



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

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

Yes **No** **If yes, provide existing site number:** _____

PART A (note: application is separated into Parts A and B for DEC review purposes) *BCP App Rev 9*

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

NAME		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL

Is the requestor authorized to conduct business in New York State (NYS)? Yes No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application, to document that the requestor is authorized to do business in NYS.

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

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

Section II. Project Description

1. What stage is the project starting at? Investigation Remediation

2. If the project is starting at the remediation stage, a Remedial Investigation Report (RIR), Alternatives Analysis, and Remedial Work Plan must be attached (see [DER-10 / Technical Guidance for Site Investigation and Remediation](#) for further guidance).

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

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

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

Section III. Property's Environmental History

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

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

1. Reports: an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903).

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

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

*Please describe: _____

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

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

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

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

Yes No

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

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

Other: _____

Section IV. Property Information - See Instructions for Further Guidance

PROPOSED SITE NAME

ADDRESS/LOCATION

CITY/TOWN

ZIP CODE

MUNICIPALITY(IF MORE THAN ONE, LIST ALL):

COUNTY

SITE SIZE (ACRES)

LATITUDE (degrees/minutes/seconds)

LONGITUDE (degrees/minutes/seconds)

COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section No.	Block No.	Lot No.	Acreage

1. Do the proposed site boundaries correspond to tax map metes and bounds? Yes No
 If no, please attach a metes and bounds description of the property.

2. Is the required property map attached to the application? Yes No
 (application will not be processed without map)

3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? Yes No
 (See [DEC's website](#) for more information)

If yes, identify census tract : _____

Percentage of property in En-zone (check one): 0-49% 50-99% 100%

4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? Yes No

If yes, identify name of properties (and site numbers if available) in related BCP applications: _____

5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? Yes No

6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? Yes No
 If yes, attach relevant supporting documentation.

7. Are there any lands under water? Yes No
 If yes, these lands should be clearly delineated on the site map.

Section IV. Property Information (continued)

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

<u>Easement/Right-of-way Holder</u>	<u>Description</u>
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9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>
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10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**? Yes No

11. For sites located within the five counties comprising New York City, is the requestor seeking a determination that the site is eligible for tangible property tax credits?
If yes, requestor must answer questions on the supplement at the end of this form. Yes No

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

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

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

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

Initials of each Requestor: _____

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

Section V. Additional Requestor Information See Instructions for Further Guidance	DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____
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NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE

ADDRESS

CITY/TOWN	ZIP CODE
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PHONE	FAX	E-MAIL
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NAME OF REQUESTOR'S CONSULTANT

ADDRESS

CITY/TOWN	ZIP CODE
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PHONE	FAX	E-MAIL
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NAME OF REQUESTOR'S ATTORNEY

ADDRESS

CITY/TOWN	ZIP CODE
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PHONE	FAX	E-MAIL
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Section VI. Current Property Owner/Operator Information – if not a Requestor

CURRENT OWNER'S NAME	OWNERSHIP START DATE:
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ADDRESS

CITY/TOWN	ZIP CODE
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PHONE	FAX	E-MAIL
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CURRENT OPERATOR'S NAME

ADDRESS

CITY/TOWN	ZIP CODE
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PHONE	FAX	E-MAIL
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**IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.
PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".**

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

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

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

Section VII. Requestor Eligibility Information (continued)

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

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

PARTICIPANT

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

VOLUNTEER

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

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

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

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

Previous Owner Current Owner Potential /Future Purchaser Other_____

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

Yes No

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

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

1. Is / was the property, or any portion of the property, listed on the National Priorities List?
If yes, please provide relevant information as an attachment. Yes No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305? Yes No
If yes, please provide: Site # _____ Class # _____
3. Is / was 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. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. Yes No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? Yes No
If yes, please provide: Order # _____
6. 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 IX. Contact List Information

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

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

Section X. Land Use Factors

1. What is the current zoning for the site? What uses are allowed by the current zoning?
 Residential Commercial Industrial
 If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: Residential Commercial Industrial Vacant Recreational (check all that apply)
Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.

3. Reasonably anticipated use Post Remediation: Residential Commercial Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**
 If residential, does it qualify as single family housing? Yes No

4. Do current historical and/or recent development patterns support the proposed use?	Yes No
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5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.	Yes No
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6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.	Yes No
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XI. Statement of Certification and Signatures

(By requestor who is an individual)

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

Date: _____ Signature: _____

Print Name: _____

(By a requestor other than an individual)

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

Date: 3/26/18 Signature: _____

Print Name: Greg Soehner

SUBMITTAL INFORMATION:

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

FOR DEC USE ONLY

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

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

BCP App Rev 9

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

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

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

Project is an Affordable Housing Project - Regulatory Agreement Attached;

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

This is Not an Affordable Housing Project.

