



SUBMITTAL INSTRUCTIONS:

1. Compile the application package in the following manner:
 - a. one file in non-fillable PDF which includes a Table of Contents, the application form, and supplemental information (excluding the previous environmental reports and work plans, if applicable);
 - b. one individual file (PDF) of each previous environmental report; and,
 - c. one file (PDF) of each work plan being submitted with the application, if applicable.
2. *OPTIONAL: Compress all files (PDFs) into one zipped/compressed folder
3. Submit the application to the Site Control Section either via NYSDEC dropbox or ground mail, as described below.

Please select only ONE submittal method – do NOT submit both via dropbox and ground mail.

a. VIA SITE CONTROL DROPBOX:

- [Request an invitation](#) to upload files to the Site Control submittal dropbox.
- In the “Title” field, please include the following: “New BCP Application - *Proposed Site Name*”.
- After uploading files, an automated email will be sent to the submitter’s email address with a link to verify the status of the submission. Please do not send a separate email to confirm receipt.
- Application packages submitted through third-party file transfer services will not be accepted.

b. VIA GROUND MAIL:

- Save the application file(s) and cover letter to an external storage device (e.g., thumb drive, flash drive). Do NOT include paper copies of the application or attachments.
- Mail the external storage device to the following address:
Chief, Site Control Section
Division of Environmental Remediation
625 Broadway, 12th Floor
Albany, NY 12233-7020

SITE NAME: 1 North Depot

Is this an application to amend an existing BCA with a major modification? Please refer to the application instructions for further guidance related to BCA amendments.

If yes, provide existing site number: _____

☐

Yes

☒

No

Is this a revised submission of an incomplete application?

If yes, provide existing site number: C704064

☒

Yes

☐

No



**BROWNFIELD CLEANUP PROGRAM (BCP)
APPLICATION FORM**

BCP App Rev 16 – January 2025

SECTION I: Property Information

PROPOSED SITE NAME **1 North Depot**

ADDRESS/LOCATION **1 North Depot Street**

CITY/TOWN **City of Binghamton**

ZIP CODE **13901**

MUNICIPALITY (LIST ALL IF MORE THAN ONE) **City of Binghamton**

COUNTY **Broome County**

SITE SIZE (ACRES) **0.63**

LATITUDE

LONGITUDE

42°	6'	16.488"	75°	54'	33.2892"
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Provide tax map information for all tax parcels included within the proposed site boundary below. If a portion of any lot is to be included, 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 acreage column.

ATTACH REQUIRED TAX MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section	Block	Lot	Acreage
1 North Depot Street	160.25	2	20.2	0.63

- | | | |
|---|------------------------------------|------------------------------------|
| 1. Do the proposed site boundaries correspond to tax map metes and bounds?
If no, please attach an accurate map of the proposed site including a metes and bounds description. | <input checked="" type="radio"/> Y | <input type="radio"/> N |
| 2. Is the required property map, provided in electronic format, included with the application?
(Application will not be processed without a map) | <input checked="" type="radio"/> Y | <input type="radio"/> N |
| 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)
If yes, identify census tract: <u>5</u>
Percentage of property in En-zone (check one): <input type="radio"/> 0% <input type="radio"/> 1-49% <input type="radio"/> 50-99% <input checked="" type="radio"/> 100% | <input checked="" type="radio"/> Y | <input type="radio"/> N |
| 4. Is the project located within a disadvantaged community?
See application instructions for additional information. | <input checked="" type="radio"/> Y | <input type="radio"/> N |
| 5. Is the project located within a NYS Department of State (NYS DOS) Brownfield Opportunity Area (BOA)? See application instructions for additional information. | <input type="radio"/> Y | <input checked="" type="radio"/> N |
| 6. Is this application one of multiple applications for a large development project, where the development spans more than 25 acres (see additional criteria in application instructions)?
If yes, identify names of properties and site numbers, if available, in related BCP applications: | <input type="radio"/> Y | <input checked="" type="radio"/> N |

SECTION I: Property Information (continued)		Y	N
7. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?		<input type="radio"/>	<input checked="" type="radio"/>
8. 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? If yes, attach relevant supporting documentation.		<input type="radio"/>	<input checked="" type="radio"/>
9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.		<input type="radio"/>	<input checked="" type="radio"/>
10. Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number: _____		<input type="radio"/>	<input checked="" type="radio"/>
11. Is the site currently listed on the Registry of Inactive Hazardous Waste Disposal Sites (Class 2, 3, or 4) or identified as a Potential Site (Class P)? If yes, please provide the DEC site number: _____ Class: _____		<input type="radio"/>	<input checked="" type="radio"/>
12. Are there any easements or existing rights-of-way that would preclude remediation in these areas? If yes, identify each here and attach appropriate information. <div style="display: flex; justify-content: space-between;"> <div><u>Easement/Right-of-Way Holder</u></div> <div><u>Description</u></div> </div>		<input type="radio"/>	<input checked="" type="radio"/>
13. List of permits issued by the DEC or USEPA relating to the proposed site (describe below or attach appropriate information): <div style="display: flex; justify-content: space-between;"> <div><u>Type</u></div> <div><u>Issuing Agency</u></div> <div><u>Description</u></div> </div>		<input type="radio"/>	<input checked="" type="radio"/>
14. Property Description and Environmental Assessment – please refer to the application instructions for the proper format of each narrative requested. Are the Property Description and Environmental Assessment narratives included in the prescribed format?		<input checked="" type="radio"/>	<input type="radio"/>
Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.			
15. Is the Requestor seeking a determination that the site is eligible for tangible property tax credits? If yes, Requestor must answer the Supplemental Questions for Sites Seeking Tangible Property Credits Located in New York City ONLY on pages 11-13 of this form.		<input type="radio"/>	<input type="radio"/>
16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?		<input type="radio"/>	<input type="radio"/>
17. If you have answered YES to Question 16 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?		<input type="radio"/>	<input type="radio"/>
NOTE: If a tangible property tax credit determination is not being requested at the time of application, 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 I are required prior to application approval, a new page, initialed by each Requestor, must be submitted with the application revisions. Initials of each Requestor: GR _____			

SECTION II: Project Description

1. The project will be starting at: ☒ Investigation ☐ Remediation

If the project is proposed to start at the remediation stage, at a minimum, a Remedial Investigation Report (RIR) must be included, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Action Work Plan (RAWP) are also included (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, does it meet the requirements in ECL Article 27-1415(2)?

☐ Yes ☐ No ☒ N/A

3. Have any draft work plans been submitted with the application (select all that apply)?

☐ RIWP ☐ RAWP ☐ IRM ☒ No

4. Please provide a short description of the overall project development, including the date that the remedial program is to begin, and the date by which a Certificate of Completion is expected to be issued.

Is this information attached? ☒ Yes ☐ No

Beginning January 1, 2024, all work plans and reports submitted for the BCP shall address Green and Sustainable Remediation (GSR) and DER-31 (see [DER-31, Green Remediation](#)). Work plans, reports and design documents will need to be certified in accordance with DER-31.

5. Please provide a description of how Green and Sustainable Remediation will be evaluated and incorporated throughout the remedial phases of the project including Remedial Investigation, Remedial Design/Remedial Action, and Site Management and reporting efforts.

Is this information attached? ☒ Yes ☐ No

6. If the project is proposed to start at the remediation stage (Section 2, Item 1, above), a climate change screening or vulnerability assessment must have been completed. Is this attached?

☐ Yes ☒ No

SECTION III: Ecological Concerns

- | | Y | N |
|---|----------------------------------|----------------------------------|
| 1. Are there fish, wildlife, or ecological resources within a ½-mile radius of the site? | <input checked="" type="radio"/> | <input type="radio"/> |
| 2. Is there a potential path for contamination to potentially impact fish, wildlife or ecological resources? | <input type="radio"/> | <input checked="" type="radio"/> |
| 3. Is/are there a/any Contaminant(s) of Ecological Concern? | <input type="radio"/> | <input checked="" type="radio"/> |
| If any of the conditions above exist, a Fish and Wildlife Resources Impact Analysis (FWRIA) Part I, as outlined in DER-10 Section 3.10.1, must be submitted with the application as a separate report. Please see the instructions for additional guidance. | | |
| 4. Is a Fish and Wildlife Resources Impact Analysis Part I included with this application? | <input type="radio"/> | <input checked="" type="radio"/> |

N/A ☐

SECTION IV: Land Use Factors

1. What is the property's current municipal zoning designation? <u>Service Commercial</u>		
2. What uses are allowed by the property's current zoning (select all that apply)? Residential <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial <input type="checkbox"/>		
3. Current use (select all that apply): Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Recreational <input type="checkbox"/> Vacant <input checked="" type="checkbox"/>		
4. Please provide 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 by which the site became vacant. Is this summary included with the application?	Y <input checked="" type="radio"/>	N <input type="radio"/>
5. Reasonably anticipated post-remediation use (check all that apply): Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> If residential, does it qualify as single-family housing? N/A <input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
6. Please provide a statement detailing the specific proposed post-remediation use. Is this summary attached?	<input checked="" type="radio"/>	<input type="radio"/>
7. Is the proposed post-remediation use a renewable energy facility? See application instructions for additional information.	<input type="radio"/>	<input checked="" type="radio"/>
8. Do current and/or recent development patterns support the proposed use?	<input checked="" type="radio"/>	<input type="radio"/>
9. Is the proposed use consistent with applicable zoning laws/maps? Please provide a brief explanation. Include additional documentation if necessary.	<input checked="" type="radio"/>	<input type="radio"/>
10. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Please provide a brief explanation. Include additional documentation if necessary.	<input checked="" type="radio"/>	<input type="radio"/>

SECTION V: Current and Historical Property Owner and Operator Information

CURRENT OWNER One North Depot LLC		
CONTACT NAME Josh Bishop		
ADDRESS 159 Washington Street		
CITY City of Binghamton	STATE NY	ZIP CODE 13901
PHONE (607) 778-9022	EMAIL josh@jjbpropertymanagement.com	
OWNERSHIP START DATE April 2, 2015		
CURRENT OPERATOR Same As Owner		
CONTACT NAME		
ADDRESS		
CITY	STATE	ZIP CODE
PHONE	EMAIL	
OPERATION START DATE		

SECTION VI: Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that contamination of environmental media exists on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the site property and that the site requires remediation. To the extent that existing information/studies/reports are available to the requestor, please attach the following (***please submit 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). Please do NOT submit paper copies of ANY supporting documents.**
2. **SAMPLING DATA:** Indicate (by selecting the options below) known contaminants and the media which are known to have been affected. Data summary tables should be included as an attachment, with laboratory reports referenced and included.

CONTAMINANT CATEGORY	SOIL	GROUNDWATER	SOIL GAS
Petroleum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chlorinated Solvents	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other VOCs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SVOCs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Metals	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCBs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PFAS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,4-dioxane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other – indicated below	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Please describe other known contaminants and the media affected:

3. For each impacted medium above, include a site drawing indicating:

- Sample location
- Date of sampling event
- Key contaminants and concentration detected
- For soil, highlight exceedances of reasonably anticipated use
- For groundwater, highlight exceedances of 6 NYCRR part 703.5
- For soil gas/soil vapor/indoor air, refer to the NYS Department of Health matrix and highlight exceedances that require mitigation

These drawings are to be representative of all data being relied upon to determine if the site requires remediation under the BCP. Drawings should be no larger than 11"x17" and should only be provided electronically. These drawings should be prepared in accordance with any guidance provided.

Are the required drawings included with this application?

☒ YES

☐ NO

4. Indicate Past Land Uses (check all that apply):

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

Other: See Attached Supplemental Information.

SECTION VII: Requestor Information					
NAME RESIDENCES AT NORTH DEPOT LLC					
ADDRESS 1055 Saw Mill River Road, Suite 204					
CITY/TOWN Ardsley		STATE NY	ZIP CODE 10502		
PHONE (914) 693-6613		EMAIL Gabe@reganddevelopment.com			
				Y	N
1. Is the requestor authorized to conduct business in New York State (NYS)?				<input checked="" type="radio"/>	<input type="radio"/>
2. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS DOS 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 with this application to document that the requestor is authorized to conduct business in NYS. Is this attached?				<input checked="" type="radio"/>	<input type="radio"/>
3. If the requestor is an LLC, a list of the names of the members/owners is required on a separate attachment. Is this attached? N/A <input type="radio"/>				<input checked="" type="radio"/>	<input type="radio"/>
4. Individuals that will be certifying BCP documents, as well as their employers, must 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. Do all individuals that will be certifying documents meet these requirements? Documents that are not properly certified will not be approved under the BCP.				<input checked="" type="radio"/>	<input type="radio"/>

SECTION VIII: Requestor Contact Information				
REQUESTOR'S REPRESENTATIVE Gabe Regan				
ADDRESS 1055 Saw Mill River Road #204				
CITY Ardsley		STATE NY	ZIP CODE 10502	
PHONE (914) 693-6613		EMAIL Gabe@reganddevelopment.com		
REQUESTOR'S CONSULTANT (CONTACT NAME) Conor Tarbell				
COMPANY PVE, LLC				
ADDRESS 48 Springside Avenue				
CITY Poughkeepsie		STATE NY	ZIP CODE 12603	
PHONE (845) 454-2544		EMAIL ctarbell@pve-llc.com		
REQUESTOR'S ATTORNEY (CONTACT NAME) Michael Tyszko				
COMPANY Bousquet Holstein PLLC				
ADDRESS 110 West Fayette Street, One Lincoln Center, Suite 1000				
CITY Syracuse		STATE NY	ZIP CODE 13202	
PHONE (315) 701-6366		EMAIL mtyszko@bhlawpllc.com		

SECTION IX: Program Fee

Upon submission of an executed Brownfield Cleanup Agreement to the Department, the requestor is required to pay a non-refundable program fee of \$50,000. Requestors may apply for a fee waiver with supporting documentation.

	Y	N
1. Is the requestor applying for a fee waiver?	<input checked="" type="radio"/>	<input type="radio"/>
2. If yes, appropriate documentation must be provided with the application. See application instructions for additional information.		
Is the appropriate documentation included with this application? N/A	<input checked="" type="radio"/>	<input type="radio"/>

SECTION X: Requestor Eligibility

If answering "yes" to any of the following questions, please provide appropriate explanation and/or documentation as an attachment.

	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?	<input type="radio"/>	<input checked="" type="radio"/>
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.	<input type="radio"/>	<input checked="" type="radio"/>
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 or regulation of the State or Federal government?	<input type="radio"/>	<input checked="" type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, please provide the site name, address, assigned DEC site number, the reason for denial, and any other relevant information regarding the denied application.	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
7. Has the requestor been convicted of a criminal offence (i) involving the handling, storing, treating, disposing or transporting of contaminants; or (ii) that involved 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?	<input type="radio"/>	<input checked="" type="radio"/>
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 a false statement in connection with any document or application submitted to DEC?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>	<input checked="" type="radio"/>

SECTION X: Requestor Eligibility (continued)

12. The requestor must certify that he/she/they is/are 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 selecting this option, 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; and, (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.

13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?

☒ Yes

☐ No

☐ N/A

14. Requestor relationship to the property (check one; if multiple applicants, check all that apply):

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

If the requestor is not the current owner, **proof of site access sufficient to complete remediation must be provided.** 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 environmental easement on the site.

Is this proof attached?

☒ Yes

☐ No

☐ N/A

Note: A purchase contract or lease agreement does not suffice as proof of site access.

SECTION XI: Property Eligibility Information

	Y	N
1. Is/was the property, or any portion of the property, listed on the National Priorities List? If yes, please provide additional information.	<input type="radio"/>	<input checked="" type="radio"/>
2. Is/was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Site pursuant to ECL 27-1305? If yes, please provide the DEC site number: _____ Class: _____	<input type="radio"/>	<input checked="" type="radio"/>
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: _____	<input type="radio"/>	<input checked="" type="radio"/>
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? If yes, attach any available information related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filings and corporate dissolution documents. <div style="text-align: right;">N/A <input checked="" type="radio"/></div>	<input type="radio"/>	<input type="radio"/>
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? If yes, please provide the order number: _____	<input type="radio"/>	<input checked="" type="radio"/>
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide additional information as an attachment.	<input type="radio"/>	<input checked="" type="radio"/>

SECTION XII: Site Contact List

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 mailing addresses of the following:

- The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
- Residents, owners, and occupants of the property and adjacent properties.
- Local news media from which the community typically obtains information.
- The public water supplier which services the area in which the property is located.
- Any person who has requested to be placed on the contact list.
- The administrator of any school or day care facility located on or near the property.
- 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.
- For sites located in the five counties comprising New York City, the Director of the Mayor's Office of Environmental Remediation.

SECTION XIII: 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 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 RESIDENCES AT NORTH DEPOT LLC (entity); that I am authorized by that entity to make this application and execute a Brownfield Cleanup Agreement (BCA) and all subsequent documents; that this application was prepared by me or under my supervision and direction. 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 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: 2/20/25

Signature:  _____

Print Name: Gabe Rogan

PLEASE REFER TO THE APPLICATION COVER PAGE AND BCP APPLICATION INSTRUCTIONS FOR DETAILS OF PAPERLESS DIGITAL SUBMISSION REQUIREMENTS.

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 16

Please respond to the questions below and provide additional information and/or documentation as required. Please refer to the application instructions.	Y	N
1. Is the property located in Bronx, Kings, New York, Queens or Richmond County?	<input type="radio"/>	<input type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input type="radio"/>	<input type="radio"/>
3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?	<input type="radio"/>	<input type="radio"/>
4. Is the property upside down or underutilized as defined below?		
Upside down	<input type="radio"/>	<input type="radio"/>
Underutilized	<input type="radio"/>	<input type="radio"/>

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.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

5. 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
- ☐ 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’ household’s 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 homeowners 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.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

6. Is the site a planned renewable energy facility site as defined below?

☐ Yes – planned renewable energy facility site with documentation

☐ Pending – planned renewable energy facility awaiting documentation

*Selecting this option will result in a “pending” status. The appropriate documentation 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.

☐ No – not a planned renewable energy facility site

If yes, please provide any documentation available to demonstrate that the property is planned to be developed as a renewable energy facility site.

From ECL 27-1405(33) as of April 9, 2022:

“Renewable energy facility site” shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system.

From Public Service Law Article 4 Section 66-p as of April 23, 2021:

(b) “renewable energy systems” means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.

7. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and plans to meet the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?

☐ Yes - *Selecting this option will result in a “pending” status, as a BOA conformance determination has not yet been made. Proof of conformance 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.

☐ No

From ECL 75-0111 as of April 9, 2022:

(5) “Disadvantaged communities” means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.

NYSDEC BROWNFIELD CLEANUP PROGRAM APPLICATION – SUPPLEMENTAL INFORMATION

**1 NORTH DEPOT STREET
CITY OF BINGHAMTON
BROOME COUNTY, NEW YORK 13901**

PREPARED FOR:

Residences at North Depot LLC
1055 Saw Mill River Road, Suite 204
Ardsley, New York 10502

PREPARED BY:



PVE Engineering
48 Springside Avenue
Poughkeepsie, New York 12603
Phone: 845-454-2544 – Fax: 845-454-2655

March 6, 2025
PVE File #20240228

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SEPARATE ATTACHMENTS

Attachment III.4	Fish and Wildlife Resource Impact Analysis Part 1, by PVE, dated March 6, 2025
Attachment VI.1A	Phase I Environmental Site Assessment, by Keystone Associates, dated October 5, 2015
Attachment VI.1B	Phase II Environmental Site Assessment, by PVE, dated July 12, 2024



SECTION I – PROPERTY INFORMATION

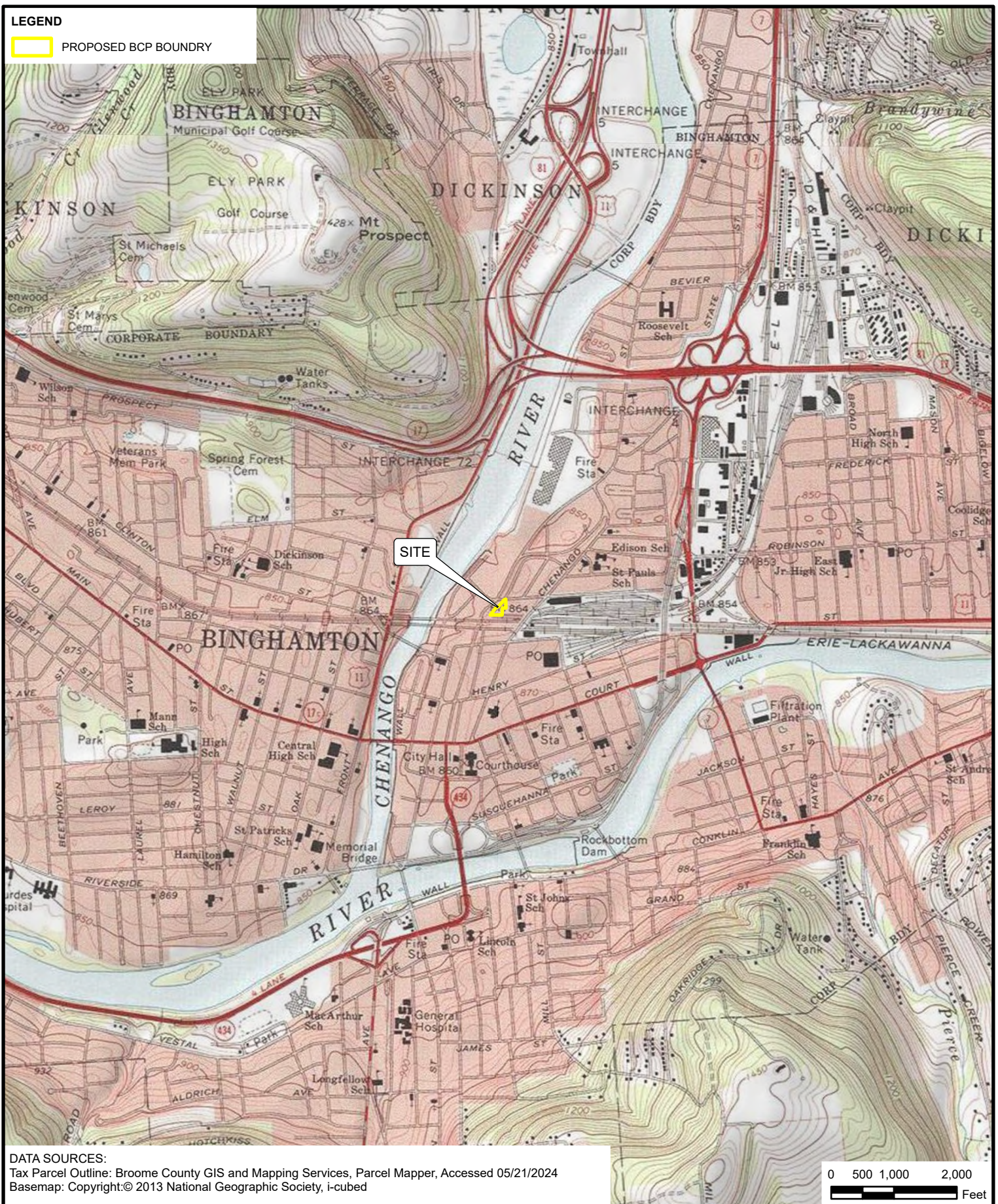
I.1 – Tax Maps and Metes and Bounds Description

This BCP application applies to the full Tax ID #160.25-2-20.2 totaling 0.63 acres which is located along North Depot Street and Prospect Avenue.

