



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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

**Mark P. McIntyre, Esq.**  
**Director**

Tel: (212) 788-8841

June 21, 2023

Michael O'Donnell  
Comunilife, Inc.  
462 7<sup>th</sup> Avenue, 3<sup>rd</sup> Floor  
New York, NY 10018

Re: Notice of Completion  
3395–3401 Third Avenue, Bronx, NY  
OER Site Number: 20CVCP022X

Dear Michael O'Donnell:

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, 2023. 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):** Comunilife, Inc.

**Site Information:** Site Name: 3395–3401 Third Avenue  
Site Owner: Comunilife Third Avenue Housing Development Fund Corporation  
(legal owner) and Comunilife Third Avenue, L.P. (beneficial owner)  
Street Address: 3395–3401 Third Avenue, Bronx, NY  
Block 2371, Lot 52 (Former Lots 52, 53, 55)  
OER Site Number: 20CVCP022X

**Project Description:** The development project consisted of the demolition of on-site buildings and the construction of a new ten-story, multi-family residential building on the Site, which has an area of 16,146 square feet.

The footprint of the building covers 10,000-square feet (61% of the lot) and is comprised of a 5,200-square foot partial cellar at the eastern portion (31% of the lot) and a 4,800-square foot slab-on-grade area at the western portion (30% of the lot). The partial cellar contains accessory spaces for the building tenants (a bicycle storage room, general storage rooms, and a laundry room) and mechanical service spaces (trash compactor room, storage rooms, and gas, electric and water meter rooms). The first floor of the slab-on-grade portion contains an amenity/exercise room, offices, conference room, a pantry and a mail gallery. The remainder of the first floor above the partial cellar contains a community room and a lobby. Upper floors of the building (two through ten) contain 148 residential units, with 29 of those units designated as Affordable Independent Residences for Seniors (AIRS). Gross square footage of the new building is 100,042 square feet. Exterior spaces contain courtyards at the south-central portion and westernmost portion of the Site. A vaulted stormwater detention basin is located along the eastern property margin.

**Date of Voluntary  
Cleanup Agreement:** March 20, 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:

<u>    </u>	Unrestricted Use
<u>  x  </u>	Restricted Use:
<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 31<sup>st</sup> 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: June 21, 2023  
Site No.: 20CVCP022X