



OFFICE OF ENVIRONMENTAL REMEDIATION

100 Gold Street – 2nd Floor
New York, New York 10038

Mark P. McIntyre, Esq.
Director

Tel: (212) 788-8841

July 7, 2021

Elysa Goldman
5 Bay Street, LLC
30-56 Whitestone Expressway
Whitestone, NY 11354

Re: Notice of Completion
Lighthouse Point, Site A – 5 Bay Street, Staten Island, NY
OER Site Number: 15CVCP162R

Dear Ms. Goldman:

The New York City Office of Environmental Remediation (OER) is pleased to inform you that the Remedial Action Report for the above-referenced site is hereby approved, allowing the Notice of Completion (NOC) to be issued for the site. Please find the Notice of Completion attached, the issuance date of which is July 7, 2021. Congratulations!

If you have any questions regarding any of these items, please contact me at 212-442-3007.

Sincerely,

Shaminder Chawla
Deputy Director



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NOTICE OF COMPLETION

Notice Holder(s): Elysa Goldman
5 Bay Street, LLC
30-56 Whitestone Expressway,
Whitestone, NY 11354

Site Information: Site Name: Lighthouse Point, Site A – 5 Bay Street
Site Owner: 5 Bay Street, LLC
Street Address: 5 Bay Street, Staten Island, NY
Block 1, Lots 58, 60
OER Site Number: 15CVCP162R

Project Description: The proposed future use of the Project will consist of the restoration of four historic buildings, the historic underground vaults, as well as the construction of two new buildings. The Project will serve as a waterfront destination for tourists and local residents and will include open space areas and retail, hotel, conference center and parking facilities.

Since the original RAWP submittal, the development plan for the Project was changed to be built in phases. As such, the Project is now composed of two parts: Site A and Site B. Site A is approximately 124,800-square feet, of which 76,730-square feet was subject to the RA summarized herein. The remaining portion of Site A not subject to the RA is underlain by an MTA Staten Island Railway Saint George Tunnel (MTA Tunnel) within an easement or is covered by historic structures. The construction over the MTA Tunnel was limited to the construction of a concrete driveway connecting the Lot 58 portion of Site A to the Lot 60 portion of Site B. Site A encompasses the entirety of Lot 58 and the portion of Lot 60 that has been improved by the parking garage and the historic buildings/vaults.

Site A was developed with a 65,000-square foot retail building on the corner of Bay Street and Borough Place to be programmed with retail, fresh food restaurants and entertainment space. Above this retail building, a residential tower will be constructed for approximately 115 rental apartments, with twenty percent of these units permanently affordable to households earning 60% of area median income. Additionally, a 300-space parking structure will provide parking for the Project's users, as well as local commuters. Along the waterfront esplanade, the four historic buildings and the historic underground vaults of the US Lighthouse Depot Complex will be repurposed into mixed-use restaurant, office, and hospitality space. The current zoning designation is C2-4/R7A and designates commercial and residential mixed use. The redevelopment plan for Site B is still being developed, and construction on Site B will commence after

the completion of Site A.

The construction for Site A included excavation of onsite soils up to 30 feet below grade to accommodate the construction of the cellar levels of the building. An additional eight feet was excavated in a limited central area of Lot 58 for the installation of an elevator pit and sump.

Date of Voluntary

Cleanup Agreement: December 11, 2015

Notice Issuance

This Notice of Completion, hereinafter referred to as the "Notice," is issued pursuant to Chapter 9 of Title 24 of the Administrative Code of the City of New York.

This Notice has been issued upon satisfaction of the Director, following review by the Office of the Remedial Action Report and data submitted pursuant to the Voluntary Cleanup Agreement, as well as any other relevant information regarding the Site, that the remediation requirements set forth at Section 1407 of Title 43 of the Rules of the City of New York have been achieved in accordance with the Remedial Action Work Plan.

The remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses:

<u> x </u>	Unrestricted Use
<u> </u>	Restricted Use:
<u> </u>	Residential
<u> </u>	Restricted Residential
<u> </u>	Commercial
<u> </u>	Industrial

Liability Limitation

Upon issuance of this Notice of Completion, and subject to the terms and conditions set forth herein, the Notice holder(s) shall be entitled to the liability limitation provided in Section 906 of Title 24 of the administrative code of the City of New York. The liability limitation shall run with the land, extending to the Notice 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 Section 906 of Title 24 of the administrative code of the City of New York, and any other applicable provision of law.

In accordance with a Memorandum of Agreement between the New York State Department of Environmental Conservation and the New York City Mayor's Office of Environmental Remediation dated July 10, 2012, New York State Department of Environmental Conservation agrees that this site is of no further interest, and it does not plan or anticipate taking administrative or judicial action with regard to the property.

Notice of Transferability

This Notice may be transferred to the Notice holder's successors or assigns upon transfer or sale of the Site as provided by section 906(c) of the administrative code of the City of New York.

