

TABLE OF CONTENTS

1. Brownfield Cleanup Program Application

2. Brownfield Cleanup Program Application Support

Exhibit A.....DOS Listing

Exhibit B.....Tax Map

Exhibit C.....City Parcel Addition Map

Exhibit D.....Site Location Map

Exhibit E.....Overview Map

Exhibit F.....Site Plan Aerial Photo

Exhibit G.....Deeds

Exhibit H.....Soil and Groundwater Exceedances Map

Exhibit I.....Previous Owners Operators Chart

Exhibit J.....Geophysical Survey Results

Exhibit K.....Site Contact List

Exhibit L.....Library Letter

Exhibit M.....Zoning Map

Exhibit N.....Proposed Site Plan Map

Exhibit O.....June 2012 Phase I Report

Exhibit P.....January 2013 Phase II Report



**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**



BROWNFIELD CLEANUP PROGRAM (BCP)

ECL ARTICLE 27 / TITLE 14

DEPARTMENT USE ONLY
BCP SITE #:

07/2010

Section I. Requestor Information		
NAME 222 Andrews Street LLC		
ADDRESS 222 Andrews Street, Suite 150		
CITY/TOWN Rochester, NY		ZIP CODE 14604
PHONE (585) 385-4040	FAX (585) 672-9026	E-MAIL jholland@d4discovery.com
Is the requestor authorized to conduct business in New York State (NYS)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No -If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the <u>NYS Department of State's Corporation & Business Entity Database</u> . A print-out of entity information from the database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.		
NAME OF REQUESTOR'S REPRESENTATIVE John Holland, Managing Member		
ADDRESS 222 Andrews Street		
CITY/TOWN Rochester, NY		ZIP CODE 14604
PHONE (585) 385-4040	FAX (585) 672-9026	E-MAIL
NAME OF REQUESTOR'S CONSULTANT Ravi Engineering & Land Surveying, P.C., Project Manager Peter S. Morgan, C.P.G.		
ADDRESS 2110 South Clinton Avenue, Suite 1		
CITY/TOWN Rochester, NY		ZIP CODE 14618
PHONE (585) 223-3660	FAX (585) 223-4250	E-MAIL info@ravieng.com
NAME OF REQUESTOR'S ATTORNEY Alan Knauf, Knauf Shaw LLP & Anthony Iacavangelo, Gallo & Iacavangelo LLP		
ADDRESS Knauf: 1400 Crossroads Building, 2 State Street; Iacavangelo: 39 State St., Suite 700, Rochester, NY 14614		
CITY/TOWN Rochester, NY		ZIP CODE 14614 (both)
PHONE (585) 546-8430 (Knauf)	FAX (585) 546-4324 (Knauf)	E-MAIL aknauf@nyenvlaw.com (Knauf)
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:		
<input type="checkbox"/> 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.	<input checked="" type="checkbox"/> 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):		
<input type="checkbox"/> Previous Owner <input type="checkbox"/> Current Owner <input checked="" type="checkbox"/> Potential /Future Purchaser <input type="checkbox"/> Other _____		
If requestor is not the site owner , requestor will have access to the property throughout the BCP project. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No -Proof of site access must be submitted for non-owners		

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Section II. Property Information

Check here if this application is to request significant changes to property set forth in an existing BCA:
 Existing BCP site number: _____

PROPERTY NAME: Silver Cleaners Site

ADDRESS/LOCATION 245 Andrews Street CITY/TOWN Rochester, NY ZIP CODE 14604

MUNICIPALITY (IF MORE THAN ONE, LIST ALL) City of Rochester

COUNTY Monroe SITE SIZE (ACRES) .47

LATITUDE (degrees/minutes/seconds) 43 ° 9 ' 37 " LONGITUDE (degrees/minutes/seconds) -77 ° 36 ' 30 "

HORIZONTAL COLLECTION METHOD: SURVEY GPS MAP HORIZONTAL REFERENCE DATUM: WGS84

COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS
 Parcel Address Parcel No. Section No. Block No. Lot No. Acreage

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage
151 Pleasant Street	106	79	1	31	0.14
159-169 Pleasant Street	106	79	1	32	0.07
245 Andrews Street (**see attachment for City Parcels)	106	79	1	33	0.1

- 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.
- Is the required property map attached to the application? (application will not be processed without map) Yes No
- Is the property part of a designated En-zone pursuant to Tax Law § 21(b)(6)? Yes No
 For more information please see Empire State Development's [website](#).
 If yes, identify area (name) Census Tract 009400
 Percentage of property in En-zone (check one): 0-49% 50-99% 100%
- Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? If yes, identify name of properties in related BCP applications: Yes No

5. Property Description Narrative:
 See Property Description Section in Support Document

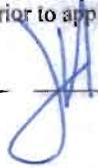
6. List of Existing Easements (type here or attach information)

Easement Holder	Description
None known	

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

Type	Issuing Agency	Description
None known		

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

Initials of each Requestor:  

Section III. Current Property Owner/Operator Information

OWNER'S NAME PJ Man Holdings

ADDRESS 245 Andrews Street, c/o Deborah Kall Schaal Esq., Gordon and Schaal LLP

CITY/TOWN Rochester, NY

ZIP CODE 14604

PHONE (585) 244-1070

FAX (585) 244-1085

E-MAIL dschaal@gordonandschaal.com

OPERATOR'S NAME Currently unutilized

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 27-1407.9(f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? Yes No

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

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

Section VI. Project DescriptionWhat 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. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.

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

*Please describe: _____

3. SUSPECTED CONTAMINANTS: INDICATE SUSPECTED CONTAMINANTS AND THE MEDIA WHICH MAY HAVE BEEN AFFECTED. PROVIDE BASIS FOR ANSWER AS AN ATTACHMENT.

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

*Please describe: _____

4. INDICATE KNOWN OR SUSPECTED SOURCES OF CONTAMINANTS (CHECK ALL THAT APPLY). PROVIDE BASIS FOR ANSWER AS AN ATTACHMENT.

- 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
 Adjacent Property
 Drums or Storage Containers
 Seepage Pit or Dry Well
 Foundry Sand
 Electroplating
 Coal Gas Manufacture
 Industrial Accident
 Unknown

Other: _____

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

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

Other: _____

6. PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, IF ANY, TO EACH PREVIOUS OWNER AND OPERATOR. 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 chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). 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))

1. Current Use: Residential Commercial Industrial Vacant Recreational (check all that apply)
Provide summary of business operations as an attachment.

2. Intended Use Post Remediation: Unrestricted Residential Commercial Industrial (check all that apply)
Provide specifics as an attachment.

3. Do current historical and/or recent development patterns support the proposed use? (See #14 below re: discussion of area land uses)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

4. Is the proposed use consistent with applicable zoning laws/maps?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
---	---

5. 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

6. Are there any Environmental Justice Concerns? (See §27-1415(3)(p)).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---

7. Are there any federal or state land use designations relating to this site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---

8. Do the population growth patterns and projections support the proposed use?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

9. Is the property accessible to existing infrastructure?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
---	---

10. Are there important cultural resources, including federal or state historic or heritage sites or Native American religious sites within ½ mile?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
---	---

11. 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
---	---

12. Are there floodplains within ½ mile?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

13. Are there any institutional controls currently applicable to the property?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---

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

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

16. Describe the geography and geology of the site in an attachment.

Section X. Statement of Certification and Signatures

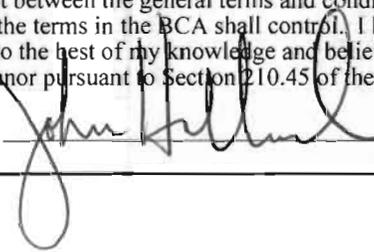
(By requestor who is an individual)

If this application is approved, I acknowledge and agree to the general terms and conditions set forth in DER-32 *Brownfield Cleanup Program Applications and Agreements* and to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter. I also agree that in the event of a conflict between the general terms and conditions of participation set forth in DER-32 and the terms contained in a site-specific BCA, the terms in the BCA shall control. 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 Managing Member (title) of 222 Andrews Street 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. If this application is approved, I acknowledge and agree to the general terms and conditions set forth in DER-32 *Brownfield Cleanup Program Applications and Agreements* and to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter. I also agree that in the event of a conflict between the general terms and conditions of participation set forth in DER-32 and the terms contained in a site-specific BCA, the terms in the BCA shall control. I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 6/11/13 Signature:  Print Name: John Holland

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, 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.

FOR DEPARTMENT USE ONLY

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

**BCP APPLICATION
SUPPORT
INFORMATION**

BCP APPLICATION SUPPORT

Exhibit List

- Exhibit A - DOS Form for Requestor's LLC**
- Exhibit B - Tax Map**
- Exhibit C - City Parcel Map**
- Exhibit D - Site Location Map**
- Exhibit E - Overview Map**
- Exhibit F - Site Plan Aerial Photo**
- Exhibit G - Deeds**
- Exhibit H - Soil and Groundwater Exceedances Map**
- Exhibit I - Previous Owners and Operators Chart**
- Exhibit J - Geophysical Survey Results**
- Exhibit K - Site Contact List**
- Exhibit L - Library Letter**
- Exhibit M - Zoning Map**
- Exhibit N - Proposed Site Plan Map**
- Exhibit O - June 2012 Phase I Report**
- Exhibit P - January 2013 Phase II Report**

SECTION I - REQUESTOR INFORMATION

The Requestor 222 Andrews Street LLC is a New York domestic limited liability company. See Exhibit A, DOS Form. The Requestor's relationship to the Site is that of a prospective purchaser, subsequent to any dry cleaning or filling station activities that took place on the Site. The Site includes all or part of five parcels. The properties include three parcels owned by PJ Man Holdings, Inc. that were the former site of the dry cleaning operations ("Silver Cleaners Parcels") located at 245 Andrews Street, 151 Pleasant Street, 159-169 Pleasant Street, and adjoining properties owned by the City of Rochester ("City") and its School District ("City Parcels") in Rochester, New York. The remediation and redevelopment of the Site will further enhance the revitalization of the Rochester downtown area, and improve adjacent property values by eliminating an unutilized, contaminated dry cleaning plant and remnants of a former service station.

SECTION II - PROPERTY INFORMATION

II.5: PROPERTY DESCRIPTION NARRATIVE:

The .47 acre "Site," which is the subject of this application, includes three Silver Cleaners Parcels owned by PJ Man Holdings, LLC (106.790-10.31, 106.790-10.32, and 106.790-10.33), with property addresses of 151 Pleasant Street, 159-169 Pleasant Street, and 245 Andrews Street, respectively. See Exhibit B, Tax Map. The City Parcels (a portion of 106.790-10.29 and all of 106.790-10.40.1), as shown on Exhibit C, City Parcel Map as Parcels #1 and #2, would also be included.

Section	Block	Lot	Owner	Address and Phone No.	Property Address	Acreage
106.790	10	031	PJ Man Holdings, Inc.	1110 West Turner Street Allentown, PA 18102 or c/o Deborah Schaal, Esq. Gordon and Schaal LLP 1039 Monroe Ave. Rochester, NY 14620 dschaal@gordonandschaal.com (585) 244-1070	151 Pleasant Street	0.14
106.790	10	032	PJ Man Holdings, Inc.	1110 West Turner Street Allentown, PA 18102 or c/o Deborah Schaal, Esq. Gordon and Schaal LLP 1039 Monroe Ave. Rochester, NY 14620 dschaal@gordonandschaal.com	159-169 Pleasant Street	0.07

				(585) 244-1070		
106.790	10	033	PJ Man Holdings, Inc.	1110 West Turner Street Allentown, PA 18102 or c/o Deborah Schaal, Esq. Gordon and Schaal LLP 1039 Monroe Ave. Rochester, NY 14620 dschaal@gordonandschaal.com (585) 244-1070	245 Andrews Street	0.10
106.790	10	029	City of Rochester	30 Church Street Rochester, NY 14614 Attn.: Mark Gregor mgregor@cityofrochester.gov (585) 428-5978	Andrews Street & N. Clinton Ave. (SW corner) (Parcel #1)	0.10
106.790	10	040 .1	Rochester City School District	131 West Broad Street Rochester, New York 14614 Attn.: Andrew Wheatcraft Andrew.Wheatcraft@RCSDK12.org (585) 262-8100	Portion of 111 N. Clinton Ave. (Parcel #2)	0.06
					Project Site Total	0.47 acres

Accordingly, the Site would be described as:

All that land located in the City of Rochester, County of Monroe and State of New York including the following five parcels of land:

Tax parcels 106.790-10.31, 106.790-10.32, 106.790-10.33 and 106.790-10.40.1, and the northern portion of tax parcel 106.790-10.29 ("School Parcel"), bounded as follows: commencing at the northeast corner of the School Parcel, then running in a southerly direction along the easterly boundary of the School Parcel approximately 33.63 feet, then in a westerly direction along the northerly boundary of adjacent tax parcel 106.790-10.30 a distance of 20.45 feet, then continuing another 55 feet in the same direction to the westerly boundary of the School Parcel (being the easterly boundary of tax parcel 106.790-10.34), then in a northerly direction along the westerly boundary of the School Parcel a distance of 32.13 feet to the northwest corner of the School Parcel, then along the northern boundary of the School Parcel a distance of 75 feet to the point and place of beginning, being approximately .06 acres of land.

The Site is located on the southwest corner of Andrews Street and North Clinton Avenue in the City of Rochester, New York. Adjacent properties include:

Compass Direction	Adjacent Properties
West	Stoll Andrews (Cilino) commercial office building with upstairs apartments
North	The Historic Kirstein Building, which is now both commercial and residential, and the YWCA

East	Red Front (Restaurant)
South	Elks Hotel (Elks Club) and School Without Walls

The Site that will be the subject of this application is depicted on Exhibit C, and includes the three parcels shown on Exhibit B, Tax Map (only Silver Cleaner Parcels are outline in red), as well as the City Parcels. Exhibit C shows the City Parcels in addition to the Silver Cleaners Parcels, including Parcel #1, which is the City of Rochester parcel (106.790-10.40.1) that was formerly a public street, and Parcel #2, which is the City School District Parcel (106.790-10.29), which is an underutilized portion of the School Without Walls parking lot. The following are also attached: Exhibit D, Site Location Map; Exhibit E, Overview Map; Exhibit F, Site Plan Aerial Photo (only Silver Cleaner Parcels are outlined in red). As depicted in the above chart, predominant land uses within a quarter-mile of the Site include both commercial and residential uses, as well as a school.

The Pleasant Street properties were the site of a former gas station from about 1935 to 1955. The dry cleaning plant, which was located at 245 Andrews Street and 159-169 Pleasant Street, began operation in 1949 but closed in 2011. The Silver Cleaners Parcels have been vacant ever since. The City Parcels are vacant parcel lots, although there may be some sporadic parking on Parcel #2 for the adjacent School Without Walls.

The Site is improved with one connected building that was built in three phases and reaches portions of the 245 Andrews Street property and the 159-169 Pleasant Street property. There is an asphalt parking lot that covers all of the 151 Pleasant Street parcel and portions of the 159-169 Pleasant Street parcel. The first portion of the present building was reportedly built by 1935. This structure is connected to the original Silver Cleaners building which was built in 1948. By 1971, the third portion of the building had been added, extending from the southern portion of the structure to the western side of the Site. *See Phase I Report* separately attached.

SECTION III - CURRENT PROPERTY OWNER/OPERATOR INFORMATION

The Silver Cleaners Parcels are currently owned by PJ Man Holdings, Inc. *See Exhibit G, Deeds.* City Parcel #1 is owned by the City of Rochester and is a former City street, while City Parcel #2 is a portion of the Rochester City School District's School Without Walls property.

Currently, the Site is unused, other than sporadic parking on the school parking lot area. Until 2011, the Site had been operated as a dry cleaning plant. The Site is occupied by one on-Site structure, which consists of three separately added sections built over many years, as well as an adjacent parking lot.

SECTION IV – REQUESTOR ELIGIBILITY INFORMATION

The information provided in the application confirms the Requestor is an eligible requestor in compliance with ECL§27-1407. The Requestor is a prospective purchaser that had no connection with the Site until after the activities that resulted in the contamination on the Site.

SECTION V – PROPERTY ELIGIBILITY INFORMATION

In addition to the responses on the application form, which show the property is an eligible site pursuant to Environmental Conservation Law (ECL) §27-1405, the following information further demonstrates this Site's eligibility for the BCP. First, the Site meets the definition of an eligible "brownfield site", defined by statute as "real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant" by the Department. Environmental investigation results show evidence of impact from the former filling station and dry cleaning plant that operated at the Site, which used underground storage tanks (USTs), petroleum, and perchloroethylene (PCE). These contaminants have caused volatile organic compound (VOC) and semi-volatile organic compound (SVOC) contamination to soil and groundwater above the BCP cleanup standards.

Contamination, which has been linked to the past, long term use of this Site as a dry cleaning plant and a filling station, has been documented to be present in on-Site soil and groundwater pursuant to a limited Phase II investigation performed. *See* Exhibit H Soil and Groundwater Exceedances Map. Additionally, an Electromagnetic Survey indicates that there are probably two, possibly four USTs buried under the Site, with an area of high petroleum contamination being proximate to the likely area of the USTs. Since such documented Site soil and groundwater contamination will complicate the Site's redevelopment, the Site meets the brownfield site statutory definition in ECL §27-1405(2), and the regulatory eligibility definition in 6 N.Y.C.R.R. §375-3.3(a)(1), as collectively demonstrated by:

- Property Description Section II above, which demonstrates the entire Site must be remediated for the planned new mixed-use residential, commercial, and retail development project;
- Property's Environmental History Section VII below, and the Phase I and II reports separately attached, which summarize the environmental history of the Site's use as a dry cleaning plant and filling station; and
- Actual Site contamination data documented in a Site investigation report, which has been linked to the former uses on the Site, and which data is summarized below.

This Site, while in a prime downtown location, has been and will remain unutilized because of its past as a dry cleaning plant and filling station. The purpose of this project is to continue the development of Rochester, by remediating and redeveloping this downtown brownfield site. The proposed commercial, retail, and residential reuse for the Site will provide new downtown business and living options for residents of the City. Additionally, the development of the Site will serve an added benefit for the neighboring Stoll Andrews (Cilino) building. Currently, the Stoll Andrews building must use the City School District parking lot to gain access to its own rear parking area. This proposed development can provide this access.

The development of the Site serves the City's interests as well, as it involves the remediation of several unutilized downtown parcels that would otherwise remain contaminated, in addition to the remediation of the requested city parcels which would similarly remain contaminated without the Requestor's participation in the BCP.

Overall, the State of New York and City of Rochester stand to substantially gain from the remediation and redevelopment of this visible downtown property. However, the Site is severely challenged, and needs to be remediated through the BCP in order to proceed with any planned reuse. The discovery of VOCs in the Site's groundwater will make the project even more challenging.

Since the Site soils and groundwater contain hazardous substances in excess of the unrestricted residential cleanup standards promulgated at 6 N.Y.C.R.R. §375-6.8(a), the Site is a brownfield, particularly given that the intended use of the Site is mixed residential, commercial, and retail.

The current data documenting actual contamination discovered to date, coupled with the long history of use as a dry cleaning plant and filling station, make it reasonable to believe additional contamination is present, and will be further uncovered throughout the entire Site requiring remediation. *See Exhibit H, Soil and Groundwater Exceedances Map.* Therefore, the Site meets the first contamination element:

- (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;

See 6 N.Y.C.R.R. §375-3.3(a)(1)(i).

In addition to confirmed and suspect contamination:

- (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.

See 6 N.Y.C.R.R. §375-3.3(a)(1)(ii).

According to the Department's March 3, 2005 Revised Eligibility Guidance document:

3. In determining whether there is 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, the Department will consider the following factors, to the extent such factors are relevant to the proposed site:

- (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.

The Site at issue meets these eligibility factors as follows:

(A) Idled, abandoned and underutilized – Though the Site has operated as a dry cleaning plant for more than sixty (60) years since roughly 1948, its recent closing in 2011 has caused the property to be unutilized. The subsequent discovery of contamination across the Site will continue this lack of utility until it is remediated. There is an empty, potentially contaminated structure which will have to be demolished, as well as an adjacent asphalt parking lot. Since the highest and best use of this land is not being realized given its downtown location, the Site meets the first brownfield site complication eligibility factor as it is underutilized.

(B) Unattractive for redevelopment or reuse due to the presence or reasonable perception of contamination – The Site has been occupied by not one, but two contaminating businesses over many years, and appears to have various types of contamination from the different historic uses, which will not only complicate the cleanup, but the redevelopment. For example, the Site was utilized as a dry cleaning plant by Silver Cleaners and Launderers for more than sixty years. The cleaner used approximately 960 gallons of PCE per year. PCE is an NYSDEC 6 N.Y.C.R.R. Part 595-classified hazardous substance. Additionally, starting sometime in the 1930s, portions of the Site were used as a filling station. Due to its use as a filling station, the Site had USTs installed. *See* Exhibit I, Previous Owners and Operators Chart. Due to these publicly known uses, contamination from petroleum and PCE has affected the soil and groundwater on-Site. The nature of this Site history and its specific contaminations has been investigated and reported in the attached Phase I and Phase II Reports. Since the presence of contamination has made this Site unattractive for redevelopment, the Site meets the first brownfield site complication eligibility factor.

(C) Properties in the immediate vicinity of the proposed site show indicators of economic distress such as high commercial vacancy rates or depressed property values – The Site is located in a Rochester Renewal Community. This Site is in a commercial and residential area in a City, and the continued presence of a contaminated unutilized lot such as this one will surely drive down property values.

(D) 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 - With respect to the fourth cost factor, while final costs are not yet available since Site investigation will continue under the Brownfield Cleanup Program (BCP), the cost of remediation will likely be significant, and has been estimated between \$235,000 and \$285,000. This is very significant when compared even to an assessment of the property that disregards the pollution, and is even more significant when compared to an assessment of the property that takes the contamination into account. This Site remediation will be complicated due to the presence of groundwater contamination. The planned use for the Site is a mixed-use development, and will likely require

extensive Site work and remediation since contamination has been found in many sections of the Site and excavation will be required to prepare the Site for the redevelopment project.

No one can accurately anticipate the future value of the land, particularly before the remediation work is accomplished. However, the cost of remediation is likely close to or greater than the current value of the Site. To date, groundwater contamination has been discovered, which will make the investigation and remediation more expensive. The Requestor will perform a comprehensive remediation with the goal of achieving the highest level of residential standards feasible in order to assure the safety of future residential users. However, at this time, the Requestor can only predict that the remedial cost will be significant, and is an upfront cost that will have to be expended in order to even minimally enhance the future value of the Site.

In sum, there is a reasonable basis to believe that the currently known contamination and suspect potential contamination is complicating development, and as such the fourth complication element of the State's current eligibility test in its Eligibility Guidance document has been met.

SECTION VI: PROJECT DESCRIPTION

A. PURPOSE AND SCOPE OF THE PROJECT

A proposed mixed use, residential, retail, and commercial use is planned for the Site. It is the Requestor's conceptual plan to use the three parcels, in conjunction with the two small City Parcels, to develop the Site into a four-story mixed use structure, with approximately 6,000 square feet per floor. The ground floor would consist of retail, and floors 2, 3, and 4 would consist of office space and/or apartments. With the acquisition of Parcels 1 and 2 from the City and its School District, the Site would be large enough for the building and parking.

B. ESTIMATED PROJECT SCHEDULE

The proposed project should begin soon after the BCP application and a Remedial Investigation Work Plan is approved. The goal is to complete the remediation and receive a Certificate of Completion by December 31, 2015.

7/15/13	Acceptance into BCP
8/15/13	Submission of Remedial Investigation (RI) Work Plan
10/1/13	Approval of RI Work Plan
11/1/13	Commencement of RI
2/1/14	Submission of RI Report
4/1/14	Approval of RI Report
5/1/14	Submission of Remedial Action Work Plan (RAWP)
7/1/14	Approval of RAWP
8/1/14	Commencement of Remediation
9/1/14	Commencement of Construction
1/1/15	Completion of Remediation
2/1/15	Submission of Final Engineering Report

4/1/15 Certificate of Completion
3/1/15 Completion of Building

SECTION VII - PROPERTY ENVIRONMENTAL HISTORY

1. SUMMARY OF ENVIRONMENTAL REPORTS

The following environmental reports are attached:

- Exhibit O - Phase I Environmental Site Assessment ("Phase I") dated June 6, 2012. Prepared by Ravi Engineering & Land Surveying P.C. for D4 Discovery and the City of Rochester.
- Exhibit P - Confirmatory Phase II Environmental Site Assessment ("Phase II") dated January 7, 2013. Prepared by Leader Professional Services, Inc. for D4 Discoveries, Inc. and the City of Rochester Department of Environmental Quality.

The contents of these reports are summarized below:

A. June 2012 Phase I Environmental Site Assessment

This initial ESA prepared for the Site was prepared for the D4 Discovery and the City of Rochester. The purpose of the Report was to perform "All Appropriate Inquiry" into the previous ownership and uses of the property and to characterize the Site with respect to recognized environmental conditions (RECs). The Phase I Report identified the following Site use history using permits, reports, records, historical maps, aerial photographs, visual inspection, and a FOIL request:

At some point in the mid-1930s, the property at 151 Pleasant Street, which was historically referred to as 149-169 Franklin Street, was first operated as a filling station utilizing four USTs and a pump. The filling station continued to operate until sometime between 1950 and 1971. Records indicate that two 1000 gallon USTs and one or two 500 gallon USTs were placed on the 151 Pleasant Street property. In 1949, the City issued a permit for the change of use of a tailor shop at 245 Franklin into a dry cleaning plant. The dry cleaning plant subsequently received a permit for the installation of a gas tank and pump at 245 Andrews Street. The dry cleaning plant was classified as a Conditionally Exempt Small Quantity Generator of Hazardous Waste (CESQG) under the Resource Conservation and Recovery Act (RCRA). From 1986 to 2011, the Rochester Fire Department issued permits for the operation of Silver Cleaners as a Class IV dry cleaning plant. As a dry cleaner, Silver used approximately 960 gallons of PCE per year.

The on-Site building was built in three stages. The first section was the building's eastern side, which was built on the 159-169 Pleasant Street parcel by 1935. Next, the Silver

Cleaners building on the 245 Andrews Street parcel was built in 1948. The third portion was an addition on the southern side of the building that extended on to the western side of the Site. The 151 Pleasant Street parcel and a portion of the 159-169 Pleasant Street parcel are used as an asphalt parking lot. The report indicates that the building is likely contaminated with asbestos and lead-based paint. See Exhibit I, Previous Owners & Operators Chart.

According to the environmental databases reviewed, the portion of the Site on 245 Andrews Street is listed on the RCRA list of CESQG for generating metal drums and barrels of halogenated solvents and still bottoms from recovery of solvents relative to their usage and waste generation of the dry cleaning solvent PCE and also concentrated polychlorinated biphenyl (PCB) oil. There was one Large Quantity Generator found within ¼ mile of the Site (Midtown Plaza Complex Asbestos & Hazardous Materials Abatement Project), but there were no violations found. There were four State Hazardous Waste Sites nearby, but all are listed at a lower elevation than the site. There were 20 leaking storage tanks within ½ mile of the site. All of these were at a lower elevation than the Site or listed as closed. There were two permitted solid waste landfills within ½ mile of the Site, eight registered Petroleum Bulk Storage facilities within ¼ mile of the Site, and one Major Oil Storage Facility nearby. None of these facilities were considered hazardous to the Site.

Based on the likelihood of the presence of USTs and the historic use of petroleum and PCE, the report recommended that an EM-61 survey be conducted to find any potential USTs, a subsurface investigation be conducted to investigate groundwater and soil conditions, and the building be cleared of asbestos, lead based paint, and dry cleaning equipment.

B. January 2013 Confirmatory Phase II Environmental Site Assessment

Based on the recommendations of the Phase I report, a Phase II report was commissioned to determine whether there were USTs on the Site, and if there were any contaminants in the Site's groundwater or soil. To determine if there were any USTs on Site, an electromagnetic survey was conducted. The results of the survey indicated that there were two objects that were likely USTs near the northeastern portion of the 151 Pleasant Street parcel. There were also two other detected subsurface anomalies, neither of which could be conclusively identified, but there was a chance that one was a UST. See Exhibit J Geophysical Survey Results.

The Phase II report also involved the installation of five soil borings throughout the Site (SB-1 to SB-5). SB-1, SB-2, and SB-3 were performed under the dry cleaning equipment on the 245 Andrews Street property. SB-4 was also on the 245 Andrew Street property, under a collection of leaking drums. SB-5 was performed on the northeastern portion of the 151 Pleasant Street property near where the suspected USTs were found. Groundwater samples were also collected, at the same locations as SB-1, SB-4, and SB-5. The areas of concern (AOCs) identified in this investigation were as follows:

- **Area of high petroleum concentration in soil (Eastern portion of the Site)** – The Phase II Investigation identified petroleum impacted soil in SB-5, which was advanced in the Eastern area of the Site. Grey staining and a strong petroleum odor were observed in the sample. A maximum VOC reading of 1240 ppm was measured

on the soil samples from SB-5. Analysis revealed concentrations of petroleum compounds Ethylbenzene, O-xylene, and m,p-Xylene well above the NYSDEC Part 375 Soil Cleanup Objectives (SCO) for Unrestricted Use. It also found high concentrations of petroleum compound Methylcyclohexane, but this compound does not have a corresponding SCO.

- **Area of high petroleum concentration in groundwater (Eastern portion of the Site)** – The Phase II Investigation identified petroleum impacted groundwater at GW-5, which was advanced in the Eastern area of the Site. Testing revealed concentrations of petroleum compounds Ethylbenzene, Methylcyclohexane, Toluene, Naphthalene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, O-Xylene, and m,p-Xylene well above the TOGS 1.1.1 Groundwater Standard.
- **Area of high PCE impact in groundwater (Northwestern and center portion of the Site)** – The Phase II Investigation identified PCE impacted groundwater at GW-1 and GW-4, which were advanced in the Northwestern and center portions of the Site, beneath the dry cleaning plant. In both groundwater samples, concentrations of Tetrachloroethene were found well above the ROGS 1.1.1 Groundwater Standard.
- **Area of likely underground storage tanks (Eastern and possibly Southern portions of the Site)** – The Phase II investigation discovered the presence of two metal objects buried under the Eastern portion of the Site. Linear anomalies appeared to be associated with these anomalies in a manner consistent with USTs. An additional anomaly was identified in the southern portion of the Site that does not exhibit those linear anomalies, but may still be a UST.

See Phase II Report, Exhibit H Soil and Groundwater Exceedances Map, Exhibit J Geophysical Survey Results.

The sample results reveal exceedances of the NYSDEC soil and groundwater standards, and the report recommended that the USTs be removed and the site be remediated. The report concluded that the Site would be eligible for the BCP, and thus recommended that a BCP Remedial Investigation and Remedial Action Workplan be submitted to NYSDEC and the City of Rochester. See Phase II Report.

2. **Sampling Data** – See Soil and Groundwater Exceedances Maps in Exhibit H.
3. **Suspected Contaminants** – See Chart in the Application and summary of contaminants above in Section VII.1.
4. **Suspect Sources** – The suspected source of the petroleum contaminants and the UST is from the use of the Site as a filling station from 1939 to 1955. The suspected source of the PCE contamination in the groundwater is from the Site's use as a dry cleaning plant from 1949 to 2011. See Chart in application and summary of past uses throughout this application .
5. **Past Land Uses** – See Application and Narrative Section II above

6. **Previous Owners and Operators** - See Exhibit I for a complete list of past owners and operators.

The requestor has no relationship with any of these past owners and/or operators.

SECTION VIII: CONTACT LIST INFORMATION

1. **The Chief Executive Officer:**

City of Rochester
Mayor Thomas S. Richards
City Hall Room 307A
30 Church Street
Rochester, New York 14614
Phone: (585) 428-7045
info@cityofrochester.gov

Monroe County Executive
Maggie Brooks
110 County Office Building
39 West Main Street
Rochester, NY 14614
Phone: (585) 753-1000
countyexecutive@monroecounty.gov

2. **a. The City Zoning Bureau:**

City of Rochester
Marcia Barry, Director
Bureau of Planning and Zoning
City Hall – Room 125B
30 Church Street
Rochester, NY 14614
Phone: (585) 428-6858
barrym@cityofrochester.gov

b. The County Planning Agency:

Thomas Goodwin, Planning Manager
Monroe County Department of Planning and Development
8100 City Place
50 West Main Street
Rochester, NY 14614

Phone: (585) 753-2000
Fax: (585) 753-2028
mcplanning@monroecounty.gov

3. Residents, owners, and occupants of the Site and properties adjacent to the Site:

See Brownfield Site Contact List attached hereto in Exhibit K.

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

Democrat and Chronicle
55 Exchange Boulevard
Rochester, New York 14614
Phone: (585) 232-7100

5. The public water supplier that services the area where the Site is located:

City of Rochester Bureau of Water
Robert Morrison, Director
Bureau of Water
10 Felix Street
Rochester, New York 14608
Phone: (585) 428-7500
Bob.Morrison@cityofrochester.gov

6. Any person who has requested to be placed on the Site contact list:

No one has requested to be put on the list to date. However, we intend to voluntarily send information regarding this project to the adjacent property owners listed in Exhibit K.

7. The administrator of any school or day care facility located on or near the Site:

Uma Metha, Principal
School Without Walls Foundation Academy
111 North Clinton Avenue
Rochester, New York 14607
Phone: (585) 324-3111
Fax: (585) 935-7490

8. The location of a document repository for the project (e.g., local library) (See Exhibit L):

Patty Uttaro, Director
Rochester Central Library
115 South Avenue

Rochester, NY 14604
(585) 428-7300

Hours: Mon-Wed (10AM-6PM); Thurs (11AM-7PM); Fri (10AM-6PM);
Sat (10 AM-5PM); Sun (1PM-5PM)

SECTION IX: LAND USE FACTORS

1. Current Use:

The Site consists of five vacant parcels comprised of approximately .47 acres. It is located on the southwest corner of Andrews Street and North Clinton Avenue. The Site is classified Center City District B (CCD-B). *See Exhibit M, Zoning Map.*

2. Intended Use Post Remediation:

A mixed use development including residential, retail, and/or commercial uses is planned for the Site. It is the Requestor's plan to use the three parcels, in conjunction with the two small City Parcels, to develop the Site into a four-story mixed use structure, approximately 6,000 square feet per floor. The ground floor would consist of retail, and floors 2, 3, and 4 would consist of office space and/or apartments. There would also be an appurtenant parking lot with access route for the neighboring Stoll Andrews (Cilino) Building. *See Exhibit N, Proposed Site Plan Map.*

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

Yes. Current and recent development patterns in Rochester are consistent with developing underutilized property into mixed use residential and commercial buildings.

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

Yes. The Site is consistent with applicable zoning laws/maps and will be put to a similar residential/commercial/retail use as the neighboring Kirstein building (which is BCP Site No. C828127).

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

Yes. As noted above, the Site is intended to be put to use in a very similar manner as its neighboring Kirstein building.

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

The proposed use of the Site is consistent with the current use of many neighboring properties, so there is no environmental justice concern with the intended use of the property. In addition, this specific area is not heavily residential.

7. Are there any federal or state land use designations relating to the Site?

No.

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

Yes. The population of the metropolitan region of Rochester is growing and expected to continue to grow. The construction of additional residential options is consistent with such growth.

9. Is the property accessible to existing infrastructure?

Yes. The property is situated in downtown Rochester with access to municipal sewer, water and other infrastructure.

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

Yes, the Site is across the street from Rochester's historic Kirstein building, which was originally used to manufacture optical lenses, but was later renovated to commercial and residential space. The Kirstein building is part of the Inner Loop multiple resource area, a multiple property submission to the National Register with several entries in the surrounding area.

11. Are there important federal, state or local natural resources, including waterways, wildlife refuges, wetlands or critical habitats of endangered or threatened species proximate to the Site?

Yes. The Genesee River, which runs through the center of Rochester, is located nearby to the Site.

12. Are there floodplains within ½ mile of the Site?

Yes, the Genesee River is within ½ mile of the Site.

13. Are there any institutional controls currently applicable to the Site?

No.

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

The Site is located in downtown Rochester. There are several apartment buildings in the area, including in two immediately adjacent buildings. Also adjacent to the Site is the School without Walls, the YWCA, the Elks Hotel, and the Red Front restaurant. The Genesee-Crossroads Park is within ½ mile, but it is chiefly on the opposite side of the Genesee River.

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

The Site is situated in a developed area of the City of Rochester that is serviced by municipal water supply. Therefore, while it is possible contamination might migrate from the Site, it is not possible contamination may migrate to a wellhead protection or groundwater recharge areas.

16. Describe the geography and geology of the Site.

Bedrock beneath the Site is mapped as the Penfield Dolostone Unit of the Upper Silurian Lockport Group. The surficial soils are mapped as lacustrine silt and clay deposits. Based on the local topography, proximity to nearby surface water features, and observations made at the Site, groundwater flow beneath the Site would be expected to be towards the Genesee River to the west-northwest. The depth of refusal for soil borings ranged from 2 feet beneath ground surface to 13.8 feet beneath ground surface.



At a Trial Term held on the 25th day of January, 2012, at 10:30 a.m., in and for the County of Monroe, at the Hall of Justice in the City of Rochester, New York.

PRESENT: HON. JOHN J. ARK
Justice of the Supreme Court, Presiding

SUPREME COURT
STATE OF NEW YORK COUNTY OF MONROE

STOLL ANDREWS LLC,

Plaintiff,

vs.

SILVER CLEANERS, INC. and
PJ MAN HOLDINGS, INC.,

Defendants.