I.2 – Property Maps

LEGEND

PROPOSED BCP BOUNDRY



DATA SOURCES:
Tax Parcel Outline: Broome County GIS and Mapping Services, Parcel Mapper, Accessed 05/21/2024
Basemap: Copyright:© 2013 National Geographic Society, i-cubed

0 500 1,000 2,000
Feet



48 Springside Avenue
Poughkeepsie, NY 12603
Office: 845.454.2544
Fax: 845.454.2655

PROPERTY MAP (USGA 7.5 QUADRANGLE)

1 NORTH DEPOT STREET, CITY OF BINGHAMTON
BROOME COUNTY, NEW YORK

PROJECT NO.
20240228



ATTACHMENT I.2A

DATE: 01/02/2025

SCALE: AS INDICATED

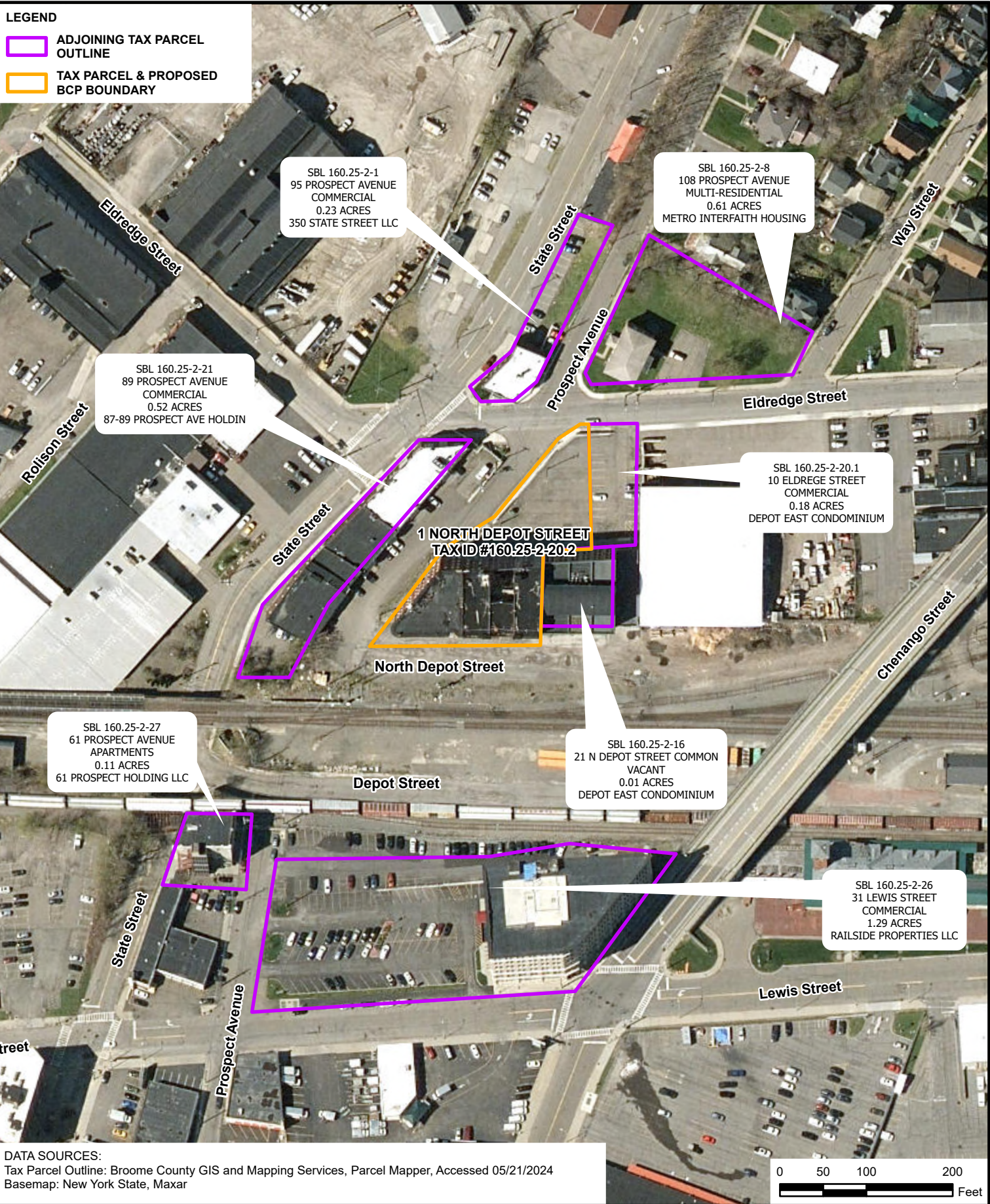
PROJECTION: STATE PLANE NAD83 NY EAST

ALL LOCATIONS APPROXIMATE

LEGEND

ADJOINING TAX PARCEL OUTLINE

TAX PARCEL & PROPOSED BCP BOUNDARY



DATA SOURCES:
Tax Parcel Outline: Broome County GIS and Mapping Services, Parcel Mapper, Accessed 05/21/2024
Basemap: New York State, Maxar

<div> <div>PVE</div> <div>48 Springside Avenue Poughkeepsie, NY 12603 Office: 845.454.2544 Fax: 845.454.2655</div> </div>	<div>PROPERTY MAP (AERIAL) / PROPOSED BCP BOUNDARY</div> <div>1 NORTH DEPOT STREET, CITY OF BINGHAMTON BROOME COUNTY, NEW YORK</div>	PROJECT NO.	ATTACHMENT I.2B
		20240228	DATE: 01/02/2025
		<div>N</div> <div></div>	SCALE: AS INDICATED
			PROJECTION: STATE PLANE NAD83 NY EAST
			ALL LOCATIONS APPROXIMATE



I.3 – En-Zone

5

X

5	
STATEFP	36
COUNTYFP	007
TRACTCE	000500
GEOID	36007000500
NAME	5
NAMELSAD	Census Tract 5
MTFCC	G5020
FUNCSTAT	S
ALAND	1172371
AWATER	166018
INTPTLAT	+42.1072293
INTPTLON	-075.9050365
FIPS	36007000500
County_FIPS	36007
Geography	Census Tract 5
County	Broome County
UnempRate	16.6
NYS_UR	7.1
Pov_Rate	51.2
County_PR	18.5
CountyRateX2	37
Criteria_A	Y
Criteria_B	Y
Both_AB	Y
EnZoneType	AB

Triple Cities Makerspace, Inc.

City Paper Box

Connecticut

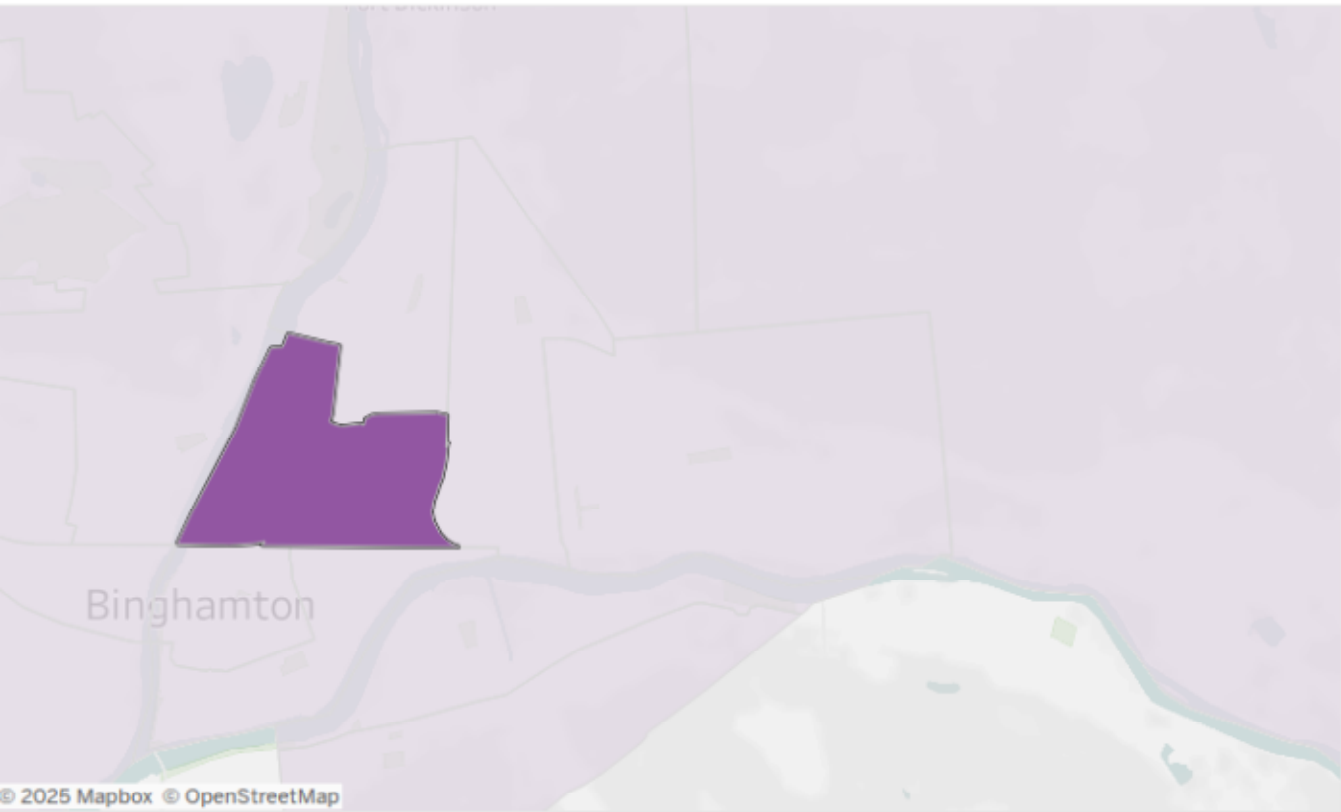
1 N Depot St

Little Martha Yoga

Prestone Complete Auto Care

Remik's Grille & Oyster Bar

I.4 – Disadvantaged Communities



Select Layer to Display

☒ DAC

☐ Individual Indicators

Click a Single Census Tract on the Map to View Indicator Details 

Population Characteristics & Vulnerability ...

Health Impacts & Burdens	Asthma ED visits	73%
	COPD ED visits	100%
	Heart attack (MI) Hospitalization	95%
	Low Birthweight	81%
	Pct Adults Age 65+	16%
	Pct w/ Disabilities	98%
	Pct w/o Health Insurance	77%
	Premature Deaths	77%
Housing, Mobility, Communications	Energy Poverty / Cost Burden	99%
	Homes Built Before 1960	54%
	Housing Cost Burden (Rental C...	81%
	Manufactured Homes	0%
	Pct Renter-Occupied Homes	84%
	Pct w/o Internet (home or cellu...	88%

Environmental Burden & Climate Change Risk ...

Land Use & Historic Discrimination	Active Landfills	0%
	Housing Vacancy Rate	90%
	Industrial/Manufacturing/Mining La...	91%
	Major Oil Storage Facilities	0%
	Municipal Waste Combustors	0%
	Power Generation Facilities	0%
	Regulated Management Plan (Ch...	92%
	Remediation Sites	79%
	Scrap Metal Processing	0%
Potential Climate Change Risk	Agricultural Land Use	7%
	Coastal Flooding and Storm Risk ...	0%
	Driving Time to Urgent/Critical Care	32%
	Extreme Heat Projections (>90° d...	7%
	Inland Flooding Risk Areas	0%

I.14 – Property Description and Environmental Assessment

Location

The proposed BCP Site is comprised of one (1) tax parcel located in the City of Binghamton, Broome County, New York in a residential and commercial area.

The proposed BCP Site is bordered to the north by 95 Prospect Avenue (commercial) and 108 Prospect Avenue (residential), to the east by 10 Eldrege Street (parking lot) and 21 North Depot Street (commercial), to the south by railroad tracks and a storage yard, and to the west by 89 Prospect Avenue (commercial).

Site Features

The Site is improved with one (1) 51,000 sq. ft. five-story and paved parking lot.

Current Zoning and Land Use

The Site is currently zoned by the City of Binghamton as “Service Commercial”. The proposed project area is adjacent to commercial and residential properties.

The Site is currently vacant with parking being used for adjoining businesses.

Past Uses of the Site

As early as 1887, the property operated as wholesale groceries, a cigar factory, Casper and Honah Tin Works, a machine shop and the Bengal Blueing Factory. In 1898, only the wholesale groceries and cigar factory were in operation. In 1918, the property operated as wholesale groceries, coffee roasters wholesale hardware, and Reynolds and Hawley ornamental iron works. In 1950-1952, the property operated as wholesale groceries, prints wholesale hardware and motor freight terminals with a gasoline tank. In 1970, the property operated as LJ Kingsley Wholesale Hardware (including paints), with a buried gasoline tank, wholesale meats; (it should be noted “Phelps Ave” bisected the property east to west to the former Post Office Terminal east of the property through all Sanborns except 1887). Currently the 5-story structure is abandoned/vacant and in very poor condition.

Possible routes/sources of contamination are from chemicals used in historic operations such as the tin works, the machine shop, blueing factory, and iron works. Additional routes/sources of contamination include the motor freight terminal and associated buried gasoline storage tank. The Phase I ESA conducted in 2015 did not note any floor drains in the basement of the on-site structure. Nor were any observed in the portions of the structure that were accessible to PVE during the Phase II ESA conducted in 2024.

Site Geology and Hydrogeology

According to the New York State Museum (<https://www.nysm.nysed.gov/research-collections/geology/geologic-mapping>).

Surficial: OG – outwash sand and gravel. Coarse to fine gravel with sand, proglacial fluvial deposition, well-rounded and stratified, generally finer texture away from the ice border, thickness variable (10-30 meters).

Bedrock: D – generally shale.

Additional details generated during a subsurface investigation at the address are presented below.

Soil borings completed by PVE during a Phase II Environmental Site Assessment (ESA) (See Section IV.1) did not encounter groundwater at depths ranging from 13.6-feet to 24.0-feet.

Based on local topography and proximity to the Chenango River, the direction of groundwater flow in unconsolidated sediments is inferred to be to the west.

Environmental Assessment

Based upon the investigations conducted to date, the primary contaminants of concern for the Site include chlorinated volatile organic compounds (cVOCs), semi-volatile organic compounds (SVOCs) and metals. Below is a summary of analytical results from soil and soil vapor samples with contaminants at concentrations exceeding applicable rules, regulations and standards, criteria, and guidance (ARARs and SCGs).

Soil:

- Two (2) SVOCs (benzo(k)fluoranthene and chrysene) and two (2) metals (lead and mercury) were detected in soil samples at concentrations exceeding Unrestricted Soil Cleanup Objectives (UUSCOs). Five (5) SVOCs (benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenz(a,h)anthracene and indeno(1,2,3-c,d)pyrene) and two (2) metals (lead and mercury) were detected in soil samples at concentrations exceeding their respective Restricted Residential Soil Cleanup Objectives (RRSCOs) as defined in 6 NYCRR Part 375 (See Section VI). The maximum concentration of each analyte exceeding SCOs are listed below:
 - Benzo(A)Anthracene: 1.4 mg/kg (RRSCO: 1 mg/kg)
 - Benzo(A)Pyrene: 1.1 mg/kg (RRSCO: 1 mg/kg)
 - Benzo(B)Fluoranthene: 1.1 mg/kg (RRSCO: 1 mg/kg)
 - Benzo(K)Fluoranthene: 1.1 mg/kg (UUSCO: 0.8 mg/kg)
 - Chrysene: 1.5 mg/kg (UUSCO: 1 mg/kg)
 - Indeno(1,2,3-C,D)Pyrene: 0.70 mg/kg (RRSCO: 0.5 mg/kg)
 - Dibenz(A,H)Anthracene: 0.42 mg/kg (RRSCO: 0.33 mg/kg)
 - Lead: 986 mg/kg (RRSCO: 400 mg/kg)
 - Mercury: 1.27 mg/kg (RRSCO: 0.81 mg/kg)

Soil Vapor:

- **Sub-Slab Vapor Samples:** Three (3) VOCs (cis-1,2-dichloroethylene, tetrachloroethylene [PCE], and/or trichloroethylene [TCE]) were detected in both of the exterior soil vapor samples at concentrations warranting Mitigate or Monitor in accordance with NYSDOH Guidance (February 2024 amendments). Cis-1,2-dichloroethylene was detected at a concentration of 83 $\mu\text{g}/\text{m}^3$, PCE was detected at concentrations ranging from 890 to 7,400 $\mu\text{g}/\text{m}^3$ and TCE was detected at concentrations ranging from 33 to 220 $\mu\text{g}/\text{m}^3$ (See Section VI).
- **Exterior Soil Vapor Samples:** Five (5) VOCs (benzene, carbon tetrachloride, ethylbenzene, PCE, and/or TCE) were detected in three (3) of the four (4) sub-slab soil vapor samples at concentrations warranting Mitigate or Monitor in accordance with NYSDOH Guidance (February 2024 amendments). Benzene was detected at a concentration of 390 $\mu\text{g}/\text{m}^3$, carbon tetrachloride was detected at a concentration of 7.4 $\mu\text{g}/\text{m}^3$, ethylbenzene was detected at a concentration of 66 $\mu\text{g}/\text{m}^3$, PCE was detected at concentrations ranging from 1,800 to 4,900 $\mu\text{g}/\text{m}^3$ and TCE was detected at concentrations ranging from at 100 $\mu\text{g}/\text{m}^3$ (See Section VI).

Groundwater:

- No groundwater samples were collected/attainable during the Phase II ESA described above. Soil borings were installed to a maximum depth of 24-feet below ground surface (bgs); no groundwater or wet to saturated overburden soils were observed at those depths.

SECTION II – PROJECT DESCRIPTION

II.4 – Short description of the overall project development.

The proposed property is in a historic district, and the applicant will redevelop the site to NYS SHPO and Federal US Department of the Interior 's historic standards and working with all local and state and federal historic officers to certify this as a historic structure. The applicant will be using funding from New York State Homes and Community Renewal (NYSHCR) Small Building Loan Participation Program to deliver 100% of the units as affordable renovated units and also working closely with NYS Empire State Development and City of Binghamton for additional funding for the project. This is an important redevelopment project which is a priority for the City of Binghamton, County of Broome, and State of New York ESD representatives of the Southern Tier. The vacant 5-story former industrial and commercial structure into a residential use structure with parking. All fifty (50) proposed residential units will be 100% affordable housing.

Anticipated Project Schedule

TASK	DATE COMPLETED
APPLICATION and CITIZEN PARTICIPATION PLAN (CPP)	
BCP Application	March 2025
Application Accepted – Released for Public Comment	March 2025
30-Day Public Comment Period Ends	March 2025
Brownfield Cleanup Agreement (BCA) Fully Executed	April 2025
CPP Submitted	April 2025
REMEDIAL INVESTIGATION	
Draft Remedial Investigation Work Plan (RIWP) Submitted	May 2025
RIWP – Released for Public Comment	May 2025
RIWP – Approval	June 2025
RI Field Activities	June - July 2025
Draft RI Report Submittal	August 2025
Final RI Report Submittal	August 2025
REMEDIAL ACTION WORK PLAN (RAWP)	
Proposed RAWP with Alternative Analysis Submitted	August 2025
45-Day Comment Period Ends	October 2025
Final RAWP Submitted	October 2025
RAWP Implemented During Construction	Dec. 2025 – May 2027
PROJECT COMPLETION	
Submit Environmental Easement Package	July 2027
Submit Draft Site Management Plan	August 2027

Construction Completed
Submit Final Engineering Report
Certificate of Completion

September 2027
November 2027
December 2027

II.5 – Green and Sustainable Remediation

As part of the remedial design program, to evaluate the remedy with respect to green and sustainable remediation principles, an environmental footprint will be completed throughout remedial phases of the project. The environmental footprint analysis will be completed using SEFA (Spreadsheets for Environmental Footprint Analysis, USEPA), SiteWise™ (available in the Sustainable Remediation Forum [SURF] library) or similar Department accepted tool. Water consumption, greenhouse gas emissions, renewable and non-renewable energy use, waste reduction and material use will be estimated, and goals for the project related to these green and sustainable remediation metrics, as well as for minimizing community impacts, protecting habitats and natural and cultural resources, and promoting environmental justice, will be incorporated into the remedial design program, as appropriate. The project design specifications will include detailed requirements to achieve the green and sustainable remediation goals. Further, progress with respect to green and sustainable remediation metrics will be tracked during implementation of the remedial action and reported in the Final Engineering Report (FER), including a comparison to the goals established during the remedial design program.

During Remedial Investigation (RI), PVE will employ sustainable measures such as carpooling and/or limiting excessive trips to the subject property by organizing sampling events to take place in as few days/events as possible. If multiple consecutive days of investigation are warranted, field members will seek local lodging in lieu of excessive travel back to office/homes. Reusable sampling equipment will be utilized when possible. Batteries will be used to power sampling pumps in lieu of combustion generators. Decontamination water and ice for samples will be locally sourced to reduce weight of traveling vehicles to the subject property.

