

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 23, 2022

Donald Capoccia
475 Bay Street LLC
BFC 475 Residential LLC
475 Bay Street Retail Owner LLC
150 Myrtle Avenue, Suite 2
Brooklyn, NY 11201
dac@bfcnyc.com

Alexa Sewell
475 Bay Street Housing Development
Fund Corporation
247 West 37th, 4th Floor
New York, NY 10018
asewell@shfinc.org

Re: Certificate of Completion
475 Bay Street and 31 Wave Street
Brooklyn, Kings County
C243044

Dear Donald Capoccia and Alexa Sewell:

Congratulations on having satisfactorily completed the remedial program at the 475 Bay Street and 31 Wave 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:
Meghan Medwid
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;
- 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, please do not hesitate to contact Meghan Medwid, the Department's project manager, at (518) 402-8610.

Sincerely,

Andrew Guglielmi

Andrew Guglielmi
Division Director
Division of Environmental Remediation

Enclosure

ec w/ enclosure:

Christine Vooris – NYSDOH, christine.vooris@health.ny.gov
Scarlett McLaughlin, scarlett.mclaughlin@health.ny.gov
Steven Berninger, steven.berninger@health.ny.gov
Matt Gokey, matthew.gokey@tax.ny.gov
Paul Takac, paul.takac@tax.ny.gov
Michael Bogin, mbogin@sprlaw.com

ec w/o enc.:

Gerard Burke, gerard.burke@dec.ny.gov
Jane O'Connell, jane.oconnell@dec.ny.gov
Heidi Dudek, heidi.dudek@dec.ny.gov
Kelly Lewandowski, kelly.lewandowski@dec.ny.gov
Jen Andaloro, jennifer.andaloro@dec.ny.gov
Meghan Medwid, meghan.medwid@dec.ny.gov

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

| Name | Address |
|-------------------------|--|
| 475 Bay Street LLC | 150 Myrtle Avenue, Suite 2, Brooklyn, NY 11201 |
| BFC 475 Residential LLC | 150 Myrtle Avenue, Suite 2, Brooklyn NY 11201 |

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 10/21/20 **Agreement Execution:** 11/12/20
Agreement Index No.: C243044-10-20
Application Amendment Approval: 10/10/22 **Agreement Amendment Execution:** 10/10/22
Application Amendment Approval: 10/16/22 **Agreement Amendment Execution:** 10/16/22

SITE INFORMATION:

Site No.: C243044 **Site Name:** 475 Bay Street and 31 Wave Street
Site Owner: BFC 475 Residential LLC
 475 Bay Street LLC
 475 Bay Street Housing Development Fund Corporation
 475 Bay Street Retail Owner LLC
Street Address: 475 BAY STREET AND 31 WAVE STREET
Municipality: STATEN ISLAND **County:** Richmond **DEC Region:** 2
Site Size: 1.550 Acres
Tax Map Identification Number(s): 488-157, 488-162, 488-164, 488-9
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: Restricted-Residential, Commercial, and Industrial

Cleanup Track: Track 2: Restricted use with generic soil cleanup objectives

Tax Credit Provisions:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 40 %.

Eligibility for Tangible Property Credit is available through: EnZone.

Tangible Property Credit Component Rate is 15%. Comprised of 10% Base, 5 % EnZone.

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 %.

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 Richmond County as Land Document Nos. 909639 and 909636.

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: 12/23/2022

Andrew O. Guglielmi, Director
Division of Environmental Remediation

Exhibit A

Site Description

Legal Description of Environmental Easement Area:
475 Bay Street & 31 Wave Street - C243044

BOROUGH OF STATEN ISLAND, BLOCK: 488, LOTS: 9, 157, 162, 164

ALL that certain plot, piece or parcel of land, situate, lying and being in the borough of Staten Island, County of Richmond, City and State of New York, more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of Bay Street, distant 166.50 feet northerly from the corner formed by the intersection of the easterly side of Bay Street and the northerly side of Wave Street;

RUNNING THENCE north 7 degrees 48 minutes 16 seconds west along the easterly side of Bay Street, 19.09 feet (U.S. standard) 18.94 feet (deed);

THENCE north 12 degrees 46 minutes 12 seconds east still along the easterly side of Bay Street, 160.23 feet (U.S. standard and deed);

THEN south 77 degrees 36 minutes 05 seconds east, 280.06 feet (U.S. standard and deed) to land of the Staten Island Rapid Transit;

