



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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

**Shaminder Chawla**  
**Acting Director**  
Tel: (212) 788-8841

July 16, 2024

425 Coney Island Realty LLC  
c/o Joseph Litchman  
311 Rogers Avenue  
Brooklyn, NY 11225

Re: Notice of Completion  
425 Coney Island Avenue, Brooklyn, NY  
OER Site Number: 22CVCP073K

Dear Mr. Litchman:

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 July 16, 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):** 425 Coney Island Realty LLC

**Site Information:** Site Name: 425 Coney Island Avenue  
Site Owner: 425 Coney Island Realty LLC  
Street Addresses: 425–453 Coney Island Avenue, Brooklyn, NY  
and 38–62 East 10th Street, Brooklyn, NY  
Brooklyn Block 5070, Lot 19 (Formerly 19 and 29)  
OER Site Number: 22CVCP073K

**Project Description:** The redevelopment project consisted of demolishing the previous building and constructing a new 8-story mixed-use residential apartment and commercial building with a basement/cellar, the footprint of which is generally larger than the ground floor.

The 20,596 square feet (SF) cellar occupies nearly the entire footprint of the Site with the exception of an approximate 560 SF setback along a portion of Coney Island Avenue that varies between 2 and 9 feet from the property and 5 feet setbacks along the northern and southern property boundaries for the at-grade building slab. The cellar consists of 12,776.90 SF of parking with a parking garage ramp, two bicycle storage rooms and other utilities and mechanical rooms.

The 16,365.24 SF ground floor extends approximately 5 feet beyond the northern and southern extents of the cellar and consists of 316.89 SF of commercial space, the parking garage ramp that enters/exits from Coney Island Avenue, two parking areas totaling 9,845.87 SF, the residential lobby and package rooms, residential apartments, approximately 560 SF common/private yards along Coney Island Avenue, and an approximate 3,600 SF at-grade concrete capped front yard area along East 10th Street above the cellar area. The 2nd through 8th floors consists of residential apartments.

**Date of Voluntary**

**Cleanup Agreement:** June 6, 2022

**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 (Track 2)
  - Restricted Residential
  - 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 31<sup>st</sup> day after the Office notice.

Sincerely,



Shaminder Chawla  
Acting Director  
New York City Office of Environmental Remediation

Date of Issuance: July 16, 2024  
Site No.: 22CVCP073K