



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

## **SUBMITTAL INSTRUCTIONS:**

1. Compile the application package in the following manner:
  - a. one file in non-fillable PDF of the application form plus supplemental information, excluding any previous environmental reports and work plans, if applicable
  - b. if the application requires submittal of previous environmental reports to support the addition of new property, an affordable housing agreement to support the determination for tangible property credits in New York City, or other large files, please include each as a separate PDF.
2. Compress all files (PDFs) into one zipped/compressed folder
3. Submit the application to the Site Control Section either via email or ground mail, as described below.

**Please select only ONE submittal method – do NOT submit both email and ground mail.**

a. VIA EMAIL:

- Upload the compressed folder to the NYSDEC File Transfer Service (<http://fts.dec.state.ny.us/fts>) or another file-sharing service.
- Copy the download link into the body of an email with any other pertinent information or cover letter attached to the email.
- Subject line of the email: “*Amendment Application NEW - \*Site Name\* - \*Site Code\**”
- Email your submission to [DESiteControl@dec.ny.gov](mailto:DESiteControl@dec.ny.gov) – do NOT copy Site Control staff.

b. VIA GROUND MAIL:

- Save the application file(s) and cover letter to an external storage device (e.g., thumb drive, flash drive). Do NOT include paper copies of the application or attachments.
- Mail the external storage device to the following address:  
Chief, Site Control Section  
Division of Environmental Remediation  
625 Broadway, 11<sup>th</sup> Floor  
Albany, NY 12233-7020

<b>SITE NAME:</b>	One Water Street Blacksmith & Wheelwright Site
<b>SITE CODE:</b>	C360235



Department of  
Environmental  
Conservation

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

Please refer to the attached instructions for guidance on completing this application.

Submission of a full BCP application will be required should this application be determined to be a major amendment. If the amendment seeks to add or subtract more than an insignificant acreage of property to the BCA, applicants are encouraged to consult with the DEC project team prior to submitting this application.

### PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

1. Check the appropriate box(es) below based on the nature of the amendment modification(s) requested:

<input checked="" type="checkbox"/>	Amendment to modify the existing BCA (check one or more boxes below):
<input checked="" type="checkbox"/>	Add applicant(s)
<input type="checkbox"/>	Substitute applicant(s)
<input type="checkbox"/>	Remove applicant(s)
<input type="checkbox"/>	Change in name of applicant(s)
<input type="checkbox"/>	Amendment to reflect a transfer of title to all or part of the brownfield site:
	<p>a. A copy of the recorded deed must be provided. Is this attached? Yes <input type="radio"/> No <input type="radio"/></p> <p>b. <input type="checkbox"/> Change in ownership <input type="checkbox"/> Additional owner (such as a beneficial owner)</p> <p>c. Pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been submitted prior to a transfer of ownership. If this has not yet been submitted, include the form with this application. Is this form attached? Yes <input type="radio"/> No <input type="radio"/> Submitted on: _____</p>
<input type="checkbox"/>	Amendment to modify description of the property(ies) listed in the existing BCA
<input type="checkbox"/>	Amendment to expand or reduce property boundaries of the property(ies) listed in the existing BCA
<input type="checkbox"/>	Sites in Bronx, Kings, New York, Queens or Richmond Counties ONLY: amendment to request determination that the site is eligible for tangible property credit component of the brownfield redevelopment tax credit.
<input type="checkbox"/>	Other (explain in detail below)

2. REQUIRED: Please provide a brief narrative describing the specific requests included in this amendment:

1 Water Street Acquisition LLC is being added to the Brownfield Cleanup Agreement as a prospective purchaser volunteer and non-remedial party at this time. Current Participant 1 Water Street L.L.C. will remain a Participant party to the Brownfield Cleanup Agreement ("BCA"). Once 1 Water Street Acquisition LLC acquires title to the BCP Site, it shall assume the on-Site remedial party role as set forth in ECL Section 1405(1)(b) and the Participant shall retain the off-site remedial party role to the extent required pursuant to the terms in the BCA. 1 Water Street Acquisition LLC did not cause any of the contamination on the BCP site; therefore, 1 Water Street Acquisition LLC is a volunteer. Please see Ex. A - Written Consents, Ex. B - DOS Filing Information, Ex. C - Requester Certification, and Ex. D - Site Access Agreement.

