



**Department of  
Environmental  
Conservation**

**KATHY HOCHUL**  
Governor

**AMANDA LEFTON**  
Commissioner

June 23, 2025

Eli Weiss  
M4778 Broadway LLC  
15 Verbena Avenue, Suite 200  
Floral Park, NY 111001  
[eli@joycon1st.com](mailto:eli@joycon1st.com)

Re: Certificate of Completion  
M4778 Broadway LLC  
New York, New York County  
C231131

Dear Eli Weiss:

Congratulations on having satisfactorily completed the remedial program at the M4778 Broadway LLC site. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (NYSDEC) 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 NYSDEC's project manager.
- Provide the Certificate of Completion fact sheet to the Document Repositories within 10 days of issuance of the COC. NYSDEC will develop the 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 NYSDEC-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 NYSDEC 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 NYSDEC in October 2026.

If you have any questions, please do not hesitate to contact Steven Wu, NYSDEC's project manager, at [steven.wu@dec.ny.gov](mailto:steven.wu@dec.ny.gov).

Sincerely,

*Andrew Guglielmi*

Andrew Guglielmi  
Division Director  
Division of Environmental Remediation

Enclosure

ec w/ enclosure:

C. Vooris – NYSDOH, [christine.vooris@health.ny.gov](mailto:christine.vooris@health.ny.gov)  
S. McLaughlin – NYSDOH, [scarlett.mclaughlin@health.ny.gov](mailto:scarlett.mclaughlin@health.ny.gov)  
S. Surani – NYSDOH, [shaun.surani@health.ny.gov](mailto:shaun.surani@health.ny.gov)  
V. Whelan, [victoria.whelan@gza.com](mailto:victoria.whelan@gza.com)  
D. Grupp, [dgrupp@aeiconsultants.com](mailto:dgrupp@aeiconsultants.com)  
J. Maggiulli, [jmaggiulli@aeiconsultants.com](mailto:jmaggiulli@aeiconsultants.com)  
P. Clark, [philip.clark@hcscepc.com](mailto:philip.clark@hcscepc.com)  
G. Duke, [gduke@foxrothschild.com](mailto:gduke@foxrothschild.com)  
M. Gokey, [matthew.gokey@tax.ny.gov](mailto:matthew.gokey@tax.ny.gov)  
P. Takac, [paul.takac@tax.ny.gov](mailto:paul.takac@tax.ny.gov)

ec w/o enc.:

S. Wu, A. Obligado, J. O'Connell, M. Murphy, L. Schmidt, K. Lewandowski –  
NYSDEC

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)

*CERTIFICATE OF COMPLETION*

**CERTIFICATE HOLDER(S):**

**Name**

M4778 Broadway LLC

**Address**

15 Verbena Avenue, Suite 200, Floral Park, NY 11001

**BROWNFIELD CLEANUP AGREEMENT:**

**Application Approval:** 7/17/19    **Agreement Execution:** 9/4/19

**Agreement Index No.:** C231131-07-19

**Application Amendment Approval:** none

**Agreement Amendment Execution:** none

**SITE INFORMATION:**

**Site No.:** C231131    **Site Name:** M4778 Broadway LLC

**Site Owner:** M4778 Broadway LLC

**Street Address:** 4778 Broadway

**Municipality:** New York

**County:** New York

**DEC Region:** 2

**Site Size:** 0.271 Acres

**Tax Map Identification Number(s):** 2233-10

**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%), if the site is located in a disadvantaged community and not located in an EnZone (5%), if the site is developed as a renewable energy facility site (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 New York County as 2024000130778.

### **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 finding any of the following:

- (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.

