

**BCP APPLICATION
SUPPORT
DOCUMENT**

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Exhibit List

Exhibit A -	DOS Entity Information
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Exhibit L-	Repository Letter

ENVIRONMENTAL REPORTS SEPARATELY ATTACHED ON CD:

1. July 30, 2008 Ecosystems Strategies, Inc. (ESI) Tank Closure Site Assessment and Spill File Closure Report
2. November 2019 Phase I Environmental Site Assessment for 164 Garden Street
3. January 2020 PVE Engineering (“PVE”) Phase I Site Assessment Report for 164 Garden and 58 Parker
4. January 2020 Quality Environmental Solutions & Technologies, Inc. (QuES&T) Pre-Demolition Asbestos Containing Material Survey – 164 Garden Street
5. January 2020 QuES&T Pre-Demolition PCB Containing Caulk – 58 Parker Avenue
6. January 2020 QuES&T Pre-Demolition PCB Containing Caulk – 164 Garden Street
7. January 2020 QuES&T Pre-Demolition Hazard Evaluation Universal/Hazard/Regulated Wastes Survey – 58 Parker Avenue
8. February 2020 QuES&T Pre-Demolition XRF Lead-Based Paint Inspection - 58 Parker Avenue
9. February 2020 QuES&T Pre-Demolition XRF Lead-Based Paint Inspection – 164 Garden Street
10. February 2020 QuES&T Pre-Demolition Asbestos Containing Material Survey – 58 Parker Avenue
11. February 2020 QuES&T Pre-Demolition Hazard Evaluation Universal/Hazard/Regulated Wastes – 164 Garden Street
12. June 2020 PVE Remedial Investigation Work Plan
13. April 2020 PVE Engineering (“PVE”) Phase I Site Assessment Report for 164 Garden and 58 Parker (Revised 4/20/2020)
14. April 2020 PVE Engineering (“PVE”) Phase II Site Assessment Report for 164 Garden and 58 Parker

PART A

SECTION I - REQUESTOR INFORMATION

The Requestor is Northside Junction, LLC, a New York Limited Liability Corporation, located at One Civic Center Plaza, Suite 200, Poughkeepsie, New York 12601. Northside Junction, LLC is authorized to do business in the State of New York. *See* Exhibit A, NYSDOS Entity Information.

The members of Northside Junction, LLC are:

Managing Member – Parker Fall Kill, LLC

Non-Managing Member – Fall Kill Brookside, LLC

The Written Consent provides Jason Camporese with authority to sign all Brownfield Cleanup Program (“BCP”) documents on behalf of the Requestor Northside Junction, LLC *See* Exhibit B, Corporate Consent.

As further described below in Section IV, the Site is located on two tax parcels separated by at 58 Parker Avenue (Tax ID #131300-6162-62-148369-0000; hereinafter “Lot 148369” or the “Parker Avenue Parcel”) and 164 Garden Street (Tax ID #131300-6162-54-177385-0000; hereinafter Lot 177385 or the “Garden Street Parcel”. *See* Site Location Map in Exhibit D. The Parker Avenue Parcel is 2.106 acres and the Garden Street Parcel is 0.36 acres. *See* the acreage of each Parcel in the Survey attached in Exhibit G. Collectively, the Parker Avenue Parcel and the Garden Street Parcel are the “Site” or “BCP Site”. Therefore, the BCP Site consisting of both Parcels is 2.466 acres.

Requestor became the owner of the Site on June 25, 2020, which was the same day the first submission of this application was received by the DEC. Therefore, a site access agreement with the prior owner was not necessary to be included with the application. The new/current deed, transferring both parcels to the Requestor is included in this application. *See* Exhibit C, Deed. As more fully described below in Section VI, 70 Parker Holding LLC was the owner of the Parker Avenue Parcel and 164 Garden Holding LLC was the owner of the Garden Street Parcel. *See* Exhibit G, Survey. [NOTE: The incorrect name of each prior owner is currently listed on the Survey as compared to the correct owner names on the new Deed. In addition, the Deed includes a third parcel, Lot 125385, which is not part of the BCP Site.]

The Requestor has no prior relationship with any current or past owners or operators of the Site, other than they will have acquired the Site from the current owners as of June 25, 2020. *See* Sections V and VI below, and Exhibit E, Previous Owners and Operators List. The Requestor did not cause any of the contamination of the Site, which predates the Requestor’s involvement at the Site.

SECTION II - PROJECT DESCRIPTION

Please refer to the responses to Questions 1-3 on the BCP Application Form.

4. Short Project Description

The planned redevelopment of the Site will entail an adaptive reuse and re-development of the Site and its on-Site structures to the extent feasible for commercial reuses. However, based on the final remedial investigation and hot spots of soil and/or groundwater contamination, portions of the on-Site structures may or may not be permanently demolished.