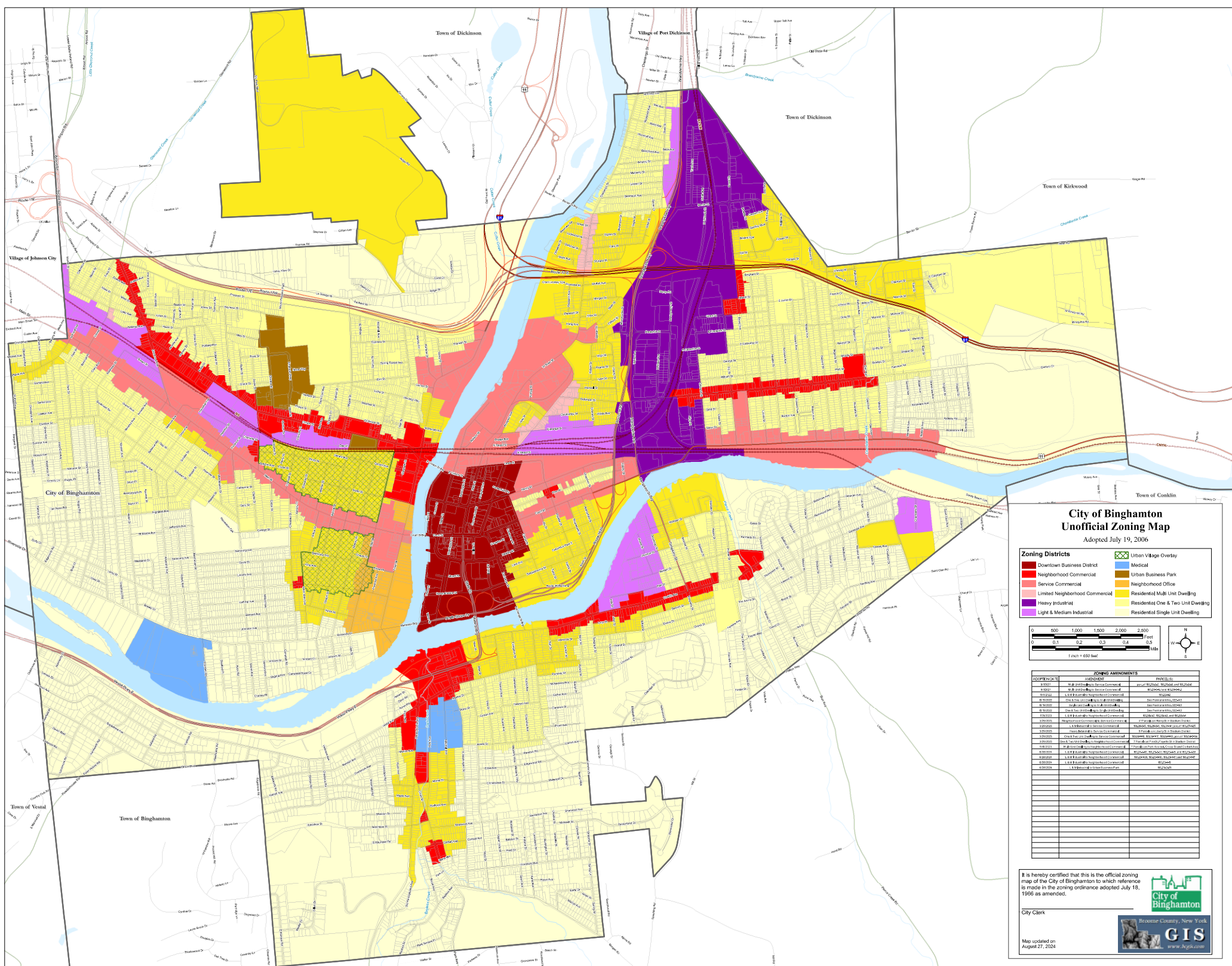
Additionally, the remedial design program will include a climate change vulnerability assessment, to evaluate the impact of climate change on the project site and the proposed remedy. Potential vulnerabilities associated with extreme weather events (e.g., hurricanes, lightning, heat stress and drought), flooding, and sea level rise will be identified, and the remedial design program will incorporate measures to minimize the impact of climate change on potential identified vulnerabilities.

SECTION III – ECOLOGICAL CONCERNS

The Chenango River, an ecological resource, is located approximately 0.2-mile west of the subject property. As such, a Fish and Wildlife Resources Impact Analysis (FWRIA) Part I is included with this application (Separate Attachment III.4). The FWRIA Part I concluded that the site's use as habitat for wildlife is substantially restricted due to the impervious nature and past uses of the site. These past uses have resulted in the discharge of contaminants into the soil, however the impervious cover will protect against direct contact to wildlife. Burrowing, direct soil contact and sediment transport are not anticipated with the site's current land cover. No aquatic resources are located on site and the nearest surface water is 0.2 miles to the west. Redevelopment of the property may be able to provide some future wildlife habitat by utilizing softscape areas with plant selections that will provide food, habitat and shelter.

SECTION IV – LAND USE FACTORS

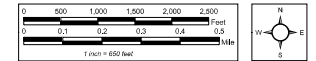
IV.1A – City of Binghamton Zoning – City Extent



City of Binghamton
Unofficial Zoning Map
Adopted July 19, 2006

Zoning Districts

- | | | | |
|---|---------------------------------|---|-------------------------------------|
|  | Downtown Business District |  | Medical |
|  | Neighborhood Commercial |  | Urban Business Park |
|  | Service Commercial |  | Neighborhood Office |
|  | Limited Neighborhood Commercial |  | Residential Multi Unit Dwelling |
|  | Heavy Industrial |  | Residential One & Two Unit Dwelling |
|  | Light & Medium Industrial |  | Residential Single Unit Dwelling |

[illegible]

It is hereby certified that this is the official zoning map of the City of Binghamton to which reference is made in the zoning ordinance adopted July 18, 1966 as amended.

City Clerk

Map updated on
August 27, 2024



IV.1B – City of Binghamton Zoning – Project/Neighborhood Extent

LEGEND

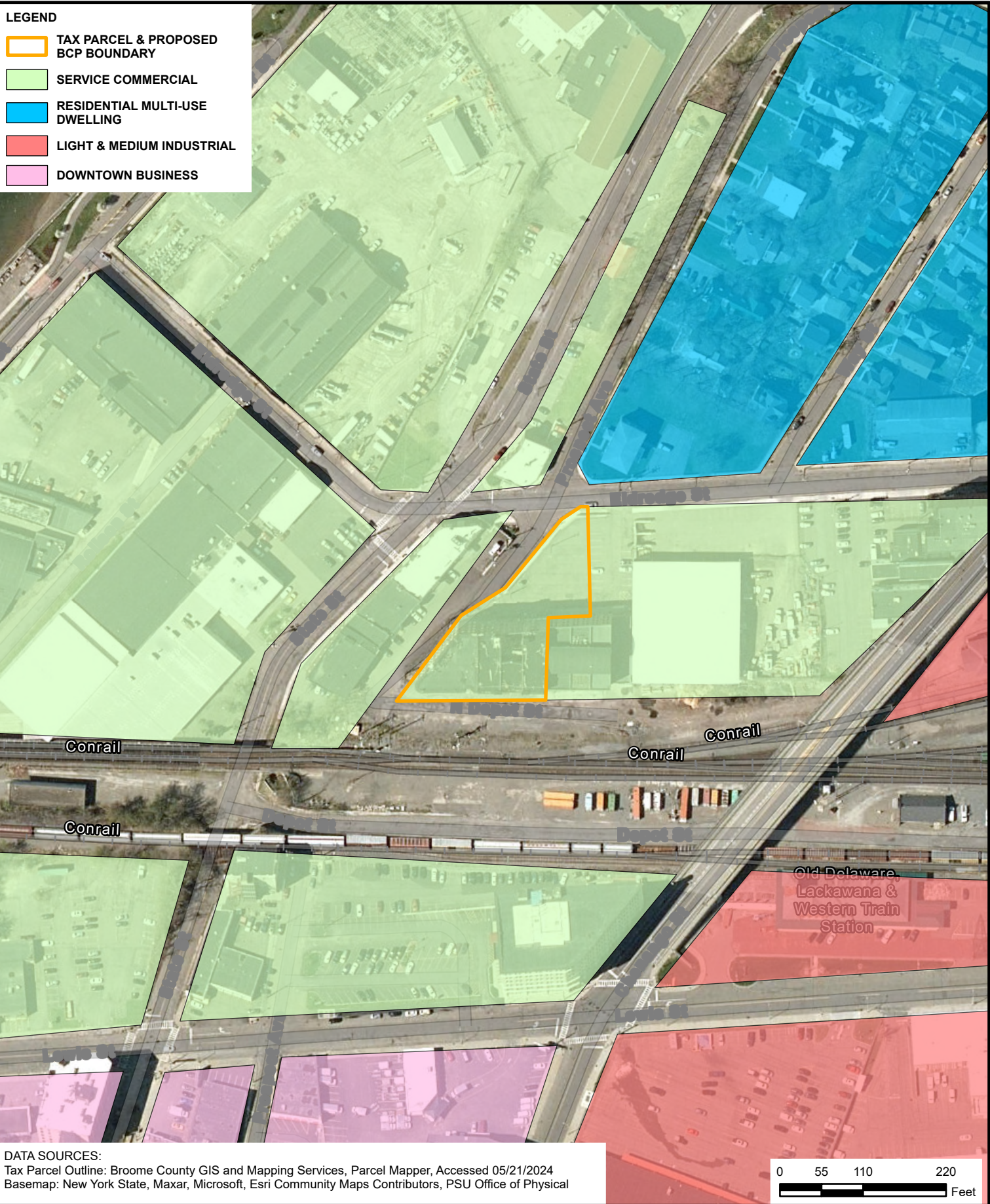
TAX PARCEL & PROPOSED BCP BOUNDARY

SERVICE COMMERCIAL

RESIDENTIAL MULTI-USE DWELLING

LIGHT & MEDIUM INDUSTRIAL

DOWNTOWN BUSINESS



DATA SOURCES:
Tax Parcel Outline: Broome County GIS and Mapping Services, Parcel Mapper, Accessed 05/21/2024
Basemap: New York State, Maxar, Microsoft, Esri Community Maps Contributors, PSU Office of Physical

<div> <div>PVE</div> <div> 48 Springside Avenue Poughkeepsie, NY 12603 Office: 845.454.2544 Fax: 845.454.2655 </div> </div>	<div>NEARBY ZONING MAP</div> <div>1 NORTH DEPOT STREET, CITY OF BINGHAMTON</div> <div>BROOME COUNTY, NEW YORK</div>	PROJECT NO.	ATTACHMENT IV.1B
		20240228	DATE: 01/02/2025
		<div>N</div> <div></div>	SCALE: AS INDICATED
			PROJECTION: STATE PLANE NAD83 NY EAST
		ALL LOCATIONS APPROXIMATE	

IV.4 – Summary of current business operations or uses, with an emphasis on identifying possible contamination source areas. If operations have ceased, provide the date by which the site became vacant.

Vacant commercial structure. Current operations are unlikely to present any possible contamination routes/source areas. The final year of tenants described in available City Directory records was 1974 when the structure was occupied by a wholesale grocery company and the Landers Company for warehousing purposes. Reportedly, Norfolk Southern Railway subsequently utilized the structure for offices; the end date of this use and beginning date of vacancy is unknown but is believed to be prior to 2012 when Broome County assumed ownership of the property.

IV.6 – Statement detailing the specific proposed post-remediation use.

The applicant will renovate the 5-story former industrial and commercial structure into a residential use structure with parking. All fifty (50) proposed residential units will be 100% affordable housing.

IV.9 – Is the proposed use consistent with applicable zoning laws/maps?

No, the proposed use is not consistent with the purpose and intent of the City of Binghamton General Commercial District zoning laws, as the Site is currently zoned “Service Commercial”. PVE understands a zoning variance will be required and is supported by local government and advocacy groups.

IV.10 – Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plan?

Yes, the proposed use is consistent with the City of Binghamton Housing Plan. This Plan is a policy document which outlines a vision for the future of the City of Binghamton. It focuses on the current and long-range protection, enhancement and development/redevelopment of the City of Binghamton and highlights housing issues and a strategic plan to renovate and tackle housing issues within the city. The Site is specifically mentioned on page 24 of the City of Binghamton Housing Plan under “Encourage Historic Preservation to Maintain Neighborhood Character” (excerpt below).

Proposed construction and renovation will be reviewed by the local planning and zoning authorities and are subject to the normal review process of the City of Binghamton. Therefore, any redevelopment activities will be consistent with the City of Binghamton Housing Plan.

SUMMARY OF KEY ISSUES & OPPORTUNITIES

Binghamton's neighborhoods offer a range of choices from urban apartment living to almost rural, secluded environments. The affordability of housing makes Binghamton attractive to prospective buyers and renters but at the same time, places constraints on new residential construction because rents higher than are now typical in the City are required to support today's construction costs. There are, however, opportunities to improve the condition of housing and neighborhoods in the City for existing residents, and to attract a broader range of residents.

The recommendations in this chapter address one or more of the following objectives:

- Eliminate residential blight, and maintain quality housing and attractive neighborhoods to foster pride and quality of life
- Revitalize neighborhoods through balanced housing development throughout the City
- Encourage student housing where it will best benefit the surrounding community and City as a whole
- Develop diverse and distinctive housing options to attract various types of households to live in and help grow in the City

COMMUNITY VOICE

BBLUEPRINT BINGHAMTON asked YOU for your thoughts and ideas, concerns and priorities related to housing.

Your ideas for the **COLLABORATIVE MAP** addressed the need to improve the quality of housing for better neighborhoods, create affordable housing for populations in need, and think creatively to offer more housing options:

- "Would love to see Depot Street and train station continue loft development, restaurant or bar"
- "Enforce property codes to maintain/improve appearance of neighborhoods. Provide assistance to low income families to fix places."
- "Less vacant buildings; more quality, affordable rental housing, more trees!"
- "More housing for elderly, disabled, and low-income"
- "Downtown living should be for people wanting to downsize & retire - not just students"

1.2 ENCOURAGE HISTORIC PRESERVATION TO MAINTAIN NEIGHBORHOOD CHARACTER

Binghamton is fortunate to have maintained a number of historic properties, among them many homes. These buildings are an important part of the City's urban fabric and are what sets it apart from newer surrounding communities. Renewed interest in living in urban cores such as Binghamton is often linked to a desire for unique housing stock that leads to distinctive neighborhood characteristics. The City currently has four historic districts: Abel Bennett Tract, the Rail Terminal, State and Henry Streets, and Court Street. Property owners throughout the City, and in these districts in particular, should be encouraged to rehabilitate historic properties

so that they contribute to the character of the neighborhood. The City's Design Guidelines for Historic Properties offer important information for those working with historic properties. As historic preservation is a complicated and expensive process, the City can help minimize the hurdles involved by working with the Commission on Architecture and Urban Design (CAUD) to streamline the review and approvals process, help property owners access financial incentives such as Historic Preservation Tax Credits and New Market Tax Credits, and consider donations of easements for historic preservation.



Buildings in the Rail Terminal Historic District



Historic Home in the West Side

SECTION V – CURRENT AND HISTORICAL PROPERTY OWNER AND OPERATOR INFORMATION

PREVIOUS OWNERS

Section: 160.25		Block:2		Lot: 20.2	
Previous Owner Name	Approximate Dates	Last Known Address	Phone Number	Requestor's Relationship to Owner	
One North Depot LLC	4/2/2015 – Present	159 Washington Street, Binghamton, NY	607-778-9022	Seller	
The County of Broome	12/11/2012 – 4/2/2015	60 Hawley Street 3 rd , Binghamton, NY	607-778-2109	None	
CC Binghamton, LLC	5/12/2010 – 12/11/2012	3780 Nw 15 Avenue, Miami FL	Unknown	None	
North Depot LLC	8/28/2008 – 5/12/2010	1 North Depot, Binghamton, NY	Unknown	None	
Arise Development, LLC	2/2/2004 – 8/28/2008	9101 125 th Avenue Ne, Kirkland, WA	212-673-3027	None	
Joseph A. Possemato & Donna M. Possemato	10/29/1998 – 2/2/2004	Unknown	Unknown	None	
George W. Brownlow Jr. & Anita M. Brownlow	2/18/1983 – 10/29/1998	Unknown	Unknown	None	
First-Depot Corporation	1/25/1966 – 2/18/1983	19 North Depot Street, Binghamton, NY	Unknown	None	
Monk's Express, Inc.	7/5/1962 – 1/25/1966	30 Phelps Street, Binghamton, NY	Unknown	None	

PREVIOUS OPERATORS

Section: 160.25		Block:2		Lot: 20.2
Previous Operator Name	Approximate Dates	Last Known Address	Phone Number	Requestor's Relationship to Owner
Kingsley Company (wholesale warehouse)	1930-1964	1 North Depot, Binghamton, NY	Unknown	None
Mc Tighe Grocery Company	1930-1964	1 North Depot, Binghamton, NY	Unknown	None
Darling Meats and Provisions Company	1930-1964	1 North Depot, Binghamton, NY	Unknown	None
Lander's Company	1974	1 North Depot, Binghamton, NY	Unknown	None

SECTION VI – PROPERTY’S ENVIRONMENTAL HISTORY

VI.1 – Relevant Reports

Relevant reports are summarized below in chronological order. **These reports are attached as electronic copies to the submittal, only.**

Phase I ESA, by Keystone Associates, *October 5, 2015*

Keystone Associates (KA) completed a Phase I ESA, dated October 5, 2015, of the Site located at 1 North Depot Street, City of Binghamton, Broome County, New York in accordance with the ASTM Standard Practice E1527-13. KA concluded no recognized environmental conditions (RECs) in association with the property.

Phase II ESA, by PVE Engineering, *July 12, 2024*

PVE completed a Phase II ESA, dated July 12, 2024, of the Site located at 1 North Depot Street, City of Binghamton, Broome County, New York (see Attachment IV-1) to assess the missed interpreted findings detailed in a Phase I ESA, by Keystone Associates, dated October 5, 2015. Findings from this assessment include the following:

SOILS: A total of ten (10) soil borings were installed to 13.6 to 24-feet below grade surface (bgs). Fill material consisting of brick, glass, tile, coal fragments, slag, and ash was encountered at depths from 0.3 to 7.0-feet bgs in six (6) of the ten (10) soil borings installed. Native soils consisted of brown sand, silt, cobbles, and gravel. One (1) soil sample was collected from each of the ten (10) soil borings. Soil samples were submitted to a New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP) approved laboratory for analysis of Target Compound List (TCL) VOCs, Commissioners Policy (CP-51) SVOCs, Resource Conservation and Recovery Act (RCRA) Metals, and Polychlorinated Bisphenols (PCBs). Soil analytical results were compared to UUSCOs and Restricted Residential Soil Cleanup Objectives (RRSCOs) as defined in 6 NYCRR Part 375. Exceedances were detected in six (6) of the ten (10) soil samples. Seven (7) SVOCs (benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenz(a,h)anthracene and indeno(1,2,3-c,d)pyrene) and two (2) metals (lead and mercury) were detected in soil samples at concentrations exceeding Unrestricted and Restricted Residential Soil Cleanup Objectives (SCOs). Five (5) SVOCs (benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenz(a,h)anthracene and indeno(1,2,3-c,d)pyrene) and two (2) metals (lead and mercury) were detected in soil samples at concentrations exceeding their respective Restricted Residential Soil Cleanup Objectives (RRSCOs) as defined in 6 NYCRR Part 375.

SOIL VAPOR: Six (6) VOCs (benzene, carbon tetrachloride, cis-1,2-dichloroethylene, ethylbenzene, tetrachloroethylene [PCE], and/or trichloroethylene [TCE]) were detected in five (5) soil vapor samples at concentrations warranting Mitigate or Monitor in accordance with NYSDOH Guidance (February 2024). Benzene was detected at a concentration of 390 µg/m³, carbon tetrachloride was detected at a concentration of 7.4 µg/m³, cis-1,2-dichloroethylene was detected at a concentration of 83 µg/m³, ethylbenzene was detected at a concentration of 66 µg/m³, PCE was detected at

concentrations ranging from 890 to 7,400 $\mu\text{g}/\text{m}^3$ and TCE was detected at concentrations ranging from 33 to 220 $\mu\text{g}/\text{m}^3$ (See Section IV).

GROUNDWATER: No groundwater samples were collected/attainable during the Phase II ESA described above. Soil borings were installed to a maximum depth of 24-feet below ground surface (bgs); no groundwater or wet to saturated overburden soils were observed at those depths.



