

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

George Man
GBT Real Estate LLC
1083 Maple Ln
New Hyde Park, NY 11040

DEC 20 2018

Re: Certificate of Completion
11-28 31st Drive, Astoria
Queens County, Site No. C241159

Dear Mr. Man:

Congratulations on having satisfactorily completed the remedial program at the 11-28 31st Drive. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (Department) 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 a notice of the COC 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 a notice of the COC within 30 days of the date that you acquire the site. A copy of the recorded notice should be provided to the Department's project manager. If you are a non-owner, you must work with the owner to assure the notice of COC is recorded within the time frame specified. A standard notice form is attached to this letter. Please return the proof of recording to:

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

- Provide the notice of the COC to the Document Repositories within 10 days of issuance of the COC. The Department 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 Department-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 the Department 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 the Department in April 2020.

If you have any questions regarding any of these items, please contact Sondra Martinkat at (718) 482-4891.

Sincerely,



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

ec w/ enclosure:

Christine Vooris, NYSDOH
Justin Deming, NYSDOH
Wendy Kuehner, NYSDOH
Matt Gokey (matthew.gokey@tax.ny.gov)
Matt Culotti (matthew.culotti@tax.ny.gov)
Ariel Czemerinski (ariel@amc-engineering.com) – AMC
Paul Matli (pmatli@hydrotechenvironmental.com) – Hydrotech
Larry Schnapf (larry@schnapflaw.com) – Schnapf LLC

ec w/o enc.:

Sondra Martinkat
Jane O'Connell
Gerard Burke
Madeline Warner
Kelly Lewandowski
Dolores Tuohy

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

GBT Real Estate LLC

Address

1083 Maple Lane, New Hyde Park, NY 11040

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 4/30/14

Agreement Execution: 6/2/14

Agreement Index No.: C241159-04-14

Application Approval Amendment: 3/27/17

Agreement Execution Amendment: 3/27/17

SITE INFORMATION:

Site No.: C241159 **Site Name:** 11-28 31st Drive

Site Owner: GBT Real Estate LLC

Street Address: 11-28 31st Drive

Municipality: Queens **County:** Queens **DEC Region:** 2

Site Size: 0.055 Acres

Tax Map Identification Number(s): 4-502-22

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 2: Restricted use with generic soil cleanup objectives

Tax Credit Provisions for Entities Taxable Under Article 9, 9-A, 32, and 33:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 40 %.

Tangible Property Credit Component Rate is 12 %.

Tax Credit Provisions for Entities Taxable Under Article 22 & S Corporations:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 40 %.

Tangible Property Credit Component Rate is 10 %.

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

11-28 31st Drive, Site ID No. C241159
11-28 31st Drive, Astoria, NY 11106
City of New York, Queens County, Tax Map Identification Number 4-502-22

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to GBT Real Estate LLC for a parcel approximately 0.055 acres located at 11-28 31st Drive, Astoria, NY in the City of New York in Queens County.

PLEASE TAKE NOTICE, the Certificate was 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 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 the Department as not inconsistent with the remedy.

PLEASE TAKE NOTICE, since 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 Queens County as 2016000278636.

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 the Department'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

11-28 31st Drive, C241159, 11-28 31st Dr, Astoria NY 11106

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 the Department 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 Street, Long Island City, NY 11101, by contacting the Regional Environmental Remediation Engineer.

WHEREFORE, the undersigned has signed this Notice of Certificate

GBT Real Estate 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:
George Man
GBT Real Estate LLC
1083 Maple Ln
New Hyde Park, NY 11040

Exhibit A
Site Description

SCHEDULE "A" PROPERTY DESCRIPTION

Legal Description of the Easement Area

ALL that certain plot, piece or parcel of land with the buildings or improvements thereon, erected, situate, lying and being in the Astoria, Long Island City, in the Borough and County of Queens, City and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point on the southerly side of 31st Drive, distant 175 feet westerly from the corner formed by the intersection of the southerly side of 31st Drive with the westerly side of 12th Street;

