

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 30, 2021

Robert Rosenthal
Driggs Partners LLC
2329 Nostrand Avenue, Suite 500
Brooklyn, NY 11210

Michael Kohn
187 North 8 Street Owner LLC
266 Broadway, Suite 501
Brooklyn, NY 11211

Re: Certificate of Completion
Former Sterling Transformer Corp. Site,
Brooklyn, NY, Kings County,
Site No. C224203

Dear Messrs. Rosenthal and Kohn:

Congratulations on having satisfactorily completed the remedial program at the Former Sterling Transformer Corp. 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:

Joseph Jones, Remedial Bureau A
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;

If you have any questions regarding any of these items, please contact Joseph Jones at 518-402-9621.

Sincerely,

Susan Edwards

Susan Edwards, P.E.
Acting Director
Division of Environmental Remediation

Enclosure

ec w/ enclosure:

C. Vooris – NYSDOH, Christine.Vooris@health.ny.gov
Scarlett McLaughlin-NYSDOH
Steven Berninger
Matt Gokey, matthew.gokey@tax.ny.gov
Paul Takac, paul.takac@tax.ny.gov
R. Rosenthal, robert@hampshireprop.com
M. Kohn, ceo@goalliancecapital.com
Linda Shaw, lshaw@nyenvlaw.com

ec w/o enc.:

J. Jones
R. Corcoran
R. X. Mustico
J. O'Connell
J. Andaloro
K. Lewandowski

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

Driggs Partners LLC
187 North 8 Street Owner LLC

Address

2329 Nostrand Avenue, Suite 500, Brooklyn, NY 11210
266 Broadway, Suite 501, Brooklyn, NY 11211

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 3/6/15 **Agreement Execution:** 6/1/15
Agreement Index No.: C224203-03-15

Application Approval Amendment: 5/7/19

Agreement Execution Amendment: 5/7/19

Application Approval Amendment: N/A

Agreement Execution Amendment: 5/28/20

Application Approval Amendment: 12/27/21

Agreement Execution Amendment: 12/27/21

SITE INFORMATION:

Site No.: C224203 **Site Name:** Former Sterling Transformer Corp.

Site Owner: Driggs Partners LLC

Street Address: 510 DRIGGS AVENUE (a/k/a 185-187 North 8th Street)

Municipality: BROOKLYN **County:** Kings **DEC Region:** 2

Site Size: 0.400 Acres

Tax Map Identification Number(s): 2312-23 (part of)

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: Unrestricted, Residential, Restricted-Residential, Commercial, and Industrial
Cleanup Track: Track 1: Unrestricted use

Tax Credit Provisions:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 50 %.
Tangible Property Credit at the time of this COC issuance is 0%.

The Environmental Easement for the Site granted pursuant to ECL Article 71, Title 36 on December 11, 2020 is no longer required as there are no use restrictions and there is no reliance on the long-term employment of institutional controls.

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.

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: Susan Edwards Date: 12/30/2021

Susan Edwards, P.E., Acting Director
Division of Environmental Remediation

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

Former Sterling Transformer Corp., Site ID No. C224203
510 Driggs Avenue, Brooklyn, New York, 11211
New York City, Kings County, Tax Map Identification Number *2312-23 (part of)*

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 187 North 8 Street Owner LLC and Driggs Partners LLC for a parcel approximately 0.4 acres located at 510 Driggs Avenue (a/k/a 185-187 North 8th Street) in the city of New York, Kings County, Tax Map Identification Number 2312-23 (part of).

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.

PLEASE TAKE NOTICE, provided that the Certificate is 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.

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, 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.

Former Sterling Transformer Corp., (Site #C224203), 510 Driggs Avenue, Brooklyn NY

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 located at 1 Hunter's Point Plaza, 47-40 21st Street, Long Island City, NY 11101-5401, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C224203>.

WHEREFORE, the undersigned has signed this Notice of Certificate

Driggs Partners 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:
187 North 8 Street Owner LLC
Michael Kohn
266 Broadway, Suite 501
Brooklyn, NY 11211

Exhibit A
Site Description

BROOKLYN TAX BLOCK: 2312 PORTION OF LOT: 23

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

BEGINNING at the corner formed by the intersection of the northerly side of North Eighth Street and the westerly side of Driggs Avenue;

RUNNING thence westerly along the northerly side of North Eighth Street, 100.00 feet to a point;

THENCE northerly, parallel with Driggs Avenue, 175 feet to a point;

THENCE easterly parallel with North Eighth Avenue, 100 feet to the westerly side of Driggs Avenue;












THENCE southerly along the westerly side of Driggs Avenue, 175 feet to the point or place of beginning.

