



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Daniel Walsh, Ph.D.
Director

Tel: (212) 788-8841
Fax: (212) 788-2941

NOTICE OF SATISFACTION

DOB Job No. NB – 310019878
(Schedule “A” – Buildings A, B & C)

November 5, 2012

Ira Gluckman, R.A.
Brooklyn Borough Commissioner
NYC Department of Buildings
210 Joralemon Street, 8th Floor
Brooklyn, NY 11201

Re: **205 North 9th Street “Buildings A, B & C” – Hazardous Materials “E” Designation**
A.K.A. 225 North 9th Street & 220 North 10th Street
E-138: Block 2306, Lot 1 (Formerly Lots 1, 11, 15, 28 & 30), Brooklyn CD 1
Greenpoint-Williamsburg Rezoning – CEQR # 04 DCP 003K
OER Project # 12EHAZ265K / DEP Project # 08DEPTECH059K

Dear Commissioner Gluckman:

The New York City Office of Environmental Remediation (OER) has reviewed P.W. Grosser’s September 2012 P.E. certified Remedial Closure Report Addendum (RCR) for the above referenced site. This document was prepared on behalf of North Driggs Holding, LLC (the applicant) to support the completion of three new 7-story buildings known as Buildings A, B, and C. These structures are all filed under “Schedule A” of the above referenced DOB Job No. The subject property has been designated with a Hazardous Materials “E” (E-138) by the NYC Department of City Planning as part of the Greenpoint-Williamsburg Rezoning action (CEQR # 04 DCP 003K).

In an effort to satisfy the “E” requirements for Buildings A, B and C, the applicant submitted all necessary documentation to our department for review/approval. The amended RCR included proof that all DEP/OER remedial mitigation requirements have been properly implemented at the site. In addition, a Site Management Plan (SMP) for the engineering controls at this site governs the composite cover, SSDS beneath each structure, etc. Based upon review of the submitted documentation, we have determined that no potential environmental impacts or exposure pathways exist from hazardous materials that would impact the new structures and/or future occupants/residents of the site as long as the engineering controls implemented at the site remain intact. Therefore, OER has no objection for the applicant to apply for Certificate of Occupancy for the entire site. The Hazardous Materials “E” designation assigned to the subject site will continue to be administered by OER.

If you have any questions or comments, please contact me at 212.341.0964.

Sincerely,

Daniel L. Cole, P.G.
Assistant Director

cc: D. Walsh, S. Chawla, M. McIntyre, PMA-OER
Simon Dushinsky, N. Driggs Holdings, LLC – simon5134@verizon.net
Dave Yudelson, SP&R – dyudelson@sprlaw.com
Frank Castellano, P.W. Grosser – frankc@grosser.com



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AMENDED NOTICE OF NO OBJECTION

Pending TCO Applications (ONLY)

DOB Job No. NB – 310019878
(See Attached Schedule “A” for Buildings A, B & C)

September 28, 2012

Ira Gluckman, R.A.
Brooklyn Borough Commissioner
NYC Department of Buildings
210 Joralemon Street, 8th Floor
Brooklyn, NY 11201

Re: **205 North 9th Street “Buildings A, B & C” – Hazardous Materials “E” Designation**
E-138: Block 2306, Lot 1 (Formerly Lots 1, 11, 15, 28 & 30), Brooklyn CD 1
Greenpoint-Williamsburg Rezoning – CEQR # 03 DCP 004K
OER Project # 12EHAZ265K / DEP Project # 08DEPTECH059K

Dear Commissioner Gluckman:

The New York City Office of Environmental Remediation (OER) has reviewed P.W. Grosser’s September 2012 P.E. certified Remedial Closure Report Addendum (RCR) for the above referenced site. This document was prepared on behalf of North Driggs Holding, LLC (the applicant) to support the completion of all three new 7-story mixed-use buildings known as Buildings A, B, and C. These structures are all filed under “Schedule A” of the above referenced DOB Job No. Note that this amended Notice of No Objection – TCO applications (only) for all three buildings supersedes the previously issued OER NNO-TCO issued on January 18, 2012 (see attached). The subject property has been designated with a Hazardous Materials “E” (E-138) by the NYC Department of City Planning as part of the Greenpoint-Williamsburg Rezoning action (CEQR # 04 DCP 004K).

