



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT

PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

Check the appropriate box below based on the nature of the amendment modification requested:

Amendment to [check one or more boxes below]

- Add
- Substitute
- Remove
- Change in Name

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BUA. OF TECH. SUPPORT

applicant(s) to the existing Brownfield Cleanup Agreement [*Complete Section I-IV below and Part II*]

Does this proposed amendment involve a transfer of title to all or part of the brownfield site? Yes No

If yes, pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been previously submitted. If not, please submit this form with this Amendment. See <http://www.dec.ny.gov/chemical/76250.html>

Amendment to modify description of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Sections I and V below and Part II*]

Amendment to Expand or Reduce property boundaries of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Section I and V below and Part II*]

Sites in Bronx, Kings, New York, Queens, or Richmond counties ONLY: Amendment to request determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit. Please answer questions on the supplement at the end of the form.

Other (explain in detail below)

Please provide a brief narrative on the nature of the amendment:

The application seeks to add three additional parties to the BCA.

Please refer to the attached instructions for guidance on filling out this application

Section I. Existing Agreement Information

BCP SITE NAME: Parcel B West

BCP SITE NUMBER: C231108

NAME OF CURRENT APPLICANT(S): 125 MEC Center LLC

INDEX NUMBER OF EXISTING AGREEMENT: C231108-02 DATE OF EXISTING AGREEMENT: 3/14/18

Section II. New Requestor Information (if no change to Current Applicant, skip to Section V)

NAME East Harlem MEC Parcel B West LLC

ADDRESS c/o Matthew Iacopetta, The Richman Group Development Corporation, 77 West Putnam Avenue

CITY/TOWN Greenwich, CT

ZIP CODE 06830

PHONE 203-869-0900

FAX N/A

E-MAIL iacopettam@richmancapital.com

Is the requestor authorized to conduct business in New York State (NYS)? Yes No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's (DOS) Corporation & Business Entity Database. A print-out of entity information from the DOS database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.

PLEASE SEE ATTACHMENT A

NAME OF NEW REQUESTOR'S REPRESENTATIVE Matthew Iacopetta

ADDRESS The Richman Group Development Corporation, 777 West Putnam Avenue

CITY/TOWN Greenwich, CT

ZIP CODE

PHONE 203-869-0900

FAX N/A

E-MAIL iacopettam@richmancapital.com

NAME OF NEW REQUESTOR'S CONSULTANT (if applicable) Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C.

ADDRESS 360 West 31st Street, 21 Penn Plaza, 8th Floor

CITY/TOWN New York

ZIP CODE 10001

PHONE 212-4 79-5400

FAX 212-479-5444

E-MAIL mraygorodetsky@langan.com

NAME OF NEW REQUESTOR'S ATTORNEY (if applicable) Jennifer Coghlan - Sive, Paget & Riesel

ADDRESS 560 Lexington Avenue, 15th Floor

CITY/TOWN New York

ZIP CODE 10022

PHONE 646-378-7253

FAX 212-421-1891

E-MAIL jcoghlan@sprlaw.com

Requestor must submit proof that the party signing this Application and Amendment has the authority to bind the Requestor. This would be documentation from corporate organizational papers, which are updated, showing the authority to bind the corporation, or a Corporate Resolution showing the same, or an Operating Agreement or Resolution for an LLC. Is this proof attached? **PLEASE SEE ATTACHMENT B** Yes No

Describe Requestor's Relationship to Existing Applicant:

The existing applicant and each of the Requestors are affiliated entities. Although the existing applicant is not shown on the organizational charts included in Attachment A (which reflect the ownership structure of the proposed project), the existing applicant and all three Requestors are under common ownership.

