



Brownfield Cleanup Program Application

690 St. Paul Street
Rochester, NY 14605

Submitted to:

Chief, Site Control Section
NYSDEC
Division of Environmental
Remediation
625 Broadway
Albany, NY 12233

Submitted by:

Genesee Valley Real Estate
Company, LLC
(Volunteer)

690 St. Paul Street
Rochester, NY 14605

In association with:

ABELLA
Associates, P.C.



HARRIS BEACH ^{LLP}
ATTORNEYS AT LAW

March 20, 2009
Revised April 16, 2009

Relationships. Resources. Results.

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BROWNFIELD CLEANUP PROGRAM APPLICATION



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION



BROWNFIELD CLEANUP PROGRAM (BCP)

ECL ARTICLE 27 / TITLE 14

07/07

DEPARTMENT USE ONLY
BCP SITE #: _____

Section I. Requestor Information

NAME Genesee Valley Real Estate Company, LLC

ADDRESS First Federal Plaza, 28 East Main Street, Suite 500

CITY/TOWN Rochester

ZIP CODE 14614

PHONE (585) 546-1980

FAX 585-232-5509

E-MAIL dan@gwlawnet.com

NAME OF REQUESTOR'S REPRESENTATIVE Dante Gullace

ADDRESS First Federal Plaza, 28 East Main Street, Suite 500

CITY/TOWN Rochester

ZIP CODE 14614

PHONE (585) 546-1980

FAX 585-232-5509

E-MAIL dan@gwlawnet.com

NAME OF REQUESTOR'S CONSULTANT LaBella Associates, P.C.; c/o Dan Noll

ADDRESS 300 State Street, Suite 201

CITY/TOWN Rochester

ZIP CODE 14614

PHONE (585) 295-6611

FAX (585) 454-3066

E-MAIL dnoll@labellapc.com

NAME OF REQUESTOR'S ATTORNEY Harris Beach PLLC; c/o Frank Pavia, Esq.

ADDRESS 99 Garnsey Road

CITY/TOWN Pittsford

ZIP CODE 14534

PHONE (585) 419-8800

FAX (585) 419-8811

E-MAIL fpavia@harrisbeach.com

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

☐ PARTICIPANT

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

☒ VOLUNTEER

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

NOTE: By checking this box, the requestor 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.

Requestor Relationship to Property (check one):

☐ Previous Owner

☐ Current Owner

☐ Potential /Future Purchaser

☒ Other Tenant

If requestor is not the site owner, requestor will have access to the property throughout the BCP project.

☒ Yes

☐ No

(Note: proof of site access must be submitted for non-owners)

Genesee Valley Real Estate Company, LLC is Lessee and Hartel Properties, LLC is the proposed assignee of a leasehold interest.



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION



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E-MAIL

NAME OF REQUESTOR'S REPRESENTATIVE

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF REQUESTOR'S CONSULTANT

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF REQUESTOR'S ATTORNEY

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

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NOTE: By checking this box, the requestor 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.

Requestor Relationship to Property (check one):

Previous Owner

Current Owner

Potential /Future Purchaser

Other _____

If requestor is not the site owner, requestor will have access to the property throughout the BCP project.

Yes

No

(Note: proof of site access must be submitted for non-owners)

Section II: Property Information Summary Sheet

PROPERTY NAME: **690 Saint Paul Street**

ADDRESS/LOCATION **690 Saint Paul Street**

CITY/TOWN **Rochester**

ZIP CODE **14614**

MUNICIPALITY(IF MORE THAN ONE, LIST ALL): **Rochester**

COUNTY **Monroe**

SITE SIZE (ACRES) **4.739**

LATITUDE (degrees/minutes/seconds) **43 ° 10 ' 8.05 "**

LONGITUDE (degrees/minutes/seconds) **77 ° 37 ' 3.92 "**

HORIZONTAL COLLECTION METHOD: ☐ SURVEY ☐ GPS ☒ MAP

HORIZONTAL REFERENCE DATUM: **NAD 1983**

FOR EACH PARCEL, FILL OUT THE FOLLOWING TAX MAP INFORMATION (if more than three parcels, attach additional information)

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage
690 Saint Paul Street	1064500001024	106.450	0001	024	4.739

1. Do the property boundaries correspond to tax map metes and bounds?

☒ Yes ☐ No

If no, please attach a metes and bounds description of the property.

2. Is the required property map attached to the application? (application will not be processed without map)

☒ Yes ☐ No

3. Is the property part of a designated En-zone pursuant to Tax Law § 21(b)(6)?

☒ Yes ☐ No

For more information go to: http://www.nylovesbiz.com/BrownField_Redevelopment/default.asp.

If yes, identify area (name) 009200

☐ 50% ☒ 100% of the site is in the En-zone (check one)

PROPERTY DESCRIPTION NARRATIVE:

See Attachment.

List of Existing Easements (type here or attach information)

Easement Holder

Description

Rochester Gas & Electric Corporation

Utility Easement

New York State Department of Transportation Regional

Sidewalk Easement

Genesee Valley Real Estate Company Project

Parking and Parking Access Easement

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

Type

Issuing Agency

Description

Small Quantity Generator

U.S. EPA

RCRA ID # 110004558559

Initials of each Requestor: Herlet GLUE

Section III. Current Site Owner/Operator Information

OWNER'S NAME (if different from requestor)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

OPERATOR'S NAME (if different from requestor or owner)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

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

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

- | | | |
|--|-----|----|
| 1. Are any enforcement actions pending against the requestor regarding this site? | Yes | No |
| 2. Is the requestor subject to an existing order relating to contamination at the site? | Yes | No |
| 3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? | Yes | No |
| 4. Has the requestor been determined to have violated any provision of ECL Article 27? | Yes | No |
| 5. Has the requestor previously been denied entry to the BCP? | Yes | No |
| 6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving contaminants? | Yes | No |
| 7. Has the requestor been convicted of a criminal offense that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration? | Yes | No |
| 8. Has the requestor knowingly falsified or concealed material facts or knowingly submitted or made use of a false statement in a matter before the Department? | Yes | No |
| 9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.8(f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? | Yes | No |

Section V. Property Eligibility Information (Please refer to ECL § 27-1405)

- | | | |
|--|-----|----|
| 1. Is the property listed on the National Priorities List? | Yes | No |
| 2. Is the property listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites?
If yes, please provide: Site # _____ Class # _____ | Yes | No |
| 3. Is the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____ | Yes | No |
| 4. Is the property subject to a cleanup order under navigation law Article 12 or ECL Article 17 Title 10?
If yes, please provide: Order # _____ | Yes | No |
| 5. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?
If yes, please provide explanation as an attachment. | Yes | No |

Section VI. Project Description

What stage is the project starting at? investigation remediation

Please attach a description of the project which includes the following components:

- Purpose and scope of the project
- Estimated project schedule

Section VII. Property's Environmental History

To the extent that existing information/studies/reports are available to the requestor, please attach the following:

1. Environmental Reports

A phase I environmental site assessment report prepared in accordance with ASTM E 1527 (American Society for Testing and Materials: Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process), and all environmental reports related to contaminants on or emanating from the site.