In an effort to satisfy the “E” requirements for Buildings A, B and C, the applicant submitted all necessary documentation to our department for review/approval. The amended RCR included proof that all DEP/OER remedial mitigation requirements have been properly implemented for all three buildings (A, B & C) at the site.

Based upon review of the submitted documentation, we have determined that no potential environmental impacts or exposure pathways exist from hazardous materials that would impact the new structures and/or future occupants/residents of the site as long as the engineering controls implement at this site remain intact. Therefore, OER has no objection for the applicant to apply for a **Temporary Certificate of Occupancy** (ONLY) for each of the three buildings (A, B & C) under Schedule A of the above referenced DOB Job No. The Hazardous Materials “E” designation assigned to the subject site will continue to be administered by OER.

If you have any questions or comments, please contact me at 212.341.0964.

Sincerely,

Daniel L. Cole, P.G.
Assistant Director

cc: D. Walsh, M. Bertini, PMA-OER
Dave Yudelson, SP&R – dyudelson@sprlaw.com
Simon Dushinsky, N. Driggs Holdings, LLC – simon5134@verizon.net



OFFICE OF ENVIRONMENTAL REMEDIATION

253 Broadway - 14th Floor
New York, New York 10007

Daniel Walsh, Ph.D.
Director

Tel: (212) 788-8841
Fax: (212) 788-2941

NOTICE OF NO OBJECTION

Building "A" (ONLY)
Pending TCO Applications (ONLY)

DOB Job No. NB – 310019878
(SEE ATTACHED SCHEDULE "A")

January 18, 2012

John Gallagher, R.A.
Brooklyn Borough Commissioner
NYC Department of Buildings
210 Joralemon Street, 8th Floor
Brooklyn, NY 11201

Re: **205 North 9th Street (Building "A") – Hazardous Materials "E" Designation**
E-138: Block 2306, P/O Lot 1 (Formerly Lots 1 & 30), Brooklyn CD 1
Greenpoint-Williamsburg Rezoning – CEQR # 03 DCP 004K
OER Project # 12EHAZ265K / DEP Project # 08DEPTECH059K

Dear Commissioner Gallagher:

The New York City Office of Environmental Remediation (OER) has reviewed P.W. Grosser's January 2012 P.E. certified Remedial Closure Report (RCR) for the above referenced site. This document was prepared on behalf of North Driggs Holding, LLC (the applicant) to support the recent site improvement with a new 7-story mixed-use building known as Building "A". This new building (Building "A") is the first of three buildings to be constructed under the above referenced DOB Job No. **(See attached DOB Schedule "A" for NB-310019878)**. The other two structures (known as Building "B" – 225 North 9th Street and Building "C" – 220 North 10th Street) are currently being constructed on the other portion(s) of Lot 1 (Formerly Lots 11 & 15) of Block 2306, and are expected to be completed in approximately 12-14 months. **Note that this Notice Of No Objection applies to Building "A" – 205 North 9th Street (ONLY).** The subject property has been designated with a Hazardous Materials and Noise "E" (E-138) by the NYC Department of City Planning as part of the Greenpoint-Williamsburg Rezoning action (CEQR # 04 DCP 004K).

In an effort to satisfy the "E" requirements for Building "A", the applicant submitted all necessary documentation to our department for review/approval. The RCR included proof that all DEP/OER remedial mitigation requirements have been properly implemented at the site: 1) off-site disposal of approximately 2,905 tons of excavated material (both petroleum impacted and fill materials) to Soil Safe, Inc. Logan Township, NJ, 2) installation of an active SSDS system and Stego Wrap (10-mil) HPDE vapor barrier beneath the building footprint, 3) composite cover of entire site with concrete foundation slab and asphalt paved rear parking area, etc.

