



Office of Environmental Remediation

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

Shaminder Chawla
Director

Tel: (212) 788-8841

July 28, 2025

Mr. Mendel Fleischman
Garden Group
183 Wilson Street, Suite 245
Brooklyn, NY 11211

Re: Notice of Completion
202 North 4th Street, Brooklyn, NY
OER Site Number: 23CVCP027K

Dear Mr. Fleischman:

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 July 28, 2025. 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 on OER's website at <https://www.nyc.gov/site/oer/grants/big-grants.page>

If you have questions regarding any of these items, please contact me at 212-442-3007.

Sincerely,

Shaminder Chawla
Director



Office of Environmental Remediation
100 Gold Street – 2nd Floor
New York, New York 10038

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Director
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Notice of Completion

Notice Holder(s): 285 Garden LLC

Site Information: Site Name: 202 North 4th Street
Site Owner: 285 Garden LLC
Street Address: 202 North 4th Street, Brooklyn, NY
Block 2353, Part of Lot 26 **BIN Number 3329980 Only**
OER Site Number: 23CVCP027K

Project Description: The new development consists of a new 4-story building with a penthouse and two mezzanine levels. The first floor contains a commercial unit (retail), a recreation area, a laundry room, meter rooms, and a lobby. Residential units occupy all upper floors. The new building required excavation to approximately five ft-bg below the slab and a sloped excavation of up to eight ft-bg on the eastern portion of the Site for foundation elements. Approximately 420 tons of soil excavation was required for the new building. The new development does not contain an elevator or stormwater infrastructure.

**Date of Voluntary
Cleanup Agreement:** January 23, 2023

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 (Track 2):
 - 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 Title 24 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
Director
New York City Office of Environmental Remediation

Date of Issuance: July 28, 2025
Site No.: 23CVCP027K