If a final investigation report is included, indicate whether it meets the requirements of ECL Article 27-1415(2): Yes No

2. Sampling Data: Indicate known contaminants and the media which are known to have been affected:

Contaminant Category	Soil	Groundwater	Surface Water	Sediment	Soil Gas
Petroleum					
Chlorinated Solvents					
Other VOCs					
SVOCs					
Metals					
Pesticides					
PCBs					
Other*					

*Please describe: _____

3. Suspected Contaminants: Indicate suspected contaminants and the media which may have been affected:

Contaminant Category	Soil	Groundwater	Surface Water	Sediment	Soil Gas
Petroleum					
Chlorinated Solvents					
Other VOCs					
SVOCs					
Metals					
Pesticides					
PCBs					
Other*					

*Please describe: _____

4. INDICATE KNOWN OR SUSPECTED SOURCES OF CONTAMINANTS:

Above Ground Pipeline or Tank	Lagoons or Ponds	Underground Pipeline or Tank	Surface Spill or Discharge
Routine Industrial Operations	Dumping or Burial of Wastes	Septic tank/lateral field	Drums or Storage Containers
Adjacent Property	Seepage Pit or Dry Well	Foundry Sand	Electroplating
Coal Gas Manufacture	Industrial Accident	Unknown	
Other: _____			

5. INDICATE PAST LAND USES:

Coal Gas Manufacturing	Manufacturing	Agricultural Co-op	Dry Cleaner	Salvage Yard	Bulk Plant
Pipeline	Service Station	Landfill	Tannery	Electroplating	Unknown
Other: _____					

6. Owners

A list of previous owners with names, last known addresses and telephone numbers (describe requestor's relationship, if any, to each previous owner listed. If no relationship, put "none").

7. Operators

A list of previous operators with names, last known addresses and telephone number (describe requestor's relationship, if any, to each previous operator listed. If no relationship, put "none").

Section VIII. Contact List Information

Please attach, at a minimum, the names and addresses of the following:

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

Section IX. Land Use Factors (Please refer to ECL § 27-1415(3))

Current Use: Residential Commercial Industrial Vacant Recreational (check all that apply)

Intended Use: Unrestricted Residential Commercial Industrial (check all that apply)

Please check the appropriate box and provide an explanation as an attachment if appropriate. Provide a copy of the local zoning classifications, comprehensive zoning plan designations, and/or current land use approvals.

Yes No

1. Do current historical and/or recent development patterns support the proposed use? (See #12 below re: discussion of area land uses)

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

3. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, designated Brownfield Opportunity Area plans, other adopted land use plans?

4. Are there any Environmental Justice Concerns? (See §27-1415(3)(p)).

5. Are there any federal or state land use designations relating to this site?

6. Do the population growth patterns and projections support the proposed use?

7. Is the property accessible to existing infrastructure?

8. Are there important cultural resources, including federal or state historic or heritage sites or Native American religious sites within ½ mile?

9. Are there important federal, state or local natural resources, including waterways, wildlife refuges, wetlands, or critical habitats of endangered or threatened species within ½ mile?

10. Are there floodplains within ½ mile?

11. Are there any institutional controls currently applicable to the property?

12. Describe on attachment the proximity to real property currently used for residential use, and to urban, commercial, industrial, agricultural, and recreational areas.

13. Describe on attachment the potential vulnerability of groundwater to contamination that might migrate from the property, including proximity to wellhead protection and groundwater recharge areas.

14. Describe on attachment the geography and geology of the site.

Statement of Certification and Signature

(By requestor who is an individual)

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 an requestor other than an individual)

Genesee Valley
Real Estate Company, LLC

I hereby affirm that I am a Member (title) of _____ (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and 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: 4/22/09 Signature: [Signature] Print Name: DANTE GULLACE

SUBMITTAL INFORMATION:

Three (3) complete copies are required.

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF) on a CD or diskette, must be sent to:

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

- **One (1)** paper copy must be sent to the DEC regional contact in the regional office covering the county in which the site is located. Please check our website for the address of our regional offices: <http://www.dec.ny.gov/about/776.html>

FOR DEPARTMENT USE ONLY

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

Statement of Certification and Signatures

(By requestor who is an individual)

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 an requestor other than an individual)

I hereby affirm that I am a member (title) of Hartel Properties, LLC (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and 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: 4/22/09 Signature: Dante Gullace Print Name: DANTE GULLACE

SUBMITTAL INFORMATION:

Three (3) complete copies are required.

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF) on a CD or diskette, must be sent to:

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New York State Department of Environmental Conservation
Division of Environmental Remediation
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APPLICATION SUPPORTING DOCUMENTATION

**Genesee Valley Real Estate Company
690 St. Paul Street Site
Brownfield Cleanup Program Application**

SECTION II. PROPERTY INFORMATION- SITE DESCRIPTION AND BCP ELIGIBILITY

A) SITE DESCRIPTION

The property (hereinafter referred to the “Project Site” or the “Site”) subject to this BCP application is located at 690 St. Paul Street in the City of Rochester, Monroe County, New York. The Site is bounded to the north by Hartel Alley, to the west by St. Paul Street, to the south by Lowell Street and to the east by Martin Street. The Site is a former manufacturing facility situated in a now distressed neighborhood north of downtown. See, Site photographs attached hereto as Exhibit A.

The Site consists of a 4.7 acre parcel and includes three buildings with an approximate 84,000 sq. ft. foot print. Two of these buildings are interconnected, seven-story, bricked-faced and framed, slab-on-grade buildings. The third building is metal framed slab on grade. A paved parking lot is located on the northeastern portion of the Site.

The Project Site was developed prior to 1875 and has been historically utilized primarily for industrial purposes. From sometime around 1920 until it was abandoned by the company in the late 1960's, the property was developed by Bausch & Lomb, Inc., formerly known as Bausch & Lomb Optical Company (“B&L”), to manufacture lenses and other products. From the early 1970's until 2000, the Site was used predominantly for light commercial and storage and storage applications. Occupants and/or owners of the Site have included various individual residences, B & L, Thomas Edison Technical and Industrial High School, Geva Theater storage and various manufacturing and industrial tenants.

In the early 1900s, B & L purchased various properties that now comprise the Project Site. In 1973, B & L conveyed the Project Site to the New York State Urban Development Corporation (“UDC”), subject to a Memorandum of Agreement and Lease extending B & L's occupancy of certain portions of the Project Site. In 1982, Dante Gullace and Ralph Gullace purchased the Project Site from UDC and continued to own the Project Site first as tenants-in-common, and then solely by Dante Gullace until December 31, 1997, wherein all of Dante Gullace's interests in the Project Site were conveyed to Genesee Valley Real Estate Company, LLC (“GVRE”). In February 2003, GVRE then conveyed nominal title to the Project Site to the County of Monroe Industrial Development Agency (“COMIDA”). Equitable title to the Project Site is now owned by GVRE, while nominal title is owned by COMIDA (as described more fully below on page 9).

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In 2000, GVRE renovated about one-third of the building space to house the Charter School of Science & Technology, at a cost of approximately \$8.5 million. The Charter School operated in the building until New York State Department of Education revoked its charter in 2005 due to poor academic performance. Small sections of un-renovated portions of the buildings continue to be occupied by light commercial tenants, a janitorial company, and the scene shop for Geva, while approximately 60% of the building remains vacant.