Some high level programming assumptions for the Parker Avenue Parcel include:

- 30,000 sq. ft. of Scenic Hudson office space (could be less depending on layout)
- 5,000 sq. ft. Parks Maintenance/shop space
- 10,000 sq. ft. core + shell, ready for fit-up for specified community use
- Outdoor spaces focus on connecting public / staff experience to the Fall Kill Creek, Walkway, Dutchess Rail Trail, CSX Rail Spur
- Parking lot rehabilitation for staff/public use

High level programming assumptions for the Garden Street Parcel include a new compatible use to compliment the main new Scenic Hudson office use on the Parker Avenue Parcel, such as a bike shop, café, or possible brewery to be identified. Once the final use is determined, this Parcel will be redeveloped under a separate development plan and timeframe.

Schedule- Commencement through COC

Assuming the Brownfield Cleanup Agreement (“BCA”) is fully executed within four month of submission of this Application in October 2020, shortly after BCA execution, the Remedial Investigation (“RI”) should commence since the Remedial Investigation Work Plan (“RIWP”) has been submitted for approval with this application. Therefore, the RI is expected to be commenced and or completed before the end of 2020. Site preparation activities, including on-Site building demolition if required, in order to prepare the Site for investigation and remediation under former slabs is also expected to commence by the end of 2020 or in early 2021. The Remedial Investigation Report (RIR”) will be submitted at the same time as the Remedial Action Work Plan (“RAWP”), which are expected to be submitted in the spring of 2021. Any required remediation may commence in the early summer after the 45-day public comment period. The Certificate of Completion is anticipated to be issued on or before December 31, 2021.

SECTION III – PROPERTY’S ENVIRONMENTAL HISTORY

1. List of Environmental Reports

The following is the list of environmental reports for the Site separately attached:

- A. July 30, 2008 Ecosystems Strategies, Inc. (ESI) Tank Closure Site Assessment and Spill File Closure Report
- B. November 2019 Phase I Environmental Site Assessment for 164 Garden Street
- C. January 2020 PVE Engineering (“PVE”) Phase I Site Assessment Report for 164

Garden and 58 Parker

- D. January 2020 Quality Environmental Solutions & Technologies, Inc. (QuES&T) Pre-Demolition Asbestos Containing Material Survey – 164 Garden Street
- E. January 2020 QuES&T Pre-Demolition PCB Containing Caulk – 58 Parker Avenue
- F. January 2020 QuES&T Pre-Demolition PCB Containing Caulk – 164 Garden Street
- G. January 2020 QuES&T Pre-Demolition Hazard Evaluation Universal/Hazard/Regulated Wastes Survey – 58 Parker Avenue
- H. February 2020 QuES&T Pre-Demolition XRF Lead-Based Paint Inspection - 58 Parker Avenue
- I. February 2020 QuES&T Pre-Demolition XRF Lead-Based Paint Inspection – 164 Garden Street
- J. February 2020 QuES&T Pre-Demolition Asbestos Containing Material Survey – 58 Parker Avenue
- K. February 2020 QuES&T Pre-Demolition Hazard Evaluation Universal/Hazard/Regulated Wastes – 164 Garden Street
- L. June 2020 PVE Remedial Investigation Work Plan
- M. April 2020 PVE Engineering (“PVE”) Phase I Site Assessment Report for 164 Garden and 58 Parker (Revised 4/20/2020)
- N. April 2020 PVE Engineering (“PVE”) Phase II Site Assessment Report for 164 Garden and 58 Parker

2. Sampling Data

See Exhibit F, Spider Map(s) which include sampling data summaries, and Section IV.10.F.

3. Site Drawing

See Exhibit F, Spider Maps.

4. Past Land Uses

Each of the two Parcels that make up the Site have had a long industrial history. The Parker Avenue Parcel was owned and operated by:

- the Anchor Bolt & Nut Company, a manufacturer of Farming Tools, Bolts and Nuts from approximately 1913 to 1950,
- the Standard Gage Co., Inc. from approximately 1950 to 2004, and finally
- the Brown and Sharpe Manufacturing Co. from approximately 2004 to 2010.

Thereafter, it has been used as an auction facility and is now vacant.

The Garden Street Parcel was owned and operated by:

- the R.B. Kelley & Son Coal Elevator facility, which stored coal on this Parcel from approximately 1913 to 1966,
- a company called Mayhill Corp., which owned and operated the Parcel from

approximately 1970-1980, with a company called TEK Bearing Co, Inc. as the on-Parcel tenant in what appears to be the current day building, and finally

- the Harmon and Castella Printing Company, which operated a printing company on the Parcel from approximately 1980 until 2014.

This Parcel is also currently vacant.

Penn Central, and later CSX, railroad operations were present via rail spurs in between and around the north side of each Parcel from the early 1900's until recently when the land in between the two Parcels was acquired by the County, was paved, and is going to be used as part of the Dutchess Rail Trail connected to the Walkway over the Hudson trail adding more extensive regional connectivity (i.e. the Walkway connects to the 13-mile DRT right next to the parking lot parcel). See Section IV.10.D for full description of past land uses.