RUNNING THENCE southerly at right angles to 31st Drive, 95 feet 11-3/8ths inches to the southerly side of the land on the map hereinafter mentioned and to the land now or formerly of Robert Moore;

THENCE westerly along the said land and along the southerly line of said lot, 25 feet ½ inch to the westerly side of said lot on said map;

THENCE northerly along the westerly line of said lot on said map at right angles to 31st Drive, 97 feet 4-3/8ths inches to the southerly side of 31st Drive;

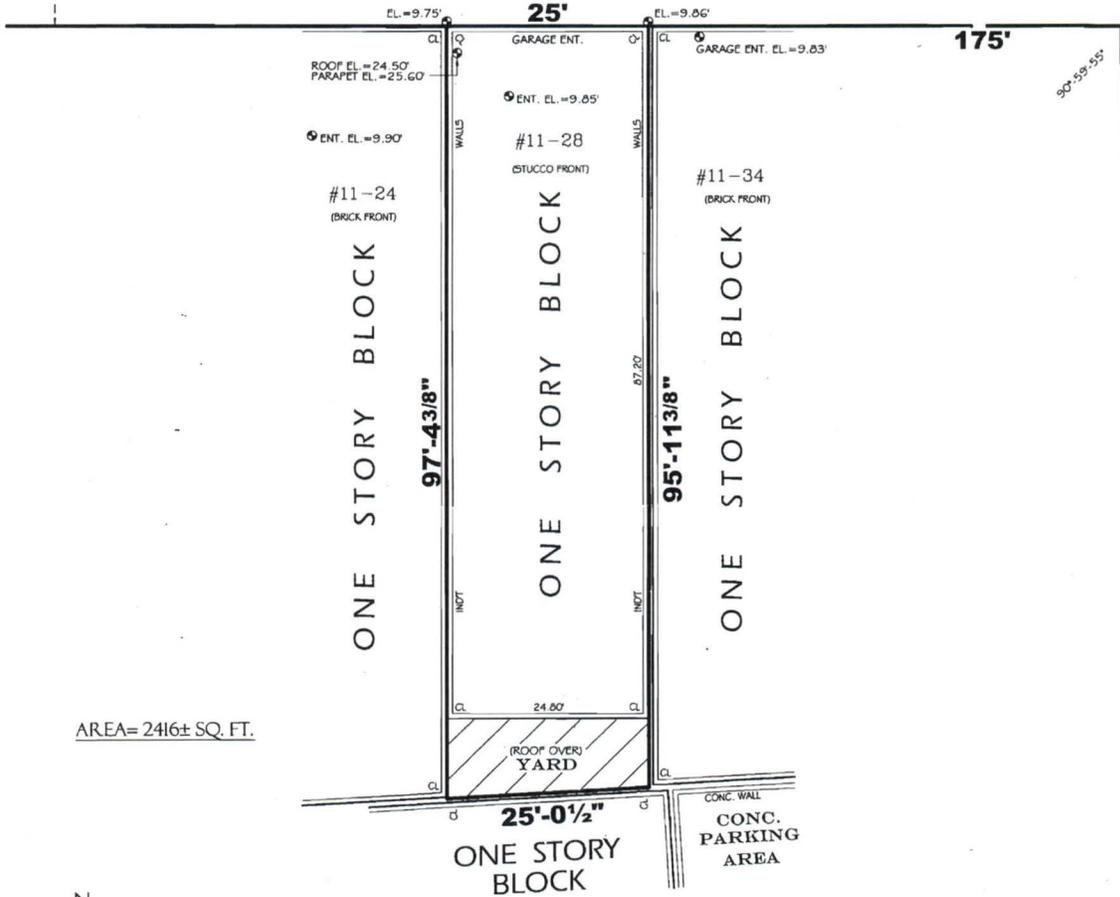
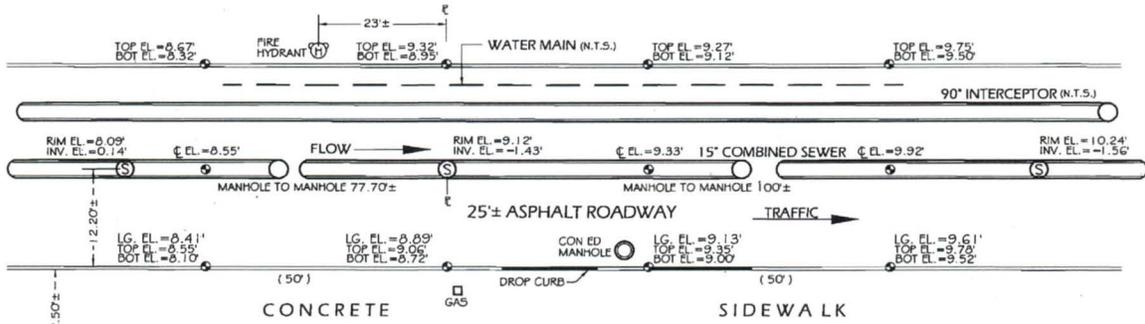
THENCE easterly along the southerly side of 31st Drive, 25 feet to the point or place of BEGINNING.