In 2008, GVRE invested an additional \$750,000.00 to improve the renovated portion of the Site for the Rochester City School District ("RCSD"). RCSD has entered into a lease of the building for a term of fifteen (15) years and will use the building as flex space. Essentially, the Site will serve as a temporary location for various schools undergoing renovations. One at a time, RCSD will relocate and operate schools at the Site, while renovations are being made to the permanent school facilities. The use of the Site as flex space began in 2008 with the relocation of local School #33 to the Site.

GVRE is planning to renovate the remainder of the buildings for a prospective tenant as office space and emergency housing for the poor. This proposed project represents an additional \$40 million investment within a section of the City of Rochester that is currently devoid of any new proposed capital investment or development interest. The project also will include construction of a desperately needed parking garage which will alleviate parking congestion in the area and a pedestrian bridge over St. Paul Street - a busy street where there have been several accidents over the recent years including one hit and run fatality.

The project will take approximately 18 months to complete and will employ between 50 and 75 full-time construction workers throughout the renovation. When complete, the Site will house 600-800 full-time office workers and several hundred residents, along with 15-20 facility management staff and support workers. These workers and residents will help support the existing neighborhood businesses (including two restaurants, a barber shop, a convenience store and an auto shop) and provide a catalyst forming the potential customer base for additional investment development in this area.

B) ELIGIBILITY FOR ACCEPTANCE INTO THE BROWNFIELD CLEANUP PROGRAM

The Site meets the definition of a "brownfield site" as set forth in New York State Environmental Conservation Law Section 27-1407.8(a), in that: (A) there is a reasonable basis to believe that contamination is likely to be present on the Site; and (B) there is a reasonable basis to believe that the contamination or potential presence of contamination is complicating the development or re-use of the Site. The regulations set forth in 6

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N.Y.C.R.R. § 375-3.3(a)(1) clarify that the “Brownfield” definition has two (2) separate and distinct elements; namely, the “Contamination Element” and the “Complication Element”:

- (1) A brownfield site has two elements:
 - (i) there must be confirmed contamination on the property or a reasonable basis to believe that contamination is likely to be present on the property; and
 - (ii) there must be a reasonable basis to believe that the contamination or potential presence of contamination may be complicating the development, use or re-use of the property.

Additionally, the New York State Department of Environmental Conservation (“DEC”) published BCP Eligibility Guidance in March, 2005 using the contamination/complication model established under 6 N.Y.C.R.R. § 375-3.3(a)(1). This guidance establishes several factors that DEC considers in evaluating whether a site is eligible for participation in the BCP.

A) Contamination Element

With respect to the establishing the Contamination Element (or a reasonable basis to believe the Contamination Element has been met), DEC will consider the following:

- (A) the nature and extent of known or suspected contamination;
- (B) whether contaminants are present at levels that exceed standards, criteria or guidance;
- (C) whether contamination on the proposed site is historic fill material or exceeds background levels;
- (D) whether there are or were industrial or commercial operations at the proposed site which may have resulted in environmental contamination; and/or
- (E) whether the proposed site has previously been subject to closure, a removal action, an interim or final remedial action, corrective action or any other cleanup activities performed by or under the oversight of the State or Federal government.

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As set forth within this BCP application, we respectfully submit that the Contamination Element of the BCP Eligibility Test has been met. There is a reasonable basis to believe that contamination does exist on the Site, and there is a reasonable basis to believe that additional contamination above and beyond what is known to exist on the Site to date, is likely to be present on this Site. A Phase I Environmental Site Assessment Report prepared by LaBella Associates in February of 2008 (See Exhibit B) has revealed the following possible areas of contamination in connection with the Site:

- Thorium, a radioactive material, was utilized by Bausch and Lomb during its tenure at the Site. As indicated in the Phase I ESA, Thorium was stored in aboveground storage tanks ("ASTs") of an unknown location, quantity and capacity at the Site. Thorium was not utilized by GVRE in any way; however, GVRE was listed as a Small Quantity Generator ("SQG") due to the removal and disposal of Thorium dust, PCB light ballasts and asbestos in approximately 1999. GVRE conducted this disposal in order to remove materials that were encountered during redevelopment activities. These materials were abandoned at the Site by the former owner. While listed as the "Small Quantity Generator", GVRE in no way utilized these materials and only obtained the SQG status to facilitate the proper disposal of these materials. Based on the historical use of Thorium dust at the Site, there is a possibility for radioactive Thorium impairment to be present at the Site.
- Various underground storage tanks ("UST's") have been located on the Site, including at least four gasoline UST's with no corresponding tank removal records. As such, there is the possibility for abandoned UST's as well petroleum impairment of the soil and/or groundwater to be present at the Site.
- A 500-gallon UST was removed from an unknown location on the Site and contaminated soil was encountered. The UST was believed to have contained solvents. Samples were taken from the area and the contaminated soil was used to backfill in the area of the tank removal. The DEC Spill Report Form indicated that Further Action was required for this spill. DEC has yet to close or inactivate this spill, thus there is a possibility for solvent impairment to groundwater and soil at the Site.
- A foundry was located on the northeastern portion of the Site for approximately 50 years. The foundry was demolished at an unknown time and there is no information available concerning the contents of this facility and the status of the debris. As with any site that has utilized a historic foundry, there is potential for slag byproduct to have potentially impaired the soil and groundwater at the Site.

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- The historical use of the property for industrial purposes included operations of a lithographing facility, spring manufacturing facility, automotive repair facility and other manufacturing, and industrial uses. As with any site that has harbored tenants such as these, there is a reasonable probability that a significant possibility exists that abandoned UST's may exist on the Site as well as the possibility for soil and groundwater impairment to be located on the Site due to the past practices of these tenants.
- Located approximately 300-500 feet from the Site is a manufactured gas plant which operated from 1872 until the 1950's. Contamination of both ground water and soil has been documented and the property is currently undergoing remediation. Based on the nature of materials disposed, general waterflow in the area and the close proximity of this known contaminated property to the Site, there is a possibility for impairment to the Site.

A Phase II Subsurface Investigation also conducted by LaBella Associates in August of 2008 revealed other potential areas of environmental concern. (See, Exhibit C). Based on Spill # 0270335 identified in the Phase I, a subsurface investigation consisting of test pits, soil borings, and overburden groundwater monitoring wells was conducted on the Site. The investigation revealed that petroleum-related VOCs were present in soil and groundwater samples at levels exceeding DEC standards. More specifically, observations made during the Phase II and analytical results from soil and groundwater samples collected and analyzed from the Site found:

- Petroleum odors and/or elevated PID readings were encountered in soil collected from six (6) of the thirteen (13) soil borings and five (5) of the nine (9) test pits advanced at the Site between approximately four to eight feet below ground surface.
- Analytical results for soil samples indicated that petroleum-related VOCs are present at detectable levels in three (3) of the six (6) soil samples analyzed. The analytical results for a soil sample collected from soil boring TP-1 (6.0 to 8.0-ft.) which was completed between two of the historic underground storage tanks locations exceeded NYSDEC TAGM 4046 Soil Cleanup Objectives to Protect Groundwater Quality (Cf40).
- Analytical results for groundwater samples indicated the presence of petroleum-related VOCs in groundwater samples collected from MW-3 at concentrations exceeding the NYS Part 703 Groundwater Standards.
- Analytical results for groundwater samples indicated the presence of Trichloroethane ("TCE") in groundwater samples collected from MW-2 and MW-3 at concentrations exceeding the NYS Part 703 Groundwater Standards.