SECTION IV – PROPERTY INFORMATION

1. Site Boundary and Tax Parcel Information

The Site consists of two tax parcels: 58 Parker Avenue (Tax ID #131300-6162-62-148369-0000; hereinafter “Lot 148369” or the “Parker Avenue Parcel”) and 164 Garden Street (Tax ID #131300-6162-54-177385-0000; hereinafter Lot 17738558 Parker Avenue). The Parker Avenue Parcel is 2.106 acres and the Garden Street Parcel is 0.36 acres. Therefore, the Site consisting of both Parcels is 2.466 acres. The Site boundary does correspond to each of the two Parcel's tax boundaries. The Tax Boundary Map and a Survey map are provided in Exhibit G. The Base Property Map, Street Map, and En-zone Map are in Exhibit H. The Site is in an En-Zone AB, Census Tract 2022.01.

2. Property Maps

The Site Location is in Exhibit D and the Base Property Map is in Exhibit H. A Survey map is in Exhibit G.

Please refer to responses to Questions 3-5 on the BCP Application Form.

6. Remediation Performed in the Navigation Law Spills Program

NYSDEC Spill #0804049 was opened when a 550-gallon UST was discovered to be leaking and a 1,000-gallon UST was discovered with a penetration. According to the July 30, 2008 Ecosystems Strategies, Inc. (ESI) Tank Closure Site Assessment and Spill File Closure Report (separately attached on the Environmental Report CD to this Application, and which was an attachment in the January 2020 PVE Phase I Report), two (2) 1,000-gallon USTs and one (1) 550-gallon UST were closed and removed from this Parcel in June-July 2008. When the 550-gallon tank was removed on June 25, 2008, ESI personnel observed minor odors and staining, and total of 16.09 tons of petroleum- impacted soil was excavated from the tank grave and later disposed of. Two (2) 1,000-gallon USTs were also removed on June 26, 2008. ESI's visual examination of these tanks indicated mild to moderate surface corrosion and pitting, and a small hole was observed on the

underside exterior of one of the tanks. Minor odors and discoloration were observed by ESI personnel in soils at the northwest corner of the tanks grave and the report noted visual evidence of ash in historic fill soils, and attributed the post-excavation confirmatory sample PAH exceedances to the ash fill as opposed to the leaking tanks, which was not remediated and left in place. A spill was reported to NYSDEC (#0804049) in connection with the petroleum spill. Post-excavation soil samples, which indicated remaining PAH ash fill contamination was allowed to remain in place even though the spill was closed by NYSDEC one day after receipt of this report on July 31, 2008. Nevertheless, while not discussed in the report, these tanks must have been immediately replaced because the Garden Street Parcel still has one (1) 1,000-gallon tank and two (2) 500-gallon tanks present, which remain unregistered as of the date of this application.

This is the only partial remediation of the Site only in the vicinity of the former tanks noted above that was found in the historical records search on this Site.

Please refer to responses to Questions 7-9 on the BCP Application Form.

10. Property Description Narrative

A. Site Location

See Response to Section IV.1 and IV.2 above. The Site is located at 58 Parker Avenue (Lot 148369) and 164 Garden Street (Lot 177385) in the City of Poughkeepsie, State of New York. The Site is located in a mixed commercial, industrial, residential and recreational use neighborhood.

Adjoining properties to the Parker Avenue Parcel consist of Parker Avenue parking lot used for the Walkway over the Hudson State Historic Park, and a junkyard to the north, part of the BCP Site located at 164 Garden Street and a wholesaler to the east, a vacant industrial structure, residential structures and a restaurant to the south, and residential structures to the west.

Adjoining properties to the Garden Street Parcel consist of a junkyard and automotive shop to the north, a gas station with a mini mart to the east, a wholesaler and restaurant to the south, and part of the BCP Site located at 58 Parker Avenue and a vacant industrial structure to the west. See a more detailed description below of adjoining uses in Section IV.10.C.

B. Site Features

The Parker Avenue Parcel is improved with a former manufacturing facility, historically owned and operated by the Standard Gage Company, and most recently owned and operated as an auction facility. The structure on this Parcel consists of multiple joined and separate industrial buildings and garages. There are seven (7) floor drains in the on-Parcel structures and two (2) drainage ditches. While the structures are currently vacant, some remnants from past operations remain in the interior of the structures. The former factory is divided into three (3) sections: southwestern, central and eastern. The interior of the

structure was moist with damage to almost all surfaces when the Phase I was performed in January 2020. The western parking area is paved but was observed by PVE during on-Parcel investigations to be in poor condition. Parking lots are also located along the northeastern and eastern portions of this Parcel and separated from other portions by a chain-link fence. Both of these lots are covered with vegetation throughout. Two (2) garages are located along the easterly border of the northeastern parking lot. The northernmost garage was inspected from the exterior through the broken windows on the overhead-garage doors, one (1) floor drain is located in the center of this garage. Debris and solid waste were present across the southwestern corner of this lot. A water valve for fire suppression was located on the western portion of this lot alongside the roadway guard rail. No improvements were present on the eastern parking lot, which is surrounded by a chain-link metal fence around the perimeter. The south side of the Parcel borders Brookside Avenue. An additional entrance/driveway to the Parcel is located on this street. One (1) open plastic 55-gallon drum, presumably filled with rainwater, was located in this driveway.

