Buffalo Urban Development Corporation
95 Perry Street • Suite 404
Buffalo, New York 14203

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Buffalo Urban Development Corporation

Real Estate Committee Meeting
Tuesday, May 19, 2015 at Noon
BUDC-ECIDA Vista Room
95 Perry Street, 4th Floor, Buffalo, NY 14203

Agenda

1) Approval of Minutes – Meeting of 4/21/2015 *(Action) (Enclosure)*

2) Northland Avenue Belt Line Corridor Updates *(Information)*

   a) Former Sweeney Properties – Property Transaction
   b) Former Sweeney Properties – Environmental *(Enclosure)*
   c) 537 East Delavan – Property Transaction
   d) 537 East Delavan – Environmental *(Enclosure)*
   e) 767 Northland Purchase *(Enclosure)*
   f) Redevelopment Strategy Project *(Enclosure)*
   g) Third Party Property Management RFP
   h) Short-Term Trash Removal & Grass Cutting
   i) Community Outreach
   j) Potential Acquisition of Additional Northland Avenue Properties
   k) Development Prospects

3) Buffalo Lakeside Commerce Park Updates *(Information)*

   a) Development Prospects
   b) 193 Ship Canal Parkway Remedial Investigation (*Enclosure)*
   c) Parcel 3 Contract Close-Out
   d) Parcel 4 NYSDEC Superfund Site
   e) Property Owners Association Declaration of Covenants
   f) Snowvember Damage

4) South Buffalo BOA Project Updates *(Information)*

   a) Recreational Needs Assessment
   b) BOA Designation

5) General Items *(Information)*

   a) RiverBend - Property Owner's Association

6) Adjournment *(Action)*

Hon. Byron W. Brown, Chairman of the Board • Dennis Penman, Vice Chairman • Peter M. Cammarata, President
David A. Stebbins, Vice President • Andrew Schoeppich, Treasurer • Theresa Carpenter, Assistant Treasurer • Kevin J. Zanner, Secretary

Minutes of the Real Estate Committee Meeting
Buffalo Urban Development Corporation
95 Perry Street
Buffalo, New York 14203
April 21, 2015
12:00 p.m.

Call to Order

Committee Members Present:

Thomas A. Kucharski
Brendan R. Mehaffy
Kimberley A. Minkel
Craig A. Slater (Chair)

Committee Members Absent:

Dennis M. Penman

Officers Present:

Peter M. Cammarata, President
Andrew Schoeppich, Treasurer
Kevin J. Zanner, Esq., Secretary
Theresa Carpenter, Assistant Treasurer

Others Present: Dawn Boudreau, ECIDA Compliance Officer; Brandye Merriweather, BUDC Project Coordinator; Christopher Schoepflin, Empire State Development; and Dennis Sutton, City of Buffalo.

Roll Call – The Secretary called the roll at 12:10 p.m. and reported that a quorum of the Committee was present. Mr. Kucharski left the meeting after the presentation of item 4(a).

1.0 **Approval of Meeting Minutes** – The minutes of the March 17, 2015 meeting of the Real Estate Committee were presented. Mr. Mehaffy made a motion to approve the minutes. The motion was seconded by Mr. Kucharski and unanimously carried.

2.0 **Northland Avenue Belt Line Corridor Updates**

(a) **Potential Acquisition of Additional Northland Avenue Property** – Mr. Mehaffy made a motion to enter into executive session to discuss the proposed acquisition of additional property located in the Northland Avenue Belt Line corridor on the basis that public discussion of the proposed acquisition could substantially affect the value of the property. The motion was seconded by Mr. Kucharski and unanimously carried. At the conclusion of the executive session, Mr. Kucharski made a motion to exit executive session. The motion was seconded by Ms. Minkel and unanimously carried. The Committee Chair reported that no votes were taken during executive session.

(b) **537 East Delavan – Proposal for Soil-Gas Sampling** – Mr. Cammarata circulated a letter from the project consultant, LiRo Engineers, to perform a passive soil gas survey at 537 East Delavan Avenue property. Mr. Cammarata explained the purpose and primary objectives of the survey and noted that this work is included as part of LiRo's budget for this site. The Committee discussed the proposed work. Ms. Minkel commented on the importance of having the written commitment of NYSDEC to include all of the property in the Superfund program as a predicate to invasive testing. Mr. Cammarata indicated that BUDC will communicate with NYSDEC on the Superfund status. In response to a question from Mr. Mehaffy, Mr. Cammarata stated that the project consultant will direct any questions from neighbors to BUDC staff. At the conclusion of the discussion, Ms. Minkel made a motion to recommend that BUDC proceed with the soil-gas sampling work. The motion was seconded by Mr. Kucharski and unanimously carried.

(c) **Short-Term Trash Removal and Grass Cutting** – Mr. Cammarata reported on the need for a short-term arrangement for trash removal and grass cutting at the Northland properties. The Committee discussed alternatives. It was suggested that at least three companies be contacted for proposals.

(d) **Sweeney Property Purchase** – Mr. Cammarata reported that BUDC closed the purchase of multiple properties from companies controlled by Mike Sweeney on April 7th. There is a sixty day period during which the seller will have access to the properties for the purpose of removing personal property. Mr. Cammarata also updated the Committee on property security and inspection protocols.

(e) **ESD Grant Disbursement Agreement** – Mr. Cammarata noted that the Northland properties purchase was funded through the ESD-BUDC grant disbursement agreement for the project. He thanked ESD staff for ensuring that the purchase price funding was made available to BUDC in a timely manner in advance of closing.

(f) **Third Party Property Management RFP** – Mr. Cammarata reported that responses to the request for proposals for third party property management services are due on May 21st.

(g) **Redevelopment Strategy Project** – Mr. Cammarata circulated a draft summary report prepared by LiRo Engineers that identifies various environmental studies that have been conducted at the Northland properties. Mr. Slater suggested that the project consultant make a presentation to the Committee regarding its Phase II environmental site assessment work once completed.

(h) **Community Outreach** – Mr. Cammarata stated that public meetings will be scheduled for this summer regarding the project, and that Mustard Seed World Consulting Group will spearhead those meetings and other community outreach activities.

(i) **767 Northland Purchase Agreement** – Mr. Cammarata reported that BUDC is scheduled to close on the acquisition of the 767 Northland Avenue property on April 23rd.

3.0 Buffalo Lakeside Commerce Park Updates

(a) **ENTECCO Proposal** – Mr. Cammarata reviewed a proposal from Entecco, LLC to perform a micro-grid feasibility study for Buffalo Lakeside Commerce Park. There is no cost to BUDC for this work. Following a discussion, Ms. Minkel made a motion to recommend that BUDC proceed with the Entecco study. The motion was seconded by Mr. Mehaffy and unanimously carried.

(b) **Parcel 4 NYSDEC Superfund Site** – Mr. Cammarata reviewed the NYSDEC public notice regarding the expansion of the Superfund boundary to include all of Parcel 4 at Buffalo Lakeside Commerce Park.