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The Phase II recommended a course of corrective action including conducting an Interim Remedial Measure (“IRM”) to remove source area soils from the Site, ex-situ bioremediation of source area soils and monitoring of post-source removal overburden groundwater. See, IRM Report attached as Exhibit D. In August through October 2008, IRM activities at the Site removed approximately 1,650 CY of petroleum impacted soil and one (1) undocumented “orphan” UST. In addition, removal of free product from the Southern Remedial Excavation provided additional removal of the source of petroleum impacts in this area at the Site. Laboratory analytical results for samples collected from the Site confirm petroleum impairment of the Site and advise that additional Site monitoring is required.

As part of the IRM work, confirmatory soil sampling indicated the presence of chlorinated volatile organic compounds (“CVOC”), specifically, trichloroethene (“TCE”) and its breakdown products. Although the concentrations detected were relatively low levels (below the cleanup standard applied during the IRM), the presence of these compounds warranted additional evaluation. As such, the NYSDEC Region 8 Spills Group requested the installation of four (4) bedrock groundwater monitoring wells in order to evaluate for the presence of CVOCs in groundwater at the Site. The results of this work indicated the presence of CVOCs at concentrations above NYSDEC Groundwater Standards in each of the four bedrock groundwater monitoring wells during the initial sampling event and a subsequent sampling event indicated the presence of CVOCs at concentrations above NYSDEC Groundwater Standards in three of the four monitoring wells. Three of the four wells detected concentrations of CVOCs at relatively low-levels (less than 20 parts per billion above the NYSDEC Groundwater Standards); however, one well detected significant concentrations of CVOCs above NYSDEC Groundwater Standards (greater than 400 times above).

Exhibit 4 includes a figure which depicts the location of the bedrock monitoring wells, a data summary table that summarizes the results of the bedrock groundwater sampling, well installation logs and groundwater sampling logs.

Given the presence of known contamination discussed above and described in the reports attached hereto as Exhibit B, Exhibit C, Exhibit D and Exhibit E and given the uncertainty of the presence of additional contamination in light of the Site’s history of industrial manufacturing, there is a confirmation that contamination exists on the Site, and/or indicating that the contamination is present at levels that exceed state standards. Currently the following Areas of Concern (“AOC”) with the known or suspect contaminants are identified for the Site:

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- Chlorinated VOCs and petroleum related VOCs in Soil, Groundwater and Soil Gas (known contamination)
- Historical Use of Existing Buildings with Intensive Industrial Use by Bausch & Lomb (suspect contaminants: Thorium, Chlorinated VOCs, petroleum compounds, PCBs – associated with transformers)
- Former Foundry (suspect contaminants: metals and semi-volatile organic compounds)
- Former Agitator Building (suspect contaminants: unknown)
- Former Oil House (suspect contaminants: petroleum compounds)
- Former Factory Building (suspect contaminants: Thorium, Chlorinated VOCs, petroleum compounds, PCBs – associated with transformers)
- Former Boiler House (suspect contaminants: petroleum compounds)
- Former Dust Collector Building (suspect contaminants: Thorium)
- 125,000 Gallon Reservoir (suspect contaminants: unknown)

The locations of these AOCs are depicted on Figure 7.

B) Complication Element

With respect to the establishing the Complication Element (or a reasonable basis to believe the Complication Element has been met), the DEC will consider the following:

- (A) whether the proposed site is idled, abandoned or underutilized;
- (B) whether the proposed site is unattractive for redevelopment or reuse due to the presence or reasonable perception of contamination;
- (C) whether properties in the immediate vicinity of the proposed site show indicators of economic distress such as high commercial vacancy rates or depressed property values; and/or
- (D) whether the estimated cost of any necessary remedial program is likely to be significant in comparison to the anticipated value of the proposed site as redeveloped or reused.

As described within this BCP application, it is respectfully submitted that there is a reasonable basis to believe that the contamination known to be present on the Site is complicating the development, use or re-use of the Site. Though the Site is partially occupied, the uncertainty of the severity of contamination makes remediation necessary to facilitate the property's continued and future use. Remediating and revitalizing the Site will

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encourage (and has encouraged) private capital investment, and will result in real job creation, job growth and job retention, provided contamination at the Site is identified and remediated.

The Site is unattractive for redevelopment or reuse in its current state due to the actual presence of contamination and the reasonable perception that there is additional contamination most likely present on the Site. As noted in the Phase I Environmental Site Assessment dated February, 2008, there is the possibility for multiple abandoned underground storage tanks at the Site. The Site is located in a current and historic residential and industrial area. Surrounding the Site are several active and abandoned industrial properties, including Rochester Gas and Electric and Bausch and Lomb, which have documented releases or potential releases of hazardous materials and/or petroleum products.

The extreme economic distress affecting the Site and the properties in the immediate vicinity adds additional complications to its redevelopment. For example, as of January, 2009, according to statistics provided by the New York State Department of Labor, Rochester's unemployment rate was 8.0%, compared with 6.7% in December and 5.7% in January 2008. Even prior to the recent national economic downturn, this area has suffered severe economic strife. City-wide from 2000 to 2004, there had been overall losses in jobs and establishments. Economic restructuring has disproportionately affected this area's manufacturing industry, which had already experienced a steep decline in previous decades, from 38 percent of all jobs in 1970 to 18 percent in 2000. Eastman Kodak, once the city's largest employer plunged from 60,400 local jobs in 1982 to 9,200 in 2008. Other big manufacturers, including Xerox and Bausch & Lomb, cut their local employment by at least half. The weakness that began in the area's manufacturing sector has also spread to a number of other key industries.

With the decline of manufacturing activity in Rochester over the last two decades, the City has been left with a large collection of abandoned, underutilized, dilapidated and contaminated sites that cannot be remediated easily or quickly. The majority of these sites, such as the Project Site, will most likely continue to be underutilized and/or abandoned given the uncertainty of the presence of contamination and given the properties' historic uses. The general economic duress of the Project Site and the neighboring area, combined with known contamination issues affecting the Project Site, provide a dual complicating affect chilling any redevelopment opportunities of the Site.

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The Site is located in a BCP Environmental Zone, and a “highly distressed area” as defined under New York General Municipal Law as it has a poverty rate (46%) of at least 20% and an unemployment rate (15%) at least 1.25% times the statewide unemployment rate (currently 7%). The Site is also located within a designated New York State Empire Zone. Empire Zones are state designated highly distressed areas, wherein such a designation is intended to stimulate investment, economic growth and employment. Because the site is located in these various designated distressed areas, it is eligible for certain local, and state financial incentives, further indicating that the Site is unattractive for redevelopment particularly outside of the context of the BCP.

An added complication to the Project Site is its location within the City’s Northern Crescent Area. The Crescent area has been identified as a particular geographic section of the City creating a “crescent” around downtown Rochester, marked by high unemployment, poverty and crime. Rochester’s Northern Crescent neighborhoods are dotted with vacant and abandoned properties, which can depress surrounding property values and attract unwelcome criminal activity. Any effort to improve investment within this area and make the community a more viable place for future residents and businesses must address identified areas of environmental concern including the Project site, and similarly situated properties. The availability of BCP liability relief and tax credits, may well be the driving force behind making this area marketable for future development.

