



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Mark P. McIntyre, Esq.
Director

Tel: (212) 788-8841

NOTICE TO PROCEED
DOB Job Number NB-321184446

May 19, 2021

Re: Atlantic Chestnut – Lot 1: 250 Euclid Avenue
Brooklyn Block 4143, Lot 1 (formerly part of Lot 1)
Hazardous Materials, Air Quality, and Noise “E” Designation
E-366: East New York Rezoning Proposal - CEQR 15DCP102K – 4/20/2016
OER Project Number 16EHAN330K / NYS BCP Site No. C224234

Dear Brooklyn 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 an Air Quality and Noise Remedial Action Plan, a New York State Department of Conservation (NYS DEC)-approved Brownfield Cleanup Program (BCP) Hazardous Materials Remedial Action Work Plan dated February 2020, and NYS DEC issued Decision Document dated April 2, 2020 approving the work plan that are acceptable to this Office. 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 Sarah Pong at 212-442-8342.

Sincerely,

Maurizio Bertini, Ph.D.
Assistant Director

cc: Michael Wadman, Atlantic Chestnut Affordable Housing, LLC - mwadman@phippssny.org
William Stein, R.A., Dattner Architects - wstein@dattner.com
Matthew M. Wavro, P.E., Skyline Engineering - mwavro@skylinenyc.net
Amy Jordan, AKRF - ajordan@akrf.com
Denise Miller, AKRF, Inc. - dmiller@akrf.com
Mark McIntyre, Shaminder Chawla, Zach Schreiber, Sarah Pong
PMA-OER



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Mark P. McIntyre, Esq.
Director

Tel: (212) 788-8841

DECISION DOCUMENT
E-Designation Remedial Action Plan Approval

May 19, 2021

Re: Atlantic Chestnut – Lot 1: 250 Euclid Avenue
Brooklyn Block 4143, Lot 1 (formerly part of Lot 1)
Hazardous Materials, Air Quality and Noise E Designation
E-366: 4/20/2016 - East New York Rezoning Proposal - CEQR 15DCP102K
OER Project Number 16EHAN330K / NYS BCP Site No. C224234

The New York City Office of Environmental Remediation (OER) has completed its review of the documents related to the New York State Brownfield Cleanup Program (NYS BCP) component of the project for Hazardous Materials and the Remedial Action Plan for Air Quality and Noise dated May 2021 for the above-referenced project.

These Plans were submitted to OER under the E-Designation Program.

Project Description

The applicant is proposing to build a new 14-story building with a full cellar. The building will be used for retail, residential and residential amenity uses on Floor 1, residential uses on Floors 2 through 8 and 10 through 14, and residential and residential amenity uses on Floor 9. The Atlantic Chestnut development is a mixed-use development providing 100% affordable housing, consisting of three buildings in total. The three buildings will be completed in successive phases; this Decision Document is for Building 1 only.

Statement of Purpose and Basis

This document presents the remedial action for the E-Designation Program project known as “250 Euclid 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 elements of the remedial action selected for Hazardous Materials for the 250 Euclid Avenue site are as follows:

The remedial action selected for the 250 Euclid Avenue site outlined in the February 2020 NYSDEC-approved Remedial Action Work Plan is protective of public health and the environment.

The Site is enrolled in the NYS Brownfield Cleanup Program (NYS BCP Site No. C224234). In an effort to satisfy the Hazardous Materials “E” Designation requirements for this project, the applicant submitted all necessary documents to OER office for review. This documentation included the NYS Department of Environmental Conservation (DEC)-approved February 2020 Remedial Action Work Plan (RAWP) and the April 2, 2020 Decision Document issued by NYS DEC.

The remedial action selected for the 250 Euclid Avenue site, as outlined in the RAWP, will include excavation and removal of soils which exceed restricted residential use Soil Cleanup Objectives excavation of two source areas, soil vapor extraction, sub-slab depressurization system, in-situ chemical oxidation treatment of groundwater, institutional controls, and a site management plan.

