



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Mark P. McIntyre, Esq.
Director

Tel: (212) 788-8841

December 29, 2022

Moses Karpen
590 Myrtle LLC
302 Roebling Street, Suite 106
Brooklyn, NY 11211

Re: Notice of Completion
590-594 Myrtle Avenue, Brooklyn, NY
OER Site Number: 21CVCP014K

Dear Moses Karpen:

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 December 29, 2022. 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): 590 Myrtle LLC

Site Information: Site Name: 590-594 Myrtle Avenue
Site Owner: 590 Myrtle LLC
Street Address: 590-594 Myrtle Avenue, Brooklyn, NY
Block 1910, Lot 25 (former Lots 25 & 27)
OER Site Number: 21CVCP014K

Project Description: The Site consists of a 4,880 sf 6- story mixed use residential and commercial building equipped with a one-level full cellar encompassing the entire building footprint. The entire site footprint (100% of the property) has been excavated to a depth of approximately 12-13 ft bgs for development purposes. A small portion of property (approximately 50 square feet) has been excavated to the depth of 16-17 feet below grade for the elevator pit. The cellar extends approximately 11 feet below current grade and is used for offices, storage, and mechanical rooms. Two of the first-floor apartments have accessory spaces in the cellar. The first floor is used for two residential apartments and a lobby space on the northern portion of the site and a parking garage on the southern portion of the site. The rear lightwell is covered by beams on the first floor allowing light into the cellar offices. The parking garage is accessed via Myrtle Street on the eastern site boundary and houses approximately six vehicles. The second through sixth floors are used for residential apartments with a bicycle storage room and an approximate 375-foot recreation space located on the sixth floor. The building has a total of 12 apartments. The building extends to approximately 69 ft in height with a 10 ft balcony setback on the 6th floor. The building is equipped with a bulkhead for mechanical elevator equipment extending to 79.6 ft. The current zoning designation is residential R7-A zoning area with a C2-4 commercial overlay. The new Site use is consistent with existing zoning for the property.

Date of Voluntary

Cleanup Agreement: April 16, 2021

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
- Restricted Use:
 - 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". The signature is fluid and cursive, with the first name being more prominent.

Shaminder Chawla
Deputy Director
New York City Office of Environmental Remediation

Date of Issuance: December 29, 2022
Site No.: 21CVCP014K