The Garden Street Parcel was historically used as a coal storage facility and later in its history was developed into the Bearing manufacturing facility. It is still improved with a the now vacant Bearing single-story 6,000 square foot commercial warehouse, which most recently was used as a printing facility. The building has one (1) floor drain. Despite the removal of three USTs in 2008, three (3) unregistered USTs, reportedly one (1) 1,000-gallon tank and two (2) 500-gallon tanks, are still present to the west and south of the on-Parcel structure. Fill ports and vent lines were observed along the structure's exterior western and southern walls. The on-Parcel structure is mostly cement slab with concrete block foundation walls. The municipal water line was observed inside a small closet area located in the eastern portion of the structure. The large easterly room contains two (2) industrial air vents along its western wall. The large western room contains a slop sink, an expandable plumbers plug was placed in a drain along the northern wall, flush-to-grade sanitary cleanout cap in the center of the doorway and an oil filter along the southern wall. Both rooms are connected through a doorway located on the southern wall. Communications and electrical service connections were observed along the southern wall. The boiler room was located along the western wall next to the bathrooms. Fuel oil supply lines were observed entering the boiler room concrete block wall and connected to an oil filter attached to the boiler system.

The strip of land in between the Parker Avenue Parcel and the Garden Street Parcel, which was historically a rail spur owned by CSX Railroad, and has been recently transferred to the County, and is now a paved walkway to connect to the Walkway over the Hudson Trail.

The Fall Kill Creek is located immediately south of Brookside Avenue, down-gradient of the Site, which flows from east to west. The Fall Kill Creek is located in a floodzone. A small portion along the southern boundary of the Parker Avenue Parcel is in the 100-year floodplain. *See Exhibit J Flood Maps.*

C. Current Zoning and Land Use

The Site is split between two zoning districts – the Parker Avenue Parcel is zoned in the G-CM (Gateway Commercial Mixed-Use) district and the Garden Street Parcel is zoned in the G-OM (Gateway Office Manufacturing) district. Both districts are consistent with the proposed use, since each district permits office space, community squares, greenways, and recreational uses.¹ See Exhibit I Zoning Map. Retail is also permitted in the G-CM district upon approval. Some of the historic manufacturing structures are still present on each Parcel but the structures are currently vacant.

The surrounding property uses around the Parker Avenue Parcel include:

- to the North/Northwest, a vacant commercial property
- to the North, a state park
- to the North/Northeast, a junkyard
- to the East, a vacant CSX property
- to the Southeast, an industrial site, a storage facility, and a parking lot
- to the East/South, a parking lot
- to the South, a single-family residence and two vacant residential properties
- to the West, a single-family residence and a two-family residence

The surrounding property uses at the Garden Street Parcel include:

- to the North, a junkyard and a storage facility
- to the Northeast, a storage facility
- to the East, a mini-mart
- to the Southeast, a storage facility
- to the South, a vacant industrial property

The Site is 1 mile from the Poughkeepsie Metro North station.

D. Past Use of the Site

According to the Phase I report prepared by PVE, as of 1893, Penn Central Railroad owned and operated the land north of the Site on what is the current parking lot parcel for the Walkway Trail, land south of the Site, and land in between the two Parcels that make up the Site. There was a small structure, that may have been railroad related on the Parker Avenue Parcel. The surrounding railroad use appears to have been prevalent from the 1890's until at least 1931. However, in 1913, the Anchor Bolt & Nut Company, a manufacturer of Farming Tools, Bolts and Nuts appears on the Sanborn maps on the Parker Avenue Site. A 1-story coal shed was adjoined to a blacksmith shop in the east/central portion of the Parcel at this time. To the east of this blacksmith, was a 1-story unlabeled structure and a 1-story paint shop. The central 2-story structure is labeled "Iron Working 1st" and "Wood Working 2nd" (Mill Construction). The structure is depicted as heated via steam, from fuel, coal and waste. A structure labeled "lumber shed" is located on the west portion of the Parcel. A railroad spur is depicted entering the Parcel from the east and terminating at the northern edge of the 2-story manufacturing structure.

For the Garden Street Site, a 2-story structure labeled R.B. Kelley & Son Coal Elevator is

¹ See link to the [Poughkeepsie Zoning Code](#).

depicted on the 1913 Sanborn Map. A railroad spur is depicted entering the lot from the southeast and terminating at the coal elevator. Two (2) 1-story structures are depicted southeast of the main structure labeled as office and scales.

In 1936, Brookside Avenue was developed along the southern boundary of Parker Avenue Parcel. In addition, in 1936, one (1) large structure is depicted in a similar location to the present day vacant industrial structure on this Parcel. Structures are also depicted on Garden Street Parcel in 1936, but aerial photos from the timeframe were unclear. As of the 1940 aerial photos, a structure is more clearly depicted in the center of the subject property and additional structures are depicted along the northern portion of the lot along Parker Avenue.

