

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 2, 2022

Seth Landau
34 Berry Street LLC
c/o LCOR Incorporated
850 Cassatt Road, Suite 300
Berwyn, PA 19312

Re: Certificate of Completion
34 Berry Street
Brooklyn, Kings County
Site No. C224268

Dear Seth Landau:

Congratulations on having satisfactorily completed the remedial program at the 34 Berry Street 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:

Shaun Bollers
New York State Department of Environmental Conservation



Division of Environmental Remediation, Region 2
47-40 21st 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 April 2024.

If you have any questions regarding any of these items, please contact Shaun Bollers at (718) 482-4096.

Sincerely,



Andrew Guglielmi
Director, Division of Environmental Remediation

Enclosure

J. Venuto (jvenuto@lcor.com) - LCOR
L. Schnapf (larry@schnapflaw.com) – Schnapf LLC
C. Vooris (christine.vooris@health.ny.gov) - NYSDOH
S. McLaughlin (scarlett.mclaughlin@health.ny.gov) - NYSDOH
W. Kuehner (wendy.kuehner@health.ny.gov) - NYSDOH
S. Berninger (steve.berninger@health.ny.gov) - NYSDOH
R. Kinal (rkinal@akrf.com) – AKRF
M. Godick (mgodick@akrf.com) – AKRF
B. Zieroff (bzieroff@akrf.com) – AKRF
M. Jepsen (mjepsen@akrf.com) – AKRF
M. Gokey (matthew.gokey@tax.ny.gov) – NYS DTF

ec w/o enc.:

J. Andaloro, G. Burke, J. O'Connell, C. Maycock, K. Lewandowski, J. Simpson,
S. Bollers, A. Levine - NYSDEC

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

34 Berry Street LLC

Address

c/o LCOR Incorporated 850 Cassatt Road, Suite 300, Berwyn, PA 19312

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 2/28/18

Agreement Execution: 3/20/18

Agreement Index No.: C224268-01-18

Application Approval Amendment: none

Agreement Execution Amendment: none

SITE INFORMATION:

Site No.: C224268 **Site Name:** 34 Berry Street

Site Owner: 34 Berry Street LLC

Street Address: 34 Berry Street

Municipality: Brooklyn

County: Kings

DEC Region: 2

Site Size: 0.825 Acres

Tax Map Identification Number(s): 2289-14

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 of the City Register of the City of New York as 2022000383788.

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: 12/2/2022

Andrew O. Guglielmi, Director
Division of Environmental Remediation

Exhibit A – Metes and Bounds

Title No.: 07NYK11029
Policy No.: C30-0045679

**SCHEDULE A
DESCRIPTION**

ALL that certain plot, piece or parcel of land situate, lying and being in the County of Kings, City and State of New York, described as follows:

BEGINNING at a corner formed by the northwesterly side of Berry Street with the southwesterly side of North 12th Street;

RUNNING THENCE northwesterly along the westerly side of North 12th Street 225 feet;

THENCE southwesterly parallel with Berry Street, 200 feet to the northeasterly side of North 11th Street;

THENCE southeasterly along the southwesterly side of North 11th Street 95 feet to the center of a party wall;

THENCE northeasterly parallel with Berry Street and through the center of a party wall, 58 feet 5-1/4 inches;

THENCE southeasterly parallel with North 11th Street, 63 feet 8-1/2 inches;

THENCE northeasterly parallel with Berry Street, 22 feet 1/2 inch;

THENCE southeasterly parallel with North 11th Street, 66 feet 3-1/2 inches to the northwesterly side of Berry Street;

THENCE northeasterly along the northwesterly side of Berry Street approximately 119 feet 9 inches to the point or place of BEGINNING.

END OF SCHEDULE A

OK.

Exhibit B – Site Survey

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

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

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 the Easement are set forth in more detail 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 may be obtained from the New York State Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233 or at derweb@dec.ny.gov.

