

## **1.0 EXECUTIVE SUMMARY**

Team Environmental Consultants, Inc. (TEAM) was authorized by Sound Federal Savings and Loan Association to conduct a Phase I Environmental Assessment (Due Diligence Survey) of a commercial property located at 277 North Avenue in New Rochelle, New York. The objective of the Phase I Environmental Site Assessment (ESA) was to identify significant environmental impairments and liabilities associated with the subject property. The requested scope of work included the following main tasks: 1) Review of available historical/regulatory file information and a previously conducted environmental assessment report; 2) Performance of site/regulatory interviews and a walk-through property inspection; 3) Review of a federal and state environmental database report; and 4) Documentation of findings in a Phase I ESA Report.

Based on the commercial site setting, availability of municipal water supply, review of available documentation, and performance of site/regulatory interviews the property walk-through inspection, no significant and immediate environmental liability issues associated with the subject property were identified.

## **2.0 PROPERTY DESCRIPTION**

### **2.1 Site Description**

The subject property is located along the northeastern side of North Avenue, approximately 500-feet southeast of the New England Thruway (Interstate Route 95), in the City of New Rochelle, Westchester County, New York (Figures 1 and 2). The site is bordered to the northwest by a paved parking area and active railway lines (Amtrak/Conrail), to the northeast by partially paved parking lots, to the southeast by a restaurant (Café Flaxo), multi-tenanted retail/commercial office structure (Kaufman Tower), Huguenot Street, and a United States Post Office facility, and to the southwest by North Avenue, Chase Manhattan Bank branch office, and a retail business. The site topography is generally level and at grade with both North Avenue and Huguenot Street. Photographs obtained during the performance of the site inspection are presented within Attachment A.

The irregularly shaped 0.93-acre parcel is improved with a multi-tenanted three-story steel framed masonry block commercial building. According to City of New Rochelle Tax Assessor records, the building has a gross floor area of 34,105-ft<sup>2</sup> and was constructed in 1977. Current site tenants

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include Fleet Bank, Seacord, Young and Young Attorneys at Law, Friedland Insurance Company, and The Guidance Center for Adult Counseling. The building houses an entrance lobby, customer banking counters, bank vault, administrative offices, conference rooms, restrooms, and storage space. The basement level contains an employee break room, utility closets, storage rooms, service connections, utility meters, electrical panels, and boiler room. The building is serviced by one passenger elevator. A 177-ft<sup>2</sup> storage building (former guard booth) is situated off the eastern corner of the structure. No documentation detailing historic site development or the performance of building renovation efforts was available.

The parcel is located within a City of New Rochelle zoning class DMU (Downtown Mixed Use) district. The potable water supply and sanitary waste treatment service are provided by the City of New Rochelle Department of Public Works and Sewer District, respectively. Electrical service and natural gas are supplied by Consolidated Edison Utilities (ConEd). The building is heated by a fuel oil fired furnace assembly. Fuel oil is stored within a 10,000-gallon capacity underground heating oil storage tank situated off the northeastern building side.

## 2.2 Site History

Information obtained from the City of New Rochelle Tax Assessors Office indicates the subject property (Section 1, Block 239, Lot 33) to have been acquired by CJR Properties, LLC in February of 1996 (Liber 11598, Page 73). Previous property owners have reportedly included Peoples Bank for Savings, N.R. (1973-1996) and the City of New Rochelle (19??-1973). No previously conducted title searches or file documentation detailing historic property ownership was available for TEAM review.

According to reviewed City of New Rochelle Building Department records, the subject property previously contained a multi-story commercial structure. This building was reportedly completed in 1930 and demolished in 1976 in preparation for construction of the existing structure. A photograph found attached to the property record card revealed this structure to have been situated along North Avenue. No additional regulatory information pertaining to this building was available. As previously indicated, the current commercial office structure was completed in 1977. No listing of former site tenants was available.