THENCE southerly along the westerly side of land of the Staten Island Rapid Transit on a curve to the left with a radius of 1462.69 feet, a distance of 187.46 feet (U.S. standard) 187.40 feet (deed);

RUNNING THENCE south 76 degrees 48 minutes 48 seconds east 16.11 feet to a point;

RUNNING THENCE southerly along a curve to the left having a radius of 1447.69 feet, a central angle of 0 degrees 43 minutes 10 seconds, an arc length of 18.18 feet to a point;

RUNNING THENCE south 05 degrees 12 minutes 24 seconds east 29.41 feet to a point on the northerly side of Wave Street, and running

THENCE along the northerly side of Wave Street, south 82 degrees 14 minutes 57 seconds west 167.54 feet to a point;

THENCE north 07 degrees 48 minutes 16 seconds 112.53 feet to a point;

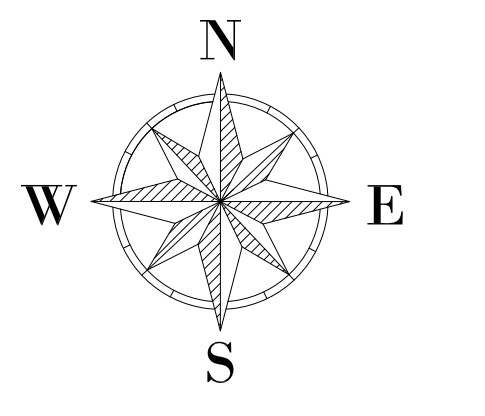
THENCE north 76 degrees 48 minutes 48 seconds west 151.02 feet to the easterly side of Bay Street to the point or place of beginning.

Area of environmental easement = 67,455.3 sq. ft. or 1.55 acres

Exhibit B

Site Survey

ADDRESSES:
475 BAY STREET
31 WAVE STREET
STATEN ISLAND, N.Y.



LEGAL DESCRIPTIONS

PARCEL A (LOT 9 AND WESTERLY PART OF LOT 164, TO BE KNOWN AS LOT 9) (OR TENTATIVE LOT 9)
475 BAY STREET, STATEN ISLAND, N.Y.

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF STATEN ISLAND, COUNTY OF RICHMOND, CITY AND STATE OF NEW YORK, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY SIDE OF BAY STREET, DISTANT 166.50 FEET NORTHERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE EASTERLY SIDE OF BAY STREET AND THE NORTHERLY SIDE OF WAVE STREET;

RUNNING THENCE NORTH 7 DEGREES 48 MINUTES 16 SECONDS WEST ALONG THE EASTERLY SIDE OF BAY STREET, 19.09 FEET (U.S. STANDARD) 18.94 FEET (DEED);

THENCE NORTH 12 DEGREES 46 MINUTES 12 SECONDS EAST STILL ALONG THE EASTERLY SIDE OF BAY STREET, 160.23 FEET (U.S. STANDARD AND DEED);

THENCE SOUTH 77 DEGREES 36 MINUTES 05 SECONDS EAST, 280.06 FEET (U.S. STANDARD AND DEED) TO LAND OF THE STATEN ISLAND RAPID TRANSIT;

THENCE SOUTHERLY ALONG THE WESTERLY SIDE OF LAND OF THE STATEN ISLAND RAPID TRANSIT ON A CURVE TO THE LEFT WITH A RADIUS OF 1462.69 FEET, A DISTANCE OF 187.46 FEET (U.S. STANDARD) 187.40 FEET (DEED);

THENCE NORTH 76 DEGREES 48 MINUTES 48 SECONDS WEST 133.65 FEET TO A POINT PARALLEL TO WAVE STREET;

THENCE SOUTH 07 DEGREES 48 MINUTES 16 SECONDS EAST 101.05 FEET TO A POINT ON THE NORTHERLY SIDE OF WAVE STREET;

THENCE SOUTH 82 DEGREES 14 MINUTES 57 SECONDS WEST 30 FEET ALONG THE NORTHERLY SIDE OF WAVE STREET;

THENCE NORTH 07 DEGREES 48 MINUTES 16 SECONDS 112.53 FEET TO A POINT;

THENCE NORTH 76 DEGREES 48 MINUTES 48 SECONDS WEST 151.02 FEET TO THE EASTERLY SIDE OF BAY STREET TO THE POINT OR PLACE OF BEGINNING.

AREA OF PARCEL A = 57,124.49 SQ.FT. = 1.31 ACRES

PARCEL B (PART OF LOT 164, LOT 162 AND LOT 157) (OR TENTATIVE LOT 157)
31 WAVE STREET, STATEN ISLAND, N.Y.