Section I. Existing Agreement Information		
BCP SITE NAME: Parcel B West		BCP SITE NUMBER: C231108
NAME OF CURRENT APPLICANT(S): 125 MEC Center LLC		
INDEX NUMBER OF EXISTING AGREEMENT: C231108-02		DATE OF EXISTING AGREEMENT: 3/14/18
Section II. New Requestor Information (if no change to Current Applicant, skip to Section V)		
NAME Parcel B West LIHTC LLC		
ADDRESS c/o Matthew Iacopetta, The Richman Group Development Corporation, 77 West Putnam Avenue		
CITY/TOWN Greenwich, CT		ZIP CODE 06830
PHONE 203-869-0900	FAX N/A	E-MAIL iacopettam@richmancapital.com
Is the requestor authorized to conduct business in New York State (NYS)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<ul style="list-style-type: none"> If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's (DOS) Corporation & Business Entity Database. A print-out of entity information from the DOS database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS. PLEASE SEE ATTACHMENT A 		
NAME OF NEW REQUESTOR'S REPRESENTATIVE Matthew Iacopetta		
ADDRESS The Richman Group Development Corporation, 777 West Putnam Avenue		
CITY/TOWN Greenwich, CT		ZIP CODE
PHONE 203-869-0900	FAX N/A	E-MAIL iacopettam@richmancapital.com
NAME OF NEW REQUESTOR'S CONSULTANT (if applicable) Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C.		
ADDRESS 360 West 31st Street, 21 Penn Plaza, 8th Floor		
CITY/TOWN New York		ZIP CODE 10001
PHONE 212-4 79-5400	FAX 212-479-5444	E-MAIL mraygorodetsky@langan.com
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CITY/TOWN New York		ZIP CODE 10022
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Describe Requestor's Relationship to Existing Applicant: PLEASE SEE ATTACHMENT B		
The existing applicant and each of the Requestors are affiliated entities. Although the existing applicant is not shown on the organizational charts included in Attachment A (which reflect the ownership structure of the proposed project), the existing applicant and all three Requestors are under common ownership.		

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INDEX NUMBER OF EXISTING AGREEMENT: C231108-02		DATE OF EXISTING AGREEMENT: 3/14/18
Section II. New Requestor Information (if no change to Current Applicant, skip to Section V)		
NAME Parcel B West Moderate Income LLC		
ADDRESS c/o Matthew Iacopetta, The Richman Group Development Corporation, 77 West Putnam Avenue		
CITY/TOWN Greenwich, CT		ZIP CODE 06830
PHONE 203-869-0900	FAX N/A	E-MAIL iacopettam@richmancapital.com
Is the requestor authorized to conduct business in New York State (NYS)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<ul style="list-style-type: none"> If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's (DOS) Corporation & Business Entity Database. A print-out of entity information from the DOS database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS. 		
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NAME OF NEW REQUESTOR'S REPRESENTATIVE Matthew Iacopetta		
ADDRESS The Richman Group Development Corporation, 777 West Putnam Avenue		
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Requestor must submit proof that the party signing this Application and Amendment has the authority to bind the Requestor. This would be documentation from corporate organizational papers, which are updated, showing the authority to bind the corporation, or a Corporate Resolution showing the same, or an Operating Agreement or Resolution for an LLC. Is this proof attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
PLEASE SEE ATTACHMENT B		
Describe Requestor's Relationship to Existing Applicant:		
The existing applicant and each of the Requestors are affiliated entities. Although the existing applicant is not shown on the organizational charts included in Attachment A (which reflect the ownership structure of the proposed project), the existing applicant and all three Requestors are under common ownership.		

Section III. Current Property Owner/Operator Information (only include if new owner/operator or new existing owner/operator information is provided, and highlight new information)

OWNER'S NAME (if different from requestor)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

OPERATOR'S NAME (if different from requestor or owner)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Section IV. Eligibility Information for New Requestor (Please refer to ECL § 27-1407 for more detail)

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

1. Are any enforcement actions pending against the requestor regarding this site? Yes No
2. Is the requestor presently subject to an existing order for the investigation, removal or remediation relating to contamination at the site? Yes No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Yes No
Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the subject law; ii) any order or determination; iii) any regulation implementing ECL Article 27 Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. Yes No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, Department assigned site number, the reason for denial, and other relevant information. Yes No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? Yes No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? Yes No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of the Department, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to the Department? Yes No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9(f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? Yes No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? Yes No
11. Are there any unregistered bulk storage tanks on-site which require registration? Yes No

THE NEW REQUESTOR MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL §27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.

VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste. **PLEASE SEE ATTACHMENT C**

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

Requestor's Relationship to Property (check one):

Prior Owner Current Owner Potential /Future Purchaser Other Beneficial Owner

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached? Yes No **PLEASE SEE ATTACHMENT D**

Note: a purchase contract does not suffice as proof of access.

Section V. Property description and description of changes/additions/reductions (if applicable)

ADDRESS

CITY/TOWN

ZIP CODE

TAX BLOCK AND LOT (TBL) (in existing agreement)

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage

Check appropriate boxes below:

Changes to metes and bounds description or TBL correction

Addition of property (may require additional citizen participation depending on the nature of the expansion – see attached instructions)

Approximate acreage added: _____

ADDITIONAL PARCELS:

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage

Reduction of property

Approximate acreage removed: _____

PARCELS REMOVED:

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage

If requesting to modify a metes and bounds description or requesting changes to the boundaries of a site, please attach a revised metes and bounds description, survey, or acceptable site map to this application.

