

June 9, 2025

Ms. Kelly Duval  
NYSDEC – Region 5  
P.O. Box 296  
1115 NYS Route 86  
Ray Brook, NY 12977  
Sent via email to [kelly.duval@dec.ny.gov](mailto:kelly.duval@dec.ny.gov)

RE: Periodic Review Report  
Former Boiler House Property, Stillwater, Saratoga Co., New York  
NYSDEC Environmental Restoration Program Site No. B00197  
LaBella Project No. 2250691.05 (2025 EA # 5)

Dear Ms. Duval,

This letter serves as the Periodic Review Report for the Former Boiler House Property in Stillwater, New York, Environmental Restoration Program (ERP) Site B00197. The accompanying Institutional and Engineering Controls Certification Form is attached.

The property consists of a paved parking lot, landscape berms, and security fencing. The asphalt surface placed on this site provides a substantially improved separation between the deeper fill materials and surface uses of the site, representing a significant reduction in the potential for this property to adversely affect public health or the environment. Consistent with the approved schedule, the next PRR will be submitted in 2030.

### Site Overview

The site is located in the Town of Stillwater, Saratoga County, New York and is identified as Section 262, Block 1 and Lot 9.14 on the Town of Stillwater Tax Map. The site is a 1.23-acre area bounded by industrial property to the north, Best Avenue to the south, U.S. Route 4 to the east, and East Street to the west. The site location, boundaries, and significant features are depicted on the attached As-Built Survey.

Generally, the Remedial Investigation determined that metals, semi-volatile organic compounds (SVOCs), and PCBs were present in the unconsolidated sediments on the site. The unconsolidated materials consisted largely of urban fill which may have contained metals concentrations greater than NYSDEC Unrestricted Soil Cleanup Objectives from the time it was emplaced. Remedial actions completed between 2006 and 2008 included: 1) removing an aboveground storage tank, drums and containers, and compressed gas cylinders; 2) removing asbestos and demolishing an associated boiler house; 3) removing 422 tons of petroleum-contaminated soil (PCS) exceeding the restricted residential SCOs; 4) removing 3,825 tons of petroleum- and PCB-contaminated soil and coal ash waste exceeding the restricted residential SCOs; 5) removing 125 cubic yards of surface soil from a drainage swale; and 6) installing a soil cover to prevent exposure.

Upon completion of the remedial actions, site surface soil was shown to meet the soil cleanup objectives with the exception of one sample location. At this one location, benzo(b)fluoranthene was detected in a surface soil confirmation at a concentration of 1.175 parts per million (ppm). The SCO for this compound is 1 ppm.



In 2013, site redevelopment was planned to replace the soil and stone cover surfaces with a paved parking lot to allow the site to be used for truck parking. These planned changes to the site cover system were discussed with NYSDEC and approved in December of 2013. The work was performed, commencing in May 2014. The Chazen Companies (Chazen) of Troy, New York, conducted periodic site observations to document cover replacement activities.

On September 28, 2015, the NYSDEC approved the 2015 PRR's request to change site inspection and PRR reporting frequency from annual to once every five years.

### **Remedy Performance, Effectiveness, and Protectiveness**

Site inspection was performed on April 29, 2025. The soil cover remedy is performing as designed and effectively protecting public health and the environment. The attached 2025 annual inspection report with photolog documents the condition of asphalt cover at the site. This cover appears to be providing equal or better site cover to the initial remedy and allows an economically productive use of the property. The asphalt surface is considered an additional improvement to the site's soil cover system and is not considered damage to the soil cover remedy.

### **IC/EC Plan Compliance Report**

The IC/EC Certification forms are provided as an attachment. The asphalt cover is performing as designed to prevent contact with the soil.

### **Overall PRR Conclusions and Recommendations**

The 2025 inspection documents that the cover system is operating as designed, and no corrective action is warranted.

The next site inspection and PRR are scheduled for 2030.

If you require additional information or have questions, please contact me at 720-626-6362.