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF STATEN ISLAND, COUNTY OF RICHMOND, CITY AND STATE OF NEW YORK, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT ON THE NORTHERLY SIDE OF WAVE STREET, DISTANT 171.0 FEET EASTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF WAVE STREET WITH THE EASTERLY SIDE OF BAY STREET;

RUNNING THENCE NORTH 07 DEGREES 48 MINUTES 16 SECONDS WEST 101.05 FEET TO A POINT;

RUNNING THENCE SOUTH 76 DEGREES 48 MINUTES 48 SECONDS EAST 149.76 FEET TO A POINT;

RUNNING THENCE SOUTHERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1447.69 FEET, A CENTRAL ANGLE OF 0 DEGREES 43 MINUTES 10 SECONDS, AN ARC LENGTH OF 18.18 FEET TO A POINT;

RUNNING THENCE SOUTH 05 DEGREES 12 MINUTES 24 SECONDS EAST 29.41 FEET TO A POINT ON THE NORTHERLY SIDE OF WAVE STREET, AND RUNNING

THENCE ALONG THE NORTHERLY SIDE OF WAVE STREET, SOUTH 82 DEGREES 14 MINUTES 57 SECONDS WEST 137.54 FEET TO A POINT OR PLACE OF BEGINNING.

AREA OF PARCEL B = 10,330.81 SQ.FT. = 0.24 ACRES

LEGAL DESCRIPTION - ENVIRONMENTAL EASEMENT AREA (AS-SURVEYED)

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF STATEN ISLAND, COUNTY OF RICHMOND, CITY AND STATE OF NEW YORK, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY SIDE OF BAY STREET, DISTANT 166.50 FEET NORTHERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE EASTERLY SIDE OF BAY STREET AND THE NORTHERLY SIDE OF WAVE STREET;

RUNNING THENCE NORTH 7 DEGREES 48 MINUTES 16 SECONDS WEST ALONG THE EASTERLY SIDE OF BAY STREET, 19.09 FEET (U.S. STANDARD) 18.94 FEET (DEED);

THENCE NORTH 12 DEGREES 46 MINUTES 12 SECONDS EAST STILL ALONG THE EASTERLY SIDE OF BAY STREET, 160.23 FEET (U.S. STANDARD AND DEED);

THENCE SOUTH 77 DEGREES 36 MINUTES 05 SECONDS EAST, 280.06 FEET (U.S. STANDARD AND DEED) TO LAND OF THE STATEN ISLAND RAPID TRANSIT;

THENCE SOUTHERLY ALONG THE WESTERLY SIDE OF LAND OF THE STATEN ISLAND RAPID TRANSIT ON A CURVE TO THE LEFT WITH A RADIUS OF 1462.69 FEET, A DISTANCE OF 187.46 FEET (U.S. STANDARD) 187.40 FEET (DEED);

RUNNING THENCE SOUTH 76 DEGREES 48 MINUTES 48 SECONDS EAST 16.11 FEET TO A POINT;

RUNNING THENCE SOUTHERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1447.69 FEET, A CENTRAL ANGLE OF 0 DEGREES 43 MINUTES 10 SECONDS, AN ARC LENGTH OF 18.18 FEET TO A POINT;

RUNNING THENCE SOUTH 05 DEGREES 12 MINUTES 24 SECONDS EAST 29.41 FEET TO A POINT ON THE NORTHERLY SIDE OF WAVE STREET, AND RUNNING