Supplement to the Application To Amend Brownfield Cleanup Agreement And Amendment - Questions for Sites Seeking Tangible Property Credits in New York City ONLY.

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Please answer questions below and provide documentation necessary to support answers.	
1. Is at least 50% of the site area located within an environmental zone pursuant to Tax Law 21(6)? Please see DEC's website for more information.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the property upside down as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
From ECL 27-1405(31): "Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.	
3. Is the project an affordable housing project as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
From 6 NYCRR 375- 3.2(a) as of August 12, 2016: (a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units. (1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income. (2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income. (3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.	

PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT

Existing Agreement Information	
BCP SITE NAME: Parcel B West	BCP SITE NUMBER: C231108
NAME OF CURRENT APPLICANT(S): 125 MEC Center LLC	
INDEX NUMBER OF EXISTING AGREEMENT: C231108-02-18	
EFFECTIVE DATE OF EXISTING AGREEMENT: 3/14/18	

Declaration of Amendment:

By the Requestor(s) and/or Applicant(s) signatures below, and subsequent signature by the Department, the above application to amend the Brownfield Cleanup Agreement described above is hereby approved. This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from any obligations held under the Agreement or those same laws.

Statement of Certification and Signatures: New Requestor(s) (if applicable)
(Individual) I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department. Date: _____ Signature: _____ Print Name: _____
(Entity) I hereby affirm that I am (title <u>Authorized Signatory</u>) of (entity <u>East Harlem MEC Parcel B West LLC</u>); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law. _____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department. Date: <u>3/22/19</u> Signature: <u>Matthew Iacopetta</u> Print Name: <u>Matthew Iacopetta</u>

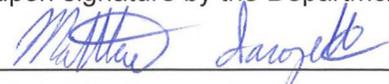
PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT

Existing Agreement Information	
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NAME OF CURRENT APPLICANT(S): 125 MEC Center LLC	
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Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from any obligations held under the Agreement or those same laws.

Statement of Certification and Signatures: New Requestor(s) (if applicable)
<p>(Individual)</p> <p>I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.</p> <p>Date: _____ Signature: _____</p> <p>Print Name: _____</p>
<p>(Entity)</p> <p>I hereby affirm that I am (title <u>Authorized Signatory</u>) of (entity <u>Parcel B West LIHTC LLC</u>); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.</p> <p>_____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.</p> <p>Date: <u>3/22/19</u> Signature: <u></u></p> <p>Print Name: <u>Matthew Iacopetta</u></p>

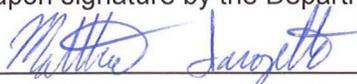
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EFFECTIVE DATE OF EXISTING AGREEMENT: 3/14/18	

Declaration of Amendment:

By the Requestor(s) and/or Applicant(s) signatures below, and subsequent signature by the Department, the above application to amend the Brownfield Cleanup Agreement described above is hereby approved. This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from any obligations held under the Agreement or those same laws.

Statement of Certification and Signatures: New Requestor(s) (if applicable)
<p>(Individual)</p> <p>I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.</p> <p>Date: _____ Signature: _____</p> <p>Print Name: _____</p>
<p>(Entity)</p> <p>I hereby affirm that I am (title <u>Authorized Signatory</u>) of (entity <u>Parcel B West Moderate Income LLC</u>); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.</p> <p>_____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.</p> <p>Date: <u>3/22/19</u> Signature: <u></u></p> <p>Print Name: <u>Matthew Iacopetta</u></p>

Statement of Certification and Signatures: Existing Applicant(s) (an authorized representative of each applicant must sign)

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am Authorized Signatory (title) of 125 MEC Center LLC (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. _____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 3-25-2019 Signature: 

Print Name: Jennifer Ambrosecchia

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Status of Agreement:

<input type="checkbox"/> PARTICIPANT A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.	<input checked="" type="checkbox"/> VOLUNTEER A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Effective Date of the Original Agreement: 3/14/18

Signature by the Department:

DATED: 4/11/19

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

By: 

Michael J. Ryan, P.E., Director
Division of Environmental Remediation

SUBMITTAL INFORMATION:

- **Two (2)** copies, one hard copy with original signatures and one electronic copy in Portable Document Format (PDF) must be sent to:

Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7020

FOR DEPARTMENT USE ONLY

BCP SITE T&A CODE: _____ **LEAD OFFICE:** _____

PROJECT MANAGER: _____

**BROWNFIELD CLEANUP PROGRAM (BCP)
INSTRUCTIONS FOR COMPLETING A BCP AMENDMENT APPLICATION**

This form must be used to add a party, modify a property description, or reduce/expand property boundaries for an existing BCP Agreement and/or Application. **NOTE: DEC requires a standard application to request major changes to the description of the property set forth in the BCA (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). The application must be submitted to DEC in the same manner as the original application to participate.**

SECTION II NEW REQUESTOR INFORMATION

Requestor Name

Provide the name of the person(s)/entity requesting participation in the BCP. (If more than one, attach additional sheets with requested information. If an LLC, the members/owners names need to be provided on a separate attachment). The requestor is the person or entity seeking DEC review and approval of the remedial program.

If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.

Requestor Address, etc.

Provide the requestor's mailing address, telephone number; fax number and e-mail address.

Representative Name, Address, etc.

Provide information for the requestor's authorized representative. This is the person to whom all correspondence, notices, etc will be sent, and who will be listed as the contact person in the BCA. Invoices will be sent to the representative unless another contact name and address is provided with the application.

Consultant Name, Address, etc.

Provide information for the requestor's consultant.

Attorney Name, Address, etc.

Provide information for the requestor's attorney.

SECTION III CURRENT PROPERTY OWNER/OPERATOR INFORMATION - only include if new owner/operator or new existing owner/operator information is provided, and highlight new information in form.

Owner Name, Address, etc.

Provide information for the new owner of the property. List all new parties holding an interest in the property.

Operator Name, Address, etc.

Provide information for the new operator (if different from the new requestor or owner).

SECTION IV**NEW REQUESTOR ELIGIBILITY INFORMATION**

As a separate attachment, provide complete and detailed information in response to any eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that such information be summarized. For properties with multiple addresses or tax parcels, please include this information for each address or tax parcel.

SECTION V PROPERTY DESCRIPTION AND DESCRIPTION OF CHANGES / ADDITIONS / REDUCTIONS (IF APPLICABLE)

NOTE: DEC requires a standard application to request major changes to the description of the property set forth in the BCA (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). The application must be submitted to DEC in the same manner as the original application to participate.

Property Address

Provide a street address, city/town, and zip code. For properties with multiple addresses, provide information for all.