**SECTION I: CURRENT AGREEMENT INFORMATION***This section must be completed in full. Attach additional pages as necessary.*

BCP SITE NAME: One Water Street Blacksmith & Wheelwright Site	BCP SITE CODE: C360235
NAME OF CURRENT APPLICANT(S): 1 Water Street L.L.C.	
INDEX NUMBER OF AGREEMENT: C360135-06-23	DATE OF ORIGINAL AGREEMENT: 10/02/2023

**SECTION II: NEW REQUESTOR INFORMATION***Complete this section only if adding new requestor(s) or the name of an existing requestor has changed.*

NAME: 1 Water Street Acquisition LLC			
ADDRESS: 15 Wilkinson Avenue			
CITY/TOWN: Jersey City, New Jersey			ZIP CODE: 07305
PHONE: (516) 319-3700	EMAIL: kavsethi@greenpropertyllc.com		
REQUESTOR CONTACT: Kavneet Sethi			
ADDRESS: 15 Wilkinson Avenue			
CITY/TOWN: Jersey City, New Jersey			ZIP CODE: 07305
PHONE: (516) 319-3700	EMAIL: kavsethi@greenpropertyllc.com		
REQUESTOR'S CONSULTANT: SESI Consulting Engineers	CONTACT: Fuad Duhan		
ADDRESS: 959 Route 46E, 3rd Floor, Suite 300			
CITY/TOWN: Parsippany, New Jersey			ZIP CODE: 07054
PHONE: (973) 808-9050	EMAIL: fd@sesi.org		
REQUESTOR'S ATTORNEY: Connell Foley LLP	CONTACT: George C. D. Duke		
ADDRESS: 875 Third Avenue, 21st Floor			
CITY/TOWN: New York, New York			ZIP CODE: 10022
PHONE: (212) 307-3700	EMAIL: GDuke@connellfoley.com		
		<b>Y</b>	<b>N</b>
1. Is the requestor authorized to conduct business in New York State?		<input checked="" type="radio"/>	<input type="radio"/>
2. If the requestor is a corporation, LLC, LLP, or other entity requiring authorization from the NYS Department of State (NYSDOS) to conduct business in NYS, the requestor's name must appear exactly as given above in the NYSDOS Corporation & Business Entity Database. A print-out of entity information from the NYSDOS database must be submitted with this application. Is this print-out attached?		<input checked="" type="radio"/>	<input type="radio"/>
3. Requestor must submit proof that the party signing this application and amendment has the authority to bind the requestor. This would be documentation showing the authority to bind the requestor in the form of corporate organizational papers, a Corporate Resolution or an Operating Agreement or Resolution for an LLC. Is this proof attached?		<input checked="" type="radio"/>	<input type="radio"/>
4. If the requestor is an LLC, the names of the members/owners must be provided. Is this information attached?	N/A	<input type="radio"/>	<input checked="" type="radio"/>
5. Describe the new requestor's relationship to all existing applicants: The new requestor is the prospective purchaser of the BCP Site and will assume the on-site remedial party role upon Site acquisition.			