VI.2 – Impacted Site Media




Phase II ESA, by PVE, dated July 12, 2024

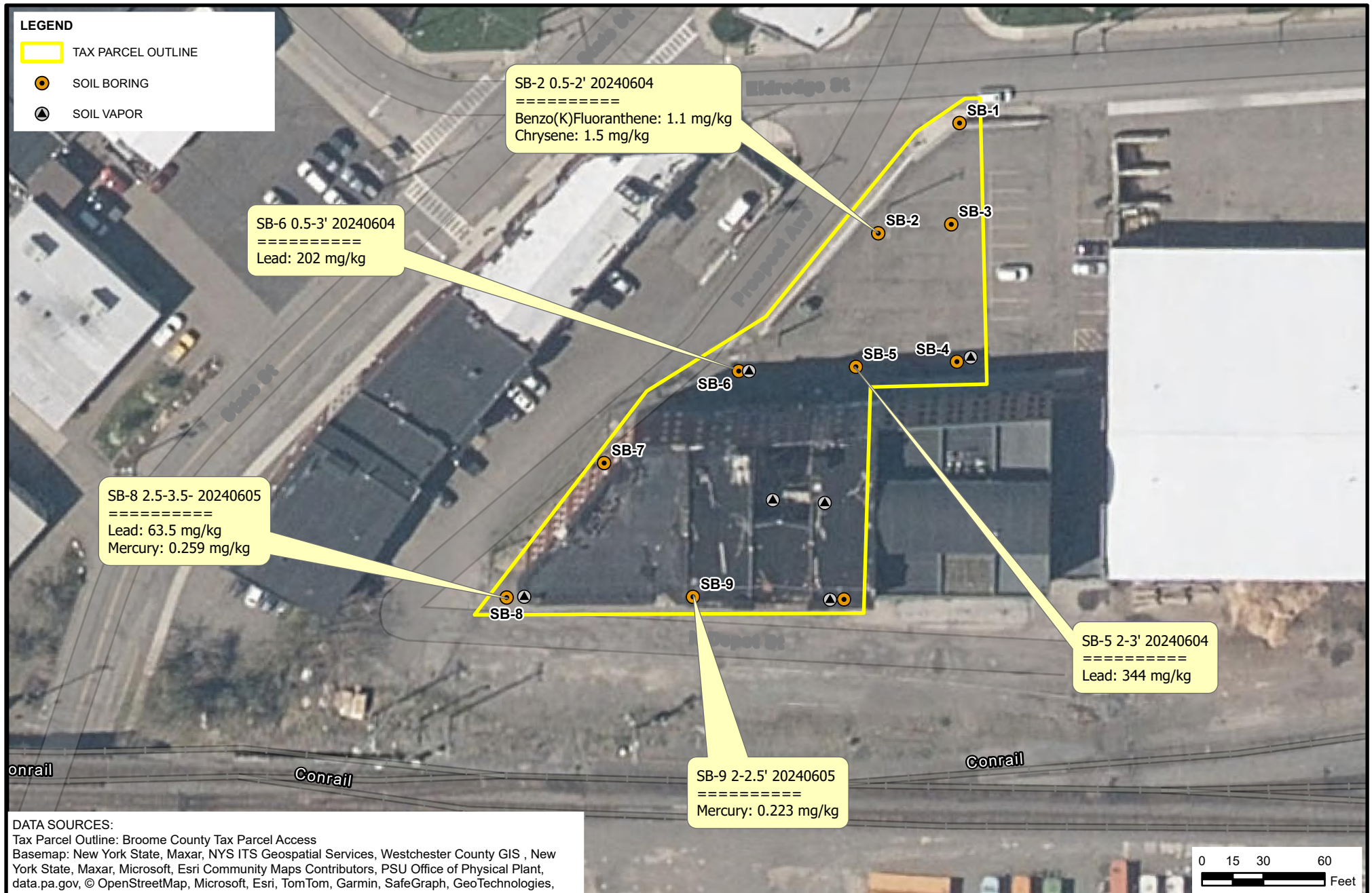
Analytes > UUSCOs	Detections > UUSCOs	Max. Detection (ppm)	UUSCOs (ppm)	Depth (ft bgs)
Benzo(K)Fluoranthene	1	1.1	0.8	0.5-2
Chrysene	1	1.5	1	0.5-2
Lead	3	344	63	0.5-3, 2-3, 2.5-3.5
Mercury	2	0.259	0.18	2-2.5, 2.5-3.5
Analytes > RRSCOs	Detections > RRSCOs	Max. Detection (ppm)	RRSCOs (ppm)	Depth (ft bgs)
Benzo(A)Anthracene	1	1.4	1	0.5-2
Benzo(A)Pyrene	1	1.1	1	0.5-2
Benzo(B)Fluoranthene	1	1.1	1	0.5-2
Dibenz(A,H)Anthracene	1	0.42	0.33	2-3.5
Indeno(1,2,3-C,D)Pyrene	1	0.70	0.5	0.5-2
Lead	1	986	400	2-3.5
Mercury	3	1.27	0.81	0.5-3, 2-3, 2-3.5

Phase II ESA, by PVE, dated July 12, 2024

Analytes	Total Detections	Max. Detection (ug/m3)	Type
1,1,1-Trichloroethane (TCA)	1	7.8	Soil Vapor
1,2,4-Trimethylbenzene	6	36	Soil Vapor
1,3,5-Trimethylbenzene (Mesitylene)	4	8.7	Soil Vapor
1,3-Butadiene	1	3.4	Soil Vapor
2,2,4-Trimethylpentane	5	4.95	Soil Vapor
2-Hexanone	1	3.4	Soil Vapor
4-Ethyltoluene	5	36	Soil Vapor
Acetone	6	540	Soil Vapor
Acrylonitrile	1	5.3	Soil Vapor
Benzene	5	390	Soil Vapor
Benzyl Chloride	2	10	Soil Vapor
Bromodichloromethane	1	13	Soil Vapor
Carbon Disulfide	2	3	Soil Vapor
Carbon Tetrachloride	1	7.4	Soil Vapor
Chloroform	2	84	Soil Vapor
Cis-1,2-Dichloroethylene	4	83	Soil Vapor
Cyclohexane	5	15	Soil Vapor
Dichlorodifluoromethane	4	8.8	Soil Vapor
Ethylbenzene	6	66	Soil Vapor
m,p-Xylene	5	73	Soil Vapor
Methyl Ethyl Ketone (2-Butanone)	6	9.9	Soil Vapor
N-Heptane	6	28	Soil Vapor
N-Hexane	6	46	Soil Vapor
O-Xylene (1,2-Dimethylbenzene)	6	28	Soil Vapor
Propylene	1	5.7	Soil Vapor
Styrene	1	1.8	Soil Vapor
Tetrachloroethylene (PCE)	6	7,400	Soil Vapor
Toluene	6	110	Soil Vapor
Trans-1,2-Dichloroethene	1	17	Soil Vapor
Trichloroethylene (TCE)	4	220	Soil Vapor
Trichlorofluoromethane	6	24	Soil Vapor
Vinyl Chloride	1	0.49	Soil Vapor

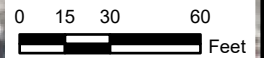
LEGEND

-  TAX PARCEL OUTLINE
-  SOIL BORING
-  SOIL VAPOR



DATA SOURCES:

Tax Parcel Outline: Broome County Tax Parcel Access
 Basemap: New York State, Maxar, NYS ITS Geospatial Services, Westchester County GIS , New York State, Maxar, Microsoft, Esri Community Maps Contributors, PSU Office of Physical Plant, data.pa.gov, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies,



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 Fax: 845.454.2655

SOIL SAMPLES EXCEEDING UUSCOs

1 NORTH DEPOT STREET, CITY OF BINGHAMTON
 BROOME COUNTY, NEW YORK

PROJECT NO.

20240228

N



ATTACHMENT VI.3A

DATE: 12/06/2024

SCALE: AS INDICATED

PROJECTION: STATE PLANE NAD83 NY EAST

ALL LOCATIONS APPROXIMATE

LEGEND

 TAX PARCEL OUTLINE

 SOIL BORING

 SOIL VAPOR

SB-2 0.5-2' 20240604

=====

Benzo(A)Anthracene: 1.4 mg/kg

Benzo(A)Pyrene: 1.1 mg/kg

Benzo(B)Fluoranthene: 1.1 mg/kg

Indeno(1,2,3-C,D)Pyrene: 0.7 mg/kg

SB-5 2-3' 20240604

=====

Mercury: 0.831 mg/kg

SB-6 0.5-3' 20240604

=====

Mercury: 1.27 mg/kg

BS-4 2-3.5' 20240604

=====

Dibenz(A,H)Anthracene: 0.42 mg/kg

Lead: 986 mg/kg

Mercury: 0.874 mg/kg

DATA SOURCES:

Tax Parcel Outline: Broome County Tax Parcel Access

Basemap: New York State, Maxar, NYS ITS Geospatial Services, Westchester County GIS , New York State, Maxar, Microsoft, Esri Community Maps Contributors, PSU Office of Physical Plant, data.pa.gov, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies,

0 15 30 60
Feet

PVE

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SOIL SAMPLES EXCEEDING RRSCOs

1 NORTH DEPOT STREET, CITY OF BINGHAMTON
BROOME COUNTY, NEW YORK

PROJECT NO.

20240228

N



ATTACHMENT VI.3B

DATE: 12/06/2024

SCALE: AS INDICATED

PROJECTION: STATE PLANE NAD83 NY EAST

ALL LOCATIONS APPROXIMATE

LEGEND

TAX PARCEL OUTLINE

SOIL BORING

SOIL VAPOR

SV-1 20240604

=====

1,2,4-Trimethylbenzene: 24 ug/m3
1,3,5-Trimethylbenzene: 5.6 ug/m3
2,2,4-Trimethylpentane: 2.26 ug/m3
Benzene: 3.9 ug/m3
Cyclohexane: 4.4 ug/m3
Ethylbenzene: 41 ug/m3
m,p-Xylene: 45 ug/m3
N-Heptane: 6.4 ug/m3
N-Hexane: 10 ug/m3
O-Xylene: 18 ug/m3
Tetrachloroethylene: 27 ug/m3
Toluene: 32 ug/m3

SV-2 20240604

=====

1,2,4-Trimethylbenzene: 35 ug/m3
1,3,5-Trimethylbenzene: 7.8 ug/m3
2,2,4-Trimethylpentane: 3.71 ug/m3
Benzene: 8.1 ug/m3
Carbon Tetrachloride: 7.4 ug/m3
Cyclohexane: 15 ug/m3
Ethylbenzene: 54 ug/m3
m,p-Xylene: 62 ug/m3
N-Heptane: 28 ug/m3
N-Hexane: 46 ug/m3
O-Xylene: 25 ug/m3
Tetrachloroethylene: 17 ug/m3
Toluene: 47 ug/m3
Trichloroethylene: 0.51 ug/m3
Vinyl Chloride: 0.49 ug/m3

SSV-1 20240605

=====

1,1,1-Trichloroethane: 7.8 ug/m3
1,2,4-Trimethylbenzene: 7.7 ug/m3
Cis-1,2-Dichloroethylene: 83 ug/m3
Ethylbenzene: 9.3 ug/m3
N-Heptane: 7.0 ug/m3
N-Hexane: 8.5 ug/m3
Tetrachloroethylene: 7,400 ug/m3
Toluene: 8.0 ug/m3
Trichloroethylene: 220 ug/m3

SV-3 20240604

=====

1,2,4-Trimethylbenzene: 36 ug/m3
1,3,5-Trimethylbenzene: 8.7 ug/m3
2,2,4-Trimethylpentane: 4.52 ug/m3
Benzene: 17 ug/m3
Cis-1,2-Dichloroethylene: 4.5 ug/m3
Cyclohexane: 8.9 ug/m3
Ethylbenzene: 66 ug/m3
m,p-Xylene: 73 ug/m3
N-Heptane: 28 ug/m3
N-Hexane: 39 ug/m3
O-Xylene: 27 ug/m3
Tetrachloroethylene: 4,900 ug/m3
Toluene: 58 ug/m3
Trichloroethylene: 100 ug/m3

SV-4 20240604

=====

1,2,4-Trimethylbenzene: 36 ug/m3
1,3,5-Trimethylbenzene: 8.2 ug/m3
2,2,4-Trimethylpentane: 4.95 ug/m3
Benzene: 390 ug/m3
Cis-1,2-Dichloroethylene: 2.4 ug/m3
Cyclohexane: 9.9 ug/m3
Ethylbenzene: 66 ug/m3
m,p-Xylene: 73 ug/m3
N-Heptane: 22 ug/m3
N-Hexane: 35 ug/m3
O-Xylene: 28 ug/m3
Tetrachloroethylene: 1,800 ug/m3
Toluene: 110 ug/m3

Soil Vapor/Indoor Air Matrix A

May 2017

Analytes Assigned: Trichloroethene (TCE), cis-1,2-Dichloroethene (c-1,2-DCE), 1,1-Dichloroethene (1,1-DCE), Carbon Tetrachloride

SUB-SLAB VAPOR CONCENTRATION of COMPOUND (mcg/m3)	INDOOR AIR CONCENTRATION of COMPOUND (mcg/m3)		
	< 0.2	0.2 to < 1	1 and above
< 6	1. No Further Action	2. No Further Action	3. IDENTIFY SOURCE(S) and RESAMPLE or MITIGATE
6 to < 60	4. No Further Action	5. MONITOR	6. MITIGATE
60 and above	7. MITIGATE	8. MITIGATE	9. MITIGATE

Soil Vapor/Indoor Air Matrix B

May 2017

Alanytes Assigned: Tetrachloroethene (PCE), 1,1,1-Trichloroethane (1,1,1-TCA), Methylene Chloride

SUB-SLAB VAPOR CONCENTRATION of COMPOUND (mcg/m3)	INDOOR AIR CONCENTRATION of COMPOUND (mcg/m3)		
	<3	3 to <10	10 and above
<100	1. No Further Action	2. No Further Action	3. IDENTIFY SOURCE(S) and RESAMPLE or MITIGATE
100 to <1,000	4. No Further Action	5. MONITOR	6. MITIGATE
1,000 and above	7. MITIGATE	8. MITIGATE	9. MITIGATE

Soil Vapor/Indoor Air Matrix C

May 2017

Analytes Assigned: Vinyl Chloride

SUB-SLAB VAPOR CONCENTRATION of COMPOUND (mcg/m3)	INDOOR AIR CONCENTRATION of COMPOUND (mcg/m3)		
	< 0.2	0.2 and above	
< 6	1. No Further Action	3. No Further Action	
6 to < 60	4. MONITOR	6. MITIGATE	
60 and above	7. MITIGATE	9. MITIGATE	

Soil Vapor/Indoor Air Matrix D

February 2024

Analytes Assigned: Benzene, Ethylbenzene, Naphthalene, Cyclohexane, Isocane (2,2,4-Trimethylpentane), 1,2,4-Trimethylbenzene, 1,2,3-Trimethylbenzene, O-Xylene

SUB-SLAB VAPOR CONCENTRATION of COMPOUND (mcg/m3)	INDOOR AIR CONCENTRATION of COMPOUND (mcg/m3)		
	< 2	2 to < 10	10 and above
< 60	1. No Further Action	2. No Further Action	3. IDENTIFY SOURCE(S) and RESAMPLE or MITIGATE
60 to < 600	4. No Further Action	5. MONITOR	6. MITIGATE
600 and above	7. MITIGATE	8. MITIGATE	9. MITIGATE

Soil Vapor/Indoor Air Matrix E

February 2024

Analytes Assigned: M-Xylene, P-Xylene, Heptane, Hexane

SUB-SLAB VAPOR CONCENTRATION of COMPOUND (mcg/m3)	INDOOR AIR CONCENTRATION of COMPOUND (mcg/m3)		
	< 6	6 to < 20	20 and above
< 200	1. No Further Action	2. No Further Action	3. IDENTIFY SOURCE(S) and RESAMPLE or MITIGATE
200 to < 2,000	4. No Further Action	5. MONITOR	6. MITIGATE
2,000 and above	7. MITIGATE	8. MITIGATE	9. MITIGATE

Soil Vapor/Indoor Air Matrix F

February 2024

Analytes Assigned: Toluene

SUB-SLAB VAPOR CONCENTRATION of COMPOUND (mcg/m3)	INDOOR AIR CONCENTRATION of COMPOUND (mcg/m3)		
	< 10	10 to < 50	50 and above
< 300	1. No Further Action	2. No Further Action	3. IDENTIFY SOURCE(S) and RESAMPLE or MITIGATE
300 to < 3,000	4. No Further Action	5. MONITOR	6. MITIGATE
3,000 and above	7. MITIGATE	8. MITIGATE	9. MITIGATE

0 25 50 100
Feet

DATA SOURCES:

Tax Parcel Outline: Broome County Tax Parcel Access
Basemap: New York State, Maxar, NYS ITS Geospatial Services, Westchester County GIS , New York State, Maxar, Microsoft, Esri Community Maps Contributors, PSU Office of Physical Plant, data.pa.gov, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies,

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Fax: 845.454.2655

NYSDOH REGULATED COMPOUND DETECTIONS IN VAPOR SAMPLES

1 NORTH DEPOT STREET, CITY OF BINGHAMTON
BROOME COUNTY, NEW YORK

PROJECT NO.

20240228

N



ATTACHMENT VI.3C

DATE: 12/06/2024

SCALE: AS INDICATED

PROJECTION: STATE PLANE NAD83 NY EAST

ALL LOCATIONS APPROXIMATE

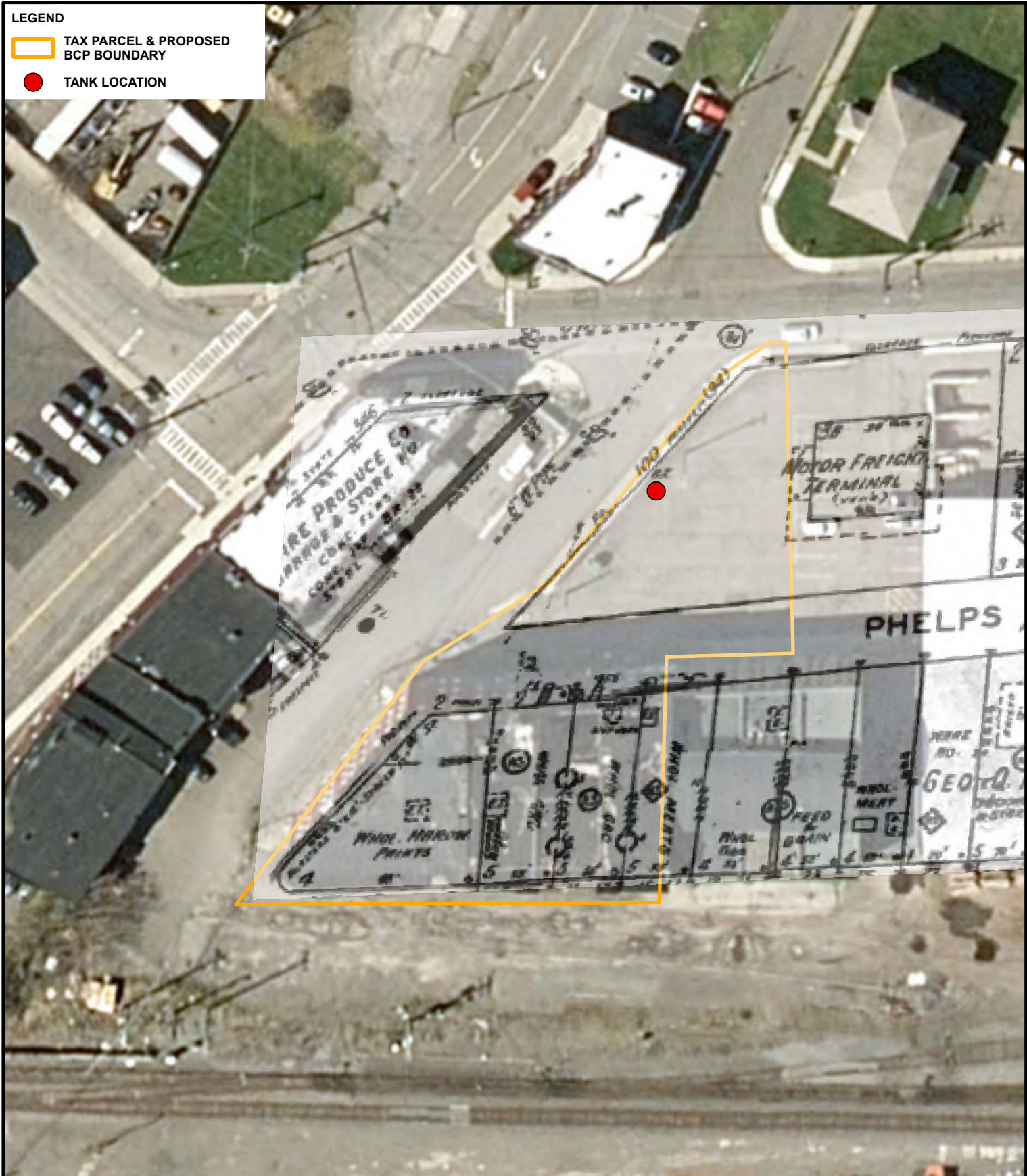
VI.4 – Past Land Uses

As early as 1887, the property was operated as wholesale groceries, a cigar factory, Casper and Honah Tin Works, a machine shop and the Bengal Blueing Factory. In 1898, only the wholesale groceries and cigar factory were in operation. In 1918, the property operated as wholesale groceries, coffee roasters wholesale hardware, and Reynolds and Hawley ornamental iron works. In 1950-1952, the property operated as wholesale groceries, prints wholesale hardware and motor freight terminals with a gasoline tank (See Attachment VI.4). The tank location and whether it still remains on-site is currently unknown. In 1970, the property operated as LJ Kingsley Wholesale Hardware (including paints), with a buried gasoline tank, wholesale meats; (it should be noted “Phelps Ave” bisected the property east to west to the former Post Office Terminal east of the property through all Sanborn maps except 1887). Currently a 5-story abandoned/vacant former commercial structure is in very poor condition.

LEGEND

TAX PARCEL & PROPOSED BCP BOUNDARY

TANK LOCATION



DATA SOURCES:
Tax Parcel Outline: Broome County GIS and Mapping Services, Parcel Mapper, Accessed 05/21/2024
Sanborn Map 1950, Lightbox EDR Database
Basemap: New York State, Maxar, Microsoft



<div><div>PVE</div><div>48 Springside Avenue Poughkeepsie, NY 12603 Office: 845.454.2544 Fax: 845.454.2655</div></div>	<div>TANK LOCATION MAP - SANBORN MAP 1950</div> <div>1 NORTH DEPOT STREET, CITY OF BINGHAMTON BROOME COUNTY, NEW YORK</div>	PROJECT NO.	ATTACHMENT VI.4
		20240228	DATE: 02/27/2025
		<div>N</div> <div></div>	SCALE: AS INDICATED
			PROJECTION: STATE PLANE NAD83 NY EAST
		ALL LOCATIONS APPROXIMATE	



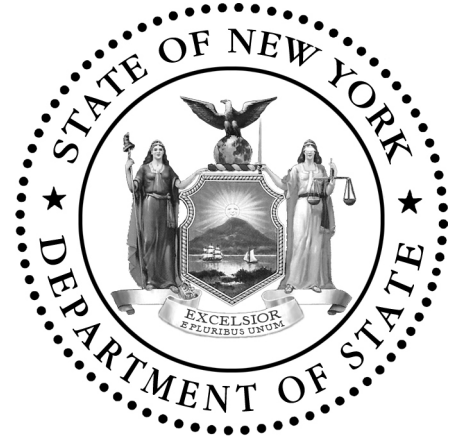
SECTION VII – REQUESTOR INFORMATION

VII.2 – NYS DOS Entity Information

NEW YORK STATE DEPARTMENT OF STATE
DIVISION OF CORPORATIONS, STATE RECORDS AND UNIFORM COMMERCIAL CODE
FILING RECEIPT

ENTITY NAME : RESIDENCES AT NORTH DEPOT LLC
DOCUMENT TYPE : ARTICLES OF ORGANIZATION
ENTITY TYPE : DOMESTIC LIMITED LIABILITY COMPANY

DOS ID : 7523090
FILE DATE : 01/31/2025
FILE NUMBER : 250131002202
TRANSACTION NUMBER : 202501310002352-4128691
EXISTENCE DATE : 01/31/2025
DURATION/DISSOLUTION : PERPETUAL
COUNTY : WESTCHESTER



SERVICE OF PROCESS ADDRESS : RESIDENCES AT NORTH DEPOT LLC
1055 SAW MILL RIVER ROAD, SUITE 204
ARDSLEY, NY, 10502, USA

ELECTRONIC SERVICE OF PROCESS
EMAIL ADDRESS : FERN@REGANDEVELOPMENT.COM

FILER : CHRISTOPHER J. BABCOCK, ESQ.
CANNON HEYMAN & WEISS, LLP, 54 STATE STREET, 5TH
FLOOR
ALBANY, NY, 12207, USA
SERVICE COMPANY : CANNON HEYMAN & WEISS, LLP
SERVICE COMPANY ACCOUNT : HN

You may verify this document online at : <http://ecorp.dos.ny.gov>
AUTHENTICATION NUMBER : 100007388524

TOTAL FEES:	\$210.00	TOTAL PAYMENTS RECEIVED:	\$210.00
FILING FEE:	\$200.00	CASH:	\$0.00
CERTIFICATE OF STATUS:	\$0.00	CHECK/MONEY ORDER:	\$0.00
CERTIFIED COPY:	\$10.00	CREDIT CARD:	\$0.00
COPY REQUEST:	\$0.00	DRAWDOWN ACCOUNT:	\$210.00
EXPEDITED HANDLING:	\$0.00	REFUND DUE:	\$0.00

**STATE OF NEW YORK
DEPARTMENT OF STATE**

I hereby certify that the annexed copy for RESIDENCES AT NORTH DEPOT LLC, File Number 250131002202 has been compared with the original document in the custody of the Secretary of State and that the same is true copy of said original.