(c) **193 Ship Canal Parkway Remedial Investigation** – Mr. Cammarata presented an update regarding the environmental remediation investigation for 193 Ship Canal Parkway. A copy of Labella Associates' proposed approach and methodology for the work was circulated and discussed with the Committee. Mr. Cammarata indicated that consultant will perform tasks 1-4 as identified in the methodology. The final task is anticipated to be undertaken by the potential developer of the site. He indicated that discussions with a potential developer are ongoing.

(d) **Development Prospects** – Mr. Cammarata presented a brief update regarding development prospects for Buffalo Lakeside Commerce Park.

(e) **Parcel 3 Contract Close-Out** – Mr. Zanner reported that the major items necessary to close-out the Ship Canal Commons construction contracts have been completed, including a negotiated agreement for the surety to pay nearly all of the legal fees incurred by BUDC in this matter.

(f) **Property Owners Association Declaration of Covenants** – Mr. Zanner updated the Committee regarding BLCP property owners association matters, including the completion and submission of an application to the Internal Revenue Service for the POA to be treated as a 501(c)(4) tax-exempt organization.

(g) **Snowvember Damage** – Mr. Cammarata presented an update regarding Snowvember damage at Buffalo Lakeside Commerce Park. He noted that the City Department of Public Works has cleared much of the garbage from the snow pile, but that there has been damage for which reimbursement from FEMA is being sought.

4.0 South Buffalo BOA Project Updates

(a) **Recreational Needs Assessment** – Mr. Cammarata reviewed with the Committee Mayor Brown's April 10, 2015 letter regarding the recreational needs assessment report. This letter was circulated nationally with a copy of the recreational needs assessment report to target those who may have an interest in developing a recreational sports facility in the City of Buffalo.

(b) **BOA Designation** – Mr. Cammarata presented a brief update regarding the BOA designation process. He noted that BUDC is working with Christopher Bauer at NYSDOS to complete the requirements for the official BOA designation.

5.0 General Items

(a) **Brownfield Cleanup Program** – Mr. Cammarata referred the Committee to a handout that was included in the meeting materials that summarizes recent legislative changes to the New York State Brownfield Cleanup Program.

(b) **RiverBend - Property Owner's Association & Notice of Claim** – Mr. Zanner reported on the process for dissolving RiverBend Property Owners Association, Inc. He also updated the Committee regarding a recent notice of claim that was served on BUDC in connection with a personal injury matter. He noted that the incident is alleged to have occurred after title to the RiverBend property was transferred to Fort Schuyler Management Corporation.

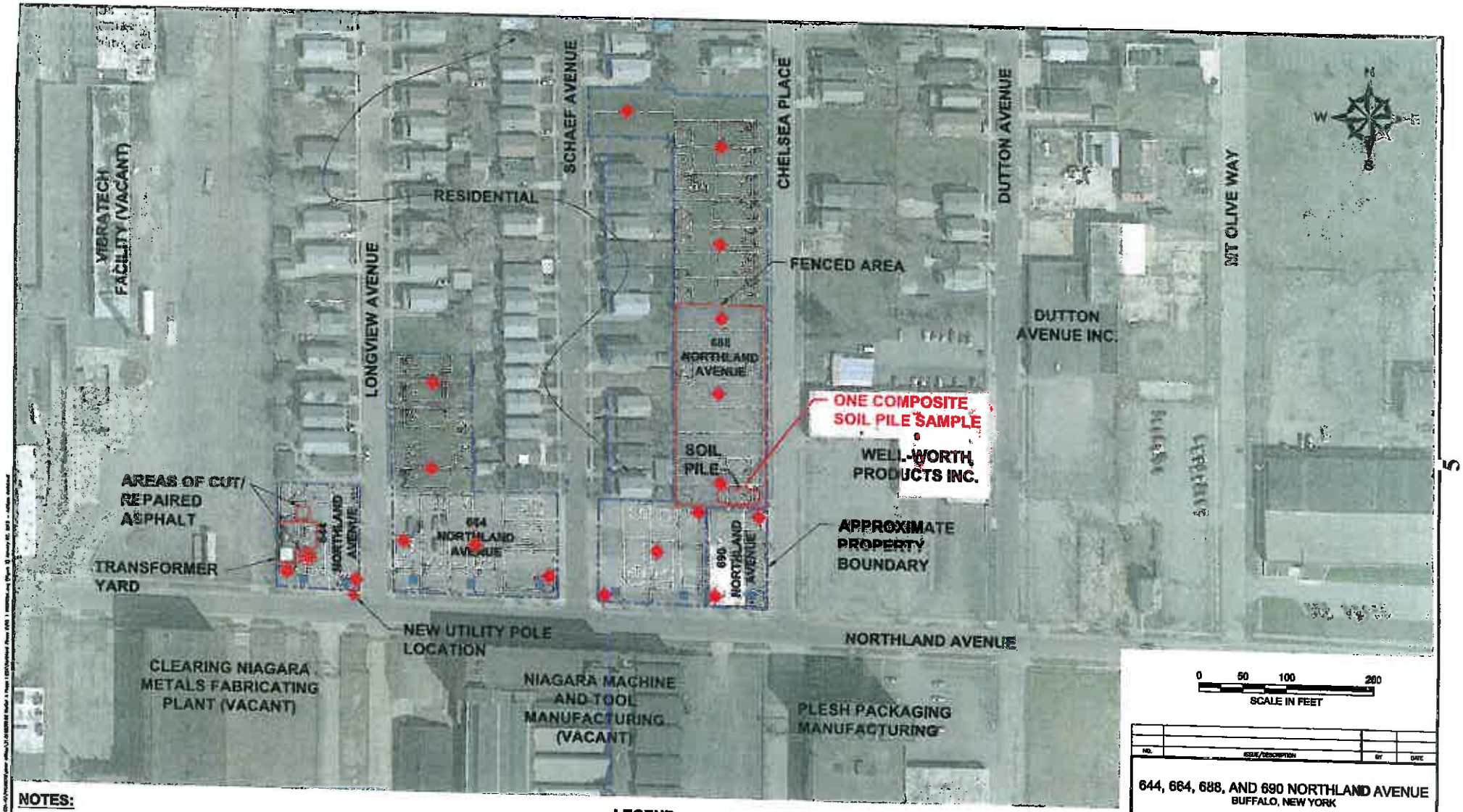
(c) **BERC Real Estate Assistance** – Mr. Cammarata informed the Committee that a key employee responsible for real property management activities recently left his employment with BERC. Since that time, BUDC has been providing limited ad hoc assistance to BERC on real estate matters.

6.0 Adjournment – There being no further business to come before the Real Estate Committee, upon motion made by Ms. Minkel, seconded by Mr. Mehaffy and unanimously carried, the April 21, 2015 meeting of the Real Estate Committee was adjourned at 1:20 p.m.

Respectfully submitted,

Kevin J. Zanner, Secretary

ITEM 2B



NOTES:

1. BASE MAP ADAPTED FROM MAPS DOWNLOADED FROM BING MAPS
2. THE SIZE AND LOCATION OF EXISTING SITE FEATURES SHOULD BE CONSIDERED APPROXIMATE.