The NYS BCP project manager for this project is Manfred Magloire. Full remedy details and all project related documents are available on the NYS DEC online repository: <https://www.dec.ny.gov/data/DecDocs/C224234/>

Description of Selected Remedy for Air Quality

The elements of the remedial action selected for Air Quality for the 250 Euclid Avenue site are as follows:

In order to satisfy the requirements of the E-designation, natural gas will be utilized at the site for space heating of residential, commercial, and amenity spaces, as well as for domestic hot water. The system will consist of three (3) 4 MMBtu/hr Magnatherm MGH4000 natural gas-fired boilers manufactured by LAARS.

Remaining systems, including HVAC systems, will be powered electrically. Heating and cooling will be provided by electric LG ARNU VRF units in residential units on the first floor and residential units with street frontages, with the exception of units 1A14 and 1A15 on floors 2-8 facing Chestnut Street. All other residential units utilize electric Islandaire EZ Series NY R410A PTAC units for heating and cooling.

In order to satisfy the requirements of the E-Designation, three stacks will be located on the roof. Two (2) 8 inch diameter stacks for retail tenant boilers will be located 168.9 feet and 240.8 feet from the western lot line facing Chestnut Street. Additionally, a 20 inch diameter stack for the building heating boiler will be located 244.5 feet from the western lot line facing Chestnut Street.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 250 Euclid 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:

Façade	Floors	Required Attenuation in dB(A)¹
North East (First 64 feet set back from Fulton Street) West (First 53 feet set back from Fulton Street)	1-3	40
	4-5	39
	6	38
	7-8	37
	9-10	35
	11-14	33
	11-14 (setback)	31
East (Set back 64 feet to 210 feet from Fulton Street)	1-5	35
	6-10	33
	11-14	31
East (Set back 210 feet from Fulton Street to Building 2)	4-8	31
West (Set back 53 feet to 115 feet from Fulton Street)	1-5	37
	6-8	35
West (Set back 115 feet from Fulton Street to Building 2)	1-8	33
Courtyard North	1-13	31
	14	28
Courtyard East	1	31
	2-14	28
Courtyard South	1	31
	2-8	28
Courtyard West	1-8	31
Notes: ¹ The above composite window-wall attenuation values are for residential dwellings. Commercial and amenity uses would be 5 dB(A) less in each category.		

The following windows will be installed:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
North, East, West (First 53 feet set back from Fulton Street) Floor 1 SF01-17 Commercial	35 dBA full Assembly (assumed 3 dBA framing loss) (28 to 35 dBA Required)	Full assembly rating based on glass-only OITC 38 dBA manufacturer data Full assembly ASTM E90 test report to be provided to OER prior to purchase and installation.	Storefront system with glass manufactured by Viracon	3/8" glass, .060" PVB, 3/8" glass, 1" airspace, 3/8" glass, .090" PVB, 3/8" glass
East Floor 1 W10,W11 Residential	35 dBA full Assembly (assumed 3 dBA framing loss) (28 to 35 dBA Required)	Full assembly rating based on glass-only OITC 38 dBA manufacturer data Full assembly ASTM E90 test report to be provided to OER prior to purchase and installation.	Storefront system with glass manufactured by Viracon	3/8" glass, .060" PVB, 3/8" glass, 1" airspace, 3/8" glass, .090" PVB, 3/8" glass
North East (First 64 feet set back from Fulton Street), West (First 53 feet set back from Fulton Street) Floors 2 to 5 North, East, West (40 dBA): W1C, W2C Floors 4-5 North, West (39 dBA): W1B, W2B Residential	37 Brick and Metal Composite OITC 40 (Calculation 1) Metal Composite OITC 39 (Calculation 2) (39 to 40 dBA Required)	See ASTM E-90 acoustical report No. L3730.01-303-11-R0 for the exact window and glazing See RAP for composite window/wall attenuation calculations.	Rehau Construction LLC Series 4500 Dual Action Tilt-Turn Window	2-1/16" IG (1/2" laminated exterior, 7/8" air space, 11/16" laminated interior)
North, East (First 64 feet set back from Fulton Street), West (First 53 feet set back from Fulton Street) Floors 6 to 8 W1B, W1C, W2B, W2C Residential	35 Brick and Metal Composite OITC 38 (Calculation 3) Metal Composite OITC 38 (Calculation 4) (37 to 38 dBA Required)	See ASTM E-90 acoustical report No. F3061.02-113-11-R0, Data File No. F3061.02 for the exact window and glazing See RAP for composite window/wall attenuation calculations.	Rehau Construction LLC Series 4500 Tilt-Turn Window	2-1/16" IG, (1/2" laminated exterior, 5/8" argon, 1/8" annealed center, 1/2" argon, 5/16" laminated interior)