Containing approximately 2,416 square feet or 0.055 acres more or less.

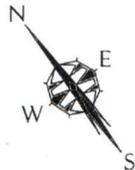
Exhibit B

Site Survey

31ST (50' WIDE) CAMELIA STREET DRIVE



AREA = 2416± SQ. FT.



LAND NOW OR FORMERLY OF ROBERT MOORE

ARCHITECTURAL SURVEY

(NOT FOR TITLE PURPOSES)

CAUTION: 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.

- 1) ALL ELEVATIONS REFER TO QUEENS TOPOGRAPHICAL DATUM WHICH IS 2.725 FEET ABOVE U.S. COASTAL & GEODETIC SURVEY DATUM AT SANDY HOOK NEW JERSEY.
- 2) UNDERGROUND UTILITY INFORMATION SHOWN WAS OBTAINED FROM VARIOUS COMPANIES AND CITY AGENCIES AND IS NOT GUARANTEED FOR ACCURACY OR COMPLETENESS. CONSULT CONSOLIDATED EDISON COMPANY AND KEYSpan FOR DETAILED INFORMATION ON THEIR RESPECTIVE SERVICES.
- 3) THIS IS TO CERTIFY THAT THERE ARE NO APPARENT STREAMS NOR NATURAL WATER COURSES IN THE PROPERTY AS SHOWN ON THIS SURVEY.

SCALE: 1" = 15'

BORO LAND SURVEYING, P.C.
 353 COURT STREET
 BROOKLYN, N.Y. 11231
 TEL. (718) 624-8080 (2676)

SURVEYED

NOVEMBER 9, 2012

NEW YORK
 J. D. D.
 VINCENT J. DICCE L.S., P.C.

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 CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

BLOCK: 502
 LOT: 22
 SECTION: 4
 COUNTY: QUEENS
 DWG BY: P.S.
 CHK'D BY:



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
 12/20/2018



SITE DESCRIPTION

SITE NO. C241159

SITE NAME 11-28 31st Drive

SITE ADDRESS: 11-28 31st Drive **ZIP CODE:** 11106

CITY/TOWN: Queens

COUNTY: Queens

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: 04/30/2020

Description of Institutional Control

GBT Real Estate LLC
 1083 Maple Ln
11-28 31st Drive
 Environmental Easement
 Block: 502
 Lot: 22
 Sublot:
 Section: 4
 Subsection:
 S_B_L Image: 4-502-22
 Ground Water Use Restriction
 IC/EC Plan
 Landuse Restriction
 Monitoring Plan
 O&M Plan
 Site Management Plan
 Soil Management Plan

Description of Engineering Control

GBT Real Estate LLC

1083 Maple Ln

11-28 31st Drive

Environmental Easement

Block: 502

Lot: 22

Sublot:

Section: 4

Subsection:

S_B_L Image: 4-502-22

Monitoring Wells

Vapor Mitigation