LEGEND:

- APPROXIMATE LOCATION OF STORM SEWER CATCH BASINS
- PROPOSED SOIL PROBE LOCATION

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NO.	ISSUE/DESCRIPTION	BY	DATE

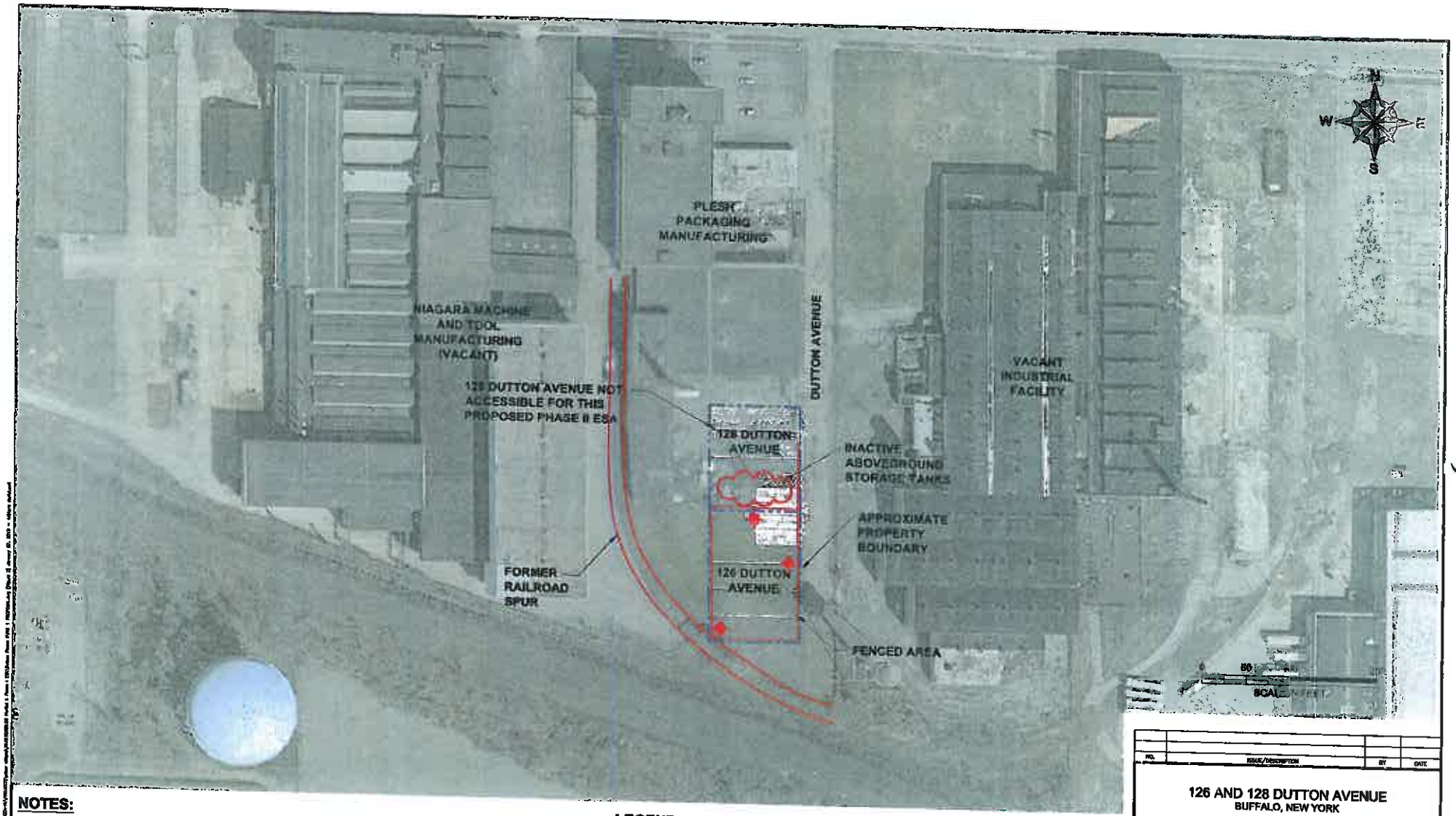
644, 664, 688, AND 690 NORTHLAND AVENUE
BUFFALO, NEW YORK

PHASE II ENVIRONMENTAL SITE ASSESSMENT
PROPOSAL

PREPARED BY: GZA GeoEnvironmental of N.Y. Engineers and Scientists, 300 PENNSYLVANIA AVENUE 11th FLOOR, BUFFALO, NEW YORK 14201, (716) 685-4300

PREPARED FOR: NORDEL II LLC

PREP. BY: JR	REVIEWED BY: TB	CHECKED BY: JR	FIGURE 1
DESIGNED BY: RJS	DRAWN BY: RJS	SCALE: 1" = 100'	
DATE JANUARY 2016	PROJECT NO. 31.P0001192.15	REVISION NO.	SHEET NO. 1 OF 2



NOTES:

1. BASE MAP ADAPTED FROM MAPS DOWNLOADED FROM BING MAPS
2. THE SIZE AND LOCATION OF EXISTING SITE FEATURES SHOULD BE CONSIDERED APPROXIMATE.

LEGEND:

PROPOSED SOIL PROBE LOCATION

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NO.	ISSUE/DESCRIPTION	BY	DATE

126 AND 128 DUTTON AVENUE
BUFFALO, NEW YORK

PHASE II ENVIRONMENTAL SITE ASSESSMENT
PROPOSAL

PREPARED BY: GZA GeoEnvironmental of N.Y. Engineers and Scientists, 535 Washington Street 11th Floor, Buffalo, New York 14203, (716) 626-0300

PREPARED FOR: NORDEL II LLC

PROJ MGR: JR	REVIEWED BY: TB	CHECKED BY: JR	FIGURE 2
DESIGNED BY: RJE	DRAWN BY: RAS	SCALE: 1" = 100'	
DATE: JANUARY 2016	PROJECT NO. 31.P000192.15	REVISION NO.	SHEET NO. 2 OF 2

LiRo Engineers, Inc.
A LiRo Group Company
690 Delaware Avenue, Buffalo, NY 14209 Telephone 716.882.5476 Facsimile 716.882.9640

April 24, 2015

David A. Stebbins, AICP
Buffalo Urban Development Corporation
95 Perry Street, Suite 404
Buffalo, New York, 14203

Re: 537 East Delavan, Passive Soil Gas Survey

Dear Mr. Stebbins,

LiRo Engineers Inc. has reviewed available background environmental information for the 537 East Delavan property including NYSDEC records of the previous owner's site investigation and remediation work; NYSDEC's continuing work related to free product and contaminated groundwater; and work completed by GZA GeoEnvironmental for your office.

As you know, high levels of chlorinated volatile organic compound (VOC) contamination persists in groundwater at the site. NYSDEC has expressed concern with identifying the source of the groundwater chlorinated VOCs and possible offsite migration of the groundwater contamination.

Based on the results of the previous site investigations the most likely source areas are in the east-central portion of the building complex in the area of a former degreasing room.

