



OFFICE OF ENVIRONMENTAL REMEDIATION

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DECISION DOCUMENT

E-Designation Remedial Action Work Plan Approval

June 17, 2021

Re: 1100 Myrtle Avenue, 1100 Rear Myrtle Avenue, 1102 Myrtle Avenue, 1116 Myrtle Avenue, 1122 Myrtle Avenue, 367 Vernon Avenue, 369 Vernon Avenue, 371 Vernon Avenue, 373 Vernon Avenue
Brooklyn Block 1586, Lot 12
Hazardous Materials, Air Quality, and Noise “E” Designation
E-285: Bedford Stuyvesant North Rezoning - CEQR 12DCP156Y - 10/11/2012
OER Project Number 14EHAN028K / NYSBCP C224312

The New York City Office of Environmental Remediation (OER) has completed its review of the documents related to the New York State Brownfield Cleanup Program (NYS BCP) component of the project for Hazardous Materials and the Remedial Action Plan for Air Quality dated March 2021 and the Remedial Action Plan for Noise dated March 2021 for the above-referenced project.

These Plans were submitted to OER under the E-Designation Program

Project Description

The applicant is proposing to build a new 11-story building, extending from Myrtle to the mid-block depth, with a full cellar. The building will have parking on the cellar level to Floor 3, grocery store back of house and residential back of house on the cellar level, a grocery store on Floor 1, residential amenities on Floors 2 and the roof and residential spaces on Floors 2-11. The property area on Vernon Avenue will be used as parking for the proposed grocery on the first floor. The full site will be built out with no landscaped areas.

Statement of Purpose and Basis

This document presents the remedial action for the E-Designation Program project known as “1100 Myrtle Avenue” pursuant to the Zoning Resolution and §24 - 07 of the Rules of the City of New York.

Description of Selected Remedy for Hazardous Materials

The remedial action selected for the 1100 Myrtle Avenue site is protective of public health and the environment. The elements of the selected remedy are as follows:

The Site is enrolled in the NYS Brownfield Cleanup Program (NYS BCP Site No. 224312). In an effort to satisfy the Hazardous Materials “E” Designation requirements for this project the applicant submitted all necessary documents to OER for review. This documentation included the NYS Department of Environmental Conservation (NYSDEC)-approved June 2021 Remedial Action Work Plan (RAWP) and the June 4, 2021 Decision Document issued by NYSDEC. The remedial action selected for the 1100 Myrtle Avenue site, as outlined in the RAWP is protective of human health and the environment and will include excavation and removal of soils which exceed the selected Soil Cleanup Objectives, an engineered composite cover, active sub-slab depressurization system, and a Site Management Plan.

Description of Selected Remedy for Air Quality

The elements of the remedial action selected for Air Quality for the 1100 Myrtle Avenue site are as follows:

In order to satisfy the requirements of the E-designation, natural gas will be utilized at the site for space heating

and hot water. Residential amenities and residential units will be heated and cooled by an electrically-powered variable refrigerant flow (VRF) system with air cooled condensing units provided. Domestic hot water will be provided to the residential spaces as well as the residential amenities by three natural gas-fired AERCO INN1060SV hot water heaters, each rated at 1,060 MBH . The grocery store will be heated by water source heat pumps. Two natural gas-fired Harsco MnR750 combination boiler and domestic hot water heaters each rated at 750 MBH, will provide heat injection to the condenser water loop and domestic hot water for the grocery store. Building corridors will be heated by dedicated energy recovery ventilators located on the roof.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 1100 Myrtle Avenue site are as follows:
The following windows will be installed:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
Northern Façade (Floor 1) Retail	28 (28 dBA required)	Full assembly rating based on glass only OITC 31. Full assembly ASTM E90 test report to be provided to OER prior to purchase and installation.	Window with Glass manufactured by Viracon or OER approved equivalent	1/4" glass – 3/4" airspace – 1/4" glass
Northern Façade (Floor 2) Amenity	26 (26 dBA required)	Full assembly rating based on glass only OITC 30. Full assembly ASTM E90 test report to be provided to OER prior to purchase and installation.	Window with Glass manufactured by Viracon or OER approved equivalent	1/4" glass – 1/2" airspace – 1/4" glass
Southern Façade (Floor 2) Eastern Façade (Floor 2) Amenity	23 (23 dBA required)	Full assembly rating based on glass only OITC 30. Full assembly ASTM E90 test report to be provided to OER prior to purchase and installation.	Window with Glass manufactured by Viracon or OER approved equivalent	1/4" glass – 1/2" airspace – 1/4" glass
Northern Façade (Floor 2 and 3) Residential	31 (31 dBA required)	Full assembly rating based on glass only OITC 34. Full assembly ASTM E90 test report to be provided to OER prior to purchase and installation.	Window with Glass manufactured by Viracon or OER approved equivalent	1/4" glass – 1/2" airspace – 3/8" glass
Northern Façade (Floors 4 – 11) Southern Façade (Floors 2 – 11) Eastern Façade (Floors 3 – 5) Residential	28 (28 dBA required)	Full assembly rating based on glass only OITC 31. Full assembly ASTM E90 test report to be provided to OER prior to purchase and installation.	Window with Glass manufactured by Viracon or OER approved equivalent	1/4" glass – 3/4" airspace – 1/4" glass

The acoustical reports described above are representative of the acoustical performance of all proposed windows/doors/curtain walls.

The applicant commits to demonstrating that the selected manufacturer's window products achieve the minimum OITC requirement outlined in the table above. If the selected manufacturer does not have ASTM E90 test on file for the specific window assemblies to be installed, a mockup will be laboratory tested as per ASTM E90 to demonstrate compliance with the minimum OITC requirement.

The glazing-only OITC ratings presented in the table may reduce substantially once noise transmission through the window frames is evaluated. The glazing presented above may need to be reevaluated if the attenuation losses due to framing elements render the window attenuation performance inadequate to satisfy the requirements.

In order to satisfy the requirements of the E Designation, Alternate Means of Ventilation (AMV) will be installed in order to maintain a closed window condition. AMV for this project will be achieved by:

1. Trickle Vents: Installing Trimvent® 4000 Aluminum slot ventilator trickle vents manufactured by Titon in all residences. Fresh air will be provided to all bedrooms and living rooms by the trickle vents. Heating and cooling will be provided to residential spaces receiving fresh air via trickle vents by Mitsubishi Models PVFY-P12NAMU, PVFY-P18NAMU, PFFY-P06NRMU, PFFY-P12NRMU, and PFFY-P15NRMU heat pump VRF units.
2. Combination of Dedicated Fresh Air/ HVAC System: Installing EV450IN model ERVs manufactured by Greenheck in the Floor 2 and Mitsubishi Models PEFY-P36NMAU, PEFY-P30NMAU, and PEFY-P18NMAU heat pump VRF units in the Floor 2 residential amenity and office spaces for heating and cooling. Façade mounted louvers located on the north and south facades and ERV units and associated ducting will provide fresh air to each residential amenity and office space. In all cases, the rate of outside air (cfm) delivered to each habitable space (bedrooms and living spaces) will meet or exceed that specified in the 2014 New York City Mechanical Code Table 403.3.
3. Compliance with Mechanical Code: Providing outside air to commercial spaces and common areas such as lobbies and corridors in accordance with the 2014 NYC Mechanical Code.

The remedies for Hazardous Materials, Air Quality, Noise E Designation as described above conform to the promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration OER guidance, as appropriate.

06/17/2020

Date



Noel Anderson
Project Manager

06/17/2021

Date



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