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
North, East, West (First 53 feet set back from Fulton Street) Floors 9 to 14 W1C, W2C-W2E Residential	33 Brick and Metal Composite OITC 36 (Calculation 5) (31 to 35 dBA Required)	See ASTM E-90 acoustical report No. F3061.02-113-11-R0, Data File No. F3061.01B for the exact window and glazing See RAP for composite window/wall attenuation calculations.	Rehau Construction LLC Series 4500 Tilt-Turn Window	2-1/16" IG (7/16" laminated exterior, 5/8" argon, 1/8" annealed center, 5/8" argon, 1/4" laminated interior)
East (Set back approximately 64 feet to 210 feet from Fulton Street) Floors 2 to 10 W1C, W2C Residential	33 Brick and Metal Composite OITC 36 (Calculation 5) (33 to 35 dBA Required)	See ASTM E-90 acoustical report No. F3061.02-113-11-R0, Data File No. F3061.01B for the exact window and glazing See RAP for composite window/wall attenuation calculations.	Rehau Construction LLC Series 4500 Tilt-Turn Window	2-1/16" IG (7/16" laminated exterior, 5/8" argon, 1/8" annealed center, 5/8" argon, 1/4" laminated interior)
East Floors 11 to 14 (Setback area) W2D Residential	33 (31 dBA Required)	See ASTM E-90 acoustical report No. F3061.02-113-11-R0, Data File No. F3061.01B for the exact window and glazing	Rehau Construction LLC Series 4500 Tilt-Turn Window	2-1/16" IG (7/16" laminated exterior, 5/8" argon, 1/8" annealed center, 5/8" argon, 1/4" laminated interior)
East (Set back approximately 210 feet from Fulton Street to Building 2) Floors 4 to 8 W1B2, W2B2 Residential	33 (31 dBA required)	See ASTM E-90 acoustical report No. F3061.02-113-11-R0, Data File No. F3061.01B for the exact window and glazing	Rehau Construction LLC Series 4500 Tilt-Turn Window	2-1/16" IG (7/16" laminated exterior, 5/8" argon, 1/8" annealed center, 5/8" argon, 1/4" laminated interior)
East (Set back approximately 64 feet to 210 feet from Fulton Street) Floors 9, 10 W4, W4A, W5, W5A Residential Amenity	33 (28 dBA required)	See ASTM E-90 acoustical report No. F3061.02-113-11-R0, Data File No. F3061.01B for the exact window and glazing	Rehau Construction LLC Series 4500 Tilt-Turn Window (Note: Fixed Window)	2-1/16" IG (7/16" laminated exterior, 5/8" argon, 1/8" annealed center, 5/8" argon, 1/4" laminated interior)

