



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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

**Shaminder Chawla**  
**Acting Director**

Tel: (212) 788-8841

March 28, 2024

Jay Martino  
Carpenter Avenue Corner Associates, LLC/Stagg Group  
PO Box 9  
Purchase, NY 10577

Re: Notice of Completion  
4180 Carpenter Avenue, Bronx, NY  
OER Site Number: 22CVCP050X

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 March 28, 2024. Congratulations!

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):** Carpenter Avenue Corner Associates, LLC

**Site Information:** Site Name: 4180 Carpenter Avenue  
Site Owner: Carpenter Avenue Corner Associates, LLC  
Street Address: 4168–4180 Carpenter Avenue, Bronx, NY  
Block 4835, Lot 45 [Former Lots 45, 43, 36, 37, 39]  
OER Site Number: 22CVCP050X

**Project Description:** The new development at the Site consisted of a 5-story residential building covering 15,490 square feet of the Site. With the approximate 18-foot elevation change between Carpenter Avenue at the west side of the Site and the east end of the Site at East 232<sup>nd</sup> Street, the building was benched into the slope with the west end of the project being 1 level below grade and the east end being 2 levels below grade. The lowest level is identified as the sub-cellar with the cellar level being at grade elevation along Carpenter Avenue. The sub-cellar consists of mechanical rooms, storage room and 27 indoor parking spaces, the cellar consists of a lobby, recreation room, indoor parking space compactor room and a community facility. The 1st floor includes a gym, a laundry room, a bicycle room, and indoor parking spaces. The 2nd to 5th floors consists of 23 residential apartments per floor for a total of 92 units. The roof level houses a boiler room, elevator machine room and a green roof area.

The new development required excavation for the sub-cellar from approximately 9 feet from site grade elevation of 121.19 feet asl around the northwest corner, to 14 feet from site grade elevation of 126.63 feet asl around the southwest corner and down to approximately 30 feet from site grade elevation at elevation 142.4 feet asl along the eastern portion of the site. An undeveloped area to the northeast of the ramp to parking in sub-cellar was excavated to bedrock between 2 feet bgs in the northeastern portion and approximately 15 feet bgs in the northwestern portion. The new development required the removal of approximately 16,467.63 tons of soil and approximately 27 loads (540 cubic yards) of crushed boulder rocks.

**Date of Voluntary  
Cleanup Agreement:** April 21, 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.

OER Project Numbers: 22EH-N126X / 22CVCP050X  
PM: Miranda Fatolitis

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 (Track 1)
- ☐ Restricted Use:
  - ☐ Residential
  - ☐ 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,

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

Shaminder Chawla  
Acting Director  
New York City Office of Environmental Remediation

Date of Issuance: March 28, 2024  
Site No.: 22CVCP050X