

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

October 6, 2020

125 MEC Center LLC
Jennifer Ambroseccchia & Michael Berfield
c/o The Richman Group Development Corporation
777 West Putnam Avenue
Greenwich, CT 06830

East Harlem MEC Parcel B West LLC
Matthew Iacopetta
c/o The Richman Group Development Corporation
777 West Putnam Avenue
Greenwich, CT 06830

Parcel B West LIHTC LLC
Matthew Iacopetta
c/o The Richman Group Development Corporation
777 West Putnam Avenue
Greenwich, CT 06830

Parcel B West Moderate Income LLC
Matthew Iacopetta
c/o The Richman Group Development Corporation
777 West Putnam Avenue
Greenwich, CT 06830

Re: Certificate of Completion
Site Name: Parcel B West
Site No. C231108
New York County

Dear Ms. Ambroseccchia and Messrs. Iacopetta and Berfield:

Congratulations on having satisfactorily completed the remedial program at the Parcel B West 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:

Nigel Crawford, Bureau B
New York State Department of Environmental Conservation
Division of Environmental Remediation
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.

If you have any questions regarding any of these items, please contact Nigel Crawford at 718-482-7778.

Sincerely,



Michael J. Ryan, P.E.
Director
Division of Environmental Remediation

Enclosure

cc w/ enclosure:

Jennifer Ambrosecchia, ambrosecchiaj@richmancapital.com
Matthew Iacopetta, IacopettaM@richmancapital.com
Michael Berfield, mberfield@bridgesdev.com
C. Vooris – NYSDOH, Christine.Vooris@health.ny.gov
Scarlett McLaughlin, scarlett.mclaughlin@health.ny.gov
Arunesh Ghosh, arunesh.ghosh@health.ny.gov
Matt Gokey, matthew.gokey@tax.ny.gov
Paul Takac, paul.takac@tax.ny.gov

ec w/o enc.:

Nigel Crawford
Jane O'Connell
Gerard Burke
James Simpson
Jennifer Andaloro
Kelly Lewandowski

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name	Address
125 MEC Center LLC	777 West Putnam Avenue, Greenwich, CT 06830
East Harlem MEC Parcel B West LLC	777 West Putnam Avenue, Greenwich, CT 06830
Parcel B West LIHTC LLC	777 West Putnam Avenue, Greenwich, CT 06830
Parcel B West Moderate Income LLC	777 West Putnam Avenue, Greenwich, CT 06830

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 2/21/18 **Agreement Execution:** 3/14/18
Agreement Index No.: C231108-02-18

Application Approval Amendment: 4/11/19 **Agreement Execution Amendment:** 4/11/19

Application Approval Amendment: 7/22/20 **Agreement Execution Amendment:** 7/22/20

SITE INFORMATION:

Site No.: C231108 **Site Name:** Parcel B West

Site Owner: East Harlem MEC Parcel B-West Housing Development Fund Corp.
East Harlem MEC Parcel B West LLC

Street Address: 201 East 125th Street

Municipality: New York **County:** New York **DEC Region:** 2

Site Size: 1.040 Acres

Tax Map Identification Number(s): 1790-1

Percentage of site located in an EnZone: 100 %

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 %.

Eligibility for Tangible Property Credit is available through: EnZone.

Tangible Property Credit Component Rate is 20%. Comprised of 10% Base, 5 % EnZone, 5% Track 1

Dependent upon the project being developed in a manner consistent with the approved Brownfield Cleanup Program application, additional rate increases may be available if the site is developed as affordable housing (5%), if the Certificate Holder receives a separate Determination of Conformance with the BOA from the Secretary of State (5%), or if the site is used primarily for manufacturing activities (5%) not to exceed a maximum 24 %.

