

# 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

February 16, 2023

Peter Neglia  
2002 Cropsey Associates LLC  
c/o Apartment Management Associates LLC  
626 Sheepshead Bay Road, Suite 620  
Brooklyn, NY 11224

Re: Certificate of Completion  
2002-2024 Cropsey Avenue Site  
Brooklyn, Kings County  
C224169

Dear Mr. Neglia:

Congratulations on having satisfactorily completed the remedial program at the 2002-2024 Cropsey Avenue Site. 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:

Manfred Magloire  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
47-40 21<sup>st</sup> Street  
Long Island City, NY 11101



- 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 July 2024.

If you have any questions regarding any of these items, please contact Manfred Magloire at (718) 482-4078 or [Manfred.magloire@dec.ny.gov](mailto:Manfred.magloire@dec.ny.gov).

Sincerely,

*Andrew Guglielmi*

Andrew O. Guglielmi

Director

Division of Environmental Remediation

Enclosure

ec w/ enclosure:

Christine Vooris – NYSDOH [Christine.Vooris@health.ny.gov](mailto:Christine.Vooris@health.ny.gov)

Scarlett McLaughlin – NYSDOH [scarlett.mclaughlin@health.ny.gov](mailto:scarlett.mclaughlin@health.ny.gov)

Renata Ockerby – NYSDOH [renata.ockerby@health.ny.gov](mailto:renata.ockerby@health.ny.gov)

Matt Gokey, [matthew.gokey@tax.ny.gov](mailto:matthew.gokey@tax.ny.gov)

Paul Takac, [paul.takac@tax.ny.gov](mailto:paul.takac@tax.ny.gov)

Jennifer Coghlan, [jcoghlan@sprlaw.com](mailto:jcoghlan@sprlaw.com)

Joe Gavin, [Joe.Gavin@apexcos.com](mailto:Joe.Gavin@apexcos.com)

Callie Thomson, [Callie.Thompson@apexcos.com](mailto:Callie.Thompson@apexcos.com)

ec w/o enclosure:

J. Brown, J. O'Connell, C. Maycock, M. Magloire, K. Lewandowski, L. Schmidt,  
R. Seebacher – NYSDEC

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)

*CERTIFICATE OF COMPLETION*

**CERTIFICATE HOLDER(S):**

**Name**

2002 Cropsey Associates LLC

**Address**

c/o Apartment Management Associates LLC  
626 Sheepshead Bay Rd., Ste. 620, Brooklyn, NY 11224

**BROWNFIELD CLEANUP AGREEMENT:**

**Application Approval:** 8/6/14    **Agreement Execution:** 9/30/14

**Agreement Index No.:** C224169-07-14

**Application Approval Amendment:** none

**Agreement Execution Amendment:** 5/28/20

**SITE INFORMATION:**

**Site No.:** C224169    **Site Name:** 2002-2024 Cropsey Avenue Site

**Site Owner:** 2002 Cropsey Associates LLC

**Street Address:** 2002- 2024 Cropsey Avenue

**Municipality:** Brooklyn

**County:** Kings

**DEC Region:** 2

**Site Size:** 0.487 Acres

**Tax Map Identification Number(s):** 6467-1

**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:** 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 25 %.

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 Kings County as 2021000427862.

### **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; or
- (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: Andrew Guglielmi Date: 2/16/2023

Andrew O. Guglielmi, Director  
Division of Environmental Remediation

## **Exhibit A**

### **Site Description**

### Schedule A Description

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

BEGINNING at the corner formed by the intersection of the southerly side of Cropsey Avenue with the easterly side of 20th Avenue;

RUNNING THENCE southerly along the easterly side of 20th Avenue, 116.03 feet;

THENCE easterly at right angles to 20th Avenue 193.33 feet to the westerly side of Bay 25th Street;

THENCE northerly along the westerly side of Bay 25th Street 103.56 feet to the southerly side of Cropsey Avenue;

and

THENCE westerly along the southerly side of Cropsey Avenue 193.73 feet to the corner, the point or place of BEGINNING.

