



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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

**Daniel Walsh, Ph.D.**  
**Director**

Tel: (212) 788-8841

March 14, 2018

Abraham Rosenfeld  
1875 Atlantic Ave Development LLC  
5014 16<sup>th</sup> Avenue, Suite 350  
Brooklyn, NY 11204

Re: Notice of Completion  
1875 Atlantic Avenue, Brooklyn, NY  
OER Site Number: 13CVCP149K

Dear Abraham Rosenfeld:

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 March 8, 2018. 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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**NOTICE OF COMPLETION**

**Notice Holder(s):** Abraham Rosenfeld  
1875 Atlantic Ave Development LLC  
5014 16<sup>th</sup> Avenue, Suite 350  
Brooklyn, NY 11204

**Site Information:** Site Name: 1875 Atlantic Avenue  
Site Owner: Abraham Rosenfeld  
Street Address: 1875 Atlantic Avenue, Brooklyn, NY  
Block 1713, Lot 7  
OER Site Number: 13CVCP149K

**Project Description:** A new 9-story apartment building with a partial cellar has been constructed at the Site. The current zoning designation for the Site is M1-1/R7D. The use is consistent with existing zoning for the property.

The partial cellar level (4,330.3 square feet) consists of a bicycle storage room, laundry room, electric meter room, fire pump room, gas meter room, telecommunications room, compactor room, superintendent's room, elevators and stairwells. The first floor (18,990.6 square feet) consists of a parking garage for 59 cars, the residential lobby, and a small recreation room. The second through ninth floors consist of residential apartments.

The top of the cellar slab was constructed 12 feet below grade. Therefore, the entire cellar area was excavated to a minimum depth of 14 feet below grade, with additional excavation to 16 to 18 feet below grade for the footings, and 22 feet below grade for the elevator pit. A sloped excavation was created around the perimeter of the cellar. The remainder of the building footprint was excavated to a minimum depth of 4 feet for the construction of the ground level portion of the building and to install seven storm water retention tanks just north of the cellar. The over-excavated/sloped areas were later backfilled with clean native soil that was tested for suitability for on-Site reuse and clean native soil imported using the Clean Soil Bank Program. A total of 6,986.52 tons of fill/soil was excavated for the new building.

The 23 ft 4 in wide by 94 ft long portion of the lot that fronts Kane Place was not redeveloped, and therefore no excavation was performed in that area. The entire 23 ft 4 in wide by 94 ft long portion of the lot that fronts Kane Place has been capped with asphalt. The water table was expected at approximately 60 feet below grade surface (bgs), and therefore was not encountered during excavation.

**Date of Voluntary****Cleanup Agreement:** February 8, 2016**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:

|                                     |                        |
|-------------------------------------|------------------------|
| <input type="checkbox"/>            | Unrestricted Use       |
| <input checked="" type="checkbox"/> | Restricted Use:        |
| <input checked="" type="checkbox"/> | Residential            |
| <input type="checkbox"/>            | Restricted Residential |
| <input type="checkbox"/>            | Commercial             |
| <input type="checkbox"/>            | 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 31<sup>st</sup> 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: March 14, 2018  
Site No.: 13CVCP149K