By 1950, a factory labeled Standard Gage Co. Inc. is clearly marked on the Parker Avenue Parcel Sanborn Map, which included multiple 1- to 2-story structures labeled vault, carpenter shop, plating, heat treating and “STGE” for storage. Two (2) coal storage sheds are depicted along the northeastern portion of the lot. The northern portion of the structure, presumably an addition to the 2-story manufacturing structure, is shown to be 3-stories. A parking lot is depicted in the northeastern corner. Standard Gage Co., Inc. operated on this Parcel (which also had a historic address of 70 Parker Avenue) for more than 50 years until approximately 2001, and this former operator likely caused most of the contamination on this Parcel. The company was a RCRA generator of ignitable waste, corrosive waste, halogenated solvents, wastewater treatment sludge from electroplating operations, spent cyanide, plating bath residues, spent stripping and cleaning bath solutions, quenching bath residues, quenching wastewater treatment sludges and soluble cyanide salts. One (1) violation was issued to the company on 7/5/1994 and compliance was achieved on 10/18/1994.

According to a site visit between PVE representatives and the former Plant Manager of the Standard Gage facility, an area directly south of the former heat-treating room was an earthen alleyway at the time Standard Gage operated on the Parcel. The Plant Manager indicated that spent cyanide was disposed of onto the ground. Additionally, this Plant Manager identified the location of a former floor drain, which was subsequently plugged with concrete in the southeastern corner of a storage room (north of transformer room), into which spent solvents were discharged.

By 1950, the Garden Street Parcel was still being operated as a coal storage facility, which included four (4) structures labeled “STGE” (2-story), “ACNRS” (1-story), “OFF.”, and “SCALES” (1-story) in the northern corner of the lot according to the applicable Sanborn Map. Three (3) 34’ coal silos were still located in the center of the property. A coal elevator remained on the west portion of the property. However, the former office and scale structures along the eastern boundary were no longer present as of 1950. In 1970, the coal elevator operations appear to have ceased according to Sanborn Maps, and a structure, similar in size and footprint to the present-day structure appears on the applicable map. TEK Bearing Co, Inc. appears to have been the operator on the Garden Street Parcel from 1970 to 1980 during ownership of the Parcel by Mayhill Corp. From approximately 1980 through 2014, Harmon and Castella Printing was operating in the Bearing Warehouse

structure. By 1984, all of the former coal related structures were removed on the Garden Street Parcel except the Bearing Warehouse building. In 2010, this property was shared between two (2) companies, Harmon and Castella Printing and Castle HRS Drawn Carriage SVC. The structure is currently vacant.

The Garden Street Parcel has a spill history. NYSDEC Spill #0804049 was opened when a 550-gallon UST was discovered to be leaking and a 1,000-gallon UST was discovered with a penetration. According to the July 30, 2008 Ecosystems Strategies, Inc. (ESI) Tank Closure Site Assessment and Spill File Closure Report (separately attached on the Environmental Report CD to this Application, and which was an attachment in the January 2020 PVE Phase I Report), two (2) 1,000-gallon USTs and one (1) 550-gallon UST were closed and removed from this Parcel in June-July 2008. When the 550-gallon tank was removed on June 25, 2008, ESI personnel observed minor odors and staining, and total of 16.09 tons of petroleum- impacted soil was excavated from the tank grave and later disposed of. Two (2) 1,000-gallon USTs were also removed on June 26, 2008. ESI's visual examination of these tanks indicated mild to moderate surface corrosion and pitting, and a small hole was observed on the underside exterior of one of the tanks. Minor odors and discoloration were observed by ESI personnel in soils at the northwest corner of the tanks grave and the report noted visual evidence of ash in historic fill soils, and attributed the post-excavation confirmatory sample PAH exceedances to the ash fill as opposed to the leaking tanks, which was not remediated and left in place. A spill was reported to NYSDEC (#0804049) in connection with the petroleum spill. Post-excavation soil samples, which indicated remaining PAH ash fill contamination was allowed to remain in place even though the spill was closed by NYSDEC one day after receipt of this report on July 31, 2008. Nevertheless, while not discussed in the report, these tanks must have been immediately replaced because the Garden Street Parcel still has one (1) 1,000-gallon tank and two (2) 500-gallon tanks present, which remain unregistered as of the date of this application.

Finally, due to the age of the on-Site historic buildings, a series of pre-demolition buildings surveys were performed by Quality Environmental Solutions & Technologies, Inc. (QuES&T) in February 2020 for lead-based paint, asbestos, PCBs and waste materials. Significant issues were found in all categories at the Parker Avenue Parcel requiring site preparation work and less significant issues were found, but were still present, at the Garden Street Parcel.

Multiple Lead-Based Paints were discovered throughout the various structures on the Parker Avenue Parcel, with many surfaces being in poor conditions, but interestingly no lead-based paints were identified above the EPA/HUD thresholds at the Garden Street Parcel.

With respect to asbestos containing material (ACM), a total of three hundred and eighty-nine (389) samples of installed and accessible suspect building materials were analyzed by a laboratory approved under the NYSDOH ELAP in the Parker Avenue structures and a number of the buildings/structures contain ACM. A total of one hundred and ninety-five (195) samples of installed and accessible suspect building materials were analyzed by a

laboratory approved under the NYSDOH ELAP in the Garden Street Structures and ACM was found in joint compound, fiber panels and roof tar.