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

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

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

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

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

BCP Application Summary (for DEC use only)

Site Name:

City:

Site Address:

County:

Zip:

Tax Block & Lot

Section (if applicable):

Block:

Lot:

Requestor Name:

City:

Requestor Address:

Zip:

Email:

Requestor's Representative (for billing purposes)

Name:

Address:

City:

Zip:

Email:

Requestor's Attorney

Name:

Address:

City:

Zip:

Email:

Requestor's Consultant

Name:

Address:

City:

Zip:

Email:

Percentage claimed within an En-Zone:

0%

<50%

50-99%

100%

DER Determination:

Agree

Disagree

Requestor's Requested Status:

Volunteer

Participant

DER/OGC Determination:

Agree

Disagree

Notes:

For NYC Sites, is the Requestor Seeking Tangible Property Credits:

Yes

No

Does Requestor Claim Property is Upside Down:

Yes

No

DER/OGC Determination:

Agree

Disagree

Undetermined

Notes:

Does Requestor Claim Property is Underutilized:

Yes

No

DER/OGC Determination:

Agree

Disagree

Undetermined

Notes:

Does Requestor Claim Affordable Housing Status:

Yes

No

Planned, No Contract

DER/OGC Determination:

Agree

Disagree

Undetermined

Notes:

**Canal Street Manufacturing Site
Brownfield Cleanup Program
Application
Supporting Documents**

Part A

Section I – Requestor Information

East House Canal Street LLC located at 259 Monroe Avenue, Suite 200, Rochester, NY, 14607 is the future purchaser and developer of the Site and the BCP “Volunteer” Requestor. The NYSDOS Entity Information for East House Canal Street LLC is provided in Exhibit A. The members of the Requestor LLC are currently Greg Soehner and East House Canal Street MM LLC, as described in the Unanimous Consent of Members form provided in Exhibit A.

Section II – Project Description

1.-3. Please refer to Questions 1-3 on the BCP Application Form.

4. The project will be undertaken by East House Canal Street LLC which intends to purchase of the Site located at 67 & 89 Canal Street, Rochester, Monroe County for the project described below. The Site is comprised of two tax parcels: 67 Canal Street (Tax Parcel No. 120.36-2-2), and 89 Canal Street (Tax Parcel No. 120.360-2-1), which total 1.7± acres in the downtown area in the City of Rochester, Monroe County, New York. The Site is currently improved with a five-story vacant manufacturing building, which was constructed in two phases, and totals 170,000± gross sq. ft. A 7,100± sq. ft. concrete block structure single story addition with loading docks was added onto the main manufacturing building. A separate free standing 3,030± sq. ft. garage/shop building is also present on the Site. This building is used by the current Site Owner for storage and vehicle maintenance. East House Canal Street LLC intends to demolish the concrete block addition and the garage/shop building, then renovate the main manufacturing building into 103 affordable apartment units, of which approximately half will be State Office of Mental Health (OMH) supported units, as well as commercial space on the first floor. The program will meet OMH standards for living and support space.

The intended future use of the building will be residential with commercial space on the first floor. The proposed unit count is 88 one-bedroom units and 15 two-bedroom units. The one-bedroom units average 725 gross square feet, with units ranging from 629 to 821 gross square feet. The two-bedroom units range from 948 gross square feet to 1,100 gross square feet.

The existing one-story concrete masonry loading dock structure, and one-story garage will be removed, allowing for approximately 60 on-site surface parking spaces, and a landscaped courtyard for recreation. Demolition of these structures will also facilitate any remediation required in these areas.

The purpose of the project will be to conduct the remedial investigation and remedial actions necessary to:

- A. Determine surface and subsurface characteristics of the Site, assess the source(s) and determine the nature and extent of contamination on or migrating from the Site, and identify migration pathways and potential receptors.
- B. Allow for the selection of the remedial measures that will attain conditions at the Site which are protective of the anticipated Restricted Residential Use of the Site, and are protective of public health, and the environment.
- C. Remediate contamination to allow for the reuse of the on-Site manufacturing building for the planned ground floor amenities and upper floor residential use.

The Remedial Investigation Work Plan (RIWP), which outlines the RI work proposed to be performed on this Site, is submitted concurrently with this Application. The RI work is estimated to begin in the spring of 2018. The Certificate of Completion is anticipated to be issued in the spring of 2020. An estimated project schedule for the remedial investigation and a preliminary schedule for the building renovation are included in Exhibit B.