WITNESS my hand and official seal of the
Department of State, at the City of Albany,
on January 31, 2025.

WALTER T. MOSLEY
Secretary of State



BRENDAN C. HUGHES
Executive Deputy Secretary of State



**ARTICLES OF ORGANIZATION
OF
RESIDENCES AT NORTH DEPOT LLC
Under Section 203 of the Limited Liability Company Law**

THE UNDERSIGNED, being a natural person of at least eighteen (18) years of age, and acting as the organizer of the limited liability company hereby being formed under Section 203 of the Limited Liability Company Law of the State of New York certifies that:

- FIRST: The Name of the limited liability company is: **RESIDENCES AT NORTH DEPOT LLC**
- SECOND: To engage in any lawful act or activity within the purposes for which limited liability companies may be organized pursuant to Limited Liability Company Law provided that the limited liability company is not formed to engage in any act or activity requiring the consent or approval of any state official, department, board, agency, or other body without such consent or approval first being obtained.
- THIRD: The county, within this state, in which the office of the limited liability company is to be located is **WESTCHESTER**
- FOURTH: The Secretary of State is designated as agent of the limited liability company upon whom process against the limited liability company may be served. The post office address to which the Secretary of State shall mail a copy of any process against the limited liability company served upon the Secretary of State by personal delivery is:
**RESIDENCES AT NORTH DEPOT LLC
1055 SAW MILL RIVER ROAD
SUITE 204
ARDSLEY, NY 10502**
The email address to which the Secretary of State shall email a notice of the fact that process against the limited liability company has been served electronically upon the Secretary of State is:
FERN@REGANDEVELOPMENT.COM

I certify that I have read the above statements, I am authorized to sign these Articles of Organization, that the above statements are true and correct to the best of my knowledge and belief and that my signature typed below constitutes my signature.

An official website of New York State.
[Here's how you know](#) ▼



Department of State

Division of Corporations

Entity Information

Return to Results

Return to Search

Entity Details



ENTITY NAME: NORTH DEPOT DEVELOPMENT LLC

DOS ID: 4862045

FOREIGN LEGAL NAME:

FICTITIOUS NAME:

ENTITY TYPE: DOMESTIC LIMITED LIABILITY COMPANY

DURATION DATE/LATEST DATE OF DISSOLUTION:

SECTIONOF LAW: 203 LLC - LIMITED LIABILITY COMPANY LAW

ENTITY STATUS: ACTIVE

DATE OF INITIAL DOS FILING: 12/10/2015

REASON FOR STATUS:

EFFECTIVE DATE INITIAL FILING: 12/10/2015

INACTIVE DATE:

FOREIGN FORMATION DATE:

STATEMENT STATUS: PAST DUE DATE

COUNTY: BROOME

NEXT STATEMENT DUE DATE: 12/31/2017

JURISDICTION: NEW YORK, UNITED STATES

NFP CATEGORY:

- ENTITY DISPLAY
- NAME HISTORY
- FILING HISTORY
- MERGER HISTORY
- ASSUMED NAME HISTORY

Service of Process on the Secretary of State as Agent

The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the Secretary of State by personal delivery:

Name: NORTH DEPOT DEVELOPMENT LLC
Address: PO BOX 1554, BINGHAMTON, NY, UNITED STATES, 13902

Electronic Service of Process on the Secretary of State as agent: Not Permitted

Chief Executive Officer's Name and Address

Name:
Address:

Principal Executive Office Address

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: NO

Stock Information

Share Value	Number Of Shares	Value Per Share

VII.3 – LLC Members/Owners

Members of Residences at North Depot LLC are as follows:

- Lawrence Regan
- Kenneth Regan
- Gabriel Regan
- Jeremy Regan



SECTION IX – PROGRAM FEE

As this project consists of the development of 100% affordable housing units, the requestor is applying for a fee waiver.

Residences at North Depot LLC
1055 Saw Mill River Road #204
Ardsley, NY 10502

February 6, 2024

Via email to Gregory.Scholand@dec.ny.gov

Site Control Section
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233-7020

**Re: Residences at North Depot LLC
Site No. TBD
1 North Depot Street, Binghamton, NY
BCP Program Fee Waiver Request**

Dear Site Control:

This letter is respectfully submitted by Residences at North Depot LLC (the "Applicant") in connection with its Brownfield Cleanup Program ("BCP") application for the above-referenced site ("Site") to request a waiver of the \$50,000 BCP program fee based on 100% of its residential units being developed as affordable housing. The applicant will be submitting a BCP application with status of volunteer.

Please consider the following facts in connection with the Applicant's request for fee waiver: The Applicant proposes to renovate the 5-story former industrial and commercial structure to fifty (50) units of 100% affordable, work-force, rental housing on one (1) tax parcel in Binghamton. The proposed use of the site is consistent with the City of Binghamton Housing Plan. This Plan is a policy document which outlines a vision for the future of the City of Binghamton. It focuses on the current and long-range protection, enhancement and development/redevelopment of the City of Binghamton and highlights housing issues and a strategic plan to renovate and tackle housing issues within the city. The portion of the overall project situated on the Site will include fifty (50) affordable housing residential units that will also include a parking lot.

The proposed BCP property is within designated En-Zone Type-AB within Census Tract 5; 100% of the property is located within the above described En-Zone. The applicant proposes to construct a residential building. The 100% affordable residential-use building will be a five (5) story building, totaling 50 multifamily apartment units. The project is designed to include affordable "workforce" housing units, which are not market rate units, but designed to provide affordable housing in accordance with the Area Median Income (AMI) of the community.

This submission is made as a supplement to the BCP Application. The Applicant understands and agrees that this submission is becoming part of the BCP Application, and so the Applicant hereby affirms that the information provided in this submission is true and correct to the best of its knowledge and belief, and the Applicant is aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

We respectfully ask that you reconsider the waiver of the BCP program fee based on the foregoing facts.

Very truly yours,

Residences at North Depot LLC


By: Larry Regan, Authorized Person

SECTION X – REQUESTOR ELIGIBILITY

X.12 – The requestor must certify that he/she is either a participant or volunteer.

Statement describing why the Requestor should be considered a Volunteer:

In accordance with the definitions outlined in ECL § 27-1405(1), the Requestor is considered a Volunteer, as its liability arises solely as a result of its pending ownership of the Site subsequent to the disposal of contaminants, and it exercises and will exercise appropriate care with respect to contamination found at the facility by taking reasonable steps to stop any continuing release; prevent any threatened future release; and prevent or limited human environmental, or natural resource exposure to any previously released contamination. The Requestor has performed Phase I and Phase II diligence before buying the Site and has promptly applied to the Brownfield Cleanup Program. Human, environmental and natural resource exposure to Site contamination that was released prior to taking title is prevented or limited by the following:

- Groundwater is not being used at the Site for potable purposes.
- The Site is covered by buildings and pavement.

The requestor is not affiliated with the past Site owners, operators or the release of contaminants impacting the Site. As such, the applicant is considered a Volunteer since their liability arises solely based on Site ownership *subsequent* to subsurface impacts and the applicant has and continues to take reasonable steps to investigate site conditions and limit human, environmental and natural resource exposure to previously release contamination.

X.14 – Proof of Site Access.

The requestor does not currently own the property. An access agreement between property ownership and the applicant's entity is attached.

ONE NORTH DEPOT, LLC
159 WASHINGTON STREET
BINGHAMTON, NEW YORK 13901

March 4, 2025

Residences at North Depot LLC
ATTN: Larry Regan
1055 Saw Mill River Road, Suite 204
Ardsley, New York 10502

Re: **Site Access Agreement**; 1 North Depot Street, City of Binghamton, Broome County,
New York 13901
Section 160.25 Block 2 Lot 20.2
NYSDEC BCP Site #C704064

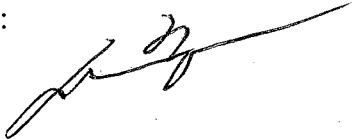
Dear Mr. Regan,

As the owner of the above referenced property, I hereby authorize Residences at North Depot LLC, prospective purchaser, to enter the site and conduct any and all investigations and remediation activities deemed necessary to complete the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP). Any and all site visits for investigation or remediation must first be requested and scheduled with the owner with at least 24 hours advance notice. Further, as the owner, we grant the NYSDEC the ability to place an environmental easement on the property should the requestor not be the owner at the time remediation is complete and a Track 1 cleanup has not been achieved.

Sincerely,

One North Depot, LLC

By:



Name: Josh Bishop
Title: Mng Member

Contact info: 607-778-9022 / Josh@jjbpropertymanagement.com

SECTION XII – SITE CONTACT LIST

XII.1 – The Chief Executive Officer and Planning Board Chairperson of each County, City, Town and Village in which the property is located.

City of Binghamton:

City of Binghamton City Mayor	Planning Board Chairman
Jared Kraham 38 Hawley Street Binghamton, New York 13901 607-772-7001	Nicholas Corcoran 38 Hawley Street Binghamton, New York 13901 607-772-7001

Broome County:

Broome County Executive	Planning Board Chairman
Jason T. Garnar 60 Hawley Street Binghamton, New York 13901 607-778-2109	Doug English 60 Hawley Street Binghamton, New York 13901 607-778-2109

New York State Legislature:

NYS Assembly	NYS Senate
123 rd District: Donna A. Lupardo 44 Hawley Street Binghamton, New York 13901 607-723-9047	52 nd District: Lea Webb 217 North Aurora Street Ithaca, New York 14850 607-773-8771

XII.2 – Residents, Owners, and Occupants of the Property and adjacent properties

See table, below. Adjoining parcels were obtained from the Broome County Parcel Mapper https://gis.broomecountyny.gov/website/apps/parcel_mapper/viewer.html.

West	89 Prospect Avenue	87-89 Prospect Avenue Holdin	89 Prospect Avenue, Binghamton, NY	Commercial
North	95 Prospect Avenue	350 State Street LLC	45 Lewis Street, Binghamton, NY	Commercial
North	108 Prospect Street	Metro Interfaith Housing	21 New Street, Binghamton, NY	Apartment
East	10 Eldrege Street	Depot East Condominium	21 North Depot Street, Binghamton, NY	Parking Lot
East	21 North Depot Street Common	Depot East Condominium	21 North Depot Street, Binghamton, NY	Commercial

South	61 Prospect Avenue	61 Prospect Holding LLC	186 State Street, Binghamton, NY	Apartment
South	31 Lewis Street	Railside Properties LLC	2338 Seneca Street, Binghamton, NY	Commercial

XII.3 – Local news media from which the community typically obtains information.

City of Binghamton

Binghamton News
https://www.binghamtonnews.net/

XII.4 – The public water supplier which services the area in which the property is located.

Water/Sewer Supply
City of Binghamton 38 Hawley Street Binghamton, New York 13901 https://www.binghamton-ny.gov/government/departments/public-works 607-772-7021

XII.5 – Any person who has been asked to be placed on the contact list and interested parties.

There are no additional interested parties known at this time.

XII.6 – The administrator of any school or day care facility located on or near the property.

Binghamton Highschool (0.67-miles)
31 Main Street Binghamton, New York 13905 Principal Kevin Richman 607-762-8200
Binghamton University Downtown Center (0.65-miles)
67 Washington Street Binghamton, New York 13902 Dean Laura Bronstein 607-777-5572
Ink & Graphic Studios LLC Daycare (1.4-miles)

44 Beethoven Street
Binghamton, New York 13905
cchildrenscenter@gmail.com
323-421-7479

XII.7 – The location of a document repository

The document repository for this project is:

Broome County Public Library
185 Court Street Binghamton, New York 13901 https://www.thebcpl.org/ 607-778-6400



845.454.2544
PVE-LLC.com

January 9, 2025

Broome County Public Library
185 Court Street
Binghamton, New York 13901

Re: Document Repository Letter: 1 North Depot Street, City of Binghamton, New York 13901
Tax ID: 160.25-2-20.2
PVE File: 20240228

To Whom It May Concern:

On behalf of our client, a perspective New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) applicant, we are requesting that the Broome County Public Library serve as the document repository for the proposed 1 North Depot site. The BCP application process requires designation of a document repository for documents and reports that can be reviewed by the public. These documents (application, work plans and investigation reports) will be contained in standard sized 3-ring binders.

At your earliest convenience, please sign the acknowledgement below thus authorizing the applicant's use of your facility as the document repository for this BCP site. The signed copy of this letter can be submitted to us via email at ctarbell@pve-llc.com, fax 845-454-2655, or mail to 48 Springside Avenue, Poughkeepsie, NY 12603.

Feel free to contact us with any questions.

Sincerely,

PVE ENGINEERING

Conor B. Tarbell, QEP
Principal/Regional Director

Document Repository Acknowledgment

Name: Josias Bartram

Title: Library Director

Signature:

CALIFORNIA

CONNECTICUT

NEW YORK

PENNSYLVANIA

TEXAS

NYSDEC BROWNFIELD CLEANUP PROGRAM APPLICATION – SUPPLEMENTAL INFORMATION

**1 NORTH DEPOT STREET
CITY OF BINGHAMTON
BROOME COUNTY, NEW YORK 13901**

PREPARED FOR:

Residences at North Depot LLC
1055 Saw Mill River Road, Suite 204
Ardsley, New York 10502

PREPARED BY:



PVE Engineering
48 Springside Avenue
Poughkeepsie, New York 12603
Phone: 845-454-2544 – Fax: 845-454-2655

March 6, 2025
PVE File #20240228

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SEPARATE ATTACHMENTS

Attachment III.4	Fish and Wildlife Resource Impact Analysis Part 1, by PVE, dated March 6, 2025
Attachment VI.1A	Phase I Environmental Site Assessment, by Keystone Associates, dated October 5, 2015
Attachment VI.1B	Phase II Environmental Site Assessment, by PVE, dated July 12, 2024



SECTION I – PROPERTY INFORMATION

I.1 – Tax Maps and Metes and Bounds Description

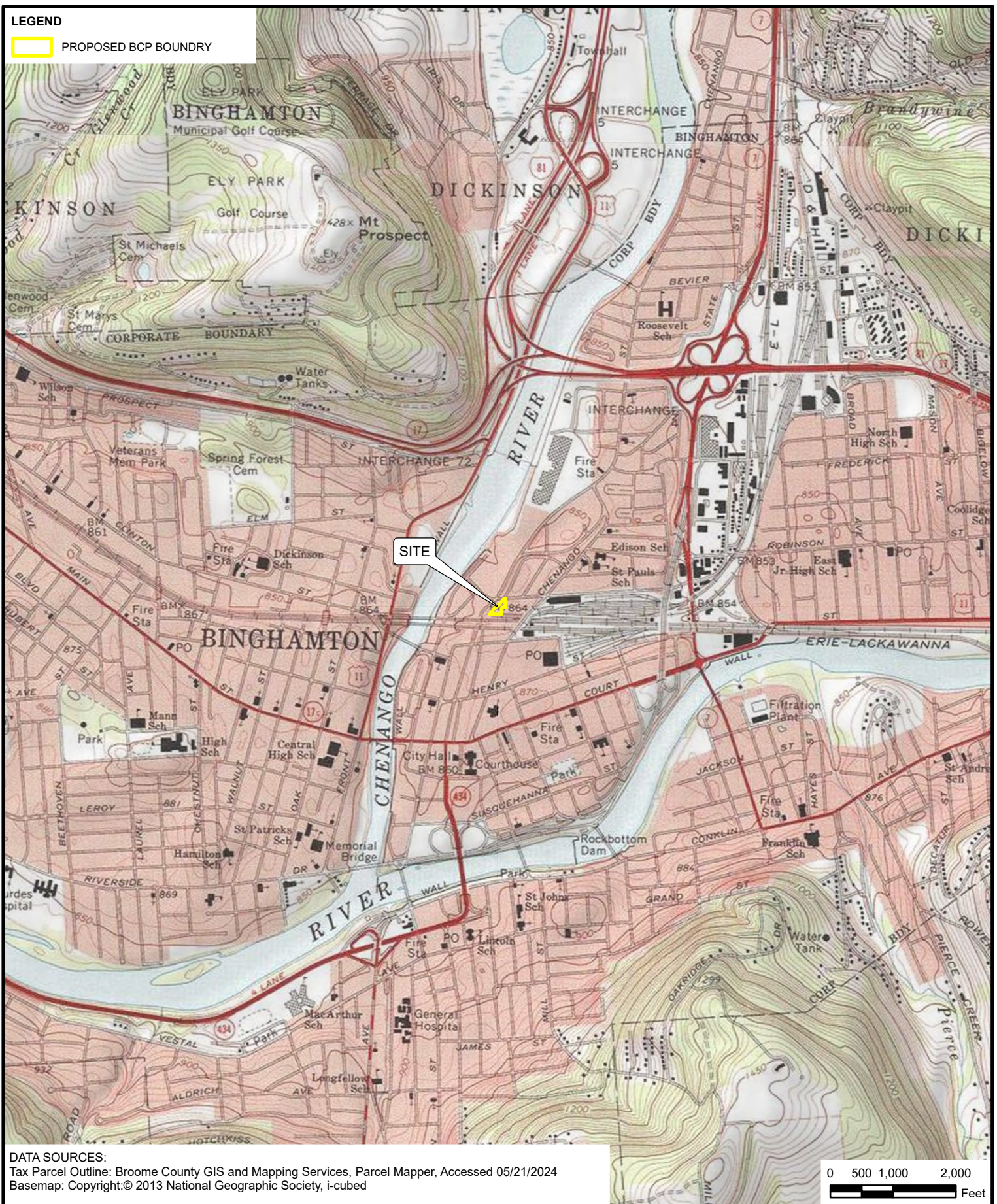
This BCP application applies to the full Tax ID #160.25-2-20.2 totaling 0.63 acres which is located along North Depot Street and Prospect Avenue.



I.2 – Property Maps

LEGEND

PROPOSED BCP BOUNDRY



DATA SOURCES:
Tax Parcel Outline: Broome County GIS and Mapping Services, Parcel Mapper, Accessed 05/21/2024
Basemap: Copyright:© 2013 National Geographic Society, i-cubed

0 500 1,000 2,000
Feet



48 Springside Avenue
Poughkeepsie, NY 12603
Office: 845.454.2544
Fax: 845.454.2655

PROPERTY MAP (USGA 7.5 QUADRANGLE)

1 NORTH DEPOT STREET, CITY OF BINGHAMTON
BROOME COUNTY, NEW YORK

PROJECT NO.
20240228



ATTACHMENT I.2A

DATE: 01/02/2025

SCALE: AS INDICATED

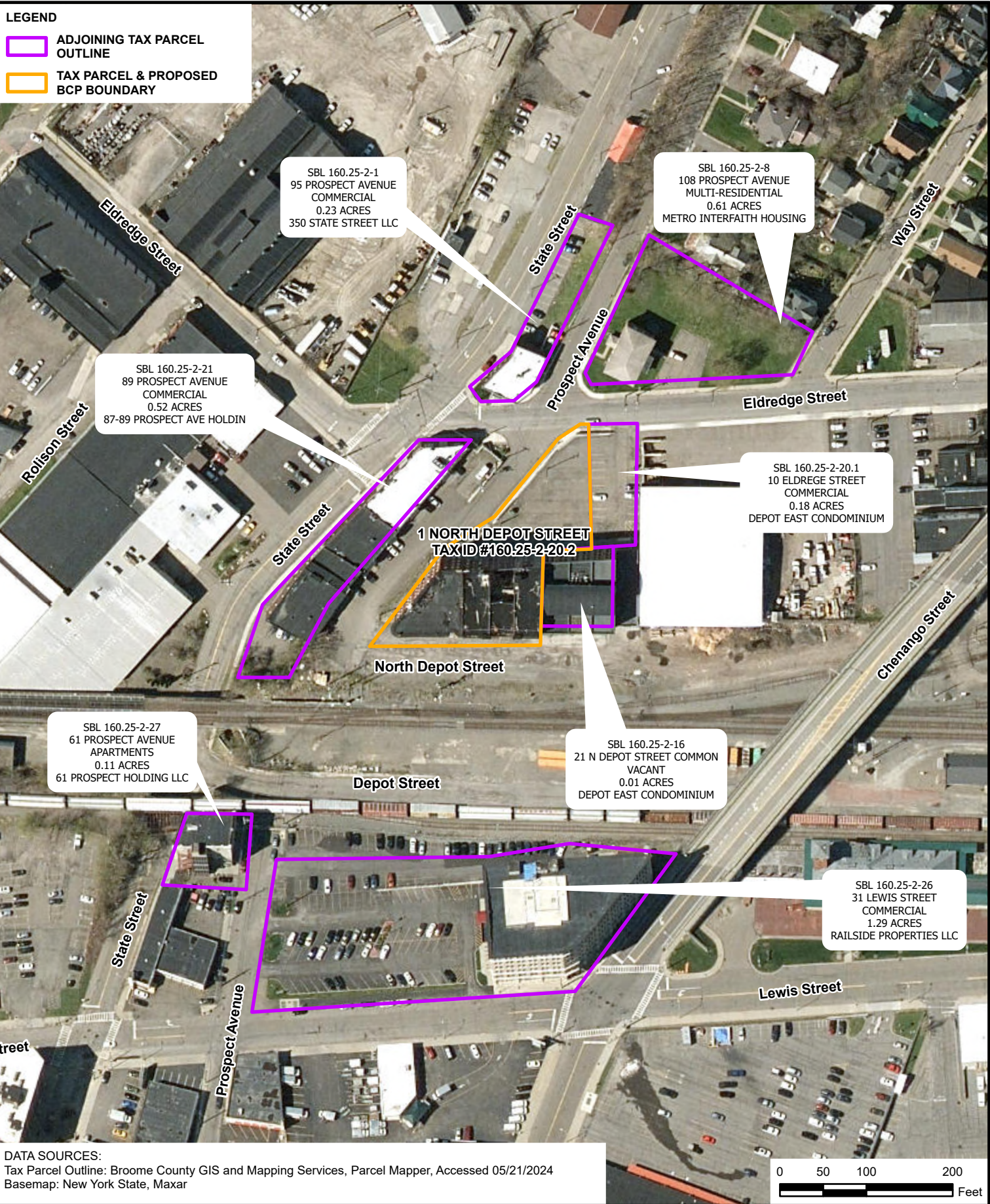
PROJECTION: STATE PLANE NAD83 NY EAST

ALL LOCATIONS APPROXIMATE

LEGEND

ADJOINING TAX PARCEL OUTLINE

TAX PARCEL & PROPOSED BCP BOUNDARY



DATA SOURCES:
Tax Parcel Outline: Broome County GIS and Mapping Services, Parcel Mapper, Accessed 05/21/2024
Basemap: New York State, Maxar