**SECTION III: CURRENT PROPERTY OWNER/OPERATOR INFORMATION***Complete this section only if a transfer of ownership has taken place. Attach additional pages if necessary.*

Owner listed below is:		<input type="checkbox"/> Existing Applicant	<input type="checkbox"/> New Applicant	<input type="checkbox"/> Non-Applicant
OWNER'S NAME:			CONTACT:	
ADDRESS:				
CITY/TOWN:			ZIP CODE:	
PHONE:		EMAIL:		
OPERATOR:			CONTACT:	
ADDRESS:				
CITY/TOWN:			ZIP CODE:	
PHONE:		EMAIL:		

**SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION***Complete this section only if adding new requestor(s). Attach additional pages if necessary.*

If answering "yes" to any of the following questions, please provide additional information as an attachment. Please refer to ECL § 27-1407 for details.

	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor presently subject to an existing order for the investigation, removal or remediation relating to contamination at the site?	<input type="radio"/>	<input checked="" type="radio"/>
3. Is the requestor subject to an outstanding claim by the Spill Fund for the site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.	<input type="radio"/>	<input checked="" type="radio"/>
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 or regulation of the state or federal government? If so, provide additional information as an attachment.	<input type="radio"/>	<input checked="" type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as site name, address, DEC site number, reason for denial, and any other relevant information.	<input type="radio"/>	<input checked="" type="radio"/>
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 or contaminants?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>

SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION (continued)		Y	N
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?	<input type="radio"/>	<input checked="" type="radio"/>	
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?	<input type="radio"/>	<input checked="" type="radio"/>	
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>	<input checked="" type="radio"/>	
12. 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:			
<input type="checkbox"/> <b>PARTICIPANT</b>  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"/> <b>VOLUNTEER</b>  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 a 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 they have 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.  <b>If a requestor's liability arises solely as a result of ownership, operation of or involvement with the site, they must submit a statement describing why they should be considered a volunteer – be specific as to the appropriate care taken.</b>		
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?	N/A <input type="radio"/>	Y <input checked="" type="radio"/>	N <input type="radio"/>
14. Requestor's relationship to the property (check all that apply):  <input type="checkbox"/> Prior Owner <input type="checkbox"/> Current Owner <input checked="" type="checkbox"/> Potential/Future Purchaser <input type="checkbox"/> Other: _____			
15. If the 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 being added to the BCA and throughout the BCP project, including the ability to place an easement on the site. Is this proof attached?	N/A <input type="radio"/>	Y <input checked="" type="radio"/>	N <input type="radio"/>

**SECTION V: PROPERTY DESCRIPTION AND REQUESTED CHANGES**

*Complete this section only if property is being added to or removed from the site, a lot merger or other change to site SBL(s) has occurred, or if modifying the site address for any reason.*

1. Property information on current agreement (as modified by any previous amendments, if applicable):

ADDRESS:

CITY/TOWN

ZIP CODE:

CURRENT PROPERTY INFORMATION

TOTAL ACREAGE OF CURRENT SITE:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

2. Requested change (check appropriate boxes below):

☐

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

PARCELS ADDED:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

TOTAL ACREAGE TO BE ADDED: \_\_\_\_\_

☐

b. Reduction of property

PARCELS REMOVED:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

TOTAL ACREAGE TO BE REMOVED: \_\_\_\_\_

☐

c. Change to SBL (e.g., lot merge, subdivision, address change)

NEW PROPERTY INFORMATION:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

3. TOTAL REVISED SITE ACREAGE: \_\_\_\_\_

4. For all changes requested in this section, documentation must be provided. Required attachments are listed in the application instructions. Is the required documentation attached?

Y

☐

N

☐

**APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT SUPPLEMENT  
QUESTIONS FOR SITE SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY**

*Complete this section only if the site is located within the five counties comprising New York City and the requestor is seeking a determination of eligibility for tangible property credits. Provide supporting documentation as required. Refer to the application instructions for additional information.*