Section III – Property’s Environmental History

1. **Reports:** A list of Investigation Reports for the Site is located below. The provided CD includes all Investigation Reports, and all associated laboratory reports are contained therein.
 - A. NYSDEC Petroleum Bulk Storage (PBS) (PBS No. 8-44804) and Spill Files (Spill No. 9300522, Spill No. 0910281 and Spill No. 1005055).
 - B. Phase II Site Characterization Report, 90 Canal Street Former MGP Site, Rochester New York, Performed for Rochester Gas & Electric (RG&E) by Haley & Aldrich of New York, Rochester, New York, 2008.
 - C. Phase II Environmental Site Assessment, 67 and 69 Canal Street Rochester, New York. LaBella Associates, D.P.C., 2014. *Report incorrectly titled for 69 Canal Street, however the assessment was conducted on 89 Canal Street.
 - D. Phase I Environmental Site Assessment, 67 and 89 Canal Street, City of Rochester, Monroe County, New York. Stantec Consulting Services, Inc., 2018.

The information presented below was obtained from a review of previous environmental Investigation Reports including environmental site assessments and investigations that have been performed at the Site and in the adjacent right-of-way. The information summarizes the environmental history of the Site, sources for the information presented below are the reports listed above.

A. **NYSDEC PBS and Spill Files:**

According to the information received, five tanks with three reported spills had previously been on-Site.

Per the files for PBS No. 8-44804 and spill files, five underground storage tanks (USTs) had previously been on-Site as follows:

- One tank was removed before 1993. This tank was not registered; however, it was discussed in spill information for Spill No. 9300522;
- Two tanks, a 500 gallon gasoline UST (Tank ID 001X) and a 2,000 gallon diesel UST (Tank ID 002X) which were removed in 1993; and
- Two tanks, a 500 gallon gasoline UST (Tank ID 001A) and a 2,000 gallon diesel UST (Tank ID 001B) were installed in 1993 and removed in 2012.

According to spill information from 1993 (Spill No. 9300522), gasoline was discovered in the building sump and northern loading dock area. The problem was reportedly from leaking USTs; at the time, the facility had one 500-gallon diesel UST and one 2,000-gallon gasoline UST. Upon discovery of the spill, the gasoline tank was pumped out. The NYSDEC sampled from several drilled holes in the ground between the retaining wall and the pavement of the loading dock, elevated PID readings were measured. Both tanks were subsequently removed by Pro Testing and new tanks were installed. Gasoline odors and staining were noted in the excavation. The 1993 spill information identifies a third UST which had been removed 2-3 years earlier within the same area, but there is no documentation of a spill at that time. This was suspected to be the source of contamination within the area since the tanks pulled in 1993 appeared to be in good condition. Soil was excavated within the area of the tanks and a trench was installed

north of the tank locations in order to install a soil vapor extraction (SVE) system. No other information on this system was provided in the spill information obtained by Stantec. The spill was closed ten years later since the SVE system had remained in place and there were no other indications of residual contamination causing impacts per the information received.

According to information received from the NYSDEC two tanks (one 2,000-gallon tank and one 500-gallon tank) were removed by Piedmont Equipment, Inc. in 2012; however, a report was not generated until two years later in 2014. Two confirmatory soil samples were collected in 2012 and the reported concentrations were well below applicable soil cleanup objectives. The NYSDEC closed the spill file associated with the tank removals (Spill No. 0910281) given the removal of the tanks and current property usage; however, the NYSDEC also stated that residual soil and groundwater impacts may remain and the spill file may have to be reopened if encountered.

The third spill identified (Spill No. 1005055) was a result of equipment failure onto the pavement.

- B. **2008 H&A Site Characterization Report:** This report, which was performed primarily on the adjacent property to the east formerly owned By RG&E, 90 Canal Street, which was the location of a former RG&E Canal Street MGP Site operated in the late 1800s, included some data and information for the Canal Street Manufacturing Site. In 2008, groundwater samples were collected by H&A from monitoring wells throughout the facility. The Site characterization investigations found VOCs including acetone, methylene chloride, xylenes, and metals above soil SCOs. Petroleum compounds, semi-volatile organic compounds, and metals were found in groundwater above standards and guidance values. No apparent on-site sources of this groundwater contamination were identified. One off-site well, MW-9, was also sampled, which is adjacent to the Site. Several compounds including 1,2-dichloroethane, 2-butanone (methyl ethyl ketone), acetone, cyclohexane, methylcyclohexane, and six petroleum related compounds were detected in MW-9, but were either not identified in other wells from the former MGP Site or they were present at much higher concentrations, suggesting that there may be a different source for contaminants in the area. Given the analytical results from the 2008 groundwater sampling event, it appears likely that the Site's soil/ground is impacted; however, in the area of MW-9 it does not appear to be from the former MGP facility.
- C. **2014 LaBella Environmental Site Assessment:** The 2014 Phase II ESA was conducted to investigate potential petroleum impacts from the former tank locations on the Site, potential petroleum and CVOC impacts from the Carriage Factory Brownfield site (located west of the Property), and the former RG&E Canal Street MGP Site (located east of the Property). This investigation involved installation of thirteen soil borings and two monitoring wells, and collection of five soil samples and three groundwater samples; one groundwater sample was collected from an existing well installed as part of the RG&E MGP Canal Street Site (MW-9). The Phase II ESA concluded that no further investigation or remediation is warranted given the lack of exceedances when compared to commercial soil cleanup guidelines and New York State Department of Environmental Conservation (NYSDEC) Petroleum Spill Site Inactivation (PSSI) for adult commercial workers. However, given the intended future use of the Site for residential purposes, the criteria used in the Phase II ESA is not appropriate for the intended future use. Summarized below are the analytical results found during the Phase II ESA