Amanda Lefton  
Commissioner  
New York State Department of Environmental Conservation

By: Andrew Guglielmi Date: June 23, 2025

Andrew O. Guglielmi, Director  
Division of Environmental Remediation

## **Exhibit A**

### **Site Description**

**SCHEDULE "A" PROPERTY DESCRIPTION**

**ENVIRONMENTAL EASEMENT DESCRIPTION**

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

BEGINNING at the point on the southerly side of Broadway, distant 225 Feet  $\frac{1}{4}$  of an inch easterly from the corner formed by the intersection of the southerly side of Broadway with the easterly side of Dyckman Street, which said point of beginning is at the point formed by the intersection of the said southerly side of Broadway with the division line between Lot Nos. 11 and 12 on said map;

RUNNING THENCE easterly along the southerly side of Broadway, a distance of 75 Feet to the point formed by the intersection of the said southerly side of Broadway with the division line between Lot Nos. 14 and 15 on said map;

THENCE southerly at an interior angle of 90 Degrees 41 minutes 08 seconds with the southerly side of Broadway and along said division line between Lot Nos. 14 and 15, a distance of 157 Feet to the northerly line of Lot No. 31 on said map;

THENCE westerly at a right angle with the last mentioned course and along the northerly line of Lot Nos. 31, 32 and 33 on said map, a distance of 75 Feet to the division line between Lot Nos. 11 and 12 on said map; and

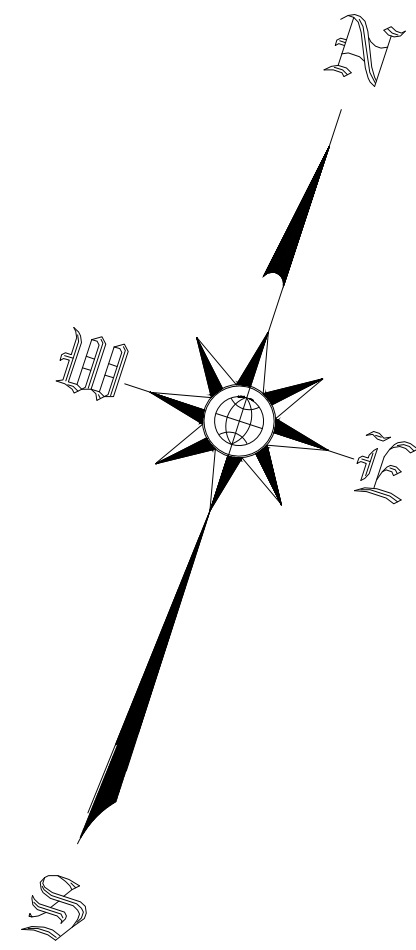
THENCE northerly at right angle with the last mentioned course and at an interior angle of 89 Degrees 18 minutes 52 seconds with the southerly side of Broadway and along said division line between Lot Nos. 11 and 12 on said map, a distance of 157 Feet 11 Inches to the point or place of BEGINNING.