**ORDER AND
JUDGMENT**

Index No.: 2011-9846

2012 FEB -2 PM 4:58
MONROE COUNTY CLERK

RECEIVED

Plaintiff having brought this action against defendants Silver Cleaners, Inc. and PJ Man Holdings, Inc. (together "defendants") seeking property damages, environmental response costs, and injunctive relief, caused or made necessary by contamination (the "Contamination") released on the properties owned by defendant PJ Man Holdings, Inc. at 245 Andrews Street and 151 and 159-169 Pleasant Street in the City of Rochester (the "Silver Cleaners Properties"), including perchloroethylene, which migrated onto plaintiff's adjacent property at 237-241 Andrews Street in the City of Rochester (the "Property"), based upon common law theories; defendants having failed to respond to the Summons With Notice; and plaintiff having moved for a Default Judgement pursuant to CPLR §3215;

NOW UPON reading the Notice of Motion dated November 23, 2011, the Affirmation of Alan J. Knauf, affirmed November 23, 2011, the Affidavit of Salvatore Cilino, sworn to on November 22, 2011, and plaintiff's Bill of Costs dated January 5, 2012; and no opposing papers having been served; and

UPON HEARING testimony and receiving evidence at an Inquest held by this Court on January 25, 2012; and

UPON HEARING Knauf Shaw LLP (Alan J. Knauf, Esq., of Counsel) in support of the Motion and at the Inquest, and no one having appeared in opposition; it is

ORDERED AND ADJUDGED, that plaintiff's Motion is granted, and defendants are held in default; and it is further

ORDERED AND ADJUDGED, that Judgment is entered for plaintiff against defendants Silver Cleaners, Inc., 245 Andrews Street, Rochester, New York 14604, and PJ Man Holdings, Inc., 245 Andrews Street, Rochester, New York 14604 in principal amount of \$210,498.25, comprised of the following:

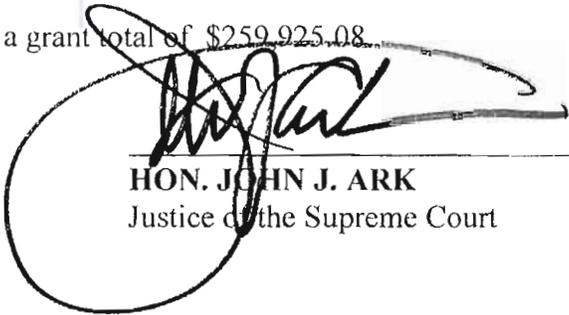
Item	Amount
Ventilation System	\$ 5,051.00
Environmental Consulting (Passero Associates)	\$ 4,700.00
System Maintenance	\$ 400.00
Environmental Attorneys' Fees (Knauf Shaw LLP)	\$ 6,437.50
Costs and Disbursements (including those set forth in Bill of Costs)	\$ 1,011.83
Costs of Failed Refinance	\$ 17,105.00
Survey	\$ 950.00
Title Work	\$ 125.00
Damage Due to Disadvantageous Loan Terms Including Personal Guarantee	\$ 50,000.00
Home Equity Loan Interest	\$ 4,000.00
Credit Card Interest	\$ 12,840.00
Additional Interest	\$107,877.92
TOTAL	\$210,498.25

AND IT IS FURTHER ORDERED AND ADJUDGED, that defendants shall remediate the Contamination to the satisfaction of the New York State Department of Environmental Conservation ("NYSDEC"); and it is further

ORDERED AND ADJUDGED, that access to the Silver Cleaners Properties is granted to NYSDEC, plaintiff, and/or their agents, consultants and contractors for environmental investigation (including groundwater, soil and air sampling) and remediation they may choose to undertake to respond to the Contamination, and that defendants shall be responsible to pay for any future environmental response costs incurred by plaintiffs; and it is further

ORDERED AND ADJUDGED, that the Judgment shall include interest in the amount of \$49,126.83 from June 23, 2009 through January 27, 2012, and statutory costs in the amount of \$300.00, pursuant to CPLR §§8201 and 8202, for a grant total of ~~\$259,925.08~~

Dated: Rochester, New York
January 30, 2012



HON. JOHN J. ARK
Justice of the Supreme Court

ACCESS AGREEMENT

THIS AGREEMENT ("Agreement") made and entered into this ___ day of August, 2013, by and between **PJ MAN HOLDINGS, INC.**, a New York business corporation with offices at 245 Andrews Street, Rochester, New York 14604 ("Owner") and **222 ANDREWS STREET LLC**, a New York limited liability corporation, with offices at 222 Andrews Street, Suite 150, Rochester, New York 14604 ("Licensee"). The Owner and the Licensee are sometimes referenced to in this Agreement individually as a "Party" or collectively as the "Parties."

WHEREAS, Owner is the owner of the following parcels of land (together "Premises") located in the City of Rochester, County of Monroe, State of New York:

Section	Block	Lot	Address	Acreage
106.790	10	031	151 Pleasant Street	0.14
106.790	10	032	159-169 Pleasant Street	0.07
106.790	10	033	245 Andrews Street	0.10

WHEREAS, the Licensee seeks to include the Premises as part of the Silver Cleaners site ("Site") in the Brownfield Cleanup Program ("BCP"), and conduct work ("Work") required to obtain a Certificate of Completion through the BCP under the supervision of the New York State Department of Environmental Conservation ("NYSDEC"), including a Remedial Investigation ("RI") of the Site, and remediation, if necessary; and

WHEREAS, the Owner is willing to allow the Licensee access to the Premises in order to complete the Work on the Premises.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, the City, the Owner and the Licensee agree and covenant as follows:

1. **Permission.** Owner, by execution of this Agreement, grants to the Licensee, and its employees, agents, contractors and subcontractors, who shall all be considered agents of the Licensee (together "Agents"), temporary access ("Access") to the Premises to undertake the Work.
2. **No Tenancy.** This Agreement creates a license, and shall not be deemed to create a tenancy at will or sufferance, nor shall any other right or interest in the Premises be created, including any right or claim to a mechanic's or materialman's lien.
3. **Requirements for Work.** The Licensee agrees to provide Owner forty-eight (48) hours advance notice prior to any Work. The Licensee agrees to take reasonable precautions to avoid damage to the Premises from the Work, and shall restore the Premises to the same condition or better than it was prior to

commencement of the Work.

4. **Termination.** This Agreement shall commence upon execution of this Agreement and shall expire on December 31, 2015. Owner shall have the right to cancel and terminate this Agreement upon 30 days' written notice to Licensee.
5. **Release and Indemnity.** Licensee releases from liability, and shall protect, defend, hold harmless, and indemnify, Owner and its officers, successors, assigns, and agents from, against, and in respect of any and all claims, losses, liabilities, damages (whether special, consequential, or otherwise), settlements, penalties, interest, investigation, remediation, oversight and other environmental response costs, and any other expenses which may be suffered or incurred by anyone (including but not limited to the Parties and their agents) arising out of, or resulting from personal injury or property damage due to the Work or breach of this Agreement by Licensee.
6. **Subsurface Utilities.** Owner and makes no representations as to their knowledge of subsurface utilities at the Premises. Licensee and its Agents are solely responsible for identifying underground utilities and making appropriate contact with Dig Safely New York and others to identify utilities.
7. **Insurance.** Prior to entry onto the Premises by any Agent of Licensee, such Agent shall procure or cause to be procured and maintain during the life of this Agreement a liability insurance policy against any claims, suits, demands or judgments by reason of personal injuries, including death and for any claims for damages to property occurring on or in the proximity of the Premises, or arising out of or as a result of the use of the Premises by the Licensee. Such liability insurance shall provide limits of:
 - a. \$300,000/\$500,000 for property damage.
 - b. \$1,000,000 for one person and \$2,000,000 for more than one person injured or killed in any one occurrence.

The above insurance policy shall name the Owner as additional insured and shall be issued by a responsible insurance company or companies reasonably approved by Owner for adequacy, sufficiency and form of protection and shall be delivered to Owner prior to entry on the Premises by Licensee or its Agents with full premiums paid. If, in any action brought to recover damages on any insured risk, a judgment shall be recovered against the Owner, then, upon written demand, the Licensee shall pay the full amount of such judgment to the extent not paid under such insurance policy. Licensee shall have the right, prior to payment, to appeal and defend any such judgment.
8. **Split Samples.** Licensee agrees to allow Owner to split samples.

9. **Data and Reports.** Licensee agrees to provide Owner with (1) copies of the test results from the samples collected during the Work and (2) boring logs.

10. **Miscellaneous Provisions.**

- a. **Entire Agreement.** This Agreement shall constitute the entire agreement of the Parties regarding Access to the Premises, and shall supersede any previous oral or written understandings. Furthermore, this Agreement may only be amended by a writing signed by the Parties.
- b. **Choice of Law.** This Agreement shall be governed and construed under the laws of the State of New York without reference to choice of law rules and principles.
- c. **Gender and Number.** The use of one gender in this Agreement shall include all others, and the use of the singular shall include the plural and vice-versa.
- d. **Notices and Communications.** All notices, demands and requests which may be given or are required to be given by any party to the other must be in writing. All notices shall be personally delivered or forwarded by United States certified mail, return receipt requested, postage prepaid and addressed as follows:

OWNER:

PJ Man Holdings, Inc.
1110 West Turner Street
Allentown, PA 18102

with copy to:

Deborah Schaal, Esq.
Gordon and Schaal LLP
1039 Monroe Ave.
Rochester, New York 14620

LICENSEE:

222 Andrews Street LLC
222 Andrews Street, Suite 150
Rochester, New York 14604
Attn.: Mr. John Holland

with copy to:

Alan J. Knauf, Esq.

Knauf Shaw LLP
1400 Crossroads Building
2 State Street
Rochester, New York 14614

and a copy to:

Anthony Iacavangelo, Esq.
Gallo & Iacavangelo LLP
180 Canal View Boulevard
Rochester, New York 14623

- e. **Service of Notices and Communications.** The notices, demands and requests given in congruence with the previous paragraph shall be deemed served or given at the time such notice, demand or request is personally delivered or mailed, unless specified that it is deemed served or given when received.
- f. **Descriptive Headings.** The descriptive headings of the various provisions of this Agreement are included for convenience only, and they are not intended to affect the meaning or construction of any of the provisions of this Agreement.
- g. **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the parties to this Agreement, and their trustees, receivers, successors, and allowable assigns.
- h. **Separability.** If any provision of this Agreement is determined to be invalid or unenforceable, that shall not affect the validity or enforceability of the remaining portions of this Agreement. Any such invalid or enforceable provision shall be modified so as to give effect to the original intent of the parties to the maximum extent possible.

i. **Counterparts.** This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, and the counterparts, when combined, shall form and constitute a complete agreement. The parties further agree that facsimile signatures shall be acceptable to bind the parties.

IN WITNESS WHEREOF, the Parties have set their hand and seal to this Agreement the day and year first above written:

222 ANDREWS STREET LLC

PJ MAN HOLDINGS, INC.

Sign: John K. Holland

Sign: Paul J. Manuse

Print: John K. Holland

Print: PAUL J. MANUSE

Title: Managing Member

Title: President

Date: 9/11/13

Date: 9/11/13

Alan Knauf

From: Gregor, Mark [Mgregor@CityofRochester.Gov]
Sent: Monday, September 09, 2013 5:10 PM
To: Alan Knauf
Cc: Smith, Scott C.; Vandame, Willard
Subject: RE: Former Silver Cleaners - 245 Andrews Street

Follow Up Flag: Follow up
Flag Status: Flagged

Alan,

I received your call. There was an internal meeting in the last week on the Silver project. Because the triangle parcel is part of the ROW it looked like you will need a permit instead of a license agreement.

I am not sure if that information was conveyed back to you, but Bill Vandame Manages our Permit Office and can assist you.

Thanks, I hope that helps.

Mark

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BUSINESS DEVELOPMENT

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Street and Sidewalk Right-of-Way Permits

Are you doing construction work or erecting signs/tables /awnings/etc in publicly-owned areas?

Permits are required for all work performed in the public right-of-way. Each dedicated street in the City of Rochester has a public right-of-way. The right-of-way includes the pavement, curbing and sidewalks; the area between the sidewalk and the curb; and, in most residential areas, a strip of land two feet wide extending from the sidewalk toward the residential property. Work that requires a permit includes street openings, driveway construction, encroachments, street obstructions, new water services and renewals, water abandonments, and use of hydrants and barricades.

Street and sidewalk right-of-way permits ensure that:

- Individuals working in the right-of-way know the appropriate rules and regulations. This reduces the possibility of damage to utility lines.
- Individuals doing work in the right-of-way are properly insured against personal injury and property damage.
- Work is done according to City of Rochester specifications, codes, and requirements, thereby providing for proper restoration of public property.
- Schedules between agencies and individuals are coordinated so that they do not attempt to perform work at the same location simultaneously.
- A record of who performed specific work is maintained, in case problems are discovered after work has been completed.
- Vehicular and pedestrian traffic is adequately maintained.

Permits are required for the following activities (this is a partial listing):

- Constructing any type of **encroachment** (such as signs, awnings, sidewalk cafes, marquees, areaways, fully-opened doors, air conditioners, etc.) which may intrude upon the public right-of-way.
- Any type of excavation in the public right-of-way such as installing, repairing, or replacing of water services or sewer laterals, and installing or repairing of any type of underground utility.
- Repairing or replacing of any sidewalk in the public right-of-way.
- Resurfacing, widening, or closing of an existing driveway.
- Installing a new driveway.
- Installing, replacing, or removing street curbing.
- Storing materials, dumpsters, or equipment in the public right-of-way.
- Parking any heavy equipment such as cranes in a public street.
- Moving any oversized vehicles or overweight equipment or loads on public streets.

MAY WE SUGGEST

- Fee Schedule- Street and Sidewalk Right-of-Way Permits
- Enforcement Responsibilities for the Municipal Code
- Bureau of Architecture and Engineering
- Department of Neighborhood & Business Development
- Neighborhood and Business Development Customer Service
- Liquor License Notices
- Water Details
- Water Main Cleaning and Lining Project
- Port of Rochester - Marina Project
- Dog Licenses
- Site Plan Review Agenda
- Forms - Assessment Bureau
- Tax Rates - Assessment Bureau
- Residential Property Exemptions - Assessment Bureau

- Installing a new street that will become officially dedicated to the City upon completion.
- Erecting a new utility pole, or removing or relocating an existing utility pole.
- Requesting the City to disconnect a water service (of any size).
- Using a hydrant for dust control during demolition work.

See [Municipal Code & Enforcement Activities](#) for related code information.

How to Obtain a Permit

The City of Rochester's Permit Office, located in City Hall – Room 121-B, is open Monday through Friday, between 9 a.m. and 4:45 p.m. An individual who applies for a permit will be required to provide a description of the proposed work, a work schedule, and a certificate of liability insurance. In addition, scaled drawings or plans of the proposed work, an irrevocable letter of credit, and proof of workers' compensation and disability insurance may be required.

Before coming to City Hall, print and fill out the [street right-of-way permit application](#).

Fees

For information relating to specific permit fees, please refer to [Permit Fees for Work in the Public Right-of-Way](#).

Inquiries Or Concerns

Individuals with concerns about permit requirements or the application process may contact the Department of Environmental Services' Permit Office, Monday through Friday, from 9 a.m. to 5 p.m. The office may be reached (585) 428-6848.

SEE ALSO

[Business Assistance](#) | [Permits and Licenses](#) | [Streets, Sidewalks and Infrastructure](#)

简体中文 English Français Deutsch Italiano 日本語 한국어 Português Español



Translation by WorldLingo

Alan Knauf

From: Wheatcraft, Suzanne [Suzanne.Wheatcraft@rcsdk12.org]
Sent: Wednesday, September 11, 2013 1:00 PM
To: Alan Knauf
Cc: Wheatcraft, Andrew; Keysa, Thomas P; Schmidt, Michael C
Subject: Silver Cleaners Site
Attachments: Silver Cleaners City School Access Agreement.docx; Attachment to City School Access Agreement.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Knauf,

We received your email of 5 August, 2013 and are writing to say that the Facilities Department of the Rochester City School District supports in concept the Brownfields application your client is preparing for property adjacent to the RCSD facility (111 North Clinton Avenue). Furthermore, we understand that the project may include work to be conducted by your client on District property. Once an access agreement is in place between RCSD and your clients, this should be possible. As part of the Brownfields investigation and remediation, we understand and expect that any portion of the District facility that is determined to have been impacted by contamination from your client's property would be fully remediated to the satisfaction of the District and New York State.

Suzanne Wheatcraft
Coordinator of School Environmental Safety
Rochester City School District
835 Hudson Ave.
Rochester, NY 14621
585-336-4005 office
585-738-4207 cell
585-336-4060 fax

From: Alan Knauf [<mailto:AKnauf@nyenvlaw.com>]
Sent: Tuesday, September 10, 2013 3:59 PM
To: Wheatcraft, Suzanne
Subject: FW: Silver Cleaners Brownfield Site

Suzanne – can you send me the letter we talked about? I need it for tomorrow.

Here is the draft I had sent. Thanks.

Alan J. Knauf
Attorney at Law
Knauf Shaw LLP
1400 Crossroads Building
2 State Street
Rochester, New York 14614
Tel.: (585) 546-8430
Fax: (585) 546-4324

From: Alan Knauf
Sent: Monday, August 05, 2013 6:30 PM
To: 'Andrew.Wheatcraft@RCSDK12.ORG'

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through June 7, 2013.

Selected Entity Name: 222 ANDREWS STREET LLC

Selected Entity Status Information

Current Entity Name: 222 ANDREWS STREET LLC

DOS ID #: 3944015

Initial DOS Filing Date: APRIL 30, 2010

County: MONROE

Jurisdiction: NEW YORK

Entity Type: DOMESTIC LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

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

222 ANDREWS STREET LLC
222 ANDREWS STREET
SUITE 150
ROCHESTER, NEW YORK, 14604

Registered Agent

NONE

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

***Stock Information**

# of Shares	Type of Stock	\$ Value per Share
No Information Available		

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
APR 30, 2010	Actual	222 ANDREWS STREET LLC

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

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

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TITLE
SITE LOCATION MAP

245 ANDREWS STREET
ROCHESTER, NY

PROJECT ENGINEER

RVI
RAVI ENGINEERING
& LAND SURVEYING, P.C.
2110 SOUTH CLINTON AVENUE, SUITE 1
ROCHESTER, NEW YORK 14618
TEL: (885) 223-1660 FAX: (885) 223-4250

DRAWN

CTJ

CHKD

RJB

DATE:

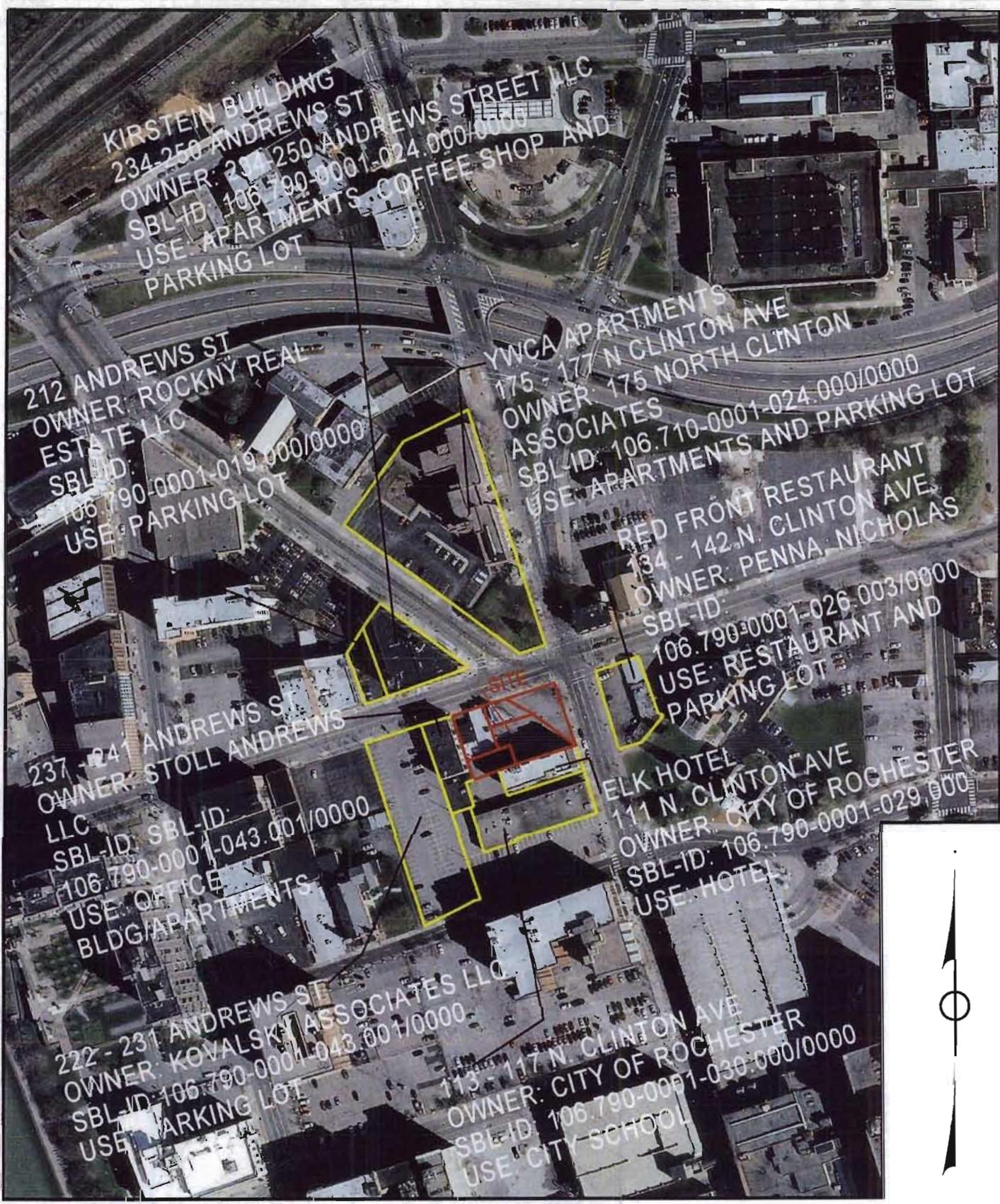
05/10/12

SCALE:

NTS

PROJECT NO.

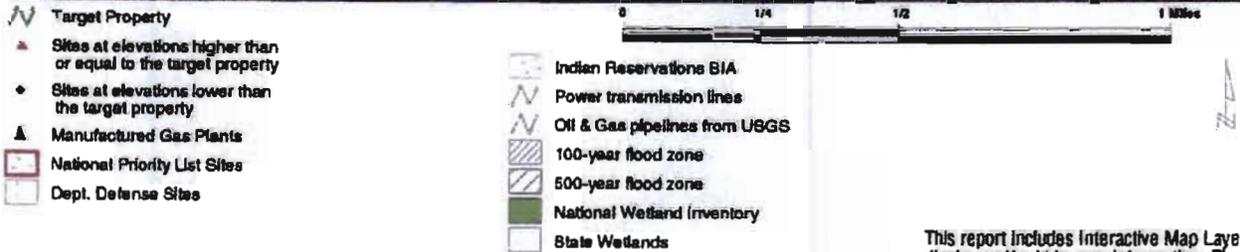
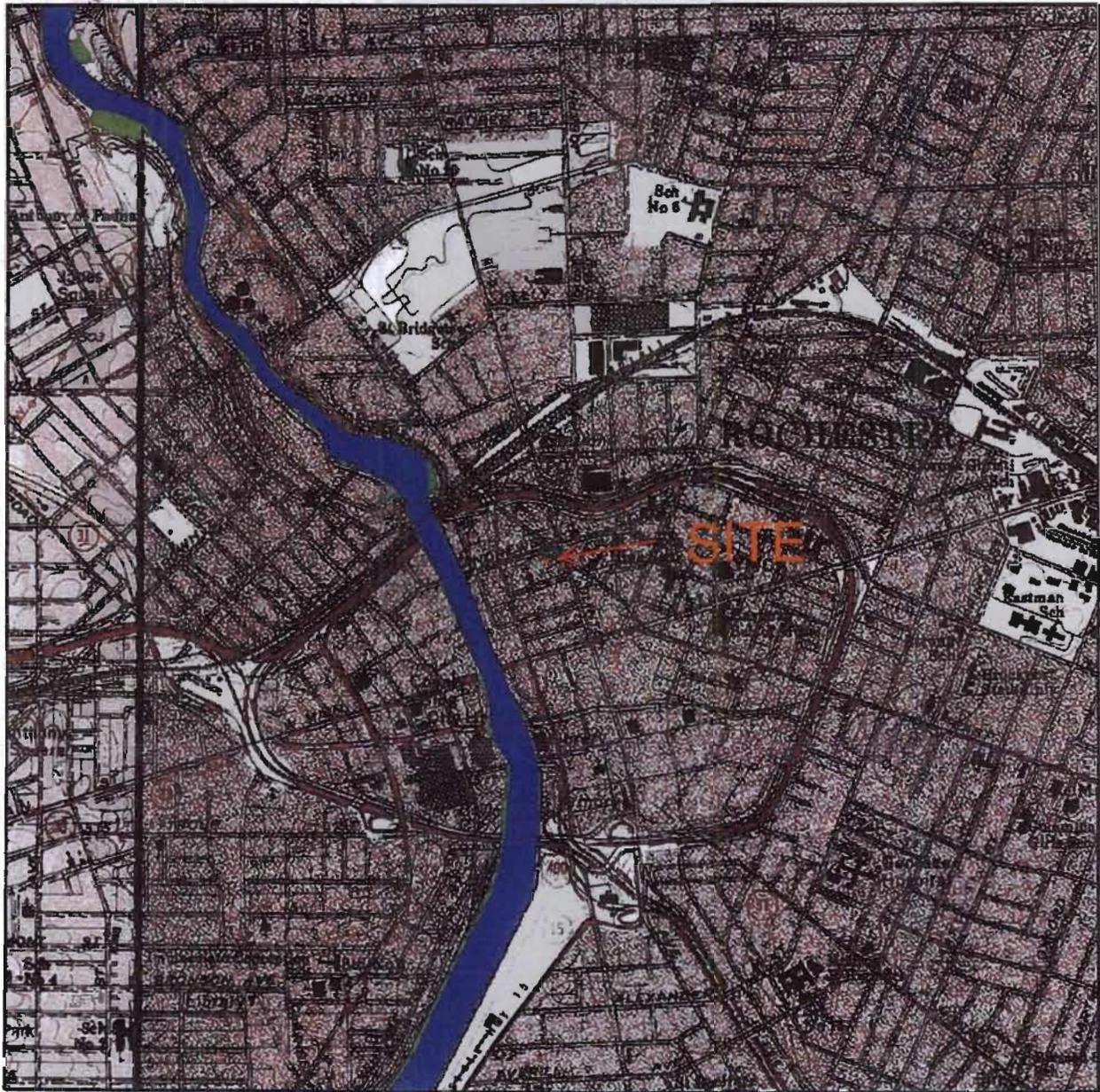
45-12-036-0K



— PROPOSED BROWNFIELD PROPERTY BOUNDARY LINE — ADJACENT PROPERTY BOUNDARY LINE

<p>TITLE: SUBJECT SITE LOCATION AND ADJACENT PROPERTY INFORMATION MAP 245 ANDREWS STREET ROCHESTER, NEW YORK, 14604</p>	<p>PROJECT ENGINEER: RAVI ENGINEERING & LAND SURVEYING, P.C. <i>RE</i> CONSULTING ENGINEERS & SURVEYORS 2110 SOUTH CLINTON AVENUE, SUITE 1 ROCHESTER, NEW YORK 14618 TL: (585) 223-3660 FX: (585) 223-4250</p>	<p>DRAWN: RJB CHKD PSM</p> <p>PROJECT NO. 45-13-002-00</p>	<p>DATE 9/11/2013</p> <p>SCALE NTS</p>
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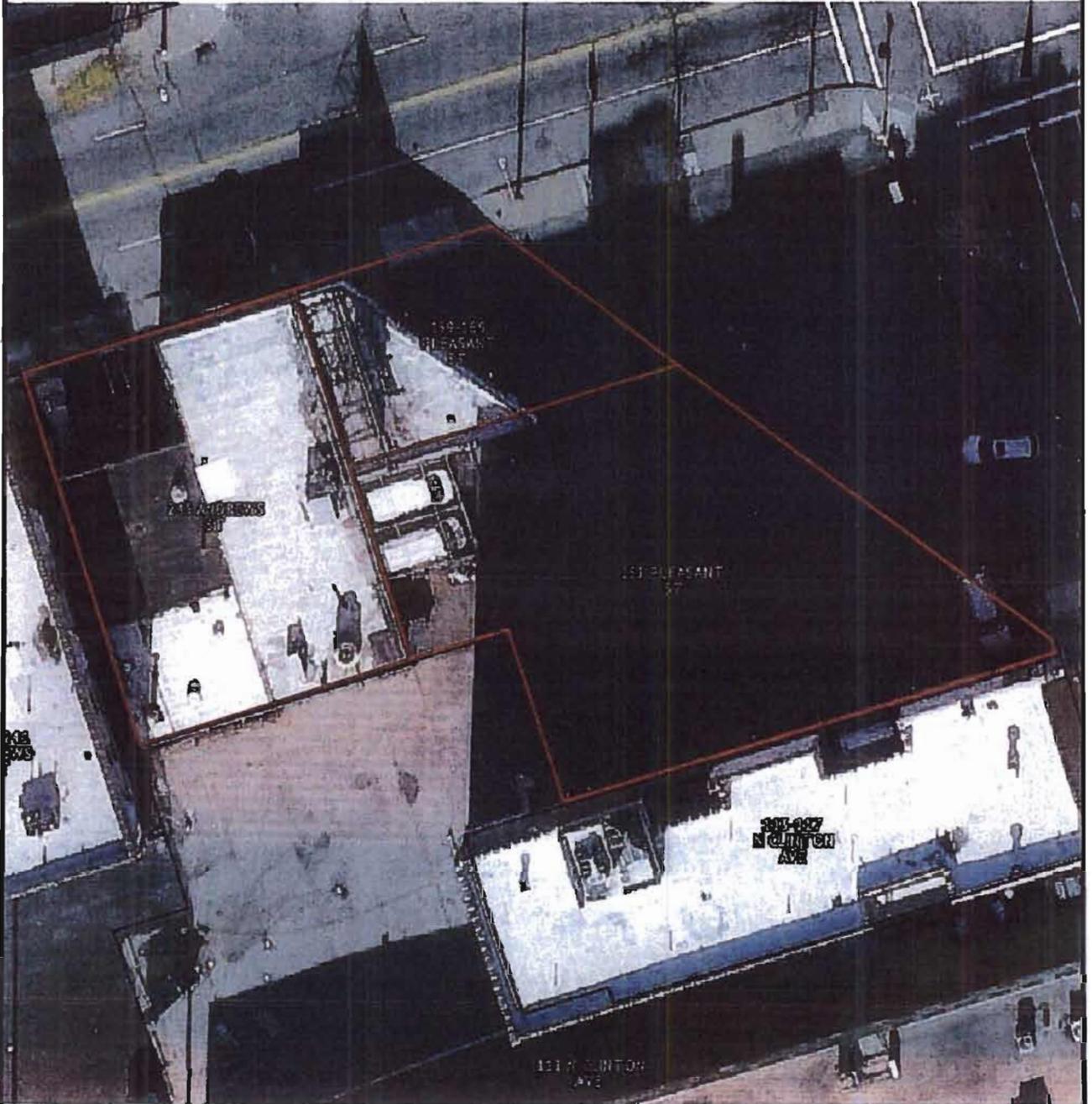
OVERVIEW MAP - 3251840.1s



This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

<p>SITE NAME: 245 Andrews St., 151, 159-169 Pleasant St. ADDRESS: 245 Andrews St., 151, 159-169 Pleasant St. Rochester NY 14604 LAT/LONG: 43.1697 / 77.6078</p>	<p>CLIENT: Passero Associates CONTACT: Pete Morton INQUIRY #: 3251840.1s DATE: February 03, 2012 11:47 am</p>
---	--

N



TITLE
SITE PLAN

**245 ANDREWS STREET
 ROCHESTER, NY**

PROJECT ENGINEER

RVI ENGINEERING
& LAND SURVEYING, P.C.
 2110 SOUTH CLINTON AVENUE, SUITE 1
 ROCHESTER, NEW YORK 14618
 TEL: (585) 223-3668 FAX: (585) 223-4250

DRAWN

CTJ

CHKD

RJB

DATE

06/10/12

SCALE

NTS

PROJECT NO.

45-12-038-0K

MONROE COUNTY CLERK'S OFFICE
ROCHESTER, NY

THIS IS NOT A BILL. THIS IS YOUR RECEIPT

Return To:
BOX 19
ABI

B&M PROPERTIES LLC
PJ MAN HOLDINGS INC

Receipt # 358773
Index DEEDS
Book 10874 Page 601
No. Pages : 3
Instrument DEED OTHER
Date : 05/12/2010
Time : 11:44:32AM
Control # 201005120369
TT # TT0000014241
Ref 1 #
Employee : JoanM

COUNTY FEE NUMBER PAGES	\$	9.00
COUNTY FEE RECORDING	\$	8.00
COUNTY FEE TP584	\$	5.00
MISCELLANEOUS COUNTY FEE	\$	0.00
RP5217 COUNTY FEE	\$	9.00
RP5217 STATE EQUAL ADDIT FEE	\$	241.00
STATE FEE CULTURAL EDUCATION	\$	14.25
STATE FEE RECORDS MANAGEMENT	\$	4.75
STATE FEE TRANSFER TAX	\$	0.00

Total \$ 291.00

State of New York

MONROE COUNTY CLERK'S OFFICE

WARNING - THIS SHEET CONSTITUTES THE CLERKS
ENDORSEMENT, REQUIRED BY SECTION 317-a(5) &
SECTION 319 OF THE REAL PROPERTY LAW OF THE
STATE OF NEW YORK. DO NOT DETACH OR REMOVE.

CHERYL DINOLFO
MONROE COUNTY CLERK

TRANSFER AMT

TRANSFER AMT \$1.00



J

QUITCLAIM DEED

This indenture, made the 18th day of April, 2010 between

B & M Properties, LLC, a New York limited liability company, with a mailing address c/o 113 Churchview Lane, Pittsford, New York 14534,

party of the first part, and

PJ Man Holdings, Inc. a New York corporation, with a mailing address of 245 Andrews Street, Rochester, New York 14604,

party of the second part,

2010 MAY 12 AM 11:44
MONROE COUNTY CLERK

RECORDED

WITNESSETH, that the party of the first part, in consideration of ONE AND NO/100 DOLLAR (\$1.00) lawful money of the United States, and other good and valuable consideration, paid by the party of the second part, does hereby remise, release and quitclaim unto the party of the second part, their successor(s) and assign(s) forever,

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, with the buildings and improvements thereon erected, situate, lying and being in the City of Rochester, County of Monroe and State of New York, bounded and described as follows: Beginning at a point in the south line of Andrews Street 42.5 feet west of Franklin Street; thence southerly forming an interior angle of 90° 40' with said south line of Andrews Street, 75.78 feet to a point; thence westerly 55 feet to a point 76.08 feet from the south street line of Andrews Street; thence northerly and parallel to the first course 76.08 feet to the south street line of Andrews Street; thence easterly 55 feet along the south street line of Andrews Street to the place of beginning.

BOX 19 (ABI)

This conveyance is made and accepted subject to all public utility easements, easements, covenants and restrictions of record affecting said premises, if any.

Being and hereby intending to convey the same premises conveyed to the party of the first part by deed dated June 21, 2007 and recorded in the Monroe County Clerk's Office on July 9, 2007 in Liber 10485 of Deeds, page 372.

Tax Account No.: 106.79-1-33
Property Address: 245 Andrews Street, Rochester, New York
Tax Mailing Address: 245 Andrews Street, Rochester, New York 14604

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

MONROE COUNTY CLERK'S OFFICE
ROCHESTER, NY

THIS IS NOT A BILL. THIS IS YOUR RECEIPT

Return To:
BOX 19
ABI
-

245 ANDREWS STREET CORP
PJ MAN HOLDINGS INC

Receipt # 358773
Index DEEDS
Book 10874 Page 604
No. Pages : 4
Instrument DEED OTHER
Date : 05/12/2010
Time : 11:44:32AM
Control # 201005120370
TT # TT0000014242
Ref 1 #
Employee : JoanM

COUNTY FEE NUMBER PAGES	\$	12.00
COUNTY FEE RECORDING	\$	8.00
COUNTY FEE TP584	\$	5.00
MISCELLANEOUS COUNTY FEE	\$	0.00
RP5217 COUNTY FEE	\$	9.00
RP5217 STATE EQUAL ADDIT FEE	\$	241.00
STATE FEE CULTURAL EDUCATION	\$	14.25
STATE FEE RECORDS MANAGEMENT	\$	4.75
STATE FEE TRANSFER TAX	\$	0.00

Total \$ 294.00

State of New York

MONROE COUNTY CLERK'S OFFICE

WARNING - THIS SHEET CONSTITUTES THE CLERKS
ENDORSEMENT, REQUIRED BY SECTION 317-a(5) &
SECTION 319 OF THE REAL PROPERTY LAW OF THE
STATE OF NEW YORK. DO NOT DETACH OR REMOVE.

TRANSFER AMT

TRANSFER AMT

\$1.00

CHERYL DINOLFO
MONROE COUNTY CLERK



2

QUITCLAIM DEED

This indenture, made the 18th day of April, 2010 between

245 Andrews Street Corp., a New York corporation, with a mailing address of 245 Andrews Street, Rochester, New York 14604,

party of the first part, and

PJ Man Holdings, Inc. a New York corporation, with a mailing address of 245 Andrews Street, Rochester, New York 14604,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ONE AND NO/100 DOLLAR (\$1.00) lawful money of the United States, and other good and valuable consideration, paid by the party of the second part, does hereby remise, release and quitclaim unto the party of the second part, their successor(s) and assign(s) forever,

2010 MAY 12 AM 11:44
MONROE COUNTY CLERK

RECORDED

30X 19/151 X08

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Rochester, County of Monroe and State of New York, being a part of Lot No. 41 of the Andrews and Atwater Tract lying South of Andrews Street and west of Franklin Street, bounded and described as follows: viz: COMMENCING at the intersection of Andrews and Franklin Streets and running thence westerly along the south line of Andrews Street 42 ½ feet; thence southerly on a line parallel with the west line of said Lot No. 41, 37 ½ feet; thence easterly 69 1/3 feet to a point in the westerly line of Franklin Street 45.6 feet measured along said westerly line of said street from the place of beginning; thence northwesterly along said westerly line of said Franklin Street 45.6 feet to the place of beginning.

SUBJECT TO an agreement for a party wall, which agreement is recorded in Monroe County Clerk's Office in Liber 868 of Deeds, page 323.

EXCEPTING AND RESERVING therefrom all that portion of Franklin and Andrews Street heretofore acquired or now used by the City of Rochester for street purposes.

This conveyance is made and accepted subject to all public utility easements, easements, covenants and restrictions of record affecting said premises, if any.

Being and hereby intending to convey the same premises conveyed to the party of the first part by deed dated and recorded September 25, 1969 in the Monroe County Clerk's Office in Liber 4013 of Deeds, page 305.

