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

Transmitted via E-mail

December 27, 2021

Daniel Hollander Huguenot Partners LLC c/o DHA Capital LLC 154 Grand Street, Suite 4503 New York, NY 10013 dan@dhacap.com

Louis Cappelli
RFMCH Huguenot Property Owner LLC
RFMCH Huguenot Development Partners LLC
Huguenot Center Holdings, LLC
7 Renaissance Square, 4th Floor
White Plains, NY 10601
louis@icappelli.com

Re: Certificate of Completion

Site: Centre Avenue Development - South

Site No: C360182

Location: City of New Rochelle, Westchester County

Dear Daniel & Louis:

Congratulations on having satisfactorily completed the remedial program at the Centre Avenue Development - South 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:

Michael Kilmer, Region 3
New York State Department of Environmental Conservation
Division of Environmental Remediation
21 S. Putt Corners Rd.
New Paltz, NY 12561

- 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 2023.

If you have any questions regarding any of these items, please contact Michael Kilmer at 845-633-5463.

Sincerely,

Susan Edwards, P.E.

Susan Edwards

Acting Director

Division of Environmental Remediation

Enclosure

ec w/ enclosure:

- D. Hollander, Huguenot Partners LLC (dan@dhacap.com)
- L. Cappelli, Huguenot Partners LLC, RFMCH Huguenot Property Owner LLC, RFMCH Huguenot Development Partners LLC, Huguenot Center Holdings, LLC (louis@icappelli.com)
- F. Dahan, SESI (fd@sesi.com)
- S. Gustems, SESI (ssg@sesi.com)
- L. Shaw, Knauf Shaw LLP (Ishaw@nyenvlaw.com)
- D. Tucholski, NYSDOH (daniel.tucholski@health.ny.gov)
- M. Schuck, NYSDOH (maureen.schuck@health.ny.gov)
- C. Vooris, NYSDOH (christine.vooris@health.n.gov
- M. Gokey, (matthew.gokey@tax.ny.gov)
- P. Takac, (paul.takac@tax.ny.gov)

ec w/o enc.:

- M. Kilmer, DEC (michael.kilmer@dec.ny.gov)
- D. Bendell, DEC (daniel.bendell@dec.ny.gov)
- W. Bennett, DEC (william.bennett@dec.ny.gov)
- J. Brown, DEC (janet.brown@dec.ny.gov)
- J. Stenerson, DEC (justin.stenerson@dec.ny.gov)
- J. Andaloro, DEC (jennifer.andaloro@dec.ny.gov)
- K. Lewandowski, DEC (kelly.lewandowski@dec.ny.gov)

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP) $CERTIFICATE\ OF\ COMPLETION$

CERTIFICATE HOLDER(S):

Name Huguenot Centre Holdings, LLC

RFMCH Huguenot Development Partners LLC RFMCH Huguenot Property Owner LLC

Huguenot Partners LLC

Address

7 Renaissance Square, 4th Floor, White Plains, NY 10601 7 Renaissance Square, 4th Floor, White Plains, NY 10601 7 Renaissance Square, 4th Floor, White Plains, NY 10601 c/o DHA Capital LLC, 154 Grand Street, Suite 4503, New York, NY 10013

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 6/13/19 **Agreement Execution:** 6/28/19

Agreement Index No.: C360182-06-19

Application Approval Amendment: 12/12/19 **Agreement Execution Amendment:** 12/12/19

Application Approval Amendment: 12/3/21 Agreement Execution Amendment: 12/3/21

SITE INFORMATION:

Site No.: C360182 Site Name: Centre Avenue Development - South

Site Owner: RFMCH Huguenot Property Owner LLC

Street Address: 33-35 Centre Avenue

Municipality: New Rochelle County: Westchester DEC Region: 3

Site Size: 0.4591 Acres

Tax Map Identification Number(s): 2-437-42 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: Conditional Track 1: Unrestricted use, provided that the remedial goals for soil vapor intrusion are achieved within five years of the date of the Certificate. If those goals are not achieved within five years, this Certificate shall be modified to a Track 2 Residential cleanup. Unrestricted use, provided that the remedial goals for groundwater are achieved within five years of the date of the Certificate. If these goals are not achieved within five years, this Certificate shall be modified to a Track 2 Residential cleanup.

Tax Credit Provisions:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 50%. Tangible Property Credit 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%.

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 Westchester County as 601703563.

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 6 NYCRR 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;
- (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: Susan Edwards Date: 12/27/2021

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)

Centre Avenue Development - South, Site ID No. C360182 Site Address: 33-35 Centre Avenue, New Rochelle, NY 10801 City of New Rochelle, Westchester County, Tax Map Identification Number 2-437-42

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 Huguenot Partners LLC, RFMCH Huguenot Property Owner LLC, RFMCH Huguenot Development Partners LLC, and Huguenot Center Holdings, LLC for a parcel totaling approximately 0.4591 acres located at 33-35 Centre Avenue in the City of New Rochelle, Westchester 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
- \boxtimes 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, since 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 Westchester County as county recording identifier 601703563.

