



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Shaminder Chawla
Acting Director
Tel: (212) 788-8841

June 5, 2024

Christopher Lacovara, Esq.
Community Access
17 Battery Place, Suite 1326
New York, NY 10004

Re: Notice of Completion
1159 River Avenue, Bronx, NY
OER Site Number: 20CVCP036X

Dear Christopher Lacovara:

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 June 5, 2024. Congratulations!

To apply for a Brownfield Incentive Grant (BIG) cleanup grant, submit a grant application within 6 months of the NOC issuance date. More information is available at <https://www.nyc.gov/site/oer/grants/big-grants.page>.

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): Community Access

Site Information: Site Name: 1159 River Avenue
Site Owner: 1159 River Avenue Housing Development Fund Corp.
Street Address: 1159 River Avenue, Bronx, NY
Block 2496, Lot 7501 (former Lot 73)
OER Site Number: 20CVCP036X

Project Description: The development project consisted of the demolition of on-Site buildings and the construction of a new nineteen-story, mixed-use (commercial and residential) building with a partial cellar. The entire Site was excavated to bedrock to facilitate construction activities.

The footprint of the new building covers the entire Site (there are no open space areas). The cellar, which underlies approximately 90% of the first floor, is used for commercial storage space, mechanical rooms and a bicycle storage room. A ramp accessing the commercial loading area in the cellar is located along at the northern edge of the on-Site building. The remainder of the first floor contains a commercial space and commercial loading area (18,933 SF), and a residential lobby at the southeastern portion. The second floor contains two outdoor terraces at the eastern and western sides (including community dining, seating, and play areas, therapy trail, and several planted areas), offices, community areas (including an art studio, dining room, computer room and restrooms), and a laundry room. The remaining upper floors consist of 241 residential units (128 studios, 40 one-bedroom units, 56 two-bedroom units, and 17 three-bedroom units). The total square footage of interior space is 201,165 feet.

**Date of Voluntary
Cleanup Agreement:** July 27, 2020

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:

- Unrestricted Use
- Restricted Use:
 - Residential (Track 2)
 - 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
Acting Director
New York City Office of Environmental Remediation