



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Shaminder Chawla
Acting Director

Tel: (212) 788-8841

June 21, 2024

Manny Felberbaum
1759-63 W. FARMS RD LLC
5308 13th Avenue, # 496
Brooklyn, NY 11217

Re: Notice of Completion
1759 West Farms Road, Bronx, NY
OER Site Number: 23CVCP003X

Dear Mr. Felberbaum:

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 June 21, 2024. Congratulations!

To apply for a Brownfield Incentive Grant (BIG) cleanup grant, submit a grant application within 6 months of the NOC issuance date. More information is available at <https://www.nyc.gov/site/oer/grants/big-grants.page>.

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): 1759-63 W. FARMS RD LLC

Site Information: Site Name: 1759 West Farms Road
Site Owner: 1759-63 W. FARMS RD LLC
Street Address: 1759-1763 West Farms Road, Bronx, NY
Block 3015, Lot 97
OER Site Number: 23CVCP003X

Project Description: The redevelopment consisted of construction of a new 6-story mixed commercial and residential building with basement and cellar levels. Both the basement and cellar levels are above grade at the West Farms Road elevation, but below grade at the East 174th Street elevation. The cellar is used as commercial, mechanical, utilities, parking areas; the basement is used as mechanical areas, inner courtyard, and residential uses; the 1st floor is used as bicycle storage, laundry room and residential uses; the 2nd through 6th floors are used as residential apartments; and the roof is used as mechanical uses. The building footprint covers the entire site footprint. Excavation depths included minimal excavation up to 2 feet below grade for installation of the slab on grade, approximately 4-6 feet (bgs) for foundation elements and 7 feet bgs for an elevator pit.

**Date of Voluntary
Cleanup Agreement:** October 16, 2023

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:
___ Residential
 x Restricted Residential (Track 4)
___ 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,



Shaminder Chawla
Acting Director
New York City Office of Environmental Remediation