Tax Account No.: 106.79-1-32
Property Address: 159-169 Pleasant Street, Rochester, New York 14604
Tax Mailing Address: 245 Andrews Street, Rochester, New York 14604

ALSO ALL THAT TRACT OR PARCEL OF LAND situate, lying and being in the City of Rochester, Monroe County, State of New York, known as part of Lots forty and forty-one of the Andrews and Atwater Tract, in Lot seven, Third Division, Township thirteen, Range seven and being more particularly described as follows:

Beginning at a point in the westerly line of Clinton Avenue distant 79/100 of a foot southerly from the southwesterly corner of Clinton Avenue, North, and Franklin Street, as now monumented by the City of Rochester; thence westerly at a southwesterly angle of eighty-eight degrees, fifty-eight minutes with the westerly line of Clinton Avenue, North and along the northerly line of the property now or formerly of Elks Home Building Association as shown on a map made for the Elks Home Building Association and Max Weisbuch, by W. C. Gray-Meloy Smith, Civil Engineers, and agreed to by the parties thereto, and filed in the Monroe County Clerk's Office in Liber 57 of Maps at page 30, to which reference is hereby made, the hundred and 00/100 feet to a point; thence northerly at right angles with the last mentioned line of along the easterly line of the parcel sold by Max Weisbuch to the Elks Home Building Association, by deed filed in Monroe County Clerk's Office in Liber 1233 of Deeds, at page 193, thirty-five and 63/100 feet to a point; thence westerly at right angles with the last mentioned line twenty feet to a point; thence northerly about thirty-eight and 20/100 feet to a point, formerly in the center line of a party wall which marks the northerly boundary of the property of Max Weisbuch and in accordance with an agreement filed in the Monroe County Clerk's Office in Liber 868 of Deeds, at page 325; thence easterly along the line formerly the center line of a party wall, about sixty-nine and 33/100 feet to a point in the southwest line of Franklin Street; thence southeasterly along the southwesterly line of Franklin Street ninety and 7/100 feet to the southwest corner of Clinton Avenue, North; and Franklin Street; thence southerly on the westerly line of Franklin Street 79/100 of a foot to the place of beginning.

This conveyance is made and accepted subject to all public utility easements, easements, covenants and restrictions of record affecting said premises, if any.

Being and hereby intending to convey the same premises conveyed to the party of the first part by deed dated October 12, 1979 and recorded November 16, 1979 in the Monroe County Clerk's Office in Liber 5718 of Deeds, page 167.

Tax Account No.: 106.79-1-31
Property Address: 151 Pleasant Street, Rochester, New York 14604
Tax Mailing Address: 245 Andrews Street, Rochester, New York 14604

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

To have and to hold the premises herein granted unto the party of the second part, their successor(s) and assign(s) forever.

In compliance with Sec. 13 of the Lien Law, the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the party of the first part has hereunto set their hand(s) and seal(s) the day and year first above written.

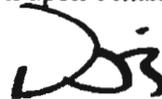
245 Andrews Street Corp.

By: Jeannine V. Manuse
Jeannine V. Manuse, Member

By: Santina M. Berrittella
Santina M. Berrittella, Member

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

On the 14th day of April in the year 2010 before me, the undersigned, a Notary Public in and for said State, personally appeared Jeannine V. Manuse, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

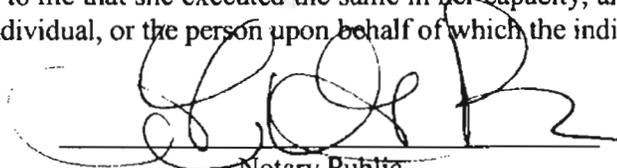


Notary Public

DONALD W. O'BRIEN JR.
Notary Public, State of New York
Qualified in Ontario County
No. 02084750865

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

On the 18th day of April in the year ~~2010~~ 2011 before me, the undersigned, a Notary Public in and for said State, personally appeared Santina M. Berrittella, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

LISA GIOVANNA BERRITTELLA
NOTARY PUBLIC, State of New York
Reg. No. 0208131143
Qualified in Monroe County
My Commission Expires August 1, 2012

To have and to hold the premises herein granted unto the party of the second part, their successor(s) and assign(s) forever.

In compliance with Sec. 13 of the Lien Law, the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the party of the first part has hereunto set their hand(s) and seal(s) the day and year first above written.

B & M Properties, LLC

By: Jeannine V. Manuse
Jeannine V. Manuse, Member

By: Santina M. Berrittella
Santina M. Berrittella, Member

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

On the 14th day of April in the year 2010 before me, the undersigned, a Notary Public in and for said State, personally appeared Jeannine V. Manuse, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

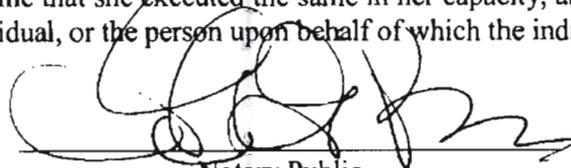


Notary Public

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

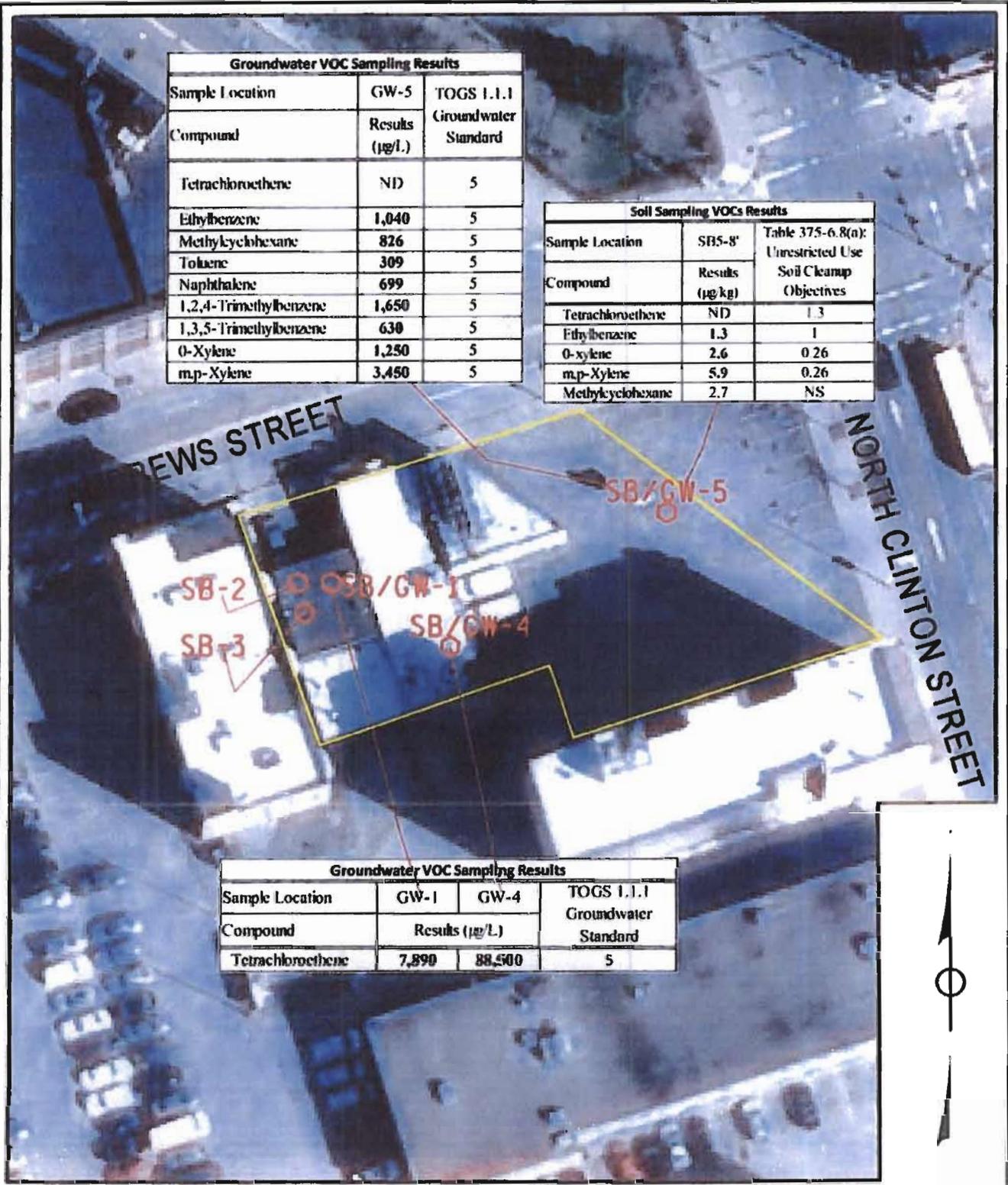
DONALD W. O'BRIEN JR.
Notary Public, State of New York
Qualified in Ontario County
No. 02084750856
~~Commission Expires December 12, 2013~~

On the 18th day of April in the year 2010 before me, the undersigned, a Notary Public in and for said State, personally appeared Santina M. Berrittella, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

LISA GIOVANNA BERRITTELLA
NOTARY PUBLIC, State of New York
Reg. No. 029E0131103
Qualified in Monroe County
My Commission Expires August 1, 2013



Groundwater VOC Sampling Results		
Sample Location	GW-5	TOGS 1.1.1 Groundwater Standard
Compound	Results (µg/l.)	
Tetrachloroethene	ND	5
Ethylbenzene	1,040	5
Methylcyclohexane	826	5
Toluene	309	5
Naphthalene	699	5
1,2,4-Trimethylbenzene	1,650	5
1,3,5-Trimethylbenzene	630	5
O-Xylene	1,250	5
m,p-Xylene	3,450	5

Soil Sampling VOCs Results		
Sample Location	SBS-8'	Table 375-6.8(n): Unrestricted Use Soil Cleanup Objectives
Compound	Results (µg/kg)	
Tetrachloroethene	ND	1.3
Ethylbenzene	1.3	1
O-xylene	2.6	0.26
m,p-Xylene	5.9	0.26
Methylcyclohexane	2.7	NS

Groundwater VOC Sampling Results			
Sample Location	GW-1	GW-4	TOGS 1.1.1 Groundwater Standard
Compound	Results (µg/L)		
Tetrachloroethene	7,890	88,500	5

TITLE
FIGURE 1: SAMPLE LOCATION MAP
 245 ANDREWS STREET
 ROCHESTER, NEW YORK 14604

PROJECT ENGINEER
Ravi Engineering & Land Surveying, P.C.
RE
 CONSULTING ENGINEERS & SURVEYORS
 2110 SOUTH CLINTON AVENUE, SUITE 1
 ROCHESTER, NEW YORK 14618
 TEL: (585) 223-1660 FAX: (585) 223-1250

DRAWN:
 FJB
CHKD:
 PSM
PROJECT NO.
 45-12-043-0X

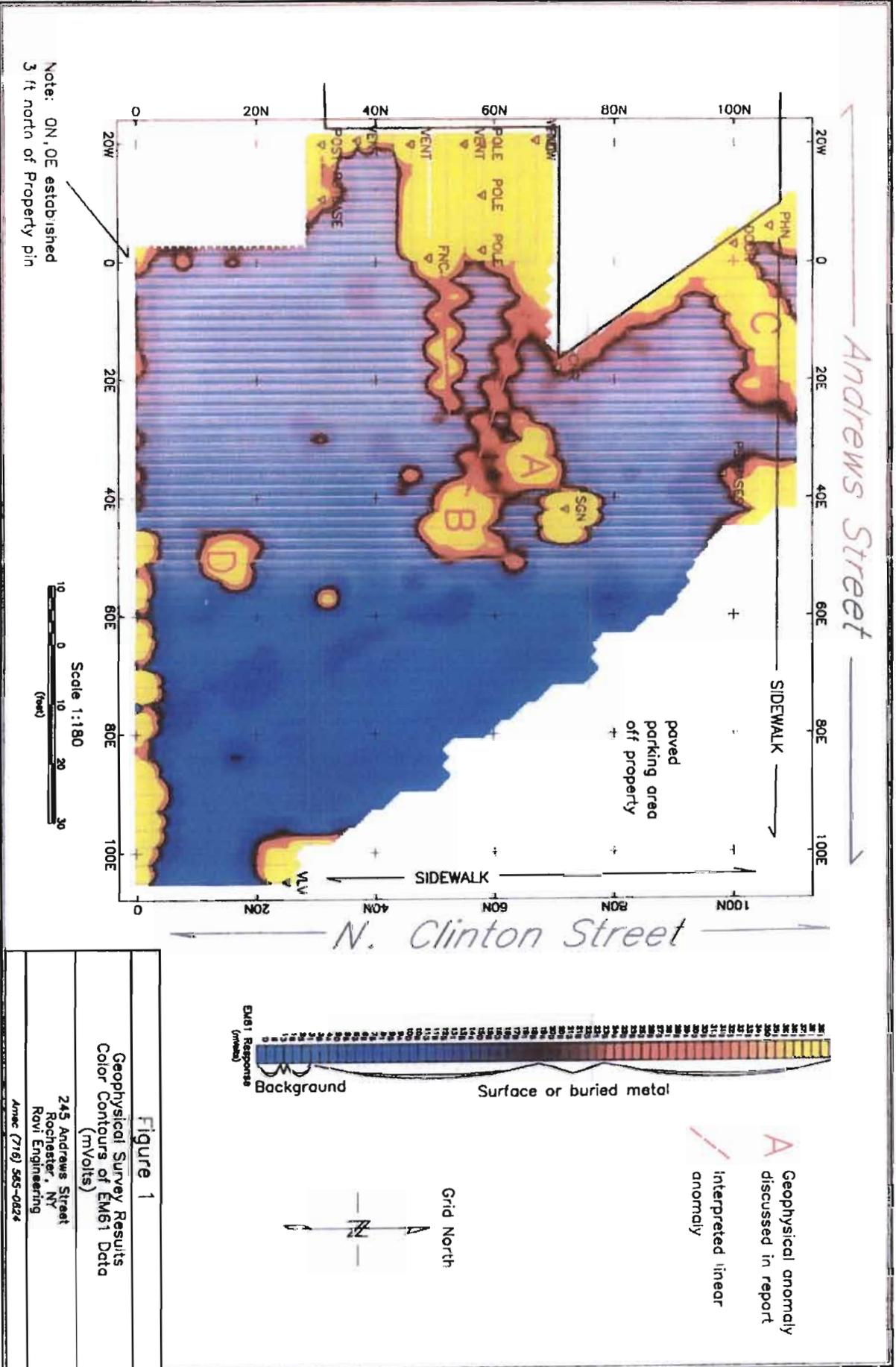
DATE:
 7/3/2013
SCALE:
 NTS

PREVIOUS OWNERS

Lot	Year	Owner	Address/Number	Relationship to Applicant
245 Andrews Street 106.79-1.33	? – 1995	Antonina Manuse	Deceased	None
245 Andrews Street 106.79-1.33	1995-2007	Santina Berrittella (1/2 owner with Paul Manuse, then later Jeannine Manuse)	113 Churchview Lane Pittsford, NY 14534	None
245 Andrews Street 106.79-1.33	1995-1998	Paul Manuse (1/2 owner with Santina Berrittella)	Deceased	None
245 Andrews Street 106.79-1.33	1998-2007	Jeannine Manuse (1/2 owner with Santina Berrittella)	2645 Atlantic Avenue Rochester, NY 14625	None
245 Andrews Street 106.79-1.33	2007-2010	B & M Properties, LLC	113 Churchview Lane Pittsford, NY 14534	None
245 Andrews Street 106.79-1.33	2010-present	PJ Man Holdings, Inc. Paul Manuse, President	6353 Lafayette Way Dallas, TX 75230	None
151 Pleasant Street 106.79.1.31	?-2010	245 Andrews Street Corporation	245 Andrews Street Rochester, NY 14604	None
151 Pleasant Street 106.79.1.31	2010 - present	PJ Man Holdings, Inc. Paul Manuse, President	6353 Lafayette Way Dallas, TX 75230	None
159-169 Pleasant Street 106.79.1.32	?-2010	245 Andrews Street Corporation	245 Andrews Street Rochester, NY 14604	None
159-169 Pleasant Street 106.79.1.32	2010 - present	PJ Man Holdings, Inc. Paul Manuse, President	6353 Lafayette Way Dallas, TX 75230	None
Andrews Street & N. Clinton Ave. (SW corner) 106.790-10.29	?-present	City of Rochester	30 Church Street Rochester, NY 14614	None
Portion of 111 N. Clinton Ave. 106.790-10.40.1	?-present	Rochester City School District	131 West Broad Street Rochester, NY 14614	None

PREVIOUS OPERATORS

Lot	Year	Operator	Address/Number	Relationship to Applicant
245 Andrews Street 106.79-1.33	1949-2011	Silver Cleaners and Launderers/Silver Dry Cleaning Co., Inc. Paul Manuse, President	245 Andrews Street Rochester, NY 14604	None
245 Andrews Street 106.79-1.33	2010-present	PJ Man Holdings, Inc. Paul Manuse, President	6353 Lafayette Way Dallas, TX 75230	None
151 Pleasant Street 106.79.1.31	1939 – 1955	Operated as a filling station/parking lot. First by Mid City Filling Station, then Cherry Service Station, Jimmie’s Service Station, Chas Gills Jim’s Service Station, and Clinton-Franklin Parking	Unknown	None
151 Pleasant Street 106.79.1.31	2010 - present	PJ Man Holdings, Inc. Paul Manuse, President	6353 Lafayette Way Dallas, TX 75230	None
159-169 Pleasant Street 106.79.1.32	2010 - present	PJ Man Holdings, Inc. Paul Manuse, President	6353 Lafayette Way Dallas, TX 75230	None
Andrews Street & N. Clinton Ave. (SW corner) 106.790-10.29	?- present	City of Rochester	30 Church Street Rochester, NY 14614	None
Portion of 111 N. Clinton Ave. 106.790-10.40.1	?- present	Rochester City School District	131 West Broad Street Rochester, NY 14614	None





KNAUF

SHAW

LLP

June 7, 2013

Patricia Uttaro, Director
Rochester Central Library
115 South Avenue
Rochester, NY 14604

VIA ELECTRONIC MAIL:
patricia.uttaro@libraryweb.org

RE: Site: Silver Cleaners Site
Official Site Address: 151 & 159-169 Pleasant St., 245 Andrews St., Rochester, NY
Requestor: Silver Phoenix, LLC
Brownfield Cleanup Program Application

We represent Silver Phoenix LLC in its anticipated Brownfield Cleanup Program application for the above-referenced site located at 151 & 159-169 Pleasant St., 245 Andrews St., Rochester, NY 14604. It is a requirement of the NYS Department of Environmental Conservation that we supply them with a letter certifying that the local library is willing and able to serve as a public repository for all documents pertaining to the cleanup of this property. Please sign below if you are able to certify that your library would be willing and able to act as the temporary public repository for the Brownfield Cleanup Program project documents. Once the site is remediated, the documents will be removed. We shall supply all large documents on CD to avoid unnecessary use of shelf space. Thank You.

Sincerely,

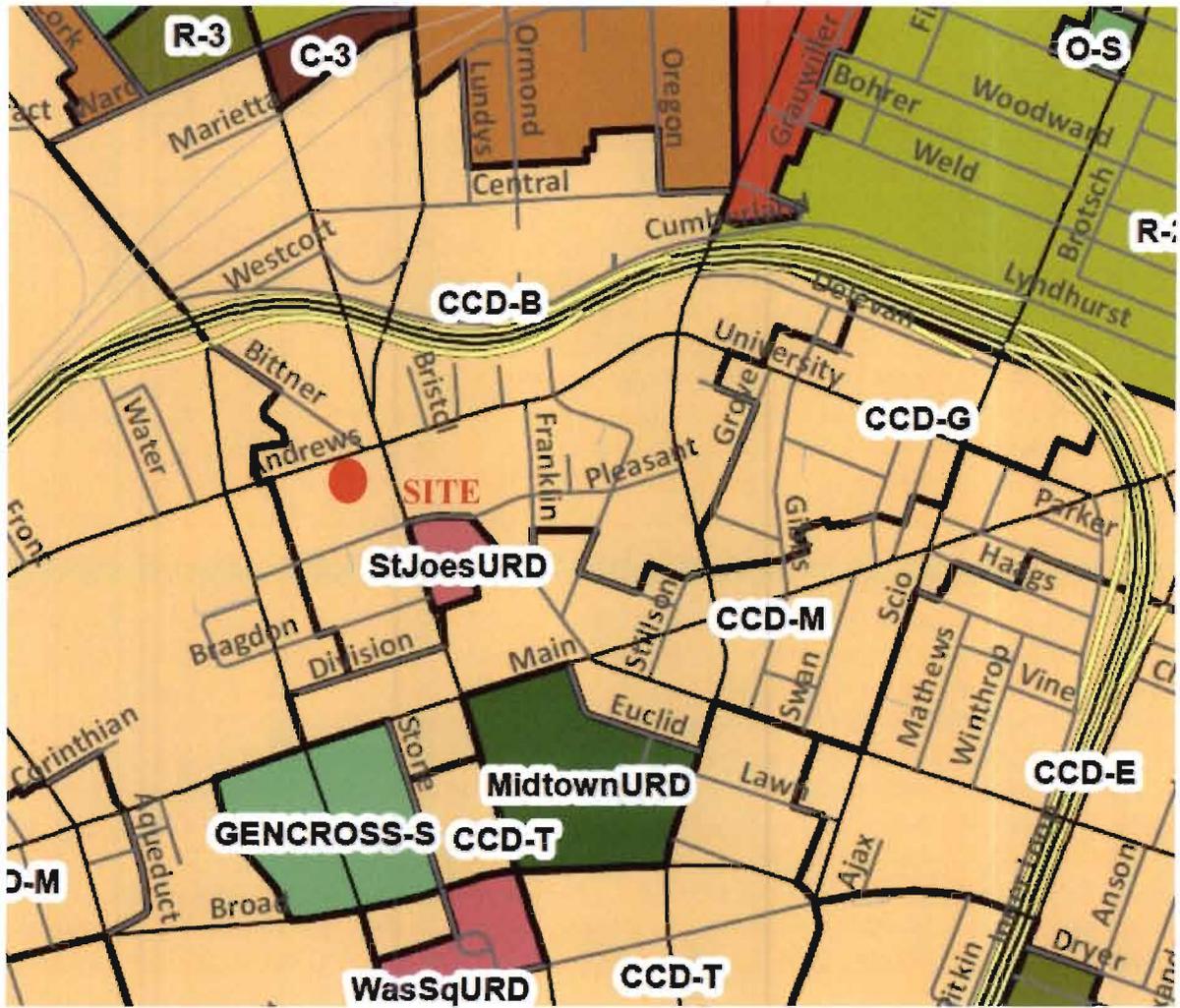
KNAUF SHAW LLP

Yes, the Rochester Central Library is willing and able to act as a public repository for documents related to the cleanup of the Silver Cleaners Site under the NYS Brownfield Cleanup Program.

Sally Snow for Patricia Uttaro
(name)

6/10/13
(date)

Sally Snow, Assistant Director, MCLS
(print and title)



Zoning Map

Revised Exhibit O

**Phase I Environmental Site Assessment
245 Andrews Street
151, 159-169 Pleasant Street
City of Rochester, New York 14604**

Prepared for:

D4 Discovery
222 Andrews Street
Rochester, New York 14604

&

The City of Rochester
30 Church Street
Rochester, NY 14614

Prepared by:

Ravi Engineering & Land Surveying, P.C. for
Passero Associates
100 Liberty Pole Way
Rochester, New York 14604



June 6, 2012

P.N. 20120203.0001

PRIVILEGED AND CONFIDENTIAL

TABLE OF CONTENTS

	<u>page</u>
1.0 EXECUTIVE SUMMARY	1
1.1 Conclusions	3
1.2 Recommendations	3
2.0 INTRODUCTION	5
2.1 Purpose	5
2.2 Scope of Services	5
2.3 Significant Assumptions	6
2.4 Limitations and Exceptions	6
2.5 Special Terms and Conditions	7
2.6 User Reliance	7
3.0 SITE DESCRIPTION	7
3.1 Location and Legal Description	7
3.2 Site Vicinity General Characteristics	8
3.3 Current and Past Uses of the Property	8
3.4 Descriptions of Structures, Roads, Other Improvements on the Site	8
3.5 Historic Uses of the Adjoining Properties	9
4.0 USER PROVIDED INFORMATION	9
4.1 Title Records	9
4.2 Environmental Liens or Activity and Use Limitations	9
4.3 Specialized Knowledge	9
4.4 Commonly Known or Reasonably Ascertainable Information	9
4.5 Valuation Reduction for Environmental Issues	10
4.6 Owner, Property Manager, and Occupant Information	10
4.7 Reason for Performing Phase I	10
4.8 Other	10
5.0 RECORDS REVIEW	10
5.1 Federal Government Records	10
5.2 State Government Records	12
5.3 Additional Environmental Record Sources	15
5.4 Physical Setting Source(s)	16
5.5 Historical Use Information on the Property	16
6.0 SITE RECONNAISSANCE	17
6.1 Methodology and Limiting Conditions	17
6.2 General Site Setting	17
6.3 Exterior Observations	17
6.4 Interior Observations	22
7.0 INTERVIEWS	22
7.1 Interview with Owner	22
7.2 Interview with Site Manager	22
7.3 Interviews with Occupants	22
7.4 Interviews with Local Government Officials	22
7.5 Interviews with Others	23
8.0 RADON	23
9.0 FINDINGS	23

10.0	OPINION.....	23
11.0	CONCLUSIONS.....	24
12.0	RECOMMENDATIONS.....	24
13.0	DEVIATIONS.....	25
14.0	DISCLAIMER.....	25
15.0	QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS.....	26
16.0	SIGNATURES OF ENVIRONMENTAL PROFESSIONALS.....	26
17.0	REFERENCES.....	27

APPENDICES

- 1 Maps
- 2 Environmental Questionnaire
- 3 Site Photographs
- 4 Historical Research Documentation
- 5 FOIL Responses
- 6 EDR Summary Radius Map Report
- 7 NYSDOH 2010 Radon Survey
- 8 Qualifications of the Environmental Professionals

1.0 EXECUTIVE SUMMARY

Ravi Engineering & Land Surveying, P.C. (Ravi Engineering) performed this Phase I Environmental Site Assessment (ESA) for Passero Associates in general accordance with the scope and limitations of ASTM practice E 1527-05 and the November 1, 2005 USEPA regulations for "Conducting All Appropriate Inquiries" (CAAI), for **the benefit of D4 Discovery and the City of Rochester**. Assignment of this document can be made only with the written permission of Passero Associates.

The subject site is comprised of three contiguous parcels totaling approximately 0.31 acre at the southwest corner of Andrews Street and North Clinton Avenue in the City of Rochester, New York (the "Site"). The two contiguous eastern parcels had assigned Pleasant Street addresses prior to the reconfiguration of the City streets in the Site area. The Site is listed in the City of Rochester tax records as follows:

Tax Account # 106.790-0001-033.000 is an approximately 0.1-acre property at 245 Andrews Street. It is improved with an approximately 3,570 sq. ft. building that was built in 1948. It is owned by B&M Properties LLC.

Tax Account # 106.790-0001-031.000 is an approximately 0.14-acre property at 151 Pleasant Street. It is listed as a 6,098 sq. ft. parking lot. It is owned by 245 Andrews Street Corporation.

Tax Account # 106.790-0001-032.000 is an approximately 0.07-acre property at 159-169 Pleasant Street. It is listed as a 3,049 sq. ft. parking lot and owned by 245 Andrews Street Corporation.

The Site is located in a commercial area in downtown Rochester. The Site was historically used as *Silver Cleaners and Launderers* (Silver Cleaners). The Site is improved with one connected building built in three stages. City tax records indicate that the eastern side of the subject building is located on the 159-169 Pleasant Street parcel; it is an approximately 914 square foot building that was present when the 1935 Sanborn[®] Fire Insurance Map (Sanborn[®]) was prepared. Connected at the western side of this building is the original Silver Cleaners building on the 245 Andrews Street property; City tax records indicate that it was built in 1948. An addition on the southern side of this building that extends to the western side of the Site was present on the 1971 Sanborn[®] Map. All of the components of the subject building are of one-story block construction on concrete slab with wood roofs. The 151 Pleasant Street parcel and a portion of the 159-169 Pleasant Street parcel is an asphalt covered parking lot at the southwest corner of Andrews Street and North Clinton Avenue.

Information relative to the Site's historical usage was provided by Monroe County and the City of Rochester and by historic Sanborn[®] Fire Insurance Maps (Sanborn[®]) provided

by Environmental Data Resources, Inc. (EDR) and by historic Polk City Directories reviewed in the City of Rochester Rundel Library.

A Monroe County Department of Health (DOH) *Dry Cleaner Investigation* report dated September 8, 1992 indicated that Silver Cleaners at 245 Andrews Street used approximately 300 gallons of perchloroethylene (PCE) per year. A 1977 DOH inspection estimated that Silver Cleaners used approximately 960 gallons of PCE per year. PCE is also known as tetrachloroethylene, which is a New York State Department of Environmental Conservation (NYSDEC) classified *hazardous substance* as per 6 NYCRR Part 595.

Prior to the City of Rochester re-configuring streets in the Site area, the Site was at the southwest corner of Andrews Street and Franklin Street/Pleasant Street. City records and the Sanborn[®] Maps (discussed below) indicate that the subject 151 Pleasant Street parcel was historically referred to as 149-169 Franklin Street; it was listed as *Mid City Service Station* (a/k/a *Mid City Parking, Inc.*). Department of Public Safety records indicate that two 1,000-gallon gasoline underground storage tanks (USTs) and one (or two) 500-gallon USTs were utilized by Mid-City Parking and subsequently *Cherry Service Station*; *Jimmie's Service Station*; *Chas Gillis Jim's Service Station*; and *Clinton-Franklin Parking* from 1939 to 1955. City records indicate that some of these USTs were closed-in-place by filling them with water in September 1945; however, their inspection records indicate active USTs until 1955.

In 1949, the City issued a permit for the change of use of a tailor shop at 245 Andrews Street to a dry cleaning plant, and in March 1950, they issued a permit for a cinder block addition to the dry cleaning plant. In November 1957, the City issued a permit for the installation of a gas tank (size unspecified) and pump at 245 Andrews Street. From 1986 until Silver Cleaners closed in 2011, the City of Rochester Fire Department issued permits for the operation of a "Class IV" dry-cleaning plant.

Polk City Directories indicate the Mid City Service Station and Franklin Parking Station were present at 149 Franklin Street in the mid-1930s to 1950, and Silver Cleaners at 245 Andrews Street was first listed in 1950.

The Sanborn[®] Maps indicate in 1935, the east side of the subject building was utilized as a "filling station" and four gasoline USTs were located on the subject Pleasant Street parcels. In 1950, the filling station was still present on the Pleasant Street parcels, and the subject building at 245 Andrews Street was indicated as a dry cleaner. In 1971, there was no indication of a filling station, and the subject building was indicated as a dry cleaner.

Ravi Engineering conducted a Site inspection on May 1, 2012. During the inspection, it was noted that the subject building is filled with two dry cleaning machines, one dryer, presses, compressors and miscellaneous containers of unknown contents.

Ravi Engineering obtained and reviewed an environmental database of regulated facilities within ASTM-specified search distances relative to the Site from EDR. EDR indicated that the Silver Dry Cleaning Co., Inc. on the Site was listed on the Resource Conservation and Recovery Act (RCRA) list of Conditionally Exempt Small Quantity Generators of hazardous waste (CESQG).

Although EDR indicates numerous regulated sites within the ASTM search distances relative to the Site, nothing of concern relative to the Site is indicated by EDR.

The Site is serviced by public water and sewers.

1.1 Conclusions

We have performed a Phase I Environmental Site Assessment in general accordance with the scope and limitations of ASTM practice E 1527-05 for the subject parcel referred to as the former Silver Cleaners and Launderers, located at 245 Andrews Street and 151, 159-169 Pleasant Street in the City of Rochester, New York. This assessment has revealed no evidence of recognized environmental conditions (RECs) in connection with the Site **except for the following:**

1. City records indicate that two 1,000-gallon gasoline USTs and one (or two) 500-gallon USTs were utilized by Mid-City Parking and subsequently Cherry Service Station; Jimmie's Service Station; Chas Gillis Jim's Service Station; and Clinton-Franklin Parking on the Site from 1939 to 1955. Sanborn[™] Maps indicated a filling station as early as 1935 in this location. City records indicate that some of these USTs were closed-in-place by filling them with water in September 1945; however, their inspection records indicate active USTs until 1955. Potential abandoned USTs are identified as a REC.
2. A potential petroleum release to Site soils and/or groundwater is identified as a REC.
3. Silver Cleaners is documented to have utilized the NYSDEC-classified hazardous PCE on site from 1950 to 2011. Potential PCE-contaminated dry cleaning equipment remains in the subject building.
4. A potential PCE release to Site soils and/or groundwater is identified as a REC.

1.2 Recommendations

1. We recommend conducting an electromagnetic (EM) survey using Geonics EM-61 to determine if there are any USTs on site. The EM survey will

generate electromagnetic anomalies indicative of buried metal objects. If anomalies are identified, they should be excavated to determine if USTs are present.

2. If USTs are identified they should be properly emptied, purged of vapors, cleaned and removed in compliance with all applicable UST regulations.
3. Due to the site history as 1) a filling station from circa 1935 to 1955 and 2) a dry cleaner utilizing PCE for approximately 60 years, we recommend conducting a subsurface investigation to investigate soil and groundwater conditions. The investigation should include the installation of soil borings and groundwater monitoring wells, and the collection and laboratory analysis of soil and groundwater samples for Target Compound List (TCL) and STARS List volatile organic compounds (VOCs) by USEPA Method 8260B. Selected samples should also be submitted for semivolatile organic compounds (SVOCs), polychlorinated biphenyls (PCB), and Target Analyte List (TAL) Metals.
4. If evidence of a petroleum spill is identified, a spill must be reported to NYSDEC within 2 hours of discovery, in compliance with 6 NYCRR Part 613.8. If evidence of a PCE release is identified, we recommend entering into a Brownfield Cleanup Program (BCP) with either the NYSDEC or USEPA to address the contamination and qualify for tax credits. We recommend consulting with an environmental attorney to determine the most beneficial way to address the RECs that may be identified.
5. ASTM E 1527-05 states that asbestos-containing materials (ACM) are "non-scope considerations that persons may want to assess in connection with commercial real estate." We understand that D4 Discovery proposes to tear down the subject building and use the Site as a future parking lot. Prior to demolition of the subject building, an asbestos survey should be conducted in compliance with state and federal asbestos regulations. ACM, if identified, should be handled in compliance with applicable asbestos regulations prior to demolition.
6. ASTM E 1527-05 states that lead-based paints (LBP) are "non-scope considerations that persons may want to assess in connection with commercial real estate." When the subject building is demolished, the work should be carried out with "lead-safe work practices" in compliance with OSHA regulations.
7. Prior to demolition of the subject building, all of the dry cleaning equipment and miscellaneous containers and debris should be properly removed from the subject building and disposed on in compliance with all applicable regulations.

2.0 INTRODUCTION

2.1 Purpose

The purpose of the Phase I ESA is to perform an "All Appropriate Inquiry" (AAI) into the previous ownership and uses of the property in such a manner to be consistent with good commercial and customary practices as defined in Title 42 of the United States Code (USC), Section 9601(35)(B).

The Phase I ESA is performed to characterize the Site with respect to recognized environmental conditions (RECs) in connection with the property, including the range of contaminants within the scope of Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and petroleum products. ASTM defines RECs as the presence or likely presence of *hazardous substances* or *petroleum products* on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any *hazardous substances* or *petroleum products* into structures on the property or into the ground, groundwater, or surface water of the property, even under conditions that are in compliance with the laws.

The term REC is not intended to include de minimis conditions that generally do not present a threat to public health or the environment, and that would not be the subject of an enforcement action if brought to the attention of the appropriate regulatory agencies.

2.2 Scope of Services

The scope of the Phase I Environmental Site Assessment is limited to a review of the following sources of information.

- A) A review of permits, reports and other records to identify:
- past and on-going releases of possible environmental contaminants (i.e., hazardous and non-hazardous materials);
 - proximity to sensitive receptors;
 - past and current above-ground and underground storage tanks (including location, size, age, construction material and contents);
 - hazardous materials/hazardous waste management, storage and disposal practices;
 - industrial wastewater discharge practices;
 - elevated radon levels of potential concern; and
 - other information as required by ASTM E 1527-05 and EPA 40 CFR Part 312.

- B) Historical maps and aerial photographs which may reflect prior uses of the subject property and which are reasonably obtainable through state or local government agencies.
- C) Reasonably obtainable federal, state and local government records of: listed hazardous/solid waste sites, spill reports, underground and bulk storage tank facilities, hazardous waste treatment, storage and disposal (TSD) handler and generator records and recorded environmental complaints as provided by Environmental Data Resources, Inc. (EDR).
- D) A visual site inspection (reconnaissance) of the subject property and all facilities and improvements on the subject property. The site reconnaissance will include a visual inspection, interviews of the owner, knowledgeable personnel and such other persons as required by ASTM E 1527-05 and EPA 40 CFR Part 312.
- E) Cursory visual inspection of the subject property, facilities and improvements for suspect asbestos-containing material (SACM) and lead-based paint, if applicable.
- F) To augment that information, a Freedom of Information Law (FOIL) request was sent to the NYSDEC for information relative to the Site (Appendix 5).

2.3 Significant Assumptions

This report is prepared with no significant assumptions.

2.4 Limitations and Exceptions

Passero Associates was retained to perform this work for D4 Discovery per their Contract dated January 5, 2012. Passero Associates retained Ravi Engineering to complete this Phase I ESA when the Passero Associates Environmental Department was transferred to Ravi Engineering on April 2, 2012.

Passero Associates/Ravi Engineering represents only that it provides services in accordance with generally accepted practices in the environmental audit field. No other representation, expressed or implied, is included or intended as part of its services, proposals, contracts or reports.

Passero Associates/Ravi Engineering cannot provide guarantees, certifications or warranties that the property is or is not free of environmental impairment without a Phase II Environmental Site Assessment involving collection and laboratory analysis of environmental samples. Even with such a program, the data and samples from any given soil boring or monitoring well will indicate conditions

that apply only at that particular location, and such conditions may not necessarily apply to the general site as a whole.

2.5 Special Terms and Conditions

As indicated above, Ravi Engineering has performed this work in general accordance with the ASTM E 1527-05 Standard Practice for Environmental Site Assessments, the November 1, 2005 USEPA regulations for "Conducting All Appropriate Inquiries" (CAAI).

2.6 User Reliance

This report is prepared exclusively for the use and benefit of D4 Discovery and the City of Rochester. This report is not for the use or benefit of, nor may any other person or entity rely upon it for any purpose without the advance written consent of Passero Associates.

3.0 SITE DESCRIPTION

3.1 Location and Legal Description

Ravi Engineering was not provided with a legal description when this Phase I ESA was prepared.

The Site is comprised of three contiguous parcels totaling approximately 0.31 acre at the southwest corner of Andrews Street and North Clinton Avenue in the City of Rochester, New York (Appendix 1). The two contiguous eastern parcels had assigned Pleasant Street addresses prior to the reconfiguration of the City streets in the Site area. The Site is listed in the City of Rochester tax records as follows:

Tax Account # 106.790-0001-033.000 is an approximately 0.1-acre property at 245 Andrews Street that is owned by B&M Properties LLC. It is improved with an approximately 3,570 sq. ft. building that was built in 1948.