## 2.3 Sanborn Fire Insurance Map Review

Sanborn Fire Insurance Maps were obtained for the New Rochelle property location for the years 1931, 1951, 1990, 1993, and 1996. Review of these maps (difficult to inspect due to poor clarity

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and the absence of readily identifiable property boundaries) are summarized in the following table. Copies of referenced figures are presented in Attachment B.

<b>SANBORN MAP DATE</b>	<b>SUBJECT PROPERTY USE</b>	<b>ADJOINING PROPERTY USE</b>
1931	The property contains a commercial structure, storage building, and several parking garages.	Adjoining properties are shown to be used for commercial purposes.
1951	The property contains a filling station, auto parking area, and commercial structure(s). The poor clarity of this figure made interpretation extremely difficult.	Adjoining properties are shown to be used for commercial purposes.
1990-1996	The property contains the current commercial structure (noted to have been built in 1975 and a small maintenance house.	Adjoining properties are shown to be used for commercial purposes.

#### 2.4 Previously Conducted Environmental Site Investigation

TEAM was provided with a March 4, 1996 Phase II Subsurface Investigation report prepared by AquaTerra Environmental Services Corp. (AquaTerra) on behalf of River Bank America. The stated objective of this effort was to, "...determine the location, orientation, and condition of one 10,000-gallon #2 fuel oil underground storage tank and determine whether piping leaks, tank overfills, and/or spillage of petroleum from the UST had adversely impacted the subsurface environment." The Phase II scope of work included review of a July 1995 AquaTerra Phase I ESA Report, performance of a ground penetrating radar survey (GPR) and tank tightness test, installation and collection of soil samples from four borings located proximate to the UST, and laboratory analysis of groundwater samples collected from two previously installed groundwater monitoring wells. A copy of the AquaTerra Phase II Report (text portion only) is presented within Attachment C. The following information of environmental significance was presented in the AquaTerra report:

- The July 27, 1995 AquaTerra Phase I ESA indicated the 10,000-gallon UST to have failed a tightness conducted in April of 1990. To address this failure, the UST was noted to have been emptied, cleaned, and equipped with a liner. No information concerning the performance of a follow-up tightness test was available. Two groundwater monitoring wells are indicated to have been installed "sometime in 1990." TEAM was informed that the 1995 AquaTerra Phase I ESA was not available for review;

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- The GPR survey was indicated to be performed "in the parking lot located behind the building." The survey identified the presence of a tank located parallel to the building. The UST was noted to have a length of 30-feet and width of 14-feet. The top of the tank was located approximately 3-feet below ground surface. No other "USTs or underground piping" was found as a result of the GPR survey;
- Precision testing (VacuTest methodology) was performed by Tanknology Corporation International. The AquaTerra report notes the tank to have "passed" the tightness test;
- Four soil borings were installed around the tank to a depth of twelve feet below grade. Based on "surface and subsurface restrictions" no soil borings could be installed along the western side of the UST. The report indicated that "...minimal gray staining and a slight petroleum odor" was noted in all borings at a depth of approximately 9.5 to 12.0 feet below ground surface. Soil samples were collected at each boring location from a depth of 10.5-feet below ground surface (soil/groundwater interface) and analyzed for "common fuel constituents." The concentrations of detected analytes were noted to be "below the NYSDEC soil cleanup criteria;" and
- Groundwater sampling data identified the presence of benzene and xylenes at concentrations "above its respective cleanup standards" within well GW-1. Detected contaminants within the second well (GW-2) were indicated to be below NYSDEC groundwater cleanup standards. According to an interviewed NYSDEC representative, the "elevated levels in the groundwater at GW-1 do not warrant further action at this time."

### **3.0 SITE INSPECTION**

On July 30, 2003, TEAM together with property owner, Robert O'Boyle (CJR Properties, LLC), conducted an inspection of accessible sections of the building and surrounding property. The requested scope of work did not include performance of a soil/groundwater sampling investigation or completion of a formal regulatory compliance audit, as it would relate to the use, handling, storage, permitting, or disposal of regulated materials and waste products. A listing of Phase I ESA interview and information sources is presented as Attachment D.

