



**NORTHEASTERN
ENVIRONMENTAL
TECHNOLOGIES CORP.**

1476 ROUTE 50 - P.O. Box 2167 BALLSTON SPA, NY 12020
Phone: (518) 884-8545 - Fax: (518) 884-9710
www.neenvironmentaltech.com

July 8, 2021

Kelly Lewandowski
Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7020

RE: Proposed Amendment - Master Cleaners Site No. C401072

Please find included (1) hard copy and (1) electronic copy of the Brownfield Cleanup Program (BCP) Application Form and associated backup information for the above noted matter.

The purpose of this BCP application is to amend the existing Master Cleaners Brownfield Cleanup Agreement between Charles Bohl Incorporated and the New York State Department of Environmental Conservation; add Foundry Village LLC as a Volunteer and modify the boundary of Master Cleaners Site No. C401072 to include the adjacent 3.2 acre parcel (i.e., Tax Map No. 40.17-2-11.1) located at 2314-2316 Western Ave. Guilderland, NY.

As we have reported Guilderland Town Board approvals required for the Planned Development District (PDD) established for Foundry Village have been delayed by the C-19 pandemic which in turn have delayed this BCP application. Final Site Plan approvals for the project [which are subject to the Town Planning Board and NYS Department of Transportation review & approval] are expected 8-10 months following the approval of the Foundry Village PDD.

Foundry Village LLC & Charles Bohl acknowledge this request constitutes a "Major" amendment to the existing Master Cleaners Brownfield Cleanup Agreement and Foundry Village LLC is prepared to complete the programmatic BCP work deemed necessary by the Department once the municipal and state approvals for the development project are secured.

Please contact our office if you have questions regarding the information provided or our request to amend the existing Master Cleaners Brownfield Cleanup Agreement. Thank you in advance for your assistance with this matter. The NETC organization and I remain available to assist you and the NYS Department of Environmental Conservation with this matter, as necessary.

Sincerely,
NORTHEASTERN ENVIRONMENTAL TECHNOLOGIES CORPORATION

Robert W Gray, Project Manager
Registered NYS Professional Geologist Lic # 001091

Attachment



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**



Yes



No

If yes, provide existing site number: C401072

PART A (note: application is separated into Parts A and B for DEC review purposes) *BCP App Rev 10*

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #:

NAME Foundry Village LLC

ADDRESS 450 Loudon Road

CITY/TOWN Loudonville

ZIP CODE 12211

PHONE 518-366-0601

FAX

E-MAIL quadrinia@yahoo.com

Is the requestor authorized to conduct business in New York State (NYS)?



Yes



No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's Corporation & Business Entity Database. A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. **Please note:** If the requestor is an LLC, the members/owners names need to be provided on a separate attachment.

Do all individuals that will be certifying documents meet the requirements detailed below? ☒ Yes ☐ No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of DER-10: Technical Guidance for Site Investigation and Remediation and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP.**

Section II. Project Description

1. What stage is the project starting at?



Investigation



Remediation

NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.

2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): ☐ Yes ☒ No

3. Please attach a short description of the overall development project, including:

- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated.

Section I. Requestor Information - See Instructions for Further GuidanceDEC USE ONLY
BCP SITE #:

NAME Charles Bohl Incorporated

ADDRESS 2314 Western Avenue

CITY/TOWN Guilderland

ZIP CODE 12084

PHONE 518-456-8353

FAX 518-456-8353

E-MAIL cb122225@verizon.net

Is the requestor authorized to conduct business in New York State (NYS)?



Yes



No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's Corporation & Business Entity Database. A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. **Please note:** If the requestor is an LLC, the members/owners names need to be provided on a separate attachment.

Do all individuals that will be certifying documents meet the requirements detailed below? ☒ Yes ☐ No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of DER-10: Technical Guidance for Site Investigation and Remediation and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP.**

Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (***please submit the information requested in this section in electronic format only***):

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). **Please submit a separate electronic copy of each report in Portable Document Format (PDF).**

2. **SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.**

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum	X		
Chlorinated Solvents	X	X	X
Other VOCs			
SVOCs			
Metals	X		
Pesticides			
PCBs			
Other*			

*Please describe: _____

3. **FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:**

- SAMPLE LOCATION
- DATE OF SAMPLING EVENT
- KEY CONTAMINANTS AND CONCENTRATION DETECTED
- FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE
- FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5
- FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

☒ Yes ☐ No

4. **INDICATE PAST LAND USES (CHECK ALL THAT APPLY):**

- | | | | |
|---|--|---|---|
| <input type="checkbox"/> Coal Gas Manufacturing | <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Agricultural Co-op | <input checked="" type="checkbox"/> Dry Cleaner |
| <input type="checkbox"/> Salvage Yard | <input type="checkbox"/> Bulk Plant | <input type="checkbox"/> Pipeline | <input checked="" type="checkbox"/> Service Station |
| <input type="checkbox"/> Landfill | <input type="checkbox"/> Tannery | <input type="checkbox"/> Electroplating | <input type="checkbox"/> Unknown |

Other: _____

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME Master Cleaners				
ADDRESS/LOCATION 2312 - 2316 Western Avenue				
CITY/TOWN Guilderland		ZIP CODE 12084		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Town of Guilderland				
COUNTY Albany		SITE SIZE (ACRES) 3.62		
LATITUDE (degrees/minutes/seconds) 42 ° 42 ' 12.45 "		LONGITUDE (degrees/minutes/seconds) 73 ° 54 ' 42.14 "		
Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed , please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.				
Parcel Address	Section No.	Block No.	Lot No.	Acreage
2312 Western Avenue	40.17	2	12	0.42
2314 - 2316 Western Avenue	40.17	2	11.1	3.2
1. Do the proposed site boundaries correspond to tax map metes and bounds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, please attach an accurate map of the propsed site.				
2. Is the required property map attached to the application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (application will not be processed without map)				
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, identify census tract : _____ Percentage of property in En-zone (check one): <input type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input type="checkbox"/> 100%				
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, identify name of properties (and site numbers if available) in related BCP applications: _____				
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach relevant supporting documentation.				
7. Are there any lands under water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, these lands should be clearly delineated on the site map.				

Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas?
If yes, identify here and attach appropriate information. ☐ Yes ☒ No

Easement/Right-of-way Holder

Description

Town of Guilderland
New York Telephone Co.

Public Water & Sewer Easement
Utility Right of Way

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

Type

Issuing Agency

Description

Not Applicable

Not Applicable

Not Applicable

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**?

☒ Yes ☐ No

Note: Questions 11 through 13 only pertain to sites located within the five counties comprising New York City

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? ☐ Yes ☐ No
If yes, requestor must answer questions on the supplement at the end of this form.

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? ☐ Yes ☐ No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? ☐ Yes ☐ No

NOTE: If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: _____

BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)

Section V. Additional Requestor Information
See Instructions for Further Guidance

DEC USE ONLY
 BCP SITE NAME: _____
 BCP SITE #: _____

NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Armand Quadrini

ADDRESS 450 Loudon Road

CITY/TOWN Loudonville

ZIP CODE 12211

PHONE 518-366-0601

FAX

E-MAIL quadrinia@yahoo.com

NAME OF REQUESTOR'S CONSULTANT Northeastern Environmental Technologies Corp. (Jeffrey Wink)

ADDRESS 1476 Saratoga Road - PO Box 2167

CITY/TOWN Ballston Spa

ZIP CODE 12020

PHONE 518-884-8545

FAX 518-884-9710

E-MAIL jeffnetc@nycap.rr.com

NAME OF REQUESTOR'S ATTORNEY Mary Elizabeth Slevin

ADDRESS STOCKLI SLEVIN, LLP 1826 Western Avenue

CITY/TOWN Albany

ZIP CODE 12203

PHONE (518) 449-3125 x403 (voice)

FAX (518) 449-4798 (fax)

E-MAIL mslevin@ss-legal.com

Section VI. Current Property Owner/Operator Information – if not a Requestor

CURRENT OWNER'S NAME Charles Bohl Incorporated

OWNERSHIP START DATE: 9/30/2011

ADDRESS 2314 Western Avenue (P.O. Box 59)

CITY/TOWN Guilderland

ZIP CODE 12084

PHONE 518-456-8353

FAX 518-456-8353

E-MAIL cb122225@verizon.net

CURRENT OPERATOR'S NAME None

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".

IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.

Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

1. Are any enforcement actions pending against the requestor regarding this site? ☐ Yes ☒ No
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? ☐ Yes ☒ No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. ☐ Yes ☒ No

BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)

Section V. Additional Requestor Information
See Instructions for Further Guidance

BCP SITE NAME: _____ DEC USE ONLY

BCP SITE #: _____

NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Teri Bohl

ADDRESS P.O. Box 59

CITY/TOWN Guilderland

ZIP CODE 12084

PHONE 518-456-8353

FAX 518-456-8353

E-MAIL tbohl50565@aol.com

NAME OF REQUESTOR'S CONSULTANT C.T. Male Associates

ADDRESS 50 Century Hill Drive

CITY/TOWN Latham

ZIP CODE 12110

PHONE 518-786-7400

FAX 518-786-7299

E-MAIL j.marx@ctmale.com

NAME OF REQUESTOR'S ATTORNEY Gary S. Bowitch, Attorney at Law

ADDRESS 13 Willow Street

CITY/TOWN Castleton, NY

ZIP CODE 12033

PHONE ((518) 527-2232

FAX (518) 478-8800

E-MAIL gbowitch@bowitchlaw.com

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☒ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. ☐ Yes ☒ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? ☐ Yes ☒ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? ☐ Yes ☒ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? ☐ Yes ☒ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? ☐ Yes ☒ No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? ☐ Yes ☒ No
11. Are there any unregistered bulk storage tanks on-site which require registration? ☐ Yes ☒ No

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

☐ PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

☒ VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

☐ Previous Owner ☐ Current Owner ☒ Potential /Future Purchaser ☐ Other _____

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site. Is this proof attached?