compared to Restricted Residential (RR) Soil Cleanup Objectives (SCOs), CP-51 cleanup levels, and NYSDEC Part 703 Groundwater Standards:

- One compound (1,2,4-Trimethylbenzene) was found in excess of its RR SCO in a soil boring located adjacent to the former underground tank locations. Six compounds at this location were found to exceed NYSDEC's CP-51 cleanup levels. A monitoring well was installed at this location and nine petroleum related compounds were found to exceed NYSDEC groundwater standards.
- A monitoring well installed to investigate potential impacts from the Carriage Factory Brownfield site had detections of three CVOCs above groundwater standards.
- The existing monitoring well sampled along the eastern property boundary (MW-9) had chloromethane, acetone, and 13 petroleum related compounds detected above groundwater standards.

D. **Stantec 2018 Phase I Report:** The 2018 Phase I Environmental Site Assessment (ESA) found the following Recognized Environmental Concerns (RECs), and determined that historical site operations included manufacture of shoes, paper boxes, and macaroni from the early 1900s to the 1980s. A variety of commercial and industrial tenants including a storage company, a studio, a graphics company, a woodworking company, and a general contractor occupied the building from the 1980s to the 2000s. Several RECs were identified including:

- The historical use of the Property (including a shoe and box manufacturing facility and garage/shop building) in conjunction with floor drains with unknown discharge locations;
- History of tanks, reported spills, and documentation of on-Site petroleum impacts to soil and groundwater from historical gasoline/diesel underground storage tanks;
- Presence of a former 25,000-gallon tank with unknown contents within the main building;
- Presence of a vacuum heating pump with unknown contents and prior storage of paint and five-gallon containers along with current storage of soil and other building debris in rooms on the first floor with unknown floor conditions within the main manufacturing building;
- Debris piles consisting of mostly soil, asphalt, rocks, and brick with trace amounts of slag and coal with unknown origin observed on-Site;
- Past storage of paint and other materials on a pervious surface;
- Historical storage of pesticides and associated staining/indentations within the former 'pesticide room' in the main building;
- Urban fill containing heavy metals and PAHs is present on an adjoining site. Similar conditions may exist on the Property; and
- Area-wide low-level COVC contamination plume originating from an off-site property adjacent to the west has affected one well on the west side of the Property and may have affected the Property's soil, soil vapor, and indoor air.

The report also identified historical use of adjoining properties as railway lines/coal yard, automobile manufacturing, lumber yard, Manufactured Gas Plant (MGP), electric substation and powerhouse, asphalt paving company and various other manufacturers including camera works, gum and vending machines, and washers and dryers.

2. **Sampling Data:** Contamination of soil and groundwater environmental media above applicable Standards, Criteria and Guidance (SCGs) for anticipated future use of the Site has been identified on-Site:

Table 1 provided in Exhibit C compares analytical data collected to date against NYSDEC Part 375 Unrestricted Use (UU), RR SCOs and NYSDEC CP-51 Tables 2 and 3 for gasoline and fuel oil contaminated soils. Groundwater results on Table 2 provided in Exhibit C have been compared to NYSDEC's Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations (TOGS 1.1.1, dated June 1998, with addenda).

