



**Office of Environmental Remediation**

100 Gold Street – 2<sup>nd</sup> Floor  
New York, New York 10038

**Shaminder Chawla**

**Director**

Tel: (212) 788-8841

**Notice to Proceed**  
**DOB Job Number M01141757-I1**

September 3, 2025

Re: 533-535 West 27<sup>th</sup> Street, 534-536 West 28<sup>th</sup> Street  
Manhattan Block 699, Lot 14  
Hazardous Materials, Air Quality, and Noise “E” Designation  
E-142: Highline / West Chelsea Rezoning - CEQR 03DCP069M - 6/23/2005  
OER Project Number 24EHAN034M / 25CVCP012M

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(s). This correspondence is provided pursuant to OER’s responsibilities as established in Subchapter 7 of Chapter 14 of Title 43 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, Noise remedial action plan, and Air Quality remedial action plan that are 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 §43-1474 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 Yolanda Chow at 212-788-7423.

Sincerely,

Maurizio Bertini  
Assistant Director

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**Decision Document**  
**NYC VCP, E-Designation Remedial Action Work Plan Approval**

September 3, 2025

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The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated June 2025 with Stipulation Letter dated July 2025 and the Remedial Action Plan for Air Quality and Noise dated September 2025 for the above-referenced project.

These Plans were submitted to OER under the NYC Voluntary Cleanup Program, E-Designation Program.

The RAWP was released for public comment for 30 days as required by program rule. That comment period ended on 06/12/2024. There were no public comments.

**Project Description**

The proposed development project consists of two (2) 12-story residential buildings separated by an open residential garden and seating area at grade. The entire development footprint will cover approximately 9,900 square feet, the height of the buildings will be 135 feet including a cellar level approximately 10 feet deep with a minimum one-foot-thick concrete slab. The basement cellar level will be used for building mechanicals such as electric room, fire pump room, hot water heater room, and a gym with a recreational area. Both buildings will have the same footprint and use. The roofs for the buildings will be used for mechanical equipment (primarily HVAC) and outdoor terrace areas for residents.

There will be a single 5-6-foot-deep elevator pit in the basement with a 5-foot-thick elevator pile cap. The depth of the excavation will be approximately 12 feet deep. The foundation will include piles and pile caps approximately 48-inches thick. The foundation piles will extend approximately 10 feet into the surface of bedrock, which is estimated to be present between 22 and 29 feet beneath ground surface (bgs) at the Site. Based on the site dimensions and proposed depth of the excavation, approximately 6,200 tons of soil/fill materials will be removed. The proposed excavation to 12 feet deep is anticipated to extend below the groundwater table. The depth to groundwater was measured from a range of 8.65 ft-bgs to 9.57 ft-bgs on July 11, 2024, for the four temporary wells installed. The proposed footprint of each of the residential buildings is approximately 3,500-square feet and includes 15-foot setbacks.

**Statement of Purpose and Basis**

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as "533 West 27th Street" pursuant to Title 43 of the Rules of the City of New York Chapter 14, Subchapter 1 and the Zoning Resolution and §43-1474 of the Rules of

the City of New York.

### **Description of Selected Remedy for Hazardous Materials**

The remedial action selected for the 533 West 27th Street site is protective of public health and the environment. The elements of the selected remedy are as follows:

For Track 1 Unrestricted Use Remedial Action the proposed remedial action will consist of:

1. Preparation of a Community Protection Statement and performance of all required NYC VCP Citizen Participation activities according to an approved Citizen Participation Plan.
2. Performance of a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
3. Selection of Unrestricted Use (Track 1) Soil Cleanup Objectives (SCOs).
4. Site mobilization involves Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. Performance of additional site characterization sampling of soil and groundwater. Additionally, due to planned excavations below the water table for future development dewatering will need to be performed. An initial groundwater sample will be collected by the dewatering contractors selected to dewater the site.
6. Performance of additional site characterization sampling of soil hotspots to delineate impacts in former boring locations SB-4 and SB-8 for VOCs and lead/mercury, respectively.
7. Completion of a Waste Characterization Study during mobilization prior to soil exporting activities. Waste characterization soil samples will be collected at a frequency dictated by disposal facility(s).
8. Excavation and removal of soil/fill exceeding Unrestricted Use (Track 1) SCOs. The entire footprint of the building area (about 9,900 square feet of the property) will be excavated to a depth of approximately 16 feet below grade for development purposes. A small portion of property will be excavated to the depth of 20.6 feet below grade for rakers and elevator pits. As part of site excavations approximately 6200 tons of soil/fill will be removed from the Site and properly disposed at an appropriately licensed or permitted facility.
9. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID.
10. 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.
11. 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.
12. This RAWP does not alter Spill closure, and any associated groundwater remediation will be managed under NYSDEC authority for Spill number 2404817.
13. 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.
14. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of Track 1 Unrestricted Use SCOs.
15. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
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. Groundwater is 11 feet deep. Site excavations extend to more than 16 feet below grade. Dewatering is required and will be performed in compliance with city, state, and federal laws and regulations. Extracted groundwater will either be containerized for off-site licensed or permitted disposal or will be treated under a permit from New York City Department of Environmental Protection (NYC DEP) to meet pretreatment requirements prior to discharge to the sewer system.
18. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.

19. Submission of a Remedial Action Report (RAR) that describes the remedial activities, certifies that the remedial requirements have been achieved, defines the Site boundaries, and lists any changes from this RAWP.

If Track 1 Unrestricted Use SCOs are not achieved, the following construction elements implemented as part of new development will constitute Engineering and Institutional Controls:

20. As part of development, construction of an engineered composite cover consisting of briefly but thoroughly describe cover type and thickness such as: "a twelve-inch-thick concrete building slab with a six-inch clean granular sub-base beneath all building areas, 4-inch poured concrete on a 6-inch sub-base in sidewalk areas, and one foot of clean soil in all open space and landscaped areas.
21. As part of development, 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 three waterproofing membranes manufactured by GCP Applied Technologies, Inc., Bituthene System 4000 1.5 millimeter thick, Bituthene Liquid Membrane, and Preprufe 300R. Preprufe 300R is a 20-Mil Vapor Barrier, that will be sandwiched between a layer of geotextile fabric or 4-inch-thick Styrofoam (or similar product determined by development team) and the building slab throughout the full building area. The Bituthene System 4000 is a 1.5-millimeter-thick membrane and it will be installed outside all sub-grade foundation sidewalls. All welds, seams and penetrations will be properly sealed with Bituthene Liquid Membrane to prevent preferential pathways for vapor migration.
22. As excavations extend below the water table, sub-slab depressurization system (SSDS) is not feasible. However, a Soil Vapor Intrusion (SVI) with indoor and outdoor air sampling will be performed after building completion.
23. If Unrestricted Use cleanup is not achieved, submission of an approved Site Management Plan (SMP) in the Remedial Action Plan (RAR) for long-term management of residual contamination, including plans for operation, maintenance, monitoring, inspection and certification of Engineering and Institutional Controls and reporting at a specified frequency.

### **Description of Selected Remedy for Air Quality**

The elements of the remedial action selected for Air Quality for the 533 West 27th Street site are as follows:

#### **Fuel Type**

In order to satisfy the requirements of the E-designation, electric will be utilized at the site for hot water, and HVAC systems. Heating and cooling for all bedrooms and living areas from the 1st through 12th floors is provided via Mitsubishi MXZ Series (Model No: MXZ-SM36NAM2, MXZ-SM72TAM-U1) Heat Pump Units with associated ducted indoor units. Additionally, PVFY-P30NAMU-E1 units are used on the 10th to 12th floors in combination with the MXZ units. Ventilation is provided through trickle vents installed in each bedroom and living room. These vents allow continuous fresh air to enter space and are compliant with Section 1203.5.1.2.1 of the 2022 NYC Building Code. Energy Recovery Ventilation (ERV) units manufactured by Renewaire (Model: HE-2XJRTH-S15VV---ANT---L) are installed on the bulkheads of both the north and south buildings. Outside air is ducted vertically down through shafts with tap-offs to each floor, supplying fresh air to corridors and utility rooms. The outside air rates delivered meet or exceed the values required under NYC Mechanical Code Table 403.3. Mitsubishi PUHY Series (Model No: PUHY-P72TNU-A, PUHY-P144TNU-A) Heat Pump Units are provided for heating and cooling of the commercial spaces. Fresh air is introduced using dedicated outside air intake fans. In addition, inline exhaust fans (Greenheck models SQ-98-VG and SQ-7-M1-VG) are installed on the ground floor to ventilate both the cellar and commercial areas, in compliance with Section 403 of the NYC Mechanical Code. For the EMR room, Mitsubishi split system units are used. The condenser unit is MUY-GS09NA, pair with indoor unit MSY-GS09A. Domestic hot water heater systems are manufactured by AO SMITH (Model: DSE: 120A).