☒ Yes ☐ No

Note: a purchase contract does not suffice as proof of access.

Section VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List?
If yes, please provide relevant information as an attachment. ☐ Yes ☒ No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305?
If yes, please provide: Site # _____ Class # _____ ☐ Yes ☒ No
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____ ☐ Yes ☒ No
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. ☐ Yes ☐ No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10?
If yes, please provide: Order # _____ ☐ Yes ☒ No
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?
If yes, please provide explanation as an attachment. ☐ Yes ☒ No

Section IX. Contact List Information

To be considered complete, the application must include the Brownfield Site Contact List in accordance with DER-23 / Citizen Participation Handbook for Remedial Programs. Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.

Section X. Land Use Factors

1. What is the current municipal zoning designation for the site? LB & RO40

What uses are allowed by the current zoning? (Check boxes, below)

☒ Residential ☒ Commercial ☐ Industrial

If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: ☐ Residential ☐ Commercial ☐ Industrial ☒ Vacant ☐ Recreational (check all that apply)

Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.

3. Reasonably anticipated use Post Remediation: ☒ Residential ☒ Commercial ☐ Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**

If residential, does it qualify as single family housing?

☐ Yes ☒ No

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

☒ Yes ☐ No

5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.

☒ Yes ☐ No

The proposed Foundry Village is a mixed-use development project that is consistent with Town of Guilderland's zoning objectives to shopping, dining, professional services, and employment opportunities that are accessible from residential neighborhoods as well as providing additional alternative housing opportunities.

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.

☒ Yes ☐ No

The proposed Foundry Village is a mixed-use development project that is consistent with the Land Use, Natural Resources, and Transportation objectives outlined in the Town of Guilderland's Community Plan (August 7, 2001).

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____

Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am member (title) of Foundry Village LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 6/25/21

Signature:  _____

Print Name: Armand Quadrini

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:
 - Chief, Site Control Section
 - New York State Department of Environmental Conservation
 - Division of Environmental Remediation
 - 625 Broadway
 - Albany, NY 12233-7020

FOR DEC USE ONLY

BCP SITE T&A CODE: _____ **LEAD OFFICE:** _____

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: 6-24-21 Signature: Charles A. Bohl
Print Name: CHARLES A. BOHL

(By a requestor other than an individual)

I hereby affirm that I am President (title) of Charles Bohl, Inc. that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 6-24-21 Signature: Charles A. Bohl
Print Name: Charles A. Bohl, President

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:
 - Chief, Site Control Section
 - New York State Department of Environmental Conservation
 - Division of Environmental Remediation
 - 625 Broadway
 - Albany, NY 12233-7020

FOR DEC USE ONLY
BCP SITE T&A CODE: _____

LEAD OFFICE: _____

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY. Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

BCP App Rev 10

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Please answer questions below and provide documentation necessary to support answers.	
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information.	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
2. Is the property upside down or underutilized as defined below?	Upside Down? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Underutilized? <input type="checkbox"/> Yes <input type="checkbox"/> No
From ECL 27-1405(31):	
"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.	
From 6 NYCRR 375-3.2(I) as of August 12, 2016: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)	
375-3.2:	
(I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and	
(1) the proposed use is at least 75 percent for industrial uses; or	
(2) at which:	
(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;	
(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and	
(iii) one or more of the following conditions exists, as certified by the applicant:	
(a) property tax payments have been in arrears for at least five years immediately prior to the application;	
(b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or	
(c) there are no structures.	
"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.	

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; the *New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below:**

☐ Project is an Affordable Housing Project - Regulatory Agreement Attached;

☐ Project is Planned as Affordable Housing, But Agreement is Not Yet Available*
(*Checking this box will result in a "pending" status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);

☐ This is Not an Affordable Housing Project.

From 6 NYCRR 375- 3.2(a) as of August 12, 2016:

(a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income.

(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.

(3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

BCP Application Summary (for DEC use only)

Site Name: Master Cleaners

City: Guilderland

Site Address: 2312 - 2316 Western Avenue

County: Albany

Zip: 12084

Tax Block & Lot

Section (if applicable): 40.17 **Block:** 2 **Lot:** 12

Requestor Name: Foundry Village LLC

City: Loudonville

Requestor Address: 450 Loudon Road

Zip: 12211

Email: quadrinia@yahoo.com

Requestor's Representative (for billing purposes)

Name: Armand Quadri

Address: 450 Loudon Road

City: Loudonville

Zip: 12211

Email: quadrinia@yahoo.com

Requestor's Attorney

Name: Mary Elizabeth Slevin

Address: STOCKLI SLEVIN, LLP 1826 Western Avenue

City: Albany

Zip: 12203

Email: mslevin@ss-legal.com

Requestor's Consultant

Name: Northeastern Environmental Technologies Corp. (Jeffrey Wink) **Address:** 1476 Saratoga Road - PO Box 2167

City: Ballston Spa

Zip: 12020

Email: jeffnetc@nycap.rr.com

Percentage claimed within an En-Zone: ☒ 0% ☐ <50% ☐ 50-99% ☐ 100%

DER Determination: ☐ Agree ☐ Disagree

Requestor's Requested Status: ☒ Volunteer ☐ Participant

DER/OGC Determination: ☐ Agree ☐ Disagree

Notes:

For NYC Sites, is the Requestor Seeking Tangible Property Credits: ☐ Yes ☐ No

Does Requestor Claim Property is Upside Down: ☐ Yes ☐ No

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

Does Requestor Claim Property is Underutilized: ☐ Yes ☐ No

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

Does Requestor Claim Affordable Housing Status: ☐ Yes ☐ No ☐ Planned, No Contract

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

**FOUNDRY VILLAGE – TOWN OF GUILDERLAND, ALBANY
COUNTY, NEW YORK**

ATTACHMENT – 1

PART A, SECTION I: REQUESTOR INFORMATION

Authorization to Conduct Business in New York

Please see the attached New York State Department of State Division of Corporations Entity Information authorizing Foundry Village LLC and Charles Bohl Incorporated to conduct business in the State of New York.

Requestor Relationship to Property

Foundry Village LLC is under contract with the current owner (Charles Bohl Incorporated) to purchase the Property.

Charles Bohl Incorporated Members/Owners

Charles A. Bohl , President/Secretary

Theresa J. Bohl, Vice President / Treasurer

Charles C. Bohl, Shareholder

Laurel Bohl, Shareholder

Foundry Village LLC Members/Owners

Armand Quadrini, Sole Member

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through September 21, 2020.

Selected Entity Name: FOUNDRY VILLAGE LLC

Selected Entity Status Information

Current Entity Name: FOUNDRY VILLAGE LLC

DOS ID #: 5649064

Initial DOS Filing Date: NOVEMBER 01, 2019

County: ALBANY

Jurisdiction: NEW YORK

Entity Type: DOMESTIC LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

ARMAND QUADRINI

450 LOUDON ROAD

LOUDONVILLE, NEW YORK, 12211

Registered Agent

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by [viewing the certificate](#).

***Stock Information**

of Shares

Type of Stock

\$ Value per Share

No Information Available

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
NOV 01, 2019	Actual	FOUNDRY VILLAGE LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through June 9, 2016.

Selected Entity Name: CHARLES BOHL INCORPORATED

Selected Entity Status Information

Current Entity Name: CHARLES BOHL INCORPORATED

DOS ID #: 63723

Initial DOS Filing Date: APRIL 11, 1950

County: ALBANY

Jurisdiction: NEW YORK

Entity Type: DOMESTIC BUSINESS CORPORATION

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

CHARLES BOHL INCORPORATED
2314 WESTERN AVENUE
GUILDERLAND, NEW YORK, 12804

Chief Executive Officer

CHARLES BOHL
2314 WESTERN AVE
GUILDERLAND, NEW YORK, 12084

Principal Executive Office

CHARLES BOHL INCORPORATED
2314 WESTERN AVE
GUILDERLAND, NEW YORK, 12084

Registered Agent

NONE

This office does not record information regarding the names and addresses of officers, shareholders or directors of nonprofessional corporations except the chief executive officer, if provided, which would be listed above. Professional corporations must include the name(s) and address(es) of the initial officers, directors, and shareholders in the initial certificate of incorporation, however this information is not recorded and only available by [viewing the certificate.](#)

***Stock Information**

# of Shares	Type of Stock	\$ Value per Share
200	No Par Value	

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
APR 11, 1950	Actual	CHARLES BOHL INCORPORATED

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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FOUNDRY VILLAGE – TOWN OF GUILDERLAND, ALBANY COUNTY, NEW YORK

ATTACHMENT – 2

PART A, SECTION II: PROJECT DESCRIPTION

Question 3: Please attach a short description of the overall development project

Currently, the contemplated re-development plan for the proposed Foundry Village project includes developing a multi-story, mixed retail commercial, residential use structure completed atop of a lower level parking garage on the Master Cleaners site and (4) other contiguous parcels of land (i.e., Tax Map No.s 40.17-2-11.1, 13, 14 and 51.00-1-1). The completion of this project will provide an overall net benefit to all parties (citizens, businesses, services) within the immediate vicinity of the property and to those within the community of the Town of Guilderland.