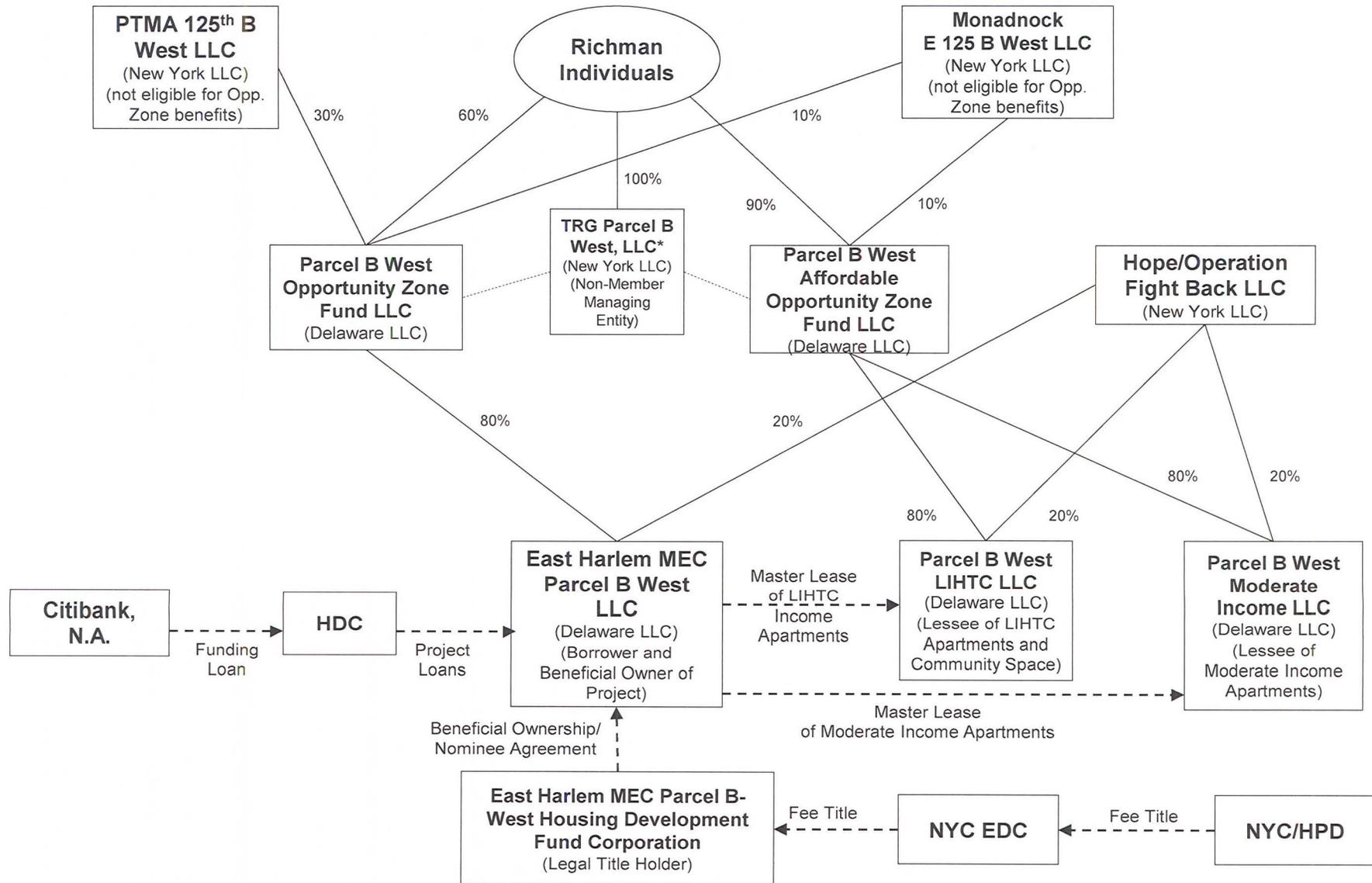
Tax Parcel Information

Provide the tax parcel/section/block/lot information. If requesting to modify a metes and bounds description or requesting changes to the boundaries of a site, please attach a revised metes and bounds description, survey, and/or acceptable site map to this application. Tax map information may be obtained from the tax assessor's office for all tax parcels that are included in the property boundaries. Attach a county tax map with identifier numbers, along with any figures needed to show the location and boundaries of the property. Include a USGS 7.5 minute quad map on which the property appears.

ATTACHMENT A
ORGANIZATION CHART AND DOS
INFORMATION

Parcel B West Organizational Structure
(As of Construction Financing Closing)