The estimated cost of a proposed remedial program with regard to the Site is likely to be significant in comparison to the anticipated value of the Site as redeveloped or reused. This has likely been one of the reasons behind the Site’s underutilization. Given the presence of known environmental intrusion identified in the attached reports and given the uncertainty of the presence of additional contamination in the light of the projects historical uses, it is imperative that additional investigation be conducted to characterize the full extent of environmental impacts. The Applicant proposes to renovate the Site at an additional estimated cost of \$40,000,000. However, the extent of contamination and thus remediation costs, are unknown, and will most likely significantly add to, the capital expenditures the Requestors plan to undertake at the Site.

In conclusion, based on the foregoing (and as discussed and depicted within the BCP application), the Site meets the Contamination Element and the Complication Element tests. As such, the Site qualifies as a Brownfield Site eligible for participation in the BCP because: (A) there is a reasonable basis to believe that contamination is likely to be present on the Site; and (B) there is a reasonable basis to believe that the contamination or potential presence of contamination may be complicating the development or re-use of the Site.

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SECTION III. CURRENT SITE OWNER/OPERATOR INFORMATION

Owners- The County of Monroe Industrial Development Agency (“COMIDA”) and Genesee Valley Real Estate Company are the current owners of the Site. COMIDA provides real estate tax abatement for new or renovation projects within the County of Monroe. This program essentially allows a developer to receive real estate tax abatement over a ten year period in exchange for a payment in lieu of taxes which is less than the taxes would be without the abatement. In order to facilitate this program, COMIDA takes legal title to the property for the ten year period. The purpose of transferring the title is to satisfy the requirement of the Real Property Tax Law by having a tax exempt organization hold the legal or nominal title. The beneficial ownership of the property and all indicia of ownership remain with the developer. At the termination of the ten year period, the property is re-conveyed to the developer at a nominal consideration. The ten year period for this property will expire approximately one year from now at which time the legal title to the property will be re-conveyed to the developer.

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The complete list of known owners is below:

Year	Owner	Relationship to Requestors	Contact Information
2000 - Present	COMIDA	IDA owns property for tax purposes - refer to above for detailed description.	Judy Seil Executive Director City Place, Suite 8100 50 West Main Street Rochester, New York 14614 (585) 753-2000
1997 – 2000	Genesee Valley Real Estate Company, LLC	Requestor	Same as Requestor
1984 – 1997	Ralph Gullace and Dante Gullace	One of these individuals is also the Requestor	Same as Requestor
1982 - 1984	690 St. Paul Street, Inc.	Same owners as Requestor	Same as Requestor
1977 – 1982	New York State Urban Development Corporation	None	Specific Contact Unknown 163 W 125th St # 17 New York, NY 10027 (212) 961-4100
At least 1918 - 1977	Bausch & Lomb	None	Frank Chiappone Bausch & Lomb, Inc. Manager of Environmental Affairs One Bausch & Lomb Place Rochester, NY 14604-2701 (585) 338-5087
Prior to about 1918	Various Residential Owners	None	Not available

Operators- The Project Site currently has tenants operating the facility including Rochester City School District; Castle Rock Industries, Inc., F.A.S.T. Assembly, Inc., Clean-Rite Floor Care, LLC and GEVA Theatre Scene Shop.

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Operators- The current and historic operators at the Project Site are in the table below:

Year	Listing in Street Directory	Information on Occupant*	Contact Information
Current	City of Rochester School District	School	Tom Keysa 835 Hudson Ave. Rochester, NY 14621 (585) 262-8100
	Castle Rock Industries, Inc.	While Castle Rock Industries is listed as a 'Mach. Shop' in the Rochester Street Directory, their operations are on the 2 nd floor of Bldg 14A (south eastern building) and there are no floor drains in the area occupied by Castle Rock.	Dom Barber 690 St Paul Street Rochester, NY 14605 (585) 325-5526
	F.A.S.T. Assembly, Inc	Fast Assembly is the same entity as DBO (see below) and their work is limited to parts assembly only and there are no current floor drains in their tenant space.	Sear Hok 690 St Paul Street Rochester, NY 14605 (585) 546-1180
	Clean-Rite Floor Care, LLC	This is a janitorial service and only uses their space for storage and office.	Phil Mancini 690 St Paul Street Rochester, NY 14605 (585) 750-9601
	GEVA Theatre Scene Shop	This tenant generally only uses their space for storage, woodworking and painting (scene pieces) and no operations with significant chemical usage or waste production.	No specific contact 75 Woodbury Blvd. Rochester, NY 14607 (585) 232-1366
2007	Castle Rock Industries (Mach. Shop)	See Above	See above
	Clean Rite Janitorial Service	See Above	See above
	Johnson & Johnson	Storage of office furniture	Unknown
	DBO Indust. Inc. (Mach. Shop)	DBO Indust and Fast Assembly are the same entity and while listed as a machine shop their work is limited to parts assembly only and there are no current floor drains in their tenant space.	See above for FAST Assembly
	Fast (assemb. & fab serv.)	See Above	See above
	Midland Const. Corp.	This tenant used the space for storage.	Unknown
2002	Castle Rock Industries (Mach. Shop) Fast (assemb. & fab serv.)	See above.	See Above

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Year	Listing in Street Directory	Information on Occupant*	Contact Information
1997	Geva Theater Pavic Enterprises, Inc.	These tenants generally only used their spaces for storage and no operations with significant chemical usage or waste production.	Geva - See above Pavic Ent. - Unknown
	Tenkate Embe	Storage (1 yr)	Unknown
	Associated Textiles	Storage	Unknown
	Strong National Museum of Play®	Storage	Specific Contact Unknown One Manhattan Square Rochester, NY 14607 585-263-2700
1992	Geva Theater Tusa Express (Storage)	These tenants generally only used their spaces for storage and no operations with significant chemical usage or waste production.	Geva - See above Tusa Express - Unknown
	Strong Meusem	Storage	See Above
1986	Higgins Erectors (Storage)	This tenant generally only used their space for storage and no operations with significant chemical usage or waste production.	Unknown
	Lithografics, Inc. (compl. Lithographers)	While this tenant was listed at 690 St. Paul Street, this tenant actually occupied a space at 691 St. Paul Street (across the Street to the West). Furthermore this tenant was located on the second floor of the building across the street.	Unknown
	Despatch Properties	Despatch Properties did not conduct operations with significant chemical usage and Fire Department records for this entity were associated with acetylene and propane gases for welding operations.	Same as Requestor
	Xerox Corporation	Storage Only	Specific Contact Unknown 45 Glover Avenue P.O. Box 4505 Norwalk, CT 06856-4505 1-203-968-3000
	Paola John Doll-up auto rep.	This tenant occupied a space on the northern portion of the property in the area of the former foundry. Furthermore, this tenant only operated a detailing shop and was only located at the Site for a few years.	Unknown

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Year	Listing in Street Directory	Information on Occupant*	Contact Information
1981/1982	Higgins Erectors (stg.)	This tenant generally only used their space for storage and no operations with significant chemical usage or waste production.	Unknown
	Xerox Corporation	Storage Only	See Above
	Marni Spring Co.	Information on the operations of this tenant was not readily available; however, this tenant was only located at the Site for a short period (about 2 years) and it is not anticipated that significant chemical usage or waste production would have occurred.	Unknown
Prior to 1981	Bausch & Lomb (also owner)	Refer to Phase I ESA for information on B&L Operations	See contact list

SECTION VI. PROJECT DESCRIPTION

A) PURPOSE & SCOPE OF THE PROJECT: SEE SECTION II ABOVE.