**Exhibit B**

**Site Survey**



SYMBOL LEGEND			
□	CONC. MONUMENT FND	○	MAIL BOX
○	I.P. / LB. FND	⊗	CABLE TV BOX
⊗	TACK / STAKE FND	⊗	TELEPHONE BOX
○	SPOT ELEVATIONS	⊗	A/C UNIT
⊗	TRAFFIC SIGNAL POLE	⊗	TRANSFORMER
○	UTILITY POLE	⊗	ELECTRIC METER
—	GUY WIRE	⊗	GAS METER
—	UTILITY POLE W/LIGHT	⊗	WATER METER
⊗	LIGHT POLE	⊗	WATER VALVE
⊗	SIGN	⊗	GAS VALVE
⊗	FIRE HYDRANT	⊗	CLEAN OUT
⊗	D.W.P. DETECTABLE WARNING PAD	⊗	GAS
⊗	D.C. DEPRESSIONED CURB	⊗	WATER
⊗	L.S.A. LANDSCAPED AREA	⊗	ELECTRIC
⊗	WELL	⊗	TELEPHONE
⊗	MANHOLE	⊗	CABLE TV
⊗	"A"-INLET	⊗	TREE
⊗	"B"-INLET	⊗	SHRUB
⊗	"C"-INLET	⊗	BOLLARD
⊗	YARD INLET	⊗	MONITORING WELL
⊗	FLARED END SECTION	⊗	WETLAND FLAG

**DESCRIPTION OF PROPERTY  
(AND ENVIRONMENTAL EASEMENT AREA)**

BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF CROPSY AVENUE WITH THE EASTERLY SIDE OF 20TH AVENUE;

RUNNING THENCE SOUTHERLY ALONG THE EASTERLY SIDE OF 20TH AVENUE, 116.03;

THENCE EASTERLY AT RIGHT ANGLES TO 20TH AVENUE 193.33 FEET TO THE WESTERLY SIDE OF BAY 25TH STREET;

THENCE NORTHERLY ALONG THE WESTERLY SIDE OF BAY 25TH STREET 103.56 FEET TO THE SOUTHERLY SIDE OF CROPSY AVENUE, THENCE; AND

THENCE WESTERLY ALONG THE SOUTHERLY SIDE OF CROPSY AVENUE 193.73 FEET TO THE CORNER, THE POINT AND PLACE OF BEGINNING.

CONTAINING 21,226 SQUARE FEET OR 0.4873 ACRES OF LAND.

THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 36 OF 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 NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT DERWEB@DEC.NY.GOV