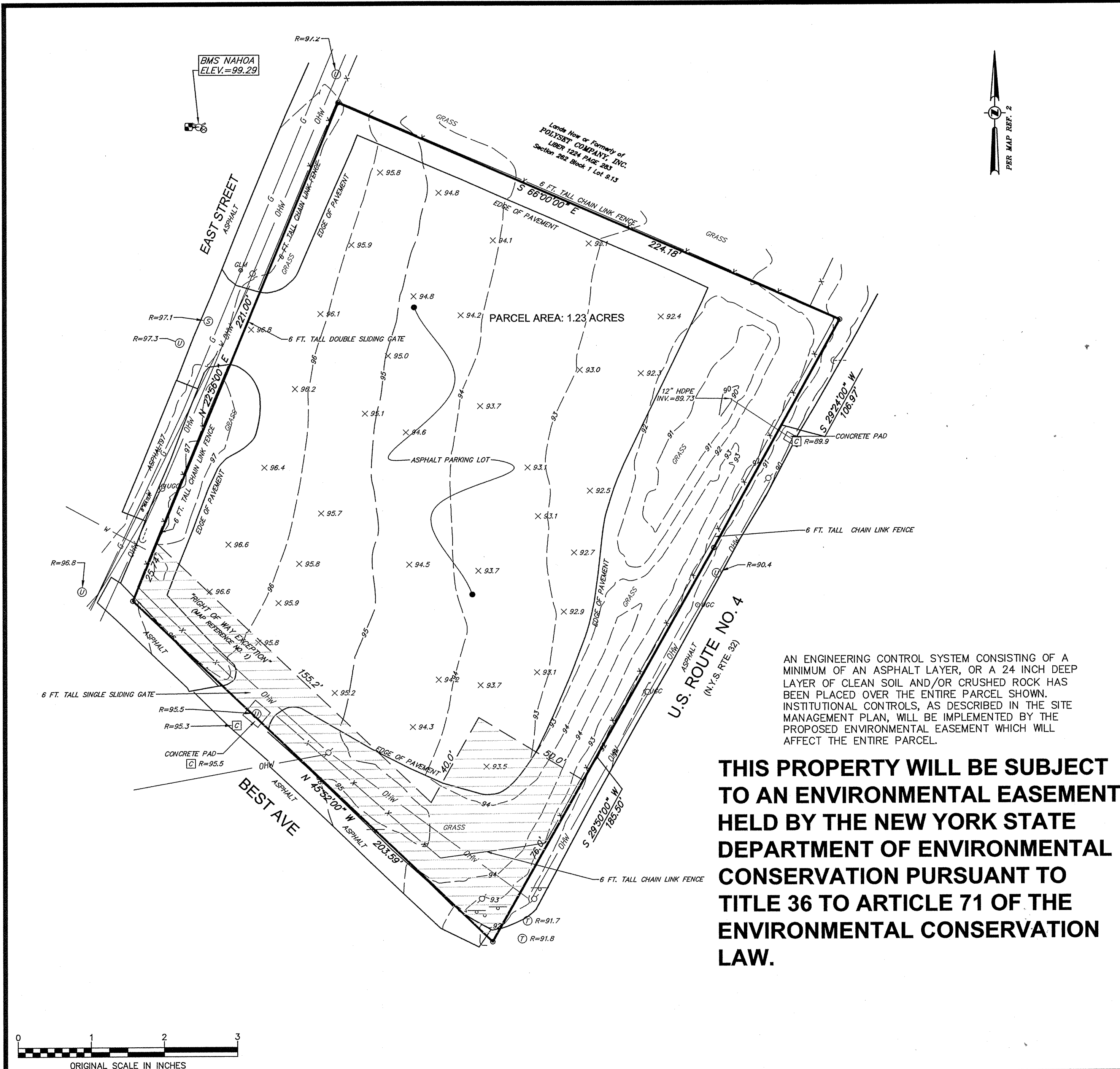
Respectfully submitted,

LaBella Associates

Branson Fields  
Environmental Scientist | Project Manager

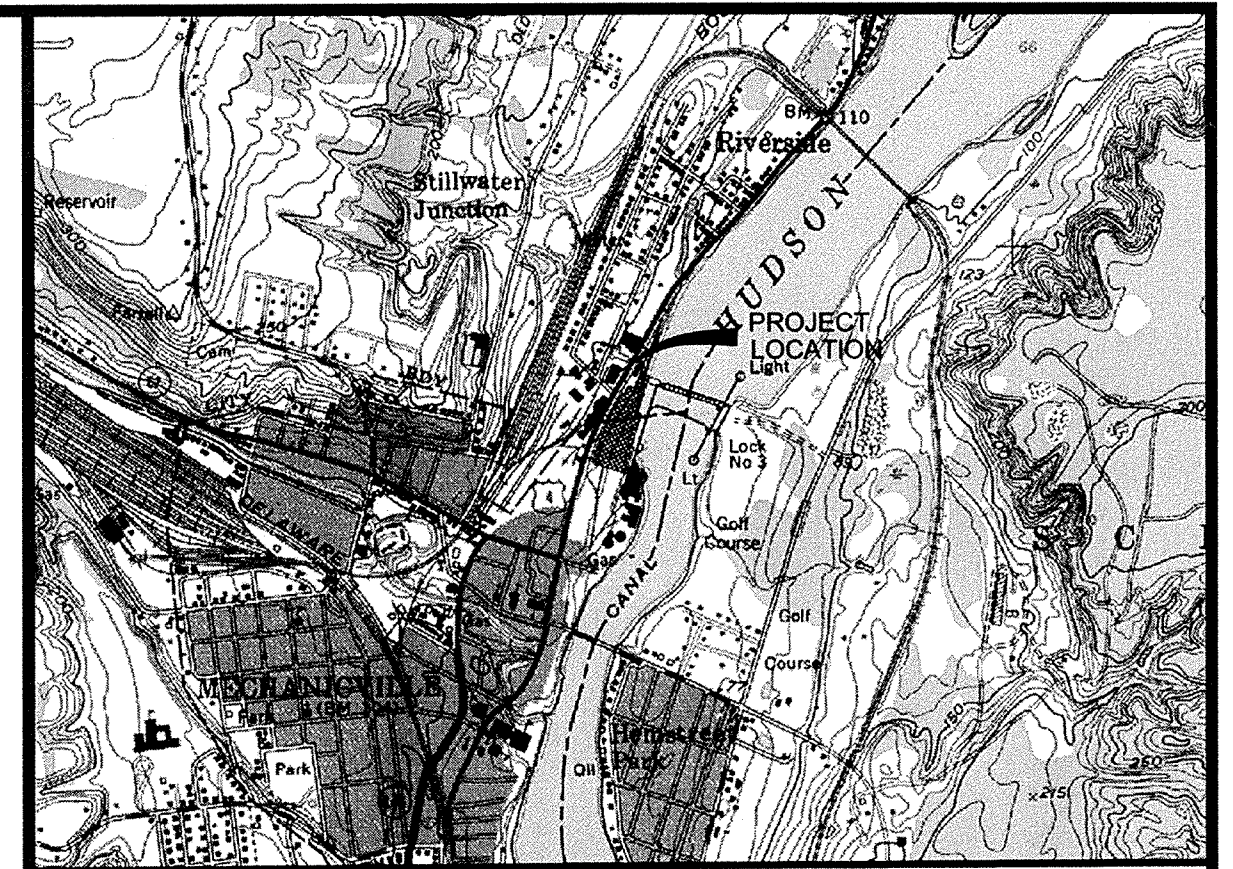
cc: Ed Kinowski, Town of Stillwater  
Joe Lanaro, LaBella Associates

Attachments:  
As-Built Survey  
2025 Annual Inspection Report with Photolog  
IC/EC Certification Forms



AN ENGINEERING CONTROL SYSTEM CONSISTING OF A MINIMUM OF AN ASPHALT LAYER, OR A 24 INCH DEEP LAYER OF CLEAN SOIL AND/OR CRUSHED ROCK HAS BEEN PLACED OVER THE ENTIRE PARCEL SHOWN. INSTITUTIONAL CONTROLS, AS DESCRIBED IN THE SITE MANAGEMENT PLAN, WILL BE IMPLEMENTED BY THE PROPOSED ENVIRONMENTAL EASEMENT WHICH WILL AFFECT THE ENTIRE PARCEL.