Notice Modification/Revocation

This Notice of Completion may be modified or revoked by the Director following notice in accordance with Section 43-1408(f) of the Rules of the City of New York 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 City Voluntary Cleanup Agreement;
- (2) 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 Voluntary Site Cleanup Agreement were reached; or
- (3) there is good cause for such modification or revocation.

The Notice 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 isn't cured or a request for a hearing received within such 30-day period, the Notice shall be deemed modified or vacated on the 31st day after the Office notice.

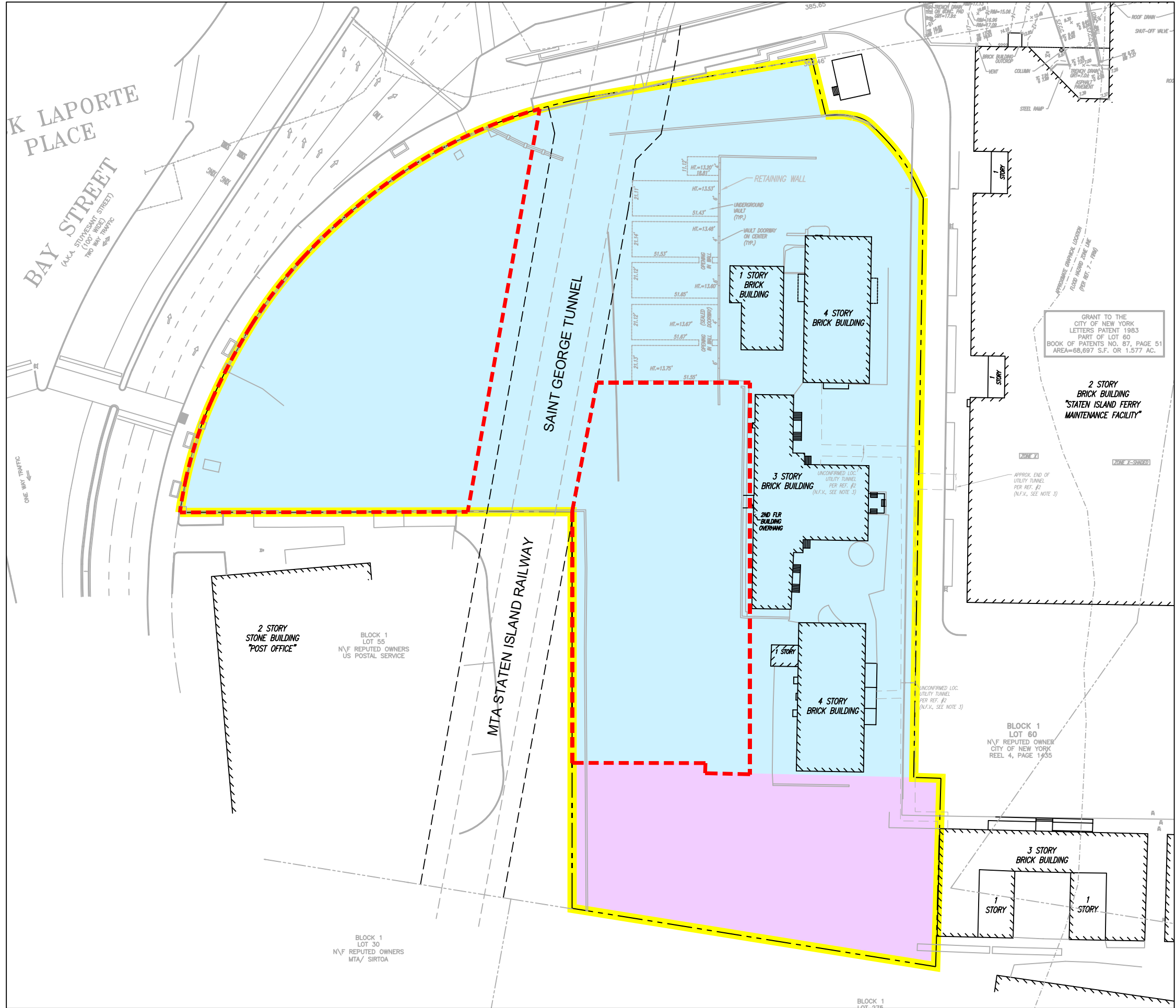
Sincerely,



Shaminder Chawla
Deputy Director
New York City Office of Environmental Remediation

Date of Issuance: July 7, 2021
Site No.: 15CVCP162R

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LEGEND

- PROJECT BOUNDARY
- SCOPE OF EXCAVATION BOUNDARY
- SITE A
- SITE B

60' 0 60'

North Arrow

Title:

SITE A BOUNDARY MAP

REMEDIAL ACTION REPORT
LIGHTHOUSE POINT
STATEN ISLAND, NEW YORK

Prepared for:

TRIANGLE EQUITIES - 5 BAY STREET, LLC

ROUX	Compiled by: R.H.	Date: 10JUN21	FIGURE 2
	Prepared by: B.H.C.	Scale: AS SHOWN	
	Project Mgr: R.H.	Project: 1637.0001Y000	
	File: 1637.0001Y125.05.DWG		