



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Shaminder Chawla
Acting Director

Tel: (212) 788-8841

January 23, 2024

Arben Ulaj
909 E. 229 LLC
626 East 223rd Street
Bronx, NY 10466

Re: Notice of Completion
909 East 229th Street, Bronx, NY
OER Site Number: 20CVCP017X

Dear Arben Ulaj:

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 January 23, 2024. Congratulations!

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

Sincerely,

Shaminder Chawla
Acting Director



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NOTICE OF COMPLETION

Notice Holder(s): 909 E. 229 LLC

Site Information: Site Name: 909 East 229th Street
Site Owner: 909 E. 229 LLC
Street Address: 909 East 229th Street, Bronx, NY
Block 4865, Lot 44
OER Site Number: 20CVCP017X

Project Description: The new development of the 6,401 square foot (sf) Site included replacing the former single family residential and garage structures with one new 4-story slab on grade apartment building with approximately 1,368 sf enclosed at ground-level. A 20+-foot cantilever beyond the first-floor rear wall of the structure and 24+-foot cantilever to the east results in three upper floors each with a square footage of 3,833 sf. No new cellar was constructed at this Site. The ground floor consists of building entrances, two studio apartment units, utility rooms, trash compactor room, bicycle storage and stairwell accessing upper apartment corridors. In total, 17 rent-stabilized units were constructed for residential use.

The new building is setback 5-feet from the property line along the East 229th Street frontage. The setback consists of poured concrete connecting the sidewalk to entry ways. A vehicle throughway and covered parking is situated under the cantilevers of the new building and leads behind the building to an open concrete parking lot. A total of 10 vehicle parking spots are available for residents. A narrow strip landscaping consisting of mulch and planters is along the property line at the north end of the rear yard.

Date of Voluntary

Cleanup Agreement: May 18, 2020

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 (Track 2):

✓ Restricted Residential

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,



Shaminder Chawla
Acting Director
New York City Office of Environmental Remediation