



Office of Environmental Remediation

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

Shaminder Chawla

Acting Director

Tel: (212) 788-8841

February 24, 2025

Mr. Joseph Inzlicht
1256 38 ST LLC
1303 53rd Street, Suite 307
Brooklyn, NY 11219

Re: Notice of Completion
1252–1256 38th Street, Brooklyn, NY
OER Site Number: 19CVCP039K

Dear Joseph Inzlicht:

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 February 24, 2025. Congratulations!

To apply for a Brownfield Incentive Grant (BIG) cleanup grant, submit a grant application within 6 months of the NOC issuance date. More information is available on OER's website at <https://www.nyc.gov/site/oer/grants/big-grants.page>

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

Sincerely,

Shaminder Chawla
Acting Director



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Notice of Completion

Notice Holder(s): 1256 38 ST LLC

Site Information: Site Name: 1252–1256 38th Street
Site Owner: 1252 38 ST DEVELOPMENT LLC
Street Address: 1256 38th Street, Brooklyn, NY
Block 5294, Lots 27 / 7501, 127 / 7503 (Formerly Lots 26, 27)
OER Site Number: 19CVCP039K

Project Description: The applicant has constructed two (2) new 4-story residential buildings with a full cellar as reported to the Department of Buildings in the Certificate of Occupancy Application. The cellar levels are set back eight (8) feet with stair wells leading into the cellar level. The cellars for both buildings cover the next 55 ft of the lot and consist of the sprinkler/gas room, three storage rooms, a restroom, and accessory space for the first floor residential unit. The first through fourth floors consist of residential apartments. The building has all market rate units.

**Date of Voluntary
Cleanup Agreement:** December 18, 2018

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 Title 24 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
Acting Director
New York City Office of Environmental Remediation

Date of Issuance: February 24, 2025
Site No.: 19CVCP039K