	Y	N
1. Is the site located in Bronx, Kings, New York, Queens or Richmond County?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input type="radio"/>	<input type="radio"/>
3. 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="radio"/>	<input type="radio"/>
4. Is the property upside down as defined below?	<input type="radio"/>	<input type="radio"/>
<p><b>From ECL 27-1405(31):</b></p> <p>"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.</p>		
5. Is the project and affordable housing project as defined below?	<input type="radio"/>	<input type="radio"/>
<p><b>From 6 NYCRR 375-3.2(a) as of August 12, 2016:</b></p> <p>(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.</p> <p>(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' household's annual gross income.</p> <p>(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 homeowners at a defined maximum percentage of the area median income.</p> <p>(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.</p>		

APPLICATION SUPPLEMENT FOR NYC SITES (continued)	Y	N
<p>6. Is the project a planned renewable energy facility site as defined below?</p> <p><b>From ECL 27-1405(33) as of April 9, 2022:</b></p> <p>"Renewable energy facility site" shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system.</p> <p><b>From Public Service Law Article 4 Section 66-p as of April 23, 2021:</b></p> <p>(b) "renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.</p>	<input type="radio"/>	<input type="radio"/>
<p>7. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and meets the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?</p> <p><b>From ECL 75-0111 as of April 9, 2022:</b></p> <p>(5) "Disadvantaged communities" means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.</p>	<input type="radio"/>	<input type="radio"/>



**PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT****EXISTING AGREEMENT INFORMATION**

BCP SITE NAME: One Water Street Blacksmith &amp; Wheelwright Site

BCP SITE CODE: C360235

NAME OF CURRENT APPLICANT(S): 1 Water Street L.L.C.

INDEX NUMBER OF AGREEMENT: C360135-06-23

DATE OF ORIGINAL AGREEMENT 10/02/2023

**Declaration of Amendment:**

By the requestor(s) and/or applicant(s) signature(s) 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 obligations held under the Agreement or those same laws.

**STATEMENT OF CERTIFICATION AND SIGNATURES: NEW REQUESTOR**

*Complete the appropriate section (individual or entity) below only if this Amendment adds a new requestor. Attach additional pages as needed.*

(Individual)

I hereby affirm that the 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 authorized signatory (title) of 1 Water Street Acquisition LLC (entity); 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.

Kavneet Sethi's \_\_\_\_\_ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 11/13/2024 Signature: Kavneet SethiPrint Name: Kavneet Sethi

**STATEMENT OF CERTIFICATION AND SIGNATURES EXISTING APPLICANT(S)**

*An authorized representative of each applicant must complete and sign the appropriate section (individual or entity) below. Attach additional pages as needed.*

(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 the Authorized Signatory (title) of 1 Water Street L.L.C. (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. Taryn D. Fielder's signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 11/6/2024 Signature: Taryn D. FielderPrint Name: Taryn D. Fielder**PLEASE SEE THE FOLLOWING PAGE FOR SUBMITTAL INSTRUCTIONS****REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT**

Status of Agreement:

<input type="checkbox"/> <b>PARTICIPANT</b> 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 type="checkbox"/> <b>VOLUNTEER</b> 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.
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Effective Date of the Original Agreement: 10/02/2023

Signature by the Department:

DATED: \_\_\_\_\_

NEW YORK STATE DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION

By:

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Andrew O. Guglielmi, Director  
Division of Environmental Remediation

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION



**60-Day Advance Notification of Site Change of Use, Transfer of  
Certificate of Completion, and/or Ownership**

Required by 6NYCRR Part 375-1.11(d) and 375-1.9(f)

To be submitted at least 60 days prior to change of use to:

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

**I. Site Name:** One Water Street Blacksmith & Wheelwright Site **DEC Site ID No.** C360235

**II. Contact Information of Person Submitting Notification:**

Name: Linda Shaw, Esq.