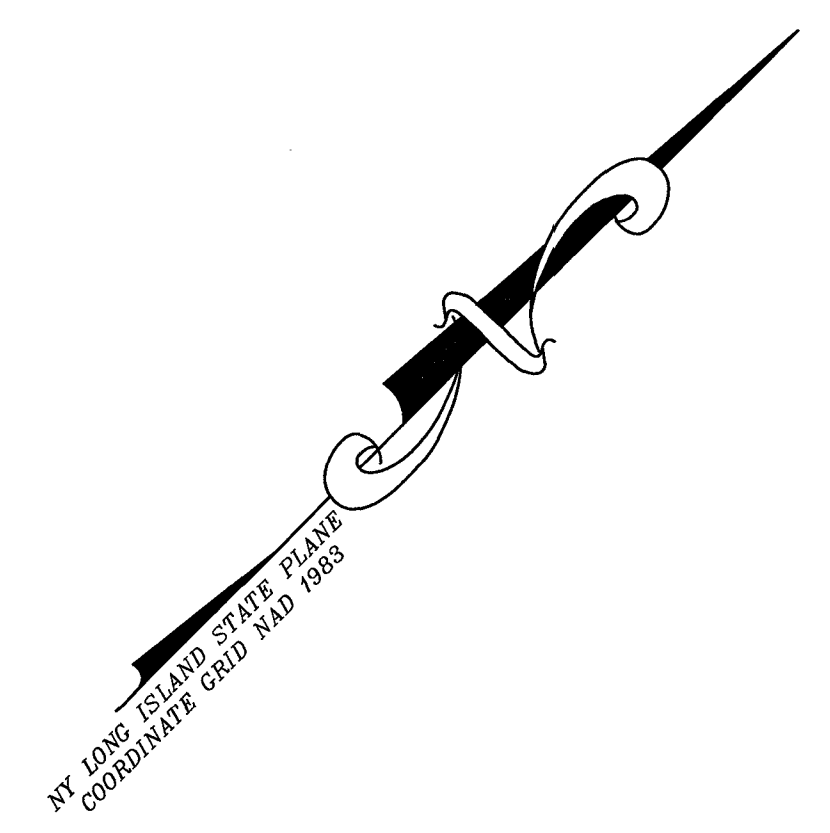
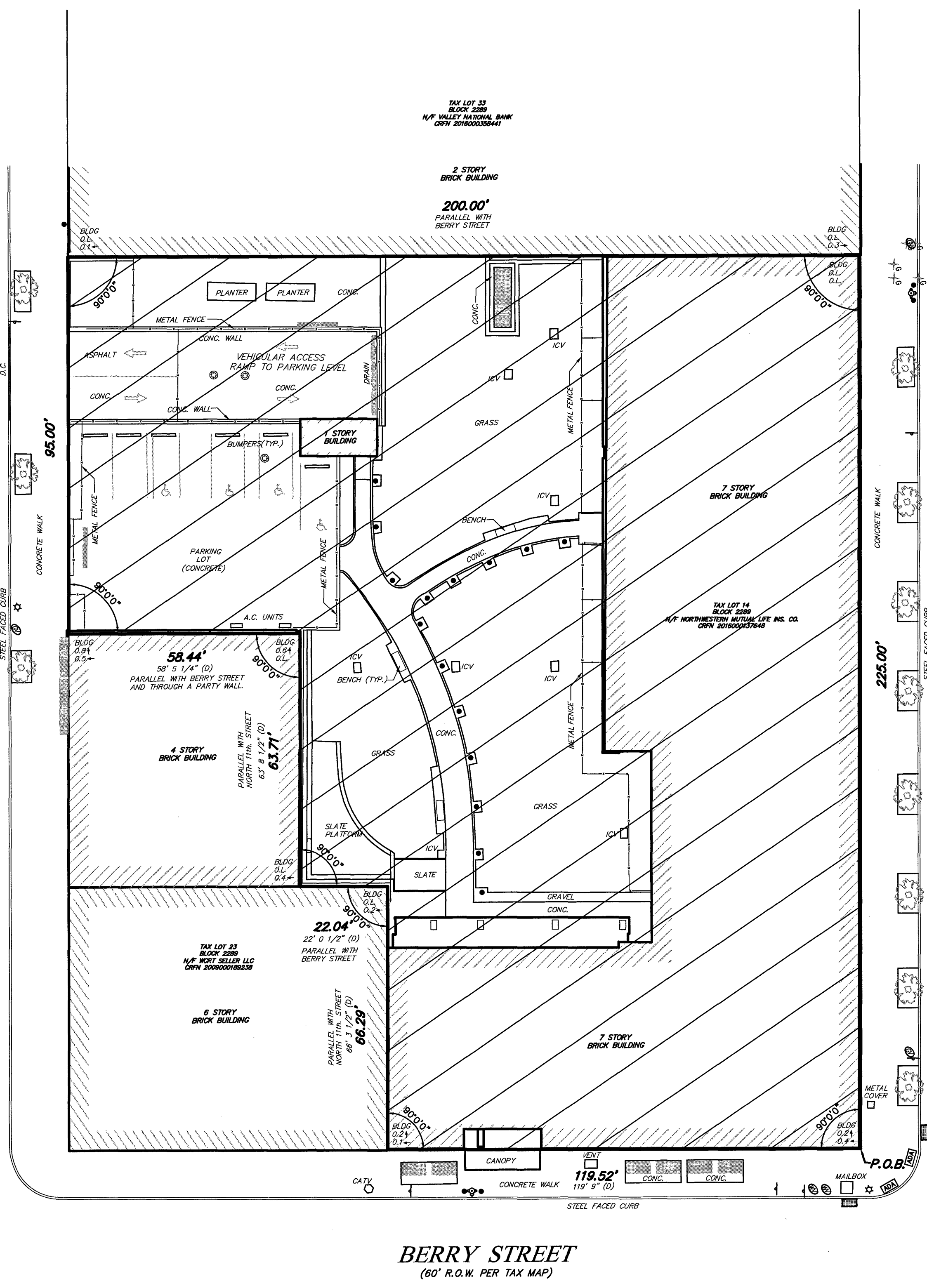