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.

Centre Avenue Development - South, Site ID No. C360182 33-35 Centre Avenue, New Rochelle, NY 10801

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 3 Office located at 21 S Putt Corners Rd, New Paltz, NY 12561, by contacting the Regional Environmental Remediation Engineer, or at https://www.dec.ny.gov/data/DecDocs/C360182/.

WHEREFORE, the undersigned has signed this Notice of Certificate

New York, NY 10013

| | RFMCH Huguenot Property Owner LLC |
|--|---|
| | By: |
| | Title: |
| | Date: |
| STATE OF NEW YORK) SS: COUNTY OF) | |
| evidence to be the individual(s) whose nar acknowledged to me that he/she/they exec | in the year 20, before me, the undersigned, personally known to me or proved to me on the basis of satisfactory me is (are) subscribed to the within instrument and cuted the same in his/her/their capacity(ies), and that by t, the individual(s), or the person upon behalf of which the nt. |
| Signature and Office of individual taking acknowledgment | Please record and return to: Huguenot Partners LLC c/o DHA Capital LLC 154 Grand Street, Suite 4503 |

Exhibit A Site Description

SCHEDULE "A" PROPERTY DESCRIPTION

ENVIRONMENTAL EASEMENT DESCRIPTION SECTION 2, BLOCK 437, LOT 42

All that certain plot, piece or parcel of land, situate, lying and being in the City of New Rochelle, County of Westchester and State of New York, designated as lots numbered forty-six, forty-seven, forty-eight, forty-nine, sixty, sixty-one, sixty-two and sixty-three (46, 47, 48, 49, & 60, 61, 62, & 63) on the "Map of Property belonging to the estate of Maria R. Lawton, deceased, at New Rochelle, New York" surveyed and plotted by Charles H. Haswell, Civil Engineer, dated April 16, 1884. Said map is filed December 12, 1886 in the office of the Register of the County of Westchester in Volume 6 of Maps at page 58, being bounded and described as follows:

Beginning at the intersection of the southerly side of Centre Avenue with the easterly side of Relyea Place. Thence easterly along the southerly side of Centre Avenue, South 63 degrees, 32 minutes, 30 seconds east, 200.00 feet to the intersection of the southerly side of Centre Avenue with the westerly side of Huguenot Street.

Thence southerly along the westerly side of Huguenot Street, South 26 degrees, 26 minutes, 30 seconds west, 100.00 feet to the intersection of the division line between lots 63 & 64 on the Map of Property belonging to the estate of Maria R. Lawton with the westerly side of Huguenot Street.

Thence westerly along the division lines between lots 63 &64 and lots 49 & 50, on the Map of Property belonging to the Estate of Maria R. Lawton, North 63 degrees, 32 minutes, 30 seconds west, 200.00 feet the easterly side of Relyea Place.

Thence northerly along the easterly side of Relyea Place North 26 degrees, 26 minutes, 30 seconds east, 100.00 feet to the intersection of the easterly side of Relyea Place and the southerly side of Centre Avenue and the point or place of beginning.

Containing within said bounds 20,000.00 Sq. Ft. or 0.4591 Acres.

Exhibit B

Site Survey

SCHOULE A - DESCRIPTION

SCHOULE A - NEICHPEN -

BEGINNING at the corner formed by the intersection of the northeasterly side of Centre Avenue with the northwesterly side of

RUNNING THENCE along the said northeasterly side of Centre Avenue, North 63 degrees 32 minutes 30 seconds West, 100.00

COMPOSITE DESCRIPTION OF PARCELS B AND C:

THENCE South 63 degrees 23 minutes 30 seconds East, 100.00 to the northwesterly side of Huguenot Street;

THENCE storing the said northwesterly side of Hugusent Street, South 36 degrees 26 minutes 30 seconds West, 150,00 feet to the northesesterly side of Centre Average at the point or place of BEGINNING.

For Information Only: Said premises are known as 327 Huguenot Street, New Rochelle, NY and designated as Section 2 Block 417 Lot 1 as shown on the Westchester County Land and Tax Map.

Non-mount resolution (ILIN the PRANCELS BAND). The Mail death gives a possible of New Rochells, County of Westbester and State of New York his designated and described as follows:

BEGINNING as the connectionand by the intersection of the northwesterly side of Hugeron Street with the accultanceinty aids of Centre Avenue, and

RUNNING THENCE along the said northwesterly side of Huguenot Street, South 26 degrees 26 minutes 30 seconds West, 100.00

THENCE North 63 degrees 32 minutes 30 seconds West, 100.00 feet; THENCE North 25 degrees 25 minutes 30 seconds East, 100.00 feet,

THENCE slong the southwesterly side of Centre Avenue, South 63 degrees 32 minutes 30 seconds East, 100,00 feet to the northwesterly side of Huguenot Street, at the point or place of BEGINNING.

