



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Mark P. McIntyre, Esq.
Director

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NOTICE TO PROCEED
DOB Job Number NB 210181248

August 27, 2021

Re: 1559 Boone Avenue
Bronx Block 3009, Lots 33
Hazardous Materials, Air Quality, and Noise Restrictive Declaration
R-206: Crotona Park East/West Farms Rezoning and Related Actions - CEQR 10DCP017X - 12/2/2011
OER Project Number 19RHAN324X / NYS BCP Site No. C203141

Dear Bronx Borough Commissioner:

The New York City Office of Environmental Remediation (OER) hereby issues a Notice to Proceed for the above-referenced Department of Buildings Job Number. This correspondence is provided pursuant to OER's responsibilities as established in Chapter 24 of Title 15 of the Rules of the City of New York and Section 11-15 of the Zoning Resolution of the City of New York.

The Applicant has submitted an Air Quality and Noise remedial action plan that is acceptable to this Office and has prepared a Construction Health and Safety Plan for implementation on this project.

The Applicant has enrolled in the New York State Department of Environmental Conservation's Brownfield Cleanup Program (NYSDEC BCP), Site No. C203141. Based upon NYSDEC's issued Decision Document approving remedial action, and OER approval of the Air Quality and Noise remedial action plan, OER has concluded that the applicant may proceed with remediation/construction, provided the remedial measures included in the RAWP are implemented. At the completion of remedial construction, a P.E.-certified Final Engineering Report (FER) needs to be submitted by the applicant to NYSDEC for approval and Noise Installation Report submitted to OER at the conclusion of remediation/construction activities.

No remedial work outside of what is outlined in the RAWP shall be performed at the site until NYSDEC approves that. If the applicant opts out of the NYSDEC BCP, the remedial action outlined in the DEC approved RAWP must be reviewed/approved by OER and implemented in order to satisfy the Hazardous Materials E Designation. OER's Decision Document that defines the remedial actions required for this project has been prepared and filed and is available on request.

At the conclusion of remedial activities required under this action, the Zoning Resolution and §24-07 of the Rules of the City of New York requires that OER issue a Notice of Satisfaction signifying that all remedial action requirements established for this project have been satisfied prior to issuance of the Certificate of Occupancy or Temporary Certificate of Occupancy by Department of Buildings.

If you have any questions or comments, please feel free to contact Samantha Catalanotto at 212-788-2676.

Sincerely,



Shaminder Chawla
Deputy Director

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DECISION DOCUMENT
Restrictive Declaration
Remedial Action Work Plan Approval

August 27, 2021

Re: 1559 Boone Avenue
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OER Project Number 19RHAN324X / NYS BCP Site No. C203141

The New York City Office of Environmental Remediation (OER) has received the March 2021 Remedial Action Work Plan (RAWP) prepared by AKRF, Inc. and submitted to NYSDEC in the New York State Brownfield Cleanup Program (NYS BCP). NYSDEC has completed their 45-day public comment period on the cleanup plan. NYSDEC has issued a Decision Document on August 17, 2021 approving the RAWP.

We have also received and reviewed the Remedial Action Plan for Air Quality and Noise dated March 2021 for the above-referenced project. The Plan was submitted to OER under the E-Designation Program.

Project Description

The proposed redevelopment currently contemplated at the Site includes demolition of the existing building, followed by the construction of a new eight-story residential building. The building would contain 66 units of supportive housing and have approximately 48,000 square feet of floor area. The ground floor would have an approximately 5,400-square foot footprint, and would contain a lobby, offices, a common room, a laundry, and a pantry. The proposed building would be set back approximately six feet from the Boone Avenue sidewalk, with the setback area occupied by pavement and planters. The Site would also have an at-grade rear yard on the western portion of the Property, which would consist of paved and landscaped areas.

Statement of Purpose and Basis

This document presents the remedial action for the Restrictive Declaration Program project known as “1559 Boone 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 1559 Boone Avenue site outlined in the March 2021 NYSDEC-approved Remedial Action Work Plan is protective of public health and the environment.