**THIS PROPERTY WILL BE SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 36 TO ARTICLE 71 OF THE ENVIRONMENTAL CONSERVATION LAW.**



SITE LOCATION PLAN: 1"=2000'

**LEGEND:**

**EXISTING CONDITIONS:**

---	PROPERTY LINE NO PHYSICAL BOUNDS
---	ADJACENT PROPERTY LINE
---	EXISTING MAJOR CONTOUR
---	EXISTING MINOR CONTOUR
---	EXISTING SPOT GRADE
---	EXISTING PROPERTY EASEMENT
---	EXISTING FENCE
---	EXISTING OVERHEAD WIRES
---	EXISTING WATER LINE
---	EXISTING GAS LINE
---	EXISTING UNDERGROUND SEWER LINE

**SYMBOLS:**

---	EXISTING SIGN
---	EXISTING SIGN
---	EXISTING BENCHMARK
---	EXISTING SANITARY MANHOLE
---	EXISTING CATCH BASIN
---	EXISTING CATCH BASIN ROUND
---	EXISTING GUY WIRE
---	EXISTING UTILITY POLE
---	EXISTING UTILITY POLE W/ LIGHT
---	EXISTING CONDUIT TO/FROM UNDERGROUND
---	EXISTING GAS LINE MARKER
---	EXISTING WATER MANHOLE
---	EXISTING HYDRANT
---	EXISTING WATER SHUT OFF VALVE
---	EXISTING WATER VALVE
---	EXISTING UNKNOWN MANHOLE

**NOTES**

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

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SUBSURFACE STRUCTURES NOT VISIBLE OR READILY APPARENT ARE NOT SHOWN AND THEIR LOCATION AND EXTENT ARE NOT CERTIFIED.

SUBJECT TO COVENANTS, EASEMENTS, RESTRICTIONS, CONDITIONS AND AGREEMENTS OF RECORD.

HORIZONTAL DATUM AND NORTH ORIENTATION ARE BASED ON MAP REFERENCE NO. 2 AND VERTICAL DATUM IS BASED ON NAVD83. VERTICAL DATUM WAS DETERMINED FROM GPS OBSERVATIONS AT THE TIME OF FIELD SURVEY.

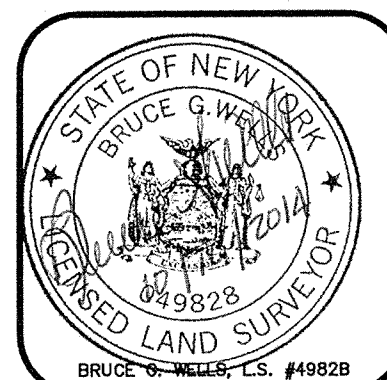
TOPOGRAPHY SHOWN HEREON WAS COMPILED FROM A FIELD SURVEY COMPLETED SEPTEMBER 26, 2014, BY C.E.L.S.A., 1 FOOT CONTOUR INTERVAL.

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

**MAP REFERENCES**

1. MAP ENTITLED "SUBDIVISION OF LANDS OF CARMINE AND MARY DECRESCENTE" BY PAUL F. TOMMEL PROFESSIONAL LAND SURVEYOR, DATED DECEMBER 21, 1987 AND FILED IN SARATOGA COUNTY CLERK'S OFFICE ON FEBRUARY 16, 1988.

