



**OFFICE OF ENVIRONMENTAL REMEDIATION**

100 Gold Street – 2<sup>nd</sup> Floor  
New York, New York 10038

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

Tel: (212) 788-8841

**NOTICE OF NO OBJECTION**

**Pending TCO Application for Cellar, Floors 1 – 14, and Roof Excluding All School and Retail Spaces and Apartment Units along Eastern Hoist Line (see attached table for areas to be excluded)  
DOB Job Number NB 321594137**

February 20, 2024

Re: 2840 Atlantic Avenue;  
262 and 268 Barbey Street; 2840, 2856 and 2862 Atlantic Avenue; 193 and 207 Scheck Avenue  
Brooklyn Block 3964, Lot 8 (Formerly Lots 4, 8 & 23)  
Hazardous Materials, Air Quality, and Noise “E” Designation  
E-366: East New York - CEQR 15DCP102K - 4/20/2016  
OER Project Number 17EHAN094K / NYSDEC BCP Site No. C224255

Dear Brooklyn Borough Commissioner:

The New York City Office of Environmental Remediation (OER) hereby issues a Notice of No Objection for the TCO Application related to the above-referenced Department of Buildings Job Number for the Cellar, Floors 1 – 14, and Roof excluding all school and retail spaces and apartment units along the eastern hoist line. This correspondence is provided pursuant to OER’s responsibilities as established in Subchapter 7 of Chapter 14 of Title 43 of the Rules of the City of New York and Section 11-15 of the Zoning Resolution of the City of New York. The Applicant has filed a New York State Department of Environmental Conservation (NYSDEC) issued Certificate of Completion, Hazardous Materials Final Engineering Report, Site Management Plan, and an Interim Installation Report for Air Quality & Noise that are acceptable to this Office.

The Site has satisfied the E-Designation requirements for most of the Cellar, Floors 1 to 14, and Roof. However, all school and retail spaces, and apartment units 203, 303, 403, 503, 603, 703, 803, 903, 1003, 1103, and 1203 have not satisfied the E-Designation requirements and are not subject to this Notice. When construction is complete and the E-Designation requirements for remaining portions of the development have been satisfied, OER will issue a Notice of Satisfaction to DOB.

If you have any questions or comments, please feel free to contact Shirley Chen at 212-341-2034.

Sincerely,

Maurizio Bertini, Ph.D.  
Assistant Director

cc: Joe M, Empire State Dairy, LLC - joem@bushburg.com  
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Shaminder Chawla, Zach Schreiber  
Shirley Chen, PMA-OER

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A Notice of No Objection is requested for the following spaces:

Floor	Spaces Included in Current TCO	Spaces Excluded in Current TCO
Cellar	Parking, Storage, Back-of-House Spaces, Bike Room 1	All School Spaces (B00785945-I1)
1	Loading Dock, Residential Lobby, Service Lobby	Retail, All School Spaces (B00785945-I1)
2	Apartments 201, 202, 204, 205, 206, 207, 208, 209, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 231, Fitness Room, Lounge, Co-Working, Kids Room	Apartment 203, School Spaces (B00785945-I1) All
3	Apartments 301, 302, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331	Apartment 303, School Spaces (B00785945-I1) All
4	Apartments 401, 402, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431	Apartment 403
5	Apartments 501, 502, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531	Apartment 503
6	Apartments 601, 602, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631	Apartment 603
7	Apartments 701, 702, 704, 705, 706, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731	Apartment 703
8	Apartments 801, 802, 804, 805, 806, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831	Apartment 803
9	Apartments 901, 902, 904, 905, 906, 910, 911, 912, 913, 914, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932	Apartment 903
10	Apartments 1001, 1002, 1004, 1005, 1006, 1010, 1011, 1012, 1013, 1014, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032	Apartment 1003
11	Apartments 1101, 1102, 1104, 1106, 1110, 1111, 1112, 1113, 1114, 1123, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132	Apartment 1103
12	Apartments 1201, 1202, 1204, 1206, 1210, 1211, 1212, 1213, 1214, 1223, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232	Apartment 1203
13	Apartments 1301, 1302, 1304, 1306, 1310, 1311, 1312, 1313, 1314, 1323, 1325, 1327, 1328, 1329, 1330, 1331, 1332	
14	Apartments 1401, 1402, 1404, 1406, 1410, 1411, 1412, 1413, 1414, 1423, 1425, 1427, 1428, 1429, 1430, 1431, 1432	
Roof	Amenities	