Address1: 100 South Clinton Avenue, Suite 2600

Address2: Rochester, New York 14604

Phone: (585) 546-8430

E-mail: lshaw@nyenvlaw.com

**III. Type of Change and Date:** Indicate the Type of Change(s) (check all that apply):

- ☒ Change in Ownership or Change in Remedial Party(ies)  
☐ Transfer of Certificate of Completion (CoC)  
☐ Other (e.g., any physical alteration or other change of use)

Proposed Date of Change (mm/dd/yyyy): 11/6/2024

**IV. Description:** Describe proposed change(s) indicated above and attach maps, drawings, and/or parcel information.

1 Water Street Acquisition LLC is being added to the Brownfield Cleanup Agreement as a prospective purchaser volunteer and non-remedial party at this time. Current Participant 1 Water Street, L.L.C. will remain a Participant party to the Brownfield Cleanup Agreement.

If "Other," the description must explain and advise the Department how such change may or may not affect the site's proposed, ongoing, or completed remedial program (attach additional sheets if needed).

Once 1 Water Street Acquisition LLC acquires title to the BCP Site, it shall assume the on-Site remedial party role as a Volunteer as set forth in ECL Section 1405(1)(b) and the Participant shall retain the off-site remedial party role to the extent required pursuant to the terms in the BCA.

- V. Certification Statement:** Where the change of use results in a change in ownership or in responsibility for the proposed, ongoing, or completed remedial program for the site, the following certification must be completed (by owner or designated representative; see §375-1.11(d)(3)(i)):

I hereby certify that the prospective purchaser and/or remedial party has been provided a copy of any order, agreement, Site Management Plan, or State Assistance Contract regarding the Site's remedial program as well as a copy of all approved remedial work plans and reports.

Name: Taryn D. Fielder 11/6/2024  
(Signature) (Date)

Taryn D. Fielder, Authorized Signatory  
(Print Name)

Address1: 1 Water Street L.L.C., c/o Veris Residential Harborside 3, 210 Hudson Street, Suite 400

Address2: Jersey City, New Jersey 07311

Phone: (732) 590-1508 E-mail: bsturr@verisresidential.com

- VI. Contact Information for New Owner, Remedial Party, or CoC Holder:** If the site will be sold or there will be a new remedial party, identify the prospective owner(s) or party(ies) along with contact information. If the site is subject to an Environmental Easement, Deed Restriction, or Site Management Plan requiring periodic certification of institutional controls/engineering controls (IC/ECs), indicate who will be the certifying party (attach additional sheets if needed).

☒ Prospective Owner ☒ Prospective Remedial Party ☐ Prospective Owner Representative

Name: 1 Water Street Acquisition LLC

Address1: 15 Wilkinson Avenue, Jersey City, NJ 07305

Address2: \_\_\_\_\_

Phone: 516-319-3700 E-mail: kavsethi@greenpropertyllc.com

Certifying Party Name: Kavneet Sethi

Address1: 15 Wilkinson Avenue

Address2: Jersey City, NJ 07305

Phone: 516-319-3700 E-mail: kavsethi@greenpropertyllc.com

**VII. Agreement to Notify DEC after Transfer:** If Section VI applies, and all or part of the site will be sold, a letter to notify the DEC of the completion of the transfer must be provided. If the current owner is also the holder of the CoC for the site, the CoC should be transferred to the new owner using DEC's form found at <http://www.dec.ny.gov/chemical/54736.html>. This form has its own filing requirements (see 6NYCRR Part 375-1.9(f)).

Signing below indicates that these notices will be provided to the DEC within the specified time frames. If the sale of the site also includes the transfer of a CoC, the DEC agrees to accept the notice given in VII.3 below in satisfaction of the notice required by VII.1 below (which normally must be submitted within 15 days of the sale of the site).

Within 30 days of the sale of the site, I agree to submit to the DEC:

1. the name and contact information for the new owner(s) (see §375-1.11(d)(3)(ii));
2. the name and contact information for any owner representative; and
3. a notice of transfer using the DEC's form found at <http://www.dec.ny.gov/chemical/54736.html> (see §375-1.9(f)).

