



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Daniel Walsh, Ph.D.
Director

Tel: (212) 788-8841

August 2, 2017

Mr. Jack Fung
East Star Realty, LLC
1740 East 27th Street
Brooklyn, N.Y. 11229

Re: Notice of Completion
498 Leonard Street, Brooklyn, NY
OER Site Number: 13CVCP144K

Dear Mr. Fung:

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. NYSDEC was briefed on this project in October 2, 2012. NYCDOHMH approved the remedy in December 18, 2013. Please find the Notice of Completion attached, the issuance date of which is August 2, 2017. 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): Mr. Jack Fung
East Star Realty, LLC
1740 East 27th Street
Brooklyn, N.Y. 11229

Site Information: Site Name: 498 Leonard Street
Site Owner: East Star Realty, LLC
Street Address: 498 Leonard Street, Brooklyn, NY
Block 2698, Lots 9, 10 and 11 (former Lot 11)
OER Site Number: 13CVCP144K

Project Description: Mr. Jack Fung acquired the subject property and developed three new 4-story residential buildings each with a partial penthouse on the roof and a full basement. The three residential buildings constructed on the subject property take up the entire footprint of the lots with the exception of a 30 foot deep rear yard that runs the width of each building (2,220 square feet). The total building footprint is 65' x 74' (4,736 square feet) and is used for mechanical room and common area, in the basement level, 2 residential apartments in the first floor, and contain 6 residential units in the floors above. The building was constructed adjacent to the property line along the length of Leonard Street and extend 65' east. Excavation to a depth of 12 feet below grade was performed across the footprint of the new buildings to install the new basement levels and to 3-12 feet below grade in the rear yard areas, so that the adjacent building would not be undermined. Groundwater at the site is 12 feet below grade and therefore was encountered during excavation. The current zoning designation for the Site is M1-2/R61 by zoning map 13a. The use is consistent with existing zoning for the property. NYSDEC was briefed on this project in October 2, 2012. NYCDOHMH approved the remedy in December 18, 2013.

**Date of Voluntary
Cleanup Agreement:** October 23, 2013

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:

<u> </u>	Unrestricted Use (Track 1)
<u> x </u>	Restricted Use (Tracks 4): (Track 4 SCO was not achieved)
<u> </u>	Residential
<u> x </u>	Restricted Residential
<u> </u>	Commercial
<u> </u>	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". The signature is fluid and cursive, with the first name "Shaminder" and last name "Chawla" clearly distinguishable.

Shaminder Chawla
Deputy Director
New York City Office of Environmental Remediation

Date of Issuance: August 2, 2017
Site No.: 13CVCP144K