#### **3.1 Property Inspection**

Inspection of accessible property areas (difficult due to the presence of parked vehicles, vegetation, and leaf litter) revealed no unusual odors or visual evidence of significant surface

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staining that could be indicative of leaking petroleum storage tanks, chemical spills, or industrial waste disposal. No PCB-labeled electrical equipment, aboveground petroleum storage tanks, former building foundations, unmarked waste storage drums, water supply wells, or industrial waste storage or disposal facilities within the property exterior confines were observed. Stormwater collections drains found in various property areas reportedly discharge to the municipal stormwater system.

As previously noted, a 10,000-gallon capacity underground fuel oil storage tank (UST) is situated off the northeastern (rear) side of the building. The UST was reportedly installed onsite in 1977 during construction of the building. The associated fill port and vent pipe are found off the rear side of the site building. A groundwater monitoring well was noted off the southern end of the UST. Robert O'Boyle informed TEAM that a second monitoring well is present off the northeastern side of the tank. This second well was reportedly "paved over" during the recent resurfacing of the onsite parking area. Sampling of these wells was documented in the AquaTerra Phase II Subsurface Investigation report (Section 2.4).

No freshwater wetland habitat areas were observed in the immediate vicinity of the subject property. The nearest significant surface water body (Echo Bay/Hudson River) is located approximately 3,000-feet east of the subject site. The requested scope of work did not include formal delineation of wetland or flood plain areas.

### 3.2 Building Inspection

Inspection of accessible interior building sections (difficult due to the presence of stored materials and office furnishings) revealed no unusual odors or visual evidence of aboveground petroleum or chemical storage tanks, PCB-labeled electrical equipment, sump pump systems, unmarked waste storage drums, or industrial waste storage or disposal facilities. The former guard booth (storage shed) was found to be locked and could not be accessed for inspection. Robert O'Boyle informed TEAM that the shed was most recently utilized for storage purposes and was currently empty. He stated that this building was formerly heated by an electrical space heater.

The boiler room was found to contain two furnace assemblies. Only one unit was reported to be active. Use of the second boiler was discontinued at an unspecified time. A single set of fuel oil lines was noted emanating from the nearby foundation wall. This set of lines was observed to be split and routed to both the active and inactive boiler assemblies. No other suspected fuel oil lines were found within the boiler room. No significant petroleum odors or floor stains were identified in

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the vicinity of inspected oil lines or boiler assemblies. A petroleum level gauge (petrometer) was present within the boiler room. TEAM was informed that this gauge is not currently in working order. Mr. O'Boyle indicated that he intended on either repairing the existing gauge or having an electronic product level indicator installed. He reported that a weekly "dip stick" fuel level inventory is performed.

No exposed suspected friable asbestos containing materials (e.g., pipe wrap, electrical, or boiler insulation) were observed during the walkthrough inspection. Due to the age of the building, asbestos containing materials may be found within the structure. No information concerning the performance of asbestos removal operations, if any, associated with historic site renovation efforts was available. The requested Phase I ESA scope of work did not include performance of a formal asbestos sampling survey.

### 3.3 Petroleum Bulk Storage Operations

Under the New York State Department of Environmental Conservation (NYSDEC) Petroleum Bulk Storage (PBS) Program, underground petroleum storage tanks with capacities of over eleven hundred gallons are required to comply with registration, handling, and storage requirements established in 6 NYCRR Parts 612-613. The 10,000-gallon UST is registered with the NYSDEC as PBS No. 3-502049. The PBS Program in Westchester County is administered by the Westchester County Health Department (WCHD) Office of Environmental Health Risk Control.