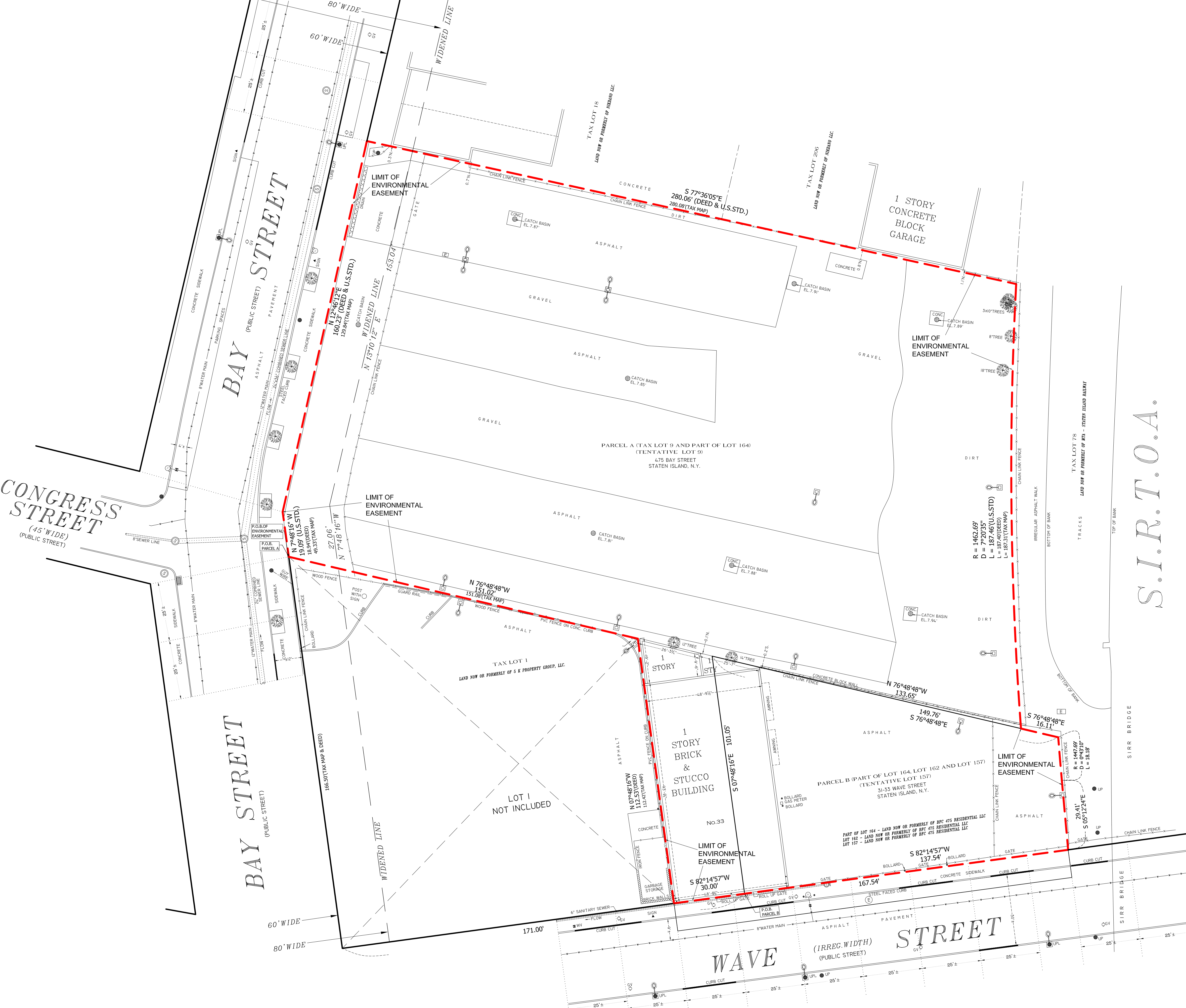
THENCE ALONG THE NORTHERLY SIDE OF WAVE STREET, SOUTH 82 DEGREES 14 MINUTES 57 SECONDS WEST 167.54 FEET TO A POINT;

THENCE NORTH 07 DEGREES 48 MINUTES 16 SECONDS 112.53 FEET TO A POINT;

THENCE NORTH 76 DEGREES 48 MINUTES 48 SECONDS WEST 151.02 FEET TO THE EASTERLY SIDE OF BAY STREET TO THE POINT OR PLACE OF BEGINNING.

AREA OF ENVIRONMENTAL EASEMENT = 67,455.3 SQ.FT. = 1.55 ACRES

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 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.

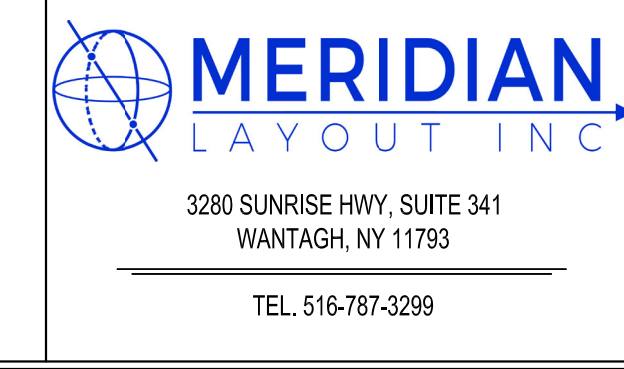


| DATE | DESCRIPTION |
|---------------|-------------------------------|
| MAY 26, 2022 | ENVIRONMENTAL EASEMENT SURVEY |
| | |
| | |
| BLOCK _____ | 488 |
| LOT _____ | 9 & 157 |
| COUNTY _____ | RICHMOND |
| SECTION _____ | 3 |
| DWG BY _____ | A.G. |
| CHKD BY _____ | J.A. |

NOTE:
Unauthorized alterations or additions 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 or certifications indicated hereon, shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. Guarantees or certification are not transferable to additional institutions or subsequent owners.