Based upon review of the submitted documentation, we have determined that no potential environmental impacts or exposure pathways exist from hazardous materials that would impact the new structure and/or future occupants/residents of the site as long as the engineering controls remain intact. Therefore, OER has no objection for the applicant to apply for a **Temporary Certificate of Occupancy** (ONLY) for Building "A". Upon completion of Buildings "B" and "C" as per the attached DOB Schedule "A" for the above referenced site and subsequent review/approval of a Hazardous Materials RCR Addendum(s), OER will either issue a second Notice Of No Objection for TCO applications or a Notice Of Satisfaction for all three new buildings under NB-310019878 at this site (Buildings "A", "B" & "C"). The "E" designation requirements should remain if any future work, soil disturbance, or development occurs at the site that would require OER review and approval.

If you have any questions or comments, please contact me at 212.341.0964.

Sincerely,



Daniel L. Cole, P.G.
Assistant Director

cc: D. Walsh, M. Bertini, PMA-OER
Zeb Youngman, P.W. Grosser – zeby@pwgrosser.com
Dave Yudelson, SP&R – dyudelson@sprlaw.com
Simon Dushinsky, N. Driggs Holdings, LLC – simon5134@verizon.net



[CLICK HERE TO SIGN UP FOR BUILDINGS NEWS](#)

NYC Department of Buildings
Schedule 'A'

Premises: 205 NORTH 9 STREET BROOKLYN

Job No: [310019878](#)

BIN: [3396764](#) Block: 2306 Lot: 1

Doc No: 01

Job Type: NB - NEW BUILDING

[Comments](#)

| EXISTING / PROPOSED | FLOORS FRM - TO | NO. PERS | LIVE LOAD | 2008 Code? | OCC GRP | UNITS | ZONE USE |
|---------------------|-----------------|----------|-----------|------------|---------|-------|----------|
| EXISTING | OSP - | | | | | | |
| PROPOSED | OSP - | | OG | Y | S-2 | | 2B |

ATTENDED ACCESSORY PARKING SPACES FOR SIXTY-FIVE (65) CARS.

| | | | | | | | |
|---|-------|--|-----|---|-----|--|---|
| EXISTING | 001 - | | | | | | |
| PROPOSED | 001 - | | 100 | N | B-2 | | 2 |
| RESIDENTIAL LOBBY'S FOR BUILDINGS "A", "B", & "C", RECREATION, COMPACTOR/REFUSE, UTILITY/MECH ROOMS, ATTENDED ACCESSORY PARKING SPACES FOR FORY-ONE (41) CARS | | | | | | | |

| | | | | | | | |
|--|-------|----|-----|---|---|--|---|
| EXISTING | 001 - | | | | | | |
| PROPOSED | 001 - | 25 | 100 | N | C | | 6 |
| BLDG "A" 205 NORTH 9TH ST - COMMERICAL SPACE | | | | | | | |

| | | | | | | | |
|--|-------|--|----|---|-----|----|---|
| EXISTING | 002 - | | | | | | |
| PROPOSED | 002 - | | 40 | N | J-2 | 11 | 2 |
| BLDG "C" 225 N 9 ST - ELEVEN (11) CLASS A APARTMENTS | | | | | | | |

| | | | | | | | |
|--|-------|--|----|---|-----|----|---|
| EXISTING | 002 - | | | | | | |
| PROPOSED | 002 - | | 40 | N | J-2 | 20 | 2 |
| BLDG "A" 205 N 9 ST - TWENTY (20) CLASS A APARTMENTS | | | | | | | |

| | | | | | | | |
|--|-------|--|----|---|-----|---|---|
| EXISTING | 002 - | | | | | | |
| PROPOSED | 002 - | | 40 | N | J-2 | 6 | 2 |
| BLDG "B" 225 N 9 ST - SIX (6) CLASS "A" APARTMENTS | | | | | | | |