CONTAINING WITHIN SAID BOUNDS 0.27107 ACRES OR 11,807.9 SQUARE FEET

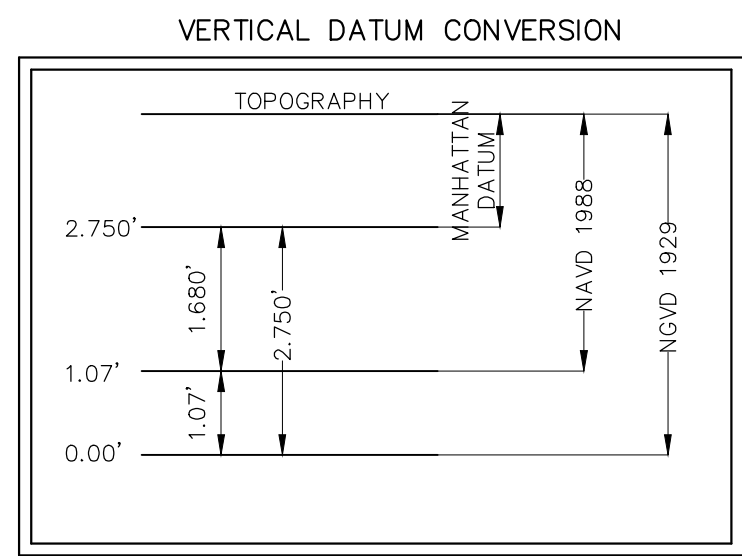
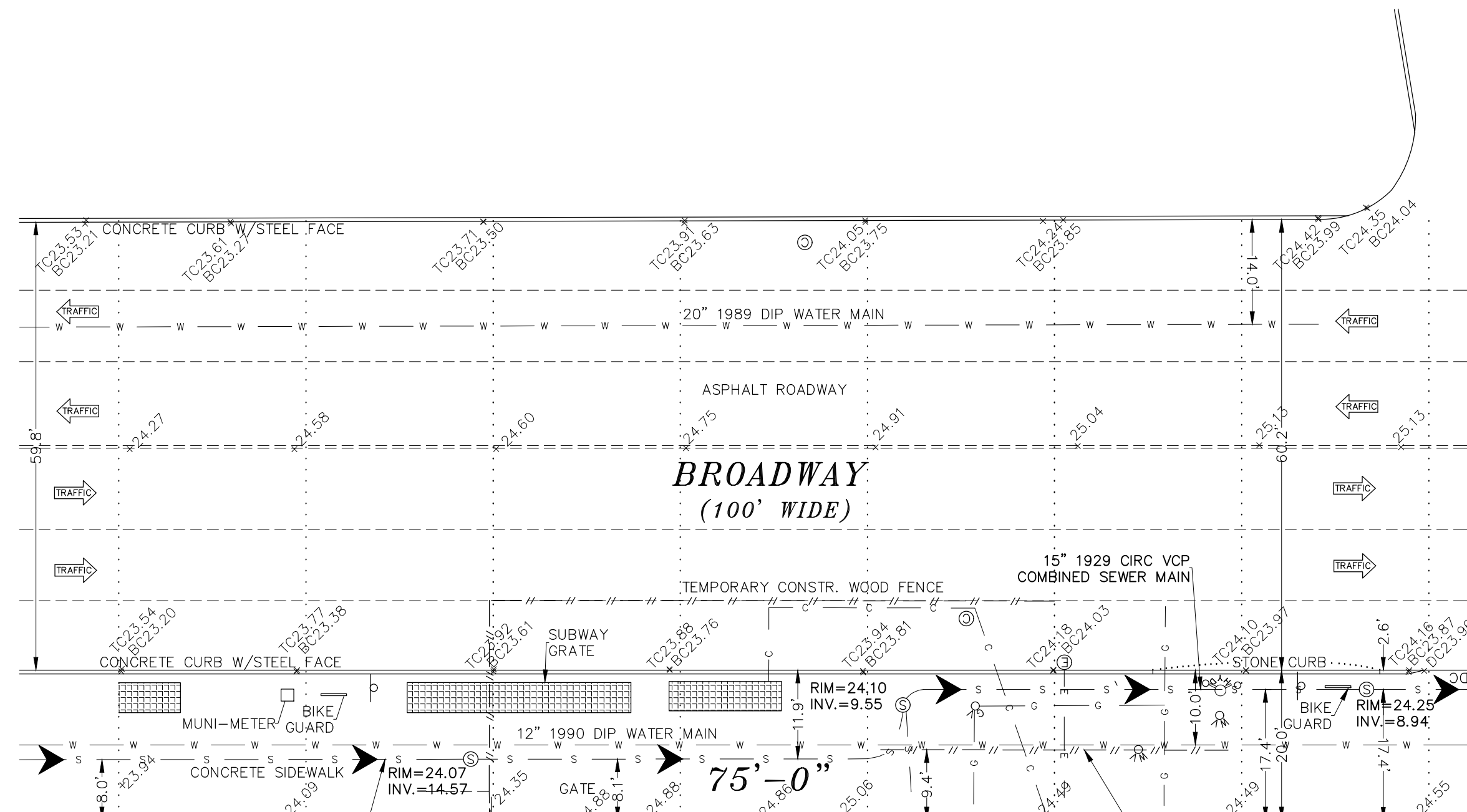
## **Exhibit B**

