



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Mark P. McIntyre, Esq.
Director

Tel: (212) 788-8841

November 4, 2020

Re: Notice of Completion
160 St. Ann's Avenue - Millbrook Houses (NYCHA/HPD), Bronx, NY
OER Site Number: 17CVCP041X

Dear Dena Davis:

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 30, 2020. Congratulations!

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

Sincerely,

Shaminder Chawla
Deputy Director



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New York, New York 10038

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Director

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NOTICE OF COMPLETION

Notice Holder(s): Dena Davis, Senior Project Managers
West Side Federation for Senior and Supportive Housing, Inc.
2345 Broadway
New York, NY 10024

Site Information: Site Name: 160 St. Ann's Avenue, Millbrook Commons
Site Owner: West Side Federation for Senior and Supportive Housing, Inc.
Street Address: 570 East 137 Street, Bronx, NY
Block 2548, Lot 2
OER Site Number: 17CVCP041X

Project Description: The Site development consisted of a construction of new 134,000-gross square feet (GSF) nine-story block and plank building with one partial basement level, roof top terrace, and landscaped grounds. The lower level will be used as an office space with an egress/ingress ramp, storage space and building maintenance facilities. The development also included over 8,300 square feet of community facility space, a senior center and meeting spaces. In addition to a roof top terrace, the Site also contains landscaped open spaces along the perimeter of the Site.

The redevelopment plan is 100% affordable which provides 159 units of affordable housing for seniors and an 8,300 SF community/senior center. The community/senior center features a large commercial kitchen and dining room, neighborhood community space, and multi-purpose activity rooms for senior programming.

The Site topography slopes down to the west. The Site was excavated down from between 4 to 12 feet below ground surface (bgs), with the deep excavation concentrated on the main building footprint at the center portion of the lot. The elevator pit was excavated to approximately 15 feet bgs. The Site perimeter was excavated to approximately 2 to 4 feet bgs.

**Date of Voluntary
Cleanup Agreement:** March 16, 2017

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 (Site Specific, 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,

A handwritten signature in black ink, appearing to read "Shaminder Chawla".

Shaminder Chawla
Deputy Director
New York City Office of Environmental Remediation

Date of Issuance: November 4, 2020
Site No.: 17CVCP041X