B) ESTIMATED PROJECT SCHEDULE

Application Deemed Complete	4/09
Public Comment Period on Application and RI Work Plan	4/09
Revise RI Work Plan based on comments	5/09
Implement Remedial Investigation	6/09 – 8/09
Submit RI Report & Remedial Alternatives Analysis (RAA) and Remedial Action Work Plan (RAWP)	11/09
NYSDEC Review of RI, RAA RAWP and Public Comment Period	12/09
Revise RI, RAA and RAWP and submit	2/10
Initiate Remedy then Redevelopment	3/10

Note: This schedule is tentative based on anticipated review times and responses from regulatory agencies, public comments and other interested parties.

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SECTION VIII. CONTACT LIST INFORMATION

1. County Executive:

Maggie Brooks
Monroe County Executive
110 County Office Building
39 W. Main St.
Rochester, NY 14614
(585) 753-1000

City of Rochester Mayor:

Robert Duffy
Mayor – City of Rochester
City Hall
30 Church Street
Rochester, New York 14614

2. President of The City of Rochester Council:

Gladys Santiago
Council Office
City Hall, Room 301A
30 Church Street
Rochester, NY 14614-1265
(585) 428-7538

3. City of Rochester Zoning Office:

Bureau of Buildings and Zoning Permit Office
Rochester City Hall, Room 121B
30 Church Street
Rochester, New York 14614
(585) 428-7043

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4. Residents, owners, and occupants of the site and properties adjacent to the site:

Site: 690 Saint Paul Street, Rochester, New York 14605

Current Owner: COMIDA
Judy Seil, Executive Director
CityPlace, Suite 8100
50 West Main Street
Rochester, New York 14614
(585) 753-2000

GVRE
First Federal Plaza
28 East Main Street, Suite 500
Rochester, New York 14614
(585) 546-1980

Current Operators: Refer to Section III above and contact information below.

Adjacent Properties⁽¹⁾:

Address	Street	Direction	OWNER	OWNER Address	OWNER City, State Zip
740	St Paul St	North	Maldonado Manuel	740 St Paul St	Rochester, NY 14605
750	St Paul St	North	Bsv Re Llc	750 St Paul St	Rochester, NY 14605
28-30	Lowell St	East	Giuffrida Richard	30 Shorewood Dr	Rochester, NY 14617
166	Martin St	East	Comida - Genesee Valley Real Estate Company Llc	28 E Main St Ste 500	Rochester, NY 14614
170	Martin St	East	Donovan Matthews Company Llc	690 St Paul St	Rochester, NY 14605
184	Martin St	East	Gullace Christopher	690 St Paul St	Rochester, NY 14605
194	Martin St	East	Gullace Stephen	27 Oakland St	Rochester, NY 14620

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Adjacent
Properties
Cont.⁽¹⁾:

198	Martin St	East	Gullace Christopher	690 St Paul St	Rochester, NY 14605
206	Martin St	East	Gullace Christopher M	690 St Paul St	Rochester, NY 14605
212	Martin St	East	Stage Richard E & Mary R	216 Martin St	Rochester, NY 14605
228	Martin St	East	Johnson Aaron	416 Magnolia St	Rochester, NY 14611
234	Martin St	East	Bradley Blonia	0234 Martin St	Rochester, NY 14605
238	Martin St	East	Berry Totheresa & Maurice	0238 Martin St	Rochester, NY 14605
178-180	Martin St	East	Gullace Christopher	690 St Paul St	Rochester, NY 14605
200-202	Martin St	East	Gullace Christopher M	690 St Paul St	Rochester, NY 14605
216-218	Martin St	East	Smith Paul F & Stage Mary	216 Martin St	Rochester, NY 14605
220-222	Martin St	East	Gullace Christopher	690 St Paul St	Rochester, NY 14605
628	St Paul St	South	City Of Roch Park Lomb Memorial Pk	30 Church St	Rochester, NY 14614
691	St Paul St	West	Comida - Genesee Valley Real Estate Co	28 E Main St Ste 500	Rochester, NY 14614
705	St Paul St	West	Spectronic Instruments Inc	705 St Paul St	Rochester, NY 14605
727-729	St Paul St	West	Arcuri Domenico	11 Nester St	Rochester, NY 14621
733-735	St Paul St	West	Arcuri Domenico	11 Nester St	Rochester, NY 14621
739-741	St Paul St	West	Maldonado Manuel	740 St Paul St	Rochester, NY 14605

Source – Real Property Database from City of Rochester

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5. Local news media from which the community typically obtains information:

BOB KIRK NEWS DIRECTOR WROC-TV 8 201 HUMBOLDT ST ROCHESTER NY 14610	ASSIGNMENT DESK R NEWS 71 MT HOPE AVE ROCHESTER NY 14620	NEWS DIRECTOR WHEC-TV 10 191 EAST AVE ROCHESTER NY 14604
NEWS DIRECTOR WHAM-TV 13 PO BOX 20555 ROCHESTER NY 14602-0555	NEWS DIRECTOR WXXI-TV 21 280 STATE ST ROCHESTER NY 14614	NEWS DIRECTOR WHAM-AM 207 MIDTOWN PLAZA PO BOX 40400 ROCHESTER NY 14604
NEWS DIRECTOR WXXI-AM 280 STATE ST ROCHESTER NY 14614	NEWS ASSIGNMENT DESK DEMOCRAT & CHRONICLE 55 EXCHANGE BLVD ROCHESTER NY 14614-2001	CITY NEWS WMT PUBLICATIONS 250 N GOODMAN ST ROCHESTER NY 14607

6. The public water supplier that services the area where the site is located:

Monroe County Water Authority
475 Norris Drive
Rochester, New York 14610
(585) 442-2000

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7. Any person who has requested to be placed on the site contact list:

Andrew Wheatcraft Rochester City School District Facilities Planner 131 West Broad Street Rochester, NY 14614 (585) 262-8384	Charles Johnson Department of Law Rochester City School District 131 West Broad Street Rochester, NY 14614 (585) 262-8412	James R. Fenton Rochester City School District Project Director - Facilities Modernization Project 131 West Broad Street Rochester, NY 14614 (585) 324-3225
Michael Davis Department of Law Rochester City School District 131 West Broad Street Rochester, NY 14614 (585) 262-8412	Suzanne Wheatcraft, MS, CPG Rochester City School District Environmental Health & Safety 835 Hudson Ave. Rochester, NY 14621 (585) 336-4005	Paul Sylvestri Harter, Secrest & Emery, LLC Partner 1600 Bausch & Lomb Place Rochester, NY 14604 (585) 231-1194
Mike Storonsky Stantec, Inc. 2060 Brighton Henrietta Townline Road Rochester, NY 14623 (585) 475-1440	Frank Chiappone Bausch & Lomb, Inc. Manager of Environmental Affairs One Bausch & Lomb Place Rochester, NY 14604-2701 (585) 338-5087	Jean H. McCreary, Esq. Nixon Peabody LLP c/o Brian Eckman Bausch & Lomb, Inc. 1100 Clinton Sq Rochester, NY 14604 (585) 263-1000

8. The administrator of any school or day care facility located on or near the site:

As previously indicated, there is a school on the Site and the contact people for the school are listed above.