Passive Soil Gas Survey

The primary objective of the passive soil gas survey is to identify the potential source area(s) for the chlorinated VOC contamination and to provide a qualitative assessment of potential contaminant migration pathways to the west and southwest. Toward that end, LiRo has developed a grid-based approach for conducting the soil gas sampling. The proposed soil gas sampling locations are shown on Figure 1.

The points were placed using an approach to focus (i.e., by using a smaller distance between points) in the southwest portion of the site where potential off-site migration is a concern.

The target depth for soil gas probes will be approximately two feet below the building floor or ground surface. Within building interior areas, LiRo will place the points at the lowest known floor level, however, crawl-space areas and lower foundation slabs may be present at the site. In the event that void space is encountered, LiRo will make a field decision to either install a probe in the void space (which may provide useful data) or relocate the sample location.

LiRo Engineers, Inc.
A LiRo Group Company
690 Delaware Avenue, Buffalo, NY 14203 Telephone 716 882.5476 Facsimile 716.882.9640

An electric hammer-drill will be used to create a 1-inch diameter probe hole to installation depth. The probe hole will first be screened using a photoionization detector (PID), then a gas probe will be placed at the hole bottom in accordance with the manufacturers installation instructions and the hole will be sealed at the ground surface. Actual sample locations and depths may vary from those proposed based on observed field conditions at the time of installation. The residence time for the probes will be seven days.

After the probes are retrieved, they will be packaged, sealed, and shipped to the probe provider for analysis. Based on the limited set of compounds identified as contaminants of concern in previous investigations, the samples will be analyzed for VOCs using USEPA Method 8260B.

LiRo solicited costs to provide soil gas probes from Beacon Environmental Services, Inc. and these costs are summarized in the Table below:

Item	Unit	Quantity	Unit Cost	Extended Cost
BeSure sample kit and supplies	Lump Sum	1	$1,050	$1,050
Analysis of field samples	Each	103	$165	$16,995
Analysis of QC samples (trip blanks)	Each	4	$165	$660
Passive Soil Gas Sample and Analytical Total				$18,705

Beacon's quoted price includes color isopleth mapping of survey results. Trip blank quality control sample analysis is included to support data validity. The costs for passive soil gas sampling were included in LiRo's Task Order 1 allocation.

Please sign in the space provided below to indicate your approval and to serve as a notice to proceed. LiRo will order the sampling equipment and prepare to mobilize within one week of approval. We anticipate that the samplers can be installed over a period of four days and that Beacon's isopleth mapping of results will be completed within approximately 30 days of sample submittal to their laboratory.

Please feel free to call me or Steve Frank at 716-882-5476 if you have any questions or require further information.

Sincerely,
LiRo Engineers, Inc.

Robert Kreuzer
Vice President

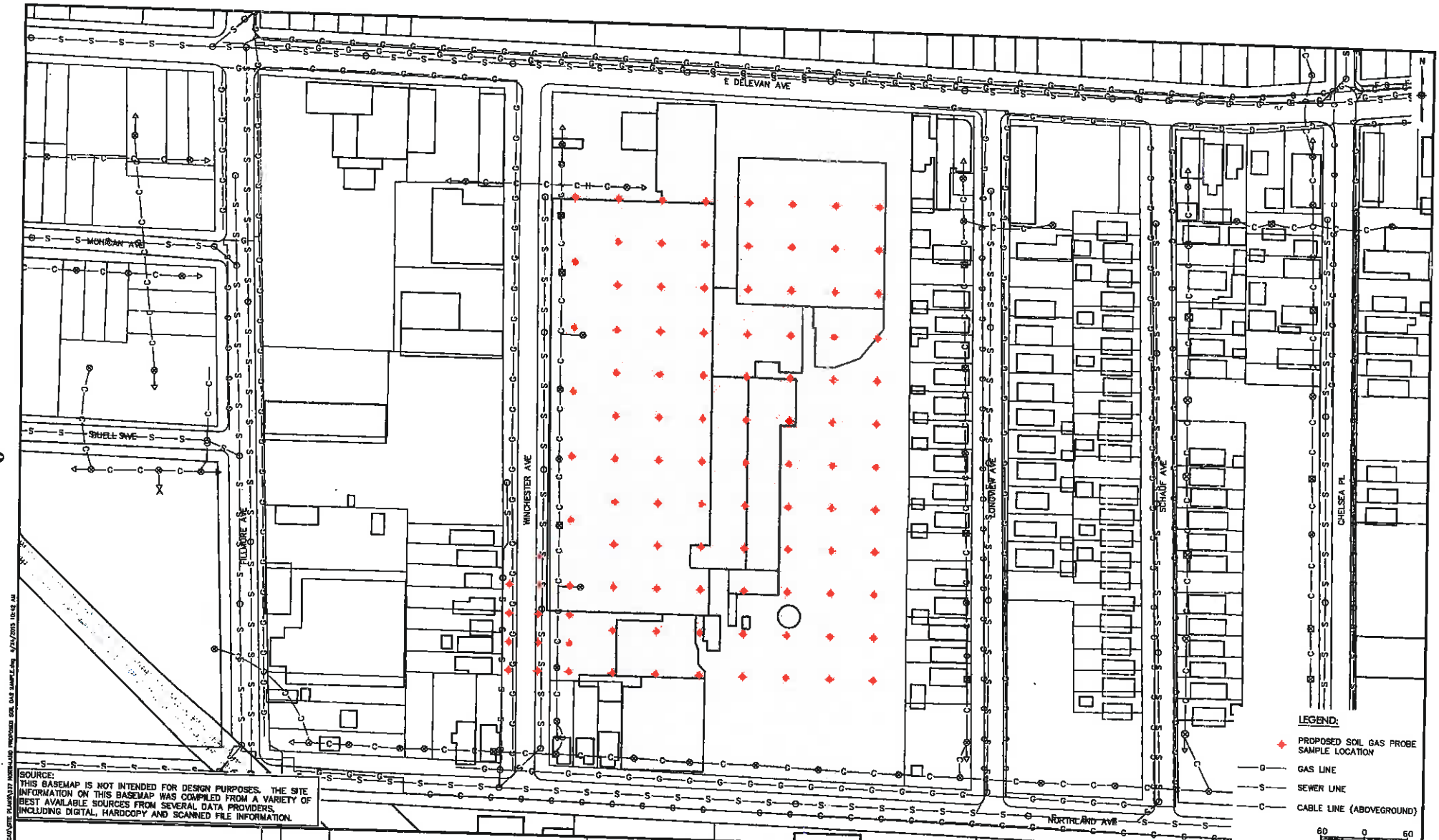
Attachments

Approved By:

Signature: _____

Title: President

Date: 4/27/15



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NO.	DATE	DESCRIPTION
		REVISIONS

Lilly Engineers, Inc.
440 Delaware Avenue
Buffalo, New York

PROJ. ENG.:
DESIGNED BY:
CHECKED BY:
DRAWN BY:

CLIENT: BUFFALO URBAN DEVELOPMENT CORPORATION

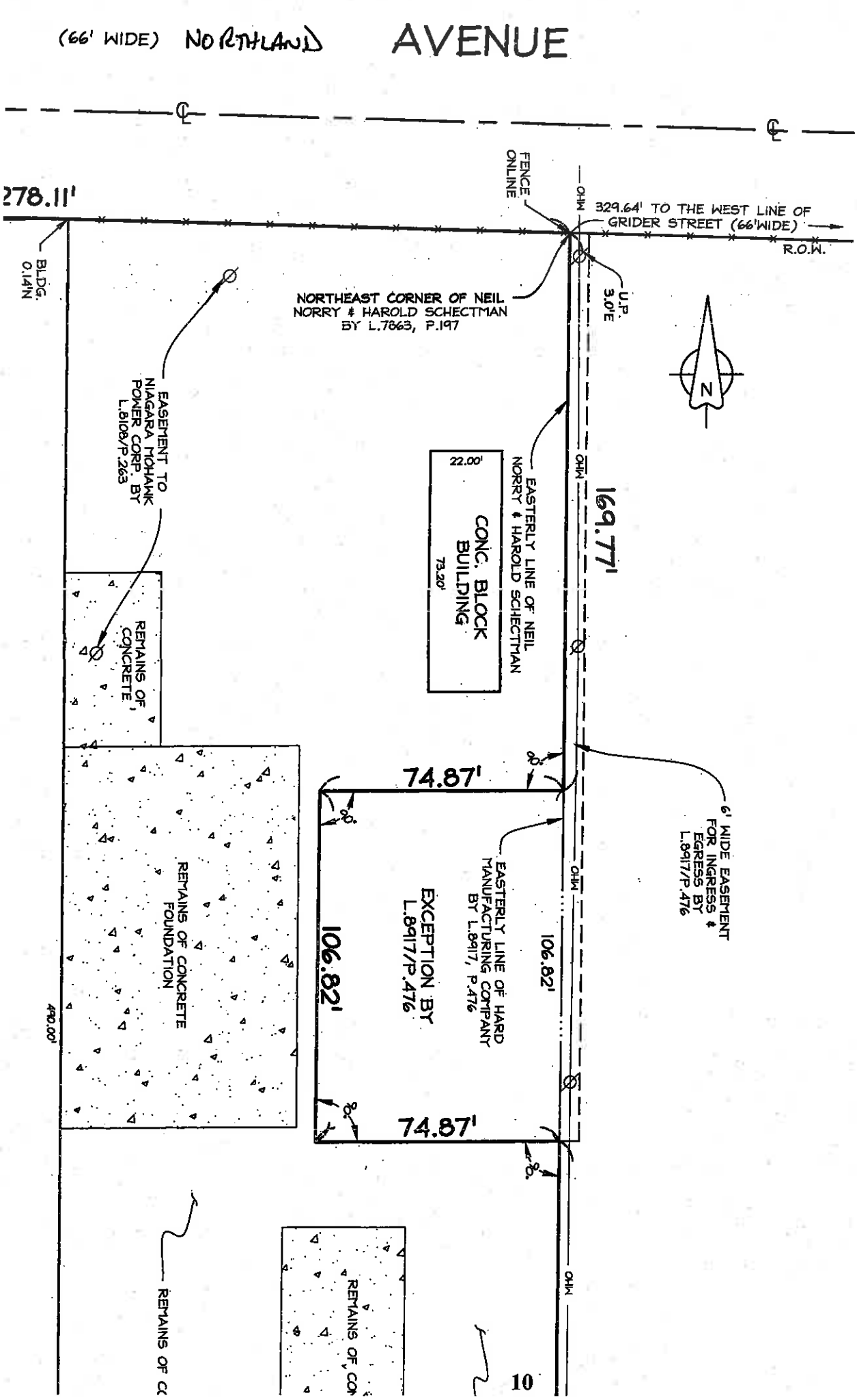
DATE: MARCH 2015
SCALE: AS SHOWN

JOB TITLE AND LOCATION: NORTHLAND BELTLINE CORRIDOR REDEVELOPMENT

DRAWING TITLE: 537 NORTHLAND AVE
PROPOSED PASSIVE SOIL GAS SAMPLE LOCATIONS

LRO JOB NO.: 15-029-1054
SHEET OF
FIGURE NO.: SU1

A:\15-029-1054 BUDC\CAD\SITE PLANS\537 NORTHLAND PROPOSED SOIL GAS SAMPLE.dwg 4/24/2015 10:42 AM


(66' WIDE) NORTHLAND AVENUE
278.11'
BLDG. 0.14'N
FENCE ONLINE
329.64' TO THE WEST LINE OF GRIDER STREET (66'WIDE)
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22.00'
CONC. BLOCK BUILDING
73.20'
EASTERLY LINE OF NEIL NORRY & HAROLD SCHECTMAN
169.77'
REMAINS OF CONCRETE
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6' WIDE EASEMENT FOR INGRESS & EGRESS BY L.8917/P.476
EASTERLY LINE OF HARD MANUFACTURING COMPANY BY L.8917, P.476
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REMAINS OF CO

Document Review Summary Report

NORTHLAND BELTLINE CORRIDOR

April 2015

Prepared for:

Buffalo Urban Development Corporation
95 Perry Street, Suite 404
Buffalo, New York, 14203

Prepared by:

LiRo Engineers, Inc.
690 Delaware Avenue
Buffalo, New York 14209

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FIGURE 1 - Northland Beltline Corridor Redevelopment Site Map

1.0 Introduction

LiRo Engineers, Inc. (LiRo) has prepared this Document Review Summary Report to provide a summary existing information for the individual properties included within the Northland-Beltline Corridor. A list of the studies/documents reviewed is provided in Section 13.0 References of this report. Figure 1 shows the property locations.

The Review Summary is intended for the use of the Buffalo Urban Development Corporation (BUDC) and for the project team members to provide a summary and overview of the existing information. The documents referenced in this report will be provided on compact disc and all users of this Review Summary are encouraged to consult the source documents for additional details that may be relevant to their project-specific discipline or task.

J:\15-029-1054 BUDC\CAD\Aerial Map\BUDC Aerial Map.ai

LiRo-Engineers, Inc.
690 Delaware Ave.
Buffalo, New York

NORTHLAND BELTLINE CORRIDOR REDEVELOPMENT SITE MAP

FIGURE NO.
1

2.0 683 Northland Ave.

Record Documents

- N003 Leader Professional Services, Inc.; Phase II Environmental Site Assessment, (631 also had work done as part of this report) 644 and 683 Northland Avenue and 126 and 128 Dutton Avenue, Buffalo, New York; August 2, 2005.
- N001 URS; Building Condition and Structural Assessment Report for 631, 683, 741, and 777 Northland Avenue, Buffalo, New York; December 2014.
- N002 Fisher Associates; Phase I Environmental Site Assessment Report – Northland Avenue Properties (631, 683, 741, and 777 Northland Avenue), Buffalo, New York, 14211; October 2014 (Revised January 2015).