The request to amend the existing Master Cleaners Brownfield Cleanup Agreement (BCA) by adding Foundry Village LLC as a Volunteer and portions of the proposed development project located at 2314-2316 Western Ave. (i.e., Tax Map Parcel No. 40.17-2-11.1) will be for the purpose of conducting an appropriate level of investigation and ultimately the development of a Remedial Action Plan (RAP) that will achieve the “Restricted Residential Use” objectives outlined in 6NYCRR Part 375 Environmental Remediation Programs.

The proposed BCP amendment is expected to be accepted on or about November 2021. Investigation work completed at the site, to date, will be used to modify the Draft Remedial Action Work Plan for the Master Cleaners Site (BCP#C401072) dated September 18, 2019 to include impacts that also extend to parcel 40.17-2-11.1. The RAP approach would remain the removal & disposal of contaminated soil located at the Site that exceeds the NYSDEC’s NYCRR Part 375 “Restricted Residential Use” soil cleanup objectives as well as the use of institutional controls (IC) & engineering controls (EC). It is anticipated that a Department approved RAP will be conducted in tandem with site development activities for the proposed Foundry Village. A Certificate of Completion (COC) is anticipated to be issued in the fall of 2022.

FOUNDRY VILLAGE – TOWN OF GUILDERLAND, ALBANY COUNTY, NEW YORK

ATTACHMENT – 3

PART A, SECTION III: PROPERTY'S ENVIRONMENTAL HISTORY

Question 1: Environmental Reports & Data

Environmental reports identified for the site are listed below and are attached (CD) for consideration;

- Tank Closure Report– 2314 Western Avenue, Town of Guilderland, New York. NYSDEC Spill No.1502134. Prepared by Albany Tank Services, Inc., dated June 29, 2016
- Environmental Activities Report – Former Bohl Bros Bus Line, Inc. 2316 Western Avenue, Town of Guilderland, New York. NYSDEC Spill No. 1508420. Prepared by PS Property Solutions, Inc., dated April 15, 2016.
- Phase 2 Subsurface Investigation Report – 2312 Western Avenue, Town of Guilderland, New York. NYSDEC Spill No. 1507597, Prepared by PS Property Solutions, Inc., dated November 30, 2015.
- Remedial Investigation Report - Master Cleaners Site (BCP#C401072). 2312 Western Avenue, Town of Guilderland, New York. Prepared by C.T. MALE ASSOCIATES, dated January 29, 2019 (Revised July 12, 2019)
- Supplemental Groundwater Investigation Report – Master Cleaners Off-Site. 2312 Western Avenue, Town of Guilderland, New York. Prepared by Precision Environmental Services Inc., dated June 2, 2020
- Supplemental Soil Quality Data –Foundry Village 2298-2316 Western Avenue, Town of Guilderland, New York. May 2020 Soil Boring Logs & Analytical Data developed by Northeastern Environmental Technologies Corp.

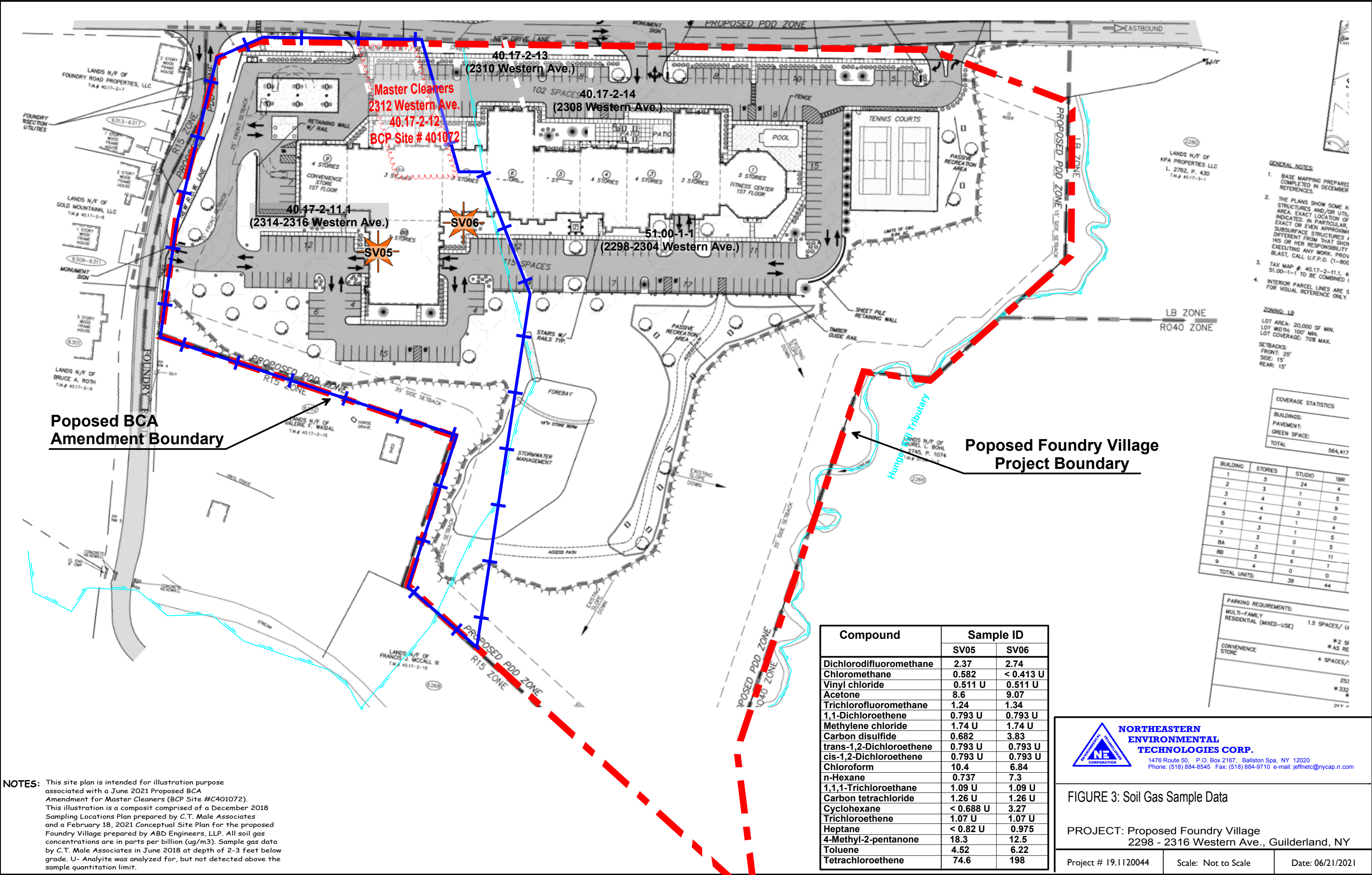
Question 2: Sampling Data

Master Cleaners, located at 2312 Western Avenue, is included in the NYSDEC Brownfield Cleanup Program as site number C401072. Data developed in the in conjunction with the current site listing identifies chlorinated solvents to be the primary contaminants of concern. Chlorinated solvents have been identified in the site soils and groundwater at concentrations above Restricted Residential Use Soil Cleanup Objectives and Groundwater Quality Standards. The sampling data developed in conjunction with the Master Cleaners site is summarized in the various above referenced reports.

Supplemental soil quality data developed in May 2020 for the adjacent 2314-2316 Western Avenue parcel, for which the applicant seeks to include into the current BCA, identifies Tetrachloroethylene and Vinyl Chloride in subsurface soils at concentrations above Restricted Residential Use Soil Cleanup Objectives. **Table 1** summarizes the Restricted Residential Use exceedances identified in May 2020.

Question 3: Site Drawing of Impacted Media

The attached Site Map is a composite depicting the soil and groundwater exceedances documented at the Site.



FOUNDRY VILLAGE – TOWN OF GUILDERLAND, ALBANY COUNTY, NEW YORK

ATTACHMENT – 4

PART A, SECTION IV: PROPERTY INFORMATION

Question 1: Tax Map Boundaries

The BCP property boundary for this site corresponds to the tax map metes and bounds.

Question 2: Tax Map

The “Property Map” is attached which identifies the tax map parcel identification numbers included in the BCP application along with the identification of adjacent property owners. The “Site Location Map” is also attached, depicting the site location on a USGS 7.5 minute quadrangle base map.

Question 6: Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law

The proposed amendment to the existing Master Cleaners BCP site consists of the inclusion of the adjacent parcel of land located at 2314-2316 Western Avenue and is identified by the Town of Guilderland as Tax Map No. 40.17-2-11.1 This adjacent parcel has been investigated and remediated through the NYSDEC’s Spills program as petroleum spill numbers 1502134 and 1508420.

Question 10: Property Description and Environmental Assessment

Location

The Property is located in the eastern portion of the Town of Guilderland, New York. According to the Town of Guilderland the Property is identified as Tax Map No.’s 40.17-2-11.1 (3.2 acres) and 40.17-2-12 (0.42 acres). The respective addresses associated with the tax map listings are 2314-2316 Western Avenue and 2312 Western Avenue.