9. The location of a document repository for the project (e.g., local library):

Central Library of Rochester and Monroe County
115 South Avenue
Rochester, NY 14604-1896
(585) 428-7300

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SECTION IX. LAND USE FACTORS

Item 4. Environmental Justice Concerns

The site is identified as having potential Environmental Justice on the NYSDEC Monroe County showing census block groups that qualify as Potential Environmental Justice Areas under NYSDEC criteria located at:

http://www.dec.ny.gov/docs/permits_ej_operations_pdf/monroeco.pdf.

Item 8: Cultural Resources

According to the NY State Historic Preservation Office GIS-Public Access site (<http://www.oprh.state.ny.us/nr/main.asp>), the site is located within an archeo-sensitive area. In addition, the site is located within ½ mile of several designated historical sites, as detailed in the following table.

Historic Site ID	Historic Site Name	Distance from 690	Direction from 690 St. Paul
90NR03133	Brown's Race Historic District	1,090-ft	South
91NR00159	German United Evangelical Church	2,490-ft	South/Southeast
90NR01516	St Paul – North Water Street Historic District	2,310-ft	South/Southeast
90NR01506	Andrew's Street Bridge	2,639-ft	South
90NR01517	State Street Historic District	2,636-ft	South

Item 9: Natural Resources

The Genesee River is located 0.14 miles to the west of the Site. No other natural resources including wildlife refuges, wetlands, or critical habitats of endangered or threatened species are known to exist in the vicinity.

Item 10. Floodplains

The floodplains of the Genesee River are located 0.14 miles to the west of the Site.

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Item 12. Proximately to residential, urban, commercial, industrial, agricultural and recreational areas

The Site is currently zoned for industrial uses and is located in an urban neighborhood. (Figure 3). Residential, commercial and recreational uses are immediately adjacent to the Project Site. The nearest urban renewal use is 1,450 feet southeast of the Site. The nearest agricultural use is 2.9 miles from the Site.

Item 13: Groundwater Vulnerability

According to 7.5-minute, Rochester East , New York quadrangle USGS Map, the nearest water body is the Genesee River, which is located approximately 840 feet to the west of the Site. Based on interpretation of the USGS topographic map and the Generalized Groundwater Contour Map of Monroe County, groundwater flow at the Site appears to be to the west towards the Genesee River.

According to the Monroe County Water Authority, drinking water in Monroe County is mainly supplied from Lake Ontario, with contributions from Canadice Lake, and Hemlock Lake. As such, while a low potential exists that contaminated groundwater from the Site could migrate to Lake Ontario via the Genesee River, due to the large volume of water involved, the potential for such contaminants from the site to contribute to detectable levels in drinking water is minute. According to the New York State Department of Environmental Conservation, Division of Water, Bureau of Water Resources Management Unconsolidated Aquifer dataset, the nearest aquifers to the site are two “Kame, Kame Terrace, Kame Morain, Outwash, or Alluvium” aquifers located approximately 1.5 miles to the north. As these aquifers are located within the City limits, they are not used for drinking water. The nearest aquifer that may be used for drinking water is located approximately 3.5 miles to the east. Available information described above indicates that this aquifer is also not used as a public drinking water source. The distance from the Site indicates a very low probability that contamination from the site would impact this aquifer. During preliminary investigations at the Site, groundwater was encountered within soil borings at depths ranging from 4 to 5.5 feet below the ground surface (BGS).

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Item 14: Geography and Geology of the Site

According to the 7.5-minute, Rochester East, New York quadrangle USGS Map, the Site consists of slightly sloping land to the west. According to the U.S. Department of Agriculture, Monroe County Soil Survey obtained from the Natural Resource Conservation Service (NRCS) website, soils at the Site consist mainly of Urban Lands. Soil of this type is classified as soils that have been so altered or obscured by urban works and structures that identification of the soils is not feasible. Areas are mainly built-up parts of the City of Rochester. According to the National Atlas website, bedrock at the site consists of Middle Paleozoic (Silurian, Devonian, and Mississippian) sedimentary rocks. During preliminary investigations at the Site, a Fill Material deposit consisting primarily of sand and gravel was encountered to depths generally ranging between 1.5 feet and 7.0 feet BGS. Native soils encountered beneath the Fill Material consisted of lacustrine fine-grained Sand and Silt with trace to no Gravel. Bedrock was encountered within the test borings at depths ranging from 4.6 to 8.4 feet BGS.

TAX MAP



THE PROPERTY INFORMATION SHOWN
HEREON WAS COMPILED FOR TAX
ASSESSMENT PURPOSES AND TO SHOW
THE OFFICIAL STREETS EXISTING IN
THE CITY OF ROCHESTER. ANY USE
THEREOF IS AT THE DISCRETION OF
THE USER AND THE CITY TAKES NO
RESPONSIBILITY AS TO ITS ACCURACY
OR AUTHENTICITY.

THE MONUMENT INFORMATION SHOWN HEREON WAS TAKEN FROM ACTUAL FIELD SURVEYS AND MISCELLANEOUS SURVEY MAPS TO LOCATE AND MONUMENT THE OFFICIAL RIGHTS-OF-WAY OF THE CITY OF ROCHESTER. THE ACTUAL LOCATION OF ANY MONUMENT MUST BE VERIFIED BY THE PRECISE SURVEY OFFICE AND THE RELATIONSHIP OF THE MONUMENTS SHOWN TO ANY PARTICULAR PARCEL OF LAND IS SUBJECT TO VERIFICATION BY A LICENSED LAND SURVEYOR.

PREPARED BY
Miller Mapping, Inc.
 IN ASSOCIATION WITH
Gray and Associates, Inc.

REAL PROPERTY TAX SERVICE AGENCY
MONROE COUNTY, NEW YORK

MAP REVISIONS								
DATE	MADE BY	REVISION	DATE	MADE BY	REVISION	DATE	MADE BY	REVISION
JULY 1946	A. J. HERRICK	1. REVISION OF 11-10-45	MAR. 18, '49	00	1. REVISION OF 11-10-45			
OCT. 15, '46	WDC	2. REVISION OF 11-10-45	MAR. 18, '49	00	2. REVISION OF 11-10-45			
JULY 12, '46	WDC	3. REVISION OF 11-10-45	MAR. 18, '49	00	3. REVISION OF 11-10-45			
MAR. 12, '49	00	4. REVISION OF 11-10-45			4. REVISION OF 11-10-45			
MAR. 12, '49	00	5. REVISION OF 11-10-45			5. REVISION OF 11-10-45			

D 12 H, 15, 16, 17, 18, 19

MONUMENTS

△ SURVEY CONTROL
WARNING USE OF MONUMENT AND
PENALTY FOR DESTRUCTION
THEREOF IS ESTABLISHED BY
LAW. CONTACT THE MONROE
COUNTY DEPARTMENT OF PUBLIC
WORKS FOR EXACT MONUMENT
POSITION.