PVE

48 Springside Avenue
Poughkeepsie, NY 12603
Office: 845.454.2544
Fax: 845.454.2655

PROPERTY MAP (AERIAL) / PROPOSED BCP BOUNDARY

1 NORTH DEPOT STREET, CITY OF BINGHAMTON
BROOME COUNTY, NEW YORK

PROJECT NO.
20240228

N

ATTACHMENT I.2B

DATE: 01/02/2025

SCALE: AS INDICATED

PROJECTION: STATE PLANE NAD83 NY EAST

ALL LOCATIONS APPROXIMATE



I.3 – En-Zone

5

X

5	
STATEFP	36
COUNTYFP	007
TRACTCE	000500
GEOID	36007000500
NAME	5
NAMELSAD	Census Tract 5
MTFCC	G5020
FUNCSTAT	S
ALAND	1172371
AWATER	166018
INTPTLAT	+42.1072293
INTPTLON	-075.9050365
FIPS	36007000500
County_FIPS	36007
Geography	Census Tract 5
County	Broome County
UnempRate	16.6
NYS_UR	7.1
Pov_Rate	51.2
County_PR	18.5
CountyRateX2	37
Criteria_A	Y
Criteria_B	Y
Both_AB	Y
EnZoneType	AB

City Paper Box

Connecticut

1 N Depot St

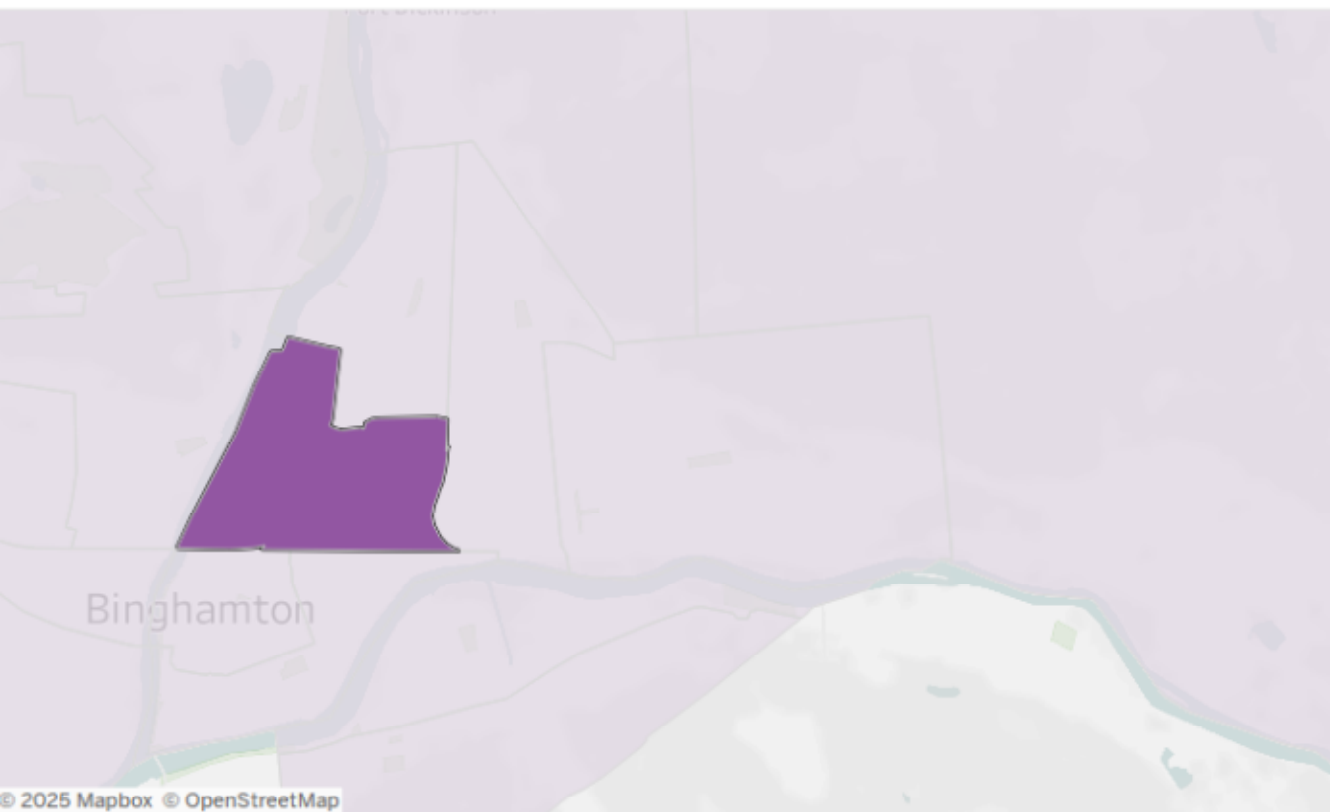
Little Martha Yoga

Prestone Complete Auto Care

Remik's Grille & Oyster Bar



I.4 – Disadvantaged Communities



Select Layer to Display

☒ DAC

☐ Individual Indicators

Click a Single Census Tract on the Map to View Indicator Details 

Population Characteristics & Vulnerability ...

Health Impacts & Burdens	Asthma ED visits	73%
	COPD ED visits	100%
	Heart attack (MI) Hospitalization	95%
	Low Birthweight	81%
	Pct Adults Age 65+	16%
	Pct w/ Disabilities	98%
	Pct w/o Health Insurance	77%
	Premature Deaths	77%
Housing, Mobility, Communications	Energy Poverty / Cost Burden	99%
	Homes Built Before 1960	54%
	Housing Cost Burden (Rental C...	81%
	Manufactured Homes	0%
	Pct Renter-Occupied Homes	84%
	Pct w/o Internet (home or cellu...	88%

Environmental Burden & Climate Change Risk ...

Land Use & Historic Discrimination	Active Landfills	0%
	Housing Vacancy Rate	90%
	Industrial/Manufacturing/Mining La...	91%
	Major Oil Storage Facilities	0%
	Municipal Waste Combustors	0%
	Power Generation Facilities	0%
	Regulated Management Plan (Ch...	92%
	Remediation Sites	79%
	Scrap Metal Processing	0%
Potential Climate Change Risk	Agricultural Land Use	7%
	Coastal Flooding and Storm Risk ...	0%
	Driving Time to Urgent/Critical Care	32%
	Extreme Heat Projections (>90° d...	7%
	Inland Flooding Risk Areas	0%

I.14 – Property Description and Environmental Assessment

Location

The proposed BCP Site is comprised of one (1) tax parcel located in the City of Binghamton, Broome County, New York in a residential and commercial area.

The proposed BCP Site is bordered to the north by 95 Prospect Avenue (commercial) and 108 Prospect Avenue (residential), to the east by 10 Eldrege Street (parking lot) and 21 North Depot Street (commercial), to the south by railroad tracks and a storage yard, and to the west by 89 Prospect Avenue (commercial).

Site Features

The Site is improved with one (1) 51,000 sq. ft. five-story and paved parking lot.

Current Zoning and Land Use

The Site is currently zoned by the City of Binghamton as “Service Commercial”. The proposed project area is adjacent to commercial and residential properties.

The Site is currently vacant with parking being used for adjoining businesses.

Past Uses of the Site

As early as 1887, the property operated as wholesale groceries, a cigar factory, Casper and Honah Tin Works, a machine shop and the Bengal Blueing Factory. In 1898, only the wholesale groceries and cigar factory were in operation. In 1918, the property operated as wholesale groceries, coffee roasters wholesale hardware, and Reynolds and Hawley ornamental iron works. In 1950-1952, the property operated as wholesale groceries, prints wholesale hardware and motor freight terminals with a gasoline tank. In 1970, the property operated as LJ Kingsley Wholesale Hardware (including paints), with a buried gasoline tank, wholesale meats; (it should be noted “Phelps Ave” bisected the property east to west to the former Post Office Terminal east of the property through all Sanborns except 1887). Currently the 5-story structure is abandoned/vacant and in very poor condition.

Possible routes/sources of contamination are from chemicals used in historic operations such as the tin works, the machine shop, blueing factory, and iron works. Additional routes/sources of contamination include the motor freight terminal and associated buried gasoline storage tank. The Phase I ESA conducted in 2015 did not note any floor drains in the basement of the on-site structure. Nor were any observed in the portions of the structure that were accessible to PVE during the Phase II ESA conducted in 2024.

Site Geology and Hydrogeology

According to the New York State Museum (<https://www.nysm.nysed.gov/research-collections/geology/geologic-mapping>).

Surficial: OG – outwash sand and gravel. Coarse to fine gravel with sand, proglacial fluvial deposition, well-rounded and stratified, generally finer texture away from the ice border, thickness variable (10-30 meters).

Bedrock: D – generally shale.

Additional details generated during a subsurface investigation at the address are presented below.

Soil borings completed by PVE during a Phase II Environmental Site Assessment (ESA) (See Section IV.1) did not encounter groundwater at depths ranging from 13.6-feet to 24.0-feet.

Based on local topography and proximity to the Chenango River, the direction of groundwater flow in unconsolidated sediments is inferred to be to the west.

Environmental Assessment

Based upon the investigations conducted to date, the primary contaminants of concern for the Site include chlorinated volatile organic compounds (cVOCs), semi-volatile organic compounds (SVOCs) and metals. Below is a summary of analytical results from soil and soil vapor samples with contaminants at concentrations exceeding applicable rules, regulations and standards, criteria, and guidance (ARARs and SCGs).

Soil:

- Two (2) SVOCs (benzo(k)fluoranthene and chrysene) and two (2) metals (lead and mercury) were detected in soil samples at concentrations exceeding Unrestricted Soil Cleanup Objectives (UUSCOs). Five (5) SVOCs (benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenz(a,h)anthracene and indeno(1,2,3-c,d)pyrene) and two (2) metals (lead and mercury) were detected in soil samples at concentrations exceeding their respective Restricted Residential Soil Cleanup Objectives (RRSCOs) as defined in 6 NYCRR Part 375 (See Section VI). The maximum concentration of each analyte exceeding SCOs are listed below:
 - Benzo(A)Anthracene: 1.4 mg/kg (RRSCO: 1 mg/kg)
 - Benzo(A)Pyrene: 1.1 mg/kg (RRSCO: 1 mg/kg)
 - Benzo(B)Fluoranthene: 1.1 mg/kg (RRSCO: 1 mg/kg)
 - Benzo(K)Fluoranthene: 1.1 mg/kg (UUSCO: 0.8 mg/kg)
 - Chrysene: 1.5 mg/kg (UUSCO: 1 mg/kg)
 - Indeno(1,2,3-C,D)Pyrene: 0.70 mg/kg (RRSCO: 0.5 mg/kg)
 - Dibenz(A,H)Anthracene: 0.42 mg/kg (RRSCO: 0.33 mg/kg)
 - Lead: 986 mg/kg (RRSCO: 400 mg/kg)
 - Mercury: 1.27 mg/kg (RRSCO: 0.81 mg/kg)

Soil Vapor:

- Sub-Slab Vapor Samples: Three (3) VOCs (cis-1,2-dichloroethylene, tetrachloroethylene [PCE], and/or trichloroethylene [TCE]) were detected in both of the exterior soil vapor samples at concentrations warranting Mitigate or Monitor in accordance with NYSDOH Guidance (February 2024 amendments). Cis-1,2-dichloroethylene was detected at a concentration of 83 $\mu\text{g}/\text{m}^3$, PCE was detected at concentrations ranging from 890 to 7,400 $\mu\text{g}/\text{m}^3$ and TCE was detected at concentrations ranging from 33 to 220 $\mu\text{g}/\text{m}^3$ (See Section VI).
- Exterior Soil Vapor Samples: Five (5) VOCs (benzene, carbon tetrachloride, ethylbenzene, PCE, and/or TCE) were detected in three (3) of the four (4) sub-slab soil vapor samples at concentrations warranting Mitigate or Monitor in accordance with NYSDOH Guidance (February 2024 amendments). Benzene was detected at a concentration of 390 $\mu\text{g}/\text{m}^3$, carbon tetrachloride was detected at a concentration of 7.4 $\mu\text{g}/\text{m}^3$, ethylbenzene was detected at a concentration of 66 $\mu\text{g}/\text{m}^3$, PCE was detected at concentrations ranging from 1,800 to 4,900 $\mu\text{g}/\text{m}^3$ and TCE was detected at concentrations ranging from at 100 $\mu\text{g}/\text{m}^3$ (See Section VI).

Groundwater:

- No groundwater samples were collected/attainable during the Phase II ESA described above. Soil borings were installed to a maximum depth of 24-feet below ground surface (bgs); no groundwater or wet to saturated overburden soils were observed at those depths.

SECTION II – PROJECT DESCRIPTION

II.4 – Short description of the overall project development.

The proposed property is in a historic district, and the applicant will redevelop the site to NYS SHPO and Federal US Department of the Interior 's historic standards and working with all local and state and federal historic officers to certify this as a historic structure. The applicant will be using funding from New York State Homes and Community Renewal (NYSHCR) Small Building Loan Participation Program to deliver 100% of the units as affordable renovated units and also working closely with NYS Empire State Development and City of Binghamton for additional funding for the project. This is an important redevelopment project which is a priority for the City of Binghamton, County of Broome, and State of New York ESD representatives of the Southern Tier. The vacant 5-story former industrial and commercial structure into a residential use structure with parking. All fifty (50) proposed residential units will be 100% affordable housing.

Anticipated Project Schedule

TASK	DATE COMPLETED
APPLICATION and CITIZEN PARTICIPATION PLAN (CPP)	
BCP Application	March 2025
Application Accepted – Released for Public Comment	March 2025
30-Day Public Comment Period Ends	March 2025
Brownfield Cleanup Agreement (BCA) Fully Executed	April 2025
CPP Submitted	April 2025
REMEDIAL INVESTIGATION	
Draft Remedial Investigation Work Plan (RIWP) Submitted	May 2025
RIWP – Released for Public Comment	May 2025
RIWP – Approval	June 2025
RI Field Activities	June - July 2025
Draft RI Report Submittal	August 2025
Final RI Report Submittal	August 2025
REMEDIAL ACTION WORK PLAN (RAWP)	
Proposed RAWP with Alternative Analysis Submitted	August 2025
45-Day Comment Period Ends	October 2025
Final RAWP Submitted	October 2025
RAWP Implemented During Construction	Dec. 2025 – May 2027
PROJECT COMPLETION	
Submit Environmental Easement Package	July 2027
Submit Draft Site Management Plan	August 2027

Construction Completed
Submit Final Engineering Report
Certificate of Completion

September 2027
November 2027
December 2027

II.5 – Green and Sustainable Remediation

As part of the remedial design program, to evaluate the remedy with respect to green and sustainable remediation principles, an environmental footprint will be completed throughout remedial phases of the project. The environmental footprint analysis will be completed using SEFA (Spreadsheets for Environmental Footprint Analysis, USEPA), SiteWise™ (available in the Sustainable Remediation Forum [SURF] library) or similar Department accepted tool. Water consumption, greenhouse gas emissions, renewable and non-renewable energy use, waste reduction and material use will be estimated, and goals for the project related to these green and sustainable remediation metrics, as well as for minimizing community impacts, protecting habitats and natural and cultural resources, and promoting environmental justice, will be incorporated into the remedial design program, as appropriate. The project design specifications will include detailed requirements to achieve the green and sustainable remediation goals. Further, progress with respect to green and sustainable remediation metrics will be tracked during implementation of the remedial action and reported in the Final Engineering Report (FER), including a comparison to the goals established during the remedial design program.

During Remedial Investigation (RI), PVE will employ sustainable measures such as carpooling and/or limiting excessive trips to the subject property by organizing sampling events to take place in as few days/events as possible. If multiple consecutive days of investigation are warranted, field members will seek local lodging in lieu of excessive travel back to office/homes. Reusable sampling equipment will be utilized when possible. Batteries will be used to power sampling pumps in lieu of combustion generators. Decontamination water and ice for samples will be locally sourced to reduce weight of traveling vehicles to the subject property.

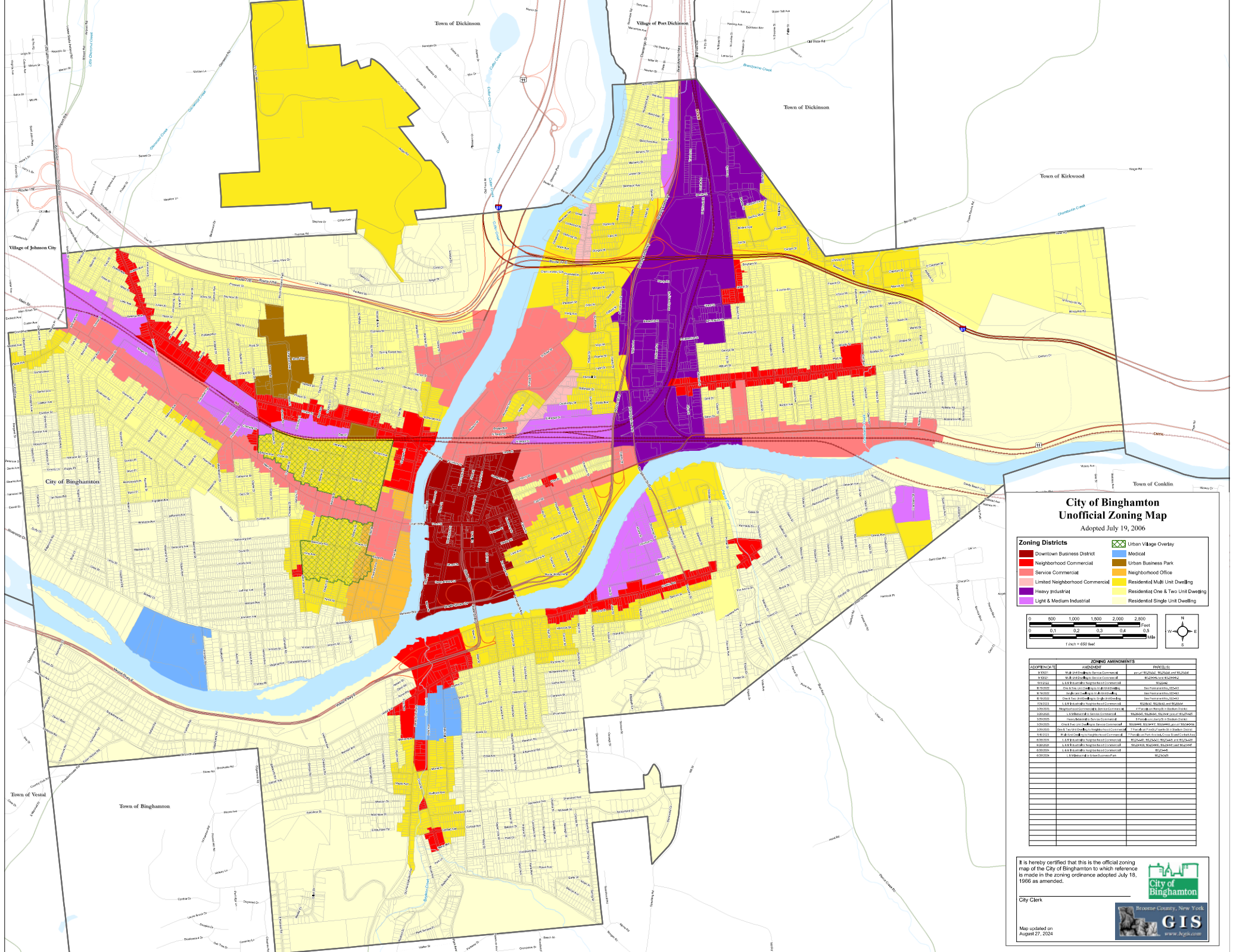
Additionally, the remedial design program will include a climate change vulnerability assessment, to evaluate the impact of climate change on the project site and the proposed remedy. Potential vulnerabilities associated with extreme weather events (e.g., hurricanes, lightning, heat stress and drought), flooding, and sea level rise will be identified, and the remedial design program will incorporate measures to minimize the impact of climate change on potential identified vulnerabilities.

SECTION III – ECOLOGICAL CONCERNS

The Chenango River, an ecological resource, is located approximately 0.2-mile west of the subject property. As such, a Fish and Wildlife Resources Impact Analysis (FWRIA) Part I is included with this application (Separate Attachment III.4). The FWRIA Part I concluded that the site's use as habitat for wildlife is substantially restricted due to the impervious nature and past uses of the site. These past uses have resulted in the discharge of contaminants into the soil, however the impervious cover will protect against direct contact to wildlife. Burrowing, direct soil contact and sediment transport are not anticipated with the site's current land cover. No aquatic resources are located on site and the nearest surface water is 0.2 miles to the west. Redevelopment of the property may be able to provide some future wildlife habitat by utilizing softscape areas with plant selections that will provide food, habitat and shelter.

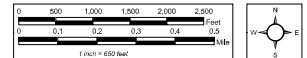
SECTION IV – LAND USE FACTORS

IV.1A – City of Binghamton Zoning – City Extent



City of Binghamton
Unofficial Zoning Map
Adopted July 19, 2006

- Zoning Districts**
- Downtown Business District
 - Neighborhood Commercial
 - Service Commercial
 - Limited Neighborhood Commercial
 - Heavy Industrial
 - Light & Medium Industrial
 - Urban Village Overlay
 - Medical
 - Urban Business Park
 - Neighborhood Office
 - Residential Multi Unit Dwelling
 - Residential One & Two Unit Dwelling
 - Residential Single Unit Dwelling



ZONING AMENDMENTS		
LEGISLATIVE	ADVISORY	APPROVED
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It is hereby certified that this is the official zoning map of the City of Binghamton to which reference is made in the zoning ordinance adopted July 18, 1966 as amended.