Name: Taryn D. Fielder  
(Signature)

11/6/2024  
(Date)

Taryn D. Fielder, Authorized Signatory  
(Print Name)

Address1: 1 Water Street L.L.C., c/o Veris Residential Harborside 3, 210 Hudson Street, Suite 400  
Address2: Jersey City, New Jersey 07311  
Phone: (732) 590-1508 E-mail: bsturr@verisresidential.com

# **EXHIBIT A**

## CORPORATE CONSENT

The undersigned, being the sole Member of 1 Water Street L.L.C., does hereby certify as follows:

1. 1 Water Street L.L.C. is the prospective volunteer for the prospective Brownfield Cleanup Program (BCP) Site located at 1 Water Street, White Plains, New York 10601 (Tax Block 2, Lot 1.11) (collectively the "BCP Site").

2. The following person, Taryn Fielder, the Executive Vice President & General Counsel of Veris Residential Trust, the sole general partner of Veris Residential Partners, L.P., the sole member of 1 Water Street L.L.C., has been authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of 1 Water Street L.L.C., Brownfield Site Volunteer in relation to the BCP Site.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 20<sup>th</sup> day of October, 2022.

**Veris Residential Partners, L.P.**

By: Veris Residential Trust, general partner

By: 

Name: Taryn Fielder

Title: Executive Vice President & General Counsel

**1 WATER STREET ACQUISITION LLC AUTHORIZATION  
TO COMPLETE REMEDIAL REQUIREMENTS AND GRANT  
ENVIRONMENTAL EASEMENTS**

The undersigned, being the members of 1 Water Street Acquisition LLC, a New York limited liability company (the "Company"), hereby certifies as of October 28, 2024, as follows, adopts the following resolutions and authorizes the Company to authorize and direct Kavneet Sethi (the "Authorized Signatory") to take the following actions on behalf of the Company:

WHEREAS, the Company desires to authorize the Authorized Signatory, set forth below, to undertake actions necessary to redevelop 1 Water Street, White Plains, NY 10601 (the "Property" or the "Site").

WHEREAS, in connection with the redevelopment of the Property, the Company has prepared and submitted an application to participate in the New York State Brownfield Cleanup Program ("BCP") and has entered into the BCP, and a Brownfield Cleanup Agreement ("BCA"); filed related documents with the New York State Department of Environmental Conservation ("DEC") to participate in the BCP; and has undertaken certain environmental remediation work related thereto consistent with applicable laws, regulations and guidance under the BCP (collectively referred to as the "Remedial Program Requirements");

NOW THEREFORE, BE IT

RESOLVED, the Authorized Signatory be, and hereby is, authorized and directed, in the name of and on behalf of the Company, to execute and to deliver all applications, documents and instruments required to effectuate the BCA (including execution of the BCA), grant an environmental easement, and make any filings required to comply with the BCA consistent with the Remedial Program Requirements; and be it further;

RESOLVED, that this Authorization may be signed in any number of counterparts, including but not limited to electronic, and shall become effective as of the date herein below written when each person named below shall have signed a copy hereof; and

RESOLVED, The Authorized Signatory is authorized to bind the Company as an Authorized Signatory for the purposes set forth in this Authorization, the signature set forth opposite his name below is his actual signature:

<u>Authorized Signatory</u>	<u>Signature</u>
Kavneet Sethi	<i>Kavneet Sethi</i>




**IN WITNESS WHEREOF**, the undersigned have signed and sealed this Member Consent on October 28, 2024.

**MEMBERS:**

Asteriskos LLC

  
By: Kavneet Sethi

Bijou Development, LLC

  
By: David Gaber

# **EXHIBIT B**

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# Department of State

## Division of Corporations

### Entity Information

Return to Results

Return to Search

#### Entity Details



**ENTITY NAME:** 1 WATER STREET ACQUISITION LLC  
**DOS ID:** 7450133  
**FOREIGN LEGAL NAME:**  
**FICTITIOUS NAME:**  
**ENTITY TYPE:** DOMESTIC LIMITED LIABILITY COMPANY  
**DURATION DATE/LATEST DATE OF DISSOLUTION:**  
**SECTIONOF LAW:** LIMITED LIABILITY COMPANY LAW - 203 LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW  
**ENTITY STATUS:** ACTIVE  
**DATE OF INITIAL DOS FILING:** 10/25/2024  
**REASON FOR STATUS:**  
**EFFECTIVE DATE INITIAL FILING:** 10/25/2024  
**INACTIVE DATE:**  
**FOREIGN FORMATION DATE:**  
**STATEMENT STATUS:** CURRENT  
**COUNTY:** ALBANY  
**NEXT STATEMENT DUE DATE:** 10/31/2026  
**JURISDICTION:** NEW YORK, UNITED STATES  
**NFP CATEGORY:**

- ENTITY DISPLAY
- NAME HISTORY
- FILING HISTORY
- MERGER HISTORY
- ASSUMED NAME HISTORY

Service of Process on the Secretary of State as Agent

The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the Secretary of State by personal delivery:

**Name:** REGISTERED AGENTS INC.  
**Address:** 418 BROADWAY, STE R, ALBANY, NY, UNITED STATES, 12207

Electronic Service of Process on the Secretary of State as agent: Not Permitted

Chief Executive Officer's Name and Address

**Name:**  
**Address:**

Principal Executive Office Address

**Address:**

Registered Agent Name and Address

**Name:** REGISTERED AGENTS INC.  
**Address:** 418 BROADWAY, STE R, ALBANY, NY, 12207

Entity Primary Location Name and Address

**Name:**  
**Address:**

Farmcorpflag

**Is The Entity A Farm Corporation:** NO

Stock Information

Share Value	Number Of Shares	Value Per Share

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# Department of State

## Division of Corporations

### Entity Information

Return to Results

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#### Entity Details



**ENTITY NAME:** 1 WATER STREET L.L.C.  
**DOS ID:** 4819034  
**FOREIGN LEGAL NAME:**  
**FICTITIOUS NAME:**  
**ENTITY TYPE:** DOMESTIC LIMITED LIABILITY COMPANY  
**DURATION DATE/LATEST DATE OF DISSOLUTION:**  
**SECTIONOF LAW:** 203 LLC - LIMITED LIABILITY COMPANY LAW  
**ENTITY STATUS:** ACTIVE  
**DATE OF INITIAL DOS FILING:** 09/14/2015  
**REASON FOR STATUS:**  
**EFFECTIVE DATE INITIAL FILING:** 09/14/2015  
**INACTIVE DATE:**  
**FOREIGN FORMATION DATE:**  
**STATEMENT STATUS:** CURRENT  
**COUNTY:** WESTCHESTER  
**NEXT STATEMENT DUE DATE:** 09/30/2025  
**JURISDICTION:** NEW YORK, UNITED STATES  
**NFP CATEGORY:**

- ENTITY DISPLAY
- NAME HISTORY
- FILING HISTORY
- MERGER HISTORY
- ASSUMED NAME HISTORY

Service of Process on the Secretary of State as Agent

The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the Secretary of State by personal delivery:

**Name:** CORPORATION SERVICE COMPANY  
**Address:** 80 STATE STREET, ALBANY, NY, UNITED STATES, 12207

Electronic Service of Process on the Secretary of State as agent: Not Permitted

Chief Executive Officer's Name and Address

**Name:**  
**Address:**

Principal Executive Office Address

**Address:**

Registered Agent Name and Address

**Name:**

**Address:**

Entity Primary Location Name and Address

**Name:**

**Address:**

Farmcorpflag

**Is The Entity A Farm Corporation:** NO

Stock Information

Share Value	Number Of Shares	Value Per Share

# **EXHIBIT C**

## **REQUESTOR CERTIFICATION**

The Requestor—1 Water Street Acquisition LLC—certifies it is a Volunteer, since it does not yet own the Site and does not have nor has ever had a relationship with any of the past owners or operators of the Site that caused the contamination, nor did it have involvement with the Site at the time of disposal. The Requestor has performed all required environmental due diligence prior to acquiring the Site and has implemented due care of the Site.