LEGEND

PROPERTY LINE	—————
ORIGINAL SUBLOT LINE	- - - - -
RAILROAD	—+—+—+—+—+—+—+—+—+—
WATER COURSE	~~~~~
ASSESSMENT DISTRICT LINE	————— A —————
CITY LINE	—————

BLOCK LIMIT LINE	—
GREAT LOT OR TRACT LINE	—
BARTHOLOMEW LINE	—
STREET ADDRESS	—
MONUMENT DISTANCE	
TOTAL PROPERTY LINE DISTANCE	


LEGEND

USC & GS MONUMENT
RCS MONUMENT
RTS MONUMENT
GREAT LOT C⁵ TRACT NO.
TAX MAP BLOCK NO

METRIC CONVERSION

TAX MAP PARCEL NO.	21
ORIGINAL SUBLLOT NO.	14
ACREAGE	17.5 A
LOT DIMENSION	225.24
DEED DIMENSION	173.35
CENTROID POSITION	0
DENOTES PARCEL CONTINUATION	

m • 6m



105.44	106.87
105.52	
105.60	106.53

SHEET IND

108.32

CITY OF RO
MONROE COUNT
50 0
SCALE
1" = 50'

P

ESTER
NEW YORK
50
MAP DATE 6 - 22 -

5.

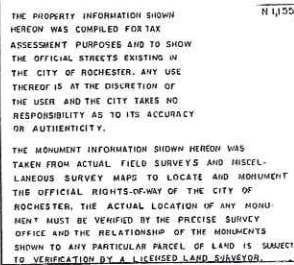
1

DRAWING NUMBER

DRAWING NUMBER

DRAWING NUMBER

DRYAN, J. G. 1980. Individuality in the life history of the American oystercatcher, *Haematopus littoralis*, on Long Beach, California. *Marine Biology* 57:179-187.



MAP REVISIONS									
DATE	MADE BY	REVISION	DATE	MADE BY	REVISION	DATE	MADE BY	REVISION	
11-1-83	AJP	PRINTING FIX CROSSING OF LINES	12-1-84	O.C.A.	ADD. 1 PER MIL. REQUEST				D 12, M 8, 9, 10, 11, 2, 15, 16
MARCH 24	MDC	CHANGED 11 TO 12							
MARCH 24	MDC	CHANGED 11 TO 12							
APRIL 11	MDC	CHANGED 11 TO 12							
MAY 10	MDC	CHANGED 11 TO 12							

MONUMENTS

 **SURVEY CONTROL**

WARNING: USE OF MONUMENTS IS
PROHIBITED FOR DESTABILIZATION
THEY ARE ESTABLISHED BY
LAW. CONTACT THE MONUMENT
COMMISSION FOR EXACT MONUMENT
LOCATION.

PROPERTY LINE	_____	BLOCK LIMIT LINE	_____
ORIGINAL SUBJECT LINE	_____	SPLIT LOT OR TRACT LINE	_____
RAILROAD	_____	BARRIER DRAIN LINE	_____
WATER COURSE	_____	16. 11 ADPSS	_____
ASSESSMENT DISTANCE LINE	_____	MEASUREMENT DISTANCE	_____
CITY LINE	_____	TOTAL PROPERTY LINE DISTANCE	_____

LEGEND		MULTIPLY CONVERSION	
—	HSC & GS INSTRUMENT	1:8 MAP (ATCH) REF	21
—	RCS INSTRUMENT	ORIGINAL SUBSET (NO)	14
—	RTS INSTRUMENT	ACREAGE	12.4
—	LINE A LOT (ON TRACT) REF	LOT (TRACT) NUMBER	22.4
—	1:27,814	DEED INSTRUMENT	16.1
—	1:12,174	CERTIFICATE OF TITLE	15.1
	1:2 MAP (LOCAL) REF	DENOTES PARCEL CONTINUATION	1

CITY OF ROCHESTER 106.54
MONROE COUNTY, NEW YORK
50 0 50
SCALE
1" = 50'
MAP DATE 6-23-01



N 155,000
E 755,000

N 155,000
E 755,000

THE PROPERTY INFORMATION SHOWN HEREON WAS COMPILED FOR TAX ASSESSMENT PURPOSES AND TO SHOW THE OFFICIAL STREETS EXISTING IN THE CITY OF ROCHESTER. ANY USE THEREOF IS AT THE DISCRETION OF THE USER AND THE CITY TAKES NO RESPONSIBILITY AS TO ITS ACCURACY OR AUTHENTICITY.

THE MONUMENT INFORMATION SHOWN HEREON WAS TAKEN FROM ACTUAL FIELD SURVEYS AND MISCELLANEOUS SURVEY MAPS TO LOCATE AND MONUMENT THE OFFICIAL RIGHTS-OF-WAY OF THE CITY OF ROCHESTER. THE ACTUAL LOCATION OF ANY MONUMENT MUST BE VERIFIED BY THE PRECISE SURVEY OFFICE AND THE RELATIONSHIP OF THE MONUMENTS SHOWN TO ANY PARTICULAR PARCEL OF LAND IS SUBJECT TO VERIFICATION BY A LICENSED LAND SURVEYOR.

PREPARED BY
Weller Mapping, Inc.
IN ASSOCIATION WITH
Kucera and Associates, Inc.
FOR THE
REAL PROPERTY TAX SERVICE AGENCY
MONROE COUNTY, NEW YORK

MAP REVISIONS							
DATE	MADE BY	REVISION	DATE	MADE BY	REVISION	DATE	MADE BY
JUN 12, '82	RJS	GROUP'S ADD'L L&E					
OCT 28, '84	MDS	RE-REVIEWED DATA					

0 12 M: 10, 11, 15, 16, 17

MONUMENTS
SURVEY CONTROL
WARNING USE OF MONUMENT AND PENALTY FOR DESTRUCTION THEREOF IS ESTABLISHED BY LAW. CONTACT THE MONROE COUNTY DEPARTMENT OF PUBLIC WORKS FOR EXACT MONUMENT LOCATION

PROPERTY LINE
ORIGINAL SUBLOT LINE
RAILROAD
WATER COURSE
ASSESSMENT DISTRICT LINE
CITY LINE

BLOCK LIMIT LINE
GREAT LOT OR TRACT LINE
BARTHOLOMEW LINE
STREET ADDRESS
MONUMENT DISTANCE
TOTAL PROPERTY LINE DISTANCE

LEGEND
USC & GS MONUMENT
RTS MONUMENT
GREAT LOT OR TRACT NO
TAX MAP BLOCK NO

TAX MAP PARCEL NO.
ORIGINAL PARCEL NO.
ACREAGE
LOT DIMENSION
DEED DIMENSION
CENTROID POSITION
SHEET INDEX

21
14
17.5 A
25.54
172.5 (10)
9
106.52 106.45 106.48
105.40 106.54
105.68 106.81 100.82

NORTH
SCALE
1" = 50'

CITY OF ROCHESTER
MONROE COUNTY, NEW YORK
106.53
TAX MAP
MAP DATE 6-24-81

DRAWING NUMBER

DRAWING NUMBER

DRAWING NUMBER

DRAWING NUMBER