Given the intended future use of the Site for residential purposes, the discussion below compares the analytical results found during the 2008 RG&E MGP Site Characterization for MW-9 and 2014 Phase II ESA compared to RR SCOs, CP-51 cleanup levels, and NYSDEC Part 703 Groundwater Standards:

- One compound (1,2,4-Trimethylbenzene) was found in excess of its RR SCO in a soil boring located adjacent to the former underground tank locations. Six compounds at this location were found to exceed NYSDEC's CP-51 cleanup levels.
 - A monitoring well was installed adjacent to the former underground tank location and nine petroleum related compounds were found to exceed NYSDEC groundwater standards.
 - A monitoring well installed to investigate potential impacts from the Carriage Factory Brownfield Site had detections of three CVOCs above groundwater standards.
 - In 2008 an estimated detection of 1,2-dichloroethane and five petroleum related compounds were detected above groundwater standards in MW-9 (installed as part of an investigation on the adjacent MGP Site) located in the right-of-way immediately east of the Site. This well was resampled as part of the 2014 Phase II ESA and chloromethane, acetone, and 13 petroleum related compounds were detected at concentrations above groundwater standards. As discussed above, some of these compounds were not detected on the MGP Site, thus impacts in this well are likely from a different source, potentially the Site given the estimated groundwater flow direction.
3. **Site Drawings:** Site drawings indicating petroleum in soil are presented on Figure 1 provided in Exhibit C, and petroleum in groundwater, CVOCs in groundwater, and other Volatile Organic Compounds (VOCs) in groundwater are presented on Figure 2 provided in Exhibit C.
4. **Past Uses:** The Site originally contained multiple residential dwellings from the mid-1870s to the early 1900s. In the early 1900s, the southern portion of the main/manufacturing building was constructed, and additions were made to the main building between 1904 and 1912 to cover the current building footprint. From 1910 to the mid-1920s, the Site was utilized as a shoe manufacturing facility, and also contained residential dwellings. The Site continued to be utilized by a shoe manufacturer from approximately the 1930s to the early 1950s; during which time residential dwellings were no longer present. In the early 1950s the shoe manufacturer was replaced by 'Kanty Paper Boxes'. A macaroni manufacturer operated in the northern portion of the building from approximately the 1940s until the early 1950s, and occupied the remainder of the Site until the early 1980s, except for the southern portion of the building, which was labeled 'Paper Packaging Products Warehouse' in 1971. From the late 1980s through the 2000s, occupants of the Site included a storage company, a studio, a graphics company, a woodworking company, general contractors, Fowler & Webster Inc., and Volunteers of America, which used the Site as a warehouse. Buckingham Properties purchased the Site from Volunteers of America in 2011. Buckingham Properties, which is still

the owner, has used the Site buildings primarily for storage and maintenance of vehicles and equipment. A list of the former owners and operators is provided in Exhibit E.

Section IV – Property Information

1. **Proposed Site Name:** The proposed name for the Site is the Canal Street Manufacturing Site ("Site"). The Site consists of two tax parcels, 67 Canal Street (SBL 120.36-2-2) and 89 Canal Street (SBL 120.36-2-1), Rochester, Monroe County as shown on the Property Tax Map, Figure 3 presented in Exhibit D. The 67 Canal Street lot measures 0.78± acres, and the 89 Canal Street lot measures 0.92± acres, totaling 1.7± acres for the Site with the approximate centroid located at 43° 9' 16.611" N, 77° 37' 29.593" W. The Site spans across two United States Geologic Survey (USGS) 7.5 minute series maps, the division line is represented on the USA Topo base map provided on the Site Location Map, Figure 4 presented in Exhibit D. It is located on the Rochester West, NY and the Rochester East, NY maps provided in Exhibit D (USGS, 2016). The boundaries of the Site correspond to the County Tax Map boundaries shown on Figure 5 presented in Exhibit D.
2. **Property Map:** The Site Base Map showing aerial imagery of the Site and the proposed Site boundary lines is provided on Figure 6 in Exhibit D. Adjacent property owners are depicted on the Property Tax Map, Figure 3 presented in Exhibit D.
3. **En-Zone:** The Site is located in census tract 96.01, 100% of the site area is located within an En-zone.
- 4.-7. No questions in this section were answered in the affirmative. Please refer to Questions 4-7 on the BCP Application Form.
8. **Easements/Right of Ways:** There is currently one existing easement and one existing Right-of-Way (ROW) that could preclude remediation in these areas. A City of Rochester ROW, former Hyland Alley, interjects into the Site from Wiley Street approximately 60 ft as shown on Figure 1 presented in Exhibit C. Currently this ROW is not included in the BCP; however, the Requestor intends to pursue acquisition of this ROW. Should the City abandon this ROW and title be obtained by the Requestor, an amendment to the BCP application will be issued to include the former Hyland Alley. There is also a RG&E steam line easement in the southern portion of the manufacturing building as shown on Figure 1 presented in Exhibit C.
9. **Permits:** The NYSDEC issued Petroleum Bulk Storage (PBS) permit No. 8-44804 for the site. The PBS permit is no longer active.