Area= 0.40 Acres

Exhibit B

Site Survey

LEGEND

- Tree & Caliper 
- Fire Hydrant 
- Light Pole 
- Traffic Signal 
- Traffic Sign 
- Pedestrian Ramp 
- Point of Beginning 
- Metal Fence 
- Construction Fence 
- Concrete or Stone Curb 
- Drop Curb 

BROOKLYN TAX BLOCK: 2312 PORTION OF LOT: 23

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

BEGINNING at the corner formed by the intersection of the northerly side of North Eighth Street and the westerly side of Driggs Avenue;

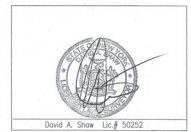
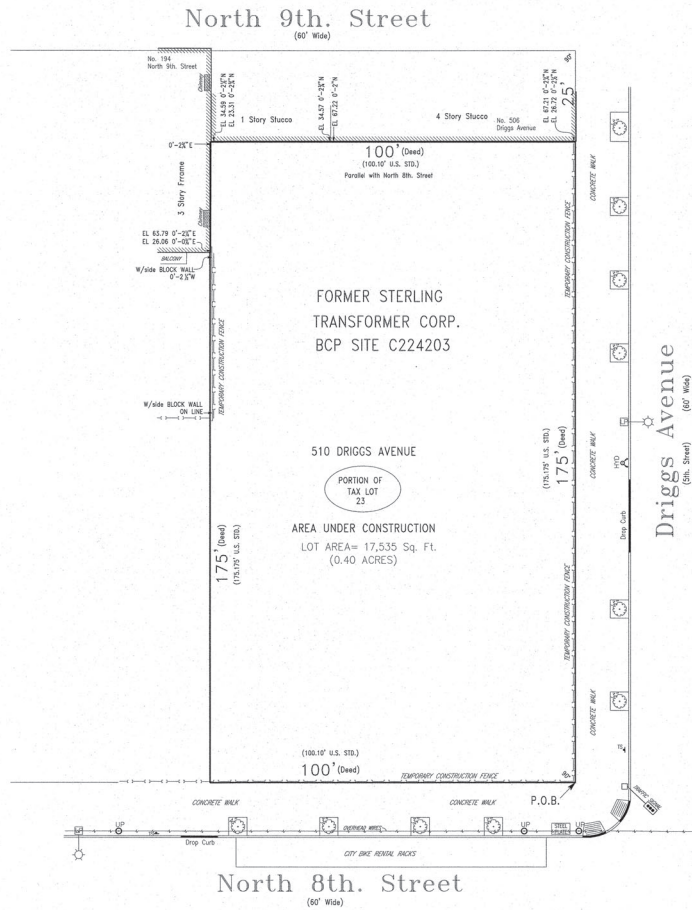
RUNNING thence westerly along the northerly side of North Eighth Street, 100.00 feet to a point;

THENCE northerly, parallel with Driggs Avenue, 175 feet to a point;

THENCE easterly parallel with North Eighth Avenue, 100 feet to the westerly side of Driggs Avenue;

THENCE southerly along the westerly side of Driggs Avenue, 175 feet to the point or place of beginning.

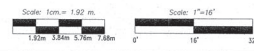
Area= 0.40 Acres



ERLANDSEN-CROWELL & SHAW
 FOUNDED IN 1852 BY E.W. CONKLIN
 Civil Engineers & City Surveyors
 241 JERICHO TPKE NEW HYDE PARK, NY 11040 516-326-4353
 718-526-0339

AUGUST 9, 2019

ADDRESS: 510 DRIGGS AVENUE, BROOKLYN NY
 TAX BLOCK 2312, LOT 23
 BOROUGH OF BROOKLYN, CITY OF NEW YORK



69724
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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
12/29/2021



SITE DESCRIPTION

SITE NO. C224203

SITE NAME Former Sterling Transformer Corp.

SITE ADDRESS: 510 DRIGGS AVENUE ZIP CODE: 11211

CITY/TOWN: Brooklyn

COUNTY: Kings

ALLOWABLE USE: Unrestricted, Residential, 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:

Periodic Review Report Submitted Date:

Description of Institutional Control

Description of Engineering Control