According to PBS requirements, underground petroleum storage tanks over twenty-five years of age are required to be tightness tested on an annual basis. Documentation provided for TEAM review indicates the onsite UST to have last been tested in March of 2002 by Coneco Engineers & Scientists (Coneco) of Glastonbury, Connecticut. To comply with PBS guidelines, the UST was again tested on August 14, 2003 by Coneco utilizing the Tracer Tight Tank and Pipeline Test. This testing methodology is reportedly approved by the WCHD. A Coneco tank testing report, presented in Attachment E, indicated the UST to have "passed" the tightness test.

## **4.0 RECORD REVIEW AND DOCUMENTATION**

### 4.1 Regulatory Review - City of New Rochelle

Review of available City of New Rochelle Building Department file records revealed no apparent issues of adverse environmental concern. This was confirmed during the performance of follow-

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up interviews with Building Department representative, Mariam Satterwhite, and Building Inspector, Paul Vacca. Reviewed of City of New Rochelle Fire Department files revealed the following information pertaining to the 277 North Avenue property:

- A 3,000-gallon capacity underground fuel oil storage tank was reportedly installed in March of 1930. The site is noted to be operated as "People Bank for Savings." No information concerning the location or removal of this UST was noted; and
- A 10,000-gallon capacity underground #2 fuel oil storage tank was indicated to have been installed along the "Rear of Building" in November of 1975.

No regulatory information was available regarding the 1951 Sanborn Fire Insurance Map identified onsite "filling station." Follow-up interviews with Fire Department Captain, Louis DiMeglio, Code Enforcement Officer, Fred Taylor, and Fire Department Lieutenant, Robert Bongiorno, revealed no information pertaining to issues of environmental concern associated with current or historic site operations.

#### 4.2 Regulatory Review – NYSDEC/Westchester County Health Department

The requested Phase I ESA time frame precluded submittal of a Freedom of Information Legislation (FOIL) request to Region 3 of the New York State Department of Environmental Conservation (estimated four to six week time period to review files). TEAM submitted a FOIL request to Westchester County Health Department Office of Environmental Health Risk Control, which administers the NYSDEC Petroleum Bulk Storage Program in Westchester County. To date, TEAM has not received a response from WCHD.

#### 4.3 Federal and State Database Report

TEAM has obtained an Environmental FirstSearch Network (EFSN) Site Assessment Report which provides information concerning the target property and those sites located within an ASTM established radius and listed in any of the following Federal and State databases:

- National Priority List (NPL);
- Resource Conservation and Recovery Information System (RCRIS),  
Large Quantity Generators and TSD Facilities,  
Small Quantity Generators and Transporters;

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- Hazardous Substance Waste Disposal Site Inventory (HSWDS);
- New York State Spills Database (SPILLS);
- Comprehensive Environmental Response, Compensation, and Liability System (CERCLIS);
- Emergency Response Notification System (ERNS);
- New York Leaking Storage Tanks (LUST);
- New York Active Solid Waste Facility Register (SWL); and
- New York Registered Bulk Storage Tanks (UST/AST).

The EFSN Database Report presented in Attachment F, identifies no NPL, CERCLIS, NFRAP, or SWL sites within the ASTM established survey radius. Seven LUST and eleven SPILLS sites are found within a one-quarter mile distance. The subject 277 North Avenue property (identified as East River Savings Bank) is listed in the UST, LUST, and SPILLS Databases. The LUST and SPILLS Databases note a spill date of March 26, 1990 (tank test failure). The remedial status is indicated to have been "closed" on January 16, 1991. The UST Database identifies the presence of a 10,000-gallon capacity heating oil UST.

As the subject property is provided with a municipal water supply, the proximity of EFSN identified sites would not appear to impact or pose significant environmental liabilities with respect to current commercial site use or water quality issues.

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## **5.0 CONCLUSIONS**

Based on the commercial site setting, availability of municipal water supply, review of available documentation, and performance of site/regulatory interviews the property walk-through inspection, no significant and immediate environmental liability issues associated with the subject property were identified. No additional environmental site investigations are recommended at this time.

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