Privileged and Confidential

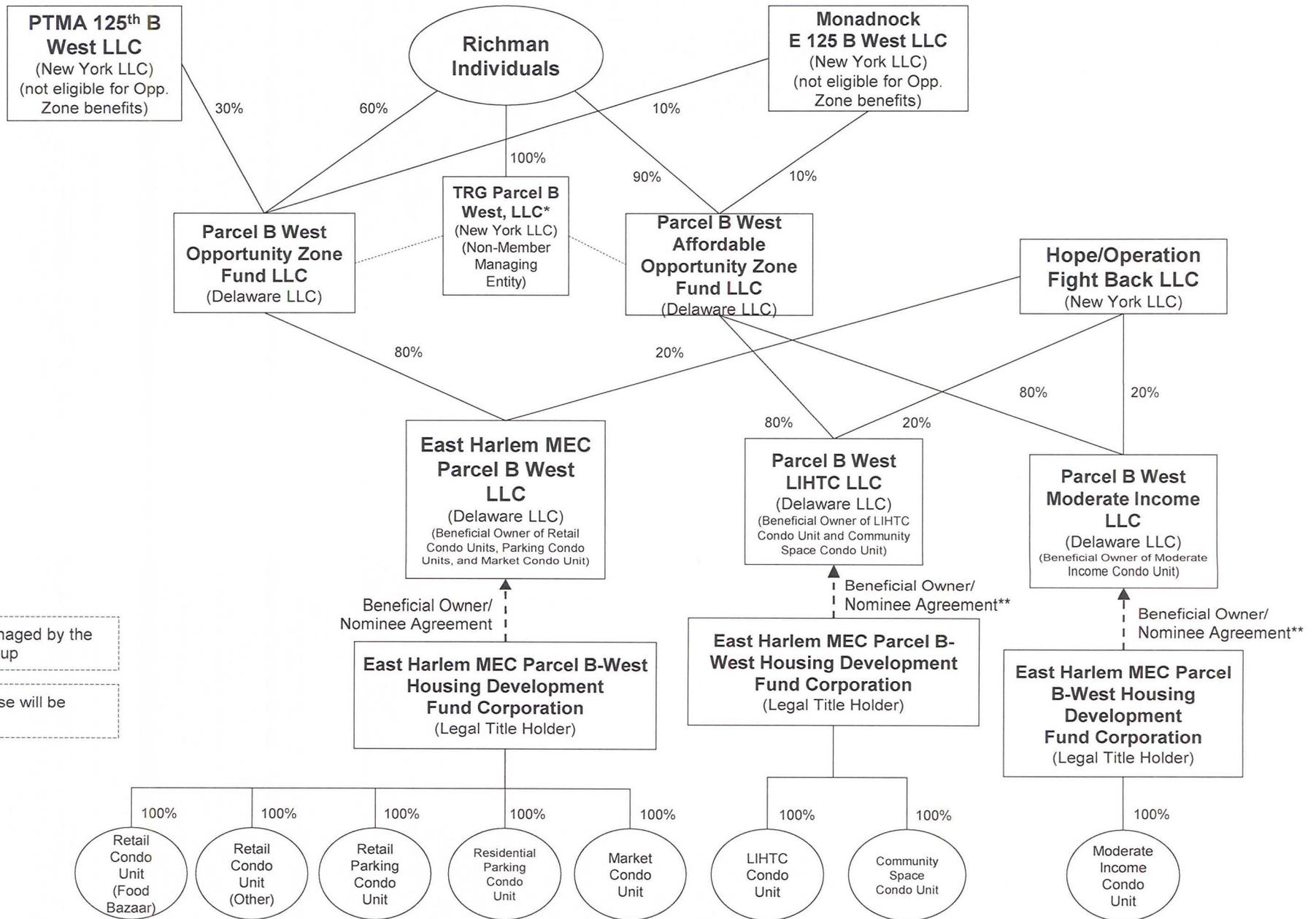


* Will be managed by the Richman Group

Parcel B West Organizational Structure

(Following Condominium Formation and Conveyance of Condo Units)

Privileged and Confidential



* Will be managed by the Richman Group

** Master lease will be terminated

Draft as of 12/14/2018

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through December 17, 2018.

Selected Entity Name: EAST HARLEM MEC PARCEL B WEST LLC

Selected Entity Status Information

Current Entity Name: EAST HARLEM MEC PARCEL B WEST LLC

DOS ID #: 5457614

Initial DOS Filing Date: DECEMBER 12, 2018

County: NEW YORK

Jurisdiction: DELAWARE

Entity Type: FOREIGN LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

EAST HARLEM MEC PARCEL B WEST LLC

777 WEST PUTNAM AVENUE

GREENWICH, CONNECTICUT, 06830

Registered Agent

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by [viewing the certificate.](#)

***Stock Information**

# of Shares	Type of Stock	\$ Value per Share
-------------	---------------	--------------------

No Information Available

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
DEC 12, 2018	Actual	EAST HARLEM MEC PARCEL B WEST LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through November 28, 2018.

Selected Entity Name: PARCEL B WEST MODERATE INCOME LLC

Selected Entity Status Information

Current Entity Name: PARCEL B WEST MODERATE INCOME LLC

DOS ID #: 5441089

Initial DOS Filing Date: NOVEMBER 09, 2018

County: NEW YORK

Jurisdiction: DELAWARE

Entity Type: FOREIGN LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

COGENCY GLOBAL INC.

10 EAST 40TH STREET

10TH FLOOR

NEW YORK, NEW YORK, 10016

Registered Agent

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by [viewing the certificate](#).

***Stock Information**

# of Shares	Type of Stock	\$ Value per Share
-------------	---------------	--------------------

No Information Available

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
NOV 09, 2018	Actual	PARCEL B WEST MODERATE INCOME LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through December 5, 2018.

Selected Entity Name: PARCEL B WEST LIHTC LLC

Selected Entity Status Information

Current Entity Name: PARCEL B WEST LIHTC LLC

DOS ID #: 5453524

Initial DOS Filing Date: DECEMBER 05, 2018

County: NEW YORK

Jurisdiction: DELAWARE

Entity Type: FOREIGN LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

PARCEL B WEST LIHTC LLC
777 WEST PUTNAM AVENUE
GREENWICH, CONNECTICUT, 06830

Registered Agent

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by [viewing the certificate.](#)

***Stock Information**

# of Shares	Type of Stock	\$ Value per Share
No Information Available		

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
DEC 05, 2018	Actual	PARCEL B WEST LIHTC LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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ATTACHMENT B