Environmental Easement Area Access
The DEC or their agent may access the easement area as shown hereon through any existing street access or building ingress/egress access point.

- MAP REFERENCES:**
- SHEET 3 OF BOROUGH OF BROOKLYN ALTERATION MAPS ISSUED BY THE OFFICE OF THE BROOKLYN BOROUGH PRESIDENT.
 - TAX MAPS PREPARED FOR THE BOROUGH OF BROOKLYN.

- GENERAL NOTES:**
- THIS SURVEY IS PREPARED IN ACCORDANCE WITH DOCUMENTS SUPPLIED BY THE CLIENT AND THOSE OBTAINED THROUGH SUPPLEMENTAL RESEARCH BY DPK. 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.
 - THIS SURVEY IS SUBJECT TO ANY EASEMENTS OF RECORD AND ANY OTHER PERTINENT FACTS THAT A COMPLETE TITLE SEARCH MIGHT DISCLOSE.
 - THIS SURVEY REPRESENTS FIELD CONDITIONS AS OF NOVEMBER 15, 2021.
 - 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.
 - PREMISES ARE COMMONLY KNOWN AS 34 BERRY STREET, BROOKLYN, NEW YORK.
 - ALSO KNOWN AS LOT 14 IN SECTION 8, BLOCK 2289 AS SHOWN ON THE OFFICIAL TAX MAPS OF THE BOROUGH OF BROOKLYN, CITY OF NEW YORK.
 - THE PROJECT VERTICAL DATUM IS BASED UPON NAVD 88 DERIVED USING RTK RECEIVERS AND KEYNET.
 - IF THIS DOCUMENT DOES NOT CONTAIN A RAISED SEAL OF THE UNDERSIGNED PROFESSIONAL, IT IS NOT AN AUTHORIZED ORIGINAL DOCUMENT.

NORTH 11th. STREET
(60' R.O.W. PER TAX MAP)



RECORD DESCRIPTION

BLOCK 2289 LOT 14:
ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, 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 NORTHWESTERLY SIDE OF BERRY STREET WITH THE SOUTHWESTERLY SIDE OF NORTH 12th. STREET;
RUNNING THENCE NORTHWESTERLY ALONG THE WESTERLY SIDE OF NORTH 12th. STREET 225 FEET;
THENCE SOUTHWESTERLY PARALLEL WITH BERRY STREET, 200 FEET TO THE NORTHEASTERLY SIDE OF NORTH 11th. STREET, 95 FEET;
THENCE NORTHEASTERLY PARALLEL WITH BERRY STREET 58 FEET 5-1/4 INCHES;
THENCE SOUTHEASTERLY PARALLEL WITH NORTH 11th. STREET, 63 FEET 8-1/2 INCHES;
THENCE NORTHEASTERLY PARALLEL WITH BERRY STREET, 22 FEET 1/4 INCH;
THENCE SOUTHEASTERLY PARALLEL WITH NORTH 11th. STREET, 66 FEET 3-1/2 INCHES TO THE NORTHWESTERLY SIDE OF BERRY STREET;
THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY SIDE OF BERRY STREET APPROXIMATELY 119 FEET 9 INCHES TO THE POINT OR PLACE OF BEGINNING.

