the individual acknowledged to me that he/she/they expressions are supported by the satisfactory evidence to be the individual acknowledged to me that he/she/they expressions are supported by the satisfactory evidence to be the individual acknowledged to me that he/she/they expressions are supported by the satisfactory evidence to be the individual acknowledged to me that he/she/they expressions are supported by the satisfactory evidence to be the sati	, in the year 20, before me, the undersigned,, personally known to me or proved to me on the basis of ual(s) whose name is (are) subscribed to the within instrument and executed the same in his/her/their capacity(ies), and that by ment, the individual(s), or the person upon behalf of which the iment.
Signature and Office of individual taking acknowledgment	

101 Fleet Place Redevelopment, C224345 101 Fleet Place, Brooklyn, NY 11201

101 Fleet Realty LLC

	By:
	Title:
	Date:
personally appearedsatisfactory evidence to be the individual(s) acknowledged to me that he/she/they execu	, in the year 20, before me, the undersigned,, personally known to me or proved to me on the basis of whose name is (are) subscribed to the within instrument and sted the same in his/her/their capacity(ies), and that by the individual(s), or the person upon behalf of which the t.
Signature and Office of individual taking acknowledgment	Please record and return to: 101 Fleet Holding LLC 84 Kosciuszko Street Brooklyn, NY 11205



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION **Site Management Form**

9/13/2024



SITE DESCRIPTION

SITE NO. C224345

SITE NAME 101 Fleet Place Redevelopment

SITE ADDRESS: 101 FLEET PLACE ZIP CODE: 11201

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: 01/13/2026

Description of Institutional Control

101 Fleet Holding LLC

84 Kosciuszko Street 101 Fleet Place **Environmental Easement** Block: 2061 Lot: 100 Sublot: Section:

Subsection:

S B L Image: 2061-100

Ground Water Use Restriction

IC/EC Plan Monitoring Plan O&M Plan

Site Management Plan

Description of Engineering Control