SIGNATORY AUTHORIZATIONS

WRITTEN CONSENT OF THE MANAGING MEMBER

The undersigned, being an authorized officer of TRG Parcel B West LLC, a New York limited liability company (the "Manager"), the manager of Parcel B West Affordable Opportunity Zone Fund LLC, a New York limited liability company (the "Managing Member"), the managing member of Parcel B West Moderate Income LLC, a New York limited liability company (the "Company"), does hereby resolve that:

1. Matthew Iacopetta is an authorized officer of the Manager, the manager of the Managing Member, the managing member of the Company and has the full power and authority on behalf of the Company, as an Authorized Officer, to:
 - a. Execute documents in connection with the application of the Company for participation in the New York State Brownfield Cleanup Program (the "BCP");
 - b. Enter into agreements with the New York State Department of Environmental Conservation (the "DEC") in connection with the Company's participation in the BCP;
 - c. Execute any and all documents in connection with the Company's participation in the BCP, including but not limited to applications, agreements, easements and tax returns;
 - d. Take any action necessary to the furtherance of the Company's participation in the BCP, including but not limited to conducting negotiations on behalf of the Company.
2. The authority hereby conferred shall be deemed retroactive, and any and all acts authorized herein which were performed prior to the passage of this consent are hereby approved and ratified. The authority hereby conferred shall continue in full force and effect until the DEC shall have received notice, in writing, of the revocation hereof by a resolution duly adopted by the Managing Member of the Company. Any such revocation shall be effective only as to actions taken by the Company subsequent to DEC's receipt of such notice.
3. The undersigned hereby represents and warrants that (i) the undersigned is an Authorized Officer of the Manager, the manager of the Managing Member, the managing member of the Company; and (ii) the consent of the Managing Member is sufficient to authorize the Company to take the aforementioned actions.

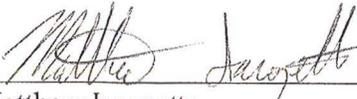

Matthew Iacopetta
Authorized Officer

Dated: 2/26/19
New York, NY

WRITTEN CONSENT OF THE MANAGING MEMBER

The undersigned, being an authorized officer of TRG Parcel B West LLC, a New York limited liability company (the "Manager"), the manager of Parcel B West Affordable Opportunity Zone Fund LLC, a New York limited liability company (the "Managing Member"), the managing member of East Harlem MEC Parcel B West LLC, a New York limited liability company (the "Company"), does hereby resolve that:

1. Matthew Iacopetta is an authorized officer of the Manager, the manager of the Managing Member, the managing member of the Company and has the full power and authority on behalf of the Company, as an Authorized Officer, to:
 - a. Execute documents in connection with the application of the Company for participation in the New York State Brownfield Cleanup Program (the "BCP");
 - b. Enter into agreements with the New York State Department of Environmental Conservation (the "DEC") in connection with the Company's participation in the BCP;
 - c. Execute any and all documents in connection with the Company's participation in the BCP, including but not limited to applications, agreements, easements and tax returns;
 - d. Take any action necessary to the furtherance of the Company's participation in the BCP, including but not limited to conducting negotiations on behalf of the Company.
2. The authority hereby conferred shall be deemed retroactive, and any and all acts authorized herein which were performed prior to the passage of this consent are hereby approved and ratified. The authority hereby conferred shall continue in full force and effect until the DEC shall have received notice, in writing, of the revocation hereof by a resolution duly adopted by the Managing Member of the Company. Any such revocation shall be effective only as to actions taken by the Company subsequent to DEC's receipt of such notice.
3. The undersigned hereby represents and warrants that (i) the undersigned is an Authorized Officer of the Manager, the manager of the Managing Member, the managing member of the Company; and (ii) the consent of the Managing Member is sufficient to authorize the Company to take the aforementioned actions.



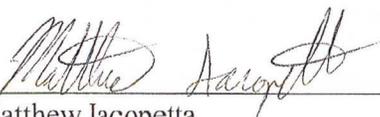
Matthew Iacopetta
Authorized Officer

Dated: 2/26/19
New York, NY

WRITTEN CONSENT OF THE MANAGING MEMBER

The undersigned, being an authorized officer of TRG Parcel B West LLC, a New York limited liability company (the "Manager"), the manager of Parcel B West Affordable Opportunity Zone Fund LLC, a New York limited liability company (the "Managing Member"), the managing member of Parcel B West LIHTC LLC, a New York limited liability company (the "Company"), does hereby resolve that:

1. Matthew Iacopetta is an authorized officer of the Manager, the manager of the Managing Member, the managing member of the Company and has the full power and authority on behalf of the Company, as an Authorized Officer, to:
 - a. Execute documents in connection with the application of the Company for participation in the New York State Brownfield Cleanup Program (the "BCP");
 - b. Enter into agreements with the New York State Department of Environmental Conservation (the "DEC") in connection with the Company's participation in the BCP;
 - c. Execute any and all documents in connection with the Company's participation in the BCP, including but not limited to applications, agreements, easements and tax returns;
 - d. Take any action necessary to the furtherance of the Company's participation in the BCP, including but not limited to conducting negotiations on behalf of the Company.
2. The authority hereby conferred shall be deemed retroactive, and any and all acts authorized herein which were performed prior to the passage of this consent are hereby approved and ratified. The authority hereby conferred shall continue in full force and effect until the DEC shall have received notice, in writing, of the revocation hereof by a resolution duly adopted by the Managing Member of the Company. Any such revocation shall be effective only as to actions taken by the Company subsequent to DEC's receipt of such notice.
3. The undersigned hereby represents and warrants that (i) the undersigned is an Authorized Officer of the Manager, the manager of the Managing Member, the managing member of the Company; and (ii) the consent of the Managing Member is sufficient to authorize the Company to take the aforementioned actions.



Matthew Iacopetta
Authorized Officer

Dated: 2/26/19
New York, NY

ATTACHMENT C

VOLUNTEER JUSTIFICATION

The Applicants recently acquired or will acquire interest in the Property, which has already been accepted into the Brownfield Cleanup Program. The Applicants are prepared to comply with all requirements of the existing Brownfield Cleanup Agreement in order to receive a Certificate of Completion. None of the Applicants owned or operated the Site at the time of disposal of contamination.

ATTACHMENT D
PROOF OF ACCESS

East Harlem MEC Parcel B West LLC
Parcel B West LIHTC LLC
Parcel B West Moderate Income LLC
777 West Putnam Avenue, Greenwich CT 06830

March 22, 2019

To Whom it may Concern

I am writing on behalf of Requestor East Harlem MEC Parcel B West LLC to confirm that Requestors Parcel B West LIHTC LLC and Parcel B West Moderate Income LLC have access to the above-referenced Site to complete any and all activities required to fulfill the obligations of the New York State Brownfield Cleanup Program.

The site has been transferred from the New York City Economic Development Corporation to East Harlem MEC Parcel B-West Housing Development Fund Corporation (“HDFC”) as Nominee on behalf of East Harlem MEC Parcel B West LLC (“Beneficial Owner”). The HDFC and Beneficial owner have entered into a nominee agreement whereby HDFC shall retain legal ownership of the Premises and Beneficial Owner shall hold all of the beneficial ownership therein, subject to certain master leases with Parcel B West LIHTC LLC and Parcel B West Moderate Income LLC. Parcel B West LIHTC LLC and Parcel B West Moderate Income LLC will ultimately hold beneficial interests in certain portions of the improvements to be constructed on the Premises upon formation of the condominium at which time the master leases will be collapsed. (Please see the organizational charts included in Attachment A.)

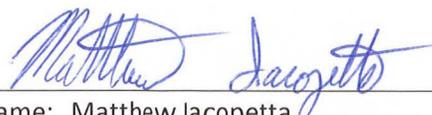
Sincerely,

East Harlem MEC Parcel B West LLC,

a Delaware limited liability company

By: **Parcel B West Opportunity Zone Fund LLC,**
a Delaware limited liability company, its
managing member

By: **TRG Parcel B West, LLC,** a New York limited
liability company, its manager

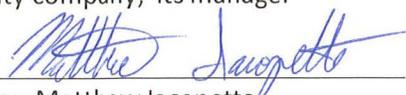
By: 
Name: Matthew Iacopetta
Title: Vice President

Parcel B West Moderate Income LLC,

a Delaware limited liability company

By: **Parcel B West Affordable Opportunity Zone
Fund LLC,** a Delaware limited liability
company, its managing member

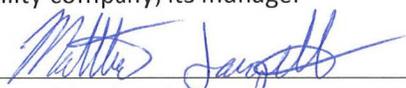
By: **TRG Parcel B West, LLC**, a New York limited liability company, its manager

By: 
Name: Matthew Iacopetta
Title: Vice President

Parcel B West LIHTC LLC,
a Delaware limited liability company

By: **Parcel B West Affordable Opportunity Zone Fund LLC**, a Delaware limited liability company, its managing member

By: **TRG Parcel B West, LLC**, a New York limited liability company, its manager

By: 
Name: Matthew Iacopetta
Title: Vice President