

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

December 18, 2020

Andy Gonchar
Shore to Shore Foster LLC
15 Page Avenue
Staten Island, NY 10309

Re: Certificate of Completion
Former CJ's Service Center Property
Richmond County
Site Code C243041

Dear Andy Gonchar:

Congratulations on having satisfactorily completed the remedial program at the Former CJ's Service Center Property. 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 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 the Department's project manager. Please return the hard copy of the proof of recording to:

Sadique Ahmed, Remedial 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. 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 2022.

If you have any questions regarding any of these items, please contact project manager Sadique Ahmed at (518) 402 9656.

Sincerely,

 /for

Michael J. Ryan, P.E.

Director

Division of Environmental Remediation

Enclosure

ec w/ enclosure:

Andy Gonchar, (Andy@gonchstardevelopers.com)

Joseph Duminuco, (jduminuco@rouxinc.com)

Michael Bogin, (mbogin@sprlaw.com)

C. Vooris, Christine.Vooris@health.ny.gov

Scarlett McLaughlin, scarlett.mclaughlin@health.ny.gov

Renata Ockerby, (renata.ockerby@health.ny.gov)

Matt Gokey, matthew.gokey@tax.ny.gov

Paul Takac, paul.takac@tax.ny.gov

ec w/o enc.:

Sadique Ahmed, (sadique.ahmed@dec.ny.gov)

John Grathwol, (john.grathwol@dec.ny.gov)

Gerard Burke, Remedial, (gerard.burke@dec.ny.gov)

Jane O'Connell, (jane.oconnell@dec.ny.gov)

Michael Murphy, (michael.murphy@dec.ny.gov)

Kelly Lewandowski, (kelly.lewandowski@dec.ny.gov)

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

Shore to Shore Foster LLC

Address

15 Page Avenue, Staten Island, NY 10309

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 3/25/15 **Agreement Execution:** 4/9/15

Agreement Index No.: C243041-03-15

Application Approval Amendment: 5/28/20

Agreement Execution Amendment: 5/28/20

Application Approval Amendment: 12/8/20

Agreement Execution Amendment: 12/8/20

SITE INFORMATION:

Site No.: C243041 **Site Name:** Former CJ's Service Center Property

Site Owner: Shore to Shore Foster LLC

Street Address: 5801 Amboy Road

Municipality: Staten Island **County:** Richmond

DEC Region: 2

Site Size: 0.375 Acres

Tax Map Identification Number: 28-6896-53

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 %.

Tangible Property Credit at the time of this COC issuance is 0%.

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 Richmond County as Land Doc No. 613259.

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.

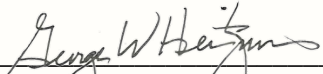
CERTIFICATE MODIFICATION/REVOCATION

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 a finding that:

- (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:  Date: December 18, 2020

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

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

Former CJ's Service Center Property, Site ID No. 243041
5801 Amboy Road, Staten Island, NY 10309
Staten Island, Richmond County, Tax Map Identification Number Block 6896, Lot 53

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 Shore to Shore Foster LLC for a parcel approximately 0.375 acres located at 5801 Amboy Road in Staten Island, Richmond 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 Richmond County as Land Document # 613259.

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

Former CJ's Service Center Property, C243041, 5801 Amboy Road, Staten Island

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, or at <https://www.dec.ny.gov/data/DecDocs/C243041>

WHEREFORE, the undersigned has signed this Notice of Certificate

Shore to Shore Foster 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:
Andy Gonchar
Shore to Shore Foster LLC
15 Page Avenue
Staten Island, NY 10309

4/20/2020

Exhibit A
Site Description

SCHEDULE "A" PROPERTY DESCRIPTION

BLOCK: 6896 LOTS: 52 & 53

All that certain piece or parcel of land, with the buildings and improvements thereon, situate, lying and being in the Borough of Staten Island, County of Richmond, City and State of New York, bounded and described as follows:

Beginning at the corner formed by the Westerly record line of Foster Road and the Northerly line of Amboy Road as vested in the City of New York. Said point of beginning being N 21 degrees 24 minutes 28 seconds W, 17.07 feet from the former intersection of the Westerly record line of Foster Road and the Northerly record line of Amboy Road. Said former intersection having the coordinates of South 47,808.509 and West 44,032.546.

