



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Mark P. McIntyre, Esq.
Director

Tel: (212) 788-8841

August 7, 2023

Martin Dunn
Dunn Development Corp.
589 Sackett Street, 2nd Floor
Brooklyn, NY 11217

Re: Notice of Completion
381 Chester Street, Brooklyn, NY
OER Site Number: 20CVCP059K

Dear Martin Dunn:

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 August 7, 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): Simba Simbi LLC
HP Simba Simbi Housing Development Fund Company, Inc.

Site Information: Site Name: 381 Chester Street
Site Owner: Simba Simbi LLC (beneficial owner)
HP Simba Simbi Housing Development Fund Company, Inc. (record owner)
Street Address: 381 Chester Street, Brooklyn, NY
Block 3589, Lot 21
OER Site Number: 20CVCP059K

Project Description: The Site consists of a new eight-story residential building providing 156 rental units for low-income seniors. Forty-eight apartments (30%) are reserved for homeless seniors referred by a City or State agency. A non-profit support service provider will provide on-site services for the homeless elderly units.

The building includes a partial cellar that accommodates the building mechanical services rooms, compactor room, storage areas, and building maintenance. The ground floor contains the 1st floor residential lobby on Chester Street as well as the community facility space which is separately demised from the residential space and contains its own dedicated street entrances and egress doors. The residential portion of the first floor consists of an attended lobby, support services offices, a community room, and a laundry room. There is a small landscaped rear yard. The southern end of the building includes off-street vehicular parking spaces under the building and behind a portion of the building.

The Site was excavated down to varying depths. The open landscaped area was excavated to 3-feet to allow for clean-fill. The majority of the development area was excavated to 12 feet to allow for a partial basement. A small crawl space area was excavated to 5-feet below grade and lastly, an on-grade portion of the building does not have a basement and was excavated to 3-feet below grade to allow for the slab.

**Date of Voluntary
Cleanup Agreement:** May 11, 2021

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:

 x Unrestricted Use
 Restricted Use:
 Residential
 Restricted Residential
 Commercial

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: August 7, 2023
Site No.: 20CVCP059K

OER Project Numbers: 20EHAN049K / 20CVCP059K
PM: Kestana Anokye