Tax Account # 106.790-0001-031.000 is an approximately 0.14-acre property at 151 Pleasant Street that is owned by 245 Andrews Street Corporation. It is listed as a 6,098 sq. ft. parking lot.

Tax Account # 106.790-0001-032.000 is an approximately 0.07-acre property at 159-169 Pleasant Street that is owned by 245 Andrews Street Corporation. It is listed as a 3,049 sq. ft. parking lot.

3.2 Site Vicinity General Characteristics

The Site is located in a commercial area in downtown Rochester. It is improved with the historical *Silver Cleaners and Launderers* building, currently vacant, and an asphalt parking lot. The historical City of Rochester "Kirstein Building" and the Young Women's Christian Association (YWCA) are the adjacent properties to the north of the Site; the Kirstein Building was originally used to manufacture optical lenses. It was later renovated to office space, was vacant for approximately 10 years, and has recently been renovated to commercial and residential space. The *Elks Hotel (historical Elks Club)* is south of the Site. The *Red Front* restaurant is on the east side of Pleasant Street to the east of the Site. A commercial office building with upstairs apartments is adjacent at the west side of the Site. The Site is located approximately 0.2 mile east of the Genesee River.

3.3 Current and Past Uses of the Property

The subject building is currently vacant; the Pleasant Street parcels are an asphalt parking lot.

As discussed in Section 1, the subject 245 Andrews Street parcel was utilized as Silver Cleaners from 1949 to 2011. The subject Pleasant Street parcels were utilized as a filling station from circa 1935 to 1955.

3.4 Descriptions of Structures, Roads, Other Improvements on the Site

The Site is improved with one connected building built in three stages. City tax records indicate that the eastern side of the building is located on the 159-169 Pleasant Street parcel; it is approximately 914 square feet in size and was present when the 1935 Sanborn[®] Map was prepared. Connected at the western side of this building is the original *Silver Cleaners and Launderers* building on the 245 Andrews Street property; City tax records indicate that it was built in 1948. An addition on the southern side of this building that extends to the western side of the Site was present on the 1971 Sanborn[®] Map. The building on the 245 Andrews Street property is approximately 3,570 square feet in size. All of the components of the subject building are of one-story block construction on concrete slab with wood roof.

The 151 Pleasant Street parcel and a portion of the 159-169 Pleasant Street parcel are an asphalt covered parking lot at the southwest corner of Andrews Street and North Clinton Avenue.

3.5 Historic Uses of the Adjoining Properties

The historical City of Rochester “Kirstein Building” and the YWCA are the adjacent properties to the north of the Site; the Kirstein Building was originally used to manufacture optical lenses. It was later renovated to office space, was vacant for approximately 10 years, and has recently been renovated to commercial and residential space.

The *Elks Hotel (historical Elks Club)* is south of the Site.

The 1950 Sanborn[®] Map indicates that the adjacent parcel to the east of the Site was a filling station at that time, as was the subject Pleasant Street property.

In 1950 a commercial building used for “printing” was adjacent to the west of the Site.

The 1911 Sanborn[®] Map indicated that with the exception of the “Kirstein Building” to the north, the Site and adjacent parcels were residential properties.

4.0 USER PROVIDED INFORMATION

4.1 Title Records

The abstract-of-title was not provided to assist in determining prior property ownership and uses. Investigation of property history, and requesting environmental agency information concerning prior owners, are important elements of a Phase I Environmental Site Assessment. We conducted a review of available documentation including City of Rochester and Monroe County records, historic aerial photographs, and historic maps.

4.2 Environmental Liens or Activity and Use Limitations

Although there are no known Environmental Liens or Activity and Use Limitations, the Site owner did not complete and return our environmental questionnaire to verify this information.

4.3 Specialized Knowledge

Not Applicable

4.4 Commonly Known or Reasonably Ascertainable Information

The Site is commonly known to have been utilized as a dry cleaner for approximately 60 years.

4.5 Valuation Reduction for Environmental Issues

The Site is in bankruptcy; its worth has diminished due to the uncertainty of the REC associated with its dry cleaning history.

4.6 Owner, Property Manager, and Occupant Information

The Site owner did not complete and return our environmental questionnaire; we relied on public information while completing this Phase I ESA.

4.7 Reason for Performing Phase I

This Phase I Environmental Site Assessment was performed as one of the D4 Discovery prerequisites to enter into the City of Rochester Brownfield Assistance Program.

4.8 Other

None

5.0 RECORDS REVIEW

Ravi Engineering obtained the Environmental Data Resources, Inc. (EDR) Radius Map Report dated February 3, 2012 using the ASTM-specified search distances relative to the Site. As the EDR Radius Map Report is greater than 500 pages long, the EDR Summary Radius Map Report is included in Appendix 6.

Target Property

The target property as *Silver Dry Cleaning Co., Inc.* (Silver Cleaners) at 245 Andrews Street is listed on the Resource Conservation and Recovery Act (RCRA) list of conditionally exempt small quantity generators of hazardous waste:

Silver Cleaners generated metal drums and barrels of “halogenated solvents and still bottoms from recovery of solvents” relative to their usage and waste generation of the dry cleaning solvent perchloroethylene (PCE) and also of concentrated polychlorinated biphenyl (PCB) oil.

5.1 Federal Government Records

National Priorities List (NPL)

There are no NPL sites identified within 1.0 mile of the Site.

Resource Conservation and Recovery Act Information System – Transporters, Storage and Disposal Facilities (RCRA - TSDf)

There are no TSDf located within 0.5 mile of the Site.

Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS)

There are no CERCLIS sites located within 0.5 mile of the Site.

CERCLIS-NFRAP

There is one CERCLIS site with No Further Remedial Action Planned (NFRAP) identified within 0.5 miles of the Site. Rochester Gas & Electric Corp. (RG&E) at 254 Mill Street is at a lower elevation than the Site on the opposite side of the Genesee River, approximately 0.495 mile west-northwest of the Site. It is unlikely that releases on this property have the potential to adversely affect the quality of soil, soil vapor, or groundwater beneath the Site.

CORRACTS

There is one RCRA-listed Treatment, Storage, Disposal Facilities (TSDf) with Corrective Actions (CORRACTS) located within 1.0 mile of the Site. The owners of this facility are liable for any spills or releases, and the area is serviced by public water. This CORRACTS site is not of environmental concern relative to the Site.

Emergency Response Notification System (ERNS)

The EDR database does not indicate any ERNS reports relative to the Site.

Resource Conservation and Recovery Act (RCRA)– Large Quantity Generator (LQG) and Small Quantity Generator (SQG)

There is one RCRA-listed LQG located within 0.25 miles of the Site. The *Midtown Plaza Complex Asbestos & Hazardous Materials Abatement Project* at 285 East Main Street, approximately 0.2 mile southeast of the Site. EPA received notice of this remedial project in October 2009; the asbestos abatement and remedial project was completed prior to the on-going demolition of Midtown Plaza. EDR indicates “no violations found.” It is unlikely that releases on this property have the potential to adversely affect the quality of soil, soil vapor, or groundwater beneath the Site.

Toxic Substances Control Act (TSCA)

There are no TSCA sites located within 0.25 mile of the Site.

5.2 State Government Records

State Hazardous Waste Sites (SHWS)

There are four NYSDEC-listed Inactive Hazardous Waste Sites located within 1.0 mile of the Site. The Mill Street Drums, Arco Industrial Laundries, former Raeco Products, and former Rochester Metal Etching sites are all located on the opposite side of the Genesee River, and at a lower elevation than the site. Three of these sites are also on the list of "Vapor Reopened" sites. However, the Genesee River acts as a hydraulic divide between these sites and the Site. It is unlikely that releases on these properties have the potential to adversely affect the quality of soil, soil vapor, or groundwater beneath the Site.

NYS CERCLIS Equivalent Sites (HSWDS)

There are no NYSDEC-listed Hazardous Substance Waste Disposal Sites within 0.5 mile of the Site.

Leaking Underground Storage Tank Reports (LST)

There are 20 LST reports and 27 Historical LST reports within 0.5 mile of the subject site. All but four of these LST incidents were at a lower elevation than the Site, and are presumably *hydraulically downgradient* from the Site. There are 4 LST incidents (also reported as Historical LST incidents) at an equal/higher elevation than the Site:

In August 1986, a LST was reported at the historical *Erwin's Service Station* at 430 Andrews Street, approximately 0.2 mile east-northeast of the Site, when core samples in close proximity to a 2000-gallon underground storage tank (UST) and 4000-gallon UST "indicated (a) very slight odor." The tanks were replaced and no evidence of contamination was identified. NYSDEC closed this spill with "no further action required" on September 22, 1986.

On February 15, 1992, Pal Oil "overfilled" a bulk storage tank on East Main Street approximately 0.26 mile east-southeast of the Site. The Rochester Fire Department cleaned up this spill with "Speedy-Dri" and NYSDEC closed this spill with "no further action required" on February 17, 1992.

On August 22, 1988, a 500-gallon #2 fuel oil tank was encountered on a construction site at the intersection of Clinton Street and Broad Street, approximately 0.33 mile south-southeast of the Site. EDR indicates that "the contamination was contained on site" and that the tank and approximately 3 to 5 cubic yards of soil were removed. NYSDEC closed this spill with "no further action required" on August 24, 1988.

On April 9, 1988, an acetylene tank being used by a contractor demolishing the YMCA building at 26 Gibbs Street “sprung a leak,” approximately 0.34 mile east-southeast of the Site. The City of Rochester Hazardous Materials (HazMat) team handled it, and NYSDEC closed this spill with “no further action required” on April 9, 1988.

The owners of these sites are liable for the remediation, and the area is serviced by public water. It is unlikely that releases on these properties have the potential to adversely affect the quality of soil, soil vapor, or groundwater beneath the Site.

NYSDEC Spills

There are 14 Spills and 5 historic spills within 0.125 mile of the Site. All but five of these spills were at a lower elevation than the Site, and are presumably *hydraulically downgradient* from the Site. All 14 of these spills have been closed by NYSDEC with “no further action required.”

The spillers were liable for the remediation, and the area is serviced by public water. It is unlikely that these closed spills have the potential to adversely affect the quality of soil, soil vapor, or groundwater beneath the Site.

Solid Waste/Landfills (SWF/LF)

There are two permitted solid waste landfills identified within 0.5 mile of the Site. Rochester Gas & Electric Corp. at 89 East Avenue is approximately 0.3 mile southeast of the Site. RG&E is permitted for waste oil storage and construction & demolition debris (c/d). Although waste oil storage should be a NYSDEC Petroleum Bulk Storage (PBS) registration, it is unclear why EDR has the waste oil as a SWF/LF. There are no spills associated with RG&E, and it is greater than 0.25 mile in distance from the Site.

Although Monroe County Department of Environmental Services at 50 West Main Street is listed as a SWF/LF relative to a composting permit, the composting operation is in the Town of Riga, greater than 1.0 mile from the Site.

It is unlikely that releases on these properties have the potential to adversely affect the quality of soil, soil vapor, or groundwater beneath the Site.

Registered Underground & Aboveground Storage Tanks (UST/ASTs)

There are eight NYSDEC Petroleum Bulk Storage (PBS) registered facilities with USTs and two registered facilities with ASTs within 0.25 mile of the subject site. The owners of these PBS-registered sites are liable for any spills or releases, and the area is serviced by public water. These PBS-registered sites are not of environmental concern relative to the Site.

Only three of the UST sites are at an equal or higher elevation than the Site:

The City of Rochester property at 304-308 Andrews Street, approximately 0.05 mile east of the Site, had two registered USTS which were addressed by the City during their Environmental Restoration Project (ERP) discussed below.

The Sibley Tower Building/Wilmorite property at 25 Franklin Street, approximately 0.175 mile southeast of the Site, has one NYSDEC-registered 10,000 gallon UST used to store Nos. 1, 2 or 4 fuel oil. There are no reported spills relative to this UST.

EDR indicates that three USTs are registered at *Andrews Gas & Service Station* at 430 Andrews Street, approximately 0.2 mile east-northeast of the Site. Although no LST incidents or spills are noted relative to *Andrews Gas & Service Station*, a LST was report for *Erwin's Service Station*, 430 Andrews Street, as discussed above.

LSTs and spills are noted at two of these parcels. Any spills or releases relative to the USTs on these properties would be the liability of the spiller, and should not present a liability to the owners of the Site.

EDR indicates two AST-registered properties at an equal or higher elevation than the Site:

The City of Rochester handled ASTs in their ERP program discussed below.

One 6000-gallon AST used for Nos. 1, 2 or 4 fuel oil was removed from McCurdy & Company, Inc. at 285 East Main Street, approximately 0.2 mile southeast of the Site, during the Midtown Plaza remediation project in December 2009.

Major Oil Storage Facility (MOSF)

A facility with a petroleum storage capacity of 400,000 gallons or greater is classified as a MOSF. RG&E BeeBee Station at 254 Mill Street is a MOSF on the opposite side of the Genesee River, at a lower elevation than the Site. The Genesee River acts as a hydraulic divide. It is unlikely that releases on this property have the potential to adversely affect the quality of soil, soil vapor, or groundwater beneath the Site.

Engineering/Institutional Controls

Engineering and Institutional Controls have been developed as part of a Brownfield Cleanup Program investigation at the 8-28 Ward Street parcel, approximately 0.34 mile northwest of the Site. A multi-phase extraction system was installed to treat contaminated soils and groundwater, and an institutional control forbidding groundwater use is in place. NYSDEC issued a Certificate of Completion in October 2008 and receives periodic groundwater monitoring reports. It is unlikely that releases on this property have the potential to adversely affect the quality of soil, soil vapor, or groundwater beneath the Site.

Environmental Restoration Program (ERP)

In 1996, New York State approved a \$200 million Environmental Restoration Program (ERP) providing grants to municipalities to reimburse up to 90 percent of on-site eligible costs and 100% of off-site eligible costs for site investigation and remediation activities. Once remediated, the property may then be reused for commercial, industrial, residential, or public use.

The City of Rochester performed an ERP project on their Andrews Street property located at 300, 304-308, 320 Andrews Street, and 25 Evans Street. The site was historically used for various commercial and industrial uses since the early 1920s including plumbing supply, electrical supply, bakery, printer, commercial bus depot and bus garage, gas station, chemical sales/distribution, dry cleaning equipment distributor, fuel oil contractor, and warehousing. Known or suspected site contaminants were petroleum, chlorinated solvents, and other volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, and polychlorinated biphenyls (PCBs). A Phase II investigation conducted by the City indicated chlorinated VOCs in the groundwater and petroleum-related compounds in site soils.

IMPACT OF IDENTIFIED SITES ON THE SUBJECT PROPERTY

As discussed above, the sites identified within the ASTM-specified search distances do not appear to be environmental concern relative to the Site.

5.3 Additional Environmental Record Sources

None

5.4 Physical Setting Source(s)

Bedrock beneath the Site is mapped as the Penfield Dolostone Unit of the Upper Silurian Lockport Group (Geologic Map of New York State: Finger Lakes Region, 1970). The surficial soils are mapped as lacustrine silt and clay deposits (Surficial Geologic Map of New York, Finger Lakes Sheet, 1986).

Based on the local topography, proximity to nearby surface water features, and observations made at the Site, groundwater flow beneath the Site would be expected to be towards the Genesee River to the west-northwest.

5.5 Historical Use Information on the Property

A Monroe County DOH *Dry Cleaner Investigation* report dated September 8, 1992 indicated that Silver Cleaners at 245 Andrews Street used approximately 300 gallons of PCE per year. A 1977 DOH inspection estimated that Silver Cleaners used approximately 960 gallons of PCE per year. PCE is also known as tetrachloroethylene, which is a NYSDEC 6 NYCRR Part 595-classified hazardous substance.

Prior to the City of Rochester re-configuring streets in the Site area, the Site was at the southwest corner of Andrews Street and Franklin Street/Pleasant Street. City records and the Sanborn[®] Maps (discussed below) indicate that the subject 151 Pleasant Street parcel was historically referred to as 149-169 Franklin Street; it was listed as Mid City Service Station (a/k/a Mid City Parking, Inc.). Department of Public Safety records indicate that two 1000-gallon gasoline USTs and one (or two) 500-gallon USTs were utilized by Mid-City Parking and subsequently Cherry Service Station; Jimmie's Service Station; Chas Gillis Jim's Service Station; and Clinton-Franklin Parking from 1939 to 1955. City records indicate that some of these USTs were closed-in-place by filling them with water in September 1945; however, their inspection records indicate active USTs until 1955.

In 1949, the City issued a permit for the change of use of a tailor shop at 245 Andrews Street to a dry cleaning plant, and in March 1950, they issued a permit for a cinder block addition to the dry cleaning plant. In November 1957, they issued a permit for the installation of a gas tank (size unspecified) and pump at 245 Andrews Street. From 1986 until Silvers Cleaners closed in 2011, the Rochester Fire Department issued permits for the operation of a "Class IV" dry-cleaning plant.

Polk City Directories indicate the Mid City Service Station and Franklin Parking Station were present at 149 Franklin Street in the mid-1930s to 1950, and Silver Dry Cleaners at 245 Andrews Street was first listed in 1950.

The Sanborn[®] Maps indicate in 1935, the east side of the subject building was utilized as a “filling station” and four gasoline USTs were located on the subject Pleasant Street parcels. In 1950, the filling station was still present on the Pleasant Street parcels, and the subject building at 245 Andrews Street was indicated as a dry cleaner. In 1971, there was no indication of a filling station, and the subject building was indicated as a dry cleaner.

6.0 SITE RECONNAISSANCE

Peter S. Morton, C.P.G. and Ryan Burke of Ravi Engineering visited the Site on May 1, 2012:

6.1 Methodology and Limiting Conditions

A visual inspection was performed to identify evidence of Recognized Environmental Conditions (RECs) as defined by Section 1.1.1 of ASTM E 1527-05. There were no limiting conditions during the site inspection on May 1, 2012.

6.2 General Site Setting

The Site is located in a commercial area in downtown Rochester. It is improved with the historical *Silver Cleaners and Launderers* building, currently vacant, and an asphalt parking lot. The historical City of Rochester “Kirstein Building” and the YWCA are the adjacent properties to the north of the Site; the “Kirstein Building” was originally used to manufacture optical lenses. It was later renovated to office space, was vacant for approximately 10 years, and has recently been renovated to commercial and residential space. The *Elks Hotel (historical Elks Club)* is south of the Site. The *Red Front* restaurant is on the east side of Pleasant Street to the east of the Site. A commercial office building with upstairs apartments is adjacent at the west side of the Site. The Site is located approximately 0.2 mile east of the Genesee River.

6.3 Exterior Observations

6.3.1 Current and past uses likely to indicate or known to have resulted in RECs on the property

Due to the site history as a; 1) filling station from circa 1935 to 1955, and 2) dry cleaner utilizing PCE for approximately 60 years, there are RECs associated with on-site usage of PCE and petroleum products, and for abandoned USTs to remain on site.

6.3.2 Geologic, hydro geologic, hydrologic and topographic conditions of the property; and of the surrounding area

Bedrock beneath the Site is mapped as the Penfield Dolostone Unit of the Upper Silurian Lockport Group (Geologic Map of New York State: Finger Lakes Region, 1970). The surficial soils are mapped as lacustrine silt and clay deposits (Surficial Geologic Map of New York, Finger Lakes Sheet, 1986).

Based on the local topography, proximity to nearby surface water features, and observations made at the Site, groundwater flow beneath the Site would be expected to be towards the Genesee River to the west-northwest.

6.3.3 Structures on the property (number, size and age)

The Site is improved with one connected building built in three stages. City tax records indicate that the eastern side of the building is located on the 159-169 Pleasant Street parcel; it is approximately 914 square feet in size and was present when the 1935 Sanborn[®] Map was prepared. Connected at the western side of this building is the original *Silver Cleaners and Launderers* building on the 245 Andrews Street property; City tax records indicate that it was built in 1948. An addition on the southern side of this building that extends to the western side of the Site was present on the 1971 Sanborn[®] Map. The building on the 245 Andrews Street property is approximately 3,570 square feet in size. All of the components of the subject building are of one-story block construction on concrete slab with wood roof.

The 151 Pleasant Street parcel and a portion of the 159-169 Pleasant Street parcel is an asphalt covered parking lot at the southwest corner of Andrews Street and North Clinton Avenue.

6.3.4 Roads on/or adjoining the property

The Site is comprised of three contiguous parcels totaling approximately 0.31 acre at the southwest corner of Andrews Street and North Clinton Avenue in the City of Rochester, New York (Appendix 1).

6.3.5 Source of potable water on the property

The Site is serviced by the City of Rochester public water supply.

6.3.6 Sewage disposal system on the property (type and age)

The City of Rochester Public sewer system services the Site.

6.3.7 Based on interior and exterior observations of the structures, current and past uses of the subject property, identify general uses and any that may involve hazardous materials or petroleum products. If current uses involve hazardous materials or petroleum products identify the type, quantity and storage conditions of those substances

Due to the site history as 1) filling station from circa 1935 to 1955, and 2) dry cleaner utilizing PCE for approximately 60 years, there are RECs associated with on-site usage of PCE and petroleum products, and for abandoned USTs to remain on site.

6.3.8 All aboveground and underground storage tanks, including contents, capacity and age. Identify visible vent pipes; fill pipes, and access ways

No evidence of UST(s) was noted during this site inspection.

6.3.9 Sources of any noxious odors, any pools of liquid, and note any standing surface water

None

6.3.10 Pools or any pits, cisterns, cesspools or similar receptacles where liquids drain, collect or are stored (sumps) that are likely to contain hazardous substances or petroleum products

No pools or any pits, cisterns, cesspools or similar receptacles where liquids drain, collect or are stored (sumps) that are likely to contain hazardous substances or petroleum products were identified during this site inspection on May 1, 2012.

6.3.11 Contents of any drums and other containers

During the inspection, it was noted that the subject building is filled with two dry cleaning machines, one dryer, presses, compressors, and miscellaneous containers of unknown contents.

6.3.12 Electrical or hydraulic equipment likely to contain PCBs

None noted

6.3.13 *The type of HVAC system and fuel source*

The subject building is currently not heated; it appears to have been most recently heated with natural gas.

6.3.14 *Any stains or corrosion on floors, walls or ceilings*

None

6.3.15 *All drains and any pits, cisterns, cesspools or similar receptacles where liquids drain, collect or are stored (e.g., sumps)*

None

6.3.16 *Pits, ponds and lagoons (open pools likely to contain hazardous substance or petroleum products, particularly if used in connection with waste disposal or waste treatment on the property and on adjoining properties)*

None

6.3.17 *Stained soil or pavement*

No stained soil or pavement was noted during this site inspection on May 1, 2012.

Staining was noted on the concrete slab beneath the dry cleaning equipment and beneath containers of unknown product inside of the building (Appendix 3).

6.3.18 *Stressed vegetation*

No stressed vegetation was noted during this site inspection on May 1, 2012.

6.3.19 *Any solid waste disposal on site*

No evidence of waste disposal was noted on the Site during this site inspection on May 1, 2012.

6.3.20 *Any unnatural fill or grading, particularly fill of unknown origin*

No evidence of unnatural fill or grading, particularly fill of unknown origin was noted on the Site during this site inspection on May 1, 2012.

6.3.21 *Trash or other evidence of solid waste disposal*

No evidence of waste disposal was noted on the Site during this site inspection on May 1, 2012.

6.3.22 *Any wastewater (including stormwater) discharges into a drain, ditch or stream on the property and on adjacent property*

None

6.3.23 *Any dry wells, irrigation wells, injection wells, abandoned wells, monitoring wells, supply wells, or other wells*

None

6.3.24 *Any on-site septic system or cesspool*

None

6.3.25 *Any areas likely to be considered wetlands and state open waters*

None

6.3.26 *The location and condition of suspected asbestos-containing materials (ACM) in the subject building*

ASTM E 1527-05 states that asbestos-containing materials (ACM) are "non-scope considerations that persons may want to assess in connection with commercial real estate." We understand that D4 Discovery proposes to tear down the subject building and use the Site as a future parking lot. Prior to demolition of the subject building, an asbestos survey should be conducted in compliance with state and federal asbestos regulations. ACM, if identified, should be handled in compliance with applicable asbestos regulations prior to demolition. Suspected ACM noted during this site inspection includes floor tiles, drywall compounds, drywall and window caulk, and roofing materials.

Prior to demolition of the subject building, an asbestos survey should be conducted in compliance with state and federal asbestos regulations. ACM, if identified, should be handled in compliance with applicable asbestos regulations at that time.

6.3.27 *The location and condition of suspected lead based paint (LBP) in the subject building*

ASTM E 1527-05 states that LBP are "non-scope considerations that persons may want to assess in connection with commercial real estate." Based on the construction date of the subject building, LBP is suspected to be present.

6.4 Interior Observations

Ravi Engineering conducted a Site inspection on May 1, 2012. During the inspection, it was noted that the subject building is filled with two dry cleaning machines, one dryer, presses, compressors, and miscellaneous containers of unknown contents.

7.0 INTERVIEWS

7.1 Interview with Owner

The Site owner was not available to be interviewed when this Phase I ESA was prepared.

7.2 Interview with Site Manager

Not applicable (Silver Cleaners closed in 2011).

7.3 Interviews with Occupants

Not applicable (Silver Cleaners closed in 2011).

7.4 Interviews with Local Government Officials

A Monroe County DOH *Dry Cleaner Investigation* report dated September 8, 1992 indicated that Silver Cleaners at 245 Andrews Street used approximately 300 gallons of PCE per year. A 1977 DOH inspection estimated that Silver Cleaners used approximately 960 gallons of PCE per year. PCE is also known as tetrachloroethylene, which is a NYSDEC 6 NYCRR Part 595-classified *hazardous substance*.

City of Rochester Department of Public Safety records indicate that two 1000-gallon gasoline USTs and one (or two) 500-gallon USTs were utilized by Mid-City Parking and subsequently Cherry Service Station; Jimmie's Service Station; Chas Gillis Jim's Service Station; and Clinton-Franklin Parking from 1939 to 1955. City records indicate that some of these USTs were closed-in-place by

filling them with water in September 1945; however, their inspection records indicate active USTs until 1955.

In 1949, the City issued a permit for the change of use of a tailor shop at 245 Andrews Street to a dry cleaning plant, and in March 1950, they issued a permit for a cinder block addition to the dry cleaning plant. In November 1957, they issued a permit for the installation of a gas tank (size unspecified) and pump at 245 Andrews Street. From 1986 until Silvers Cleaners closed in 2011, the Rochester Fire Department issued permits for the operation of a "Class IV" dry-cleaning plant.

7.5 Interviews with Others

None

8.0 RADON

Radon, a naturally-occurring, odorless, colorless, radioactive gas, is found throughout the country. Prolonged exposure to elevated indoor radon levels has been associated with increased risks of lung cancer. In 2010, the NYSDOH conducted a basement radon survey across New York State. An average level of 2.08 picocuries per liter (pCi/L) of radon was measured in the City of Rochester (Appendix 7). The EPA has determined an annual average exposure of 4.0 pCi/L as a guidance level for corrective action. Based on the above, radon does not appear to be of concern in the site area.

9.0 FINDINGS

- As discussed throughout this document, the eastern subject parcels referred to as 151, 159-169 Pleasant Street were utilized as a filling station from as early as 1935 until 1955. Potential abandoned USTs are identified as a REC.
- A potential petroleum release to Site soils and/or groundwater is identified as a REC.
- Silver Cleaners is documented to have utilized the NYSDEC-classified hazardous PCE on site from 1950 to 2011. Potential PCE-contaminated dry cleaning equipment remains in the subject building.
- A potential PCE release to Site soils and/or groundwater is identified as a REC.

10.0 OPINION

RECs are identified regarding Site history as a filling station and as a dry cleaner. It should be determined if USTs remain on site. A Limited Phase II ESA should be conducted to investigate site soil and groundwater conditions.

11.0 CONCLUSIONS

We have performed a Phase I Environmental Site Assessment in general accordance with the scope and limitations of ASTM practice E 1527-05 for the subject parcel referred to as the former Silver Cleaners and Launderers, located at 245 Andrews Street and 151, 159-169 Pleasant Street in the City of Rochester, New York. This assessment has revealed no evidence of recognized environmental conditions (RECs) in connection with the Site **except for the following:**

1. City records indicate that two 1000-gallon gasoline USTs and one (or two) 500-gallon USTs were utilized by Mid-City Parking and subsequently Cherry Service Station; Jimmie's Service Station; Chas Gillis Jim's Service Station; and Clinton-Franklin Parking on the Site from 1939 to 1955. Sanborn Maps indicated a filling station as early as 1935 in this location. City records indicate that some of these USTs were closed-in-place by filling them with water in September 1945; however, their inspection records indicate active USTs until 1955. Potential abandoned USTs are identified as a REC.
2. A potential petroleum release to Site soils and/or groundwater is identified as a REC.
3. Silver Cleaners is documented to have utilized the NYSDEC-classified hazardous PCE on site from 1950 to 2011. Potential PCE-contaminated dry cleaning equipment remains in the subject building.
4. A potential PCE release to Site soils and/or groundwater is identified as a REC.

12.0 RECOMMENDATIONS

1. We recommend conducting EM-61 survey to determine if there are any USTs on site. The EM survey will generate electromagnetic anomalies indicative of buried metal objects. If anomalies are identified, they should be excavated to determine if USTs are present.
2. If USTs are identified they should be properly emptied, purged of vapors, cleaned, and removed in compliance with all applicable UST regulations.
3. Due to the site history as a; 1) filling station from circa 1935 to 1955 and 2) dry cleaner utilizing PCE for approximately 60 years, we recommend conducting a subsurface investigation to investigate soil and groundwater conditions. The investigation should include the installation of soil borings and groundwater monitoring wells, and the collection and laboratory analysis of soil samples and groundwater samples for TCL and STARS List VOCs by USEPA Method 8260B.

Selected samples should also be submitted for SVOCs, PCBs, and TAL Metals.

4. If evidence of a petroleum spill is identified, a spill must be reported to NYSDEC within 2 hours of discovery, in compliance with 6 NYCRR Part 613.8. If evidence of a PCE release is identified, we recommend entering into BCP with either the NYSDEC or USEPA to address the contamination and qualify for tax credits. We recommend consulting with an environmental attorney to determine the most beneficial way to address the RECs that may be identified.
5. ASTM E 1527-05 states that asbestos-containing materials (ACM) are "non-scope considerations that persons may want to assess in connection with commercial real estate." We understand that D4 Discovery proposes to tear down the subject building and use the Site as a future parking lot. Prior to demolition of the subject building, an asbestos survey should be conducted in compliance with state and federal asbestos regulations. ACM, if identified, should be handled in compliance with applicable asbestos regulations prior to demolition.
6. ASTM E 1527-05 states that lead-based paints (LBP) are "non-scope considerations that persons may want to assess in connection with commercial real estate." When the subject building is demolished, the work should be carried out with "lead-safe work practices" in compliance with OSHA regulations.
7. Prior to demolition of the subject building, all of the dry cleaning equipment and miscellaneous containers and debris should be properly removed from the subject building and disposed on in compliance with all applicable regulations.

13.0 DEVIATIONS

This report is prepared with no significant deviations from ASTM Standard E 1527-05. No title documents were provided for review when this Phase I ESA was prepared. We recommend that an attorney determine that there are no environmental liens or deed restrictions in the Abstract of Title.

14.0 DISCLAIMER

Ravi Engineering represents only that it provides services in accordance with generally accepted practices in the environmental audit field. No other representation, expressed or implied, is included or intended as part of its services, proposals, contracts or reports.

Ravi Engineering cannot provide guarantees, certifications or warranties that the property is or is not free of environmental impairment without a Phase II Environmental Site Assessment involving collection and laboratory analysis of environmental samples. Even with such a program, the data and samples from any given soil boring or monitoring well will indicate conditions that apply only at that particular location, and such conditions may not necessarily apply to the general site as a whole.

15.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

One of the requirements of ASTM E1527-05 is that qualified Environmental Professionals (EP) work on the Phase I ESA and certify the findings and conclusions, therein. The EP must be knowledgeable, qualified and sufficiently experienced to conduct this type of investigation; certification, licensing, education and/or relevant experience are required.

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in EPA 40 CFR Part 312.10.

We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the "all appropriate inquiries" in general accordance with the standards and practices set forth in EPA 40 CFR Part 312.

16.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

This Phase I Environmental Site Assessment Report is certified to be prepared in accordance with sound environmental practices and in general accordance with the scope and limitations of ASTM Practice E-1527-05.

Respectfully Submitted,



Peter S. Morton, CPG
Project Manager



James D. MacKecknie
Project Manager

17.0 REFERENCES

ASTM International. 2005. *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. Document Designation E1527-05. West Conshohocken, Pennsylvania.

Cadwell, D.H. *Surficial Geologic Map of New York. Consists of 5 sheets, 1:250,000: Finger Lakes Sheet, 1986; Hudson-Mohawk Sheet, 1987; Niagara Sheet, 1988; Lower Hudson Sheet, 1989; Adirondack Sheet, 1991.* Map and Chart Series No. 40. 5 maps: 1:250,000. 1991

Fisher, D.W., Y.W. Isachsen, and L.V. Rickard. *Geologic Map of New York State, 1970. 1:250,000. Consists of five sheets: Niagara, Finger Lakes, Hudson-Mohawk, Adirondack, and Lower Hudson.* Map and Chart Series No. 15. Five geologic bedrock maps: 1:250,000. 1970

NYSDOH. Measured Basement Screening Radon Levels by Town. 2010.

APPENDIX 1
Maps



TITLE
 SITE LOCATION MAP
 245 ANDREWS STREET
 ROCHESTER, NY

PROJECT ENGINEER

Ravi Engineering
 & LAND SURVEYING, P.C.
 2110 SOUTH CLINTON AVENUE, SUITE 1
 ROCHESTER, NEW YORK 14618
 TEL: (585) 223-1660 FAX: (585) 223-4250

DRAWN

CTJ

CHKD

RJB

PROJECT NO.