Running Thence in a Southerly direction, along the Northerly line of Amboy Road as vested in the City of New York, on a curve bearing to the right the radius which is 30.00 feet, a central angle of 29 degrees 37 minutes 27 seconds and a length of 15.51 feet;

Thence in a Southerly direction, still along the Northerly line of Amboy Road as vested in the City of New York, on a curve bearing to the left, the radius which is 652.60 feet, a central angle of 03 degrees 15 minutes 27 seconds and a length of 37.10 feet;

Thence in a Southerly direction still along the Northerly line of Amboy Road as vested in the City of New York, on a curve bearing to the right the radius which is 253.00 feet a central angle of 09 degrees 55 minutes 26 seconds and a length of 43.82 feet;

Thence N 59 degrees 19 minutes 52 seconds W and still along the Northerly line of Amboy Road as vested in the City of New York, 3.00 feet;

Thence in a Southerly direction still along the Northerly line of Amboy Road as vested in the City of New York, on a curve bearing to the right the radius which is 250.00 feet, a central angle of 11 degrees 33 minutes 13 seconds length of 50.41 feet;

Thence N 21 degrees 24 minutes 28 seconds W, 187.11 feet;

Thence N 68 degrees 35 minutes 32 seconds E, 110.00 feet to the Westerly record line of Foster Road;

Thence S 21 degrees 24' minutes 28 seconds E and along said Westerly record line of Foster Road, 92.93 feet to the Northerly line of Amboy Road as vested in the City of New York and the point or place of beginning.

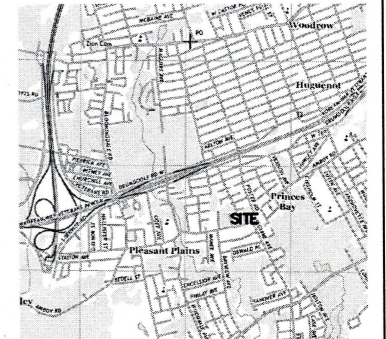
Containing 16,360 S.F.

Subject to the widening of Foster Road and Amboy Road as adopted by the City of New York.

Coordinates and bearings are in the system as established by the United States Coast and Geodetic Survey for the Borough of Staten Island.

Exhibit B

Site Survey



KEY MAP

EASEMENT DESCRIPTION
5801 AMBOY ROAD
BLOCK 6896 LOTS 52 & 53

Beginning at the corner formed by the Westerly record line of Foster Road and the Northerly line of Amboy Road as vested in the City of New York. Said point of beginning being N 21°24'28" W, 17.07 feet from the former intersection of the Westerly record line of Foster Road and the Northerly record line of Amboy Road. Said former intersection having the coordinates of South 47,808.509 and West 44,032.546.

Running Thence in a Southerly direction, along the Northerly line of Amboy Road as vested in the City of New York, on a curve bearing to the right the radius which is 30.00 feet, a central angle of 29°37'27" and a length of 15.51 feet;

Thence in a Southerly direction, still along the Northerly line of Amboy Road as vested in the City of New York, on a curve bearing to the left, the radius which is 652.60 feet, a central angle of 03°15'27" and a length of 37.10 feet;

Thence in a Southerly direction still along the Northerly line of Amboy Road as vested in the City of New York, on a curve bearing to the right the radius which is 253.00 feet, a central angle of 09°55'26" and a length of 43.62 feet;

Thence N 59°19'52" W and still along the Northerly line of Amboy Road as vested in the City of New York, 3.00 feet;

Thence in a Southerly direction still along the Northerly line of Amboy Road as vested in the City of New York, on a curve bearing to the right the radius which is 250.00 feet, a central angle of 11°33'13" and a length of 50.41 feet;

Thence N 21°24'28" W, 187.11 feet;

Thence N 68°35'32" E, 110.00 feet to the Westerly record line of Foster Road;

Thence S 21°24'28" E and along said Westerly record line of Foster Road, 92.93 feet to the Northerly line of Amboy Road as vested in the City of New York and the point or place of beginning.