| | | | | | | | |
|----------|-------|--|--|--|--|--|--|
| EXISTING | 003 - | | | | | | |
|----------|-------|--|--|--|--|--|--|

| | | | | | | |
|---|-------|----|---|-----|----|---|
| PROPOSED | 003 - | 40 | N | J-2 | 20 | 2 |
| BLDG "A" 205 N 9 ST - TWENTY (20) CLASS A APARTMENTS | | | | | | |
| EXISTING | 003 - | | | | | |
| PROPOSED | 003 - | 40 | N | J-2 | 11 | 2 |
| BLDG "C" 220 N 10 ST - ELEVEN (11) CLASS A APARTMENTS | | | | | | |
| EXISTING | 003 - | | | | | |
| PROPOSED | 003 - | 40 | N | J-2 | 6 | 2 |
| BLDG "B" 225 N 9 ST - SIX (6) CLASS A APARTMENTS | | | | | | |
| EXISTING | 004 - | | | | | |
| PROPOSED | 004 - | 40 | N | J-2 | 11 | 2 |
| BLDG "C" 220 N 10 ST - ELEVEN (11) CLASS A APARTMENTS | | | | | | |
| EXISTING | 004 - | | | | | |
| PROPOSED | 004 - | 40 | N | J-2 | 20 | 2 |
| BLDG "A" 205 N 9 ST - TWENTY (20) CLASS A APARTMENTS | | | | | | |
| EXISTING | 004 - | | | | | |
| PROPOSED | 004 - | 40 | N | J-2 | 6 | 2 |
| BLDG "B" 225 N 9 ST - SIX (6) CLASS A APARTMENTS | | | | | | |
| EXISTING | 005 - | | | | | |
| PROPOSED | 005 - | 40 | N | J-2 | 20 | 2 |
| BLDG "A" 205 N 9 ST - TWENTY (20) CLASS A APARTMENTS | | | | | | |
| EXISTING | 005 - | | | | | |
| PROPOSED | 005 - | 40 | N | J-2 | 6 | 2 |
| BLDG "B" 225 N 9 ST - SIX (6) CLASS A APARTMENTS | | | | | | |
| EXISTING | 005 - | | | | | |
| PROPOSED | 005 - | 40 | N | J-2 | 11 | 2 |
| BLDG "C" 220 N 10 ST - ELEVEN (11) CLASS A APARTMENTS | | | | | | |
| EXISTING | 006 - | | | | | |
| PROPOSED | 006 - | 40 | N | J-2 | 20 | 2 |
| BLDG "A" 205 N 9 ST - TWENTY (20) CLASS A APARTMENTS | | | | | | |

| | | | | | | |
|---|-------|----|---|-----|----|---|
| EXISTING | 006 - | | | | | |
| PROPOSED | 006 - | 40 | N | J-2 | 6 | 2 |
| BLDG "B" 225 N 9 ST - SIX (6) CLASS A APARTMENTS | | | | | | |
| EXISTING | 006 - | | | | | |
| PROPOSED | 006 - | 40 | N | J-2 | 11 | 2 |
| BLDG "C" 220 N 10 ST - ELEVEN (11) CLASS A APARTMENTS | | | | | | |
| EXISTING | 007 - | | | | | |
| PROPOSED | 007 - | 40 | N | J-2 | 9 | 2 |
| BLDG "C" 220 N 10 ST - NINE (9) CLASS A APARTMENTS | | | | | | |
| EXISTING | 007 - | | | | | |
| PROPOSED | 007 - | 40 | N | J-2 | 13 | 2 |
| BLDG "A" 205 9 N ST - THIRTEEN (13) CLASS A APARTMENTS | | | | | | |
| EXISTING | 007 - | | | | | |
| PROPOSED | 007 - | 40 | N | J-2 | 4 | 2 |
| BLDG "B" 225 N 9 ST - FOUR (4) CLASS A APARTMENTS | | | | | | |
| EXISTING | ROF - | | | | | |
| PROPOSED | ROF - | 40 | N | J-2 | | 2 |
| BULKHEADS, PRIVATE ROOF TERRACES AND COMMON RECREATION_SPACES | | | | | | |

C of O Comments:
EXHIBIT I & III FILED IN COUNTY CLERKS OFFICE UNDER CRFN#1_-2008000001462, III-2008000001461_____

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.