With respect to PCB Containing Caulk, three (3) bulk samples were taken at the Parker Avenue Parcel, which did not contain PCBs and two (2) bulk samples were taken at the Garden Street Parcel, which also did not contain PCBs.

With respect to Hazard Evaluation Universal/Hazard/Regulated Wastes, suspect PCB and mercury containing thermostats and 430 fluorescent light bulbs, as well as Universal/Miscellaneous Waste Materials, including, but not limited to, fluorescent tubes, emergency lights, exit signs, fire extinguishers, etc. were found at the Parker Avenue Parcel and suspect PCB and mercury containing thermostats and 143-144 fluorescent light bulbs, as well as Universal/Miscellaneous Waste Materials, including, but not limited to, chemical cleaners, fluorescent tubes, emergency lights, exit signs, fire extinguishers, etc. were found at the Garden Street Parcel.

E. Site Geology and Hydrogeology

According to the Phase I prepared by PVE, the topography slopes downward to the south southwest toward the Fall Kill Creek. The Fall Kill Creek is located immediately south of Brookside Avenue, down-gradient of the property, which flows from east to west toward the Hudson River.

According to general bedrock geology maps from the New York State Museum and as described in the 1998 Poughkeepsie Master Plan, bedrock in the City of Poughkeepsie is composed primarily of shale and greywacke which is less permeable (Lower Hudson Bedrock Sheet). The City's southeastern corner is partially underlain by limestone and dolostone, which are typically more permeable and therefore more susceptible to groundwater contamination from surface water runoff. Specifically, the bedrock in the area of this Site is Taconic Melange, which is relatively unaltered to moderately metamorphosed autochthonous clastic sedimentary rocks or a jumbled mix of sandstone blocks in a matrix of mud (Budnik, Walker, & Menking, 2010).

Both Parcels are supplied by Municipal Water.

F. Environmental Assessment

Based on the investigations conducted to date, the primary contaminants of concern on the Parker Avenue Parcel originated from the Standard Gage industrial plating and heat treating operations and on the Garden Street Parcel from the historic coal elevator operations and the use and storage of petroleum in underground storage tanks, some of which are still present at the Parcel. The summary of the contaminants described below are separated by the contaminants on each Parcel. For the Parker Avenue parcel, there are semi-volatile organic compounds (SVOCs), and PCB exceedances in soil, volatile organic compounds (VOCs) and metals exceedances in groundwater and VOCs exceedances in soil vapor. For the Garden Street Parcel, there are heavy metals exceedances in soil, VOCs in

groundwater, and radon exceedances in soil vapor. See Exhibit F Site Drawing Spider Maps.

Parker Avenue Parcel

Soil:

SVOC Commercial Soil Cleanup Objective (CSCO) exceedances included:

- Benzo(A)Pyrene in five borings between 1.2 and 18 mg/kg exceeded the CSCO of 1 mg/kg to depths of up to 1-9 ftbgs.
- Dibenz(A,H)Anthracene in three borings between .57 and 3.3 mg/kg exceeded the CSCO of .56 mg/kg to depths of up to 1-9 ftbgs.
- Benzo(A)Anthracene in one boring at 20 mg/kg exceeded the CSCO of 5.6 mg/kg to depths of up to 1-3 ftbgs.
- Benzo(B)Fluoranthene in one boring at 15 mg/kg exceeded the CSCO of 5.6 mg/kg to depths of up to 1-3 ftbgs.
- Indeno(1,2,3-C,D)Pyrene in one boring at 13 mg/kg the CSCO of 5.6 to depths of up to 1-3 ftbgs.

SVOC Industrial Soil Cleanup Objective (ISCO) exceedances included:

- Benzo(A)Pyrene at 1.2 to 2.7 mg/kg exceeded the ISCO of 1.1 mg/kg to depth of up to 1-9 ftbgs.
- Benzo(A)Anthracene at 20 mg/kg exceeded the ISCO of 11 mg/kg to depths of up to 1-3 ftbgs.
- Benzo(B)Fluoranthene: 15 mg/kg exceeded the ISCO of 11 mg/kg to depths of up to 1-3 ftbgs.
- Dibenz(A,H)Anthracene: 3.3 mg/kg exceeded the ISCO of 1.1 mg/kg to depths of up to 1-9 ftbgs.
- Indeno(1,2,3-C,D)Pyrene: 13 mg/kg exceeded the ISCO of 11 mg/kg to depths of up to 1-3ftbgs.

PCBs Commercial Soil Cleanup Objective (CSCO) exceedances included:

- PCB-1254 (Aroclor 1254) in one boring at 2.65 mg/kg exceeded the CSCO of 1 mg/kg.

Groundwater:

VOC Class GA Groundwater Quality Standards (GQS) exceedances included:

- Trichloroethylene (TCE) from 7.6 to 38 ug/l exceeded the GA GQS of 5 ug/l.