### **Site Survey**





DYCKMAN (100' WIDE) STREET



METES AND BOUNDS DESCRIPTION BLOCK: 2233 LOT: 10

BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF BROADWAY, DISTANT 225 FEET 1/4 OF AN INCH EASTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF BROADWAY WITH THE EASTERLY SIDE OF DYCKMAN STREET, WHICH SAID POINT OF BEGINNING IS AT THE POINT FORMED BY THE INTERSECTION OF THE SAID SOUTHERLY SIDE OF BROADWAY WITH THE DIVISION LINE BETWEEN LOT NOS. 11 AND 12 ON SAID MAP; RUNNING THENCE EASTERLY ALONG THE SOUTHERLY SIDE OF BROADWAY, A DISTANCE OF 75 FEET TO THE POINT FORMED BY THE INTERSECTION OF THE SAID SOUTHERLY SIDE OF BROADWAY WITH THE DIVISION LINE BETWEEN LOT NOS. 14 AND 15 ON SAID MAP; THENCE SOUTHERLY AT AN INTERIOR ANGLE OF 90 DEGREES 41 MINUTES 08 SECONDS WITH THE SOUTHERLY SIDE OF BROADWAY AND ALONG SAID DIVISION LINE BETWEEN LOT NOS. 14 AND 15, A DISTANCE OF 157 FEET TO THE NORTHERLY LINE OF LOT NO. 31 ON SAID MAP; THENCE WESTERLY AT A RIGHT ANGLE WITH THE LAST MENTIONED COURSE AND ALONG THE NORTHERLY LINE OF LOT NOS. 31, 32 AND 33 ON SAID MAP, A DISTANCE OF 75 FEET TO THE DIVISION LINE BETWEEN LOT NOS. 11 AND 12 ON SAID MAP; THENCE NORTHERLY AT RIGHT ANGLE WITH THE LAST MENTIONED COURSE AND AT AN INTERIOR ANGLE OF 89 DEGREES 18 MINUTES 52 SECONDS WITH THE SOUTHERLY SIDE OF BROADWAY AND ALONG SAID DIVISION LINE BETWEEN LOT NOS. 11 AND 12 ON SAID MAP, A DISTANCE OF 157 FEET 11 INCHES TO THE POINT OR PLACE OF BEGINNING.

ALSO KNOWN AS 4778 BROADWAY, NEW YORK, NY 10034.

LOT AREA: 11,807.9 SQUARE FEET OR 0.27107 ACRES.

ENVIRONMENTAL EASEMENT METES AND BOUNDS DESCRIPTION DEC SITE No. - C231131

BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF BROADWAY, DISTANT 225 FEET 1/4 OF AN INCH EASTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF BROADWAY WITH THE EASTERLY SIDE OF DYCKMAN STREET, WHICH SAID POINT OF BEGINNING IS AT THE POINT FORMED BY THE INTERSECTION OF THE SAID SOUTHERLY SIDE OF BROADWAY WITH THE DIVISION LINE BETWEEN LOT NOS. 11 AND 12 ON SAID MAP; RUNNING THENCE EASTERLY ALONG THE SOUTHERLY SIDE OF BROADWAY, A DISTANCE OF 75 FEET TO THE POINT FORMED BY THE INTERSECTION OF THE SAID SOUTHERLY SIDE OF BROADWAY WITH THE DIVISION LINE BETWEEN LOT NOS. 14 AND 15 ON SAID MAP; THENCE SOUTHERLY AT AN INTERIOR ANGLE OF 90 DEGREES 41 MINUTES 08 SECONDS WITH THE SOUTHERLY SIDE OF BROADWAY AND ALONG SAID DIVISION LINE BETWEEN LOT NOS. 14 AND 15, A DISTANCE OF 157 FEET TO THE NORTHERLY LINE OF LOT NO. 31 ON SAID MAP; THENCE WESTERLY AT A RIGHT ANGLE WITH THE LAST MENTIONED COURSE AND ALONG THE NORTHERLY LINE OF LOT NOS. 31, 32 AND 33 ON SAID MAP, A DISTANCE OF 75 FEET TO THE DIVISION LINE BETWEEN LOT NOS. 11 AND 12 ON SAID MAP; THENCE NORTHERLY AT RIGHT ANGLE WITH THE LAST MENTIONED COURSE AND AT AN INTERIOR ANGLE OF 89 DEGREES 18 MINUTES 52 SECONDS WITH THE SOUTHERLY SIDE OF BROADWAY AND ALONG SAID DIVISION LINE BETWEEN LOT NOS. 11 AND 12 ON SAID MAP, A DISTANCE OF 157 FEET 11 INCHES TO THE POINT OR PLACE OF BEGINNING.