City Clerk

Map updated on August 27, 2024



IV.1B – City of Binghamton Zoning – Project/Neighborhood Extent

LEGEND

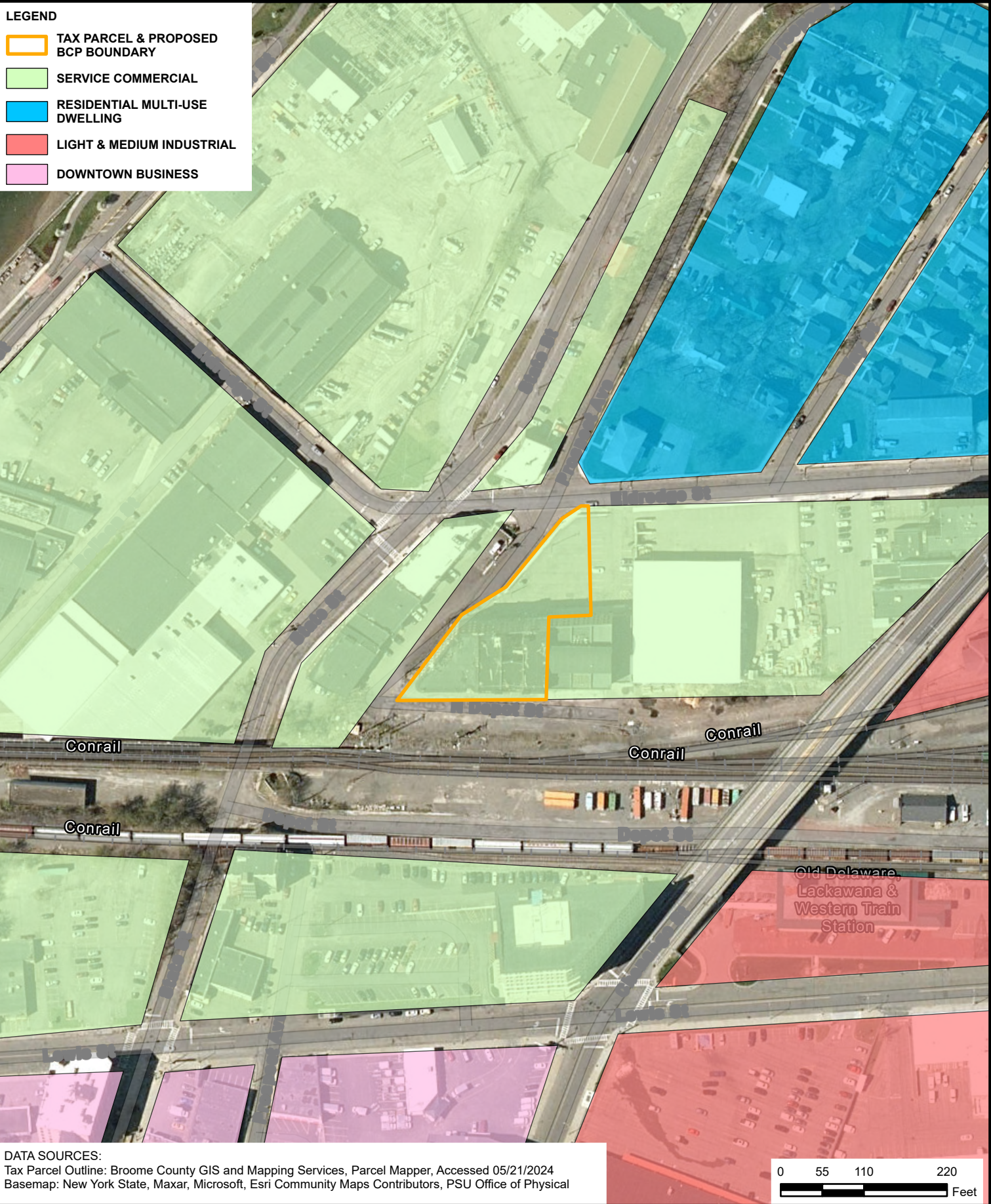
TAX PARCEL & PROPOSED BCP BOUNDARY

SERVICE COMMERCIAL

RESIDENTIAL MULTI-USE DWELLING

LIGHT & MEDIUM INDUSTRIAL

DOWNTOWN BUSINESS



DATA SOURCES:
 Tax Parcel Outline: Broome County GIS and Mapping Services, Parcel Mapper, Accessed 05/21/2024
 Basemap: New York State, Maxar, Microsoft, Esri Community Maps Contributors, PSU Office of Physical

<div> <div>PVE</div> <div> 48 Springside Avenue Poughkeepsie, NY 12603 Office: 845.454.2544 Fax: 845.454.2655 </div> </div>	<div>NEARBY ZONING MAP</div> <div>1 NORTH DEPOT STREET, CITY OF BINGHAMTON</div> <div>BROOME COUNTY, NEW YORK</div>	PROJECT NO.	ATTACHMENT IV.1B
		20240228	DATE: 01/02/2025
		<div>N</div> <div>▲</div>	SCALE: AS INDICATED
			PROJECTION: STATE PLANE NAD83 NY EAST
		ALL LOCATIONS APPROXIMATE	

IV.4 – Summary of current business operations or uses, with an emphasis on identifying possible contamination source areas. If operations have ceased, provide the date by which the site became vacant.

Vacant commercial structure. Current operations are unlikely to present any possible contamination routes/source areas. The final year of tenants described in available City Directory records was 1974 when the structure was occupied by a wholesale grocery company and the Landers Company for warehousing purposes. Reportedly, Norfolk Southern Railway subsequently utilized the structure for offices; the end date of this use and beginning date of vacancy is unknown but is believed to be prior to 2012 when Broome County assumed ownership of the property.

IV.6 – Statement detailing the specific proposed post-remediation use.

The applicant will renovate the 5-story former industrial and commercial structure into a residential use structure with parking. All fifty (50) proposed residential units will be 100% affordable housing.

IV.9 – Is the proposed use consistent with applicable zoning laws/maps?

No, the proposed use is not consistent with the purpose and intent of the City of Binghamton General Commercial District zoning laws, as the Site is currently zoned “Service Commercial”. PVE understands a zoning variance will be required and is supported by local government and advocacy groups.

IV.10 – Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plan?

Yes, the proposed use is consistent with the City of Binghamton Housing Plan. This Plan is a policy document which outlines a vision for the future of the City of Binghamton. It focuses on the current and long-range protection, enhancement and development/redevelopment of the City of Binghamton and highlights housing issues and a strategic plan to renovate and tackle housing issues within the city. The Site is specifically mentioned on page 24 of the City of Binghamton Housing Plan under “Encourage Historic Preservation to Maintain Neighborhood Character” (excerpt below).

Proposed construction and renovation will be reviewed by the local planning and zoning authorities and are subject to the normal review process of the City of Binghamton. Therefore, any redevelopment activities will be consistent with the City of Binghamton Housing Plan.

SUMMARY OF KEY ISSUES & OPPORTUNITIES

Binghamton's neighborhoods offer a range of choices from urban apartment living to almost rural, secluded environments. The affordability of housing makes Binghamton attractive to prospective buyers and renters but at the same time, places constraints on new residential construction because rents higher than are now typical in the City are required to support today's construction costs. There are, however, opportunities to improve the condition of housing and neighborhoods in the City for existing residents, and to attract a broader range of residents.

The recommendations in this chapter address one or more of the following objectives:

- Eliminate residential blight, and maintain quality housing and attractive neighborhoods to foster pride and quality of life
- Revitalize neighborhoods through balanced housing development throughout the City
- Encourage student housing where it will best benefit the surrounding community and City as a whole
- Develop diverse and distinctive housing options to attract various types of households to live in and help grow in the City

COMMUNITY VOICE

BBLUEPRINT BINGHAMTON asked YOU for your thoughts and ideas, concerns and priorities related to housing.

Your ideas for the **COLLABORATIVE MAP** addressed the need to improve the quality of housing for better neighborhoods, create affordable housing for populations in need, and think creatively to offer more housing options:

- "Would love to see Depot Street and train station continue loft development, restaurant or bar"
- "Enforce property codes to maintain/improve appearance of neighborhoods. Provide assistance to low income families to fix places."
- "Less vacant buildings; more quality, affordable rental housing, more trees!"
- "More housing for elderly, disabled, and low-income"
- "Downtown living should be for people wanting to downsize & retire - not just students"

1.2 ENCOURAGE HISTORIC PRESERVATION TO MAINTAIN NEIGHBORHOOD CHARACTER

Binghamton is fortunate to have maintained a number of historic properties, among them many homes. These buildings are an important part of the City's urban fabric and are what sets it apart from newer surrounding communities. Renewed interest in living in urban cores such as Binghamton is often linked to a desire for unique housing stock that leads to distinctive neighborhood characteristics. The City currently has four historic districts: Abel Bennett Tract, the Rail Terminal, State and Henry Streets, and Court Street. Property owners throughout the City, and in these districts in particular, should be encouraged to rehabilitate historic properties

so that they contribute to the character of the neighborhood. The City's Design Guidelines for Historic Properties offer important information for those working with historic properties. As historic preservation is a complicated and expensive process, the City can help minimize the hurdles involved by working with the Commission on Architecture and Urban Design (CAUD) to streamline the review and approvals process, help property owners access financial incentives such as Historic Preservation Tax Credits and New Market Tax Credits, and consider donations of easements for historic preservation.



Buildings in the Rail Terminal Historic District



Historic Home in the West Side

SECTION V – CURRENT AND HISTORICAL PROPERTY OWNER AND OPERATOR INFORMATION

PREVIOUS OWNERS

Section: 160.25		Block:2		Lot: 20.2	
Previous Owner Name	Approximate Dates	Last Known Address	Phone Number	Requestor's Relationship to Owner	
One North Depot LLC	4/2/2015 – Present	159 Washington Street, Binghamton, NY	607-778-9022	Seller	
The County of Broome	12/11/2012 – 4/2/2015	60 Hawley Street 3 rd , Binghamton, NY	607-778-2109	None	
CC Binghamton, LLC	5/12/2010 – 12/11/2012	3780 Nw 15 Avenue, Miami FL	Unknown	None	
North Depot LLC	8/28/2008 – 5/12/2010	1 North Depot, Binghamton, NY	Unknown	None	
Arise Development, LLC	2/2/2004 – 8/28/2008	9101 125 th Avenue Ne, Kirkland, WA	212-673-3027	None	
Joseph A. Possemato & Donna M. Possemato	10/29/1998 – 2/2/2004	Unknown	Unknown	None	
George W. Brownlow Jr. & Anita M. Brownlow	2/18/1983 – 10/29/1998	Unknown	Unknown	None	
First-Depot Corporation	1/25/1966 – 2/18/1983	19 North Depot Street, Binghamton, NY	Unknown	None	
Monk's Express, Inc.	7/5/1962 – 1/25/1966	30 Phelps Street, Binghamton, NY	Unknown	None	

PREVIOUS OPERATORS

Section: 160.25		Block:2		Lot: 20.2
Previous Operator Name	Approximate Dates	Last Known Address	Phone Number	Requestor's Relationship to Owner
Kingsley Company (wholesale warehouse)	1930-1964	1 North Depot, Binghamton, NY	Unknown	None
Mc Tighe Grocery Company	1930-1964	1 North Depot, Binghamton, NY	Unknown	None
Darling Meats and Provisions Company	1930-1964	1 North Depot, Binghamton, NY	Unknown	None
Lander's Company	1974	1 North Depot, Binghamton, NY	Unknown	None

SECTION VI – PROPERTY’S ENVIRONMENTAL HISTORY

VI.1 – Relevant Reports

Relevant reports are summarized below in chronological order. **These reports are attached as electronic copies to the submittal, only.**

Phase I ESA, by Keystone Associates, *October 5, 2015*

Keystone Associates (KA) completed a Phase I ESA, dated October 5, 2015, of the Site located at 1 North Depot Street, City of Binghamton, Broome County, New York in accordance with the ASTM Standard Practice E1527-13. KA concluded no recognized environmental conditions (RECs) in association with the property.

Phase II ESA, by PVE Engineering, *July 12, 2024*

PVE completed a Phase II ESA, dated July 12, 2024, of the Site located at 1 North Depot Street, City of Binghamton, Broome County, New York (see Attachment IV-1) to assess the missed interpreted findings detailed in a Phase I ESA, by Keystone Associates, dated October 5, 2015. Findings from this assessment include the following:

SOILS: A total of ten (10) soil borings were installed to 13.6 to 24-feet below grade surface (bgs). Fill material consisting of brick, glass, tile, coal fragments, slag, and ash was encountered at depths from 0.3 to 7.0-feet bgs in six (6) of the ten (10) soil borings installed. Native soils consisted of brown sand, silt, cobbles, and gravel. One (1) soil sample was collected from each of the ten (10) soil borings. Soil samples were submitted to a New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP) approved laboratory for analysis of Target Compound List (TCL) VOCs, Commissioners Policy (CP-51) SVOCs, Resource Conservation and Recovery Act (RCRA) Metals, and Polychlorinated Bisphenols (PCBs). Soil analytical results were compared to UUSCOs and Restricted Residential Soil Cleanup Objectives (RRSCOs) as defined in 6 NYCRR Part 375. Exceedances were detected in six (6) of the ten (10) soil samples. Seven (7) SVOCs (benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenz(a,h)anthracene and indeno(1,2,3-c,d)pyrene) and two (2) metals (lead and mercury) were detected in soil samples at concentrations exceeding Unrestricted and Restricted Residential Soil Cleanup Objectives (SCOs). Five (5) SVOCs (benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenz(a,h)anthracene and indeno(1,2,3-c,d)pyrene) and two (2) metals (lead and mercury) were detected in soil samples at concentrations exceeding their respective Restricted Residential Soil Cleanup Objectives (RRSCOs) as defined in 6 NYCRR Part 375.

SOIL VAPOR: Six (6) VOCs (benzene, carbon tetrachloride, cis-1,2-dichloroethylene, ethylbenzene, tetrachloroethylene [PCE], and/or trichloroethylene [TCE]) were detected in five (5) soil vapor samples at concentrations warranting Mitigate or Monitor in accordance with NYSDOH Guidance (February 2024). Benzene was detected at a concentration of 390 µg/m³, carbon tetrachloride was detected at a concentration of 7.4 µg/m³, cis-1,2-dichloroethylene was detected at a concentration of 83 µg/m³, ethylbenzene was detected at a concentration of 66 µg/m³, PCE was detected at

concentrations ranging from 890 to 7,400 $\mu\text{g}/\text{m}^3$ and TCE was detected at concentrations ranging from 33 to 220 $\mu\text{g}/\text{m}^3$ (See Section IV).

GROUNDWATER: No groundwater samples were collected/attainable during the Phase II ESA described above. Soil borings were installed to a maximum depth of 24-feet below ground surface (bgs); no groundwater or wet to saturated overburden soils were observed at those depths.



VI.2 – Impacted Site Media

Phase II ESA, by PVE, dated July 12, 2024

Analytes > UUSCOs	Detections > UUSCOs	Max. Detection (ppm)	UUSCOs (ppm)	Depth (ft bgs)
Benzo(K)Fluoranthene	1	1.1	0.8	0.5-2
Chrysene	1	1.5	1	0.5-2
Lead	3	344	63	0.5-3, 2-3, 2.5-3.5
Mercury	2	0.259	0.18	2-2.5, 2.5-3.5
Analytes > RRSCOs	Detections > RRSCOs	Max. Detection (ppm)	RRSCOs (ppm)	Depth (ft bgs)
Benzo(A)Anthracene	1	1.4	1	0.5-2
Benzo(A)Pyrene	1	1.1	1	0.5-2
Benzo(B)Fluoranthene	1	1.1	1	0.5-2
Dibenz(A,H)Anthracene	1	0.42	0.33	2-3.5
Indeno(1,2,3-C,D)Pyrene	1	0.70	0.5	0.5-2
Lead	1	986	400	2-3.5
Mercury	3	1.27	0.81	0.5-3, 2-3, 2-3.5

Phase II ESA, by PVE, dated July 12, 2024

Analytes	Total Detections	Max. Detection (ug/m3)	Type
1,1,1-Trichloroethane (TCA)	1	7.8	Soil Vapor
1,2,4-Trimethylbenzene	6	36	Soil Vapor
1,3,5-Trimethylbenzene (Mesitylene)	4	8.7	Soil Vapor
1,3-Butadiene	1	3.4	Soil Vapor
2,2,4-Trimethylpentane	5	4.95	Soil Vapor
2-Hexanone	1	3.4	Soil Vapor
4-Ethyltoluene	5	36	Soil Vapor
Acetone	6	540	Soil Vapor
Acrylonitrile	1	5.3	Soil Vapor
Benzene	5	390	Soil Vapor
Benzyl Chloride	2	10	Soil Vapor
Bromodichloromethane	1	13	Soil Vapor
Carbon Disulfide	2	3	Soil Vapor
Carbon Tetrachloride	1	7.4	Soil Vapor
Chloroform	2	84	Soil Vapor
Cis-1,2-Dichloroethylene	4	83	Soil Vapor
Cyclohexane	5	15	Soil Vapor
Dichlorodifluoromethane	4	8.8	Soil Vapor
Ethylbenzene	6	66	Soil Vapor
m,p-Xylene	5	73	Soil Vapor
Methyl Ethyl Ketone (2-Butanone)	6	9.9	Soil Vapor
N-Heptane	6	28	Soil Vapor
N-Hexane	6	46	Soil Vapor
O-Xylene (1,2-Dimethylbenzene)	6	28	Soil Vapor
Propylene	1	5.7	Soil Vapor
Styrene	1	1.8	Soil Vapor
Tetrachloroethylene (PCE)	6	7,400	Soil Vapor
Toluene	6	110	Soil Vapor
Trans-1,2-Dichloroethene	1	17	Soil Vapor
Trichloroethylene (TCE)	4	220	Soil Vapor
Trichlorofluoromethane	6	24	Soil Vapor
Vinyl Chloride	1	0.49	Soil Vapor

LEGEND

 TAX PARCEL OUTLINE

 SOIL BORING

 SOIL VAPOR

SB-6 0.5-3' 20240604
=====

Lead: 202 mg/kg

SB-2 0.5-2' 20240604
=====

Benzo(K)Fluoranthene: 1.1 mg/kg
Chrysene: 1.5 mg/kg

SB-8 2.5-3.5- 20240605
=====

Lead: 63.5 mg/kg
Mercury: 0.259 mg/kg

SB-5 2-3' 20240604
=====

Lead: 344 mg/kg

SB-9 2-2.5' 20240605
=====

Mercury: 0.223 mg/kg

DATA SOURCES:

Tax Parcel Outline: Broome County Tax Parcel Access
Basemap: New York State, Maxar, NYS ITS Geospatial Services, Westchester County GIS , New York State, Maxar, Microsoft, Esri Community Maps Contributors, PSU Office of Physical Plant, data.pa.gov, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies,

0 15 30 60
Feet

PVE

48 Springside Avenue
Poughkeepsie, NY 12603
Office: 845.454.2544
Fax: 845.454.2655

SOIL SAMPLES EXCEEDING UUSCOs

1 NORTH DEPOT STREET, CITY OF BINGHAMTON
BROOME COUNTY, NEW YORK

PROJECT NO.

20240228

N



ATTACHMENT VI.3A

DATE: 12/06/2024

SCALE: AS INDICATED

PROJECTION: STATE PLANE NAD83 NY EAST

ALL LOCATIONS APPROXIMATE

LEGEND

 TAX PARCEL OUTLINE

 SOIL BORING

 SOIL VAPOR

SB-2 0.5-2' 20240604

=====

Benzo(A)Anthracene: 1.4 mg/kg

Benzo(A)Pyrene: 1.1 mg/kg

Benzo(B)Fluoranthene: 1.1 mg/kg

Indeno(1,2,3-C,D)Pyrene: 0.7 mg/kg

SB-5 2-3' 20240604

=====

Mercury: 0.831 mg/kg

SB-6 0.5-3' 20240604

=====

Mercury: 1.27 mg/kg

SB-1

SB-2

SB-3

SB-5

SB-4

SB-6

SB-7

SB-8

SB-9

SB-10

BS-4 2-3.5' 20240604

=====

Dibenz(A,H)Anthracene: 0.42 mg/kg

Lead: 986 mg/kg

Mercury: 0.874 mg/kg

DATA SOURCES:

Tax Parcel Outline: Broome County Tax Parcel Access

Basemap: New York State, Maxar, NYS ITS Geospatial Services, Westchester County GIS , New York State, Maxar, Microsoft, Esri Community Maps Contributors, PSU Office of Physical Plant, data.pa.gov, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies,

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Feet

PVE

48 Springside Avenue
Poughkeepsie, NY 12603
Office: 845.454.2544
Fax: 845.454.2655

SOIL SAMPLES EXCEEDING RRSCOs

1 NORTH DEPOT STREET, CITY OF BINGHAMTON
BROOME COUNTY, NEW YORK

PROJECT NO.

