



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Shaminder Chawla
Acting Director
Tel: (212) 788-8841

October 11, 2023

Mr. Lenny Dymond
Civic Sherman LLC
180 Varick Street, New York, NY 10014

Re: Notice of Completion
2400 Pitkin Avenue, Brooklyn, NY
OER Site Number: 22CVCP042K

Dear Mr. Lenny Dymond:

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 October 11, 2023. Congratulations!

If you have any 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): Civic Sherman LLC

Site Information: Site Name: 2400 Pitkin Avenue
Site Owner: Civic Sherman LLC
Street Address: 2400 Pitkin Avenue, Brooklyn, NY
Block 4017, Lot 15 (Former Lots 15, 19)
OER Site Number: 22CVCP042K

Project Description: The Site has been redeveloped for construction and operation of a 4-story charter school with a cellar with a total area of approximately 43,500-sf. The charter school encompasses the entire lot (11,000 sf). The building cellar level consists of a gymnasium, classrooms, and mechanical spaces; the first floor consists of a warming kitchen, cafeteria, and lobby; and the second through fourth floors consists of classrooms, meeting rooms, and offices. The redevelopment for the Site included full demolition of the existing Site building for construction of the charter school. Excavation for Site development extended to about 14 feet below ground surface (bgs); excavations did not extend to the groundwater table. As part of redevelopment, the referenced lots were merged to Lot 15. The Site's zoning designation is residential use (R7A) with a commercial overlay (C2-4). The proposed use is consistent with existing zoning for the property. The charter school includes a cafeteria and a gymnasium, for which Place of Assembly certificates were filed with and granted by the NYC DOB.

Date of Voluntary

Cleanup Agreement: February 23, 2022

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 (Track 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,



Shaminder Chawla

Acting Director

New York City Office of Environmental Remediation