ALSO KNOWN AS 4778 BROADWAY, NEW YORK, NY 10034.

LOT AREA: 11,807.9 SQUARE FEET OR 0.27107 ACRES.

EASEMENT NOTE:

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 THE 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

Only copies from the original of this survey marked with an original of the land surveyor's embossed seal shall be considered to be valid true copies.

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.

Certification indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications 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. Certifications are not transferable to additional institutions or subsequent owner.

NOTES:

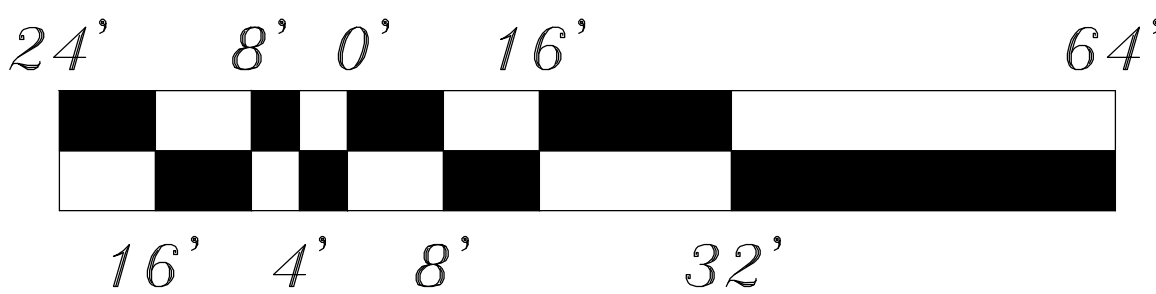
1. THE OFFSETS OR DIMENSIONS SHOWN HEREON, FROM THE PROPERTY LINES TO THE STRUCTURES ARE FOR A SPECIFIC PURPOSE AND USE. THEREFORE THEY ARE NOT INTENDED TO MONUMENT PROPERTY LINES OR TO GUIDE THE ERECTION OF FENCES, ADDITIONAL STRUCTURES OR ANY OTHER IMPROVEMENTS.
2. CONSULT WITH THE HIGHWAY DEPARTMENT BEFORE DESIGNING, INSTALLING OR MODIFYING ANY NEW OR EXISTING CURBS, WALKS OR ROADWAYS IN THE STREET SHOWN HEREON.
3. SUBSURFACE INFORMATION SHOWN HEREON WAS BASED ON VISUAL OBSERVATIONS, VARIOUS CITY DEPARTMENTS, AND/OR PRIVATE UTILITY COMPANIES RECORDS, AND/OR UTILITY MARKOUT. THIS SURVEYOR ACCEPTS NO RESPONSIBILITY FOR ANY OF THIS DATA. SUBSURFACE UTILITIES ARE NOT CERTIFIED AS TO THE ACCURACY AND/OR COMPLETENESS.
4. ALL SUBSURFACE UTILITY LOCATION AND DEPTH SHOULD BE RECHECKED AND LEGAL GRADES SHOULD BE VERIFIED WITH THE TOPOGRAPHICAL BUREAU, PREFERABLY IN WRITING BEFORE COMMENCING FINAL DESIGN OR CONSTRUCTION.
5. THIS IS TO CERTIFY THAT THERE ARE NO VISIBLE STREAMS OR NATURAL WATER COURSES IN THE PROPERTY AS SHOWN ON THIS SURVEY.
6. ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988.
7. REFER TO ARTICLE 36 OF THE GENERAL BUSINESS LAW AND THE PROVISIONS OF INDUSTRIAL CODE PART (RULE NO. 53) BEFORE ANY EXCAVATION OR DEMOLITION IS COMMENCED. THESE LAWS REQUIRE EACH EXCAVATOR TO GIVE ADVANCE NOTICE TO ALL OPERATORS OF UNDERGROUND FACILITIES OF HIS INTENT TO PERFORM EXCAVATION OR DEMOLITION IN THE SPECIFIED AREAS.
8. ALL DIMENSIONS ARE IN U.S. STANDARD MEASUREMENTS.
9. LEGAL GRADES REFER TO TOP OF CURB.
10. EASEMENTS NOT SHOWN ARE NOT GUARANTEED.
11. UTILITIES MARK-OUT SHOWN PER 3-1-2020 FIELD MEASUREMENTS.
12. PARCEL COVERED BY SNOW AT THE TIME OF SURVEY.