10. **Property Description**

Location: The Site is located in the downtown area in the City of Rochester, an urban area of Monroe County. The Site area totals 1.7± acres and is located between the intersections of Litchfield Street and Wiley Street, and Canal Street and Wiley Street, approximately 400 feet north of West Main Street.

Site Features: The main site features include a vacant, approximately 170,000 square foot, five-story manufacturing building, with an approximately 7,100 square foot single story addition containing loading docks, and one approximately 3,030 square foot garage/shop building currently used to store maintenance supplies. About 95% of the Site is covered by building or pavement.

Current Zoning and Land Use: The current zoning is Cascade-Canal District (CCD-C), which is part of the Center City District (CCD). The Site is predominantly vacant, with one small on-Site garage building being used by the Owner for storage and vehicle maintenance. The Rochester CCD-C is also included within the Susan B. Anthony Historic Preservation District as shown on the Monroe County GIS Services Division attachments provided in Exhibit D. Surrounding properties are a mix of commercial, industrial, and residential uses. The nearest residential structure is the Carriage Factory Apartments, located adjacent west of the Site.

Past Uses of the Site: The use of the Site before 1870 has not been determined. From the mid-1870s to the early 1900s, the Site was developed with several residential dwellings. In the early 1900s, the main/manufacturing building was constructed in phases to cover the current building footprint, while some residences remained on the Site until the 1930s. Historical site operations included manufacture of shoes, paper boxes, and macaroni from the early 1900s to the 1980s. A variety of commercial and industrial tenants, including a storage company, a studio, a graphics company, a woodworking company, and a general contractor occupied the building from the 1980s to the 2000s.

During the Site's various uses, multiple tanks for gasoline, unleaded gasoline, and diesel have been located on-site. A 25,000-gallon tank was noted in the southeast corner of the building on the 1912 Sanborn Map. City of Rochester records indicated that a 550-gallon gasoline tank was installed on-site in the 1940s and a 1,000-gallon and 2,000-gallon tank were installed in the 1950s. Since the installation of these tanks, numerous removals and replacements were documented, as well as three NYSDEC spill files.

Spill No. 9300522 was opened in April 1993. This spill was initially related to gasoline found in an exterior catch basin/drain at the loading dock, which was reportedly connected to an interior basement sump that ultimately pumped to the sanitary sewer. Eventually it was believed that the source of the gasoline was an on-site Underground Storage Tank (UST) located southwest of the loading dock area. Shortly after the spill file was opened, the tanks were reportedly removed by the prior owner, Volunteers of America, in July 1993, and a subsurface vapor extraction system (VES) was installed adjacent to the former tank location. The VES apparently operated until approximately 2003 and the spill file was closed by NYSDEC in March 2004.

Spill No. 0910281 was opened in December 2009. This spill was related to records of UST product inventory performed by the Site owner at the time for gasoline and diesel tanks installed as replacements for those removed in 1993. Ultimately it was determined the inventory records were erroneous. The Spill File notes indicate one of the replacement tanks was removed in 2012. A removal report was provided to NYSDEC in 2014 and NYSDEC closed the Spill File in December 2014.

Spill No. 1005055 was a minor spill of hydraulic oil on asphalt pavement that was cleaned up immediately by the prior owner, Volunteers of America; the spill file was opened and closed by NYSDEC on the same day in August 2010.

The last known remaining set of tanks (a 500-gallon diesel tank and 1,000-gallon gasoline tank) were closed and removed in 2012.

Site Geology and Hydrogeology: The topography of the Site and the surrounding area is shown on Figure 4 and the Rochester East, NY and Rochester West, NY USGS 7.5 minute series maps provided in Exhibit D. According to the USGS topographic maps, the Site is generally flat, with elevation ranges from 510 feet above mean sea level (ft amsl) to 520 ft amsl. Surface water

infiltrates the ground surface or flows overland towards storm drains located on the Property or in the streets adjacent to the Property. According to work done by LaBella, the depth to shallow groundwater has been measured at depths between 5 and 6.5 ft below ground surface (bgs) at the Site. Based on groundwater information collected from the 33 Litchfield Street Carriage Factory BCP site, groundwater flow within the vicinity of the Site is estimated to be to the northeast, towards the Genesee River. Test borings collected by LaBella on the Site indicated that the encountered overburden soils consisted of brown fine sand and sandy silt with intermittent thin clay layers. Test borings collected from the 33 Litchfield Street site identified urban fill soils generally consisting of granular material with variable mixtures or layers of ash, cinders, slag, brick, concrete and other miscellaneous materials encountered to a depth of 2-4 ft bgs with underlying glacial till. Assumed bedrock was encountered by LaBella on the Site from 5.7 to 11.1 ft bgs, it consists of limestone and dolostone from the Oak Orchard and Penfield Dolostones of the Lockport Group.

