



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Mark P. McIntyre, Esq.
Director

Tel: (212) 788-8841

February 21, 2023

Shulem Geldzahler
Bless East 28 LLC
5404 11th Avenue
Brooklyn, NY 11219

Re: Notice of Completion
639-641 East 28th Street, Brooklyn, NY
OER Site Number: 22CVCP007K

Dear Mr. Geldzahler:

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 February 14, 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): Bless East 28 LLC

Site Information: Site Name: 639-641 East 28th Street
Site Owner: Bless East 28 LLC
Street Address: 639-641 East 28th Street, Brooklyn, NY
Block 5251, Lot 14 (Former lots 14 and 15)
OER Site Number: 22CVCP007K

Project Description: The development project consists of the construction of a seven-story residential building, with a building footprint of approximately 3,800-sq. ft. in size which has a partial cellar of approximately 2,400-sq. ft. below the footprint of the building and a rear yard of approximately 2,200-sq. ft. in size. The cellar is situated along the southern section of the building. The at-grade portion of the building has been excavated to a depth of 3-feet bgs, and the rear yard has also been excavated to 3-feet bgs.

The partial cellar excavation terminated at 14-feet bgs and the elevator pit terminated at 17-ft. bgs. The partial cellar terminates at 10-feet below site grade and consists of utility rooms, laundry room, trash compactor, bicycle room, and an 888-sq. ft. size of a recreation room utilized as a gym. The elevator shaft terminates at 5-feet below the cellar which services all the floors including the clear and roof access. The 1st floor consists of a main lobby and a corridor which leads to six (6) residential units, and floors 2nd through 7th consist of five (5) residential units. The rear consists of two (2) private yards approximately 1,054-sq.ft. each which are accessed from the 1st floor. The rear yard was capped off with 4-inch concrete slab and enclosed with a 42-inch-high metal railing.

**Date of Voluntary
Cleanup Agreement:** April 26, 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:

<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 31st day after the Office notice.

Sincerely,



Shaminder Chawla

Deputy Director

New York City Office of Environmental Remediation

Date of Issuance: February 21, 2023
Site No.: 22CVCP007K