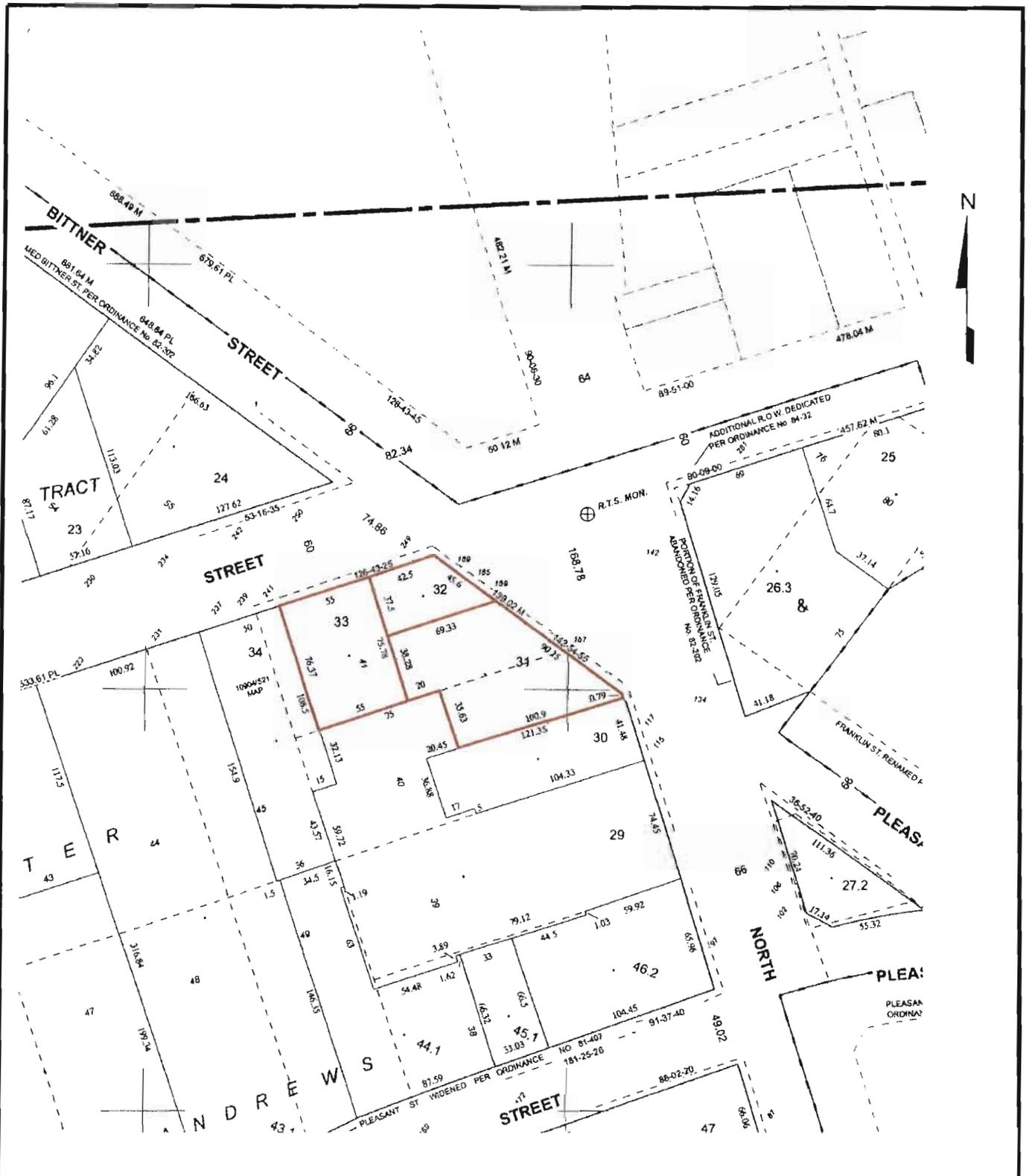
45-12-036-0K

DATE:

05/10/12

SCALE:

NTS



TITLE
 TAX MAP EXCERPT
 245 ANDREWS STREET
 ROCHESTER, NY

PROJECT ENGINEER

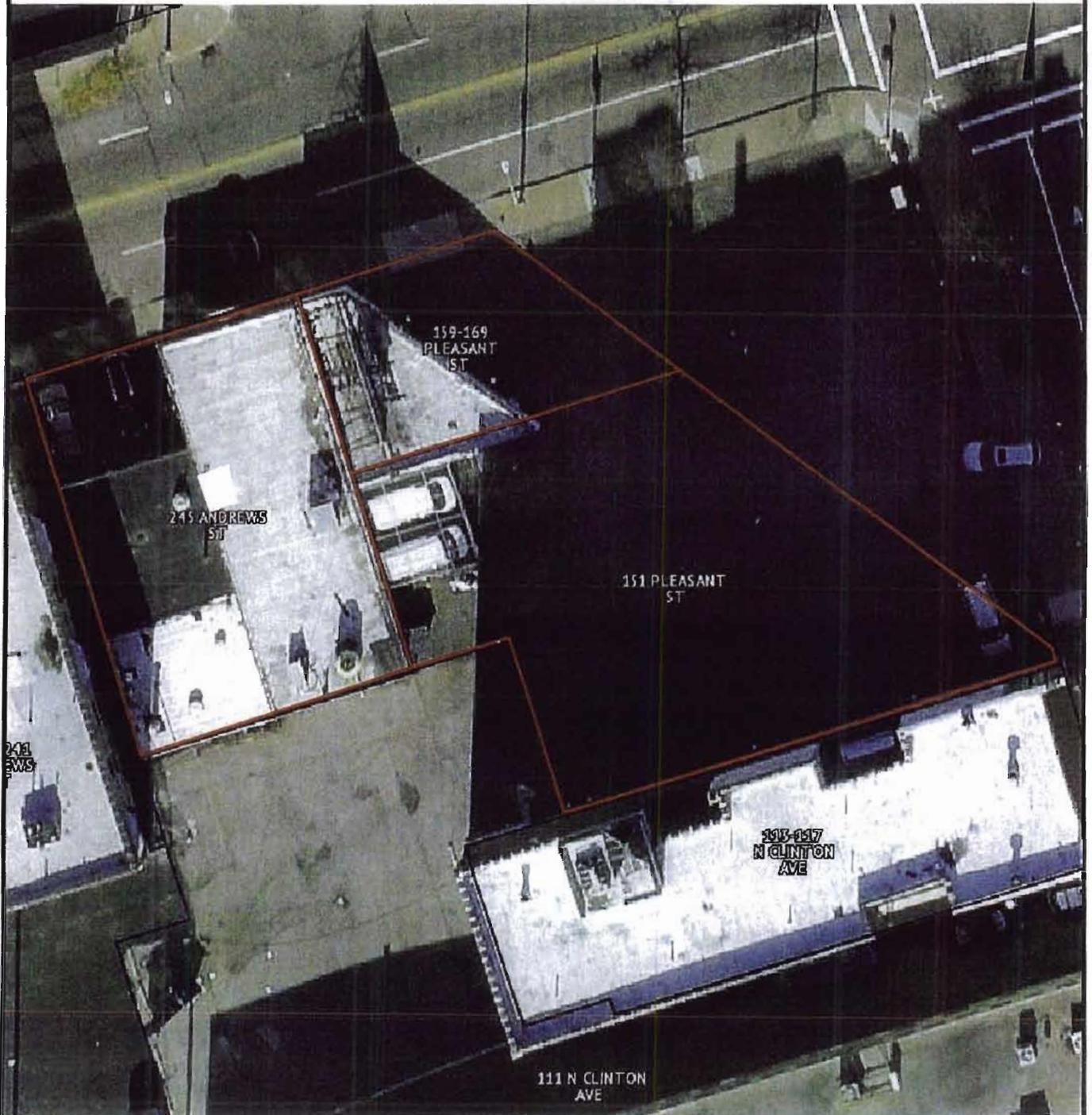
RAVI ENGINEERING & LAND SURVEYING, P.C.
 2110 SOUTH CLINTON AVENUE, SUITE 1
 ROCHESTER, NEW YORK 14618
 TEL: (585) 223-3660 FAX: (585) 225-4258

Ravi

DRAWN
 CTJ
 CHKD
 RJB
 DATE
 05/10/12
 SCALE
 NTS

PROJECT NO
 45-12-036-0K

N



TITLE
 SITE PLAN

245 ANDREWS STREET
 ROCHESTER, NY

PROJECT ENGINEER

Ravi Engineering & Land Surveying, P.C.
 2110 SOUTH CLINTON AVENUE, SUITE 1
 ROCHESTER, NEW YORK 14618
 TL: (585) 223-3660 FX: (585) 223-4150



DRAWN

CTJ

CHKD

RJB

DATE:

05/10/12

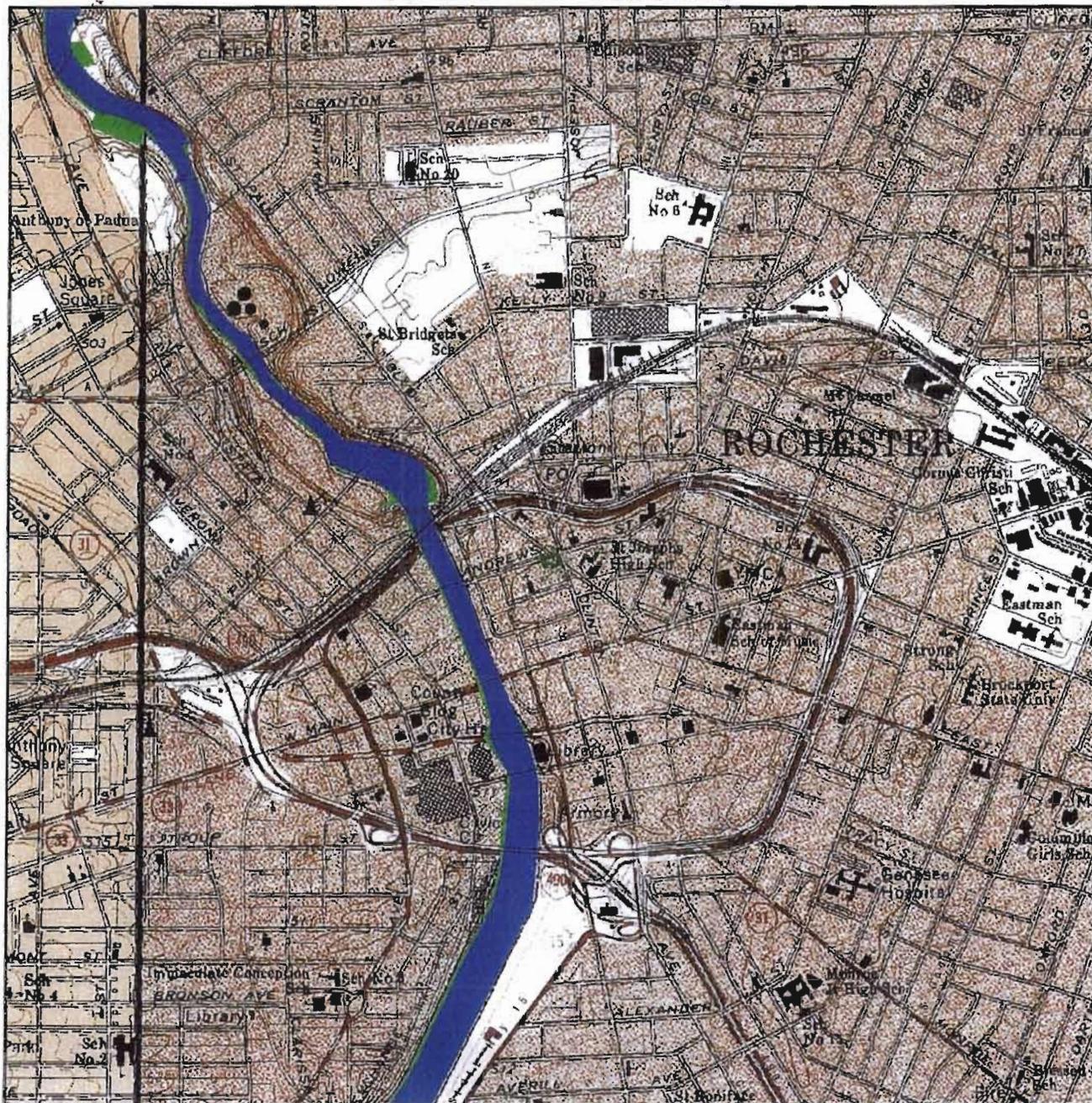
SCALE:

NTS

PROJECT NO.

45-12-036-0K

OVERVIEW MAP - 3251840.1s



- Target Property
- Sites at elevations higher than or equal to the target property
- Sites at elevations lower than the target property
- Manufactured Gas Plants
- National Priority List Sites
- Dept. Defense Sites
- Indian Reservations BIA
- Power transmission lines
- Oil & Gas pipelines from USGS
- 100-year flood zone
- 500-year flood zone
- National Wetland Inventory
- State Wetlands

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: 245 Andrews St., 151, 159-169 Pleasant St.
 ADDRESS: 245 Andrews St., 151, 159-169 Pleasant St.
 Rochester NY 14604
 LAT/LONG: 43.1597 / 77.6078

CLIENT: Passero Associates
 CONTACT: Pete Morton
 INQUIRY #: 3251840.1s
 DATE: February 03, 2012 11:47 am

APPENDIX 2
Environmental Questionnaire

The Site owners did not complete and return the environmental questionnaire when this Phase I ESA was completed.

APPENDIX 3
Site Photographs



Looking west across the Site at subject building



Looking northwest across Andrews Street at the adjacent Kirstein Building



West side of subject building



Suspected asbestos-containing roof of subject building



Nine inch floor tiles suspected to contain asbestos



Former laundry and dry cleaning operations room



Dry cleaning equipment



Stained flooring around the dry cleaning machines



55-gallon drums of unknown materials



Signage indicating former subject building use as dry cleaner

APPENDIX 4
Historical Research Documentation

NEW REPORT, April, 1935

POPULATION: 335,000

Prevailing Winds:—West.

PAVING:—360 miles of streets. 300 miles paved.

GRADES:—Light. Elevations as shown above City Datum for which Broad Street Bridge is taken as 250'.

PUBLIC LIGHTS:—Electric.

WATER FACILITIES:—Three Systems.

HEMLOCK SYSTEM:—Owned by City. Gravity pressure system. Supply from natural lakes located about 30 miles south of City. Hemlock Lake has watershed of 48 sq. miles, full line elevation at 960' and available capacity of top 14' of 8,986,000 gallons. Candice Lake has drainage area of 13.4 sq. miles, full line elevation at 1,096' with available capacity of top 6' of 1,324,000 gallons. Candice Lake Outlet has drainage area of 5.8 sq. miles, and is connected to Hemlock Lake by a 5' circular concrete conduit. The dependable supply developed by these lakes is estimated to be 80,000,000 gallons per day.

3 distributing reservoirs: Rush Reservoir, located about 9 miles



234-250 Andrews Street

234-250 Andrews Street

Rochester, NY 14604

Inquiry Number: 3204521.3

November 09, 2011

Certified Sanborn® Map Report



440 Wheelers Farms Road
Milford, CT 06461
800.352.0050
www.edrnet.com

Certified Sanborn® Map Report

11/09/11

Site Name:

234-250 Andrews Street
234-250 Andrews Street
Rochester, NY 14604

Client Name:

Passero Associates
100 Liberty Pole Way
Rochester, NY 14604



EDR Inquiry # 3204521.3

Contact: Ryan Burke

The complete Sanborn Library collection has been searched by EDR, and fire insurance maps covering the target property location provided by Passero Associates were identified for the years listed below. The certified Sanborn Library search results in this report can be authenticated by visiting www.edrnet.com/sanborn and entering the certification number. Only Environmental Data Resources Inc. (EDR) is authorized to grant rights for commercial reproduction of maps by Sanborn Library LLC, the copyright holder for the collection.

Certified Sanborn Results:

Site Name: 234-250 Andrews Street
Address: 234-250 Andrews Street
City, State, Zip: Rochester, NY 14604
Cross Street:
P.O. # NA
Project: 20110298.001
Certification # 59B0-4561-8D20



Sanborn® Library search results
Certification # 59B0-4561-8D20

Maps Provided:

1971
1950
1911
1904
1892

The Sanborn Library includes more than 1.2 million Sanborn fire insurance maps, which track historical property usage in approximately 12,000 American cities and towns. Collections searched:

- ✓ Library of Congress
- ✓ University Publications of America
- ✓ EDR Private Collection

The Sanborn Library LLC Since 1866™

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Sanborn Sheet Thumbnails

This Certified Sanborn Map Report is based upon the following Sanborn Fire Insurance map sheets.



1971 Source Sheets



Volume 1, Sheet 4



Volume 1, Sheet 10



Volume 2, Sheet 125



Volume 2, Sheet 129

1950 Source Sheets



Volume 1, Sheet xxxx



Volume 1, Sheet 4



Volume 1, Sheet 10



Volume 2, Sheet xxxx



Volume 2, Sheet 125



Volume 2, Sheet 129

1911 Source Sheets



Volume 2, Sheet xxxx



Volume 2, Sheet 125



Volume 2, Sheet 129



Volume 1, Sheet xxxx



Volume 1, Sheet 4



Volume 1, Sheet 10

1904 Source Sheets



Volume Central Business District, Sheet xxxx

1892 Source Sheets



Volume 1, Sheet 2



Volume 1, Sheet 3

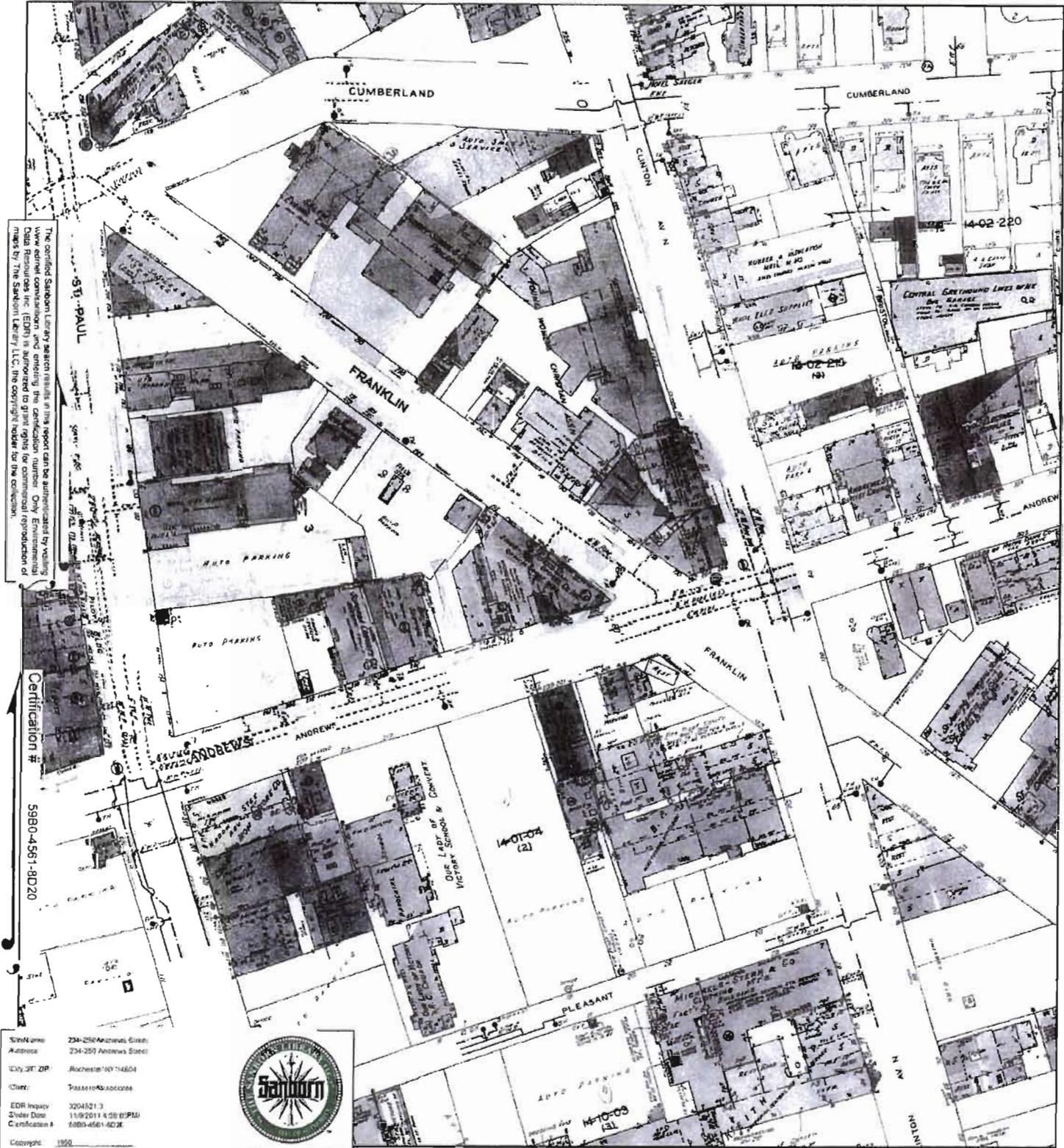


Volume 1, Sheet 6



Volume 1, Sheet 7

1950 Certified Sanborn Map



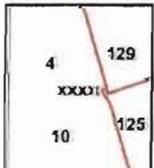
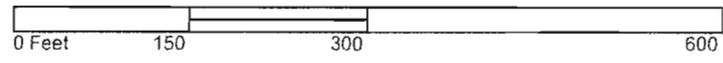
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Certification # 5980-4561-8D20

Sheet Name: 234-250 Andrews Street
 Address: 234-250 Andrews Street
 City, ST, ZIP: Rochester, NY 14604
 Date: 11/9/2011 4:58:02PM
 EDR Inquiry: 3204521-3
 Slider Date: 11/9/2011 4:58:02PM
 Certification #: 5980-4561-8D20
 Copyright: 1950



This Certified Sanborn Map combines the following sheets. Outlined areas indicate map sheets within the collection.



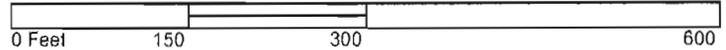
- Volume 1, Sheet xxxx
- Volume 1, Sheet 4
- Volume 1, Sheet 10
- Volume 2, Sheet xxxx
- Volume 2, Sheet 125



1911 Certified Sanborn Map



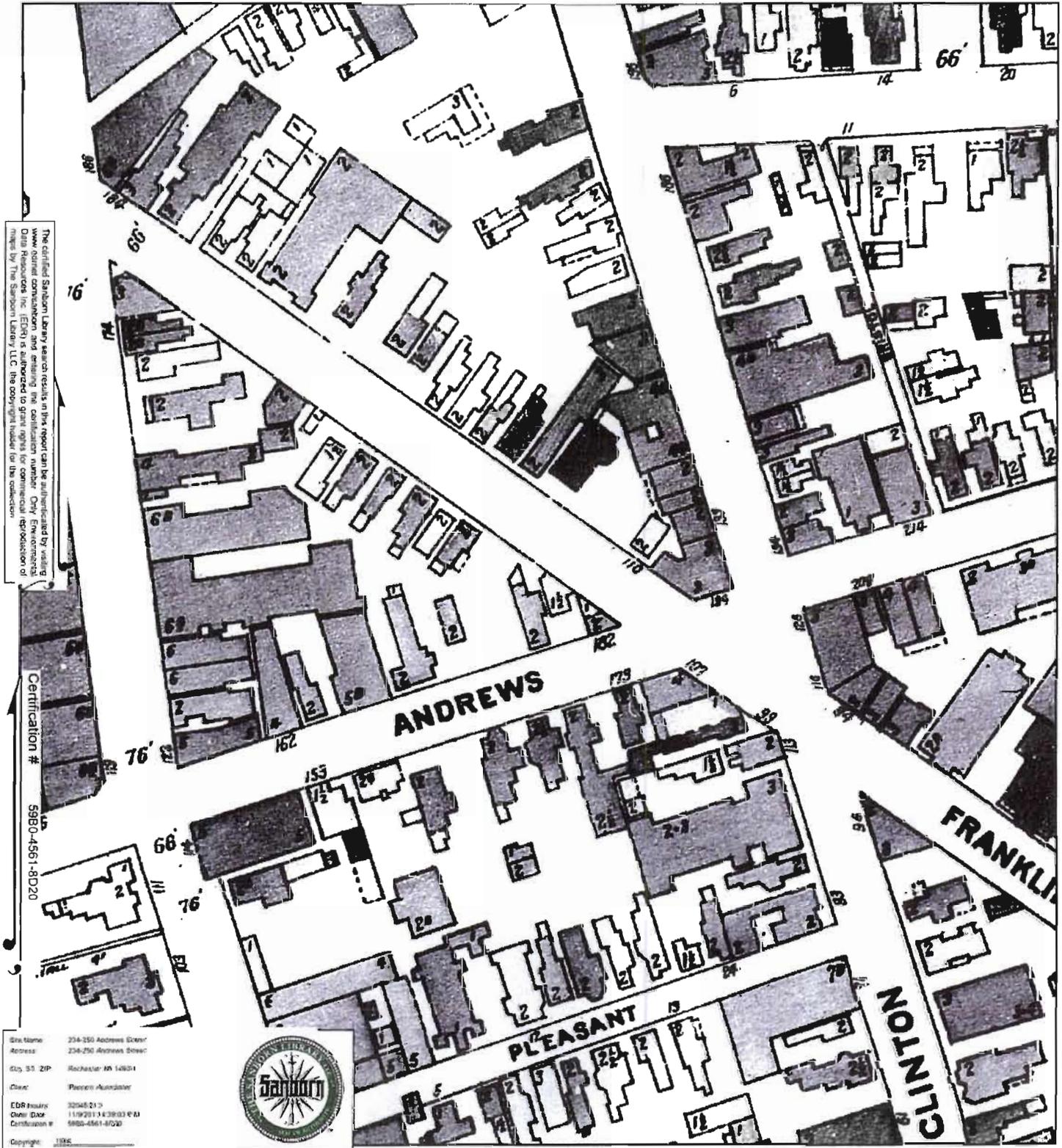
This Certified Sanborn Map combines the following sheets. Outlined areas indicate map sheets within the collection.



- Volume 2, Sheet xxxx
- Volume 2, Sheet 125
- Volume 2, Sheet 129
- Volume 1, Sheet xxxx
- Volume 1, Sheet 4



1904 Certified Sanborn Map



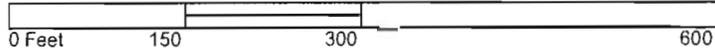
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Certification #
SB80-4561-8D20

Site Name: 234-250 Address Block
 Address: 234-250 Address Block
 City, ST ZIP: Rochester, NY 14604
 Date: Present Aerial
 EDR Number: 3204521-3
 Order Date: 11/9/2013 4:38:03 PM
 Certification #: SB80-4561-8D20
 Copyright: 1995



This Certified Sanborn Map combines the following sheets.
 Outlined areas indicate map sheets within the collection.



Volume Central Business District, Sheet xxxx



1892 Certified Sanborn Map



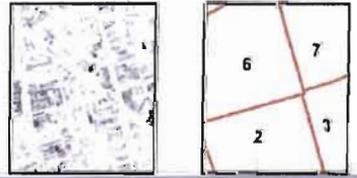
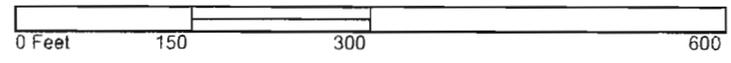
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Certification # 5980-4561-8D20

Site Name: 334-350 Andrews Street
 Address: 334-350 Andrews Street
 City, ST, ZIP: Rochester NY 14604
 Client: Proposed Remodel
 EIR Inquiry: 3204521 3
 Order Date: 11/06/14 3:13 PM
 Cartographer: 5980-4561-8D20
 Copyright: 1992



This Certified Sanborn Map combines the following sheets.
 Outlined areas indicate map sheets within the collection.



- Volume 1, Sheet 2
- Volume 1, Sheet 3
- Volume 1, Sheet 6
- Volume 1, Sheet 7



APPENDIX 5
FOIL Responses

NEW YORK

DEPARTMENT OF PUBLIC SAFETY
BUREAU OF BUILDINGS
60 SOUTH FITZHUGH ST.



July 3, 1945. 194

To Mr. Sol H. Savage,
C/o Security Trust Co.,
103 East Main St.,

Rochester, 4, N.Y.

TAKE NOTICE: That inspection having been made of the property
owned by you at 343 Andrews St., S.W. corner of
Franklin Square,
it was found that the usage of gasoline has been discontinued, but the empty
tanks remain on th roperty.

And it is hereby declared that the aforesaid condition is a violation of the Rochester Municipal Code.
Sanitary Code.

THEREFORE YOU ARE HEREBY ORDERED to have this condition remedied by having these
tanks removed, or filled with water or sand and properly capped, within
five days, or the matter will be referred to the Corporation Counsel for
legal action.

Emmet O'Brien Attorney
for owner trying to get
someone to fill tanks with water

M. F. Cleary,

Office Manager.

September 13, 1945.

Mr. Abraham Schulman,
Genesee Valley Trust Building,
45 Exchange Street,
Rochester 4, N. Y.

Dear Sir:-

We have been informed that you represent
the present owner of the property at 343 Andrews
Street, southwest corner Franklin Square, where the
storage of gasoline has been discontinued but the
empty tanks remain on the property.

This is a violation of the Rochester
Municipal Code and a dangerous condition, and we
trust that you will have these tanks either removed
or filled with water without delay.

Very truly yours,

WALKER S. LEE,
Superintendent of Buildings,

By
M. P. CLEARY,
Office Manager.

*Property now owned by
Hiram Marks, A. S. Schulman City*

MFC:PAK

Date.....

I hereby certify that I have
received a copy of this document.

SCHULMAN AND WICKINS
ATTORNEYS AND COUNSELORS AT LAW
1032 GENESEE VALLEY TRUST BUILDING
ROCHESTER 4, NEW YORK

ABRAHAM SCHULMAN
RALPH E. WICKINS

September 27, 1945

TELEPHONE
MAIN 966

Mr. Walker S. Lee,
Supt. of Buildings
60 South Fitzhugh St.
Rochester, N.Y.

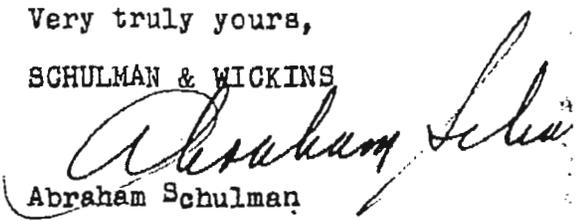
Attention: Mr. M. F. Cleary, Office Manager

Dear Sir:

I wish to advise you that we have been notified by Mr. O'Mara the tenant on the premises at 3 Andrews Street that water has been put in the basements in compliance with the municipal code.

Very truly yours,

SCHULMAN & WICKINS


Abraham Schulman

AS:re

5854286785

Permit for the Storage and Sale of Explosives and Combustibles

DEPARTMENT OF PUBLIC SAFETY

BUREAU OF BUILDINGS

Plat Plan No. **467**.....

No 12990

Rochester, N. Y., February 21st 1938

Permission is hereby granted to **Mid City Service Station**..... of

149-169 Franklin St. Rochester, N. Y., to sell and store GASOLINE.....

at No. **149-169 Franklin Street**..... Street. This Permit will expire **Mar. 1 1939**.

Public Station? Bulk? Wholesale? or Private Use?..... **Public**

If for Renewal, Transfer, or Additional Storage, give former Permit No. **12367**

Number and Capacity of Tanks.....

Total Quantity..... **2000** Gallons. Number of Pumps..... **4**

Similar tanks empty

O. Woods
Commissioner of Public Safety.

Walker B. Lee
Superintendent of Buildings.

This Permit is granted on the express condition that said Explosives or Combustibles are kept in an approved receptacle or apartment used exclusively for that purpose, approved by the Bureau, and in such receptacle or apartment no open flame, gas, oil, arc lights or stoves or any open flame; that signs "NO SMOKING," be placed in conspicuous place on the premises where said Explosives or Combustibles are kept; that for other than Private Use approved form of equipment may be provided.

Renewal, Additional Storage, Transfer

Permit Number	Date	Number and Capacity of Tanks	Number of Pumps
		MID-CITY PARKING, INC.,	MAR 1 1939
14459	MAR 1 1939	2-1000 1-500	3
15288	MAR 6 1940		2, 1939
16240	Jul 22 1940	Cherry Service Station	NOV 26 1946
16279	11-12-40	Lebowitz Bros.	2-1000 & INSTAL 2 PUMPS
17280	MAR 24 1941		
17468	12-2-41	Peter Murksten	
18015	MAR 1 1942	Patsy Scialdone	
19603	APR 9 1943		
19663	JUL 14 1943	B.J. Scofero	
	10-27-43,	DISCONTINUED. Order to Owner, Mass Mutual Life Ins, Co.	
20614	MAR 21 1944	Frank Gravina, 149 Franklin St	
21960	MAR 1 1945	Jimmie's Serv. Sta.	Continued on attached card.
21853	MAR 1 1945	Chas Gillis, Jim's Serv. Sta.	

5854286785

Renewal, Additional Storage, Transfer

Permit Number	Date	Number and Capacity of Tanks	Number of Pumps	
21924	March 1/46,	2-1000 & 1-500 gal each,	3	Chas. J. Gill
22984	Oct, 24/46,	2-1000 & 2-500 gal each,	2	Holden & Wa
23380	MAR 1 1947	XXXXXXXXXX 1-1000 2-500	2	
24427	MAR 1 - 1948			
25810	MAR 1 1949	CLINTON FRANKLIN PARKING	2	
25189	JAN 25 1950	2-1000		
2814	MAY 5 1951	1-1000 2-500	2	
29062	MAR 17 1952	Ruth A. Hahn		
29950	MAR 1 1953	Francie C. Smith		
30783	MAR 1 1954	George D. Baker		
31993	MAR 1 1955			

BSSUMDS

BIS - PROPERTY SUMMARY

DATE: 01/19/2012 *

ENTRY ADDRESS: 0245 ANDREWS ST SPC ZONE:

SBL NUMBER : 106 . 790 - 0001 - 033 . 000 / 0000 QD

	PMT	ZDC	CFO	ZON	SPM	O/C	C/C	H/C	INJ	B/P
ENTER OPTION NUMBER: _	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(0)
	034	Y	02	01	.	.	003	.	.	.

DOCUMENT#:

ARLM OWNER(S) AND ADDRESS

ARLM SPECIAL MAILING

PJ MAN HOLDINGS INC

PJ MAN HOLDINGS INC

245 ANDREWS ST

0245

ANDREWS ST

14604

ROCHESTER NY

14604

GIS SBL NO: 1067913300

ASSESSMENT: 97,100

LOT SIZE: 55.00 X 76.37

ACRES: 0.00

OWNER CODE: 0099 - PRIVATE OWNED - NO EXEMPT

MAP NO.: PT 41

ASM CURR USE: 484 - 1 OCCUPANT SM STRUCTURE

CENSUS TRACT: 0090.00

ASM PREV USE: -

INS AREA: W02

BLOCK: 114

ZONING: CCD-B /

SOUTHWEST

WARD: 05

DCD AUTH USE: -

NBN AREA: W10

DISC#: 000000000

PF15-ADDR LIST PF16-SBL# LIST PF17-DOC LIST PF18-DOC DETL

PF19-H/S VIOL PF20-ZPROP SUM PF23-QHI RESULTS

BPPMTQY BIS - BUILDING - PERMITS ISSUED
MORE PERMITS ARE AVAILABLE FOR PARCEL - PRESS PF 8

DATE: 01/19/2012 >

APPLIC. ADDRESS: 0245 ANDREWS ST PERMIT NO.: _____

SBL NO.: 106 . 790 - 0001 - 033 . 000 / 0000

PMT#/SFX	APL DTE	ISS DTE	EST COST	STATUS/DATE	ST
			0245	ANDREWS	
1096484	10/13/09	10/15/09	500	PMT COMPLETED/ NO INSP	09/10/15
PLUMBING: BACKFLOW TEST#1331; CERT#349					

1086194	10/06/08	10/07/08	500	PMT COMPLETED/ NO INSP	08/10/07
PLUMBING: BACKFLOW TEST# CERT#349					

1071277	03/02/07	03/06/07	2000	PMT COMPLETED/ WITH INSP	07/03/09
PLUMBING: WATER SERVICE RENEWAL					

1067665	10/12/06	10/13/06	140	PMT COMPLETED/ NO INSP	06/10/13
PLUMBING: TEST BFP 1331/CERT 349					

PF14-STAT LIST PF15-PMT DETL PF16-PMT EVTS PF17-PMT CONDS
PF18-PROP SUMM PF19-ADDR LIST PF20-CFO LIST PF21-PND/CANC

BPPMTOY BIS - BUILDING - PERMITS ISSUED
MORE PERMITS ARE AVAILABLE FOR PARCEL - PRESS PF 8

DATE: 01/19/2012 >

APPLIC. ADDRESS: 0245 ANDREWS ST PERMIT NO.: _____

SBL NO.: 106 . 790 - 0001 - 033 . 000 / 0000

PMT#/SFX	APL DTE	ISS DTE	EST COST	STATUS/DATE	ST
				0245 ANDREWS	ST
1057581	10/07/05	10/07/05	200	PMT COMPLETED/ NO INSP	05/10/07
PLUMBING-TEST BF DEV# 1331; CERT# 349					

1046829	10/04/04	10/07/04	100	PMT COMPLETED/ WITH INSP	04/10/07
PLUMBING-TEST BF DEV# 1331; CERT# 349					

1027798	11/07/02	11/14/02	100	PMT COMPLETED/ WITH INSP	02/11/14
PLUMBING; TEST DEVICE NBR'S 1,331 - CERT 349					

1017194	10/16/01	10/19/01	100	PMT COMPLETED/ WITH INSP	04/01/06
PLUMBING; TEST DEVICE NBR 1,331 - CERT 349					

PF14-STAT LIST PF15-PMT DETL PF16-PMT EVIS PF17-PMT CONDS
PF18-PROP SUMM PF19-ADDR LIST PF20-CFO LIST PF21-PND/CANC

BPPMTQY BIS - BUILDING - PERMITS ISSUED
MORE PERMITS ARE AVAILABLE FOR PARCEL - PRESS PF 8

DATE: 01/19/2012 >

APPLIC. ADDRESS: 0245 ANDREWS ST PERMIT NO.: _____
SBL NO.: 106 . 790 - 0001 - 033 . 000 / 0000
PMT#/SFX APL DTE ISS DTE EST COST STATUS/DATE
0245 ANDREWS ST
1002235 03/24/00 03/27/00 1500 PMT COMPLETED/ WITH INSP 00/04/10
ELECTRICAL-UPGRADE TO 400 AMP SERVICE-MDIA

0998064 11/30/99 12/01/99 100 PMT COMPLETED/ WITH INSP 99/12/01
PLUMBING: TEST BFP 1331; TESTER 4858. SILVER DRY CLEANERS

0986834 10/16/98 10/23/98 100 PMT COMPLETED/ WITH INSP 98/10/23
PLUMBING; TEST BACKFLOW #1,331 - CERT #349

0976783 10/14/97 10/15/97 100 PMT COMPLETED/ NO INSP 97/10/15
PLUMBING: BACKFLOW TEST - DEVICE #1331
(TESTER #349)
PF14-STAT LIST PF15-PMT DETL PF16-PMT EVTS PF17-PMT CONDS
PF18-PROP SUMM PF19-ADDR LIST PF20-CFO LIST PF21-PND/CANC

BPPMTQY BIS - BUILDING - PERMITS ISSUED
MORE PERMITS ARE AVAILABLE FOR PARCEL - PRESS PF 8

DATE: 01/19/2012 >

APPLIC. ADDRESS: 0245 ANDREWS ST PERMIT NO.: _____

SBL NO.: 106 . 790 - 0001 - 033 . 000 / 0000

PMT#/SEFX APL DTE ISS DTE EST COST STATUS/DATE

0245 ANDREWS ST

0966083 09/18/96 09/24/96 50 PMT COMPLETED/ NO INSP 96/09/24
PLUMBING: BACKFLOW TEST - DEVICE #1331 (TESTER #196)

0955982 09/19/95 09/21/95 60 PMT COMPLETED/ NO INSP 96/02/08
PLUMBING - BACKFLOW TEST DEVICE#1331
CERT. NO 1018

0950880 02/15/95 02/15/95 1000 PMT COMPLETED/ WITH INSP 95/02/20
ELECTRICAL; SERVICE CHANGE. - MIDDLE DEPARTMENT

0946200 09/21/94 09/26/94 66 PMT COMPLETED/ WITH INSP 94/09/27
PLUMBING/TEST BACKFLOW DEVICE NO. 1331

PF14-STAT LIST PF15-PMT DETL PF16-PMT EVTS PF17-PMT CONDS
PF18-PROP SUMM PF19-ADDR LIST PF20-CFO LIST PF21-PND/CANC

BPPMTQY BIS - BUILDING - PERMITS ISSUED
MORE PERMITS ARE AVAILABLE FOR PARCEL - PRESS PF 8

DATE: 01/19/2012 >

APPLIC. ADDRESS: 0245 ANDREWS ST PERMIT NO.: _____

SBL NO.: 106 . 790 - 0001 - 033 . 000 / 0000

PMT#/SFX	APL DTE	ISS DTE	EST COST	STATUS/DATE	ST
			0245	ANDREWS	
0944683	07/22/94	07/28/94	2500	PMT COMPLETED/ WITH INSP	94/12/27
PLUMBING - NEW COMMERCIAL TRAPS, LINT, TWO LAUNDRY-WASHING MACHINE, HOT WATER HEATER, VACUUM BREAKERS					
0942423	05/02/94	05/02/94	5000	PMT COMPLETED/ WITH INSP	94/08/09
ELEC. SUB PANEL, LIGHTS, PLUGS					
0942255	04/25/94	04/25/94	200	PMT COMPLETED/ WITH INSP	94/08/05
PLUMBING; INSTALL 2 FLOOR DRAINS.					
0941444	03/21/94	03/31/94	21000	PMT COMPLETED/ WITH INSP	95/02/15
CONSTRUCT 27.5FTX29FT ADDITION TO A DRY CLEANING PLANT.					