Environmental Assessment: Based upon investigations conducted to date, the primary contaminants of concern for the Site include petroleum, CVOCs, and VOCs highlighted on Tables 1 and 2 provided in Exhibit C.

- *Soil* – At a sample depth of 8-8.1 ft bgs from GP-06/MW-01 located in the north, central portion of the Site, Acetone (76,000 µg/kg) greatly exceeds the UU SCO (50 µg/kg), however, is below the RR SCO (100,000 µg/kg). Ethylbenzene (4,400 µg/kg) greatly exceeds the UU and gasoline and fuel contaminated soils SCO (1,000 µg/kg,) however, is below the RR SCO (41,000 µg/kg). Isopropylbenzene (3,800 µg/kg) marginally exceeds the CP-51 SCOs for gasoline and fuel contaminated soils (2,300 µg/kg) and is below the UU and RR SCO (100,000 µg/kg). Napthalene as a VOC (17,000 µg/kg) is marginally above the UU and gasoline and fuel contaminated soils CP-51 SCO (12,000 µg/kg), however, is below the RR SCO (100,000 µg/kg). n-Propylbenzene (14,000 µg/kg) is greatly above the UU and gasoline and fuel contaminated CP-51 SCO (3,900 µg/kg) however below the RR SCO (100,000 µg/kg). 1,2,4-Trimethylbenzene (110,000 µg/kg) is greatly above the UU and gasoline and fuel contaminated CP-51 SCO (3,600 µg/kg) and RR SCO (52,000 µg/kg). 1,3,5-Trimethylbenzene (35,000 µg/kg) is greatly above the UU and gasoline and fuel contaminated CP-51 SCO (8,400 µg/kg) however is below the RR SCO (52,000 µg/kg). m & p-Xylene (38,000 µg/kg) is greatly above the UU SCO (260 µg/kg) however below the RR SCO (100,000 µg/kg). o-Xylene (4,000 µg/kg) is greatly above the UU SCO (260 µg/kg) however below the RR SCO (100,000 µg/kg).
- *Groundwater* – Groundwater sampled as part of the 2014 Phase II ESA from GP-11/MW-02 located along the western border adjacent to the Carriage Factory BCP contains cis-1,2-Dichloroethene (8.5 µg/L), Tetrachloroethene (PCE) (23 µg/L), and Trichloroethene (TCE) (7.0 µg/L) marginally above the TOGS SCGs (5 µg/L). These contaminants are CVOCs believed to be related to an area-wide low-level CVOC contamination plume originating from 33 Litchfield Street, the Carriage Factory BCP. Groundwater sampled as part of the 2014 Phase II ESA from GP-06/MW-01 located in the north, central portion of the Site contains n-Butylbenzene (110 µg/L), Ethylbenzene (390 µg/L), and Isopropylbenzene (190 µg/L) greatly above TOGS SCG (5 µg/L). Napthalene as a PAH (2,300 µg/L) and Napthalene as a VOC (1,000 µg/L) greatly above TOGS SCG (10 µg/L). n-Propylbenzene (580 µg/L), 1,2,4-Trimethylbenzene (5,600 µg/L), 1,3,5-Trimethylbenzene (1,400 µg/L), m & p-Xylene (2,600 µg/L), and o-Xylene (180 µg/L) greatly above TOGS SCG (5 µg/L). In the most recently analyzed results for MW-9 adjacent to the Site, Acetone (810 µg/L) and Benzene (660 µg/L) are greatly above the TOGS SCGs (50 µg/L) and (1 µg/L) respectively. n-Butylbenzene (9.0 µg/L), Chloromethane (36 µg/L), Ethylbenzene (730 µg/L), Isopropylbenzene (41 µg/L), p-

Isopropyltoluene (Cymene) (12 µg/L) are above TOGS SCGs (5 µg/L). Methyl tert-butyl ether (29 µg/L) and Napthalene as a VOC (210 µg/L) are above TOGS SCGs (10 µg/L). n-Propylbenzene (110 µg/L), Toluene (82 µg/L), 1,2,4-Trimethylbenzene (920 µg/L), 1,3,5-Trimethylbenzene (230 µg/L), m & p-Xylene (770 µg/L), and o-Xylene (36 µg/L) are above TOGS SCGs (5 µg/L). Some of these compounds detected in MW-9 have not been detected on the MGP Site, and it is suspected that the source of these contaminants may be the Site given the estimated groundwater flow direction.

11.-13. These questions are only related to NYC Sites, and therefore, are not relevant to this application.