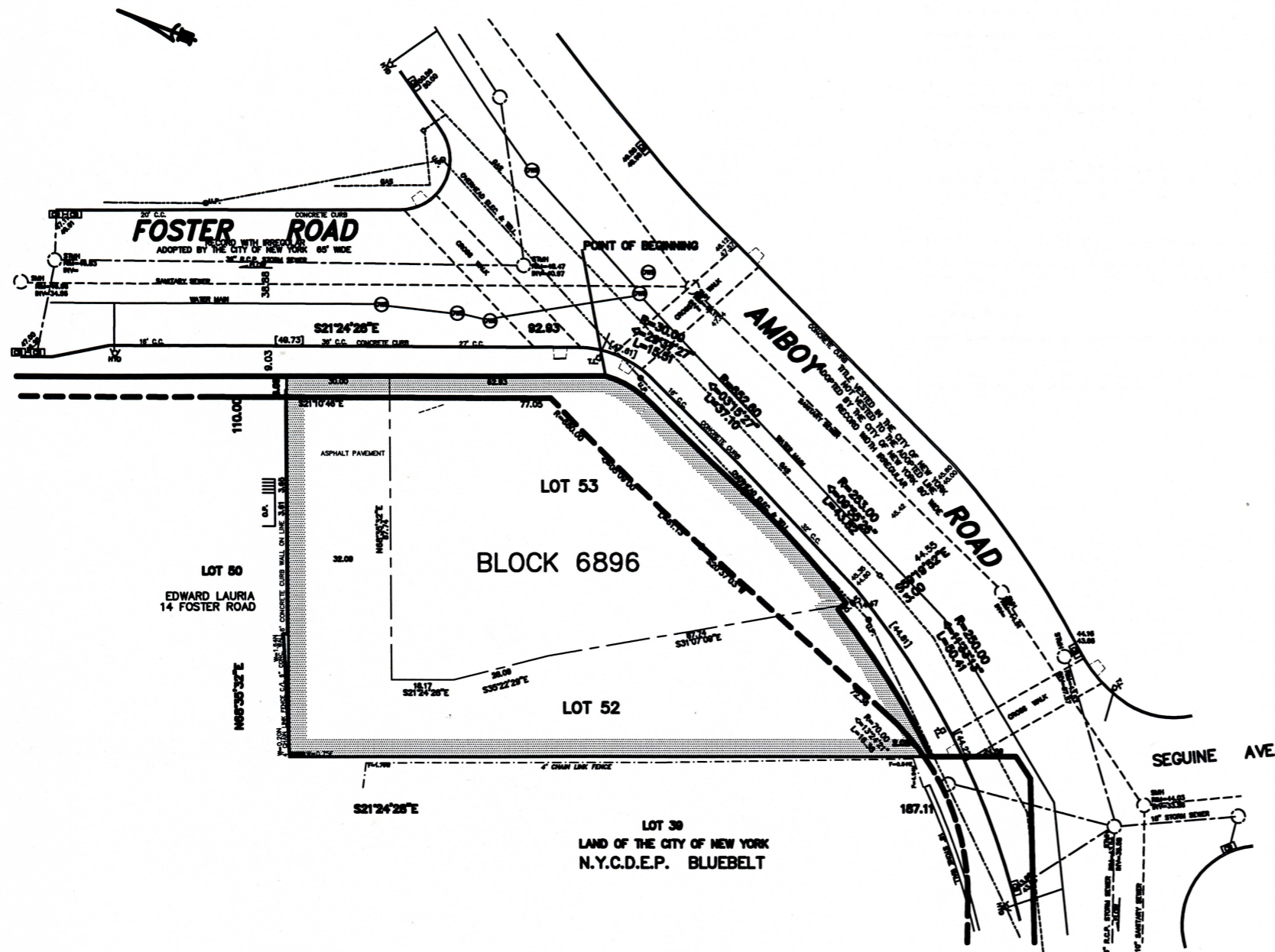
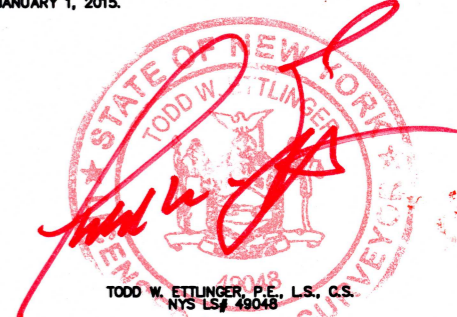
Containing 16,360 S.F.

Subject to the widening of Foster Road and Amboy Road as adopted by the City of New York.

Coordinates and bearings are in the system as established by the United States Coast and Geodetic Survey for the Borough of Staten Island.