Property Information (N001)

Four-story office area with 10 manufacturing spaces and a shed
Construction: 1911 – 1981 (Potential National Historical Register Eligible)
Lot Size/Zoning: 7.266 Acres (~507 x 545)/C-Manufacturing
Building Footprint: 230,000 Square Feet

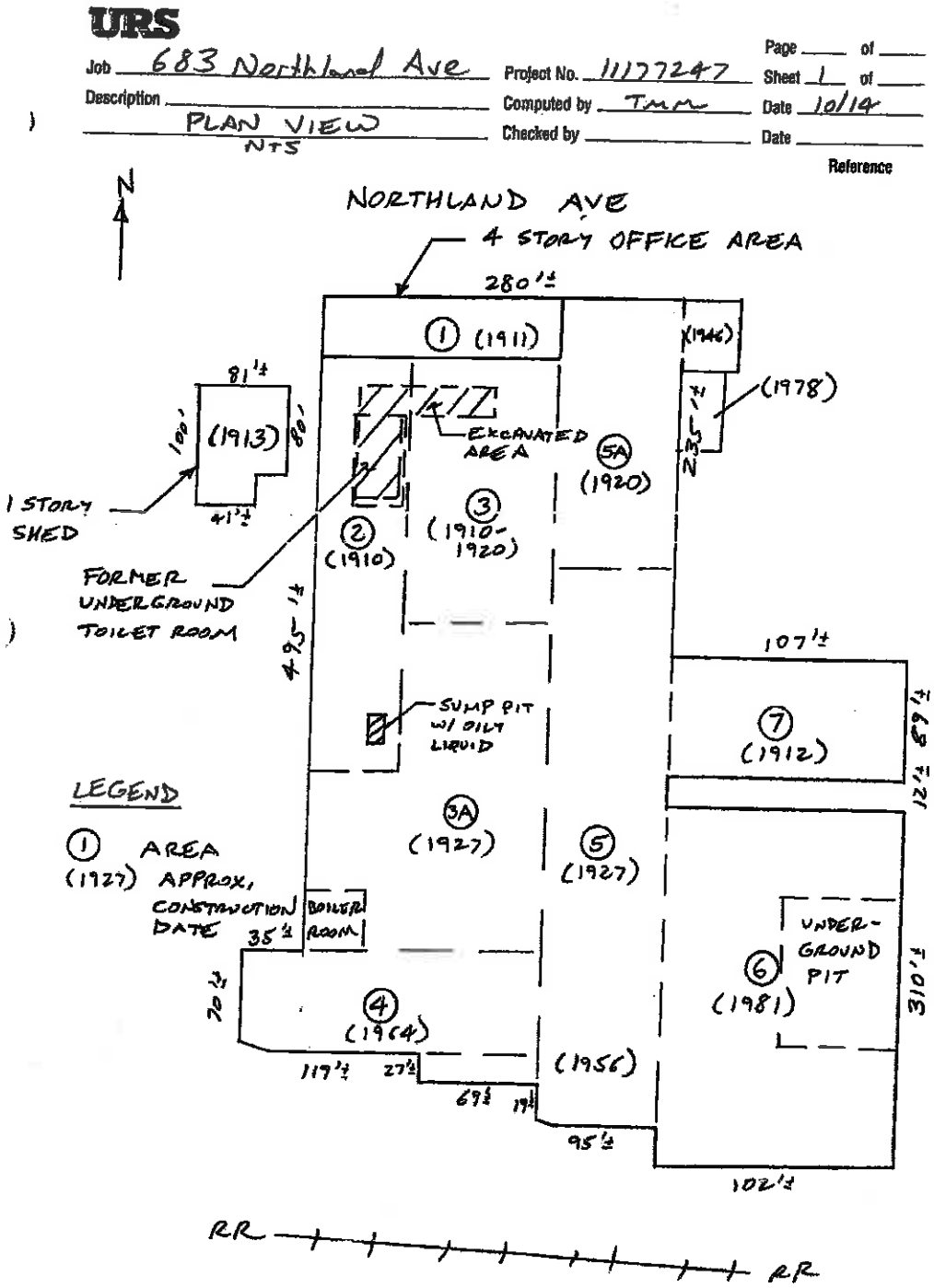
Utility Service Information (N001)

Electric: Supplied by substation transformer (General Electric F-962286) on north side of Northland Ave. rated at 22900-4160Y Volts at 2500 KV A. The substation supplies underground conduits feeding eight transformers distributing power to 683 Northland Ave.
Natural Gas: Reportedly out of service. Existing 6-inch gas service located in the grass area between 631 and 683 Northland Ave. Fenced in gas service manifold is equipped with a regulator, aboveground shutoff valves, vent, valve box, and a concrete pad of sufficient size to support up to 4 meters. 683 Northland Ave. has gas piping branches serving the Office Area.
Water: The original building was serviced with a 6-inch or 8-inch water line fed from Northland Ave. On-site personnel reportedly had the water service shut down and isolated at the source. It appears as if heat tracing and insulation were added at the main service valve. Building owner had the water service reduced down to 2-inches.
Sewer: 24" to 27" brick combined sanitary/storm sewer main exists underneath Northland Ave. Various catch basins and manholes exist on all sides of 683 Northland Ave. Unknown where the sewer mains exits the building.

Structural Summary (N001)

Based on the URS report, the building complex is made up of an office structure, 10 manufacturing spaces, and a shed (see Figure below). The office and manufacturing spaces were determined by URS to be structurally sound. The complex contains multiple roofing systems all of which likely require replacement. Concrete floors are in disrepair, but are structurally sound and the building envelopes are worn, but useable.

All building mechanical systems require replacement. Building does not conform to Americans with Disabilities Act (ADA) requirements.



Environmental Summary

Phase I Investigation reports from 2005 and 2015 identified numerous recognized environmental conditions (RECs) and environmental concerns including: oil-impacted wooden block floors, presence of numerous aboveground and underground storage tanks (ASTs/USTs), former fuel dispenser, numerous drums stored on-site, hydraulic lifts, potentially impacted pits and sumps, debris piles, transformers/electrical switch gear, lead-based paint (LBP), asbestos, and mold. Limited Phase II Investigations were completed in 1992, 1999, and 2005. Only the 2005 Phase II report was available for review, but based on summaries of the 1992 and 1999 investigations in the available documents, the previous Phase II Investigations primarily focused on open area between 683 and 631 Northland Ave. Evidence of petroleum contamination was identified in an area in the southwest portion of 683 Northland Ave. Elevated polychlorinated biphenyl (PCB) levels in soil (32 milligrams/kilograms [mg/Kg] and 121 mg/kg) were also identified in two soil samples from that portion of the site.

Asbestos, lead, and mold are reportedly present and the URS report includes a listing of suspect asbestos-containing materials (ACM). No ACM testing has been conducted to date. Based on the Fisher 2015 Phase I Report, additional Phase II sampling was to be conducted.