All HVAC and domestic hot water systems in this project are fully electric. The design does not include any gas-fired HVAC or hot water heating equipment.

## Stack Location

Electric will be utilized in the new building, and therefore, there will not be any stacks.

## Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 533 West 27th Street site are as follows:

### *Façade and Height Requirements*

The requirements of the E-Designation are as follows:

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

1. 30 dBA for all facades;

## 3.2 Window/ Wall Noise Attenuation

The following windows will be installed:

<b>Façade Floor Range</b>	<b>OITC Rating</b>	<b>OITC Certification</b>	<b>Manufacturer and Model</b>	<b>Glazing</b>
1 <sup>st</sup> Floor, North Tower – North, South Elevation South Tower – North, South Elevation  10 <sup>th</sup> Floor, North Tower – North Elevation, South Tower – South Elevation  Commercial  Pink	32  (Required 30 dBA)	ASTM E-90 Acoustic Test Report # F0243.01- 113-11-R0 Data File No. F243.01A	Kawneer 250T Acoustical Entrance Door	1" IG (1/4" tempered exterior, 1/2" air space, 1/4" laminated interior)
1 <sup>st</sup> Floor North Tower - North Elevation South Tower- South Elevation  1st – 12 <sup>th</sup> Floors North Tower – North, South Elevation South Tower – North, South Elevation	30  (Required 30 dBA)	ASTM E-90 Acoustic Test Report # P4643.04- 113-11-R0 Data File No. P4643.01B1	Kawneer 1600UT SS Curtain Wall System	1' IG (1/4" laminated exterior, 7/16" argon, 5/16" laminated interior)

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
Residential / Commercial  Gray				
2 <sup>nd</sup> – 12 <sup>th</sup> Floors  North Tower – North, South Elevation South Tower – North, South Elevation  Residential  Orange	34  (Required 30 dBA)	ASTM E-90 Acoustic Test Report # D8667.01-113-11 Data File No. D8667.01B	Kawneer GLASSvent UT Casement Window AW	1-3/4" IG (9/16" laminated exterior, 7/8" air space, 5/16" laminated glass)

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

### Alternate Means of Ventilation

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 Sonoslot 375 trickle vents manufactured by Renson in in all bedrooms and living spaces. Fresh air will be provided to all bedrooms and living rooms by the trickle vents. Floor plans showing the locations of trickle vents are included in **Appendix I**. Heating and cooling will be provided to residential spaces receiving fresh air via trickle vents via Mitsubishi MXZ series Heat Pump Units with associated ducted indoor units. Manufacturer specifications for the trickle vents are included as **Appendix I**.
2. **Compliance with Mechanical Code:** Providing outside air to commercial spaces and common areas such as lobbies and corridors in accordance with the 2022 NYC Mechanical Code.

### Installation Report Certification and Guidance

A Noise Attenuation Installation Report (IR) will be submitted to OER following implementation of the remedial action defined in this RAP. The IR will document that the remedial work required under this RAP has been completed and has been performed in compliance with this plan. Guidance on preparing the Installation Report is included in Appendix D.

The remedies for Hazardous Materials, Air Quality, Noise 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.



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Yolanda Chow  
Project Manager



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Maurizio Bertini  
Assistant Director



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Shaminder Chawla  
Director

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