



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Daniel Walsh, Ph.D.
Director

Tel: (212) 788-8841

October 17, 2017

Re: Notice of Completion
1600 Pelham Parkway - NYC BCP Site, Bronx, NY
OER Site Number: 11CBCP001X

Dear Mr. Martino:

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 October 17, 2017. 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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New York, New York 10038

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Director

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NOTICE OF COMPLETION

Notice Holder(s): Stagg Group
31 South Street, Mount Vernon, NY 10550

Ashley's Backflips, LLC
PO Box 9, Purchase, NY 10550

Site Information: Site Name: 1600 Pelham Parkway - NYC BCP Site
Site Owner: Ashley's Backflips, LLC
Street Address: 1600 Pelham Parkway, Bronx, NY
Block 4223, Lots 30, 36
OER Site Number: 11CBCP001X

Project Description:

The redeveloped Site consists of a new 7-story, 130 unit apartment building with a full cellar. The building's gross area is 108,371.04 square feet and occupies a 13,588.04-square-foot footprint. The cellar encompasses the entire building footprint and contains parking spaces for cars and bicycles and houses mechanical equipment. Residential units are present from the first to seventh floors. The building has two (2) elevators in the center of the building. An asphalt-paved parking area and a concrete-covered parking area are located to the west and south of the building with a total area of 10,690.69 square feet. A concrete-covered ramp is located along the northwestern portion of the Site connecting the parking area and the garage in the basement. Three (3) landscaped area (2,996 square feet in total) are located along the southern boundary of the Site.

The current zoning designation is R6A, which is a zoning designation for six or seven-story apartment buildings designed to be compatible with existing buildings found in older neighborhoods. The use is consistent with existing zoning for the property.

A Site Specific Use (Track 4) remediation has been completed. A Site Management Plan has been developed for this Site to ensure long-term management of Engineering and Institutional Controls at the property. The "E" designation assigned to the subject property will remain in place and will continue to be administered by OER.

**Date of Voluntary
Cleanup Agreement:** March 20, 2015

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:

<input type="checkbox"/>	Unrestricted Use
<input checked="" type="checkbox"/>	Restricted Use: (Track 4)
<input type="checkbox"/>	Residential
<input checked="" type="checkbox"/>	Restricted Residential (Track 4)
<input type="checkbox"/>	Commercial
<input type="checkbox"/>	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,

A handwritten signature in black ink, appearing to read "Shaminder Chawla".

Shaminder Chawla
Deputy Director
New York City Office of Environmental Remediation

Date of Issuance: October 17, 2017
Site No.: 11CBP001X