NOTICE TO PROCEED

December 27, 2007

DEPARTMENT OF ENVIRONMENTAL PROTECTION

59-17 Junction Boulevard
Flushing, New York 11373

Emily Lloyd
Commissioner

Tel. (718) 595-6565
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elloyd@dep.nyc.gov

Angela Licata
Deputy Commissioner

**Bureau of Environmental
Planning & Analysis**

Tel. (718) 595-4398
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alicata@dep.nyc.gov

Mr. Magdi A. Mossad, P.E.
Brooklyn Borough Commissioner
NYC Department of Buildings
Municipal Building, 8th Floor
Brooklyn, New York 11201

**Re: North 9th and North 10th Street Development
Hazardous Materials "E" Designation
E-138: Block 2306, Lots 1, 11, 15, 28, 30
DEP # 08DEPTECH059K**

Dear Mr. Mossad:

The New York City Department of Environmental Protection, Bureau of Environmental Planning and Analysis (BEPA) has reviewed the December 2007 Supplemental Sub-Surface Investigation Report, the Remedial Action Plan, and the Health & Safety Plan prepared by PW Grosser Consulting for the above referenced parcels. The proposed development plan for this parcel includes the construction of three 7-story mixed use buildings connected throughout the first floor. A partial basement will be utilized for residential, mechanical, and storage space. Soil excavation would be required to approximately ten (10) feet below existing grade surface for the basement foundation. The subject property has been designated with a Hazardous Materials "E" (E-138) as part of the Greenpoint-Williamsburg Rezoning Action (CEQR# 04DCP003K).

The Phase Site Investigation revealed that soil contains SVOCs and Metals at concentrations that exceed the NYSDEC RSCOs. Several elevated VOCs were identified in both the soils and in the groundwater across the site. Additionally, the results of the geophysical survey indicated the presence of two small anomalies; and one rectangular anomaly. According to the Remedial Action Plan, groundwater (which is at 8 feet bgs) will not likely be encountered during construction as site redevelopment will require a maximum excavation depth of approximately 4 feet bgs. Any potential for future vapor migration into the planned building structure will be avoided by the installation of a sub-slab depressurization system and a GSE 15 mil high-density polyethylene membrane liner or equivalent beneath the building foundation and floor slab.

DEP approves the submitted December 2007 Remedial Action Plan and Construction Health and Safety Plan. We have no objection to the permitted work relating to the development of the three 7-story mixed use buildings on the subject



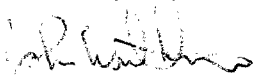
www.nyc.gov/dep

site. DEP has concluded that the hazardous materials "E" environmental requirement has been met for the subject property insofar as the applicant may proceed with construction.

DEP has concluded that the applicant may proceed with construction, provided that a Remedial Closure Report, certified by a Professional Engineer, is submitted by the applicant for DEP's review/approval once all DEP remedial requirements have been properly implemented (i.e., proper transportation/disposal manifests from impacted soils removed from the site, installation of the vapor barrier and sub slab depressurization system in accordance with manufacturers specifications, photographs, etc.). Therefore, DEP has no objection to the issuance of DOB permits to the applicant for work relating to the proposed development project on the subject parcels, with the understanding that no other permit (i.e. Certificate of Occupancy) will be issued by your agency to the applicant until DEP has reviewed/approved the P.E. certified Remedial Closure Report and has issued a "Notice of Satisfaction" for the proposed project.

If you have any questions or comments, contact Callista Nazaire at 718-595-4401.

Sincerely,



John Wuthenow
Director, Site Assessment

cc: John Wuthenow; Callista Nazaire; David Yudelson, Sive, Paget & Riesel, P.C., 460 Park Avenue, New York, NY 10022-1906