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
West (Beginning set back 53 feet from Fulton Street) Floor 1 SF18-SF23 Commercial	32 dBA full Assembly (assumed 3 dBA framing loss) (28-32 dBA required)	Full assembly rating based on glass-only OITC 35 dBA manufacturer data Full assembly ASTM E90 test report to be provided to OER prior to purchase and installation.	Storefront system with glass manufactured by Viracon	1/4-inch glass, 1/2-inch air space, 3/16-inch glass, 0.030-inch PVB, 3/16-inch glass
West (Set back 53 feet to 115 feet from Fulton Street) Floors 2 to 5 W1C, W2C, W1B2, W2B2 Residential	35 Brick and Metal Composite OITC 38 (Calculation 3) Metal Composite OITC 38 (Calculation 4) (37 dBA Required)	See ASTM E-90 acoustical report No. F3061.02-113-11-R0, Data File No. F3061.02 for the exact window and glazing See RAP for composite window/wall attenuation calculations.	Rehau Construction LLC Series 4500 Tilt-Turn Window	2-1/16" IG, (1/2" laminated exterior, 5/8" argon, 1/8" annealed center, 1/2" argon, 5/16" laminated interior)
West (Set back 53 feet to 115 feet from Fulton Street) Floors 6 to 8 W1B2, W2B2 Residential	33 Metal Composite OITC 36 (Calculation 6) (35 dBA Required)	See ASTM E-90 acoustical report No. F3061.02-113-11-R0, Data File No. F3061.01B for the exact window and glazing See RAP for composite window/wall attenuation calculations.	Rehau Construction LLC Series 4500 Tilt-Turn Window	2-1/16" IG (7/16" laminated exterior, 5/8" argon, 1/8" annealed center, 5/8" argon, 1/4" laminated interior)
West (Set back 115 feet from Fulton Street to Building 2) Floors 2 to 8 W1, W2, W2C, W1B, W2B, W2B2 Residential	33 (33 dBA Required)	See ASTM E-90 acoustical report No. F3061.02-113-11-R0, Data File No. F3061.01B for the exact window and glazing	Rehau Construction LLC Series 4500 Tilt-Turn Window	2-1/16" IG (7/16" laminated exterior, 5/8" argon, 1/8" annealed center, 5/8" argon, 1/4" laminated interior)
North Courtyard Floor 1 W21, W22 Residential Amenity	33 (27 dBA required)	See ASTM E-90 acoustical report No. F3061.02-113-11-R0, Data File No. F3061.01B for the exact window and glazing	Rehau Construction LLC Series 4500 Tilt-Turn Window (Note: Fixed Window)	2-1/16" IG (7/16" laminated exterior, 5/8" argon, 1/8" annealed center, 5/8" argon, 1/4" laminated interior)

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
North Courtyard Floors 2 to 14 W1A, W2A Residential	33 (28 to 31 dBA required)	See ASTM E-90 acoustical report No. F3061.02-113-11-R0, Data File No. F3061.01B for the exact window and glazing	Rehau Construction LLC Series 4500 Tilt-Turn Window	2-1/16" IG (7/16" laminated exterior, 5/8" argon, 1/8" annealed center, 5/8" argon, 1/4" laminated interior)
East Courtyard Floors 1 to 14 W11A, W12A, W1A, W2A Residential	33 (28 to 31 dBA required)	See ASTM E-90 acoustical report No. F3061.02-113-11-R0, Data File No. F3061.01B for the exact window and glazing	Rehau Construction LLC Series 4500 Tilt-Turn Window	2-1/16" IG (7/16" laminated exterior, 5/8" argon, 1/8" annealed center, 5/8" argon, 1/4" laminated interior)
South Courtyard Floor 1 SF34-SF43 Residential Amenity	32 dBA full Assembly (assumed 3 dBA framing loss) (26 dBA required)	Full assembly rating based on glass-only OITC 35 dBA manufacturer data Full assembly ASTM E90 test report to be provided to OER prior to purchase and installation.	Storefront system with glass manufactured by Viracon	1/4-inch glass, 1/2-inch air space, 3/16-inch glass, 0.030-inch PVB, 3/16-inch glass
South Courtyard Floors 2 to 8 W1A, W1B, W2A, W2B Residential	33 (28 dBA required)	See ASTM E-90 acoustical report No. F3061.02-113-11-R0, Data File No. F3061.01B for the exact window and glazing	Rehau Construction LLC Series 4500 Tilt-Turn Window	2-1/16" IG (7/16" laminated exterior, 5/8" argon, 1/8" annealed center, 5/8" argon, 1/4" laminated interior)
West Courtyard Floors 2 to 8 W1A, W2A, W1B, W2B Residential	33 (31 dBA required)	See ASTM E-90 acoustical report No. F3061.02-113-11-R0, Data File No. F3061.01B for the exact window and glazing	Rehau Construction LLC Series 4500 Tilt-Turn Window	2-1/16" IG (7/16" laminated exterior, 5/8" argon, 1/8" annealed center, 5/8" argon, 1/4" laminated interior)
East (Set back approximately 64 feet to 210 feet from Fulton Street) Floor 1 W10 Residential Entry Steel Door	35 (35 dBA Required)	See ASTM E-90 acoustical report No. A4675.01-113-11 for the exact door	Ceco Door Products MS Series Model RDMX0001 Side-Hinged Single Door System	Single steel leaf with steel stiffened fiberglass and marine wool batts