PF14-STAT LIST PF15-PMT DETL PF16-PMT EVTS PF17-PMT CONDS
PF18-PROP SUMM PF19-ADDR LIST PF20-CFO LIST PF21-PND/CANC

BPPMTQY BIS - BUILDING - PERMITS ISSUED
MORE PERMITS ARE AVAILABLE FOR PARCEL - PRESS PF 8

DATE: 01/19/2012 >

APPLIC. ADDRESS: 0245 ANDREWS ST PERMIT NO.: _____

SBL NO.: 106 . 790 - 0001 - 033 . 000 / 0000

PMT#/SFX	APL DTE	ISS DTE	EST COST	STATUS/DATE
			0245	ANDREWS ST
0923040	00/00/00	09/01/92	1000	PMT CMPLT PRE CONVERSION 93/10/18
PLUMBING - 1-1/2" BACKFLOW PREVENTION DEVICE-FINALED 11/9/92 BILL HELMINSKI				

0913005	00/00/00	08/16/91	3475	PMT CMPLT PRE CONVERSION 93/10/18
INSTALL 27' AWNING				

0833817	00/00/00	09/20/83	5000	PMT CMPLT PRE CONVERSION 93/10/18
CONSTRUCT ADDITION TO EXISTING DRY CLEANING PLANT				

0196310	00/00/00	03/10/70	3000	PMT CMPLT PRE CONVERSION 93/10/18
ERECT ADD SIDE OF MASONRY 2 CAR GARAGE				

PF14-STAT LIST PF15-PMT DETL PF16-PMT EVTS PF17-PMT CONDS
PF18-PROP SUMM PF19-ADDR LIST PF20-CFO LIST PF21-PND/CANC

BPPMTQY BIS - BUILDING - PERMITS ISSUED
MORE PERMITS ARE AVAILABLE FOR PARCEL - PRESS PF 8

DATE: 01/19/2012 >

APPLIC. ADDRESS: 0245 ANDREWS ST PERMIT NO.: _____

SBL NO.: 106 . 790 - 0001 - 033 . 000 / 0000

PMT#/SFX	APL DTE	ISS DTE	EST COST	STATUS/DATE	ST
			0245	ANDREWS	
0195284	00/00/00	08/05/69	550	PMT CMLPT PRE CONVERSION ERECT PLASTIC METAL SIGN OVER ST LINE	93/10/18
0173655	00/00/00	12/10/59	250	PMT CMLPT PRE CONVERSION NEON SIGN OVER WALK	93/10/18
0168855	00/00/00	11/27/57	275	PMT CMLPT PRE CONVERSION INSTALL GAL GAS TANK PUMP	93/10/18
0149316	00/00/00	04/09/51	30	PMT CMLPT PRE CONVERSION METAL SIGN BACK OF ST LINE	93/10/18

PF14-STAT LIST PF15-PMT DETL PF16-PMT EVTS PF17-PMT CONDS
PF18-PROP SUMM PF19-ADDR LIST PF20-CFO LIST PF21-PND/CANC

BPPMTQY BIS - BUILDING - PERMITS ISSUED
MORE PERMITS ARE AVAILABLE FOR PARCEL - PRESS PF 8

DATE: 01/19/2012 >

APPLIC. ADDRESS: 0245 ANDREWS ST PERMIT NO.: _____

SBL NO.: 106 . 790 - 0001 - 033 . 000 / 0000

PMT#/SFX	APL DTE	ISS DTE	EST COST	STATUS/DATE	
			0245	ANDREWS	ST
0145468	00/00/00	03/29/50	3500	PMT CMLPT PRE CONVERSION	93/10/18
				CIN BLK ADD TO DRY CLEANING STORE	PLANT
0143302	00/00/00	07/19/49	950	PMT CMLPT PRE CONVERSION	93/10/18
				CHANGE USE OF TAILOR SHOP INTO DRY CLEANING	PLANT
0141638	00/00/00	03/01/49	350	PMT CMLPT PRE CONVERSION	93/10/18
				NEON SIGN OVER WALK	
0139691	00/00/00	07/22/48	9800	PMT CMLPT PRE CONVERSION	93/10/18
				CIN BLK TAILOR SHOP	STORE

PF14-STAT LIST PF15-PMT DETL PF16-PMT EVTS PF17-PMT CONDS
PF18-PROP SUMM PF19-ADDR LIST PF20-CFO LIST PF21-PND/CANC

BPPMTQY BIS - BUILDING - PERMITS ISSUED
END OF DATA

DATE: 01/19/2012 >

APPLIC. ADDRESS: 0245 ANDREWS ST PERMIT NO.: _____
SBL NO.: 106 . 790 - 0001 - 033 . 000 / 0000
PMT#/SFX APL DTE ISS DTE EST COST STATUS/DATE
0245 ANDREWS ST
0110850 00/00/00 12/18/36 100 PMT CMPLT PRE CONVERSION 93/10/18
MASONRY WALL SLONG FRONT
0110199 00/00/00 09/21/36 PMT CMPLT PRE CONVERSION 93/10/18
DEMO

PF14-STAT LIST PF15-PMT DETL PF16-PMT EVTS PF17-PMT CONDS
PF18-PROP SUMM PF19-ADDR LIST PF20-CFO LIST PF21-PND/CANC



**CITY OF ROCHESTER
FIRE DEPARTMENT**

**FIRE SAFETY
PERMIT RELEASE & INVOICE**

FIRE SAFETY DIVISION

Public Safety Building
Civic Center Plaza
Rochester, New York 14614
(716) 428-7037 & 428-7038

LOCATION:

245 ANDREWS ST

00778	PERMIT NUMBER
JUN 23 1986	DATE
30-	FEE TOTAL
7/11/86	DATE RELEASED
6/28/87	EXPIRATION DATE

PERMIT CODE	PERMIT CATEGORY	FEE
5412607E	DRY-CLEANING PLANT	\$ 30

TOTAL \$ 30

MAIL YOUR CHECK OR PRESENT THIS INVOICE
WITH FEE PAID IN FULL TO:

NAME

MAILING ADDRESS

**CITY TREASURER
ROOM 100 A, CITY HALL
ROCHESTER, NEW YORK 14614**

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST
ROCHESTER NY 14604

PLEASE WRITE PERMIT NUMBERS
ON YOUR CHECK

RETURN TO FIRE DEPARTMENT AFTER PAYMENT IS RECEIVED



**CITY OF ROCHESTER
FIRE DEPARTMENT**

**FIRE SAFETY
PERMIT RELEASE & INVOICE**

FIRE SAFETY DIVISION

Public Safety Building
Civic Center Plaza
Rochester, New York 14614
(716) 428-7037 & 428-7038

LOCATION: 245 ANDREWS ST

03026	PERMIT NUMBER
AUG 5 1987	DATE
30.00	FEE TOTAL
8/10/87	DATE RELEASED
06/28/88	EXPIRATION DATE

PERMIT CODE	PERMIT CATEGORY	FEE
5412B07E	DRY-CLEANING PLANT	\$ 30

TOTAL \$ 30

MAIL YOUR CHECK OR PRESENT THIS INVOICE
WITH FEE PAID IN FULL TO:

NAME
MAILING ADDRESS
SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST
ROCHESTER NY 14604

CITY TREASURER
ROOM 100 A, CITY HALL
ROCHESTER, NEW YORK 14614

PLEASE WRITE PERMIT NUMBERS
ON YOUR CHECK

RETURN TO FIRE DEPARTMENT AFTER PAYMENT IS RECEIVED



**City of Rochester
FIRE DEPARTMENT**

FIRE SAFETY DIVISION

300 Public Safety Building
Rochester, New York 14614
(716) 428-7037

PERMIT

DATE 06/07/93

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY.,

**SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST**

94-06003	PERMIT NUMBER
----------	------------------

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

PERMIT CODE	PERMIT CATEGORY	FEE
	DRY-CLEANING PLANT - CLASS IV	\$ 60

RECEIVED
 JUN 29 11 17 AM
 TREASURER'S OFFICE
 JUN 29 11 17 AM
 1 FIRE PERM
 \$60.00
 \$60.00
 \$60.00
 TOTAL
 \$180.00
 JUN 29 11 17 AM
 JUN 29 11 17 AM

This PERMIT is issued and acceptance shall be complied with, and said PERMIT will be...

THIS PERMIT EXPIRES **06/30/94**

This permit does not take the place of any License required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

[Signature]
FIRE MARSHAL

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED ABOVE

Please return this part with payment - when paying in person, bring entire bill

MAIL YOUR CHECK OR PRESENT THIS INVOICE WITH FEE PAID IN FULL TO:

PLEASE WRITE PERMIT NUMBERS ON YOUR CHECK

CITY TREASURER
ROOM 100A, CITY HALL
ROCHESTER, NEW YORK 14614

245 ANDREWS ST

94-06003	PERMIT NUMBER
06/07/93	INVOICE DATE
07/31/93	DUE DATE
\$ 60	AMOUNT DUE

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST
ROCHESTER NY 14604



**City of Rochester
FIRE DEPARTMENT**

FIRE SAFETY DIVISION

300 Public Safety Building
Rochester, New York 14614
(716) 428-7037

PERMIT

DATE 06/08/94

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY.,

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST

95-06003	PERMIT NUMBER
----------	---------------

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

PERMIT CODE	PERMIT CATEGORY	FEE
5412B07E	DRY-CLEANING PLANT - CLASS IV	\$ 60

JUL 27 94 01:05PM
 C. CLERK 02
 1 FIRE FWH 60.00
 SUBTOTAL 60.00
 TOTAL 60.00
 CHECK 60.00
 # ITEM 1
 31 36 02 0101 JUL 27 94 01:05PM

THIS PERMIT EXPIRES 06/30/95

This permit does not take the place of any License required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

Eugene Hillard
FIRE MARSHAL

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED ABOVE

Please return this part with payment - when paying in person, bring entire bill

MAIL YOUR CHECK OR PRESENT THIS INVOICE WITH FEE PAID IN FULL TO:

PLEASE WRITE PERMIT NUMBERS ON YOUR CHECK

CITY TREASURER
ROOM 100A, CITY HALL
ROCHESTER, NEW YORK 14614

245 ANDREWS ST

95-06003	PERMIT NUMBER
06/08/94	INVOICE DATE
07/31/94	DUE DATE
\$ 60	AMOUNT DUE

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST
ROCHESTER NY 14604



City of Rochester FIRE DEPARTMENT

FIRE SAFETY DIVISION

300 Public Safety Building
Rochester, New York 14614
(716) 428-7037

PERMIT

DATE 06/13/95

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY.,

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST

96-06005	PERMIT NUMBER
----------	------------------

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

PERMIT CODE	PERMIT CATEGORY	FEE
5412B07E	DRY-CLEANING PLANT - CLASS IV	\$ 60

RECEIVED
 JUL 03 '95 11:38AM
 CLERK 02
 1 FIRE FVN 60.00
 SUBTOTAL 60.00
 TOTAL 60.00
 CHECK 60.00
 # 1187
 245 D-4 02 0101 JUL03 95 11:38AM

This permit does not take the place of any License required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

[Signature]
FIRE MARSHAL

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED ABOVE

Please return this part with payment - when paying in person, bring entire bill!

MAIL YOUR CHECK OR PRESENT THIS INVOICE
WITH FEE PAID IN FULL TO:

PLEASE WRITE PERMIT NUMBERS
ON YOUR CHECK

CITY TREASURER
ROOM 100A, CITY HALL
ROCHESTER, NEW YORK 14614

245 ANDREWS ST

96-06005	PERMIT NUMBER
06/13/95	INVOICE DATE
07/31/95	DUPLICATE DATE
\$ 60	AMOUNT DUE

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST
ROCHESTER NY 14604



City of Rochester FIRE DEPARTMENT

FIRE SAFETY DIVISION

300 Public Safety Building
Rochester, New York 14614
(716) 428-7037

PERMIT

DATE 06/26/96

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY,

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST

97-06003	PERMIT NUMBER
----------	------------------

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

PERMIT CODE	PERMIT CATEGORY	FEE
5412B07E	DRY-CLEANING PLANT - CLASS IV	\$ 60

TREASURER CLERK
 JUL 09 '96 11:22AM
 CLERK 02
 1 FIRE PWN 80.00
 SUBTOTAL 80.00
 TAX 80.00
 CHECK 80.00
 # ITEM 1
 4257 02 0101 JUL 09 '96 11:22AM

THIS PERMIT EXPIRES 06/30/97

This permit does not take the place of any License required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

[Signature]
FIRE MARSHAL

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED ABOVE

Please return this part with payment - when paying in person, bring entire bill

MAIL YOUR CHECK OR PRESENT THIS INVOICE
WITH FEE PAID IN FULL TO:
CITY TREASURER
ROOM 100A, CITY HALL
ROCHESTER, NEW YORK 14614.

PLEASE WRITE PERMIT NUMBERS
ON YOUR CHECK
245 ANDREWS ST

97-06003	PERMIT NUMBER
06/26/96	INVOICE DATE
07/31/96	DUE DATE
\$ 60	AMOUNT DUE

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST
ROCHESTER NY 14604



City of Rochester FIRE DEPARTMENT

FIRE SAFETY DIVISION

300 Public Safety Building
Rochester, New York 14614
(716) 428-7037

DATE 08/11/97

PERMIT

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY.,

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST

98-06003

PERMIT
NUMBER

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

PERMIT CODE	PERMIT CATEGORY	FEE
5412B07E	DRY-CLEANING PLANT - CLASS IV	\$ 60

1
LAUNDERER CLERK
AUG23/97 11:18AM

CLERK 02

1 FIRE FVN

SUBTOTAL

TOTAL

CHECK

ITEM

80.00

80.00

80.00

80.00

1

24504 02 0001 AUG23/97 11:18AM

THIS PERMIT WILL BECOME VALID ONLY AFTER RECEIPT OF TOTAL FEE PAYMENT.

THIS PERMIT EXPIRES 06/30/98

This permit does not take the place of any License required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

FIRE MARSHAL

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED ABOVE

Please return this part with payment - when paying in person, bring entire bill

MAIL YOUR CHECK OR PRESENT THIS INVOICE
WITH FEE PAID IN FULL TO:

CITY TREASURER
ROOM 100A, CITY HALL
ROCHESTER, NEW YORK 14614

245 ANDREWS ST

PLEASE WRITE PERMIT NUMBERS

ON YOUR CHECK

98-06003	PERMIT NUMBER
08/11/97	INVOICE DATE
06/30/98	DUE DATE
\$ 60	AMOUNT DUE

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST
ROCHESTER NY 14604



**City of Rochester
FIRE DEPARTMENT
PERMIT**

FIRE SAFETY DIVISION

300 Public Safety Building
Rochester, New York 14614
(716) 428-7037

DATE 06/13/98

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY,

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST

99-06003

PERMIT
NUMBER

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

PERMIT CODE	PERMIT CATEGORY	FEE
5412B07E	DRY-CLEANING PLANT - CLASS IV	\$ 60

TREASURER CLERK
JUN24 98 09:37AM

C CLERK 02

1 FIRE PVN 60.00

SUBTOTAL 60.00

TOTAL 60.00

CHECK 60.00

ITEM 1

4805 02 0101 JUN24 98 09:37A

This permit is issued on condition that all Fire Prevention Code provisions not depicted or that may be required to properly shall be complied with, and said PERMIT will become valid only after receipt of total fee payment.

THIS PERMIT EXPIRES

06/30/99

This permit does not take the place of any License required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

[Signature]
FIRE MARSHAL

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED ABOVE

Please return this part with payment - when paying in person, bring entire bill

MAIL YOUR CHECK OR PRESENT THIS INVOICE

PLEASE WRITE PERMIT NUMBERS

WITH FEE PAID IN FULL TO:

ON YOUR CHECK

CITY TREASURER
ROOM 100A, CITY HALL
ROCHESTER, NEW YORK 14614

245 ANDREWS ST

99-06003	PERMIT NUMBER
06/13/98	INVOICE DATE
07/15/98	DUPLICATE DATE
\$ 60	AMOUNT DUE

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST
ROCHESTER NY 14604



**City of Rochester
FIRE DEPARTMENT**

FIRE SAFETY DIVISION

300 Public Safety Building
Rochester, New York 14614
(716) 428-7037

PERMIT

DATE 06/02/99

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY.,

**SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST**

00-06003	PERMIT NUMBER
----------	---------------

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

PERMIT CODE	PERMIT CATEGORY	FEES
5412B07E	DRY-CLEANING PLANT - CLASS IV	\$ 60

TREASURER CLERK
 JUN17 99 10:22AM
 C CLERK 02
 1 FIRE PUN 50.00
 SUBTOTAL 50.00
 TOTAL 60.00
 CHECK 60.00
 # ITEM 1
 2775 02 0101 JUN17 99 10:23A

THIS PERMIT EXPIRES 06/30/00

This permit does not take the place of any License required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

[Signature]
FIRE MARSHAL

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED ABOVE

Please return this part with payment - when paying in person, bring entire bill!

MAIL YOUR CHECK OR PRESENT THIS INVOICE WITH FEE PAID IN FULL TO:

PLEASE WRITE PERMIT NUMBERS ON YOUR CHECK

CITY TREASURER
ROOM 100A, CITY HALL
ROCHESTER, NEW YORK 14614

00245 ANDREWS ST

00-06003	PERMIT NUMBER
06/02/99	INVOICE DATE
07/02/99	DUE DATE
\$ 60	AMOUNT DUE

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST
ROCHESTER NY 14604



City of Rochester FIRE DEPARTMENT

FIRE SAFETY DIVISION

300 Public Safety Building
Rochester, New York 14614
(716) 428-7037

PERMIT

DATE 06/01/00

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY,

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST

01-06003	PERMIT NUMBER
----------	---------------

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

PERMIT CODE	PERMIT CATEGORY	FEE
5412B07E	DRY-CLEANING PLANT - CLASS IV	\$ 60

TREASURER CLERK
JUN02 11:02AM
C CLERK 00
1 FIRE FEE 60.00
SUBTOTAL 60.00
TOTAL 60.00
CHECK 60.00
ITEM 1
FISB02 02 0101 JUN02 11:03A

This permit is issued and accepted on condition that all fire prevention code provisions now adopted, or that may hereafter be adopted, shall be complied with, and said PERMIT will become valid only after receipt of total fee payment.

THIS PERMIT EXPIRES **06/30/01**

This permit does not take the place of any License required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

FIRE MARSHAL

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED ABOVE

Please return this part with payment - when paying in person, bring entire bill.

MAIL WITH CHECK OR PRESENT THIS INVOICE
WITH FEE PAID IN FULL TO:

PLEASE WRITE PERMIT NUMBERS
ON YOUR CHECK

CITY TREASURER
ROOM 100A, CITY HALL
ROCHESTER, NEW YORK 14614

00245 ANDREWS ST

01-06003	PERMIT NUMBER
06/01/00	INVOICE DATE
07/01/00	DUE DATE
\$ 60	AMOUNT DUE

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST
ROCHESTER NY 14604



City of Rochester FIRE DEPARTMENT

FIRE SAFETY DIVISION

300 Public Safety Building
Rochester, New York 14614
(716) 428-7037

PERMIT

DATE 06/13/01

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY.,

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST

02-06002

PERMIT
NUMBER

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

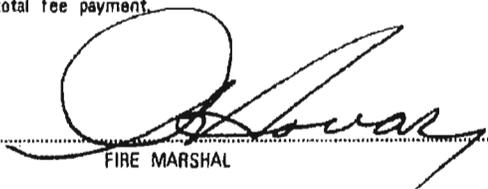
PERMIT CODE	PERMIT CATEGORY	FEE
5412B07E	DRY-CLEANING PLANT - CLASS IV	\$ 60

CITY OF ROCHESTER, NY CITY CLEANER'S OFFICE	FIRE PERM	\$60.00
TOTAL		\$60.00
CASH CHECK		\$60.00
CHANGE		\$0.00
TOTAL		\$60.00
06/13/01		
06/13/01		
06/13/01		

shall be valid only after receipt of total fee payment.

THIS PERMIT EXPIRES **06/30/02**

This permit does not take the place of any License required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.


FIRE MARSHAL

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED ABOVE

Please return this part with payment - when paying in person, bring entire bill

MAIL YOUR CHECK OR PRESENT THIS INVOICE WITH FEE PAID IN FULL TO:

PLEASE WRITE PERMIT NUMBERS ON YOUR CHECK

CITY TREASURER
ROOM 100A, CITY HALL
ROCHESTER, NEW YORK 14614

00245 ANDREWS ST

02-06002	PERMIT NUMBER
06/13/01	INVOICE DATE
07/13/02	DUE DATE
\$ 60	AMOUNT DUE

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST
ROCHESTER NY 14604



City of Rochester FIRE DEPARTMENT

FIRE SAFETY DIVISION

300 Public Safety Building
Rochester, New York 14614
(585) 428-7037

PERMIT

DATE 06/18/02

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY.,

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST

03-06002	PERMIT NUMBER
----------	---------------

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

PERMIT CODE	PERMIT CATEGORY	FEES
5412B07E	DRY-CLEANING PLANT - CLASS IV	\$ 60

Please return this part with payment - when paying in person, bring entire bill

MAIL YOUR CHECK OR PRESENT THIS INVOICE
WITH FEE PAID IN FULL TO:

CITY TREASURER
ROOM 100A, CITY HALL
ROCHESTER, NEW YORK 14614

PLEASE WRITE PERMIT NUMBERS

ON YOUR CHECK

00245 ANDREWS ST

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST
ROCHESTER NY 14604

03-06002	PERMIT NUMBER
06/18/02	INVOICE DATE
07/19/02	DUE DATE
\$ 60	AMOUNT DUE

ENTERED PERMIT FEE
\$ 60.00
JUL 12 2002

ENTERED

FD513

This permit does not take the place of any License required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

[Signature]
FIRE MARSHAL

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED ABOVE

Please return this part with payment - when paying in person, bring entire bill

MAIL YOUR CHECK OR PRESENT THIS INVOICE
WITH FEE PAID IN FULL TO:

CITY TREASURER
ROOM 100A, CITY HALL
ROCHESTER, NEW YORK 14614

PLEASE WRITE PERMIT NUMBERS

ON YOUR CHECK

00245 ANDREWS ST

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST
ROCHESTER NY 14604

03-06002	PERMIT NUMBER
06/18/02	INVOICE DATE
07/19/02	DUE DATE
\$ 60	AMOUNT DUE

FD513



City of Rochester FIRE DEPARTMENT

FIRE SAFETY DIVISION

185 Exchange Blvd., Suite 665
Rochester, New York 14614
(585) 428-7037

PERMIT

DATE 06/17/03

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY.,

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST

04-06002	PERMIT NUMBER
----------	---------------

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

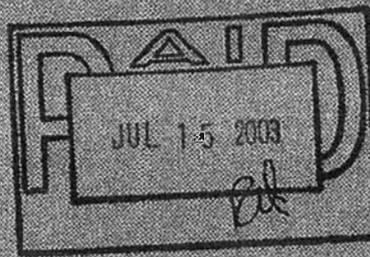
PERMIT CODE	PERMIT CATEGORY	FEE
5412B07E	DRY-CLEANING PLANT - CLASS IV	\$ 80

MAKE YOUR CHECK OR MONEY ORDER, PAID IN FULL,
PAYABLE TO CITY TREASURER AND MAIL TO:

ROCHESTER FIRE DEPARTMENT
ATTENTION: ACCOUNTS RECEIVABLE
185 EXCHANGE BLVD., SUITE 663
ROCHESTER, NEW YORK 14614

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST
ROCHESTER NY 14604

PLEASE WRITE PERMIT NUMBERS
ON YOUR CHECK OR MONEY ORDER
00245 ANDREWS ST



04-06002	PERMIT NUMBER
06/17/03	INVOICE DATE
07/17/03	DUE DATE
\$ 80	AMOUNT DUE

FD513

fdpm1

This permit does not take the place of any License required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

[Signature]
FIRE MARSHAL

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED ABOVE

Please return this part with payment

MAKE YOUR CHECK OR MONEY ORDER, PAID IN FULL,
PAYABLE TO CITY TREASURER AND MAIL TO:

ROCHESTER FIRE DEPARTMENT
ATTENTION: ACCOUNTS RECEIVABLE
185 EXCHANGE BLVD., SUITE 663
ROCHESTER, NEW YORK 14614

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST
ROCHESTER NY 14604

PLEASE WRITE PERMIT NUMBERS
ON YOUR CHECK OR MONEY ORDER
00245 ANDREWS ST

04-06002	PERMIT NUMBER
06/17/03	INVOICE DATE
07/17/03	DUE DATE
\$ 80	AMOUNT DUE

FD513

fdpm1



City of Rochester FIRE DEPARTMENT

FIRE SAFETY DIVISION

185 Exchange Blvd., Suite 665
Rochester, New York 14614
(585) 428-7037

PERMIT

DATE 06/03/04

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY.,

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST

05-06005	PERMIT NUMBER
----------	---------------

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

PERMIT CODE	PERMIT CATEGORY	FEE
5412B07E	DRY-CLEANING PLANT - CLASS IV	\$ 80

MAKE YOUR CHECK OR MONEY ORDER, PAID IN FULL, PAYABLE TO CITY TREASURER AND MAIL TO:

ROCHESTER FIRE DEPARTMENT
ATTENTION: ACCOUNTS RECEIVABLE
185 EXCHANGE BLVD., SUITE 663
ROCHESTER, NEW YORK 14614

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST
ROCHESTER NY 14604

PLEASE WRITE PERMIT NUMBERS ON YOUR CHECK OR MONEY ORDER
00245 ANDREWS ST

PAID
JUL 6 2004
pd

05-06005	PERMIT NUMBER
06/03/04	INVOICE DATE
07/03/04	DUE DATE
\$ 80	AMOUNT DUE

FD513

THIS PERMIT

This permit does not take the place of any License required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED ABOVE

Please return this part with payment

MAKE YOUR CHECK OR MONEY ORDER, PAID IN FULL, PAYABLE TO CITY TREASURER AND MAIL TO:

ROCHESTER FIRE DEPARTMENT
ATTENTION: ACCOUNTS RECEIVABLE
185 EXCHANGE BLVD., SUITE 663
ROCHESTER, NEW YORK 14614

PLEASE WRITE PERMIT NUMBERS ON YOUR CHECK OR MONEY ORDER

00245 ANDREWS ST

05-06005	PERMIT NUMBER
06/03/04	INVOICE DATE
07/03/04	DUE DATE
\$ 80	AMOUNT DUE

SILVER CLEANERS & LAUNDERERS
245 ANDREWS ST
ROCHESTER NY 14604

FD513

fdpmt1



City of Rochester FIRE DEPARTMENT

FIRE SAFETY DIVISION

185 Exchange Blvd., Suite 665
Rochester, New York 14614
(585) 428-7037

PERMIT

DATE 06/06/05

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY.,

SILVER DRY CLEANING CO., INC.
245 ANDREWS ST

06-06005

PERMIT
NUMBER

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

PERMIT CODE	PERMIT CATEGORY	FEE
5412B07E	DRY-CLEANING PLANT - CLASS IV	\$ 90

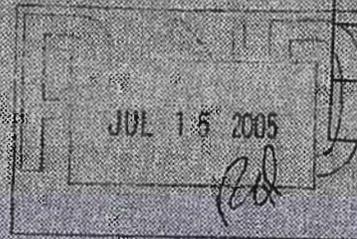
PLEASE RETURN THIS PART WITH PAYMENT
MAKE YOUR CHECK OR MONEY ORDER, PAID IN FULL,
PAYABLE TO CITY TREASURER AND MAIL TO:

ROCHESTER FIRE DEPARTMENT
ATTENTION: ACCOUNTS RECEIVABLE
185 EXCHANGE BLVD., SUITE 663
ROCHESTER, NEW YORK 14614

SILVER DRY CLEANING CO., INC.
245 ANDREWS ST
ROCHESTER NY 14604

PLEASE WRITE PERMIT NUMBERS

ON YOUR CHECK OR MONEY ORDER
00245 ANDREWS ST



06-06005	PERMIT NUMBER
06/06/05	INVOICE DATE
07/06/05	DUE DATE
\$ 90	AMOUNT DUE

FD513

10pm1

This permit does not take the place of any License required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

[Signature]
FIRE MARSHAL

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED ABOVE

Please return this part with payment

MAKE YOUR CHECK OR MONEY ORDER, PAID IN FULL,
PAYABLE TO CITY TREASURER AND MAIL TO:

ROCHESTER FIRE DEPARTMENT
ATTENTION: ACCOUNTS RECEIVABLE
185 EXCHANGE BLVD., SUITE 663
ROCHESTER, NEW YORK 14614

SILVER DRY CLEANING CO., INC.
245 ANDREWS ST
ROCHESTER NY 14604

PLEASE WRITE PERMIT NUMBERS

ON YOUR CHECK OR MONEY ORDER
00245 ANDREWS ST

06-06005	PERMIT NUMBER
06/06/05	INVOICE DATE
07/06/05	DUE DATE
\$ 90	AMOUNT DUE

FD513

10pm1



**City of Rochester
FIRE DEPARTMENT**

FIRE SAFETY DIVISION

185 Exchange Blvd., Suite 665
Rochester, New York 14614
(585) 428-7037

PERMIT

DATE 06/07/06

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY.,

SILVER DRY CLEANING CO., INC.
245 ANDREWS ST

07-06005	PERMIT NUMBER
----------	---------------

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

PERMIT CODE	PERMIT CATEGORY	FEE
5412B07E	DRY-CLEANING PLANT - CLASS IV	\$ 90

MAKE YOUR CHECK OR MONEY ORDER, PAID IN FULL,
PAYABLE TO CITY TREASURER AND MAIL TO:

ROCHESTER FIRE DEPARTMENT
ATTENTION: ACCOUNTS RECEIVABLE
185/EXCHANGE BLVD., SUITE 663
ROCHESTER, NEW YORK 14614

PLEASE WRITE PERMIT NUMBERS
ON YOUR CHECK OR MONEY ORDER
00245 ANDREWS ST

JUL 7 2006

07-06005	PERMIT NUMBER
06/07/06	INVOICE DATE
07/07/06	DUE DATE
\$ 90	AMOUNT DUE

SILVER DRY CLEANING CO., INC.
245 ANDREWS ST
ROCHESTER NY 14604

10513

This permit does not take the place of a license required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED ABOVE.

Please return this part with payment

MAKE YOUR CHECK OR MONEY ORDER, PAID IN FULL,
PAYABLE TO CITY TREASURER AND MAIL TO:

ROCHESTER FIRE DEPARTMENT
ATTENTION: ACCOUNTS RECEIVABLE
185 EXCHANGE BLVD., SUITE 663
ROCHESTER, NEW YORK 14614

PLEASE WRITE PERMIT NUMBERS
ON YOUR CHECK OR MONEY ORDER
00245 ANDREWS ST

07-06005	PERMIT NUMBER
06/07/06	INVOICE DATE
07/07/06	DUE DATE
\$ 90	AMOUNT DUE

SILVER DRY CLEANING CO., INC.
245 ANDREWS ST
ROCHESTER NY 14604

10513



City of Rochester FIRE DEPARTMENT

FIRE SAFETY DIVISION

185 Exchange Blvd, Suite 665
Rochester, New York 14614
(585) 428-7037

PERMIT

DATE 06/06/07

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY,

SILVER DRY CLEANING CO., INC.
245 ANDREWS ST

08-06004

PERMIT
NUMBER

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

PERMIT CODE	PERMIT CATEGORY	FEE
5412B07E	DRY-CLEANING PLANT - CLASS IV	\$ 90

MAKE YOUR CHECK OR MONEY ORDER PAID IN FULL
PAYABLE TO CITY TREASURER AND MAIL TO:

ROCHESTER FIRE DEPARTMENT
ATTENTION: ACCOUNTS RECEIVABLE
185 EXCHANGE BLVD, SUITE 663
ROCHESTER, NEW YORK 14614

PLEASE WRITE PERMIT NUMBERS
ON YOUR CHECK OR MONEY ORDER
00245 ANDREWS ST

SILVER DRY CLEANING CO., INC.
245 ANDREWS ST
ROCHESTER NY 14604

08-06004	PERMIT NUMBER
06/06/07	INVOICE DATE
07/06/07	DUE DATE
\$ 90	AMOUNT DUE

JUL 18 2007

Red

THIS --

This permit does not take the place of any
License required by law and is not transfer-
able. Any change in the use or occupancy
of premises shall require a new permit.

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED

Please return this part with payment

MAKE YOUR CHECK OR MONEY ORDER PAID IN FULL
PAYABLE TO CITY TREASURER AND MAIL TO:

ROCHESTER FIRE DEPARTMENT
ATTENTION: ACCOUNTS RECEIVABLE
185 EXCHANGE BLVD, SUITE 663
ROCHESTER, NEW YORK 14614

PLEASE WRITE PERMIT NUMBERS
ON YOUR CHECK OR MONEY ORDER

00245 ANDREWS ST

ST

08-06004	PERMIT NUMBER
06/06/07	INVOICE DATE
07/06/07	DUE DATE
\$ 90	AMOUNT DUE

SILVER DRY CLEANING CO., INC.
245 ANDREWS ST
ROCHESTER NY 14604

FD513

(dpm1)



**City of Rochester
FIRE DEPARTMENT
PERMIT**

FIRE SAFETY DIVISION

185 Exchange Blvd., Suite 665
Rochester, New York 14614
(585) 428-7037

DATE 06/06/08

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY.,

SILVER DRY CLEANING CO., INC.
245 ANDREWS ST

09-06004	PERMIT NUMBER
----------	---------------

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

PERMIT CODE	PERMIT CATEGORY	FEE
5412B07E	DRY-CLEANING PLANT - CLASS IV	\$ 90

MAKE YOUR CHECK OR MONEY ORDER, PAID IN FULL, PAYABLE TO CITY TREASURER AND MAIL TO:

ROCHESTER FIRE DEPARTMENT
ATTENTION: ACCOUNTS RECEIVABLE
185 EXCHANGE BLVD., SUITE 663
ROCHESTER, NEW YORK 14614

SILVER DRY CLEANING CO., INC.
245 ANDREWS ST
ROCHESTER NY 14604

PLEASE WRITE PERMIT NUMBERS ON YOUR CHECK OR MONEY ORDER
00245 ANDREWS ST

AUG 6 2008

FD513

09-06004	PERMIT NUMBER
06/06/08	INVOICE DATE
07/06/08	DUE DATE
\$ 90	AMOUNT DUE

00 FIRE MARSHAL

This permit does not take the place of any License required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED ABOVE

Please return this part with payment

MAKE YOUR CHECK OR MONEY ORDER, PAID IN FULL, PAYABLE TO CITY TREASURER AND MAIL TO:

ROCHESTER FIRE DEPARTMENT
ATTENTION: ACCOUNTS RECEIVABLE
185 EXCHANGE BLVD., SUITE 663
ROCHESTER, NEW YORK 14614

SILVER DRY CLEANING CO., INC.
245 ANDREWS ST
ROCHESTER NY 14604

PLEASE WRITE PERMIT NUMBERS ON YOUR CHECK OR MONEY ORDER
00245 ANDREWS ST

09-06004	PERMIT NUMBER
06/06/08	INVOICE DATE
07/06/08	DUE DATE
\$ 90	AMOUNT DUE

FD513



**City of Rochester
FIRE DEPARTMENT**

FIRE SAFETY DIVISION

185 Exchange Blvd., Suite 665
Rochester, New York 14614
(585) 428-7037

DATE 06/02/09

PERMIT

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY,

**SILVER DRY CLEANING CO INC
245 ANDREWS ST**

10-06004	PERMIT NUMBER
----------	---------------

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

PERMIT CODE	PERMIT CATEGORY	FEE
5412B07E	DRY-CLEANING PLANT - CLASS IV	\$ 90

Please return this part with payment!
MAKE YOUR CHECK OR MONEY ORDER, PAID IN FULL,
PAYABLE TO CITY TREASURER AND MAIL TO:

ROCHESTER FIRE DEPARTMENT
ATTENTION: ACCOUNTS RECEIVABLE
185 EXCHANGE BLVD., SUITE 663
ROCHESTER, NEW YORK 14614

SILVER DRY CLEANING CO INC
245 ANDREWS ST
ROCHESTER NY 14604

PLEASE WRITE PERMIT NUMBERS
ON YOUR CHECK OR MONEY ORDER
00245 ANDREWS ST

10-06004	PERMIT NUMBER
06/02/09	INVOICE DATE
07/02/09	DUE DATE
\$ 90	AMOUNT DUE

PAID
[Signature]

FD513

shall be completed with

THIS PERMIT EXPIRES **06/30/10**

This permit does not take the place of any License required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

[Signature]
FIRE MARSHAL

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED ABOVE

Please return this part with payment!
MAKE YOUR CHECK OR MONEY ORDER, PAID IN FULL,
PAYABLE TO CITY TREASURER AND MAIL TO:

ROCHESTER FIRE DEPARTMENT
ATTENTION: ACCOUNTS RECEIVABLE
185 EXCHANGE BLVD., SUITE 663
ROCHESTER, NEW YORK 14614

PLEASE WRITE PERMIT NUMBERS
ON YOUR CHECK OR MONEY ORDER
00245 ANDREWS ST

10-06004	PERMIT NUMBER
06/02/09	INVOICE DATE
07/02/09	DUE DATE
\$ 90	AMOUNT DUE

SILVER DRY CLEANING CO INC
245 ANDREWS ST
ROCHESTER NY 14604

FD513



City of Rochester FIRE DEPARTMENT

FIRE SAFETY DIVISION

185 Exchange Blvd., Suite 665
Rochester, New York 14614
(585) 428-7037

PERMIT

DATE 06/10/10

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY.,

SILVER DRY CLEANING CO INC
245 ANDREWS ST

11-06003

PERMIT
NUMBER

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

PERMIT CODE	PERMIT CATEGORY	FEE
5412B07E	DRY-CLEANING PLANT - CLASS IV	\$ 90

Please return this part with payment

MAKE YOUR CHECK OR MONEY ORDER, PAID IN FULL,
PAYABLE TO CITY TREASURER AND MAIL TO:

ROCHESTER FIRE DEPARTMENT
ATTENTION: ACCOUNTS RECEIVABLE
185 EXCHANGE BLVD., SUITE 663
ROCHESTER, NEW YORK 14614

PLEASE WRITE PERMIT NUMBERS

ON YOUR CHECK OR MONEY ORDER

00245 ANDREWS

ST

11-06003	PERMIT NUMBER
06/10/10	INVOICE DATE
07/10/10	DUE DATE
\$ 90	AMOUNT DUE

SILVER DRY CLEANING CO INC
245 ANDREWS ST
ROCHESTER NY 14604

F0513

THIS PERMIT NUMBER

This permit does not take the place of any License required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

[Signature]
FIRE MARSHAL

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED ABOVE

Please return this part with payment

MAKE YOUR CHECK OR MONEY ORDER, PAID IN FULL,
PAYABLE TO CITY TREASURER AND MAIL TO:

ROCHESTER FIRE DEPARTMENT
ATTENTION: ACCOUNTS RECEIVABLE
185 EXCHANGE BLVD., SUITE 663
ROCHESTER, NEW YORK 14614

PLEASE WRITE PERMIT NUMBERS

ON YOUR CHECK OR MONEY ORDER

00245 ANDREWS

ST

11-06003	PERMIT NUMBER
06/10/10	INVOICE DATE
07/10/10	DUE DATE
\$ 90	AMOUNT DUE

SILVER DRY CLEANING CO INC
245 ANDREWS ST
ROCHESTER NY 14604

F0513

Idpm1



City of Rochester
FIRE DEPARTMENT

FIRE SAFETY DIVISION

185 Exchange Blvd., Suite 665
Rochester, New York 14614
(585) 428-7037

PERMIT

DATE 07/05/11

For keeping, storing, using, installing, manufacturing, handling, transporting, or otherwise employing flammable, combustible, or explosive materials, or materials, processes, or equipment, which if improperly used may produce conditions hazardous to life or property.