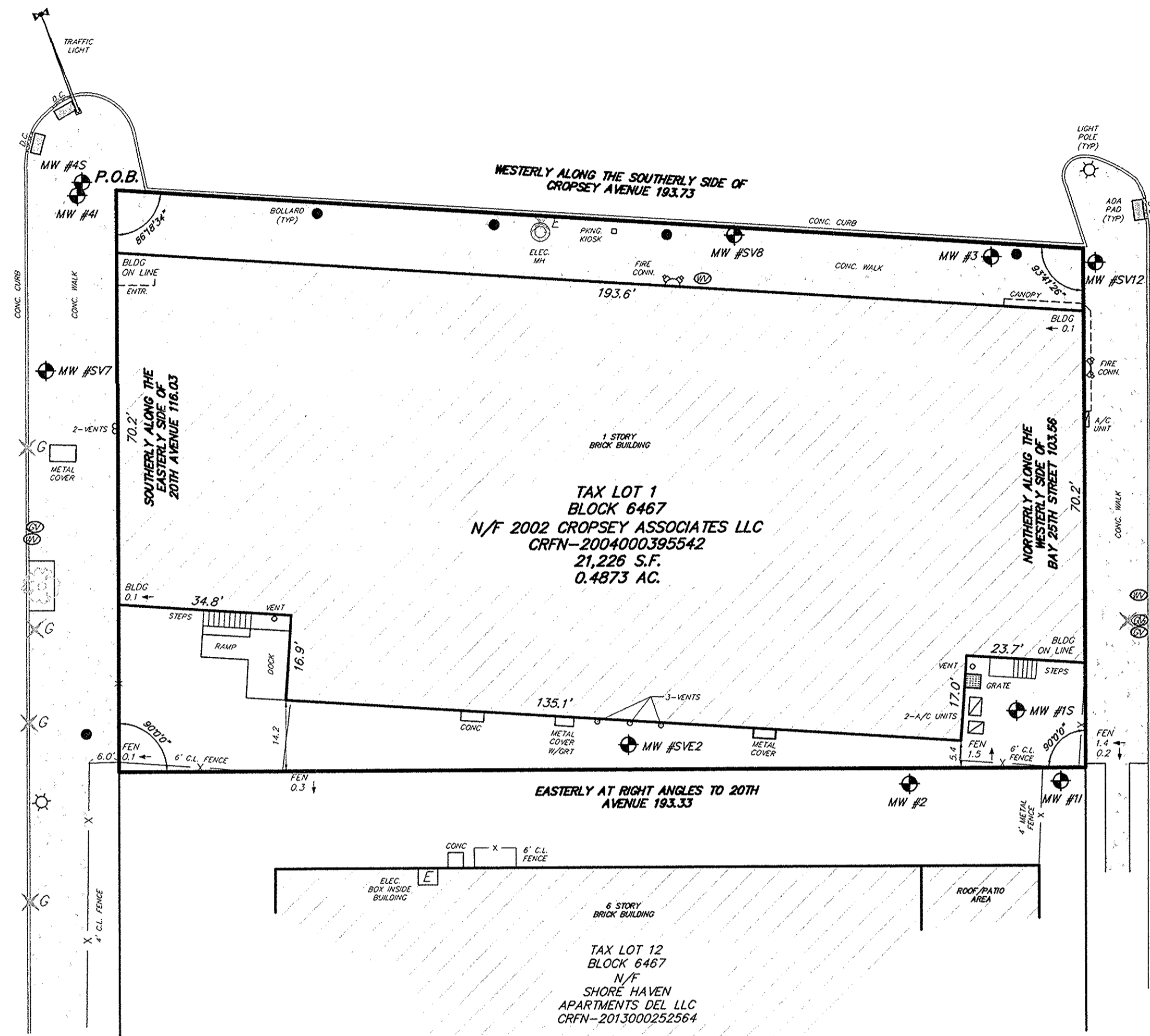
**GENERAL NOTES:**

1. THIS SURVEY IS PREPARED IN ACCORDANCE WITH DOCUMENTS SUPPLIED BY THE CLIENT AND THOSE OBTAINED THROUGH SUPPLEMENTAL RESEARCH BY DPK LAND SURVEYING. THE DOCUMENTS UTILIZED MAY OR MAY NOT REPRESENT ALL THE TITLE DOCUMENTS RELEVANT TO THE SUBJECT PROPERTY. IT IS STRONGLY SUGGESTED THAT A COMPLETE TITLE SEARCH BE SUPPLIED TO THE SURVEYOR FOR REVIEW PRIOR TO THE PLACEMENT OF OR ALTERATION TO IMPROVEMENTS ON THE PROPERTY.
2. THIS SURVEY IS SUBJECT TO ANY EASEMENTS OF RECORD AND ANY OTHER PERTINENT FACTS THAT A COMPLETE TITLE SEARCH MIGHT DISCLOSE.
3. THIS SURVEY REPRESENTS FIELD CONDITIONS AS OF MARCH 28, 2019.
4. THE UTILITIES SHOWN HAVE BEEN LOCATED FROM EVIDENCE OBSERVED ON THE SURFACE ONLY OR HAVE BEEN SHOWN GRAPHICALLY PER SUPPLIED MATERIALS. DPK LAND SURVEYING MAKES NO GUARANTEES THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. DPK LAND SURVEYING FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. DPK LAND SURVEYING HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
5. PREMISES ARE COMMONLY KNOWN AS 2002-2024 CROPSY AVENUE, BROOKLYN, NEW YORK.
6. ALSO KNOWN AS LOT 1 IN BLOCK 6467 AS SHOWN ON THE OFFICIAL TAX MAPS OF THE BOROUGH OF BROOKLYN, KINGS COUNTY, NEW YORK.
7. PROPERTY CORNERS WERE NOT SET AS PART OF THIS SURVEY.