The acoustical reports described above are representative of the acoustical performance of all proposed windows/doors/curtain walls. Color-coded elevations and the labeled window schedule attached in Appendix I show the locations of the window/ door types. Composite window/wall attenuation calculations of the worst-case scenario rooms are included in the RAP.

The applicant commits to demonstrating that the selected manufacturer's window products achieve the minimum OITC requirement outlined in the table above. If the selected manufacturer does not have ASTM E90 test on file for the specific window assemblies to be installed, a mockup will be laboratory tested as per ASTM E90 to demonstrate compliance with the minimum OITC requirement

The glazing-only OITC ratings presented in the table may reduce substantially once noise transmission through the window frames is evaluated. The glazing presented above may need to be reevaluated if the attenuation losses due to framing elements render the window attenuation performance inadequate to satisfy the requirements.

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 Trimvent 90 trickle vents manufactured by Titon in the first floor residential units as well as the street-facing façade residential units, with the exception of units 1A14 and 1A15 on floors 2-8 facing Chestnut Street (West Façade). Fresh air will be provided to all bedrooms and living rooms in these units by the trickle vents. Heating and cooling will be provided by LG ARNU VRF units.
2. **PTAC Units:** Installing EZ Series NY12A2G2 and NY09A2G2 PTAC units manufactured by Islandaire in courtyard-facing facades residential units, with the exception of the first floor maisonette residential units, and in units 1A14 and 1A15 on floors 2-8 facing Chestnut Street (West Façade). Fresh air will be provided to all bedrooms and living rooms in these units by the fresh air damper in the PTAC units. The PTAC units can be operated by user to provide outdoor air.
3. **Louvers:** Alternate means of ventilation for the first floor retail space will be achieved by providing retail tenants with condenser water supply and return valve outlets for the future installation of water cooled A/C units. All A/C units will be provided with ducted fresh air via louvered openings.
4. **Compliance with Mechanical Code:** Providing outside air to commercial spaces and common areas such as lobbies, corridors and amenity spaces in accordance with the 2014 NYC Mechanical Code.

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

May 19, 2021

Date



Sarah Pong
Assistant Director

May 19, 2021

Date



Maurizio Bertini, Ph.D.
Assistant Director

cc: Michael Wadman, Atlantic Chestnut Affordable Housing, LLC - mwadman@phippssny.org
William Stein, R.A., Dattner Architects - wstein@dattner.com
Matthew M. Wavro, P.E., Skyline Engineering - mwavro@skylinenyc.net
Amy Jordan, AKRF - ajordan@akrf.com
Denise Miller, AKRF, Inc. - dmiller@akrf.com
Mark McIntyre, Shaminder Chawla, Zach Schreiber
PMA-OER