Site Features

2314 - 2316 Western Avenue (Tax Map No. 40.17-2-11.1) – This portion of the Property is improved by one two-story (5) unit wood framed residential apartment building completed atop of a concrete foundation and full basement; one two-story concrete block and wood framed garage completed at grade with improved

concrete floor surfaces and two second floor residential apartments; one single story concrete block and wood framed garage completed at grade with improved concrete floor surfaces; one single-story wood framed storage barn completed at grade, portions of which are improved by concrete floor surfaces; and an approximate 7,000 ft² remnant concrete foundation ruin for a commercial garage.

2312 Western Avenue (Tax Map No. 40.17-2-12) – This portion of the Property is improved by one single-story concrete block and wood framed structure completed with a slab on-grade foundation. The structure was most recently operated as Master Cleaners & Dyers Inc. a commercial dry-cleaning facility.

Current Zoning and Land Use

The current Town of Guilderland Zoning Map places the site in the Local Business (LB) and the Residential Overlay (RO40) Zoning Districts. Surrounding zoning includes a mixture of LB, RO40 and Single Family Residential (R15) properties. The current Official Zoning Map is attached, titled “Town of Guilderland Zoning Map”.

Past Use of the Site

Information received from the Town of Guilderland suggest Hamilton Glass Works & Dovesburgh Glass Works of Foundry Road operated from portions of the site in the early 1800’s. The Guilderland Foundry an iron-casting business reportedly operated from portions of the site in the 1860s. Subsequent commercial establishments at the site which are considered germane to this BCP application include historic automotive repair and fuel storage activities of the Former Bohl Bros Bus Line, Inc. and commercial dry-cleaning operations of Master Cleaners during the period from at least the 1950’s – 2000’s. Subsurface investigations and tank closure work conducted during the period of May 2015 – November 2015 resulted in the identification petrochemical and chlorinated solvent impacts at the site. As a result, the site was issued (3) NYSDEC Spill No.’s for administration of the documented impacts (1502134, 1507597 & 1508420). Subsequent UST closure and source removal work performed at the site for petrochemical impacts associated with NYSDEC Spill No.’s 1502134 and 1508420 resulted in the Department issuing “No Further Action” letters for each release. Conversely, chlorinated impacts associated with the former Master Cleaners, which operated from the 2312 Western Ave. portion of the site, was accepted into the BCP in on December 29, 2016.

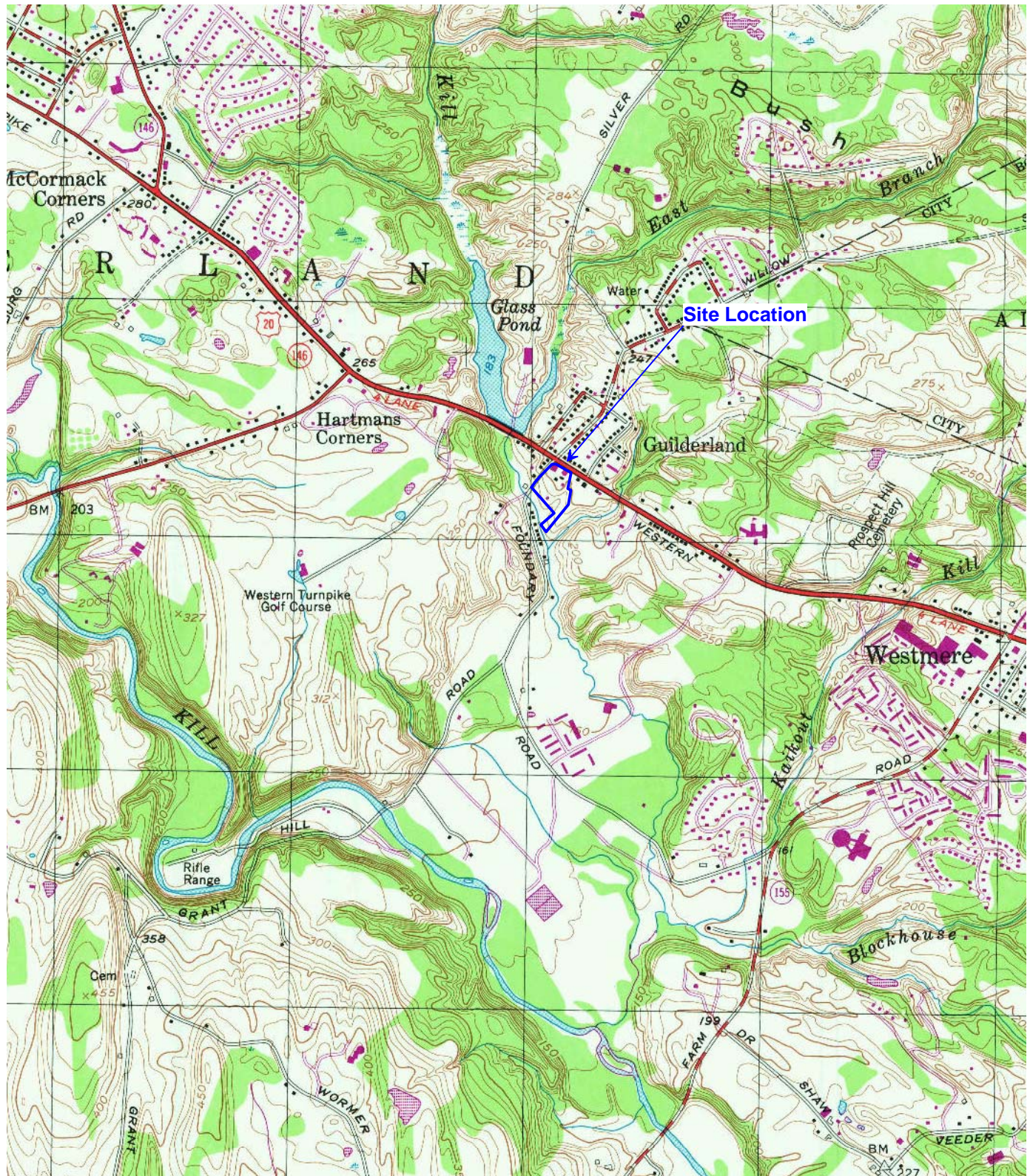
Site Geology and Hydrogeology

The United States Geological Survey (USGS) Topographic Map, the site ranges from approximately 160 - 200 feet above Mean Sea Level. Soils are mapped by the United States Department of Agriculture Web Soil Survey Urban land – Udorthents Complex in the northern portions of the site, and as Hudson Silt Loam in the central and southern portions. Based upon elevation data recorded at the site groundwater generally flow from the Northeast to the Southwest toward Hunger Kill. According to the map entitled “Potential Yields of Wells in Unconsolidated Aquifers in Upstate New York – Upper Hudson Mohawk Sheet”, the site does not lie within an unconsolidated aquifer. There are no known public water supply wells within the vicinity of the subject Site.

Environmental Assessment

Based upon the investigations conducted to date, the primary contaminants of concern for the Site is the chlorinated dry-cleaning compounds of concern (COC) Tetrachloroethylene (PCE) and it’s breakdown daughter compounds Trichloroethylene (TCE), cis-1,2-Dichloroethene and Vinyl Chloride. A summary of contaminants in soil and groundwater are summarized below.

- **Soil** – The chlorinated COCs have been detected in subsurface soils at concentrations above the 6 NYCRR Part 375 Restricted Residential SCOs in areas primarily beneath, adjacent to and down gradient of the former Master Cleaners dry-cleaning facility. PCE was detected at concentrations up to 21,000 parts per million (ppm) in shallow soils within a building sump. PCE-related breakdown products are also present in deeper soils (\pm 6 -16 feet below grade) including TCE at concentrations up to 110 ppm, cis-1,2-Dichloroethene (cis-1,2-DCE) up to 70 ppm, trans-1,2-Dichloroethene (trans-1,2-DCE) up to 0.31 ppm, and Vinyl Chloride up to 3.2 ppm.
- **Groundwater** – The chlorinated COCs have been detected in groundwater samples collected from the network of (21) on site monitoring wells at concentrations above the NYSDEC 6 NYCRR Part 703 groundwater standard. Total COC concentrations have been identified within the network of monitoring wells ranging from \pm 1 – 200,000 ug/L. The most significant groundwater exceedances (above 10, 000 ug/L) have been documented to exist beneath the former Master Cleaners dry-cleaning facility and extending \pm 500 feet to the south, mimicking the flow groundwater.
- **Soil Vapor & Indoor Air** – PCE was detected in soil vapor at concentrations up to 3,860 micrograms per cubic meter (ug/m³), TCE up to 1,140 ug/m³, cis-1,2-DCE up to 1,050 ug/m³, trans-1,2-DCE up to 61.5 ug/m³, and vinyl chloride up to 2.81 ug/m³.



