



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Daniel Walsh, Ph.D.
Director

Tel: (212) 788-8841

July 6, 2016

Dear, Cheskel Schwimmer
CNS Builders, LLC
649 Myrtle Avenue, PMB 560
Brooklyn, NY 11205

Re: Notice of Completion
116 Walton Street, Brooklyn, NY
OER Site Number: 14CVCP212K

Dear Mr. Schwimmer:

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 6, 2016. 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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New York, New York 10038

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Director

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NOTICE OF COMPLETION

Notice Holder(s): Dear, Cheskel Schwimmer
CNS Builders, LLC
649 Myrtle Avenue, PMB 560
Brooklyn, NY 11205

Site Information: Site Name: 116 Walton Street
Site Owner: Cheskel Schwimmer
Street Address: 116 Walton Street, Brooklyn, NY
Block 2250, Lot(s) 25
OER Site Numbers: 14CVCP212K and 14EH-A233K

Project Description: The 2,500 square feet Site is located at 116 Walton Street in the Williamsburg section of Brooklyn, New York, and is identified as Block 2250 and Lot 25 on the New York City Tax Map. Prior to redevelopment, the Site was vacant, undeveloped and uncapped and utilized for parking. A new 6-story residential apartment building with a full cellar level and a concrete capped rear courtyard has been constructed at the Site. The new mixed use building and cellar covers 65% of the lot, leaving a concrete capped rear courtyard behind the building.

A Factsheet #1 announcing project entry to the City Voluntary Cleanup Program was issued in December 2013. Factsheet #2 announcing start of construction was issued in July 2014. NYS Department of Environmental Conservation was briefed this project in November 2013 and March 2014. NYC Department of Health and Mental hygiene was briefed in February 2014. Factsheet #3 announcing completion of remedy is issued in July 2016.

**Date of Voluntary
Cleanup Agreement:** May 12th, 2014

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:

- ☐ Unrestricted Use (Track 1)
- ☒ Restricted Use (Tracks 4):
 - ☐ Residential
 - ☐ Restricted Residential
 - ☐ Commercial
 - ☐ 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,

A handwritten signature in black ink, appearing to read "Shaminder Chawla".

Shaminder Chawla
Deputy Director
New York City Office of Environmental Remediation

Date of Issuance: July 6, 2016
Site No.: 14CVCP212K