2. MAP ENTITLED "STILLWATER BOILERHOUSE, ALTA/ASCM LAND TITLE SURVEY EXISTING CONDITIONS PLAN STILLWATER BOILERHOUSE PROPERTY" BY CHAZEN ENGINEERING AND LAND SURVEYING, DATED FEBRUARY 4, 2009 AND LAST REVISED 12/4/09.



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**CHAZEN ENGINEERING, LAND SURVEYING**

**& LANDSCAPE ARCHITECTURE CO., D.P.C.**

**Office Locations:**

**Dutchess County Office:**  
21 Fox Street  
Poughkeepsie, New York 12601  
Phone: (845) 454-3980

**Capital District Office:**  
547 River Street  
Troy, New York 12180  
Phone: (518) 273-0055

**North Country Office:**  
375 Bay Road  
Queensbury, New York 12804  
Phone: (518) 812-0513

**STILLWATER BOILERHOUSE**

**AS-BUILT SURVEY  
DECRESCENTE DISTRIBUTION CENTER  
BEST AVENUE TRUCK LOT**

STILLWATER, SARATOGA COUNTY, NEW YORK

designed	checked
JMF	BGW
date	scale
9/29/14	1"=30'
project no.	
31300.21	
sheet no.	
<b>SP1</b>	
1 OF 1	

**SITE INSPECTION FORM (every 5 years)**

 Former Boiler House Property Site B00197  
 US Route 4 and Best Ave.  
 Stillwater, Saratoga Co., New York

 Page 1  
 of 1

 Performed by: Branson Fields

 Date: 4-29-2025

 Time: 11:00
**Part 1 - Institutional and Engineering Controls (circle one)**

 1A - Is site still a maintained, asphalt parking lot with vegetated berm that conveys flow to a 12-inch pipe that is routed to a catch basin along Route 4? If "NO" describe new use.
 

No    ☒ Yes

 1B - Is there evidence of ground disturbance or other intrusive activities?
 

☒ No    Yes

 1C - Is there evidence of cover stresses, including settling or erosion of surface materials?
 

☒ No    Yes

 1D - Is the drainage structure located along NYS Route 4 blocked by debris?
 

☒ No    Yes

 1E - Are there discolored, stressed, or areas absent of vegetation?
 

☒ No    Yes

 1F - Is site groundwater being used for any purpose (i.e., has a well been installed)?
 

☒ No    Yes

**Part 2 - General Site Conditions**

2A - Describe changes since last inspection:

No changes since 2020 inspection. Site is active parking lot for vehicles and tractor trailers.

**Part 3 - Compliance with Excavation Work Plan**

3A - Describe site construction activities that have been conducted since last inspection (see SMP for soil management criteria):

No Site construction activities since 2020 inspection.

3B - Describe soil excavation and disposition (on site/off site). Map excavation areas and on site placement.

No soil excavation or disposition since 2020 inspection.

**Part 4 - Confirm that site records are up to date**

☒ No    Yes

6A - Are there any changes that need to be documented in site records (e.g., change of ownership, site usage)

No    Yes    ☒ NA

6B - Has DEC received notice of any proposed ground intrusive activities?







Photo #1 (facing north): Property boundary abutting US Rt. 4.



Photo #2 (facing west): Property boundary abutting Best Avenue.





Photo #3 (facing northwest): Site entrance and gate.



Photo #4 (facing southeast): Representative view of parking lot.



Photo #5 (facing east): Representative view of parking lot.



Photo #6 (facing northeast): Representative view of parking lot.





Photo #7 (facing north): Representative view of parking lot.



Photo #8 (facing northwest): Representative view of parking lot.





Photo #9 (facing south): View of northeast portion of Site.