Site Location Map

2312-2316 Western Avenue
Guilderland, New York 12084

Project # 19.1120044

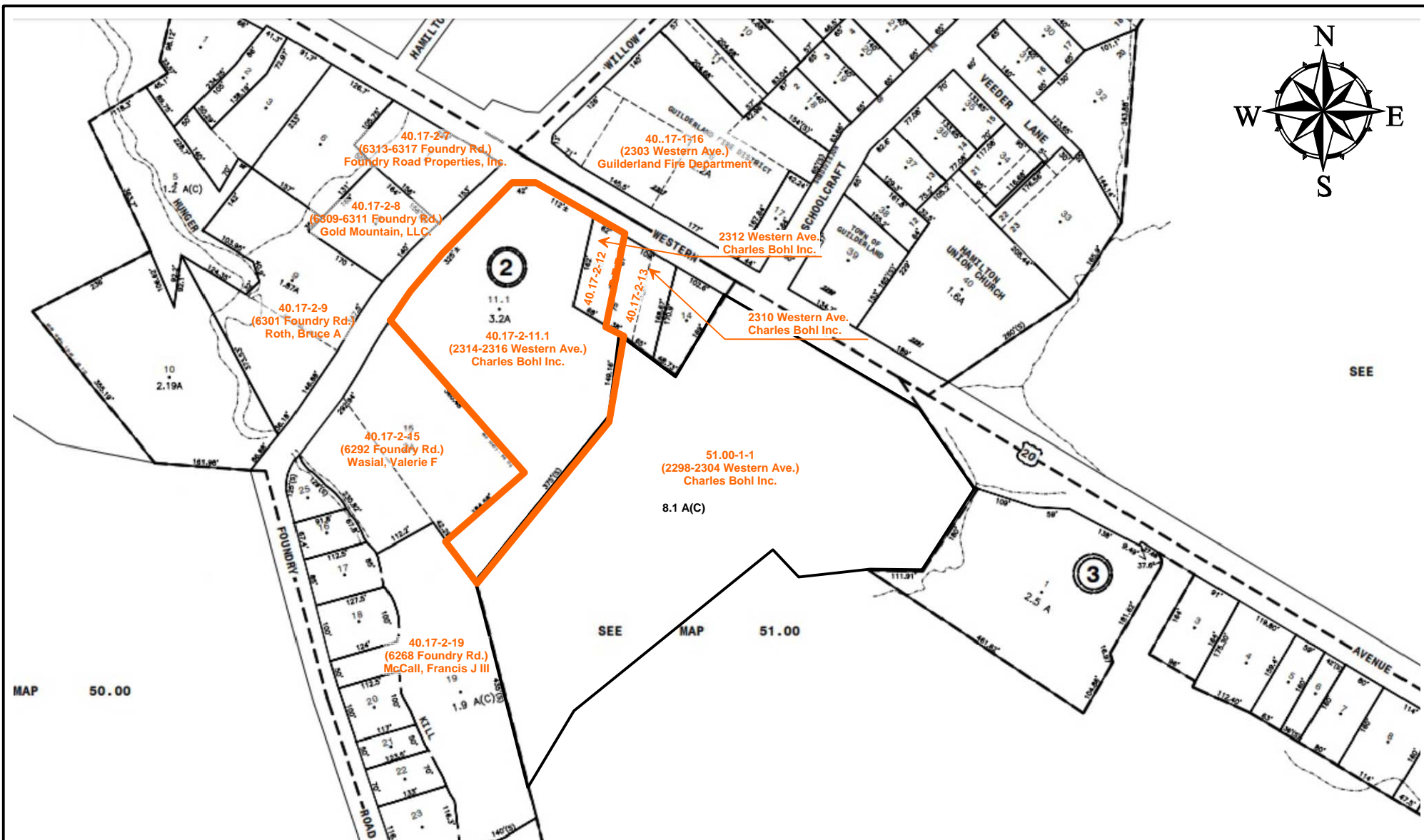
September 23, 2020



**NORTHEASTERN
ENVIRONMENTAL
TECHNOLOGIES CORP.**

1476 Route 50, P.O. Box 2167, Ballston Spa, NY 12020
Phone: (518) 884-8545 Fax: (518) 884-9710 e-mail: jeffnetc@nycap.rr.com

GEO-ENVIRONMENTAL CONSULTING & PROPERTY MANAGEMENT SERVICES *
SITE ASSESSMENTS * GEOTECHNICAL DRILLING & DPT PROBE SERVICES *
TANK CLOSURES * EXCAVATION SERVICES * SOIL & GROUNDWATER
REMEDIATION * EXPERT TESTIMONY * OSHA FIELD CERTIFIED



NOTES:

This site plan is intended for illustration purpose associated with a September 2020 Proposed BCA Amendment to Master Cleaners (BCA Site #C401072)



**NORTHEASTERN
ENVIRONMENTAL
TECHNOLOGIES CORP.**

1476 Route 50, P.O. Box 2167, Ballston Spa, NY 12020
Phone: (518) 884-8545 Fax: (518) 884-9710 e-mail: jeffnetc@nycap.rr.com

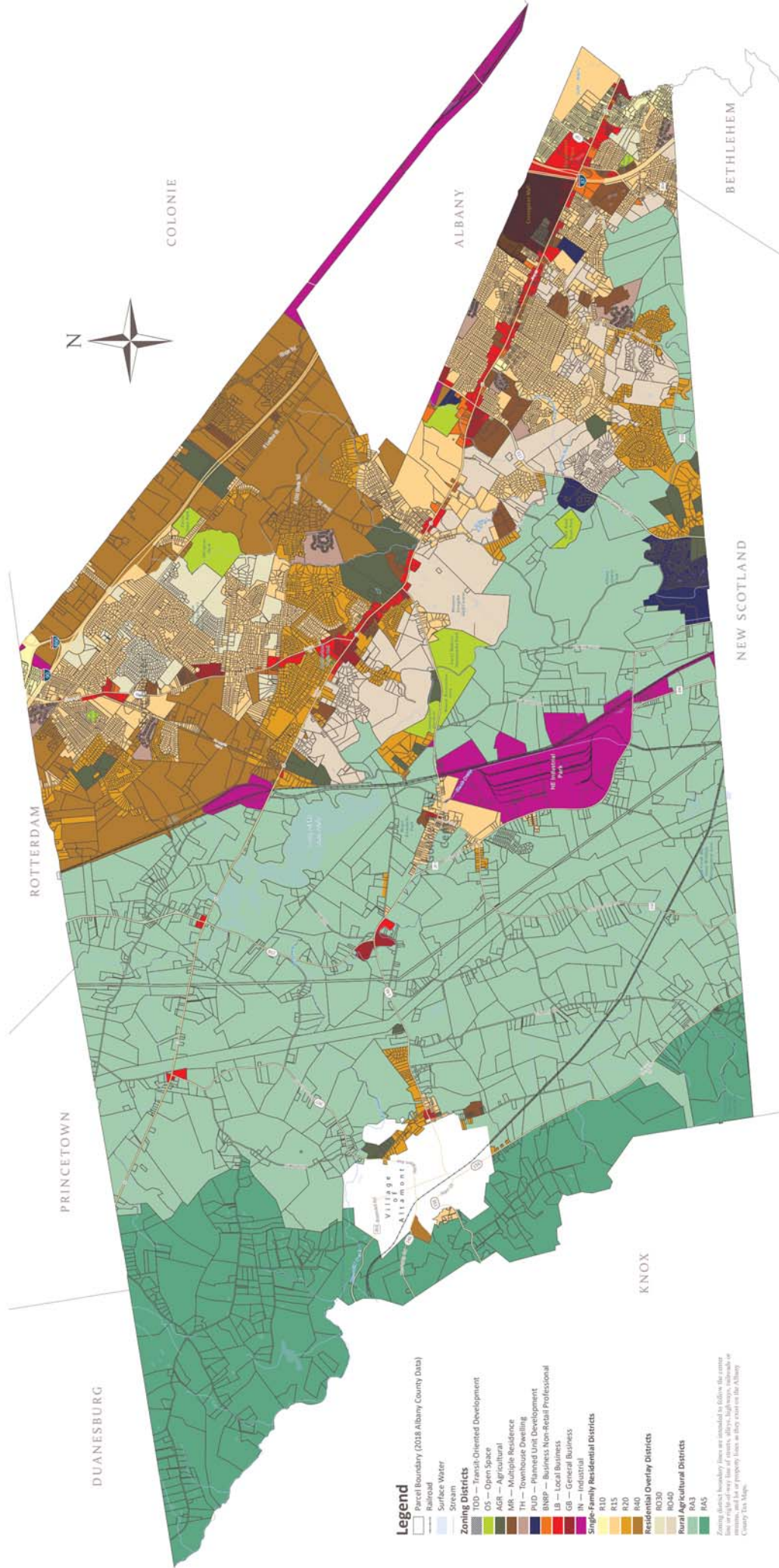
Albany County Tax Map

PROJECT: 2298 - 2316 Western Avenue
Guilderland, New York

Project # 19.1120044

Scale: Not to Scale

Date: 09/23/2020



TOWN OF GUILDERLAND ZONING MAP

Prepared by: Town of Guilderland Planning Dept.
 Date: 10/1/2020
 Project: Zoning Map
 Map Scale: 1" = 1 Mile

- Legend**
- Parcel Boundary (2018 Albany County Data)
 - Railroad
 - Surface Water
 - Stream
- Zoning Districts**
- TOD — Transit Oriented Development
 - OS — Open Space
 - AGR — Agricultural
 - MR — Multiple Residence
 - TH — Townhouse Dwelling
 - PUD — Planned Unit Development
 - BNRP — Business Non-Retail Professional
 - LB — Local Business
 - GB — General Business
 - IN — Industrial
 - Single-Family Residential Districts
 - R1D
 - R1
 - R2
 - R3
 - R4
 - R5
 - Residential Overlay Districts
 - RO30
 - RO40
 - Rural Agricultural Districts
 - RA3
 - RA5
- Zoning district boundary lines are intended to follow the center line or right-of-way line of streets, alleys, highways, railroads or other features. They do not necessarily follow property lines as they exist on the Albany County Tax Maps.