TO WHOM IT MAY CONCERN:

By virtue of the provisions of the Fire Prevention Code of the City of Rochester, NY.,

SILVER DRY CLEANING CO INC
245 ANDREWS ST

12-06003	PERMIT NUMBER
----------	---------------

having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the Fire Prevention Code can be observed, authority is hereby given and this PERMIT is GRANTED for:

PERMIT CODE	PERMIT CATEGORY	FEE
5412B07E	DRY-CLEANING PLANT - CLASS IV	\$ 90
<i>Delete Closed moved to 420 Norton St Norton Cleaners per M Scillone</i>		
		TOTAL \$ 90

This PERMIT is issued and accepted on condition that all Fire Prevention Code provisions now adopted, or that may hereafter be adopted, shall be complied with, and said PERMIT will become valid only after receipt of total fee payment.

THIS PERMIT EXPIRES

06/30/12

This permit does not take the place of any License required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

Robert Williams
FIRE MARSHAL

THIS PERMIT MUST AT ALL TIMES BE KEPT ON FILE AT THE PREMISES MENTIONED ABOVE

Please return this part with payment

MAKE YOUR CHECK OR MONEY ORDER PAID IN FULL PAYABLE TO CITY TREASURER AND MAIL TO:

ROCHESTER FIRE DEPARTMENT
ATTENTION: ACCOUNTS RECEIVABLE
185 EXCHANGE BLVD., SUITE 663
ROCHESTER, NEW YORK 14614

PLEASE WRITE PERMIT NUMBERS

ON YOUR CHECK OR MONEY ORDER

00245 ANDREWS

ST

12-06003	PERMIT NUMBER
07/05/11	INVOICE DATE
08/05/11	DUE DATE
\$ 90	AMOUNT DUE

SILVER DRY CLEANING CO INC
245 ANDREWS ST
ROCHESTER NY 14604

NYS Department of Environmental Conservation
Region 8 Freedom of Information Law
6274 East Avon-Lima Road
Avon, New York 14414-9519
Website: www.dec.state.ny.gov



Joe Martens
Commissioner

2/15/2012

Peter Morton
Passero Associates, P.C.
100 Liberty Pole Way
Rochester, NY 14604

FOIL ID: 12-0110

**Subject: 245 Andrews St. Corp., 151 Pleasant Street, 159-169 Pleasant Street,
Rochester, New York 14604**

Dear Mr. Morton:

Your request has been reviewed for the above referenced records under the New York State's Freedom of Information Law (FOIL). Please note that most of our records are filed by names of individuals or corporations. We have no way of locating or retrieving records if they are filed under names or addresses other than those you have provided. If no records have been located, this does not necessarily mean, and should not be interpreted to mean that there have never been any violations, complaints, claims, investigations, or inquiries involving those names or addresses. We cannot make any representations as to whether there are or have been any such violations, complaints, claims, investigations, or inquiries.

Please Note: Unless you gave us a spill number, we did not do a search of the spills files. We did not inquire whether the Albany office or other regional offices of our Department have records of the type you requested. We did not check for the existence or proximity to a State regulated wetland.

- After a diligent search, no records could be located for the names and/or addresses you provided.***
- Records have been found by the following units and are available for review and/or copying. The size of the file(s) are listed to the right of the unit(s).***

There is no charge to review records or for copies of seven or fewer pages. By law, copy charges will not exceed 25 cents per page or the actual cost of copying. Photographs, maps, oversized documents, videotapes, or audio tapes generally cost more than 25 cents per page to copy. You may be required to pay a deposit prior to copies being made and/or to pay all copy charges prior to copies being sent.

Depending on the volume of copies requested, they may be sent to an outside copy service. If you desire to review the records, please be aware that due to limited office space, only two people can be accommodated in the document review area.

Please inform us within 14 days from the date of this letter how you wish to proceed. After that time you will need to resubmit your request



**Application for Access to Records
Freedom of Information Law (FOIL)
Monroe County, New York**

I hereby apply to inspect obtain a copy of the following records:*

12-0291

Please be specific:

Subject Site:

Silver Dry Cleaner & Epstein Dry Cleaner
245 Andrews St.
Rochester, NY

Any records pertaining to the historic dry cleaning including usage of perchloroethylene

Name: **Pete Morton**

Signature: *Pete Morton*

Representing: (if applicable) **Passero Associates**

Date: **01/30/2012**

Mailing Address: **100 Liberty Pole Way**

Telephone: (include area code) **(585) 760-8523**

City, state, zip code: **Rochester, NY 14604**

*There is no charge for the inspection of documents; however, if duplication is requested by you, a charge of \$.25 per page is payable to Monroe County.

Notice: You have a right to appeal denial of this application.

Send Request to:

Monroe County Access Officer
204 County Office Building • 39 West Main Street • Rochester, New York 14614
Phone: (585) 753-1080 • fax: (585) 753-1068 • www.monroecounty.gov

FIRM	SILVER CLEANERS & LAUNDRETS	CITY/TOWN	ROCHESTER
LOCATION	245 ANDREWS STREET	SOLVENT	PERCHLOROETHYLENE
REPRESENTATIV	[REDACTED]	ANNUAL (GAL)	960
PHONE	[REDACTED]	MONTHLY (GAL)	0
WASHERS	WASHEX SPACEMASTER 70#	WEEKLY (GAL)	0
DRYERS	HOYT SOLVOMISER 80#	EXHAUST VENTS	NO EXHAUST
WASHER/DRYER	[REDACTED]	EMISSION CONTROLS	HOYT-I1 BED MODEL1/4
FILTER	[REDACTED]	SOLVENT RECOVERY	[REDACTED]
COMMENTS	AVERAGE-75-80 GAL/MO; 2500-3000 #/WK	INSPECTION	7/5/77
		INSPECTOR	E. YURKSTAS

1993 DRY CLEANING INVENTORY

NAME SILVER CLEANER

ADDRESS 245 ANDREWS STREET

SOLVENT Perc GAL/YR 300

MACHINE TYPE: 1D, 1T

AMT CLEANED PER WEEK. 1500 lb.

D - Dry to Dry No Vent

V - Dry to Dry Vented

OTHER BLDG USES: N ADJ B

N- None

B- Business

R- Residential

T - Transfer

COMMENTS:

COUNTY OF MONROE - DEPARTMENT OF HEALTH
BUREAU OF PUBLIC HEALTH ENGINEERING
DRY CLEANER INVESTIGATION

266 PARK
350 STATE

FACILITY: SILVER CLEANERS
ADDRESS: 245 ANDREWS ST. TWN/CITY: ROCH.
MAIN OFFICE: SAME
ADDRESS: _____
CONTACT: _____ TELEPHONE: _____

COMPLAINANT NAME: N/A TELEPHONE: _____
ADDRESS: _____

RECEIVED BY: _____ DATE: _____

NATURE OF COMPLAINT: (telephone inquiry/complaint and follow-up report on opposite side)

SITE INSPECTION:

1. Solvent used: PERC(perchloroethylene) _____ Petroleum(stoddard) Solvent
_____ Fluorocarbon Solvent _____ Other

Other _____

2. Approximate Number of Gallons Used Each Year: 300 GALS.
3. Approximate Pounds of Garments Cleaned per Week (Maximum): 1500 lbs.
4. Approximate Number of Hours and Time of Day Dry Cleaning Equipment is Operated: Tue - 12:00 pm Mon. - Sat.
5. Type of Dry Cleaning Machine: ONE Transfer _____ Dry to Dry (Vent)
ONE Dry to Dry (no vent) _____ Other

Other: EQUIPMENT IS LOCKED UP TO A SHIFFER w/ NO VENT
TRANSFER MACHINE IS HARDLY EVER USED - ONLY FOR SOXLEY CLOTHING.

6. Explain How and Where the Equipment is Vented: NO VENT

7. Describe storage area for dry cleaned clothing: GENERAL IN STORE

8. Describe other users of the same structure and a brief description of land use adjacent to the Dry Cleaning Facility (estimate distances) _____
ADJACENT THREE STORY APT. STRUCTURE - WEST OF FACILITY ON ANDREWS ST.
APPROX 8 FT ALLEY WAY BETWEEN

NO OPS @ 266 PARK OR 350 STATE - DROP OFF ONLY.

Signature of Inspector: J. Bayler; Sept. 08, 1992.



City of Rochester
**RECORDS ACCESS
 APPLICATION**

Return completed application to:
 Records Access Officer
 City Hall, 30 Church Street, Room 202A
 Rochester, New York 14614-1287
 or FAX to: (585) 428-8841

(PLEASE PRINT)

January 30, 2012
 Today's Date

100 Liberty Pole Way, Rochester, NY 14604
 Mailing Address

Peter S. Morton
 Name

Passero Associates
 Firm or Organization

585-760-8523
 Telephone

Peter S. Morton
 Signature

pmorton@passero.com
 E-mail

There is a 25¢ per page copying fee. (Additional fees apply for photos and large maps.)

Insurance Claim # (if applicable):

I hereby apply to inspect and / or copy the following record(s):

Environmental F.O.I.L. : Historical (1930s) range of 145-169 Franklin St.
 Record or Incident Type Date of Incident (if applicable)

Specifically 149 Franklin St. "Mid City Service Station"
 Incident Street Address (if applicable) Police or Fire Report # (if applicable)

Please forward me a Freedom of Information Law Request on the property. Please provide records of any chemical spills, releases, underground storage tanks, health or environmental violations, wetlands, consent order or hazardous waste activity in reference to the above referenced property.

FOR AGENCY USE ONLY

- Approved
- Partially Approved
- Denied
- Record not maintained by the City

Records Access Officer

Date

FOR APPEAL ONLY

If you wish to appeal the Record Access Officer's decision on your application for public access to records, sign below and send this form within 30 days to:

Corporation Counsel
 City Hall, 30 Church Street, Room 400A
 Rochester, New York 14614-1295

Revised 4/11/07

I hereby appeal:

Signature

Date



City of Rochester
**RECORDS ACCESS
 APPLICATION**

Return completed application to:
 Records Access Officer
 City Hall, 30 Church Street, Room 202A
 Rochester, New York 14614-1287
 or FAX to: (585) 428-8841

(PLEASE PRINT)

January 30, 2012
 Today's Date

100 Liberty Pole Way, Rochester, NY 14604
 Mailing Address

Peter S. Morton
 Name

Passero Associates
 Firm or Organization

585-760-8523
 Telephone

Peter S. Morton
 Signature

pmorton@passero.com
 E-mail

There is a 25¢ per page copying fee. (Additional fees apply for photos and large maps.)

Insurance Claim # (if applicable):

I hereby apply to inspect and / or copy the following record(s):

Environmental F.O.I.L. (Epstein & Silver Dry Cleaners)
 Record or Incident Type Date of Incident (if applicable)

Historical (1930s) 149 Franklin St. "Mid City Service Station" and range of 145-169 Franklin St.
 Incident Street Address (if applicable) Police or Fire Report # (if applicable)

Please forward me a Freedom of Information Law Request on the property. Please provide records of any chemical spills, releases, underground storage tanks, health or environmental violations, wetlands, consent order or hazardous waste activity in reference to the above referenced property.

FOR AGENCY USE ONLY

- Approved
- Partially Approved
- Denied
- Record not maintained by the City

 Records Access Officer

 Date

FOR APPEAL ONLY

If you wish to appeal the Record Access Officer's decision on your application for public access to records, sign below and send this form within 30 days to:

Corporation Counsel
 City Hall, 30 Church Street, Room 400A
 Rochester, New York 14614-1295

Revised 4/11/07

I hereby appeal:

 Signature

 Date

NYS Department of Environmental Conservation
Region 8 Freedom of Information Law
6274 East Avon-Lima Road
Avon, New York 14414-9519
Website: www.dec.state.ny.gov



Joe Martens
Commissioner

January 04, 2012

Mr. Peter Morton
100 Liberty Pole Way
Rochester, NY 14604

FOIL Request Number 12-0010

Dear Mr. Morton:

This is to acknowledge receipt of your Freedom of Information Law (FOIL) request and to advise you we are conducting a file search for the following parcel(s) of real property:

245 Andrews Street, Rochester, NY 14604

Please note, we do not search for spill files without a spill number. If you are interested in spill information and have not already provided us with a spill number, we refer you to the NYSDEC spill website: <http://www.dec.ny.gov/chemical/8437.html>.

If you locate a spill number from the database you may contact me for a copy of the spill fact sheet or other information that is included in the file. If you do not have access to a computer, please call me at (585) 226-5363.

Also, be advised if you are asking us to check for properties in the surrounding area, we are unable to do a search by radius. We need names and addresses for each property. Due to the large volume of requests we receive, you may expect a reply in about four weeks.

If you call or write, refer to Request Number 12-0010.

Sincerely,

Jill Bishop
Region 8 FOIL Coordinator

NYS Department of Environmental Conservation

*Region 8 Freedom of Information Law
6274 East Avon-Lima Road
Avon, New York 14414-9519
Website: www.dec.state.ny.gov*



***Joe Martens
Commissioner***

February 03, 2012

Mr Peter Morton
100 Liberty Pole Way
Rochester, NY 14604

FOIL Request Number 12-0110

Dear Mr. Morton:

This is to acknowledge receipt of your Freedom of Information Law (FOIL) request and to advise you we are conducting a file search for the following parcel(s) of real property:

245 Andrews St. Corp., 151 Pleasant Street, 159-169 Pleasant Street, Rochester, New York 14604

Please note, we do not search for spill files without a spill number. If you are interested in spill information and have not already provided us with a spill number, we refer you to the NYSDEC spill website: <http://www.dec.ny.gov/chemical/8437.html>.

If you locate a spill number from the database you may contact me for a copy of the spill fact sheet or other information that is included in the file. If you do not have access to a computer, please call me at (585) 226-5363.

Also, be advised if you are asking us to check for properties in the surrounding area, we are unable to do a search by radius. We need names and addresses for each property. Due to the large volume of requests we receive, you may expect a reply in about four weeks.

If you call or write, refer to Request Number 12-0110.

Sincerely,

Jill Bishop
Region 8 FOIL Coordinator

Passero Associates
Engineering Architecture



100 Liberty Pole Way
Rochester, NY 14604
585 325 1000
Fax: 585 325 1691

To: Jill Bishop
jmbishop@gw.dec.state.ny.us **Date:** 1-04-12

Organization: NYSDEC Legal Division **Project No.:** N/A
(Region 8)

From: Peter Morton
E-Mail: pmorton@passero.com
Phone: (585) 760-8523
Fax: (585) 760-8580

Re: F.O.I.L. Request

SUBJECT SITE: (street, city, state, zip, county)

245 Andrews St.

Rochester, NY 14604

OWNER(S): (current owner, former owner, current use of property, former use)

B&M Properties, LLC

ADDITIONAL INFORMATION: (Current Use, Past Use, Former Owner,
County, size of property) Tax ID: 106.790-0001-033.000

Historical Epstein Dry Cleaners & Silver Dry Cleaners

Please forward me an environmental Freedom of Information Law Request on the property. Please provide records of any chemical spills, releases, underground storage tanks, health or environmental violations, wetlands, consent order or hazardous waste activity in reference to the above referenced property.

Passero Associates
Engineering Architecture



100 Liberty Pole Way
Rochester, NY 14604
585 325 1000
Fax: 585 325 1691

To: Jill Bishop
jmbishop@gw.dec.state.ny.us **Date:** 02-02-12

Organization: NYSDEC Legal Division **Project No.:** 2012203.01
(Region 8)

From: Peter Morton
E-Mail: pmorton@passero.com
Phone: (585) 760-8523
Fax: (585) 760-8580

Re: F.O.I.L. Request

SUBJECT SITE: (street, city, state, zip, county)

Two contiguous parcels:

151 Pleasant St., 159-169 Pleasant St.

Rochester, NY 14604

OWNER(S): (current owner, former owner, current use of property, former use)

245 Andrews St. Corp.

ADDITIONAL INFORMATION: (Current Use, Past Use, Former Owner, County, size of property)

Tax ID Nos. 106.790-0001-031.000 and 032.000

Please forward me an environmental Freedom of Information Law Request on the property. Please provide records of any chemical spills, releases, underground storage tanks, health or environmental violations, wetlands, consent order or hazardous waste activity in reference to the above referenced property.



To: Jill Bishop
jmbishop@gw.dec.state.ny.us **Date:** 1-04-12

Organization: NYSDEC Legal Division **Project No.:** N/A
(Region 8)

From: Peter Morton
E-Mail: pmorton@passero.com
Phone: (585) 760-8523
Fax: (585) 760-8580

Re: F.O.I.L. Request

SUBJECT SITE: (street, city, state, zip, county)

245 Andrews St.

Rochester, NY 14604

OWNER(S): (current owner, former owner, current use of property, former use)

B&M Properties, LLC

ADDITIONAL INFORMATION: (Current Use, Past Use, Former Owner,
County, size of property) Tax ID: 106.790-0001-033.000

Historical Epstein Dry Cleaners & Silver Dry Cleaners

Please forward me an environmental Freedom of Information Law Request on the property. Please provide records of any chemical spills, releases, underground storage tanks, health or environmental violations, wetlands, consent order or hazardous waste activity in reference to the above referenced property.

Revised Exhibit P

**Confirmatory Phase II
Environmental Site Assessment**

**245 Andrews Street, 159-169 Pleasant Street
Rochester, New York 14604**

Prepared for:

D4 Discoveries, Inc.

&

City of Rochester Department of Environmental Quality

Prepared by:

Leader Professional Services, Inc.



TABLE OF CONTENTS

	<u>page</u>
1.0 EXECUTIVE SUMMARY.....	3
2.0 INTRODUCTION	3
2.1 Background	3
2.2 Scope of Services	4
2.3 Limitations.....	4
3.0 CONFIRMATORY PHASE II ASSESSMENT.....	5
3.1 Electromagnetic Survey	5
3.2 Test Borings & Soil Samples	5
3.3 Groundwater Samples	7
3.4 Results	8
4.0 CONCLUSION.....	8
5.0 RECOMMENDATIONS.....	9

Figures

1. Sample Location Map & Data

Appendices

1. AMEC EM-61 Report
2. Analytical Results
3. Soil Boring Logs

1.0 EXECUTIVE SUMMARY

Ravi Engineering & Land Surveying, P.C. (RE&LS) and Leader Professional Services, Inc. (Leader) performed a Confirmatory Phase II Environmental Site Assessment (ESA) at the 245 Andrews Street, 159-169 Pleasant Street property in the City of Rochester, New York (the "Site," Figure 1).

Passero Associates (Passero) completed a Phase I ESA of the Site for D4 Discovery and the City of Rochester, dated June 6, 2012 through Rochester's Brownfield Assistance Program (BAP). The ESA identified recognized environmental conditions (RECs) relative to historic Site usage as 1) a dry cleaner, and 2) a filling station. Potential releases of the dry cleaning solvent perchloroethylene (PCE) and petroleum products were identified as RECs.

An electromagnetic (EM) survey was conducted using a Geonics EM-61 on December 8, 2012; electromagnetic anomalies indicative of buried metal objects were identified beneath the parking lot east of the subject building. Several of these anomalies are suspected to be indicative of underground storage tanks (USTs) dating back to when the Site was used as a filling station.

Soil and groundwater samples collected on December 20, 2012 using Geoprobe direct push sampling tools ("Geoprobe") indicate that:

- Petroleum compounds are present in Site soils at concentrations greater than NYSDEC Part 375 Soil Cleanup Objectives (SCO) for Unrestricted Use and in groundwater at concentrations greater than Technical and Operational Guidance Series (TOGS) 1.1.1 Groundwater Standards in the location of the historic gas station at the east side of the parking lot.
- PCE is present in Site groundwater at concentrations greater than TOGS 1.1.1 Groundwater Standards in both groundwater samples collected beneath the building slab. PCE was detected in the groundwater at a concentration of 88,500 micrograms per liter (ug/L) beneath the east side of the building, and at a concentration of 7,890 ug/L beneath the west side of the building; the Groundwater Standard for PCE is 5.0 ug/L.

2.0 INTRODUCTION

2.1 Background

In their June 6, 2012 ESA, Passero identified the following recognized environmental conditions (RECs):

1. City records indicate that two 1,000 gallon gasoline USTs and one (or two) 500 gallon USTs were utilized by Mid-City Parking and subsequently Cherry Service Station; Jimmie's Service Station; Chas Gillis Jim's Service Station; and Clinton-

Franklin Parking on the subject 159-169 Pleasant Street property from 1939 to 1955. Historic Sanborn® Fire Insurance Maps indicated a filling station as early as 1935 in this location. City records indicate that some of these USTs were closed-in-place by filling them with water in September 1945; however, their inspection records indicate active USTs until 1955. Potential abandoned USTs are identified as a REC.

2. A potential petroleum release to Site soils and/or groundwater is identified as a REC.
3. *Silver Cleaners and Launderers* (Silver Cleaners) is documented to have utilized the NYSDEC-classified hazardous substance perchloroethylene (PCE) on the subject 245 Andrews Street parcel from 1950 to 2011. Potential PCE-contaminated dry cleaning equipment remains in the western side of the subject building. Floor staining indicative of a potential PCE release was noted around the base of the dry cleaning equipment.
4. Drums of unidentified chemicals or petroleum products were noted in the eastern side of the subject building. Floor staining indicative of a potential release was noted around the base of the drums.
5. A potential PCE release to Site soils and/or groundwater is identified as a REC.

2.2 Scope of Services

We understand that D4 Discovery is considering purchasing the Site. They requested that RE&LS and Leader complete a Limited Phase II ESA for confirmatory purposes to evaluate whether contaminants related to the RECs have impacted the subsurface. The Confirmatory Phase II ESA included the following scope of work:

1. To assure that the subsequent soil boring program will not puncture any orphan USTs, we conducted the investigation for USTs by EM-61 on the 159-169 Pleasant Street properties.
2. We conducted a subsurface investigation by Geoprobe to observe subsurface conditions and collect samples for laboratory analysis.

2.3 Limitations

The data and samples from any given soil boring or monitoring well will indicate conditions that apply only at that particular location, and such conditions may not necessarily apply to the general site as a whole. The findings and conclusions presented in this report are based on an evaluation of a limited number of samples collected during this study and our interpretation of these data. Conditions

between sample locations may vary, and our findings and conclusions should be considered as a professional opinion. If additional data become available in the future, it may be necessary to re-evaluate our opinions.

3.0 CONFIRMATORY PHASE II ASSESSMENT

3.1 Electromagnetic Survey

The electromagnetic survey was conducted on December 8, 2012 by AMEC Geomatrix (AMEC) to identify electromagnetic anomalies indicative of buried metal objects. AMEC identified rectangular anomalous areas in the parking lot east of the subject building. In their December 11, 2012 report (Appendix 1), AMEC identified four anomalous labeled A, B, C and D on their Figure 1. AMEC's Senior Geophysicist John Luttinger stated the following:

- Anomalies A and B are two buried metal objects located in the central portion of the survey area. Linear anomalies appear to be associated with these anomalies. Anomaly A and B may represent USTs or other buried metals.
- Anomaly C is a northeast trending linear anomaly located in the northern portion of the survey area. The geometry of this anomaly suggests that a reinforced concrete pad may be present beneath the asphalt, in this location. Alternatively, Anomaly C may represent miscellaneous buried metal.
- Anomaly D is an isolated anomaly in the southern portion of the survey area. There do not appear to be linear anomalies associated with Anomaly D as might be expected for a UST at a former retail fuel station. Anomaly D may represent a UST, a buried manhole cover, or other buried metallic object.
- The enclosed dumpster area on the western portion of the site is entirely anomalous. This area is surrounded and covered by chain link fence. It is not possible to ascertain the presence of a UST in such areas where the response is dominated by surface metals.

3.2 Test Borings & Soil Samples

We retained TREC Environmental, Inc. to install five soil borings (SB-1 to SB-5) on December 20, 2012 (Figure 2). Soil borings were installed using a direct push Geoprobe[®] drill rig and were installed to the depth of refusal which ranged from 2 feet beneath ground surface (BGS) to 13.8 feet BGS. Soil samples were collected continuously in the field and screened using a portable organic vapor meter equipped with a photoionization detector (PID) to detect the presence of volatile organic compounds (VOCs). Soil boring locations were installed under the



direction of a RE&LS geologist. Soil boring logs with PID readings are included in Appendix 3.

- SB-1, -2, and -3 were interior, sub-slab borings drilled in close proximity to the historic dry cleaning equipment.
- SB-4 was an interior, sub-slab boring drilled in close proximity to the leaking drums noted in Passero's Phase I ESA.
- SB-5 was drilled in close proximity to the AMEC EM-61 anomalies in the parking lot east of the subject building that are suspected to be indicative of USTs.

Three soil samples were collected for volatile organic compound (VOC) analysis by USEPA Method 8260B for Target Compound List (TCL) compounds in the three areas described above following the guidelines of NYSDEC's Soil Cleanup Guidance CP-51.

3.2.1 Results - Soils

SB-1, SB-2, and SB-3 were sub-slab soil borings that were drilled in the historic area where the dry cleaning equipment was utilized inside the southwest corner of the subject building. A maximum reading of 170 parts per million (ppm) was measured on the soil sample collected from the Geoprobe sample sleeve collected from the depth of 4 feet BGS to 8 feet BGS from SB-1. A soil sample was collected from this interval for laboratory analysis.

SB-4 was a sub-slab soil boring that was drilled in the area where drums and floor stains were noted inside the southeast corner of the subject building. A maximum reading of 165 ppm was measured on the soil sample collected from the Geoprobe sample sleeve collected from the depth of 4 feet BGS to 8 feet BGS from SB-4. A soil sample was collected from this interval for laboratory analysis:

SB-5 was a drilled in the parking lot east of the subject building where the EM-61 survey and historic Sanborn Maps indicate that USTs were historically located. At an approximate depth of 7 feet BGS, grey staining and a strong petroleum odor was noted in the samples. A maximum reading of 1240 ppm was measured on the soil samples collected from the Geoprobe sample sleeve collected from the depth of 4 feet BGS to 8 feet BGS and from 12 feet BGS to Geoprobe refusal at 13.3 feet BGS.

The analytical results are attached to this letter report and tabulated below with comparisons to the NYSDEC Part 375 SCO for Unrestricted Use:

Table 1: Soil Sampling VOCs Results					
Sample Location	SB1-7'	SB4-8'	SB5-8'	Table 375-6.8(a): Unrestricted Use Soil Cleanup Objectives	Commissioner's Policy - 51: Commercial Use
Compound	Results				
Tetrachloroethene	0.3	1.0	ND	1.3	NS
Ethylbenzene	ND	ND	1.3	1	1
o-xylene	ND	ND	2.6	0.26	0.26
m,p-Xylene	ND	ND	5.9	0.26	0.26
Methylcyclohexane	ND	ND	2.7	NS	NS

NS - No Standard
 ND - Not detected by laboratory analysis
 µg/kg - All units are measured in micrograms per kilogram or parts per billion; they are converted to parts per million for comparison.
BOLD - Indicates a concentration above the SCO for Unrestricted Use

3.3 Groundwater Sample Collection

Three groundwater samples (GW-1, -4 and -5) were collected with disposable polyethylene bailers and submitted for laboratory analysis for TCL and CP-51 VOCs.

3.3.1 Results - Groundwater

As indicated below, all three groundwater samples have contaminants in exceedance of the applicable TOS 1.1.1 Groundwater Standards. Sub-slab groundwater samples GW-1 and GW-4 are impacted with PCE, and GW-5 is impacted by petroleum compounds.

Table 2: Groundwater VOC Sampling Results				
Sample Location	GW-1	GW-4	GW-5	TOGS 1.1.1 Groundwater Standard
Compound	Results			
Tetrachloroethene	7,890	88,500	ND	5
Ethylbenzene	ND	ND	1,040	5
Methylcyclohexane	ND	ND	826	5
Toluene	ND	ND	309	5
Naphthalene	ND	ND	699	5
1,2,4-Trimethylbenzene	ND	ND	1,650	5
1,3,5-Trimethylbenzene	ND	ND	630	5
o-Xylene	ND	ND	1,250	5
m,p-Xylene	ND	ND	3,450	5

µg/L - All units are measured in micrograms per Liter
 ND - Not Detected by laboratory analysis
BOLD - Indicates a concentration above the Groundwater Standard

3.4 NYSDEC Spill Report

6NYCRR Part 613.8 of the NYSDEC Petroleum Bulk Storage (PBS) regulations requires that “anybody with knowledge of a petroleum release” report a spill to the NYSDEC within two hours of discovery. Based on the strong petroleum odor and elevated levels of organic vapors noted in SB-5, we reported a spill to the NYSDEC “Spills Hotline.” NYSDEC assigned Spill #1213777 to Project Manager Joseph Marchitell.

4.0 CONCLUSIONS

1. The EM-61 data indicate suspected orphan USTs dating back to when the Site was used as a filling station from 1939 to 1955.
2. These Phase II data indicate that historic site usage has impacted Site soils and groundwater with both PCE and petroleum compounds.

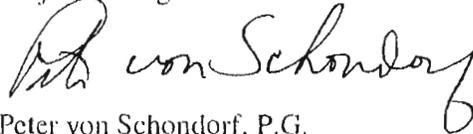
5.0 RECOMMENDATIONS

1. The EM anomalies should be investigated by test pitting to determine if USTs remain on Site. If USTs are discovered, they should properly removed in conformance with City of Rochester and NYSDEC tank regulations.
2. These data indicate that the Site is eligible to be addressed through a NYSDEC Brownfield Cleanup Program (BCP). A BCP Remedial Investigation (RI) should be performed to delineate the lateral and vertical extent of contamination. Based on the RI, a draft Remedial Action Work Plan (RAWP) should be prepared and submitted to the NYSDEC and City of Rochester for review and approval.

Very truly yours,



Peter S. Morton, C.P.G.
Project Manager

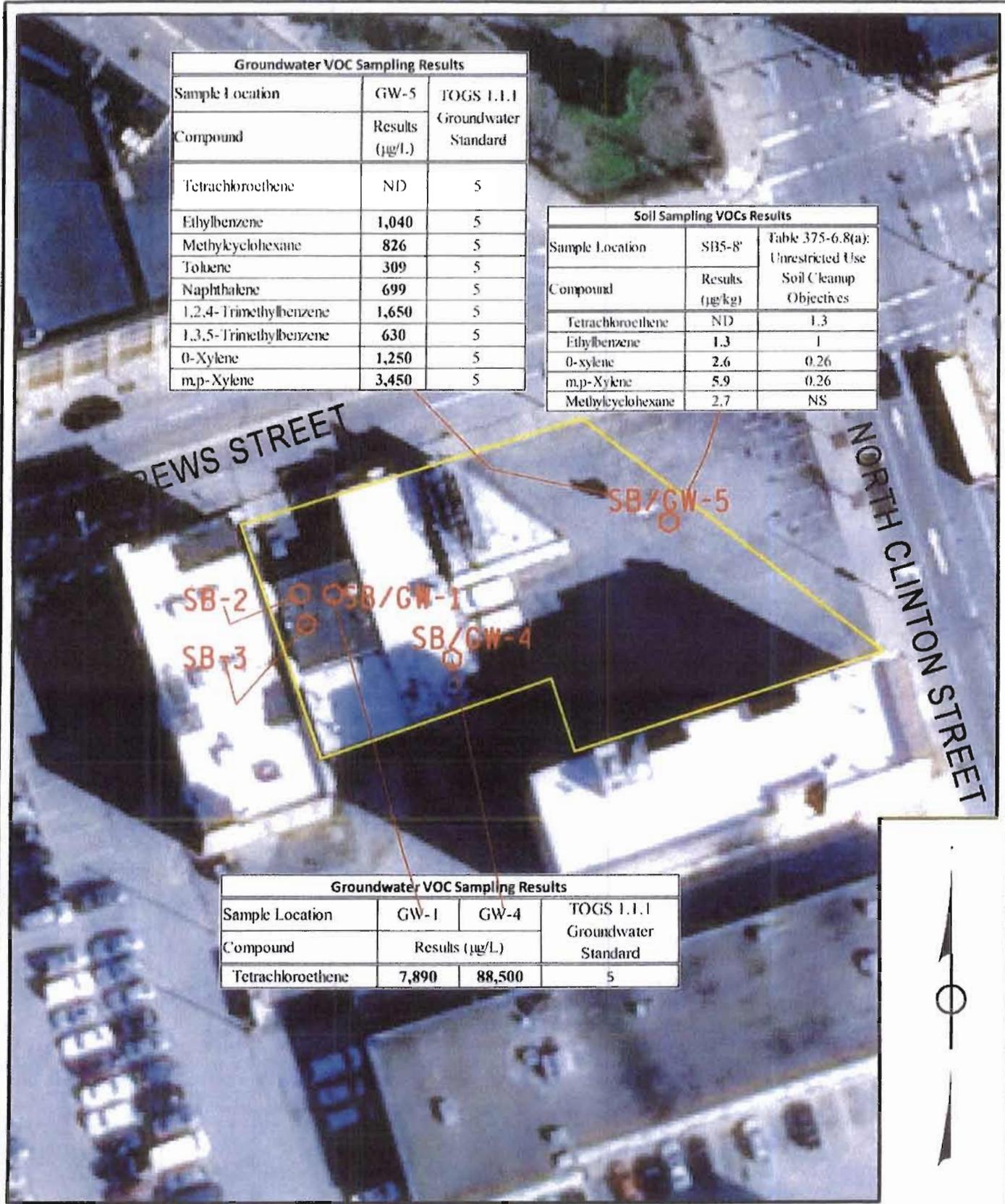


Peter von Schondorf, P.G.
Project Manager

FIGURES

Groundwater VOC Sampling Results		
Sample Location	GW-5	TOGS 1.1.1 Groundwater Standard
Compound	Results (µg/l.)	
Tetrachloroethene	ND	5
Ethylbenzene	1,040	5
Methylcyclohexane	826	5
Toluene	309	5
Naphthalene	699	5
1,2,4-Trimethylbenzene	1,650	5
1,3,5-Trimethylbenzene	630	5
o-Xylene	1,250	5
m,p-Xylene	3,450	5

Soil Sampling VOCs Results		
Sample Location	SB5-8'	Table 375-6.8(a): Unrestricted Use Soil Cleanup Objectives
Compound	Results (µg/kg)	
Tetrachloroethene	ND	1.3
Ethylbenzene	1.3	1
o-xylene	2.6	0.26
m,p-Xylene	5.9	0.26
Methylcyclohexane	2.7	NS



Groundwater VOC Sampling Results			
Sample Location	GW-1	GW-4	TOGS 1.1.1 Groundwater Standard
Compound	Results (µg/L)		
Tetrachloroethene	7,890	88,500	5

TITLE:
FIGURE 1: SAMPLE LOCATION MAP
 245 ANDREWS STREET
 ROCHESTER, NEW YORK, 14604

PROJECT ENGINEER:
Ravi Engineering & Land Surveying, P.C.
REL
 CONSULTING ENGINEERS & SURVEYORS
 2110 SOUTH CLINTON AVENUE, SUITE 1
 ROCHESTER, NEW YORK 14618
 TEL: (585) 223-3660 FAX: (585) 223-4250

DRAWN:
 FJB
CHKD:
 PSM
DATE:
 1/3/2013
SCALE:
 NTS

PROJECT NO.
 45-12-043-0X

APPENDIX 1
AMEC EM-61 REPORT

192 H. John Mur Drive
Rochester, New York 14228
Tel: 563.486.2400 Fax: 563.486.0621



December 11, 2012

Peter Morton
Environmental Department Project Manager
Ravi Engineering & Land Surveying, P.C.
2110 South Clinton Avenue, Suite 1
Rochester, New York 14618

Transmitted via email to: Pete Morton [pmorton@ravieng.com]

Dear Mr. Morton:

Subject: Geophysical Survey Results, 245 Andrews Street, Rochester, NY

1.0 INTRODUCTION

This letter report presents the results of the geophysical investigation performed for Ravi Engineering & Land Surveying, P.C. in support of their environmental investigation of a property located at 245 Andrews Street in Rochester, NY (the Site). The survey area consisted of an asphalt paved area adjacent to a former dry cleaner establishment. The eastern boundary of the site is a paper road extension of St. Paul Street.

The geophysical investigation was designed to geophysically characterize the subsurface and focus a follow-up intrusive investigation if warranted. The information provided herein is intended to assist Ravi Engineering with their assessment of potential environmental concerns at the Site. The objective for the geophysical survey was to identify potential USTs and/or historical site features that may be of environmental significance. AMEC used time domain geophysical tools (EM61) to characterize the property. Data acquisition was performed on December 8, 2012.

2.0 METHODOLOGY

A reference grid was installed in both areas to facilitate data acquisition along survey lines spaced 3 feet apart. The grids were marked with orange and white spray paint with select coordinates labeled to aid in the reoccupation of stations if necessary. Grid coordinate 0N, 0E was established at the southwest corner of the property 3 feet north of a survey pin. "Grid

North” was taken as the direction perpendicular to the north wall of the building bounding the property to the south.

The site was geophysically surveyed using the Geonics EM61. The EM61 unit is a high sensitivity, high resolution time domain electromagnetic (TDEM) metal detector that can detect both ferrous and nonferrous metallic objects. It has an approximate investigation depth of 10 feet. The processing console is contained in a backpack worn by the operator which is interfaced to a digital data logger. The transmitter and two receiver coils are located on a two-wheeled cart that is pulled by the operator.

The device’s transmitter coil generates a pulsed primary EM field at a rate of 150 pulses per second, inducing eddy currents into the subsurface. The decay rates of these eddy currents are measured by two, 3.28 foot by 1.64 foot (1 meter by ½ meter) rectangular receiver coils. By taking the measurements at a relatively long time frame after termination of the primary pulse, the response is practically independent of the survey area’s terrain conductivity. Specifically, the decay rates of the eddy currents are much longer for metals than for normal soils allowing the discrimination of the two.



EM61 in use (photo not from this site)

Data are collected from the EM61’s two receiver coils. One of the receiver coils is located coincident to the transmitter coil. The other receiver coil is located 1.31 feet (0.4 meters) above the transmitter coil. Data from the top receiver coil are stored on Channel 1 of a digital data logger. Data from the bottom receiver coil are stored on Channel 2 of the data logger. Channel 1 and Channel 2 data are simultaneously recorded at each station location. The instrument responses are recorded in units of milliVolts (mV). Data were recorded digitally by a data logger along lines spaced 3 ft apart at a rate of approximately 2 measurements per foot.