20240228

N



ATTACHMENT VI.3B

DATE: 12/06/2024


SCALE: AS INDICATED

PROJECTION: STATE PLANE NAD83 NY EAST

ALL LOCATIONS APPROXIMATE

LEGEND

 TAX PARCEL OUTLINE

 SOIL BORING

 SOIL VAPOR

SV-1 20240604

=====

1,2,4-Trimethylbenzene: 24 ug/m3
1,3,5-Trimethylbenzene: 5.6 ug/m3
2,2,4-Trimethylpentane: 2.26 ug/m3
Benzene: 3.9 ug/m3
Cyclohexane: 4.4 ug/m3
Ethylbenzene: 41 ug/m3
m,p-Xylene: 45 ug/m3
N-Heptane: 6.4 ug/m3
N-Hexane: 10 ug/m3
O-Xylene: 18 ug/m3
Tetrachloroethylene: 27 ug/m3
Toluene: 32 ug/m3

SV-2 20240604

=====

1,2,4-Trimethylbenzene: 35 ug/m3
1,3,5-Trimethylbenzene: 7.8 ug/m3
2,2,4-Trimethylpentane: 3.71 ug/m3
Benzene: 8.1 ug/m3
Carbon Tetrachloride: 7.4 ug/m3
Cyclohexane: 15 ug/m3
Ethylbenzene: 54 ug/m3
m,p-Xylene: 62 ug/m3
N-Heptane: 28 ug/m3
N-Hexane: 46 ug/m3
O-Xylene: 25 ug/m3
Tetrachloroethylene: 17 ug/m3
Toluene: 47 ug/m3
Trichloroethylene: 0.51 ug/m3
Vinyl Chloride: 0.49 ug/m3

SSV-1 20240605

=====

1,1,1-Trichloroethane: 7.8 ug/m3
1,2,4-Trimethylbenzene: 7.7 ug/m3
Cis-1,2-Dichloroethylene: 83 ug/m3
Ethylbenzene: 9.3 ug/m3
N-Heptane: 7.0 ug/m3
N-Hexane: 8.5 ug/m3
Tetrachloroethylene: 7,400 ug/m3
Toluene: 8.0 ug/m3
Trichloroethylene: 220 ug/m3

SV-3 20240604

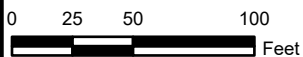
=====

1,2,4-Trimethylbenzene: 36 ug/m3
1,3,5-Trimethylbenzene: 8.7 ug/m3
2,2,4-Trimethylpentane: 4.52 ug/m3
Benzene: 17 ug/m3
Cis-1,2-Dichloroethylene: 4.5 ug/m3
Cyclohexane: 8.9 ug/m3
Ethylbenzene: 66 ug/m3
m,p-Xylene: 73 ug/m3
N-Heptane: 28 ug/m3
N-Hexane: 39 ug/m3
O-Xylene: 27 ug/m3
Tetrachloroethylene: 4,900 ug/m3
Toluene: 58 ug/m3
Trichloroethylene: 100 ug/m3

SV-4 20240604

=====

1,2,4-Trimethylbenzene: 36 ug/m3
1,3,5-Trimethylbenzene: 8.2 ug/m3
2,2,4-Trimethylpentane: 4.95 ug/m3
Benzene: 390 ug/m3
Cis-1,2-Dichloroethylene: 2.4 ug/m3
Cyclohexane: 9.9 ug/m3
Ethylbenzene: 66 ug/m3
m,p-Xylene: 73 ug/m3
N-Heptane: 22 ug/m3
N-Hexane: 35 ug/m3
O-Xylene: 28 ug/m3
Tetrachloroethylene: 1,800 ug/m3
Toluene: 110 ug/m3



DATA SOURCES:

Tax Parcel Outline: Broome County Tax Parcel Access
Basemap: New York State, Maxar, NYS ITS Geospatial Services, Westchester County GIS, New York State, Maxar, Microsoft, Esri Community Maps Contributors, PSU Office of Physical Plant, data.pa.gov, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies,



48 Springside Avenue
Poughkeepsie, NY 12603
Office: 845.454.2544
Fax: 845.454.2655

NYSDOH REGULATED COMPOUND DETECTIONS IN VAPOR SAMPLES

1 NORTH DEPOT STREET, CITY OF BINGHAMTON
BROOME COUNTY, NEW YORK

Soil Vapor/Indoor Air Matrix A

May 2017

Analytes Assigned: Trichloroethene (TCE), cis-1,2-Dichloroethene (c-1,2-DCE), 1,1-Dichloroethene (1,1-DCE), Carbon Tetrachloride

SUB-SLAB VAPOR CONCENTRATION of COMPOUND (mcg/m3)	INDOOR AIR CONCENTRATION of COMPOUND (mcg/m3)		
	< 0.2	0.2 to < 1	1 and above
< 6	1. No Further Action	2. No Further Action	3. IDENTIFY SOURCE(S) and RESAMPLE or MITIGATE
6 to < 60	4. No Further Action	5. MONITOR	6. MITIGATE
60 and above	7. MITIGATE	8. MITIGATE	9. MITIGATE

Soil Vapor/Indoor Air Matrix B

May 2017

Analytes Assigned: Tetrachloroethene (PCE), 1,1,1-Trichloroethane (1,1,1-TCA), Methylene Chloride

SUB-SLAB VAPOR CONCENTRATION of COMPOUND (mcg/m3)	INDOOR AIR CONCENTRATION of COMPOUND (mcg/m3)		
	< 3	3 to < 10	10 and above
< 100	1. No Further Action	2. No Further Action	3. IDENTIFY SOURCE(S) and RESAMPLE or MITIGATE
100 to < 1,000	4. No Further Action	5. MONITOR	6. MITIGATE
1,000 and above	7. MITIGATE	8. MITIGATE	9. MITIGATE

Soil Vapor/Indoor Air Matrix C

May 2017

Analytes Assigned: Vinyl Chloride

SUB-SLAB VAPOR CONCENTRATION of COMPOUND (mcg/m3)	INDOOR AIR CONCENTRATION of COMPOUND (mcg/m3)		
	< 0.2	0.2 and above	
< 6	1. No Further Action	3. No Further Action	
6 to < 60	4. MONITOR	6. MITIGATE	
60 and above	7. MITIGATE	9. MITIGATE	

Soil Vapor/Indoor Air Matrix D

February 2024

Analytes Assigned: Benzene, Ethylbenzene, Naphthalene, Cyclohexane, Isocane (2,2,4-Trimethylpentane), 1,2,4-Trimethylbenzene, 1,2,3-Trimethylbenzene, O-Xylene

SUB-SLAB VAPOR CONCENTRATION of COMPOUND (mcg/m3)	INDOOR AIR CONCENTRATION of COMPOUND (mcg/m3)		
	< 2	2 to < 10	10 and above
< 60	1. No Further Action	2. No Further Action	3. IDENTIFY SOURCE(S) and RESAMPLE or MITIGATE
60 to < 600	4. No Further Action	5. MONITOR	6. MITIGATE
600 and above	7. MITIGATE	8. MITIGATE	9. MITIGATE

Soil Vapor/Indoor Air Matrix E

February 2024

Analytes Assigned: M-Xylene, P-Xylene, Heptane, Hexane

SUB-SLAB VAPOR CONCENTRATION of COMPOUND (mcg/m3)	INDOOR AIR CONCENTRATION of COMPOUND (mcg/m3)		
	< 6	6 to < 20	20 and above
< 200	1. No Further Action	2. No Further Action	3. IDENTIFY SOURCE(S) and RESAMPLE or MITIGATE
200 to < 2,000	4. No Further Action	5. MONITOR	6. MITIGATE
2,000 and above	7. MITIGATE	8. MITIGATE	9. MITIGATE

Soil Vapor/Indoor Air Matrix F

February 2024

Analytes Assigned: Toluene

SUB-SLAB VAPOR CONCENTRATION of COMPOUND (mcg/m3)	INDOOR AIR CONCENTRATION of COMPOUND (mcg/m3)		
	< 10	10 to < 50	50 and above
< 300	1. No Further Action	2. No Further Action	3. IDENTIFY SOURCE(S) and RESAMPLE or MITIGATE
300 to < 3,000	4. No Further Action	5. MONITOR	6. MITIGATE
3,000 and above	7. MITIGATE	8. MITIGATE	9. MITIGATE

PROJECT NO.

20240228

N



ATTACHMENT VI.3C

DATE: 12/06/2024

SCALE: AS INDICATED

PROJECTION: STATE PLANE NAD83 NY EAST

ALL LOCATIONS APPROXIMATE

VI.4 – Past Land Uses

As early as 1887, the property was operated as wholesale groceries, a cigar factory, Casper and Honah Tin Works, a machine shop and the Bengal Blueing Factory. In 1898, only the wholesale groceries and cigar factory were in operation. In 1918, the property operated as wholesale groceries, coffee roasters wholesale hardware, and Reynolds and Hawley ornamental iron works. In 1950-1952, the property operated as wholesale groceries, prints wholesale hardware and motor freight terminals with a gasoline tank (See Attachment VI.4). The tank location and whether it still remains on-site is currently unknown. In 1970, the property operated as LJ Kingsley Wholesale Hardware (including paints), with a buried gasoline tank, wholesale meats; (it should be noted “Phelps Ave” bisected the property east to west to the former Post Office Terminal east of the property through all Sanborn maps except 1887). Currently a 5-story abandoned/vacant former commercial structure is in very poor condition.

LEGEND


TAX PARCEL & PROPOSED BCP BOUNDARY

TANK LOCATION



DATA SOURCES:
Tax Parcel Outline: Broome County GIS and Mapping Services, Parcel Mapper, Accessed 05/21/2024
Sanborn Map 1950, Lightbox EDR Database
Basemap: New York State, Maxar, Microsoft



<div><div><div>PVE</div><div>48 Springside Avenue Poughkeepsie, NY 12603 Office: 845.454.2544 Fax: 845.454.2655</div></div></div>	<div>TANK LOCATION MAP - SANBORN MAP 1950</div> <div>1 NORTH DEPOT STREET, CITY OF BINGHAMTON BROOME COUNTY, NEW YORK</div>	PROJECT NO.	ATTACHMENT VI.4
		20240228	DATE: 02/27/2025
		<div>N</div> <div></div>	SCALE: AS INDICATED
			PROJECTION: STATE PLANE NAD83 NY EAST
			ALL LOCATIONS APPROXIMATE



SECTION VII – REQUESTOR INFORMATION

VII.2 – NYS DOS Entity Information

NEW YORK STATE DEPARTMENT OF STATE
DIVISION OF CORPORATIONS, STATE RECORDS AND UNIFORM COMMERCIAL CODE
FILING RECEIPT

ENTITY NAME : RESIDENCES AT NORTH DEPOT LLC
DOCUMENT TYPE : ARTICLES OF ORGANIZATION
ENTITY TYPE : DOMESTIC LIMITED LIABILITY COMPANY

DOS ID : 7523090
FILE DATE : 01/31/2025
FILE NUMBER : 250131002202
TRANSACTION NUMBER : 202501310002352-4128691
EXISTENCE DATE : 01/31/2025
DURATION/DISSOLUTION : PERPETUAL
COUNTY : WESTCHESTER



SERVICE OF PROCESS ADDRESS : RESIDENCES AT NORTH DEPOT LLC
1055 SAW MILL RIVER ROAD, SUITE 204
ARDSLEY, NY, 10502, USA

ELECTRONIC SERVICE OF PROCESS
EMAIL ADDRESS : FERN@REGANDEVELOPMENT.COM

FILER : CHRISTOPHER J. BABCOCK, ESQ.
CANNON HEYMAN & WEISS, LLP, 54 STATE STREET, 5TH
FLOOR
ALBANY, NY, 12207, USA
SERVICE COMPANY : CANNON HEYMAN & WEISS, LLP
SERVICE COMPANY ACCOUNT : HN

You may verify this document online at : <http://ecorp.dos.ny.gov>
AUTHENTICATION NUMBER : 100007388524

TOTAL FEES:	\$210.00	TOTAL PAYMENTS RECEIVED:	\$210.00
FILING FEE:	\$200.00	CASH:	\$0.00
CERTIFICATE OF STATUS:	\$0.00	CHECK/MONEY ORDER:	\$0.00
CERTIFIED COPY:	\$10.00	CREDIT CARD:	\$0.00
COPY REQUEST:	\$0.00	DRAWDOWN ACCOUNT:	\$210.00
EXPEDITED HANDLING:	\$0.00	REFUND DUE:	\$0.00

**STATE OF NEW YORK
DEPARTMENT OF STATE**

I hereby certify that the annexed copy for RESIDENCES AT NORTH DEPOT LLC, File Number 250131002202 has been compared with the original document in the custody of the Secretary of State and that the same is true copy of said original.

WITNESS my hand and official seal of the
Department of State, at the City of Albany,
on January 31, 2025.

WALTER T. MOSLEY
Secretary of State



BRENDAN C. HUGHES
Executive Deputy Secretary of State



**ARTICLES OF ORGANIZATION
OF
RESIDENCES AT NORTH DEPOT LLC
Under Section 203 of the Limited Liability Company Law**

THE UNDERSIGNED, being a natural person of at least eighteen (18) years of age, and acting as the organizer of the limited liability company hereby being formed under Section 203 of the Limited Liability Company Law of the State of New York certifies that:

- FIRST: The Name of the limited liability company is: **RESIDENCES AT NORTH DEPOT LLC**
- SECOND: To engage in any lawful act or activity within the purposes for which limited liability companies may be organized pursuant to Limited Liability Company Law provided that the limited liability company is not formed to engage in any act or activity requiring the consent or approval of any state official, department, board, agency, or other body without such consent or approval first being obtained.
- THIRD: The county, within this state, in which the office of the limited liability company is to be located is **WESTCHESTER**
- FOURTH: The Secretary of State is designated as agent of the limited liability company upon whom process against the limited liability company may be served. The post office address to which the Secretary of State shall mail a copy of any process against the limited liability company served upon the Secretary of State by personal delivery is:
**RESIDENCES AT NORTH DEPOT LLC
1055 SAW MILL RIVER ROAD
SUITE 204
ARDSLEY, NY 10502**
The email address to which the Secretary of State shall email a notice of the fact that process against the limited liability company has been served electronically upon the Secretary of State is:
FERN@REGANDEVELOPMENT.COM

I certify that I have read the above statements, I am authorized to sign these Articles of Organization, that the above statements are true and correct to the best of my knowledge and belief and that my signature typed below constitutes my signature.

An official website of New York State.
[Here's how you know](#) ▼



Department of State

Division of Corporations

Entity Information

Return to Results

Return to Search

Entity Details



ENTITY NAME: NORTH DEPOT DEVELOPMENT LLC

DOS ID: 4862045

FOREIGN LEGAL NAME:

FICTITIOUS NAME:

ENTITY TYPE: DOMESTIC LIMITED LIABILITY COMPANY

DURATION DATE/LATEST DATE OF DISSOLUTION:

SECTIONOF LAW: 203 LLC - LIMITED LIABILITY COMPANY LAW

ENTITY STATUS: ACTIVE

DATE OF INITIAL DOS FILING: 12/10/2015

REASON FOR STATUS:

EFFECTIVE DATE INITIAL FILING: 12/10/2015

INACTIVE DATE:

FOREIGN FORMATION DATE:

STATEMENT STATUS: PAST DUE DATE

COUNTY: BROOME

NEXT STATEMENT DUE DATE: 12/31/2017

JURISDICTION: NEW YORK, UNITED STATES

NFP CATEGORY:

- ENTITY DISPLAY
- NAME HISTORY
- FILING HISTORY
- MERGER HISTORY
- ASSUMED NAME HISTORY

Service of Process on the Secretary of State as Agent

The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the Secretary of State by personal delivery:

Name: NORTH DEPOT DEVELOPMENT LLC
Address: PO BOX 1554, BINGHAMTON, NY, UNITED STATES, 13902

Electronic Service of Process on the Secretary of State as agent: Not Permitted

Chief Executive Officer's Name and Address

Name:
Address:

Principal Executive Office Address

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: NO

Stock Information

Share Value	Number Of Shares	Value Per Share

VII.3 – LLC Members/Owners

Members of Residences at North Depot LLC are as follows:

- Lawrence Regan
- Kenneth Regan
- Gabriel Regan
- Jeremy Regan



SECTION IX – PROGRAM FEE

As this project consists of the development of 100% affordable housing units, the requestor is applying for a fee waiver.

Residences at North Depot LLC
1055 Saw Mill River Road #204
Ardsley, NY 10502

February 6, 2024

Via email to Gregory.Scholand@dec.ny.gov

Site Control Section
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233-7020

**Re: Residences at North Depot LLC
Site No. TBD
1 North Depot Street, Binghamton, NY
BCP Program Fee Waiver Request**

Dear Site Control:

This letter is respectfully submitted by Residences at North Depot LLC (the "Applicant") in connection with its Brownfield Cleanup Program ("BCP") application for the above-referenced site ("Site") to request a waiver of the \$50,000 BCP program fee based on 100% of its residential units being developed as affordable housing. The applicant will be submitting a BCP application with status of volunteer.

Please consider the following facts in connection with the Applicant's request for fee waiver: The Applicant proposes to renovate the 5-story former industrial and commercial structure to fifty (50) units of 100% affordable, work-force, rental housing on one (1) tax parcel in Binghamton. The proposed use of the site is consistent with the City of Binghamton Housing Plan. This Plan is a policy document which outlines a vision for the future of the City of Binghamton. It focuses on the current and long-range protection, enhancement and development/redevelopment of the City of Binghamton and highlights housing issues and a strategic plan to renovate and tackle housing issues within the city. The portion of the overall project situated on the Site will include fifty (50) affordable housing residential units that will also include a parking lot.

The proposed BCP property is within designated En-Zone Type-AB within Census Tract 5; 100% of the property is located within the above described En-Zone. The applicant proposes to construct a residential building. The 100% affordable residential-use building will be a five (5) story building, totaling 50 multifamily apartment units. The project is designed to include affordable "workforce" housing units, which are not market rate units, but designed to provide affordable housing in accordance with the Area Median Income (AMI) of the community.

This submission is made as a supplement to the BCP Application. The Applicant understands and agrees that this submission is becoming part of the BCP Application, and so the Applicant hereby affirms that the information provided in this submission is true and correct to the best of its knowledge and belief, and the Applicant is aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

We respectfully ask that you reconsider the waiver of the BCP program fee based on the foregoing facts.

Very truly yours,

Residences at North Depot LLC


By: Larry Regan, Authorized Person

SECTION X – REQUESTOR ELIGIBILITY

X.12 – The requestor must certify that he/she is either a participant or volunteer.

Statement describing why the Requestor should be considered a Volunteer:

In accordance with the definitions outlined in ECL § 27-1405(1), the each Requestors is considered a Volunteer, as its liability arises solely as a result of its ownership of the Site subsequent to the disposal of contaminants, and it exercises and will exercise appropriate care with respect to contamination found at the facility by taking reasonable steps to stop any continuing release; prevent any threatened future release; and prevent or limited human environmental, or natural resource exposure to any previously released contamination. The Requestor has performed Phase I and Phase II diligence before buying the Site and has promptly applied to the Brownfield Cleanup Program. Human, environmental and natural resource exposure to Site contamination that was released prior to taking title is prevented or limited by the following:

- Groundwater is not being used at the Site for potable purposes.
- The Site is covered by buildings and pavement.

The requestor is affiliated with the past Site owners, operators or the release of contaminants impacting the Site. As such, the applicant is considered a Volunteer since their liability arises solely based on Site ownership *subsequent* to subsurface impacts and the applicant has and continues to take reasonable steps to investigate site conditions and limit human, environmental and natural resource exposure to previously release contamination.

X.14 – Proof of Site Access.

The requestor does not currently own the property. An access agreement between property ownership and the applicant's entity is attached.

ONE NORTH DEPOT, LLC
159 WASHINGTON STREET
BINGHAMTON, NEW YORK 13901

March 4, 2025

Residences at North Depot LLC
ATTN: Larry Regan
1055 Saw Mill River Road, Suite 204
Ardsley, New York 10502

Re: **Site Access Agreement**; 1 North Depot Street, City of Binghamton, Broome County,
New York 13901
Section 160.25 Block 2 Lot 20.2
NYSDEC BCP Site #C704064

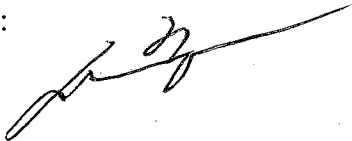
Dear Mr. Regan,

As the owner of the above referenced property, I hereby authorize Residences at North Depot LLC, prospective purchaser, to enter the site and conduct any and all investigations and remediation activities deemed necessary to complete the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP). Any and all site visits for investigation or remediation must first be requested and scheduled with the owner with at least 24 hours advance notice. Further, as the owner, we grant the NYSDEC the ability to place an environmental easement on the property should the requestor not be the owner at the time remediation is complete and a Track 1 cleanup has not been achieved.

Sincerely,

One North Depot, LLC

By:



Name: Josh Bishop
Title: Mng Member

Contact info: 607-778-9022 / Josh@jjbpropertymanagement.com

SECTION XII – SITE CONTACT LIST

XII.1 – The Chief Executive Officer and Planning Board Chairperson of each County, City, Town and Village in which the property is located.

City of Binghamton:

City of Binghamton City Mayor	Planning Board Chairman
Jared Kraham 38 Hawley Street Binghamton, New York 13901 607-772-7001	Nicholas Corcoran 38 Hawley Street Binghamton, New York 13901 607-772-7001

Broome County:

Broome County Executive	Planning Board Chairman
Jason T. Garnar 60 Hawley Street Binghamton, New York 13901 607-778-2109	Doug English 60 Hawley Street Binghamton, New York 13901 607-778-2109

New York State Legislature:

NYS Assembly	NYS Senate
123 rd District: Donna A. Lupardo 44 Hawley Street Binghamton, New York 13901 607-723-9047	52 nd District: Lea Webb 217 North Aurora Street Ithaca, New York 14850 607-773-8771

XII.2 – Residents, Owners, and Occupants of the Property and adjacent properties

See table, below. Adjoining parcels were obtained from the Broome County Parcel Mapper https://gis.broomecountyny.gov/website/apps/parcel_mapper/viewer.html.

West	89 Prospect Avenue	87-89 Prospect Avenue Holdin	89 Prospect Avenue, Binghamton, NY	Commercial
North	95 Prospect Avenue	350 State Street LLC	45 Lewis Street, Binghamton, NY	Commercial
North	108 Prospect Street	Metro Interfaith Housing	21 New Street, Binghamton, NY	Apartment
East	10 Eldrege Street	Depot East Condominium	21 North Depot Street, Binghamton, NY	Parking Lot
East	21 North Depot Street Common	Depot East Condominium	21 North Depot Street, Binghamton, NY	Commercial

South	61 Prospect Avenue	61 Prospect Holding LLC	186 State Street, Binghamton, NY	Apartment
South	31 Lewis Street	Railside Properties LLC	2338 Seneca Street, Binghamton, NY	Commercial

XII.3 – Local news media from which the community typically obtains information.

City of Binghamton

Binghamton News
https://www.binghamtonnews.net/

XII.4 – The public water supplier which services the area in which the property is located.

Water/Sewer Supply
City of Binghamton 38 Hawley Street Binghamton, New York 13901 https://www.binghamton-ny.gov/government/departments/public-works 607-772-7021

XII.5 – Any person who has been asked to be placed on the contact list and interested parties.

There are no additional interested parties known at this time.

XII.6 – The administrator of any school or day care facility located on or near the property.

Binghamton Highschool (0.67-miles)
31 Main Street Binghamton, New York 13905 Principal Kevin Richman 607-762-8200
Binghamton University Downtown Center (0.65-miles)
67 Washington Street Binghamton, New York 13902 Dean Laura Bronstein 607-777-5572
Ink & Graphic Studios LLC Daycare (1.4-miles)

44 Beethoven Street Binghamton, New York 13905 cchildrenscenter@gmail.com 323-421-7479

XII.7 – The location of a document repository

The document repository for this project is:

Broome County Public Library
185 Court Street Binghamton, New York 13901 https://www.thebcpl.org/ 607-778-6400



845.454.2544
PVE-LLC.com

January 9, 2025

Broome County Public Library
185 Court Street
Binghamton, New York 13901

Re: Document Repository Letter: 1 North Depot Street, City of Binghamton, New York 13901
Tax ID: 160.25-2-20.2
PVE File: 20240228

To Whom It May Concern:

On behalf of our client, a perspective New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) applicant, we are requesting that the Broome County Public Library serve as the document repository for the proposed 1 North Depot site. The BCP application process requires designation of a document repository for documents and reports that can be reviewed by the public. These documents (application, work plans and investigation reports) will be contained in standard sized 3-ring binders.

At your earliest convenience, please sign the acknowledgement below thus authorizing the applicant's use of your facility as the document repository for this BCP site. The signed copy of this letter can be submitted to us via email at ctarbell@pve-llc.com, fax 845-454-2655, or mail to 48 Springside Avenue, Poughkeepsie, NY 12603.

Feel free to contact us with any questions.

Sincerely,

PVE ENGINEERING

Conor B. Tarbell, QEP
Principal/Regional Director

Document Repository Acknowledgment

Name: Josias Bartram

Title: Library Director

Signature:

CALIFORNIA

CONNECTICUT

NEW YORK

PENNSYLVANIA

TEXAS