Disclaimer: This map is prepared by the Town of Guilderland Planning Department and provided for reference purposes only. The Town of Guilderland accepts no liability for errors, omissions or inaccuracies in this document. The Town of Guilderland disclaims all liability for any losses or damages, directly or indirectly, which may result from the use. Each user is responsible for determining the validity of the information for the user's intended purpose. The Town of Guilderland Planning Department is not responsible for any losses or damages, directly or indirectly, which may result from the use. Each user is responsible for determining the validity of the information for the user's intended purpose.

**FOUNDRY VILLAGE – TOWN OF GUILDERLAND, ALBANY
COUNTY, NEW YORK**

ATTACHMENT – 5

PART B, SECTION V: ADDITIONAL REQUESTOR INFORMATION

Question 4: Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government

The proposed amendment to the existing Master Cleaners BCP site consists of the inclusion of the adjacent parcel of land located at 2314-2316 Western Avenue and is identified by the Town of Guilderland as Tax Map No. 40.17-2-11.1 This adjacent parcel has been investigated and remediated through the NYSDEC's Spills program as petroleum spill numbers 1502134 and 1508420.

FOUNDRY VILLAGE – TOWN OF GUILDERLAND, ALBANY COUNTY, NEW YORK

ATTACHMENT – 6

PART B, SECTION VI: CURRENT OWNER/OPERATOR INFORMATION

2312 WESTERN AVENUE, PARCEL ID 40.17-2-12

Owner / Operator	Purchase Date	Relationship to Requestor	Last Known Phone Number	Last Known Address
Penguin Snack Bar, Inc.	3/11/50	None	Unknown	Unknown
Master Cleaners	Unknown	None	518-456-2322	127 Willow Street, Guilderland, NY 75 Cascade Terrace, Schenectady, NY
Albany County	2/08/2001	None	Unknown	112StateStreetAlbanyNY
Daniel Marshall	1/31/2005	None	Unknown	Unknown
Marshall & Sons, LLC	6/06/2008	None	518-858-1899 518-439-3695	960 Delaware Avenue, Delmar, NY 22 Gardner Terrace, Delmar, NY
Tomhannock, LLC	6/24/2011	None	518-203-3565	80 Second Street, Waterford, NY
Charles Bohl Incorporated	9/30/2011	-----	518-456-8353	2314 Western Avenue Guilderland, NY

To the best of the Charles Bohl Inc.'s knowledge and based upon record review, Master Cleaners & Dyers, Inc. was dissolved in March 2001. The Applicant has no specific knowledge of when the dry cleaning operations ceased at the property but believes that the operations at this facility ceased in the mid 1990's, long before the dissolution of that corporation. Albany County took title to the property in 2001 through In Rem tax foreclosure. On information and belief, none of the owners after Albany County used the site at all and it was vacant.

2314-2316 WESTERN AVENUE, PARCEL ID 40.17-2-11.1

Owner / Operator	Purchase Date	Relationship to Requestor	Last Known Phone Number	Last Known Address
Charles Bohl (Owner)	Unknown	None	Unknown	2314 Western Avenue Guilderland, NY
Bohl Bus Lines (Operator)	Unknown	None	Unknown	2316 Western Avenue Guilderland, NY
Private Residence & Garage	Unknown - ± 1970	None	Unknown	2314 Western Avenue Guilderland, NY
Residential Apartments	± 1970 - 2011	None	Unknown	2314 Western Avenue Guilderland, NY
Signs Like This (Operator)	±1981 – 2011	None	518-456-1918	2316 Western Avenue Guilderland, NY
Wheeler's Medical Vans (Operator)	± 1981 - 2011	None	Unknown	2316 Western Avenue Guilderland, NY
Charles Bohl Incorporated (Owner)	6/05/1950	-----	518-456-8353	2314 Western Avenue Guilderland, NY

FOUNDRY VILLAGE – TOWN OF GUILDERLAND, ALBANY COUNTY, NEW YORK

ATTACHMENT – 7

PART B, SECTION VII: REQUESTOR ELIGIBILITY INFORMATION

Volunteer Statement

Foundry Village LLC, as the Requester to the NYS Brownfield Cleanup Program (BCP), is requesting entry into the BCP as a Volunteer for the investigation and remediation of the proposed Master Cleaners site (“Site”). Foundry Village LLC did not operate or own the Site at the time it was actively used as an automotive service garage and a dry cleaning facility. Similarly, Foundry Village LLC has had no prior relationships with any of the previous owners/operators of the Site. Foundry Village LLC is currently under contract with the current owner and BCP Volunteer Charles Bohl Incorporated, to purchase the Master Cleaners Site No. C401072 located at 3212 Western Ave. Guilderland, NY (i.e., Tax Map No. 40.17-2-12) and (4) other properties also owned by Charles Bohl Incorporated, including the adjacent 3.2 acre parcel located at 2314-2316 Western Ave. Guilderland, NY (i.e., Tax Map No. 40.17-2-11.1).

ACCESS AGREEMENT

This **ACCESS AGREEMENT** (hereinafter, "Agreement") is made effective on the 16 day of August, 2021, by and between the **Charles Bohl, Inc.** ("Bohl") and **Foundry Village LLC** (hereinafter, "Foundry Village") with respect to a Brownfield Cleanup Program ("BCP") site known as Master Cleaners Site (Brownfield Site No. C401072), located at 2312 Western Avenue, Albany New York (Tax Map No. 40.17-2-12) and portions of adjacent properties located at 2314-2316 Western Avenue.

WHEREAS, Bohl is the owner of the Master Cleaners Site as well as four contiguous parcels of land (Tax Map Nos. 40.17-2-11.1, 13, 14 and 51.00-1-1).

WHEREAS, on or about December 19, 2016, Bohl entered into a Brownfield Cleanup Agreement with the New York State Department of Environmental Conservation (NYSDEC) for the Master Cleaner Site as a Volunteer ("BCA").

WHEREAS, Bohl and Foundry Village entered into a purchase and sale agreement on November 5, 2019 with respect to the Master Cleaners Site and (4) other contiguous parcels of land (i.e., Tax Map Nos. 40.17-2-11.1, 13, 14 and 51.00-1-1).

WHEREAS, on or about July 6, 2021, Foundry Village submitted a BCP Application requesting a major amendment to the BCA to add Foundry Village LLC as an additional Volunteer and to modify the boundary of Master Cleaners Site to include the adjacent 3.2 acre parcel located at 2314-2316 Western Ave. Guilderland, NY ("2314-2316 Site") (Tax Map No. 40.17-2-11.1) ("collectively, "the BCP Properties").

WHEREAS, Upon acceptance into the BCP, an amendment to BCA ("BCA Amendment") will be issued and executed by the NYSDEC, Bohl and Foundry Village.

WHEREAS, Foundry Village needs access to BCP Properties in order to undertake all actions, including implementation of a remedial program, necessary to carry out all of its obligations under the BCA Amendment.

NOW, THEREFORE, in consideration of the above, and for other good and valuable consideration, the receipt whereof is hereby acknowledged, the parties agree as follows:

1. Permission for Access.

Bohl, by execution of this Agreement, hereby grants Foundry Village and its consultants, contractors or other agents (collectively "Agents") permission to enter the Master Cleaners Site and the 2314 -2316 Site for the purpose of performing all actions, including implementation of a remedial program, necessary to carry Foundry Village's obligations under the BCA Amendment.

2. Environmental Easement.

In the event that title to the Master Cleaners Site and the 2314 -2316 Site has not yet been transferred from Bohl to Foundry Village and DEC requests that an Environmental Easement be placed on the Master Cleaners Site and the 2314-2316 Site, Bohl agrees to execute and record such an Environmental Easement for these properties.

- 3. No Tenancy.** Bohl and Foundry Village agree that this Agreement shall not be deemed to create a tenancy at will or sufferance, nor shall any other right or interest in the BCP Properties be created, including any right or claim to a mechanic's or materialman's lien.

4. **Defense and Indemnification.** Foundry Village shall protect, defend, hold harmless, and indemnify Bohl, and its successors, assigns, agents, and attorneys from, against, and in respect of any and all claims, losses, liabilities, damages, settlements, penalties, interest, and other expenses which may be suffered or incurred by any of them relating to, arising out of, or resulting from personal injury, property damage, release of pollutants or contaminants, or any other claim as a result of any negligent acts or omissions by Foundry Village or its Agents, during the period of access to the BCP Properties.
5. **Subsurface Utilities.** Bohl makes no representations as to its knowledge of subsurface utilities at the BCP Properties. Foundry Village and its Agents are solely responsible for identifying underground utilities and making appropriate contact with Dig Safely New York and others to identify utilities.
6. **Miscellaneous Provisions.**
 - a. **Entire Agreement.** This Agreement shall constitute the entire agreement of the parties, and shall supersede any previous oral or written understandings. Furthermore, it may only be amended by a writing signed by the parties.
 - b. **Choice of Law.** This Agreement shall be governed and construed under the laws of the State of New York without reference to choice of law rules and principles.
 - c. **Notices and Communications.** All notices and communications required under this Agreement shall be accomplished by the actual delivery to the parties' mailing addresses set forth above or via email, with a copy to the following attorneys for each party via email:

Bohl:

Gary S. Bowitch, Esq.,
Attorney at Law
13 Willow Street,
Castleton, NY 12033
Phone: (518) 527-2232
Email: gbowitch@bowitchlaw.com

Foundry Village:

Mary Elizabeth Slevin, Esq.
STOCKLI SLEVIN LLP
1826 Western Ave.
Albany, NY 12203
Phone: (518) 449-3125 ext. 403
Email: MSlevin@ss-legal.com

- d. **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the parties to this Agreement.
- e. **Construction.** Both parties to this Agreement have contributed substantially to the authorship of this Agreement and it is understood that this Agreement will not be construed against either party based on its authorship.
- f. **Separability.** If any provision of this Agreement is determined to be invalid or unenforceable, that shall not affect the validity or enforceability of the remaining portions of this Agreement.
- g. **Counterparts.** This Agreement may be executed in multiple counterparts, and the counterparts, when combined, shall form and constitute a complete agreement. A telefax, photocopy, portable document format (.pdf) or other digital version of this document shall be as effective as an original.