# **EXHIBIT D**

**1 Water Street Acquisition LLC  
15 Wilkinson Avenue  
Jersey City, NJ 07305**

1 Water Street, L.L.C.  
Attn: Taryn D. Fielder  
Harborside 3  
210 Hudson Street, Suite 400  
Jersey City, New Jersey 07311

**Re: Site Access to Perform Brownfield Cleanup Program Work  
1 Water Street, White Plains, New York 10601**

Dear Ms. Fielder:

1 Water Street Acquisition LLC (the “Applicant”) is submitting a Brownfield Cleanup Agreement (“BCA”) Amendment Application to the New York State Department of Environmental Conservation to be added as a prospective purchaser and Volunteer, as set forth in ECL§1405(1)(b) to the BCA to voluntarily investigate and remediate the Brownfield Cleanup Program (“BCP”) Site known as One Water Street Blacksmith & Wheelwright Site, NYS DEC Site No.: C360235, located at p/o 1 Water Street (Tax Parcel No. p/o 125.66-2-1.11) (the “BCP Site”). As you know, 1 Water Street, L.L.C. owns the aforementioned parcel that makes up the BCP Site. We need your written permission below to access your BCP Site for the purpose of performing environmental investigation and remediation work for acceptance into the BCP.

If you agree to sign below, 1 Water Street, L.L.C. is granting us what is known as a “temporary license” to allow an appropriate contractor we hire to enter the BCP Site to perform investigation and remediation work. Applicant promises to provide you with copies of any information we generate about the BCP Site, and if we do accidentally damage your BCP Site in any way, we agree to repair the damages to restore the BCP Site to the way it was before entry. Our contractor will also maintain insurance that would cover any accidents on the job. Applicant promises to minimize any and all inconvenience to you in connection with this work, and will give 1 Water Street L.L.C. one week notice before the work begins.

In addition, in the unlikely circumstance that you still own the BCP Site when the remediation is complete and the Certificate of Completion is about to be obtained, and a Track 1 remediation level is not achieved, you are hereby also agreeing to impose an environmental easement on the BCP Site if required by the New York State Department of Environmental Conservation.

Thank you for your cooperation.

Sincerely,

  
1 Water Street Acquisition LLC

By: Kavneet Sethi

Authorized Signatory

As an authorized signatory for the site owner 1 Water Street L.L.C, I am authorized to grant this temporary license and agree to allow 1 Water Street Acquisition LLC and its agents to enter the BCP Site to perform the BCP investigation and/or remediation work required.

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Veris Residential Trust  
Sole General Partner of Veris Residential  
Partners, L.P.  
Sole Member of One Water Street, L.L.C.  
By: Taryn D. Fielder

**1 Water Street Acquisition LLC  
15 Wilkinson Avenue  
Jersey City, NJ 07305**

1 Water Street, L.L.C.  
Attn: Taryn D. Fielder  
Harborside 3  
210 Hudson Street, Suite 400  
Jersey City, New Jersey 07311

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Thank you for your cooperation.

Sincerely,

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1 Water Street Acquisition LLC  
By: Kavneet Sethi  
Authorized Signatory

As an authorized signatory for the site owner 1 Water Street L.L.C, I am authorized to grant this temporary license and agree to allow 1 Water Street Acquisition LLC and its agents to enter the BCP Site to perform the BCP investigation and/or remediation work required.



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Veris Residential Trust,  
General Partner of Veris Residential  
Partners, L.P.,  
Sole Member of One Water Street, L.L.C.  
By: Taryn D. Fielder