No Environmental Easement has been granted pursuant to ECL Article 71, Title 36 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:  Date: 10/6/20

Michael J. Ryan, P.E., Director
Division of Environmental Remediation

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

Parcel B West, Site ID No. C231108
201 East 125 Street, New York, NY 10035
New York City, New York County, Tax Map Identification Number(s) Block 1790, Lot 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 125 MEC Center LLC, East Harlem MEC Parcel B West LLC, Parcel B West LIHTC LLC, Parcel B West Moderate Income LLC for a parcel approximately 1.04 acres located at 201 East 125th Street, New York, NY 10035 in the City of New York, New York 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.

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.

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.

Parcel B West, C231108, 201 East 125th Street, New York, NY 10035

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, NY 11101, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C231108/>.

WHEREFORE, the undersigned has signed this Notice of Certificate

East Harlem MEC Parcel B-West Housing Development
Fund Corp.

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

East Harlem MEC Parcel B West 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:

125 MEC Center LLC
Parcel B West LIHTC LLC
Parcel B West Moderate Income LLC
East Harlem MEC Parcel B West LLC
c/o The Richman Group Development Corp.
777 West Putnam Avenue
Greenwich, CT 06830

4/20/2020

Exhibit A

Site Description

PARCEL 1 (Borough of Manhattan, Block 1790, Lot 1)

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

BEGINNING at the corner formed by the intersection of the easterly side of 3rd Avenue and the northerly side of East 125th Street;

RUNNING thence northerly along the said easterly side of 3rd Avenue, 199 feet 10 inches to the southerly side of East 126th Street;

THENCE easterly along the said southerly side of East 126th Street, 228 feet to a point;

THENCE southerly parallel with the easterly side of 3rd Avenue, 199 feet 10 inches to the northerly side of East 125th Street;

THENCE westerly along the northerly side of East 125th Street, 228 feet to the point or place of BEGINNING.

Exhibit B

Site Survey

EXCAVATION DEPTH SKETCH BLOCK 1790, LOT 1

PARCEL 1 (Block 1790, Lot 1)

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

BEGINNING at the corner formed by the intersection of the easterly side of 3rd Avenue and the northerly side of East 125th Street;

RUNNING thence northerly along the said easterly side of 3rd Avenue, 199 feet 10 inches to the southerly side of East 126th Street;