3.0 RESULTS

The EM61 data for the site are shown in Figure 1. The color bar to the right of the map indicates the colors associated with the respective measured values. Areas suspected to be free of buried metals are shown as color shades of blue. All areas exhibiting a response greater than background (0 to 30 mVolts) likely contain buried metals. These areas are depicted in shades of dark blue through yellow on the figures.

Anomalies A and B are two buried metal anomalies located in the central portion of the survey area. Linear anomalies appear to be associated with these anomalies. Anomaly A and B may represent UST's or other buried metals.

Anomaly C is a northeast trending linear anomaly located in the northern portion of the survey area. Although the ground surface is asphalt paved, the geometry of this anomaly suggests that a reinforced concrete pad is present beneath the asphalt. Alternatively, Anomaly C may represent miscellaneous buried metal.

Anomaly D is an isolated anomaly in the southern portion of the survey area. There do not appear to be linear anomalies associated with Anomaly D as might be expected for a UST at a former retail fuel station. Anomaly D may represent a UST, a buried manhole cover, or other buried metallic object.

The enclosed dumpster area on the western portion of the site is entirely anomalous. This area was surrounded by chain link fence, including the "roof". It is not possible to ascertain the presence or absence of a UST in such areas where the response is dominated by surface metals.

Any of the additional anomalous responses not identified may be significant from an environmental perspective however they are interpreted to represent miscellaneous buried metals or to be associated with surface metals.

4.0 LIMITATIONS

The geophysical methods used during this survey are established, indirect techniques for non-destructive subsurface reconnaissance exploration. As these instruments utilize indirect methods, they are subject to inherent limitations and ambiguities. Metallic surface features (electrical wires, scrap metal, etc.) preclude reliable non-invasive data/results beneath, and in the immediate vicinity of, the surface features. Targets such as buried drums, buried tanks, conduits, etc. are detectable only if they produce recognizable anomalies or patterns against

Peter Morton
Ravi Engineering & Land Surveying, P.C.
December 11, 2012
Page 4

the background geophysical data collected. As with any remote sensing technique, the anomalies identified during a geophysical survey should be further investigated by other techniques such as historical aerial photography, test pit excavation and/or test boring, if warranted.

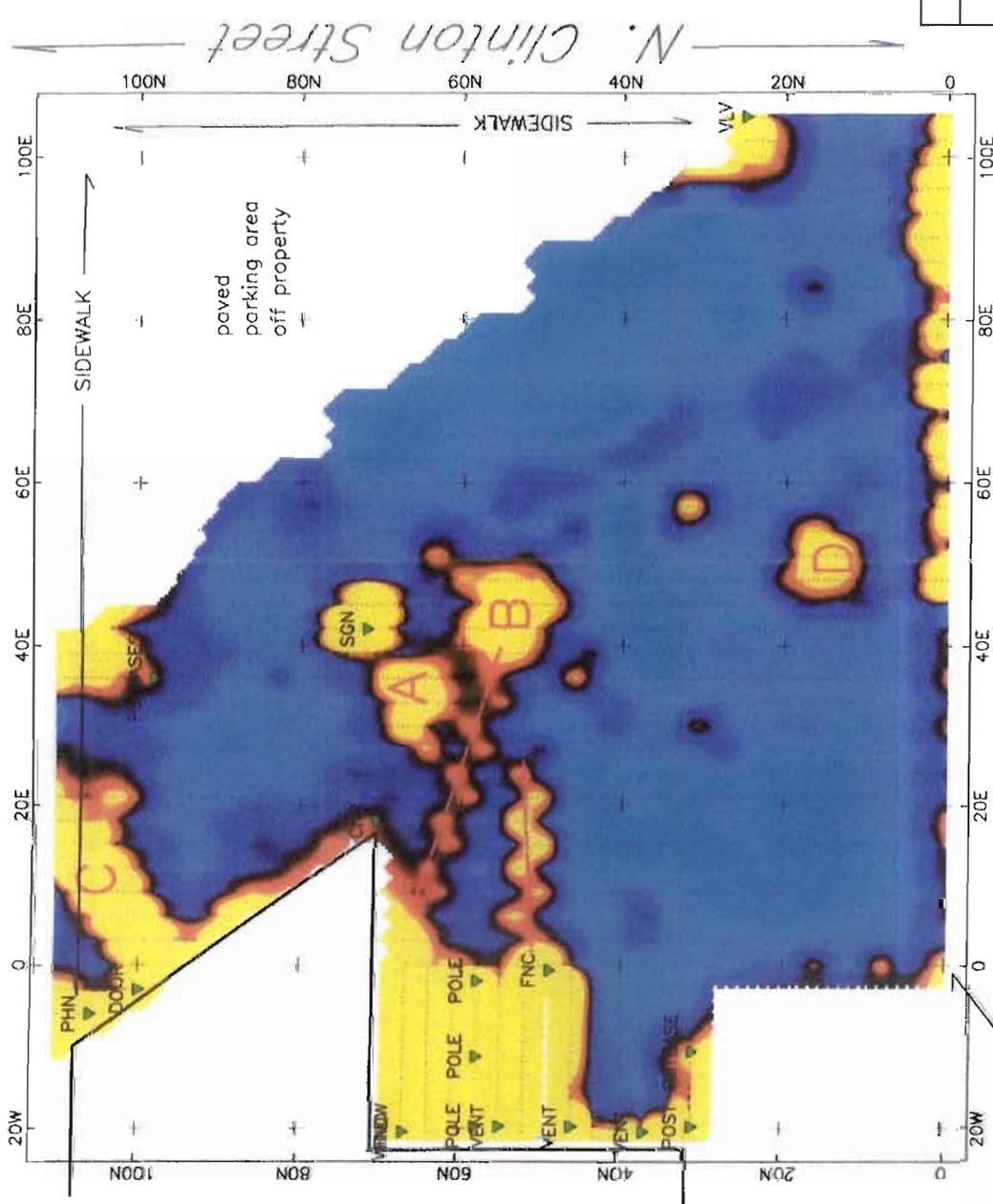
Please do not hesitate to contact us if you have any questions or require additional information.

Sincerely yours,
AMEC



John Luttinger
Senior Geophysicist

Andrews Street



Note: 0N, 0E established 3 ft north of Property pin

Figure 1
Geophysical Survey Results
Color Contours of EM61 Data
(mV/dts)

245 Andrews Street
Rochester, NY
Ravi Engineering
Amec (716) 555-0624

APPENDIX 2

ANALYTICAL RESULTS



PARADIGM
ENVIRONMENTAL SERVICES, INC.

Analytical Report Cover Page

Ravi Engineering & Land Surveying, P.C.

For Lab Project # 12:5262

Issued January 2, 2013

This report contains a total of 15 pages

The reported results relate only to the samples as they have been received by the laboratory.

Any noncompliant QC parameters having impact on the data are flagged or documented on the final report or are noted below.

All soil/sludge/solid samples have been reported on a dry weight basis, unless qualified "reported as received". Other solids are reported as received.

Each page of this document is part of a multipage report. This document may not be reproduced except in its entirety, without the prior consent of Paradigm Environmental Services, Inc.

The Chain of Custody provides additional information, including compliance with sample condition requirements upon receipt. Sample condition requirements are defined under the 2003 NELAC Standard, sections 5.5.8.3.1 and 5.5.8.3.2. Aliquots separated for certain tests, such as TCLP, are indicated on the Chain of Custody and final reports with an "A" suffix.

NYSDOH ELAP does not certify for all parameters. Paradigm Environmental Services or the indicated subcontracted laboratory does hold certification for all analytes where certification is offered by ELAP unless otherwise specified.

Data qualifiers are used, when necessary, to provide additional information about the data. This information may be communicated as a flag or as text at the bottom of the report. Please refer to the following list of frequently used data flags and their meaning:

"<" = analyzed for but not detected at or above the reporting limit.

"E" = Result has been estimated, calibration limit exceeded.

"Z" = See case narrative.

"D" = Duplicate results outside QC limits. May indicate a non-homogenous matrix.

"M" = Matrix spike recoveries outside QC limits. Matrix bias indicated.

"B" = Method blank contained trace levels of analyte. Refer to included method blank report.



Volatile Analysis Report for Soils/Solids/Sludges

Client: Ravi Engineering & Land Surveying, P.C.

Client Job Site: 245 Andrews St.
Rochester BAP
Client Job Number: N/A
Field Location: SB1-7'
Field ID Number: N/A
Sample Type: Soil

Lab Project Number: 12:5262
Lab Sample Number: 12:5262-01
Date Sampled: 12/20/2012
Date Received: 12/20/2012
Date Analyzed: 12/28/2012

Compound	Results in ug / Kg
Acetone	< 34.8
Benzene	< 6.96
Bromochloromethane	< 17.4
Bromodichloromethane	< 6.96
Bromoform	< 17.4
Bromomethane	< 6.96
2-Butanone	< 34.8
Carbon disulfide	< 6.96
Carbon Tetrachloride	< 6.96
Chlorobenzene	< 6.96
Chloroethane	< 6.96
Chloroform	< 6.96
Chloromethane	< 6.96
Cyclohexane	< 34.8
Dibromochloromethane	< 6.96
1,2-Dibromo-3-Chloropropane	< 34.8
1,2-Dibromoethane	< 6.96
1,2-Dichlorobenzene	< 6.96
1,3-Dichlorobenzene	< 6.96
1,4-Dichlorobenzene	< 6.96
Dichlorodifluoromethane	< 6.96
1,1-Dichloroethane	< 6.96
1,2-Dichloroethane	< 6.96
1,1-Dichloroethene	< 6.96
cis-1,2-Dichloroethene	< 6.96
trans-1,2-Dichloroethene	< 6.96

Compound	Results in ug / Kg
1,2-Dichloropropane	< 6.96
cis-1,3-Dichloropropene	< 6.96
trans-1,3-Dichloropropene	< 6.96
1,4-Dioxane	< 69.6
Ethylbenzene	< 6.96
Freon 113	< 6.96
2-Hexanone	< 17.4
Isopropylbenzene	< 6.96
Methyl acetate	< 6.96
Methyl tert-butyl Ether	< 6.96
Methylcyclohexane	< 6.96
Methylene chloride	< 17.4
4-Methyl-2-pentanone	< 17.4
Styrene	< 17.4
1,1,2,2-Tetrachloroethane	< 6.96
Tetrachloroethene	331
Toluene	< 6.96
1,2,3-Trichlorobenzene	< 17.4
1,2,4-Trichlorobenzene	< 17.4
1,1,1-Trichloroethane	< 6.96
1,1,2-Trichloroethane	< 6.96
Trichloroethene	< 6.96
Trichlorofluoromethane	< 6.96
Vinyl chloride	< 6.96
m,p-Xylene	< 6.96
o-Xylene	< 6.96

ELAP Number 10958

Analytical Method: EPA 8260B

Data File: X02707.D

Prep Method: EPA 5035A

Comments: ug / Kg = microgram per Kilogram

Signature: _____


Bruce Hoogesteger, Technical Director

This report is part of a multipage document and should only be evaluated in its entirety. Chain of Custody provides additional information, including compliance with sample condition requirements upon receipt.



Volatile Analysis Report for Soils/Solids/Sludges (Additional STARS Compounds)

Client: **Ravi Engineering & Land Surveying, P.C.**

Client Job Site: 245 Andrews St.
Rochester BAP
Client Job Number: N/A
Field Location: SB1-7'
Field ID Number: N/A
Sample Type: Soil

Lab Project Number: 12:5262
Lab Sample Number: 12:5262-01
Date Sampled: 12/20/2012
Date Received: 12/20/2012
Date Analyzed: 12/28/2012

Compound	Results in ug / Kg
n-Butylbenzene	< 6.96
sec-Butylbenzene	< 6.96
tert-Butylbenzene	< 6.96
p-Isopropyltoluene	< 6.96
Naphthalene	< 17.4

Compound	Results in ug / Kg
n-Propylbenzene	< 6.96
1,2,4-Trimethylbenzene	< 6.96
1,3,5-Trimethylbenzene	< 6.96

ELAP Number 10958

Analytical Method: EPA 8260B
Prep Method: EPA 5035A

Data File: X02707.D

Comments: ug / Kg = microgram per Kilogram

Signature: _____


Bruce Hoogesteger, Technical Director

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Volatile Analysis Report for Soils/Solids/Sludges

Client: Ravi Engineering & Land Surveying, P.C.

Client Job Site: 245 Andrews St. Rochester BAP	Lab Project Number: 12:5262
Client Job Number: N/A	Lab Sample Number: 12:5262-02
Field Location: SB4-8'	Date Sampled: 12/20/2012
Field ID Number: N/A	Date Received: 12/20/2012
Sample Type: Soil	Date Analyzed: 12/28/2012

Compound	Results in ug / Kg
Acetone	< 889
Benzene	< 178
Bromochloromethane	< 445
Bromodichloromethane	< 178
Bromoform	< 445
Bromomethane	< 178
2-Butanone	< 889
Carbon disulfide	< 178
Carbon Tetrachloride	< 178
Chlorobenzene	< 178
Chloroethane	< 178
Chloroform	< 178
Chloromethane	< 178
Cyclohexane	< 889
Dibromochloromethane	< 178
1,2-Dibromo-3-Chloropropane	< 889
1,2-Dibromoethane	< 178
1,2-Dichlorobenzene	< 178
1,3-Dichlorobenzene	< 178
1,4-Dichlorobenzene	< 178
Dichlorodifluoromethane	< 178
1,1-Dichloroethane	< 178
1,2-Dichloroethane	< 178
1,1-Dichloroethene	< 178
cis-1,2-Dichloroethene	< 178
trans-1,2-Dichloroethene	< 178

Compound	Results in ug / Kg
1,2-Dichloropropane	< 178
cis-1,3-Dichloropropene	< 178
trans-1,3-Dichloropropene	< 178
1,4-Dioxane	< 1,780
Ethylbenzene	< 178
Freon 113	< 178
2-Hexanone	< 445
Isopropylbenzene	< 178
Methyl acetate	< 178
Methyl tert-butyl Ether	< 178
Methylcyclohexane	< 178
Methylene chloride	< 445
4-Methyl-2-pentanone	< 445
Styrene	< 445
1,1,2,2-Tetrachloroethane	< 178
Tetrachloroethene	997
Toluene	< 178
1,2,3-Trichlorobenzene	< 445
1,2,4-Trichlorobenzene	< 445
1,1,1-Trichloroethane	< 178
1,1,2-Trichloroethane	< 178
Trichloroethene	< 178
Trichlorofluoromethane	< 178
Vinyl chloride	< 178
m,p-Xylene	< 178
o-Xylene	< 178

ELAP Number 10958

Analytical Method: EPA 8260B

Data File: X02695.D

Prep Method: EPA 5035A

Comments: ug / Kg = microgram per Kilogram

Signature:



Bruce Hoogesteger: Technical Director

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125262V2



Volatile Analysis Report for Soils/Solids/Sludges (Additional STARS Compounds)

Client: **Ravi Engineering & Land Surveying, P.C.**

Client Job Site: 245 Andrews St.
Rochester BAP
Client Job Number: N/A
Field Location: SB4-8'
Field ID Number: N/A
Sample Type: Soil

Lab Project Number: 12:5262
Lab Sample Number: 12:5262-02
Date Sampled: 12/20/2012
Date Received: 12/20/2012
Date Analyzed: 12/28/2012

Compound	Results in ug / Kg
n-Butylbenzene	< 178
sec-Butylbenzene	< 178
tert-Butylbenzene	< 178
p-Isopropyltoluene	< 178
Naphthalene	< 445

Compound	Results in ug / Kg
n-Propylbenzene	< 178
1,2,4-Trimethylbenzene	< 178
1,3,5-Trimethylbenzene	< 178

ELAP Number 10958

Analytical Method: EPA 8260B
Prep Method: EPA 5035A

Data File: X02695.D

Comments: ug / Kg = microgram per Kilogram

Signature: _____


Bruce Hoogesteger: Technical Director

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Volatile Analysis Report for Soils/Solids/Sludges

Client: **Ravi Engineering & Land Surveying, P.C.**

Client Job Site: 245 Andrews St.
Rochester BAP
Client Job Number: N/A
Field Location: SB5-8'
Field ID Number: N/A
Sample Type: Soil

Lab Project Number: 12:5262
Lab Sample Number: 12:5262-03
Date Sampled: 12/20/2012
Date Received: 12/20/2012
Date Analyzed: 12/28/2012

Compound	Results in ug / Kg
Acetone	< 1,310
Benzene	< 262
Bromochloromethane	< 655
Bromodichloromethane	< 262
Bromoform	< 655
Bromomethane	< 262
2-Butanone	< 1,310
Carbon disulfide	< 262
Carbon Tetrachloride	< 262
Chlorobenzene	< 262
Chloroethane	< 262
Chloroform	< 262
Chloromethane	< 262
Cyclohexane	< 1,310
Dibromochloromethane	< 262
1,2-Dibromo-3-Chloropropane	< 1,310
1,2-Dibromoethane	< 262
1,2-Dichlorobenzene	< 262
1,3-Dichlorobenzene	< 262
1,4-Dichlorobenzene	< 262
Dichlorodifluoromethane	< 262
1,1-Dichloroethane	< 262
1,2-Dichloroethane	< 262
1,1-Dichloroethene	< 262
cis-1,2-Dichloroethene	< 262
trans-1,2-Dichloroethene	< 262

Compound	Results in ug / Kg
1,2-Dichloropropane	< 262
cis-1,3-Dichloropropene	< 262
trans-1,3-Dichloropropene	< 262
1,4-Dioxane	< 2,620
Ethylbenzene	1,330
Freon 113	< 262
2-Hexanone	< 655
Isopropylbenzene	878
Methyl acetate	< 262
Methyl tert-butyl Ether	< 262
Methylcyclohexane	2,710
Methylene chloride	< 655
4-Methyl-2-pentanone	< 655
Styrene	< 655
1,1,2,2-Tetrachloroethane	< 262
Tetrachloroethene	< 262
Toluene	< 262
1,2,3-Trichlorobenzene	< 655
1,2,4-Trichlorobenzene	< 655
1,1,1-Trichloroethane	< 262
1,1,2-Trichloroethane	< 262
Trichloroethene	< 262
Trichlorofluoromethane	< 262
Vinyl chloride	< 262
m,p-Xylene	5,850
o-Xylene	2,600

ELAP Number 10958

Analytical Method: EPA 8260B

Data File: X02696.D

Prep Method: EPA 5035A

Comments: ug / Kg = microgram per Kilogram

Signature: _____

Bruce Hoogesteger: Technical Director

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Volatile Analysis Report for Soils/Solids/Sludges (Additional STARS Compounds)

Client: Ravi Engineering & Land Surveying, P.C.

Client Job Site:	245 Andrews St. Rochester BAP	Lab Project Number:	12:5262
Client Job Number:	N/A	Lab Sample Number:	12:5262-03
Field Location:	SB5-8'	Date Sampled:	12/20/2012
Field ID Number:	N/A	Date Received:	12/20/2012
Sample Type:	Soil	Date Analyzed:	12/28/2012

Compound	Results in ug / Kg
n-Butylbenzene	< 262
sec-Butylbenzene	717
tert-Butylbenzene	< 262
p-Isopropyltoluene	2,260
Naphthalene	7,000

Compound	Results in ug / Kg
n-Propylbenzene	1,780
1,2,4-Trimethylbenzene	19,600
1,3,5-Trimethylbenzene	8,970

ELAP Number 10958

Analytical Method: EPA 8260B
Prep Method: EPA 5035A

Data File: X02696.D

Comments: ug / Kg = microgram per Kilogram

Signature: _____

Bruce Hoogesteger, Technical Director

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Volatile Analysis Report for Non-potable Water

Client: Ravi Engineering & Land Surveying, P.C.

Client Job Site: 245 Andrews St.
Rochester BAP

Lab Project Number: 12:5262
Lab Sample Number: 12:5262-04

Client Job Number: N/A
Field Location: GW-1

Date Sampled: 12/20/2012
Date Received: 12/20/2012

Field ID Number: N/A
Sample Type: Water

Date Analyzed: 12/27/2012

Compound	Results in ug / L
Acetone	< 2,500
Benzene	< 175
Bromochloromethane	< 1,250
Bromodichloromethane	< 500
Bromoform	< 1,250
Bromomethane	< 500
2-Butanone	< 2,500
Carbon disulfide	< 500
Carbon Tetrachloride	< 500
Chlorobenzene	< 500
Chloroethane	< 500
Chloroform	< 500
Chloromethane	< 500
Cyclohexane	< 2,500
Dibromochloromethane	< 500
1,2-Dibromo-3-Chloropropane	< 2,500
1,2-Dibromoethane	< 500
1,2-Dichlorobenzene	< 500
1,3-Dichlorobenzene	< 500
1,4-Dichlorobenzene	< 500
Dichlorodifluoromethane	< 500
1,1-Dichloroethane	< 500
1,2-Dichloroethane	< 500
1,1-Dichloroethene	< 500
cis-1,2-Dichloroethene	< 500
trans-1,2-Dichloroethene	< 500

Compound	Results in ug / L
1,2-Dichloropropane	< 500
cis-1,3-Dichloropropene	< 500
trans-1,3-Dichloropropene	< 500
1,4-Dioxane	< 5,000
Ethylbenzene	< 500
Freon 113	< 500
2-Hexanone	< 1,250
Isopropylbenzene	< 500
Methyl acetate	< 500
Methyl tert-butyl Ether	< 500
Methylcyclohexane	< 500
Methylene chloride	< 1,250
4-Methyl-2-pentanone	< 1,250
Styrene	< 1,250
1,1,2,2-Tetrachloroethane	< 500
Tetrachloroethene	7,890
Toluene	< 500
1,2,3-Trichlorobenzene	< 1,250
1,2,4-Trichlorobenzene	< 1,250
1,1,1-Trichloroethane	< 500
1,1,2-Trichloroethane	< 500
Trichloroethene	< 500
Trichlorofluoromethane	< 500
Vinyl chloride	< 500
m,p-Xylene	< 500
o-Xylene	< 500

ELAP Number 10958

Analytical Method: EPA 8260B
Prep Method: EPA 5030

Data File: X02657.D

Comments: ug / L = microgram per Liter

Signature: _____

Bruce Hoogesteger, Technical Director

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Volatile Analysis Report for Non-potable Water (Additional STARS Compounds)

Client: **Ravi Engineering & Land Surveying, P.C.**

Client Job Site: 245 Andrews St.
Rochester BAP
Client Job Number: N/A
Field Location: GW-1
Field ID Number: N/A
Sample Type: Water

Lab Project Number: 12:5262
Lab Sample Number: 12:5262-04
Date Sampled: 12/20/2012
Date Received: 12/20/2012
Date Analyzed: 12/27/2012

Compound	Results in ug / L
n-Butylbenzene	< 500
sec-Butylbenzene	< 500
tert-Butylbenzene	< 500
p-Isopropyltoluene	< 500
Naphthalene	< 1,250

Compound	Results in ug / L
n-Propylbenzene	< 500
1,2,4-Trimethylbenzene	< 500
1,3,5-Trimethylbenzene	< 500

ELAP Number 10958

Analytical Method: EPA 8260B
Prep Method: EPA 5030

Data File: X02657.D

Comments: ug / L = microgram per Liter

Signature: _____

Bruce Hoogesteger, Technical Director

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Volatile Analysis Report for Non-potable Water

Client: **Ravi Engineering & Land Surveying. P.C.**

Client Job Site: 245 Andrews St.
Rochester BAP
Client Job Number: N/A
Field Location: GW-4
Field ID Number: N/A
Sample Type: Water

Lab Project Number: 12:5262
Lab Sample Number: 12:5262-05
Date Sampled: 12/20/2012
Date Received: 12/20/2012
Date Analyzed: 12/27/2012

Compound	Results in ug / L
Acetone	< 50,000
Benzene	< 3,500
Bromochloromethane	< 25,000
Bromodichloromethane	< 10,000
Bromoform	< 25,000
Bromomethane	< 10,000
2-Butanone	< 50,000
Carbon disulfide	< 10,000
Carbon Tetrachloride	< 10,000
Chlorobenzene	< 10,000
Chloroethane	< 10,000
Chloroform	< 10,000
Chloromethane	< 10,000
Cyclohexane	< 50,000
Dibromochloromethane	< 10,000
1,2-Dibromo-3-Chloropropane	< 50,000
1,2-Dibromoethane	< 10,000
1,2-Dichlorobenzene	< 10,000
1,3-Dichlorobenzene	< 10,000
1,4-Dichlorobenzene	< 10,000
Dichlorodifluoromethane	< 10,000
1,1-Dichloroethane	< 10,000
1,2-Dichloroethane	< 10,000
1,1-Dichloroethene	< 10,000
cis-1,2-Dichloroethene	< 10,000
trans-1,2-Dichloroethene	< 10,000

Compound	Results in ug / L
1,2-Dichloropropane	< 10,000
cis-1,3-Dichloropropene	< 10,000
trans-1,3-Dichloropropene	< 10,000
1,4-Dioxane	< 100,000
Ethylbenzene	< 10,000
Freon 113	< 10,000
2-Hexanone	< 25,000
Isopropylbenzene	< 10,000
Methyl acetate	< 10,000
Methyl tert-butyl Ether	< 10,000
Methylcyclohexane	< 10,000
Methylene chloride	< 25,000
4-Methyl-2-pentanone	< 25,000
Styrene	< 25,000
1,1,2,2-Tetrachloroethane	< 10,000
Tetrachloroethene	88,500
Toluene	< 10,000
1,2,3-Trichlorobenzene	< 25,000
1,2,4-Trichlorobenzene	< 25,000
1,1,1-Trichloroethane	< 10,000
1,1,2-Trichloroethane	< 10,000
Trichloroethene	< 10,000
Trichlorofluoromethane	< 10,000
Vinyl chloride	< 10,000
m,p-Xylene	< 10,000
o-Xylene	< 10,000

ELAP Number 10958

Analytical Method: EPA 8260B
Prep Method: EPA 5030

Data File: X02658.D

Comments: ug / L = microgram per Liter

Signature: _____

Bruce Hoogesteger, Technical Director

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Volatile Analysis Report for Non-potable Water (Additional STARS Compounds)

Client: Ravi Engineering & Land Surveying, P.C.

Client Job Site: 245 Andrews St.
Rochester BAP
Client Job Number: N/A
Field Location: GW-4
Field ID Number: N/A
Sample Type: Water

Lab Project Number: 12:5262
Lab Sample Number: 12:5262-05
Date Sampled: 12/20/2012
Date Received: 12/20/2012
Date Analyzed: 12/27/2012

Compound	Results in ug / L
n-Butylbenzene	< 10,000
sec-Butylbenzene	< 10,000
tert-Butylbenzene	< 10,000
p-Isopropyltoluene	< 10,000
Naphthalene	< 25,000

Compound	Results in ug / L
n-Propylbenzene	< 10,000
1,2,4-Trimethylbenzene	< 10,000
1,3,5-Trimethylbenzene	< 10,000

ELAP Number 10958

Analytical Method: EPA 8260B
Prep Method: EPA 5030

Data File: X02658.D

Comments: ug / L = microgram per Liter

Signature: _____

Bruce Hoogesteger, Technical Director

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Volatile Analysis Report for Non-potable Water

Client: Ravi Engineering & Land Surveying, P.C.

Client Job Site: 245 Andrews St.
Rochester BAP
Client Job Number: N/A
Field Location: GW-5
Field ID Number: N/A
Sample Type: Water

Lab Project Number: 12:5262
Lab Sample Number: 12:5262-06
Date Sampled: 12/20/2012
Date Received: 12/20/2012
Date Analyzed: 12/27/2012

Compound	Results in ug / L
Acetone	< 1,000
Benzene	< 70.0
Bromochloromethane	< 500
Bromodichloromethane	< 200
Bromoform	< 500
Bromomethane	< 200
2-Butanone	< 1,000
Carbon disulfide	< 200
Carbon Tetrachloride	< 200
Chlorobenzene	< 200
Chloroethane	< 200
Chloroform	< 200
Chloromethane	< 200
Cyclohexane	< 1,000
Dibromochloromethane	< 200
1,2-Dibromo-3-Chloropropane	< 1,000
1,2-Dibromoethane	< 200
1,2-Dichlorobenzene	< 200
1,3-Dichlorobenzene	< 200
1,4-Dichlorobenzene	< 200
Dichlorodifluoromethane	< 200
1,1-Dichloroethane	< 200
1,2-Dichloroethane	< 200
1,1-Dichloroethene	< 200
cis-1,2-Dichloroethene	< 200
trans-1,2-Dichloroethene	< 200

Compound	Results in ug / L
1,2-Dichloropropane	< 200
cis-1,3-Dichloropropene	< 200
trans-1,3-Dichloropropene	< 200
1,4-Dioxane	< 2,000
Ethylbenzene	1,040
Freon 113	< 200
2-Hexanone	< 500
Isopropylbenzene	< 200
Methyl acetate	< 200
Methyl tert-butyl Ether	< 200
Methylcyclohexane	826
Methylene chloride	< 500
4-Methyl-2-pentanone	< 500
Styrene	< 500
1,1,2,2-Tetrachloroethane	< 200
Tetrachloroethene	< 200
Toluene	309
1,2,3-Trichlorobenzene	< 500
1,2,4-Trichlorobenzene	< 500
1,1,1-Trichloroethane	< 200
1,1,2-Trichloroethane	< 200
Trichloroethene	< 200
Trichlorofluoromethane	< 200
Vinyl chloride	< 200
m,p-Xylene	3,450
o-Xylene	1,250

ELAP Number 10958

Analytical Method: EPA 8260B

Data File: X02656.D

Prep Method: EPA 5030

Comments: ug / L = microgram per Liter

Signature: _____

Bruce Hoogsteger: Technical Director

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PARADIGM

179 Lake Avenue Rochester, New York 14608 (585) 647 - 2530 FAX (585) 647 - 3311

Volatile Analysis Report for Non-potable Water (Additional STARS Compounds)

Client: Ravi Engineering & Land Surveying, P.C.

Client Job Site: 245 Andrews St.

Rochester BAP

Client Job Number: N/A

Field Location: GW-5

Field ID Number: N/A

Sample Type: Water

Lab Project Number: 12:5262

Lab Sample Number: 12:5262-06

Date Sampled: 12/20/2012

Date Received: 12/20/2012

Date Analyzed: 12/27/2012

Compound	Results in ug / L
n-Butylbenzene	< 200
sec-Butylbenzene	< 200
tert-Butylbenzene	< 200
p-Isopropyltoluene	< 200
Naphthalene	699

ELAP Number 10958

Compound	Results in ug / L
n-Propylbenzene	< 200
1,2,4-Trimethylbenzene	1,650
1,3,5-Trimethylbenzene	630

Analytical Method: EPA 8260B

Prep Method: EPA 5030

Data File: X02656.D

Comments: ug / L = microgram per Liter

Signature: _____

Bruce Hoogesteger, Technical Director

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125262V6.XLS

1072

179 Lake Avenue, Rochester, NY 14608 Office (585) 647-2530 Fax (585) 647-3311

CHAIN OF CUSTODY



14

REPORT TO: CLIENT: Ravi Engineering LAB PROJECT ID: _____
INVOICE TO: ADDRESS: Same Quotation #: 1215262
 CITY: Rochester NY STATE: _____ ZIP: _____
 PHONE: 645-8295 ATTN: Pete Morton Email: pmorton@ravieng.com
 Matrix Codes: WA - Water SO - Soil SD - Solid OL - Oil
 AQ - Aqueous Liquid WW - Wastewater PT - Paint WP - Wipe AR - Air
 NL - Non-Aqueous Liquid DW - Drinking Water SL - Sludge CK - Caulk

PROJECT REFERENCE
245 Andrews St
Rochester BAP

DATE COLLECTED	TIME COLLECTED	COMPOSITE	GRADES	SAMPLE IDENTIFIER	MC AT DRES	NUMBERS	REQUESTED ANALYSIS	REMARKS	PARADIGM LAB SAMPLE NUMBER
112-10-12		X		SBI-71	50	1	TCL 5260	VOCs: TCL &	01
2		X		SBI-81	50	1	TCL 5260	CP-51 List	02
3		X		SBI-81	50	1	TCL 5260		03
4				GW-1	WG	2			04
512-20				GW-4	WG	2			05
7				GW-5	WG	2			06
8									
9									
10									

140C

Turnaround Time
 Availability contingent upon lab approval; additional fees may apply.
 Standard 5 day
 Rush 3 day
 Rush 2 day
 Rush 1 day
 Other please indicate: _____

Report Supplements
 Batch QC
 Category A
 Category B
 Other please indicate: _____

Basic EDD
 NYSDEC EDD
 Other EDD please indicate: _____

Sampled By: PS Mark Date/Time: 12-20-12 930-1215
 Relinquished By: PS Mark Date/Time: 12-20-12 13:05
 Received By: Elizabeth A. Hench Date/Time: 12/20/12 1305
 Received @ Lab By: Marylaine Date/Time: 12/20/12 1546

Total Cost: _____

P.I.F. _____



Chain of Custody Supplement

Client: Ravi Completed by: EAH
 Lab Project ID: 12:5262 Date: 12/20

Sample Condition Requirements
 Per NELAC/BLAP 210/241/242/243/244

Condition	NELAC compliance with the sample condition requirements upon receipt		
	Yes	No	N/A
Container Type	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Soils SO3S	<input type="checkbox"/>
Comments	_____		
Transferred to method-compliant container	<input checked="" type="checkbox"/> Soils SO3S	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Headspace (<1 ml.)	<input checked="" type="checkbox"/> Waters	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments	_____		
Preservation	<input checked="" type="checkbox"/> Waters	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments	_____		
Chlorine Absent (<0.10 ppm per test strip)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments	_____		
Holding Time	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments	_____		
Temperature	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments	14°C		
Sufficient Sample Quantity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments	_____		

APPENDIX 3
SOIL BORING LOGS

GEOLOGIC BORING LOG				Date: 12/20/2012	Temperature: 30 °F
Site Location: 245 Andrews Street				Soil Boring Number: SB -1	
Client: City BAP				Driller Contractor: TREC	
Ravi Project Number: 45-12-043-OX				Driller: Chad Britton	
Logged by: PSM				Drill Rig Type: Truck-Mounted	
Boring depth (ft): Approximately 7.5				Drilling Method: Geoprobe	
				Sampling Method: Grab	
Drilling Start Time: 800				Drilling End Time: 840	
Depth (feet)	Sample Recovery (%)	Analytical Sample	PID (PPM)	Soil Description (color, primary grain size, secondary grain size, moisture, sorting, sphericity, angularity, sedimentary structure, density, cohesiveness, other)	
1 2 3 4	8"	N/A	0.3	Concrete gravel brick fill, F-M-C gravel	
5 6 7 8	N/A	SB1-7 VOC's	170.0	Brick pieces, fine SAND w/ trace silt	
9 10 11 12	N/A	N/A	N/A	Refusal at 7.5'	

S.A.A. = Same as above

MSL = Above mean sea level elevation

GEOLOGIC BORING LOG				Date: 12/20/2012	Temperature: 30 °F
Site Location: 245 Andrews Street				Soil Boring Number: SB-3	
Client: City BAP				Driller Contractor: TREC	
Ravi Project Number: 45-12-043-OX				Driller: Chad Britton	
Logged by: PSM				Drill Rig Type: Truck-Mounted	
Boring depth (ft): Approximately 13.8				Drilling Method: Geoprobe	
				Sampling Method: Grab	
Drilling Start Time: 850				Drilling End Time: 930	
Depth (feet)	Sample Recovery (%)	Analytical Sample	PID (PPM)	Soil Description (color, primary grain size, secondary grain size, moisture, sorting, sphericity, angularity, sedimentary structure, density, cohesiveness, other)	
1 2 3 4	18"	N/A	10.0	Concrete/gravel, fine SAND w/ trace silt	
5 6 7 8	36"	N/A	8.0	Fine SAND w/ trace silt, gravel	
9 10 11 12	44"	N/A	32.0	Fine SAND w/ trace silt, gravel	
13 14 15 16	N/A	N/A	28.0	Fine SAND w/ trace silt, gravel. Wet at +/-12', Refusal at 13.8'	

S.A.A. = Same as above

MSL = Above mean sea level elevation

GEOLOGIC BORING LOG				Date: 12/20/2012	Temperature: 30°F
Site Location: 245 Andrews Street				Soil Boring Number: SB-4	
Client: City BAP				Driller Contractor: TREC	
Ravi Project Number: 45-12-043-OX				Driller: Chad Britton	
Logged by: PSM				Drill Rig Type: Truck-Mounted	
Boring depth (ft): Approximately 13.2				Drilling Method: Geoprobe	
				Sampling Method: Grab	
Drilling Start Time: 940				Drilling End Time: 950	
Depth (feet)	Sample Recovery (%)	Analytical Sample	PID (PPM)	Soil Description (color, primary grain size, secondary grain size, moisture, sorting, sphericity, angularity, sedimentary structure, density, cohesiveness, other)	
1 2 3 4	24"	N/A	90.0	Concrete/brick. M-C SAND w/ trace gravel	
5 6 7 8	30"	SB4-8' VOC's	165.0	Fine SAND w/ trace silt, gravel	
9 10 11 12	N/A	N/A	80.0	Wet fine SAND w/ trace silt	
13 14 15 16	N/A	GW-4 VOC's	N/A	refusal at 13.2'	

S.A.A.= Same as above

MSL=Above mean sea level elevation

GEOLOGIC BORING LOG				Date: 12/20/2012	Temperature: 30 °F
Site Location: 245 Andrews Street				Soil Boring Number: SB-5	
Client: City BAP				Driller Contractor: TREC	
Ravi Project Number: 45-12-043-OX				Driller: Chad Britton	
Logged by: PSM				Drill Rig Type: Truck-Mounted	
Boring depth (ft): Approximately 13.3				Drilling Method: Geoprobe	
				Sampling Method: Grab	
Drilling Start Time: 1000				Drilling End Time: 1040	
Depth (feet)	Sample Recovery (%)	Analytical Sample	PID (PPM)	Soil Description (color, primary grain size, secondary grain size, moisture, sorting, sphericity, angularity, sedimentary structure, density, cohesiveness, other)	
1 2 3 4	18"	N/A	0.0	6" gravel, Silt with trace fine SAND	
5 6 7 8 9	30"	SB5-8' VOC's	1240.0	Fine SAND w/ trace silt gravel. Grey staining at 7' w/ strong petroleum odor.	
10 11 12	24"	N/A	950.0	Fine SAND w/ trace silt gravel. Grey staining at 7' w/ strong petroleum odor.	
13 14 15 16	N/A	GW-5	1240.0	Fine wet SAND w/ trace silt, gravel. Refusal at 13.3'. Strong petroleum odor.	

S.A.A.= Same as above

MSL=Above mean sea level elevation