The Site has enrolled in the NYSDEC Brownfield Cleanup Program (NYS BCP Site No. C203141). In an effort to satisfy the Hazardous Materials “E” Designation requirements for this project, the applicant submitted all necessary documents to our office for review. This documentation included the NYSDEC-approved Remedial Investigation Report and March 2021 Remedial Action Work Plan. The RAWP has completed the 45-day comment period and the Decision Document has been issued by NYSDEC. The NYS BCP project manager for this project is Richard Mustico.

For more information, visit NYSDEC’s website at <https://www.dec.ny.gov/cfm/xtapps/derexternal/>

Remedial activities will be performed at the Site in accordance with this NYSDEC-approved RAWP and the

Department-issued Decision Document. All deviations from the RAWP and/or Decision Document will be promptly reported to NYSDEC for approval and fully explained in the Final Engineering Report (FER).

Access the RAWP and other project documents online through the DECinfo Locator:

<https://www.dec.ny.gov/data/DecDocs/C203141/>

Description of Selected Remedy for Air Quality

The elements of the remedial action selected for Air Quality for the 1559 Boone Avenue site are as follows: In order to satisfy the requirements of the Restrictive Declaration, natural gas will be utilized at the site for space heating, and hot water systems. Two 0.75 MMBtu/hr natural gas-fired AERCO BMK750 boilers will be used to provide space heating and two 0.3 MMBtu/hr natural gas-fired PVI Conquest 100 condensing water heaters will be used to provide domestic hot water.

In order to satisfy the requirements of the Restrictive Declaration, two boiler stacks will be located on the bulkhead roof. The stacks will be located 37.9 feet from the lot line facing E. 172nd Street, and 60.7 feet from the lot line facing E. 173rd Street.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 1559 Boone Avenue site are as follows:

In order to meet the requirements of the E-Designation, the following window/wall attenuation requirements will be achieved at the locations described below:

1. 23 dBA in Floor 1 accessory and office spaces based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation. It is understood that this reduction may prevent the project from obtaining a Final Notice of Satisfaction for the Noise E as the site is not protective for all allowable uses;
2. 28 dBA on the eastern and western façades (Floors 1 – 5);
3. 25 dBA on the eastern and western façades (Floors 6 – 8).

The following windows will be installed:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
Eastern and Western Façades (All Floors) Accessory, Office, and Residential	30 (23 to 28 dBA Required)	See ASTM E-90 acoustical report for exact window and glazing in Appendix I	E600 Series Casement manufactured by Quaker Windows or OER approved equivalent	1/4-inch interior lite – 13/16-inch gap/airspace – 5/16 inch exterior lite

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. **PTAC Units:** Alternate means of ventilation in residences will be provided by installing 5RSNU13 and 8RSNU15 PTAC units manufactured by Ice Air in every residential unit on floors 2 – 8. Fresh air will be provided to all bedrooms and living rooms by the PTAC units. The PTAC units also consist of a hot water coil and it operates via thermostat and will continuously provide outdoor air while maintaining space set point.
2. **Combination of Dedicated Fresh Air/ HVAC System.** Alternate means of ventilation in the floor 1 amenity and office spaces will consist of ducted outdoor air tempered and filtered from an Energy Recovery Unit manufactured by Greenheck model ERV-45-30L. VRF Heat Pump Split System by LG models ARNU123TRD4, ARNU123M1A4, and ARNU483M3A4 will be utilized for air cooling and heating with ducted outside air to each use and motorized damper to shut the damper when unit is turned off.
3. **Compliance with Mechanical Code:** The HVAC design adheres to the 2014 NYC Building Code, 2014

NYC Mechanical Code, 2016 NYC Energy Conservation Code and all subsequent relevant code and amendments. Ventilation is governed by Chapter 4 of the 2014 NYC Mechanical Code for Ventilation.

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

8/27/2021	
Date	Samantha Catalanotto Project Manager
8/27/2021	
Date	Maurizio Bertini, Ph.D. Assistant Director – Air Quality and Noise
8/27/2021	
Date	Shaminder Chawla Deputy Director – Hazardous Materials

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