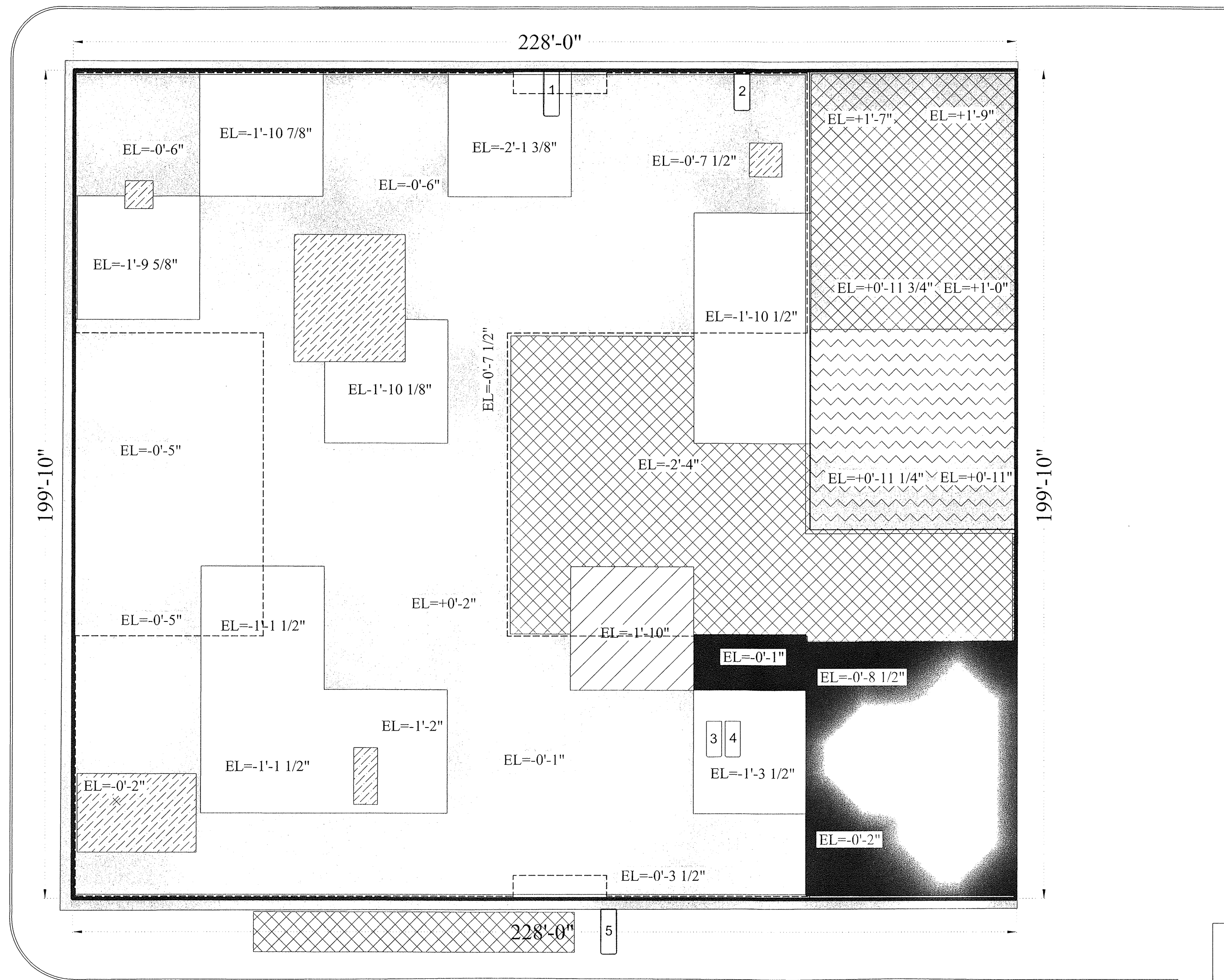
THENCE easterly along the said southerly side of East 126th Street, 228 feet to a point;

THENCE southerly parallel with the easterly side of 3rd Avenue, 199 feet 10 inches to the northerly side of East 125th Street;

THENCE westerly along the northerly side of East 125th Street, 228 feet to the point or place of BEGINNING.

3RD AVENUE

EAST 126TH STREET



EAST 125TH STREET

REVISED: SEPTEMBER 1, 2020: LEGAL DESCRIPTION

SCALE: 1" = 20'

SURVEYED: JUNE 5, 2019

SURVEY OF PROPERTY SITUATED IN:
2317 3RD AVENUE
BOROUGH OF MANHATTAN
COUNTY OF NEW YORK
CITY OF NEW YORK
STATE OF NEW YORK

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS
A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE
EDUCATION LAW.
COPIES OF THIS SURVEY MAP NOT BEARING THE LAND
SURVEYOR'S INKED SEAL OR EMBOSSED SEAL SHALL NOT BE
CONSIDERED TO BE A VALID TRUE COPY.
GUARANTEES INDICATED HEREON SHALL RUN ONLY TO THE
PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON THIS
BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY
AND LENDING INSTITUTION LISTED HEREON, AND TO THE
ASSIGNEES OF THE LENDING INSTITUTION. GUARANTEES ARE
NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR
SUBSEQUENT OWNERS.

FEHRINGER SURVEYING, P.C.
ROBERT FEHRINGER
LICENSED LAND SURVEYOR
WWW.FEHRINGERSURVEYING.COM
2200 JACKSON AVENUE
SEAFORD, N.Y. 11783
(516) 763 - 5515 FAX NO. (516) 763 - 5525
FS@FEHRINGERSURVEYING.COM

DRAWN BY: MF



NOTE: ELEVATIONS ARE IN NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)

BASE MAP: SITE EXCAVATION AND UST LOCATION MAP BY LANGAN ENGINEERING DATED
NOVEMBER 6, 2019