683 Northland – ENVIRONMENTAL TABLE

Phase I – RECs/Issues	**Phase II Findings**	**Further Needs**
Leader 2005 - Industrial use as a machine and tool works facility since 1910. Wooden block floors overlying concrete that are stained from cutting oils, lube oils, grease, and possible other petroleum products. Approximately 17 USTs have been potentially installed at the site over the years. Documentation of the removal of only four. On-site rail spur. Sanborn map (not included in report) indicates one 10,000-gal. fuel oil tank in southern portion of site, no other information available. One 6,000-gal. waste oil storage tank in a concrete vault with sump. Staining to walls/floor of vault. Three fill ports for three 23,380-gal. USTs containing fuel oil. Two 2,000-gal. USTs observed along the interior eastern wall of 1981 addition at 683 property, installed in 1980, drained between 1998 and 2002. Several drums containing xylene, antifreeze, hydraulic oil, and motor oil in main manufacturing building. Two interior pits filled with water and petroleum	Conestoga-Rovers and Associates (CRA) 1992 Investigation – Nine borings southeast of metal fabrication building. Several compounds exceeded New York State Department of Environmental Conservation (NYSDEC) guidance values (GVs). PSI 1999 Investigation – 10 borings throughout 637/683 Northland Ave. "PCBs, VOCs, and SVOCs were detected." Leader 2005 Investigation – 25 borings (eight converted to temporary groundwater monitoring wells [MWs]). Two interior pits and one sump were sampled. Only two soil boring locations had volatile organic compound (VOC) exceedances (BH-14 and BH-25. The two pits and one sump all had exceedances (acetone @ P1 and P2and naphthalene @ P3). PCB exceedances were found @ BH-13, BH-15, and BH-25. PCBs at BH-25 reported at 121 mg/kg in lab	Pending Phase II Results

Phase I – RECs/Issues	Phase II Findings	Further Needs
products. Staining throughout buildings. According to previous investigations (1992/1999) – Oil pump/gas pump on dispenser island located on-site at one point along with 1,000-gal. #2 fuel oil UST and 10,000-gal. gasoline UST. Fisher 2015 - identified numerous RECs and conditions. -Six USTs, three of which were likely previously removed. Three vent pipes for three 23,800-gal. USTs at southwest corner of main building. -vaulted 6,000-gal. waste oil tank and adjacent sump with apparent waste oil/oily vault walls. -500-gal. AST, contents unknown. - Numerous 55-gal. drums identified as containing xylene, antifreeze, hydraulic oil, motor oil, and used oil. - Multiple interior pits in Building A containing what appeared to be a mixture of a petroleum product and water. -The floors throughout buildings A and B are constructed of wooden block overlying concrete. The wooden blocks are stained from cutting oils, hydraulic oils, grease, and other possible petroleum products. - Multiple hydraulic lifts, possible PCB oil. -Debris filled pit and piles of debris. -Approximately 100 55-gal. drums in Building B that could not be inspected. -Historical (Leader 2005) Phase II concluded that releases had occurred at the site. The Phase I report also noted that there was an on-site rail spur, transformers, and electrical switch gear. Suspect LBP, ACM, and mold throughout buildings. The Environmental Data Resources, Inc. (EDR) report from Fisher identified the following USTs/ASTs as being addressed for this	report/121 parts per billion (ppb) in report text. Fisher 2015 recommended a Phase II be conducted.	

Phase I – RECs/Issues	Phase II Findings	Further Needs
property: nine USTs/three ASTs registered to 683 Northland: three 23,380-gal. #6 fuel oil, two temporarily out of service, one in service; one 10,000-gal. "other" closed in 1991 – (this could be the 10,000-gal. UST at 631 Northland Ave. pump island); two 1,000-gal. gasoline closed/removed; one 1,000-gal. diesel closed/removed; two 1,800-gal. other converted to non-regulated use – (Leader report stated there were two 2,000-gal. USTs along eastern interior wall of 1981 addition, one hydraulic oil and one gear oil, installed in 1980, drained between 1998-2002 [likely the 1,800-gal. non-regulated use.])		

Cammarata, Peter

From: Napieralski, Rob [RNapieralski@LaBellaPC.com]
Sent: Wednesday, April 29, 2015 3:56 PM
To: pcammarata@buffalourbandevelopment.com
Subject: RE: 193 Ship Canal Parkway Project

Hi Peter:

Sorry I missed your return call this afternoon. I spoke with Dave Locey at Region 9 and the following summarizes our conversation:

- NYSDEC may want to issue a fact sheet regarding the start of the RI, but the remote nature of the site may render this unnecessary;
- NYSDEC will need a copy of LaBella's Health & Safety Plan (HASP) and an updated schedule prior to the start of work. A PDF copy will suffice. No other submittals are required prior to the start of work;
- Despite the fact that the NYSDEC-approved RI Work Plan dust not include air monitoring for dust, Dave feels the need to verify with NYSDOH that community air monitoring will not be necessary for this project; and
- Dave agrees with the alternative approach of utilizing test pits instead of test borings for subsurface soil/fill exploration. A formal addendum to the RI Work Plan is not necessary. LaBella will send Dave an e-mail regarding the substitution and indicate that this change will be described in the RI Report.

Please let me know if BUDC would like to review the HASP prior to submittal to the NYSDEC, or whether concurrent review is acceptable. We would like to make this submittal before the end of the week.

Regards,

Rob

Robert Napieralski, C.P.G.
LaBella Associates, D.P.C.
Direct: 716-551-6283
Cell: 716-253-0444

From: Peter Cammarata [mailto:pcammarata@buffalourbandevelopment.com]
Sent: Friday, March 27, 2015 3:07 PM
To: Napieralski, Rob
Subject: RE: 193 Ship Canal Parkway Project

Rob: I did, but it has been one of those weeks. I'll have to get back to you next week. You have a great weekend too!
PMC

Peter M. Cammarata
President
Buffalo Urban Development Corp.
95 Perry Street, Suite 404
Buffalo, NY 14203
(716) 362-8361
pcammarata@buffalourbandevelopment.com

Cammarata, Peter

From: Napieralski, Rob [RNapieralski@LaBellaPC.com]
Sent: Friday, May 01, 2015 3:39 PM
To: david.locey@dec.ny.gov
Cc: pcammarata@buffalourbandevelopment.com
Subject: Remedial Investigation of 193 Ship Canal Parkway Site (# C915240) - Site Health & Safety Plan
Attachments: 193 Ship Canal Parkway RI Schedule 4-30-15.pdf; 193 Ship Canal Pkwy HASP.pdf

Dave:

Pursuant to our telephone conversation on April 29, 2015 regarding the above reference project, please find attached the Site Health & Safety Plan (HASP) covering the field investigation program planned for the site. In addition to the HASP, I have also provided an updated schedule for the Remedial Investigation (RI) phase of the project. As reflected by this schedule, field work is slated to start in mid-May and completion of the draft RI Report is anticipated in mid- late July of this year.