GRAPHIC SCALE
SCALE: 1" = 100'

| LEGEND | |
|--------|----------------------------|
| | TREE |
| | HYDRANT |
| | WATER VALVE |
| | CATCH BASIN |
| | LIGHT POLE |
| | WATER MANHOLE |
| | TELEPHONE MANHOLE |
| | ELEVATION |
| | S.C.E.L. ON BOTTOM OF CURB |
| | S.C.E.L. ON CENTER OF ROAD |
| | E.C.L. ON TOP OF CURB |
| | E.C.L. ON CENTER OF ROAD |
| | L.A. LOW AREA |
| | C.D. CELLAR DOOR |
| | E.N.T. ENTRANCE |
| | C.L. CLEAR |
| | N.T.S. NOT TO SCALE |



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

475 Bay Street and 31 Wave Street Site ID No. C243044
475 Bay Street and 31 Wave Street, Staten Island, NY 10304
Staten Island, Richmond County,
Tax Map Identification Numbers: Block 488, Lots 9, 157, 162, 164

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 475 Bay Street LLC and BFC 475 Residential LLC for a parcel approximately 1.550 acres located at 475 Bay Street and 31 Wave Street in Staten Island, NY.

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 for Richmond County as Land Document Nos. 909639 and 909636.

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

475 Bay Street and 31 Wave Street, C241244
475 Bay Street and 31 Wave Street, Staten Island, NY 10304

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, 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 St, Long Island City, NY 11101, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/siteC243044>.

WHEREFORE, the undersigned has signed this Notice of Certificate

475 Bay 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

475 Bay Street and 31 Wave Street, C241244
475 Bay Street and 31 Wave Street, Staten Island, NY 10304

WHEREFORE, the undersigned has signed this Notice of Certificate

475 Bay Street Housing Development Fund Corporation

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

**475 Bay Street and 31 Wave Street, C241244
475 Bay Street and 31 Wave Street, Staten Island, NY 10304**

WHEREFORE, the undersigned has signed this Notice of Certificate

475 Bay Street Retail Owner 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

475 Bay Street and 31 Wave Street, C241244
475 Bay Street and 31 Wave Street, Staten Island, NY 10304

WHEREFORE, the undersigned has signed this Notice of Certificate

BFC 475 Residential 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:
475 Bay Street LLC
150 Myrtle Avenue, Suite 2
Brooklyn, NY 11201



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
 11/21/2022



SITE DESCRIPTION

SITE NO. C243044

SITE NAME 475 Bay Street and 31 Wave Street

SITE ADDRESS: 475 Bay Street and 31 Wave Street ZIP CODE: 10304

CITY/TOWN: Staten Island

COUNTY: Richmond

ALLOWABLE USE: Restricted-Residential, Commercial, and Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES: YES NO

IC/EC Certification Plan YES NO

Monitoring Plan YES NO

Operation and Maintenance (O&M) Plan YES NO

Periodic Review Frequency: once a year YES NO

Periodic Review Report Submitted Date: 02/28/2024

Description of Institutional Control

475 Bay Street Housing Development Fund

247 West 37th Street, 4th Floor

475 Bay Street

Environmental Easement

Block: 488

Lot: 9

Sublot:

Section:

Subsection:

S_B_L Image: 488-9

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Site Management Plan

Soil Management Plan

BFC 475 Residential LLC

c/o BFC Partners, 150 Myrtle Avenue, Suite 2

31 Wave Street

Environmental Easement

Block: 488

Lot: 157

Sublot:

Section:

Subsection:

S_B_L Image: 488-157

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Site Management Plan

Soil Management Plan

Lot: 162

Sublot:

Section:

Subsection:

S_B_L Image: 488-162

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Site Management Plan

Soil Management Plan

Lot: 164

Sublot:

Section:

Subsection:

S_B_L Image: 488-164

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Site Management Plan

Soil Management Plan

Description of Engineering Control