Deed Description from August 15, 2019 Deed Westchester County Recording No. 592143484 including Block 437 Let 42: SCHEDULE A - DESCRIPTION

BESINNING at the corner formed by the intersection of the southwesterly side of Centre Avenue and the southeasterly side of Relyea

RUNNING THENCE along the southwesterly side of Centre Avenue South 63 dagrees 32 minutes 30 seconds East 100 00 feet to a

RUNNING THENCE North 63 degrees 32 minutes 30 seconds West 100.00 feet to a point;

RUNNING THEINCE along the southeasterty side of Relyea Place North 25 minutes 20 seconds East 100,00 feet to the southwesterty side of Centre Avenue at the point or place of BEGINNING.

CENTRE AVENUE DEVELOPMENT SOUTH BCP SITE NO. C360182 AND ENVIRONMENTAL EASEMENT AREA CONSOLIDATED TAX ID NO.: 2-437-0042 ADDRESS: 33-35 CENTRE AVENUE NEW ROCHELLE, NY 10801 AREA: 20,000 S.F. 0R 0.4591 ACRES





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GAS VALVE SIGN CURB DROP CURB

HANDICAP WARNING PAD ASPHALT PAVEMENT CONCRETE PAVEMENT

DESIGNED BY: NUW

OVERALL PROPERTY DESCRIPTION (INCLUDING BCP SITE DESCRIPTION AND ENVIRONMENTAL EASEMENT AREA WCTM: SECTION 2, BLOCK 437, LOT 42

All their centers pict, piece or parcel of land, sistate, lying and being in the City of New Rochells. County of Waterhealter and Diste of New York, designated as too numbered forly-six, forly-sears (fore-epit, firely-ness, six), six), one distributed in the countries of the co

Beginning at the intersection of the southerly side of Centre Avenue with the easterly side of Relyes Place. Thence asaterly along the southerly side of Centre Avenue, South 63 degrees, 32 minutes, 30 seconds east, 200,00 feat to the intersection of the southerly side of Centre Avenue with the westerly side of Hagaintol Street.

Thence southerly along the westerly side of Huguenot Street, South 26 degrees, 26 minutes, 30 seconds weet, 100.00 feet to the intersection of the division line between lots 63 & 64 on the Map of Property belonging to the estate of Maria R Lawform with the westerly side of Integuent Street.

Thence westerly along the division lines between lots 63 & 64 and lots 49 & 50, on the Map of Property belonging to the estate of Maria R. Lewton, North 63 degrees, 32 minutes, 30 seconds west, 200.00 feet the estates of Relyas Place.

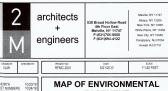
Containing within said bounds 20,000,00 Sq. Ft. or 0,4591 Acres.

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 fourth in the Site Management Plan (SMP). A copy of the SMP must be obtained by any party with 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 decweb@dec.ny.gov.

SURVEYORS CERTIFICATION

VEHEREBY CERTIFY TO THE PEOPLE OF THE STATE OF NEW YORK ACTING THROUGH ITS COMMISSIONER OF THE EPARTMENT OF ENVIRONMENTAL CONSERVATION THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE ODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND INVEYORS.





EASEMENT

BOUNDARY SURVEY OF LOTS 46 THRU 49 AND 60 THRU 63 INCL. MAP OF PROPERTY BELONGING TO MARIA R. LAWTON, DECEASED

GENERAL NOTES

MO BODIES OF WATER ON SITE OR WITHIN THE AREA.
 IOT NUMBERS SHOWN THUS DOD REFER TO LOT NUMBERS ON THE "MAP OF PROPERTY BELONGING TO THE ESTATE OF MARK A LINITION, DECEMBED, AT INSM ROCKHELLE, NEW YORK" FLED.CECEMBER 12, 1888
 SCHEDLE A RECORD DESCRIPTIONS FROM NEST ORISITED COUNTY CLEXY.



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION Site Management Form

12/10/2021



SITE DESCRIPTION

SITE NO.: C360182

SITE NAME: Centre Avenue Development - South

SITE ADDRESS: 33-35 Centre Avenue ZIP CODE: 10801

CITY/TOWN: New Rochelle

COUNTY: Westchester

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: once a year

Periodic Review Report Submitted Date: 04/30/2023

Subsection:

Description of Institutional Control

RFMCH Huguenot Property Owner LLC

7 Renaissance Square, 4th Floor
33-35 Centre Avenue
Environmental Easement
Block: 437
Lot: 42
Sublot:
Section: 2

S_B_L Image: 2-437-42

Ground Water Use Restriction

IC/EC Plan Monitoring Plan

Site Management Plan

Description of Engineering Control

RFMCH Huguenot Property Owner LLC

7 Renaissance Square, 4th Floor 33-35 Centre Avenue Environmental Easement

Block: 437 Lot: 42 Sublot: Section: 2

Subsection:

S_B_L Image: 2-437-42 Groundwater Containment

Groundwater Treatment System

Monitoring Wells