Metals Class GA GQS exceedances included:

- Chromium, Total from .141 to .511 mg/l exceeded the GA GQS of 0.05 mg/l.
- Manganese at .433 to 4.35 mg/l exceeded the GA GQS of .3 mg/l.
- Sodium at 97.6 to 127 mg/l exceeded the GA GQS of 30 mg/l.
- Iron at .489 to 29.2 mg/l exceeded the GA GQS of .3 mg/l.
- Selenium at 19.6 mg/l exceeded the GA GQS of 10 mg/l.

Soil Vapor:

VOC NYSDOH Decision Matrices exceedances included:

- 1,2-Dichloroethylene at 250 to 1700 ug/m³ exceeded the NYSDOH Decision Matrices of >60 ug/m³.
- Tetrachloroethylene (PCE) at 4,300 ug/m³ exceeded the NYSDOH Decision Matrices of >1,000 ug/m³.
- Trichloroethylene (TCE) at 200 to 2100 ug/m³ exceeded the NYSDOH Decision Matrices of >60 ug/m³.

Garden Street Parcel

Soil:

Metals Commercial Soil Cleanup Objective (CSCO) exceedances included:

- Lead in one boring at 1750 mg/kg exceeded the CSCO of 1,000 mg/kg to depths of up to 9-11 ftbgs.

Groundwater:

VOC Class GA GQS exceedances included:

- 1,2,4-Trimethylbenzene at 50 ug/l exceeded the GA GQS of 5 ug/l.
- 1,3,5-Trimethylbenzene (Mesitylene) at 5.4 ug/l exceeded the GA GQS of 5 ug/l.
- Benzene at 11 ug/l exceeded the GA GQS of 1 ug/l.
- Ethylbenzene at 95 ug/l exceeded the GA GQS of 5 ug/l.
- Isopropylbenzene (Cumene) at 24 ug/l exceeded the GA GQS of 5 ug/l.
- M-P-Xylene at 30 ug/l exceeded the GA GQS of 5ug/l.
- Naphthalene at 180 ug/l exceeded the GA GQS of 10 ug/l.
- N-Butylbenzene at 6.4 ug/l exceeded the GA GQS of 5 ug/l.
- N-Propylbenzene at 36 ug/l exceeded the GA GQS of 5 ug/l.
- Sec-Butylbenzene at 10 ug/l exceeded the GA GQS of 5 ug/l.
- Xylenes at 33 ug/l exceeded the GA GQS of 5 ug/l.

Soil Vapor:

Three radon samples were taken from the breathing height within the structure located at the Garden Street Parcel over a 48-hour period and submitted to EMSL Analytical Inc. for analysis and comparison to the USEPA's recognized Standards of Practice outlined in American National Standards Institute/American Association of Radon Scientists and Technologists (ANSI/AARST's) Protocol for Conducting Radon and Radon Decay Product Measurements in Schools and Large Buildings. All three radon samples exceeded the mitigation action level of 4 pCi/l action level in sample #1 (9.8 pCi/L), sample #2 (11.3 pCi/L) and sample (13.6 pCi/L).

The June 2020 PVE Remedial Investigation Work Plan is designed to more fully investigate the contamination described above. A total of sixteen (16) soil borings are proposed across the BCP Site to characterize soil and to collect soil samples for laboratory

analysis. Four (4) new groundwater monitoring wells will be installed and sampled throughout the subject property (including within other AOCs) in addition to the sampling of six (6) existing wells. No additional soil vapor samples are proposed at this time.

There are no responses to Questions 11-13 on the BCP Application Form since this Site is not located in New York City.

PART B

SECTION V- ADDITIONAL REQUESTOR INFORMATION

See Section I, Requestor Information and responses in the Application form. As stated in Section I, the Requestor has no prior relationship with any current or past owners or operators of the Site other than the Requestor purchased the Site from each of the two Parcel owners - 70 Parker Holding LLC and 164 Garden Holding LLC – as of June 25, 2020. *See also* Exhibit E, Previous Owners and Operators List. The Requestor did not cause any of the contamination of the Site, which predates the Requestor’s involvement at the Site.

SECTION VI- CURRENT PROPERTY OWNER/OPERATOR INFORMATION

The Requestor purchased both parcels that make up the BCP Site on June 25, 2020. The Deed was recorded with the Dutchess County Clerk’s Office on June 30, 2020. *See* Exhibit C, including the most recent deed transferring both parcels to the Requestor. Therefore, the Requestor, Northside Junction, LLC is the current owner of the site.

70 Parker Holding LLC, c/o Bernard Cohn, with an address at 147 Union Street, Suite 101 Poughkeepsie, New York 12601 was the owner of the Parker Avenue Parcel portion of the Site. This LLC had owned this Parcel since October 31, 2019. 164 Garden Holding LLC c/o Bernard Cohn, with an address at 120 Route 59, Suffern, New York 10901 was the owner of the Garden Street Parcel portion of the Site. This LLC had owned the Parcel since September 20, 2019.