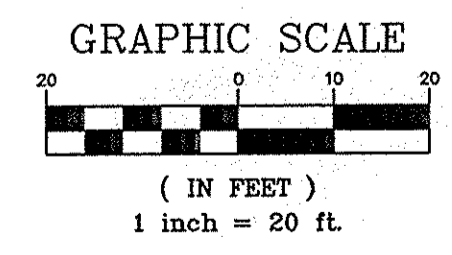
**MAP REFERENCES:**

1. DIAGRAM (NOT A SURVEY) PREPARED BY BARTLETT, LUDLAM & DILL ASSOCIATES DATED AUGUST 1, 1962.
2. SECTION MAP SHEET 92 PROVIDED BY THE TOPOGRAPHICAL BUREAU OF THE BROOKLYN PRESIDENT'S OFFICE.

20TH AVENUE  
(60' WIDE R.O.W. PER TAX MAP)



BAY 25TH STREET  
(60' WIDE R.O.W. PER TAX MAP)



UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

<b>BOUNDARY SURVEY</b> TAX LOT 1 BLOCK 6467 2002-2024 CROPSY AVENUE BOROUGH OF BROOKLYN KINGS COUNTY NEW YORK	DRAWN BY: MTR CHK'D BY: JAS	SCALE: 1" = 20' DATE: 04/04/2019	19-8383LS01 1
	PROJECT NUMBER: 19-8383	SHEET 1	REV. 1

**DPK LAND SURVEYING**

220 OLD NEW BRUNSWICK ROAD, SUITE 201, PRISCATOWN, NJ 08854  
 NEW YORK STATE LICENSE OF AUTHORIZATION NO. 0012385

JONATHAN A. HEISER Professional Land Surveyor N.J. Lic. 24GS043314 JHEISER@DPKCONSULTING.NET	JAMES J. HEISER Professional Land Surveyor N.J. Lic. 24GS0433100 JHEISER@DPKCONSULTING.NET
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04/22/2019 ADDED DESCRIPTIONS TO FACE OF SURVEY	JAS BY CHKD
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**NOTICE OF CERTIFICATE OF COMPLETION**  
**Brownfield Cleanup Program**  
**6 NYCRR Part 375-1.9(d)**

**2002-2024 Cropsey Avenue Site, Site ID No. C224169**  
**2002-2024 Cropsey Avenue, Brooklyn, NY 11224**  
**Brooklyn, Kings County, Tax Map Identification Number: 6467-1**

**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 2002 Cropsey Associates LLC for a parcel approximately 0.487 acres located at 2002-2024 Cropsey Avenue in Brooklyn, Kings 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 Kings County as 2021000427862.

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

**2002-2024 Cropsey Avenue Site, C224169**  
**2002-2024 Cropsey Avenue, Brooklyn, NY 11224**

**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 office located at 47-40 21st Street, Long Island City, New York, 11101, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C224169/>.

**WHEREFORE**, the undersigned has signed this Notice of Certificate

2002 Cropsey Associates 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:**

Peter Neglia  
2002 Cropsey Associates LLC  
c/o Apartment Management Associates LLC  
626 Sheepshead Bay Road, Suite 620  
Brooklyn, NY 11224



**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
**Site Management Form**  
 2/1/2023



**SITE DESCRIPTION**

**SITE NO.**        **C224169**

**SITE NAME** **2002-2024 Cropsey Avenue Site**

**SITE ADDRESS:** 2002- 2024 Cropsey Avenue        **ZIP CODE:** 11214

**CITY/TOWN:**    Brooklyn

**COUNTY:**      Kings

**ALLOWABLE USE:** Commercial and Industrial

**SITE MANAGEMENT DESCRIPTION**

**SITE MANAGEMENT PLAN INCLUDES:**                      YES     NO

IC/EC Certification Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Monitoring Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Operation and Maintenance (O&M) Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Periodic Review Frequency: once a year

Periodic Review Report Submitted Date:    07/31/2024

**Description of Institutional Control**

**2002 Cropsey Associates LLC**

c/o Apartment Management Associates LLC 626 Sheepshead Bay R

**2002-2024 Cropsey Avenue**

Environmental Easement

Block: 6467

Lot: 1

Sublot:

Section:

Subsection:

S\_B\_L Image: 6467-1

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

**Description of Engineering Control**

**2002 Cropsey Associates LLC**

c/o Apartment Management Associates LLC 626 Sheepshead Bay R

**2002-2024 Cropsey Avenue**

Environmental Easement

Block: 6467

Lot: 1

Sublot:

Section:

Subsection:

S\_B\_L Image: 6467-1

Cover System

Monitoring Wells

Vapor Mitigation