Photo #10 (facing east): View of 12-inch drainage pipe routed to a catch basin along US Rt. 4



Enclosure 2  
**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
**Site Management Periodic Review Report Notice**  
**Institutional and Engineering Controls Certification Form**

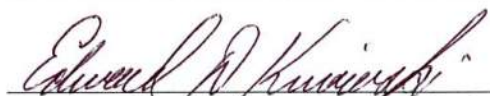


<b>Site No.</b>	<b>Site Details</b>	<b>Box 1</b>
<b>B00197</b>		
<b>Site Name Former Boiler House Property</b>		
Site Address: Best Avenue and US Routes 4&32    Zip Code: 12118		
City/Town: Stillwater		
County: Saratoga		
Site Acreage: 1.23		
Reporting Period: June 18, 2020 to June 18, 2025		
		YES    NO
1. Is the information above correct?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If NO, include handwritten above or on a separate sheet.		
2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.</b>		
5. Is the site currently undergoing development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<b>Box 2</b>
	YES    NO
6. Is the current site use consistent with the use(s) listed below? Restricted-Residential, Commercial, and Industrial	<input checked="" type="checkbox"/> <input type="checkbox"/>
7. Are all ICs/ECs in place and functioning as designed?	<input checked="" type="checkbox"/> <input type="checkbox"/>

**IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.**

**A Corrective Measures Work Plan must be submitted along with this form to address these issues.**

  
\_\_\_\_\_  
Signature of Owner, Remedial Party or Designated Representative

  
\_\_\_\_\_  
Date



**Description of Institutional Controls**ParcelOwnerInstitutional Control**262.1.9.14**

Town of Stillwater

Ground Water Use Restriction  
Landuse Restriction  
Site Management Plan

The controlled property may be used for restricted residential use as described within part 375-1.8(g)(2)(ii) as long as the following long-term engineering controls are employed and the land use restrictions specified below are adhered to:

(i) the use of groundwater as a source of potable or process water, is prohibited without treatment to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval from the Department and the Department of Health.

(ii) should a building(s) be erected, prior to construction a Soil Vapor Intrusion (SVI) Investigation shall be conducted in accordance with the applicable guidance in effect at the time of the investigation. If the SVI demonstrate the need for a soil vapor mitigation system, an appropriate system shall be designed, installed, and maintained.

(iii) final cover system shall be maintained and any excavated soil must be tested and properly handled in accordance with the approved SMP.

(iv) vegetative cover established on this property must be maintained and vegetable gardens and farming on the property is prohibited.

**Description of Engineering Controls**ParcelEngineering Control**262.1.9.14**

Cover System



**Periodic Review Report (PRR) Certification Statements**

1. I certify by checking "YES" below that:

a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and complete.

YES NO

☒☐

2. If this site has an IC/EC Plan (or equivalent as required in the Decision Document), for each Institutional or Engineering control listed in Boxes 3 and/or 4, I certify by checking "YES" below that all of the following statements are true:

(a) the Institutional Control and/or Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;

(b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;

(c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;

(d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and

(e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES NO

☒☐

**IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and  
DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.**

**A Corrective Measures Work Plan must be submitted along with this form to address these issues.**

\_\_\_\_\_  
Signature of Owner, Remedial Party or Designated Representative

\_\_\_\_\_  
Date

IC CERTIFICATIONS  
SITE NO. B00197

Box 6

**SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE**

I certify that all information and statements in Boxes 1,2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Edward Kinowski at Town of Stillwater, PO Box 700  
Stillwater, NY 12170  
print name print business address

am certifying as Owner (Owner or Remedial Party)

for the Site named in the Site Details Section of this form.

Edward Kinowski  
Signature of Owner, Remedial Party, or Designated Representative  
Rendering Certification

3 June 2025  
Date

IC/EC CERTIFICATIONS

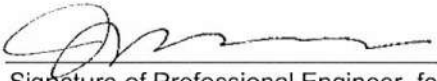
Box 7

Professional Engineer Signature

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Joseph M. Lanaro at LaBella Associates  
print name 4 British American Boulevard, Latham, NY 12110  
print business address

am certifying as a Professional Engineer for the Owner  
(Owner or Remedial Party)



Signature of Professional Engineer, for the Owner or  
Remedial Party, Rendering Certification



Stamp  
(Required for PE)

Date