A past owner and operator list is attached in Exhibit E. This Exhibit includes both current and previous property owners and operators by name, last known address, and telephone number to the extent such information can be obtained from a due diligence search, and the Requestor’s relationship to each owner and operator (all of which are “None”). Exhibit E also includes the prior operators’ use of the Site, which generally included industrial and commercial uses.

SECTION VII- REQUESTOR ELIGIBILITY INFORMATION

Please refer to responses to Questions 1-10 on the BCP Application Form.

11. Unregistered bulk storage tanks

The response to question 11 on the BCP Application form is “yes” for the following reasons:

With respect to the Parker Avenue Parcel, according to information reviewed by PVE on an old blueprint drawing of the Parcel, a 10,000-gallon fuel oil UST was located in the parking lot east of the main receiving entrance. However, visual evidence of this tank was not discovered during the mark out in this location, which led PVE to conclude this large tank has been removed. A subsequent on-site visit with the former Standard Gage plant manager confirmed the tank was removed. During PVE’s Phase II site investigation, a geophysical survey was performed, and no anomalies indicative of UST(s) were noted at the Parker Avenue Parcel. Nevertheless, based on the lack of tank closure documentation or post-excavation soil sampling results, PVE considered this former UST to represent a REC. Despite all of the evidence above suggesting this large tank was in fact removed, it is possible one or more unregistered tanks are still present on this Parcel, which may have replaced this tank after removal.

With respect to the Garden Street Parcel, even though some tanks were removed in 2008 as described in the 2008 ESI Tank Closure report, both the EAI and PVE subsequent reports recommended proper registration with the NYDEC and a tightness test be performed on remaining tanks still presumed to be present on the Parcel, including: one (1) 1,000-gallon and two (2) 500-gallon underground heating oil tanks (USTs). According to Poughkeepsie Fire Department records, these three (3) USTs were installed in 2008 but were not registered with the NYSDEC as of the filing of this BCP Application. The geophysical survey performed by PVE during the Phase II did identify two (2) UST areas along the southern and western exterior of the structure located at the Garden Street Parcel.

REQUESTOR CERTIFICATION

The Requestor certifies it is a Volunteer, since it does not own the Site as of the day of submission of the application; and does not have nor has ever had a relationship with any of the past owners or operators of the Site, nor did it have involvement with the Site at the time of disposal. The Requestor has also performed all required environmental due diligence prior to acquiring the Site.

SECTION VIII- PROPERTY ELIGIBILITY INFORMATION

Please refer to the responses to the Questions 1-6 on the BCP Application Form, which confirm the Site is not ineligible for the BCP.

In addition to the responses on the application form, which clarify the Site is an eligible brownfield site pursuant to ECL § 27-1405, the following information further demonstrates this Site’s eligibility for the BCP.

The Site meets the definition of an eligible “brownfield site” in Environmental Conservation Law

§ 27-1405(2) as “any real property where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by the department that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations.” Environmental investigation results show evidence of impact from the Site’s previous commercial and industrial uses, which can be linked to and caused Site contamination above the applicable cleanup standards. *See* Environmental Reports and the Spider Maps in Exhibit F, providing the data demonstrating exceedances of the cleanup standards for this Site. As a result, the Site meets the definition of a “brownfield site” pursuant to Environmental Conservation Law §27-1405(2).

SECTION IX - CONTACT LIST INFORMATION

See Exhibit K for the Site Contact List. *See* Exhibit L, for the Repository Letter.

SECTION X- LAND USE FACTORS

1. Current Zoning

The Parker Avenue Parcel is located within the G-CM (Gateway Commercial Mixed-Use) and the Garden Street Parcel is located within the G-OM (Gateway Office Manufacturing) District. *See* Exhibit I, Zoning Map.

2. Current Use

The former industrial building structures that still are present on both Parcels vacant. The last activity seen on the 58 Parker Parcel was in 2010 when the property was used for auctions. Since this time, the Parcel has been vacant. The 164 Garden Street Parcel was used by a Printing Company until 2014, and since this time the Parcel has been vacant.

3. Intended Use Post Remediation

Post remediation use of the Site will be commercial, including office space and retail; recreational, including community space and potential connections to trails and walkways. In addition, there is also a potential light manufacturing future use in the form of a brewery. *See* Section II, Project Scope for a more detailed description.

4. Do current historical and/or recent development patterns support the proposed use?

Yes, the proposed commercial development is consistent with the local zoning, the pattern of development in the downtown City of Poughkeepsie area for a variety of commercial uses and will be complimentary to the adjacent Walkway over the Hudson recreational use.

5. Is the proposed use consistent with applicable zoning laws/maps?

Yes, current zoning permits offices, and parks, plazas, playgrounds, squares, greenways & recreational facilities. Additionally, retail can be a permitted or a special use if special

conditions are met pursuant to the Poughkeepsie Zoning Code. *See fn. 1.*

6. Consistent with the Master Plan?

Yes, the project is consistent with the 1998 Poughkeepsie Comprehensive Plan, which encourages development of mixed-use commercial and residential projects that connect to waterfronts, including creeks.