As we discussed, the RI will be completed in accordance with the NYSDEC-approved RI Work Plan with the following exception:

> The Project Site is reportedly covered by up to 12 feet of fill material that contains slag. It is LaBella's experience that split-spoon sampling in slag fill can be problematic because slag can become lodged in the opening of the sampler and prevent the material being sampled from entering the sample barrel for extraction to the surface. Based upon the potential diminished effectiveness of the subsurface soil/fill sampling method (split-spoon sampling) prescribed in the RIWP, LaBella will substitute the excavation of test pits for the drilling of test borings. This alternative approach will ensure the collection of representative subsurface samples and provide a better understanding of subsurface stratigraphy. To accomplish this alternative approach, the following task will be executed:
>
> > A track-hoe will be utilized to excavate 18 test pits across the site to characterize subsurface conditions and facilitate the collection, screening and chemical analysis of subsurface soil/fill. The test pits will be excavated to an average depth of 14 feet below grade. Eighteen (18) subsurface soil/fill samples from the test pits will be submitted for laboratory analysis. Excavated soil/fill will be placed back in the test pit from which it originated and compacted with the bucket at the completion of each test pit.
>
> No modifications to the scope of the monitoring well drilling and installation program are planned in conjunction with the alternative test pit program.

Based upon your verbal approval of this alternative investigation method, LaBella intends to move forward with the test pit program and, per your request, will identify and describe this modification to the RIWP in the RI Report.

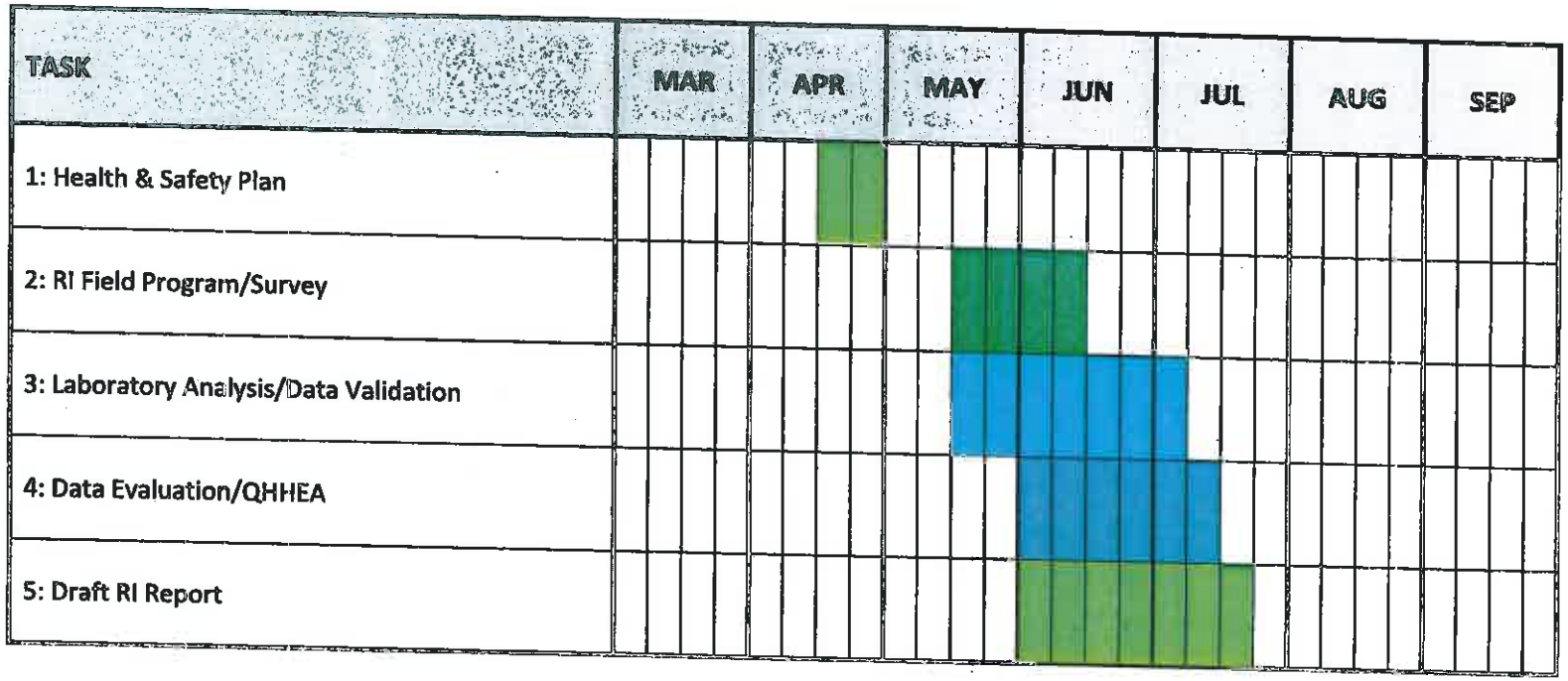
Please let me know if you have any questions or comments regarding the documents transmitted herewith or the work plan modification described above. Once we have the excavating and drilling subcontractors schedule nailed down, I will update you on the specific dates of our planned field activities.

Regards,

Rob

REMEDIAL INVESTIGATION OF 193 SHIP CANAL PARKWAY

PROJECT SCHEDULE (5/1/15)



Cammarata, Peter

From: Locey, David (DEC) [david.locey@dec.ny.gov]
Sent: Thursday, May 07, 2015 12:10 PM
To: Napieralski, Rob
Cc: pcammarata@buffalourbandevelopment.com
Subject: RE: Remedial Investigation - 193 Ship Canal Parkway, Buffalo, NY (C915240)

Rob,
The two modifications are accepted.

From: Napieralski, Rob [mailto:RNapieralski@LaBellaPC.com]
Sent: 05-07-2015 11:34
To: Locey, David (DEC)
Cc: pcammarata@buffalourbandevelopment.com
Subject: Remedial Investigation - 193 Ship Canal Parkway, Buffalo, NY (C915240)

Hi Dave:

The purpose of this e-mail is to request modifications to the QA/QC package associated with the sampling and analytical program identified in the RIWP for the above referenced project. We are requesting the following:

- *Elimination of trip blanks for soil samples that are not being submitted for VOC analyses, including the 10 surface soil samples and 9 subsurface soil samples* - It is our experience that trip blanks are typically analyzed only for VOCs. This is supported by Section 2.4 of the NYSDEC Spill Guidance Manual, Technical Procedure Guidance – QA/QC Control Procedures; NYSDEC TAGM SW-96-09 – Development and Review of Site Analytical Plans; and by numerous USEPA technical guidance documents. For the 9 subsurface soil samples that are slated for VOC analysis, one trip blank will accompany this sample group and will be analyzed exclusively for VOCs.
- *Elimination of the duplicate sample for the 9 subsurface soil samples to be submitted for VOC analysis* - In our experience, duplicate soil samples for VOC analysis are problematic because homogenization of the samples is not permitted and therefore, there is variability inherent in the duplicate sample. Furthermore, the duplicates to be submitted for the other 9 subsurface soil samples and the 10 surface soil samples should be sufficient to check the reproducibility of field and laboratory procedures.

I have attached a table summarizing the modified sampling and analytical program for your review and consideration.

Please let me know if you have any questions concerning this request.

Regards,

Rob

Robert Napieralski, C.P.G.
Buffalo Regional Manager
Direct: 716-551-6283 | rnapieralski@labellapc.com

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