

ATTACHMENT F

SECTION VII: REQUESTOR ELIGIBILITY INFORMATION

Volunteer Status

Pursuant to ECL § 27-1405(1), Sutter Crossing Apartments, L.P. is properly designated as a Volunteer. There is no indication of any contribution to or exacerbation of site conditions during the time of Requestors ownership or involvement with the site.

The Requestor, Sutter Crossing Apartments, L.P. is a limited partnership company whose members include: Sutter Crossing Apartments Developers, LLC, Omni New York LLC, 333 Meadow LLC, and Aspire Properties LLC. The Requestor has taken appropriate care with respect to current conditions (there is no indication of continuing discharges), to prevent any threatened future release, and to prevent or limit human, environmental or natural resource exposures to any previously released contamination. As such, the Requestor qualifies as a Volunteer in the Brownfield Cleanup Program.

Proof of Site Access

The current site owner is listed on the Department of Finance records as Remeeder Houses Housing Development Fund Company, Inc. (c/o Omni New York LLC). The Requestor and site owner (Remeeder Houses Housing Development Fund Company, Inc.) are affiliated entities of Omni New York LLC whom ultimately controls the site. However, Requestor access to the proposed BCP site for investigation and remediation has been further demonstrated through an access agreement with the site owner entity. A copy of the access agreement is appended to this attachment.

Remeeder Houses Housing Developemt Fund Company, Inc.

June 9, 2021

Sutter Crossing Apartments L.P.
909 Third Avenue 21st Floor
New York, New York 10022
Attn: Ken Spillberg

Re: Sutter Crossing Brownfield Cleanup Program

Dear Mr. Spillberg:

This letter confirms that Sutter Crossing Apartments LP will have access to the proposed Brownfield Cleanup Program site (Buildings 1 and 2) on Brooklyn Tax Block 3770 Lot 22 to implement investigation(s) and remedial action required by the New York State Department of Environmental Conservation (NYSDEC) pursuant to the BCP and to comply with obligations of the Brownfield Cleanup Agreement (BCA).

Sincerely,

Remeeder Houses Housing Development Fund
Company, Inc.

Signature:  _____

Name: Eugene Schneur

Title: President

Date: 6/9/2021