LEGEND & ABBREVIATIONS:

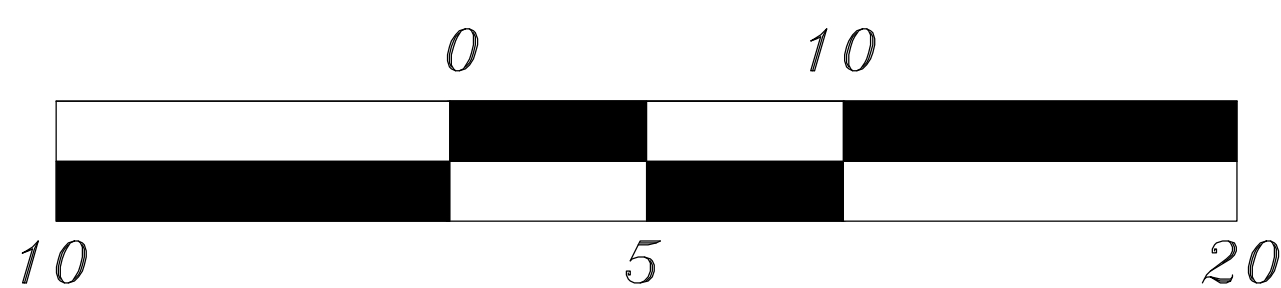
HR	HANDICAP RAMP	↔	UTILITY & LIGHT POLE
TB	TRAFFIC BOX	⊗	UTILITY POLE
SF	STEEL FACE CURB	○	VENT
RD	ROOF DRAIN	☆	LIGHT POLE
DC	DEPRESSED CURB	⌞	FLAG POLE
CB	CATCH BASIN	—	TRAFFIC SIGN
E.O.P	EDGE OF PAVEMENT	Ⓢ	SANITARY MANHOLE
PLNT.	PLANTER	Ⓢ	WATER MANHOLE
TP	TREE PIT	Ⓢ	ELECTRIC MANHOLE
CHIM.	CHIMNEY	Ⓢ	TELEPHONE MANHOLE
T.O.P.	TOP OF PIPE	Ⓢ	DRAINAGE MANHOLE
B.O.P.	BOTTOM OF PIPE	Ⓢ	GAS MANHOLE
L.	LANDING	Ⓢ	DEPARTMENT OF PUBLIC WORKS MANHOLE
TW	TOP OF WALL	Ⓢ	EMPIRE CITY SUBWAY MANHOLE
T.P.	TOP OF PARAPET	Ⓢ	UNKNOWN MANHOLE
TR.	THRESHOLD	●	DRAIN
T.CH.	TOP OF CHIMNEY	Ⓢ	INLET
T.B.	TOP OF BULKHEAD	Ⓢ	MAIL BOX
T.C.	TOP OF CURB	Ⓢ	PARKING METER
B.C.	BOTTOM OF CURB	Ⓢ	TREE
F.S.M.	FINAL SECTION MAP	Ⓢ	SHRUB
Ⓢ	FIRE HYDRANT	— GAS —	GAS LINE
Ⓢ	SPRINKLER	— W —	WATER LINE
Ⓢ	WATER VALVE	— E —	ELECTRIC LINE
Ⓢ	GAS VALVE	— C —	COMMUNICATION LINE
Ⓢ	OIL VALVE	— S —	SEWER LINE
Ⓢ	UNKNOWN VALVE	▨	EASEMENT AREA
Ⓢ	MONITORING WELL		