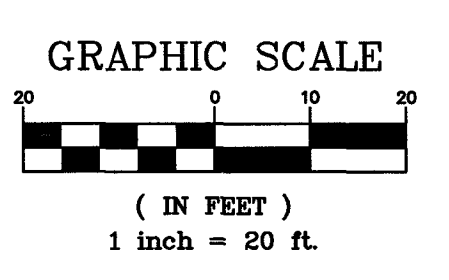
ENVIRONMENTAL EASEMENT DESCRIPTION

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 NORTHWESTERLY SIDE OF BERRY STREET (60' WIDE PER TAX MAP) WITH THE SOUTHWESTERLY SIDE OF NORTH 12th. STREET (60' WIDE PER TAX MAP);
1. RUNNING THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY SIDE OF NORTH 12th. STREET 225.00 FEET TO A POINT;
2. THENCE SOUTHWESTERLY, PARALLEL WITH BERRY STREET AND FORMING AN INTERIOR ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS WITH THE PREVIOUS COURSE, 200.00 FEET TO A POINT ON THE NORTHEASTERLY SIDE OF NORTH 11th. STREET;
3. THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY SIDE OF NORTH 11th. STREET AND FORMING AN INTERIOR ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS WITH THE PREVIOUS COURSE, 95.00 FEET TO A POINT;
4. THENCE NORTHEASTERLY PARALLEL WITH BERRY STREET AND FORMING AN INTERIOR ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS WITH THE PREVIOUS COURSE 58.44 FEET TO A POINT;
5. THENCE SOUTHEASTERLY PARALLEL WITH NORTH 11th. STREET AND FORMING AN INTERIOR ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS WITH THE PREVIOUS COURSE 63.71 FEET TO A POINT;
6. THENCE NORTHEASTERLY PARALLEL WITH BERRY STREET AND FORMING AN INTERIOR ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS WITH THE PREVIOUS COURSE 22.04 FEET TO A POINT;
7. THENCE SOUTHEASTERLY PARALLEL WITH NORTH 11th. STREET AND FORMING AN INTERIOR ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS WITH THE PREVIOUS COURSE 66.29 FEET TO A POINT ON SAID NORTHWESTERLY SIDE OF BERRY STREET;
8. THENCE ALONG SAID NORTHWESTERLY SIDE OF BERRY STREET AND FORMING AN INTERIOR ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS WITH THE PREVIOUS COURSE 119.82 FEET TO THE POINT OR PLACE OF BEGINNING.
THE ABOVE DESCRIBED EASEMENT HAS AN AREA CONTAINING 35,942 SQUARE FEET OR 0.8251 ACRES OF LAND.

BOUNDARY SURVEY
TAX LOT 14
SECTION 8 BLOCK 2289
34 BERRY STREET
BOROUGH OF BROOKLYN
COUNTY OF KINGS
CITY AND STATE OF NEW YORK

REV.	DATE	DESCRIPTION	R.B.	J.J.H.	J.M.	BY	CHKD
1.	12-29-2021	REMOVED SHEET 2					
2.	05-26-2022	ENVIRONMENTAL EASEMENT SHOWN					

DPK LAND SURVEYING
JAMES J. HESTON
Professional Engineer
No. 246504331100
New York State
11/22/2021



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.

DRAWING FILE:	16-7469TP00
PROJECT NUMBER:	16-7469
SHEET	1
REV.	2

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

34 Berry Street, Site ID No. C224268
34 Berry Street, Brooklyn, NY 11249
Brooklyn, Kings County, Tax Map Identification Number: Block 2289, Lot 14

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 34 Berry Street LLC for a parcel approximately 0.825 acres located at 34 Berry Street, 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, 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 of the City Register of the City of New York as 2022000383788.

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.

34 Berry Street, C224268
34 Berry Street, Brooklyn, NY 11249

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 11101, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C224268/>.

WHEREFORE, the undersigned has signed this Notice of Certificate

34 Berry Street 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:
34 Berry Street LLC
c/o LCOR Incorporated
850 Cassatt Road, Suite 300
Berwyn, PA 19312



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
 10/25/2022



SITE DESCRIPTION

SITE NO. **C224268**

SITE NAME 34 Berry Street

SITE ADDRESS: 34 Berry Street ZIP CODE: 11249

CITY/TOWN: Brooklyn

COUNTY: Kings

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: 04/30/2024

Description of Institutional Control

34 Berry Street LLC

850 Cassatt Road, Suite 300

34 Berry Street

Environmental Easement

Block: 2289

Lot: 14

Sublot:

Section:

Subsection:

S_B_L Image: 2289-14

Ground Water Use Restriction

IC/EC Plan

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

Description of Engineering Control

34 Berry Street LLC

850 Cassatt Road, Suite 300

34 Berry Street

Environmental Easement

Block: 2289

Lot: 14

Sublot:

Section:

Subsection:

S_B_L Image: 2289-14

Cover System

Groundwater Treatment System

Monitoring Wells