



OFFICE OF ENVIRONMENTAL REMEDIATION

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Director

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NOTICE TO PROCEED
DOB Job Number 121189579

May 6, 2019

Re: 263-267 West 126th Street; 267-269 West 126th Street
Manhattan Block 1932, Lots 5, 7, 107
Hazardous Materials “E” Designation
E-204: Unity Funeral Chapel Rezoning - CEQR 07DME009M - 5/14/2008
OER Project Number 18EHAZ238M, 17TMP0335M

Dear Manhattan 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 filed a Hazardous Materials remedial action work plan that is acceptable to this Office and has prepared a Construction Health and Safety Plan for implementation on this project. 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
E-Designation
Remedial Action Work Plan Approval

May 6, 2019

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The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Plan (RAP) dated May 2018 with Stipulation Letter dated May 6, 2019 for the above-referenced project.

The Plan was submitted to OER under the E-Designation Program.

NYS DEC and NYCDOHMH were briefed on March 7, 2019.

Project Description

The development project consists of the construction of a new 7-story affordable housing apartment building with up to 37 affordable housing units, and first floor commercial, community facility and retail spaces. The redevelopment will be constructed using the high-performance design features, and will have a greatly reduced ecological footprint, ultra-low energy usage and will require less energy for heating and cooling than a standard apartment building. The proposed uses are consistent with existing zoning for the property. These spaces will include a 4,500-square foot (sf) ‘tech incubator’ space, and a 1,350-sf community facility space for tech-based education. Finally, there will be a 1,200-sf retail space for potential use as a cafe or similar type of use.

The proposed building will have a maximum height of 75-feet, with a footprint of 8,416-sf encompassing the entire parcel, and a 5,631-sf partial basement. The partial basement will be located on the southern portion of the Site and will extend to 10-feet below grade surface (bgs). An approximate 2,860-sf area on the northern section of the proposed building will be constructed slab-on-grade. Based on the results of a Geotechnical report, produced by Tectonic Engineering (Tectonic) in December 2018, the sub-surface materials in the northern portion of the Site from 0-feet to approximately 10-14-feet below grade surface are classified as ‘Uncontrolled Fill’ are unsuitable for sustaining the proposed building as slab-on-grade. Based on this information, the materials from 0-10-feet bgs will be excavated across the entire Site and will require the removal of approximately 84,160-cubic feet (3,120 cubic yards) of urban fill and overburden. The 2,860-sf slab on grade portion of the northern side of the proposed building will then be backfilled with approximately 950-cubic yards of certified clean fill material from an NYCOER approved facility, prior to construction. Finally, an additional excavation of approximately 1-2-feet will be required for each of the building footers, and 1-foot for the foundation walls. There will be no ‘at-grade’ open space areas, however an approximate 2,720-sf outdoor recreation area will be built atop the rear first floor portion of the building. There will be a hydraulic elevator traversing the basement to 7th floor. Based on observations made within the geotechnical report by Tectonic in December 2018, the water table is expected at approximately 21.3 to 23 feet below grade surface (bgs).

Statement of Purpose and Basis

This document presents the remedial action for the E-Designation Program project known as “263-267 West 126th

Street” pursuant to the Zoning Resolution and §24 - 07 of the Rules of the City of New York.

Description of Selected Remedy

The remedial action selected for the 263-267 West 126th Street site is protective of public health and the environment. The elements of the selected remedy are as follows:

1. Performance of a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
2. Establishment of Track 4 Site-specific Soil Cleanup Objectives (SCOs).
3. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
4. Performance of additional site characterization sampling of soil vapor.
 - a. Prior to beginning of remediation, two (2) supplemental soil vapor samples will be collected at a depth of between 10 and 12-feet below grade, to represent soil vapor concentrations at and below the proposed redevelopment depth.
5. Completion of a Waste Characterization Study prior to excavation activities. Waste characterization soil samples will be collected at a frequency dictated by disposal facility(s). Three waste characterization samples were obtained on October 23, 2018.
6. Excavation and removal of soil/fill exceeding Track 4 Site-specific SCOs. The entire footprint of the building area (about 100% of the property) both from sections with a cellar and slab-on-grade sections will be excavated to a depth of approximately 10 feet below grade for development purposes (slab-on-grade sections require excavation also due to structurally unsuitable material being identified down to 10-feet bgs during geotechnical borings). Approximately 4,700 tons of soil/fill will be removed from the Site and properly disposed at an appropriately licensed or permitted facility.
7. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID.
8. Management of excavated materials including temporarily stockpiling and segregating in accordance with defined material types and to prevent co-mingling of contaminated material and non-contaminated materials.
9. Removal of all UST’s that are encountered during soil/fill removal actions. Registration of tanks and reporting of any petroleum spills associated with UST’s and appropriate closure of these petroleum spills in compliance with applicable local, State and Federal laws and regulations.
10. Transportation and off-Site disposal of all soil/fill material at licensed or permitted facilities in accordance with applicable laws and regulations for handling, transport, and disposal, and this plan. Sampling and analysis of excavated media as required by disposal facilities. Appropriate segregation of excavated media on-Site.
11. Collection and analysis of four (4) end-point samples to determine the performance of the remedy with respect to attainment of SCOs.
12. Demarcation of residual soil/fill in landscaped areas.
13. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
14. Construction of an engineered composite cover consisting of an approximately six inch thick concrete building slab with an 8-inch clean granular sub-base beneath all building areas, 4-inch poured concrete on a 6-inch sub-base in sidewalk areas, and two feet of clean soil in all open space and landscaped areas.
15. Installation of a vapor barrier system consisting of vapor barrier beneath the building slab and outside of sub-grade foundation sidewalls to mitigate soil vapor migration into the building. The vapor barrier system will consist of a 20-mil Stego Wrap vapor barrier below the slab throughout the full building area and outside all sub-grade foundation sidewalls. All welds, seams and penetrations will be properly sealed to prevent preferential pathways for vapor migration. The vapor barrier system is an Engineering Control for the remedial action. The remedial engineer will certify in the RCR that the vapor barrier system was designed and properly installed to mitigate soil vapor migration into the building.
16. Performance of all activities required for the remedial action, including acquisition of required permits and attainment of pretreatment requirements, in compliance with applicable laws and regulations.
17. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
18. Submission of a RCR that describes the remedial activities, certifies that the remedial requirements have been achieved, defines the Site boundaries, lists any changes from this RAP, and describes all

Engineering and Institutional Controls to be implemented at the Site.

19. Submission of an approved Site Management Plan (SMP) in the Remedial Closure Report (RCR) for long-term management of residual contamination, including plans for maintenance, inspection and certification of Engineering and Institutional Controls and reporting at a specified frequency.
20. The property will continue to be registered with an E-Designation at the NYC Buildings Department. Establishment of Engineering Controls and Institutional Controls in this RAP and a requirement that management of these controls must be in compliance with an approved SMP. Institutional Controls will include prohibition of the following: (1) vegetable gardening and farming; (2) use of groundwater without treatment rendering it safe for the intended use; (3) disturbance of residual contaminated material unless it is conducted in accordance with the SMP; and (4) higher level of land usage without OER-approval.

The remedies for Hazardous Materials E Designation 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.

5/6/2019



Date

Samantha Catalanotto
Project Manager

5/6/2019



Date

Shaminder Chawla
Deputy Director – Hazardous Materials

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