GRAPHIC SCALE - FEET

1" = 16'



GRAPHIC SCALE - METERS



SURVEY OF PROPERTY LOCATED AT:

#4778 BROADWAY, MANHATTAN  
COUNTY OF NEW YORK  
CITY & STATE OF NEW YORK  
BLOCK ..... 2233, LOT(S) ..... 10  
D.E.C. SIRE NUMBER - C231131

REVISIONS DESCRIPTION	PREPARED BY	DATE	FILE	CERTIFY TO:
1. TOPOGRAPHICAL SURVEY	K.S.	03-01-20	ASC20115	
2. TOPOGRAPHICAL SURVEY UPDATE	K.S.	02-02-22	ASC22046	
3. ENVIRONMENTAL EASEMENT SURVEY	K.S.	05-14-23	ASC23046-3	
SURVEYED BY ARKADIUSZ JUSIEGA, P.L.S. N.Y.S. LIC. NO. 050569 AREK SURVEYING P.C. 10 TAFT PLACE ALBERTSON, NY 11507 WWW.ASCNY.NET TEL: (516) 792-6676				CERTIFY TO:  ORDERED BY: MADD EQUITIES



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

**M4778 Broadway LLC, Site ID No. C231131**  
**4778 Broadway, New York, NY 10034**  
**New York, New York County, Tax Map Identification Number: 2233-10**

**PLEASE TAKE NOTICE**, the New York State Department of Environmental Conservation (NYSDEC) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to M4778 Broadway LLC for a parcel approximately 0.271 acres located at 4778 Broadway in New York, New York County.

**PLEASE TAKE NOTICE**, the Certificate was issued upon satisfaction of the Commissioner, following review by NYSDEC 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 NYSDEC 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 New York County as County Recording Identifier 2024000130778.

**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 NYSDEC'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

**M4778 Broadway LLC, C231131**  
**4778 Broadway, New York, NY, 10034**

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 NYSDEC 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 located at 1 Hunter's Point Plaza, 47-40 21st Street, Long Island City, NY 11101-5401, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C231131>.

**WHEREFORE**, the undersigned has signed this Notice of Certificate

M4778 Broadway 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:**

Eli Weiss  
M4778 Broadway LLC  
15 Verbena Avenue, Suite 200  
Floral Park, NY 11001



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
Site Management Form  
3/25/2025



SITE DESCRIPTION

SITE NO. C231131

SITE NAME M4778 Broadway LLC

SITE ADDRESS: 4778 Broadway ZIP CODE: 10034

CITY/TOWN: New York

COUNTY: New York

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: 08/30/2026

Description of Institutional Control

M4778 Broadway LLC

15 Verbena Ave, Suite 200

4778 Broadway

Environmental Easement

Block: 2233

Lot: 10

Sublot:

Section:

Subsection:

S\_B\_L Image: 2233-10

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

**Description of Engineering Control**

**M4778 Broadway LLC**

15 Verbena Ave, Suite 200

**4778 Broadway**

Environmental Easement

Block: 2233

Lot: 10

Sublot:

Section:

Subsection:

S\_B\_L Image: 2233-10

Vapor Mitigation

Monitoring Wells