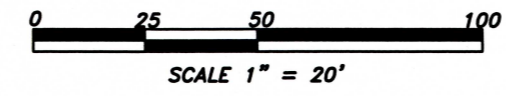
"This property is subject to an environmental easement held by the New York State Department of Environmental Conservation pursuant to Title 36 Article 71 of the New York Environmental Conservation Law. The engineering and institutional controls for this Easement are set forth in the Site Management Plan (SMP). A copy of the (SMP) must be obtained by any party with an interest in the property. The SMP can be obtained from the NYS Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233 or at derwab@dec.ny.gov."

"I HEREBY STATE THAT HIS PLAN IS BASED ON A FIELD SURVEY MADE BY ME OR UNDER MY IMMEDIATE SUPERVISION IN ACCORDANCE WITH NYSPLS CODE OF PRACTICE FOR LAND SURVEYS, AND TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, AND IN MY PROFESSIONAL OPINION CORRECTLY REPRESENTS THE CONDITIONS FOUND ON THE DATE OF THE SURVEY. THE ORIGINAL FIELD SURVEY WAS PERFORMED ON JANUARY 1, 2015.



- Legend symbols for Catch Basin, Storm Man Hole, Sanitary Man Hole, Water Supply Valve, Gas, Utility Pole, and Traffic Light Pole.

LOT 52 AREA = 8,100 S.F. OR 0.1860 ACRES
LOT 53 AREA = 8,260 S.F. OR 0.1896 ACRES
TOTAL AREA = 16,360 S.F. OR 0.3756 ACRES
WIDENED LINE AREA = 2,795 S.F.



COORDINATES AND BEARINGS ARE IN THE SYSTEM AS ESTABLISHED BY THE UNITED STATES COAST AND GEODETIC SURVEY FOR THE BOROUGH OF STATEN ISLAND. ELEVATIONS REFER TO NAVIGORS WHICH IS 8.21 FEET BELOW ROYAL HIGH WATER DATUM. FINAL GRANCES ARE SHOWN THIS [] ELEVATIONS SHOWN ON THIS MAP ARE FINISHED GRANCES. LINDER BY BEING PAGE LOT 52 & 53 UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7009 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW. COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S INK SEAL OR CROSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY. SURVEYORS OR CONSULTANTS ENGAGED HEREIN SHALL SIGN ONLY TO THE PERSON FOR WHOM THE SURVEY WAS PREPARED, AND IN NO EVENT TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON AND TO THE ADDRESS OF THE LENDING INSTITUTION, UNLESS BY CERTIFICATION AND NOT TRANSFERABLE TO ANY OTHER INSTITUTION OR SUBSEQUENT OWNERS.



TODD W. ETLINGER, P.E., L.S., C.S.
NYS LS# 49048

EASEMENT MAP
5801 AMBOY ROAD
BLOCK 6896 LOTS 52 & 53
in the
Borough of Staten Island
City of New York

ORIGINAL SURVEY JAN. 1, 2015

DRAWN BY: T.W.E.	RAJAKARUNA & ETLINGER P.C.	SCALE 1" = 20'
CHECKED BY: T.W.E.	CONSULTING ENGINEERS & CITY SURVEYORS	FB: CB: FM:
DATE: MAY 13, 2016	49 ENGLEWOOD AVE. UNIT 4, STATEN ISLAND, NY 10309 718-984-4500	



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
 12/15/2020



SITE DESCRIPTION

SITE NO. C243041

SITE NAME Former CJ's Service Center Property

SITE ADDRESS: 5801 Amboy Road ZIP CODE: 10309

CITY/TOWN: Staten Island

COUNTY: Richmond

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: 04/30/2022

Description of Institutional Control

Shore to Shore Foster LLC

15 Page Avenue

5801 Amboy Road

Environmental Easement

Block: 6896

Lot: 53

Sublot:

Section: 28

Subsection:

S_B_L Image: 28-6896-53

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Site Management Plan

Description of Engineering Control

Shore to Shore Foster LLC

15 Page Avenue

5801 Amboy Road

Environmental Easement

Block: 6896

Lot: 53

Sublot:

Section: 28

Subsection:

S_B_L Image: 28-6896-53

Cover System

Groundwater Containment

Monitoring Wells

Vapor Mitigation