IN WITNESS WHEREOF, the parties have set their hand and seal to this

Agreement the day and year first above written:

CHARLES BOHL, INC.



By: Charles Bohl

Owner - *President*

Dated: August *16*, 2021

FOUNDRY VILLAGE LLC



By: Armand Quadrini

Dated: August *13*, 2021

RESOLUTION
of
CHARLES BOHL, INC.

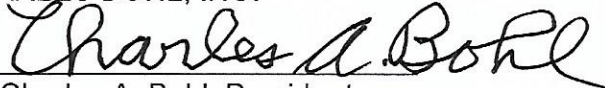
At a meeting of all the shareholders of CHARLES BOHL, INC.
(hereinafter, "the Corporation"), held on November 18, 2016, the shareholders voted in favor of the following resolutions, which were duly adopted; and therefore, it is:

RESOLVED, that the Corporation shall enter into agreements with the New York State Department of Environmental Conservation ("NYSDEC"), under the NYSDEC Brownfield Clean up Program pertaining to real property owned by the Corporation; and it is

RESOLVED, that the Corporation shall enter into any contract(s) to sell and transfer title to real property owned by the corporation, particularly but not exclusively the property known and designated on the tax maps of the Town of Guilderland, Albany County, New York as Section 40.17, Block 2 Lots 11,12, 13 and 14, and Section 40.17, Block 3 Lot 3 and Section 51.00, Block 1, Lot 1.

RESOLVED, that Charles A. Bohl, President of Charles Bohl, Inc., is hereby authorized to execute any and all documents necessary to effectuate and to bind the Corporation to such aforesaid agreements including those under the NYSDEC Brownfield Clean-up Program.

CHARLES BOHL, INC.

BY: 
Charles A. Bohl, President

FOUNDRY VILLAGE – TOWN OF GUILDERLAND, ALBANY
COUNTY, NEW YORK

ATTACHMENT – 8

PART B, SECTION VIII: PROPERTY ELIGIBILITY INFORMATION

No Supplemental Information Required

FOUNDRY VILLAGE – TOWN OF GUILDERLAND, ALBANY COUNTY, NEW YORK

ATTACHMENT – 9

PART B, SECTION IX: CONTACT LIST INFORMATION

CONTACT LIST INFORMATION

CHIEF EXECUTIVE OFFICER & PLANNING BOARD CHAIRPERSON OF COUNTY & TOWN	
Albany County	Town of Guilderland
Albany County Executive Daniel P. McCoy Harold L. Joyce Albany County Office Building 112 State Street, Room 900 Albany, NY 12207	Town Supervisor Peter G. Barber Guilderland Town Hall 5209 Western Turnpike – 2 nd Floor Guilderland, NY 12084
Director of Economic Development & Planning Kevin O'Connor Harold L. Joyce Albany County Office Building 112 State Street, Room 900 Albany, NY 12207	Department of Building/Zoning Guilderland Town Hall 2509 West Turnpike – 2nd floor Guilderland, NY 12084
	Town Planner Ken Kovalchik Guilderland Town Hall P.O. Box 339 – 2nd Floor Guilderland, NY 12084
SITE OWNERS & ADJACENT PROPERTY OWNERS/OCCUPANTS	
Site Tax ID: 40.17-2-11.1 Property Address: 2314 - 2316 Western Avenue Owner Name: Charles Bohl Inc. Owner Address: 2314 Western Avenue, Guilderland, NY 12084	Site Tax ID: 40.17-2-12 Property Address: 2312 Western Avenue Owner Name: Charles Bohl Inc. Owner Address: 2314 Western Avenue, Guilderland, NY 12084
Adjacent Site Tax ID: 40.17-2-13 Property Address: 2310 Western Avenue Owner Name: Charles Bohl Inc. Owner Address: 2314 Western Avenue, Guilderland, NY 12084	Adjacent Site Tax ID: 51.00-1-1 Property Address: 2298 - 2304 Western Avenue Owner Name: Charles Bohl Inc. Owner Address: 2314 Western Avenue, Guilderland, NY 12084

CONTACT LIST INFORMATION CONTINUED

SITE OWNERS & ADJACENT PROPERTY OWNERS/OCCUPANTS	
Adjacent Site Tax ID: 40.17-2-15 Property Address: 6292 Foundry Rd Owner Name: Wasial, Valerie F Owner Address: 6262 Foundry Road, Guilderland, NY 12084	Adjacent Site Tax ID: 40.17-1-16 Property Address: 2303 Western Avenue Owner Name: Guilderland Fire Department Owner Address: 2303 Western Avenue, Guilderland, NY 12084
Adjacent Site Tax ID: 40.17-2-7 Property Address: 6313-6317 Foundry Rd Owner Name: Foundry Road Properties Inc. Owner Address: Unknown	Adjacent Site Tax ID: 40.17-2-8 Property Address: 6309 - 6311 Foundry Rd Owner Name: Gold Mountain LLC Owner Address: Unknown
Adjacent Site Tax ID: 40.17-2-9 Property Address: 6301 Foundry Rd Owner Name: Roth, Bruce A Owner Address: 6301 Foundry Road, Guilderland, NY 12084	Adjacent Site Tax ID: 40.17-2-19 Property Address: 6268 Foundry Rd Owner Name: McCall, Francis J III Owner Address: 6268 Foundry Rd Guilderland, NY 12084
LOCAL NEWS MEDIA	
Albany Times Union Attention: News Director PO Box 15000, News Plaza Albany, NY 12212 (518) 454-5694	Time Warner Cable News Albany Attention: News Director 104 Watervliet Avenue Extension Albany, NY 12206 (518) 641-6397
WNYT TV 13 Attention: News Director 715 North Pearl Street Albany, NY 12204 (800) 999-WNYT	WRGB TV 6 Attention: News Director 1400 Balltown Road Schenectady, NY 12309 (518) 346-6666
The Daily Gazette Attention: News Director 2345 Maxon Road Extension Schenectady, NY 12308 (518) 374-4141	Albany Communications Attention: News Director 91 Colvin Avenue Albany, NY (518) 482-8851
WTEN TV 10 & WXXA TV 23 Attention: News Director 341 Northern Boulevard Albany, NY 12204 (518) 436-4822	Capital Broadcasting Attention: News Director 51 South Pearl Street, #13 Albany, NY (518) 813-4975
WROW AM 590 Attention: News Director 6 Johnson Road Latham, New York 12110 (518) 786-6600	

CONTACT LIST INFORMATION CONTINUED

PUBLIC WATER SUPPLIER	
Albany County Conservation District P.O. Box 497 24 Martin Road Voorheesville, NY 12186	Department of Water/Wastewater 6011 State Farm Road Guilderland, NY 12084
REQUESTED PERSONS	
No Persons have requested to be on the contact list.	
NEARBY SCHOOLS AND DAYCARE FACILITIES	
Guilderland Elementary School Guilderland School District Alan Lockwood (Principal) (518) 869-0293 2225 Western Ave. Guilderland, NY 12084	Farnsworth Middle School Guilderland School District Michael Laster (Principal) (518) 456-6010 6072 State Farm Rd. Guilderland, NY 12084
Twinkling Stars Place Preschool Angela Muller (Co-Owner / Teacher) Lesley Osborn (Co-Owner / Teacher) (518) 456-9465 2291 Western Ave, Guilderland, NY 12084	
DOCUMENT REPOSITORY	
Guilderland Public Library (518) 456-2400 2228 Western Avenue Guilderland, NY 12084	
COMMUNITY GROUPS	
Guilderland YMCA (518) 456-3634 250 Winding Brook Drive Guilderland, NY 12084	



**NORTHEASTERN
ENVIRONMENTAL
TECHNOLOGIES CORP.**

1476 ROUTE 50 - P.O. BOX 2167 BALLSTON SPA, NY 12020
Phone: (518) 884-8545 - Fax: (518) 884-9710

September 23, 2020

Ann Wemple-Person
Local History Librarian
Guilderland Public Library
2228 Western Avenue
Guilderland, New York 12084

Via E-mail: wemplea@guilderlandlibrary.org

**RE: Document Repository Submission
Foundry Village**

Dear Ann;

As we discussed this afternoon, the Guilderland Public Library has been selected to be the public repository for documents related to the New York State Department of Environmental Conservation's Brownfields Clean-up Program (NYSDEC's BCP) for the development of the Foundry Village site.

As required by the NYSDEC's BCP an acknowledgement from each selected repository indicating it's willingness to act as the document repository is required. Please indicate the library's willingness to act as the public repository for documents relating to this project by signing below.

Sincerely,
NORTHEASTERN ENVIRONMENTAL TECHNOLOGIES CORPORATION

Robert W. Gray, P.G.
Project Manager/Geologist

The Guilderland Public Library is willing to serve as the public repository.

Accepted By:
(Signature of Agent for Guilderland Public Library)

Date: 9/28/2020

FOUNDRY VILLAGE – TOWN OF GUILDERLAND, ALBANY COUNTY, NEW YORK

ATTACHMENT – 10

PART B, SECTION X: LAND USE FACTORS

The site is presently vacant. The date at which the site became vacant has not be substantiated at this time. The former commercial dry-cleaning operations of Master Cleaners located at 2312 Western Ave. and a vehicular / bus garage formerly operated as the Bohl Bros Bus Line, Inc. located at 2314 – 2316 Western Ave. which occurred at the site during the period from the 1950's – 2000's.

The proposed Foundry Village development project is envisioned to be 140 apartments and over 15,000 square feet of space available for commercial uses. Foundry Village will be constructed on (5) contiguous parcels located on Western Ave. Guilderland, NY; specifically those listed below.

- | | |
|-----------------|----------------------------|
| 1) 40.17-2-11.1 | (2314 Western Avenue) |
| 2) 40.17-2-12 | (2312 Western Avenue) |
| 3) 40.17-2-13 | (2310 Western Avenue) |
| 4) 40.17-2-14 | (2308 Western Avenue) |
| 5) 51.00-1-1 | (2298-2306 Western Avenue) |

Together the five parcels total \pm 13.0 acres. The Foundry Village project will include \pm 980 feet of frontage on Western Avenue which forms the northly boundary. The easterly boundary is generally along a stream and a sanitary sewer easement that extends southerly almost 1,000 feet. The southerly boundary is along the lands N/F Francis J. McCall III and lands N/F Valene F. Wassial. The westerly boundary is along the east side of Foundry Road and has about 340 feet of frontage on Foundry Road. The Foundry Village project contains the entire Master Cleaners site located at 2312 Western Avenue (tax map 40.17-2-12). The intent is to demolish all of the structures and clean the site to a restricted residential cleanup standard.

The development of Foundry Village would include a new full access across from Schoolcraft Street with a new traffic signal. Western Avenue would be widened to accommodate a center turn lane serving this intersection. A second full access would be located at the eastern side of the site. Foundry Road would be realigned with Western Avenue to form a perpendicular intersection with a right and a thru/left turn lane on Foundry Road. A new full service driveway would also be located on Foundry Road approximately 260 feet south of the intersection. The traffic signal at the Western Avenue/Foundry Road intersection would be adjusted as needed for the new alignment.

The architecture of Foundry Village is proposed to have a varying roof line caused by alternating and staggering 3 and 4 story building modules. Each of the eleven building modules would have its own entrances and elevators, and would be a combination of 2-bedroom, 1-bedroom and studio apartments, and each building module would have storage space and parking in the basement. Each building module would have its own name. At least one building module would be established exclusively for seniors.

Foundry Village will contain parking for 380 vehicles including indoor parking spaces in the basement and outdoor spaces, (1.5 per unit) plus 62 spaces for the commercial area (4/1000).

Amenities at Foundry Village will include an outdoor pool, patios and game areas and passive recreation areas. Indoors there will be a fitness/gym, community room and activities area.

Foundry Village will be well landscaped around the building foundations and green areas and around the parking lots. Foundry Village will have LED down type lights and security cameras.

Foundry Village is proposed to be a Planned Unit Development following the requirements of zoning §280-17. The PUD District as proposed, incorporates and provides for land use and design with a variety of residential types and nonresidential uses, and which contains both individual building sites and common property which will be planned and developed as a unit. The PUD will be designed to preserve trees, natural topography and geologic features; with an efficient use of the land resulting in smaller networks of utilities; and a plan supportive of transit service and consistent with smart growth principles.

FOUNDRY VILLAGE - TOWN OF GUILDERLAND, ALBANY
COUNTY, NEW YORK

ATTACHMENT - 11

PART B, SECTION XI: STATEMENT OF CERTIFICATION AND SIGNATURES

**WRITTEN CONSENT OF MEMBERS OF
FOUNDRY VILLAGE LLC
APPROVING AND AUTHORIZING THE EXECUTION AND
DELIVERY OF THE COMPANY'S DOCUMENTS**

We, the undersigned, being all of the members of FOUNDRY VILLAGE LLC, a New York Limited Liability Company (the "Company"), do hereby take the following action to be written consent:

WHEREAS, the Company desires to purchase, pursuant to a Contract of Sale for Purchase/Sale of Real Estate dated November 5, 2019, (the "Purchase Agreement") with Charles Bohl, Inc. ("Seller"), and Foundry Village LLC, , the following parcels:

consisting of a 13 Acre parcel of land located at 2298-2314 Western Avenue, in the Town of Guilderland, County of Albany, New York (Tax parcel# 40.17-2-11, 40.17-2-12, 40.17-2-13, 40.17-2-14, 51.00-1-1); as more particularly shown or described on Exhibit A to the Purchase Agreement (the "Property"); and

WHEREAS, in conjunction with the Purchase Agreement, and as a contingency thereto, the Company wishes to join in the Application for consideration of the Property under the New York State Brownfield Program, together with the Seller;

NOW, THEREFORE, the undersigned, being all the members of the Company, hereby consent to, approve and authorize the following:

1. The undersigned member, constituting the sole member of the Company, do hereby ratify, confirm and approve all documents to be executed by the Company in connection with the purchase of the Property and joinder in the application for consideration under the NYS Brownfield Program, including but not limited to the execution and delivery by the Company of the Contract of Sale Agreement, as assigned, and any other certificates or agreements as may be necessary in order to effectuate the purchase of the Property and prosecution of the Brownfield application, from the Seller in connection to the conveyance (collectively, the "Company's Documents").

2. The undersigned member, which constitute a vote of all the members of the Company, do hereby authorize the execution, delivery and performance of all the Company's Documents by the Authorized Representatives (hereinafter defined) for and on behalf of the Company.

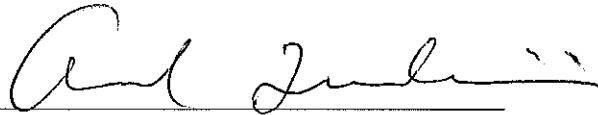
3. Armond Quadrini, as a Member of the Company, is hereby designated to act as the Authorized Representative of the Company, and is hereby authorized to execute

and deliver the closing documents and to take such other actions, as approved by the Company's counsel, as may be necessary or appropriate in order to effectuate the closing an purchase of the real property in accordance with the Agreement by the Company in connection with the above described transaction.

4. The undersigned hereby certify that, as of the date hereof, there have been no changes in the structure or composition of the members of the Company since the execution and delivery of the Operating Agreement dated November 1, 2019 (the "Operating Agreement"), and there have been no amendments or modifications to said Operating Agreement.

IN WITNESS WHEREOF, the undersigned have hereunto set their signatures or caused this Consent to be executed as of the 21 day of June , 2021.

MEMBER:


Armond Quadrini

STOCKLI SLEVIN, LLP
ATTORNEYS AND COUNSELORS AT LAW

1826 WESTERN AVENUE
ALBANY • NEW YORK • 12203
TEL: (518) 449-3125
FAX: (518) 449-4798

July 7, 2021

VIA FIRST CLASS MAIL

Jeffrey T. Wink, President
Northeastern Environmental Technologies Corp.
1476 Saratoga Road – P.O. Box 2167
Ballston Spa, New York 12020

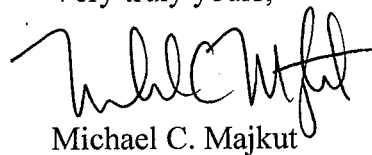
Re: BCA Application

Dear Mr. Wink:

Enclosed please find the original signature page for the BCA Application you requested in your July 6th email to Mary Beth.

Please feel free to contact this with any questions at (518) 449-3125.

Very truly yours,



Michael C. Majkut

Enc.

JEFFERS LAW FIRM

VALARIE M. JEFFERS, ATTORNEY AT LAW

10 Chaundray Lane

Averill Park, New York 12018

Tel: 518-674-0000 Fax: 518-674-8158

E-Mail: vjeffers0109@gmail.com

Debora A. Dundon, Legal Assistant

Judith E. Halstead, Legal Assistant

July 7, 2021

Jeffrey T. Wink, President
Northeastern Environmental Technologies Corp.
1476 Saratoga Rd. - PO BOX 2167
Ballston Spa, New York 12020

Re: BCP: Charles Bohl, Inc. and Quadrini
Property: Western Avenue, Town of Guilderland, Albany County, New York


Dear Mr. Wink:

I have been instructed to send you the enclosed original Statement of Certification which was signed by Charles A. Bohl, President of Charles Bohl, Inc. for the BCP amendment application underway for Mr. Quadrini.

Thank you for your attention to this matter.

Very truly yours,

JEFFERS LAW FIRM

By: 
Valarie M. Jeffers

Enc.