Part B

Section V – Additional Requestor Information

The Requestor's Authorized Representative is Greg Soehner, who is located at 259 Monroe Avenue, Suite 200, Rochester, New York 14607. Phone: 585-238-4800 | Fax: 585-238-4899 | E-mail: gsoehner@easthouse.org

The Requestor's Consultant will be Stantec Consulting Services Inc., located at 61 Commercial Street, Suite 100, Rochester, New York 14614. Phone: 585-413-5266 | Fax: 585-272-1814 | E-mail: mike.storonsky@stantec.com

The Requestor's Attorney will be Linda Shaw of Knauf Shaw LLP, located at 1400 Crossroads Building, 2 State Street, Rochester, New York 14614. Phone: 585-546-8430 | Fax: 585-546-4323 | Email: lshaw@nyenvlaw.com

Section VI – Current Property Owner/Operator Information

The Current Owner is 67 & 89 Canal Street, LLC, an LLC associated with Buckingham Properties, and the current Owner contact is Rich Finley of Buckingham Properties, located at 259 Alexander Street, Rochester, New York 14607. They have owned the site since 2011. Phone: 585-371-7008 | Fax: 585-295-9505 | E-mail: Rfinley@buckprop.com. The Site is predominantly vacant except for the garage/shop building, in which the Owner stores and maintains vehicles and equipment.

The Requestor's relationship to the Current Owner in relation to this Site is that they are considering purchasing the Site from the Current Owner when funding for the project has been secured. This closing is expected to occur on or about July 17, 2019.

A list of previous owners and operators at the Site including contact information is provided in Exhibit E. There are no relationships between the Requestor and any previous owner or operator.

Section VII – Requestor Eligibility Information

1.-10. No questions in this section were answered in the affirmative. Please refer to Questions 1-11 on the BCP Application Form.

11. According to records received from the City of Rochester during the Phase I ESA there are historical records of on-Site tanks as early as the 1940s thus it is possible that there is a rouge tank on Site; however, none are known at this time.

The Requestor is a "Volunteer" whose liability arises solely as a result of potential future ownership of the Site. The Requestor is a "Volunteer" since it will be entering the BCP prior to obtaining ownership of the Site and subsequent to the disposal of hazardous waste or discharge of petroleum on the Site.

The Requestor's relationship to property is Potential/Future Purchaser. Proof of site access from the current owner has been obtained in the Access Agreement provided in Exhibit F.

Section VIII – Property Eligibility Information

1.-6. No questions in this section were answered in the affirmative. Please refer to Questions 1-6 on the BCP Application Form.

Section IX – Contact List Information

The names and addresses of parties on the Site Contact List and a signed letter of confirmation stating that the City of Rochester Public Library (Rundel Building), located at 115 South Avenue in the City of Rochester, will serve as the document repository for this project are provided in Exhibit G.

Section X – Land Use Factors

1. The Site is zoned within the Cascade-Canal Regulatory District (CCD-C) of the Center City District (CCD). All uses unless specifically listed as a limited use in the [Rochester Zoning Code] § 120-63 and prohibited use in § 120-64 are permitted in fully enclosed buildings. One of the purposes of the CCD districts is to encourage residential development while defining and promoting the Center City as the anchor for the region as a desirable place to live, work, and recreate. The design criteria for CCD-C were established to preserve and promote its industrial warehouse character and creates a pedestrian-scaled enclave (§ 120-72).
2. The current Site is predominantly Vacant; however, the current owner uses the garage/shop building to store maintenance supplies and perform routine vehicle maintenance. The main manufacturing and storage buildings are vacant and unused. It is understood that the manufacturing building and concrete block addition were most recently used as warehouse space by the prior owner, Volunteers of America, in 2011.
3. After Remediation, the Site is anticipated to be used for Restricted Residential uses. The proposed redevelopment of the Site involves renovating the building into 103 affordable apartment units, of which approximately half will be State Office of Mental Health (OMH) supported units. The program will meet OMH standards for living and support space.

The intended future use of the building will be residential with commercial space on the first floor. The proposed unit count is 88 one-bedroom units and 15 two-bedroom units. The one-

bedroom units average 725 gross square feet, with units ranging from 629 to 821 gross square feet. The two-bedroom units range from 948 gross square feet to 1,100 gross square feet.

The existing one-story concrete masonry loading dock structure, and one-story garage will be removed, allowing for approximately 60 on-site surface parking spaces, and a landscaped courtyard for recreation.

4. Recent development patterns support the proposed use. The adjacent Carriage Factory Apartments were opened in 2014 after undergoing remediation through the BCP. The 2008 Vision Plan for the Susan B Anthony neighborhood for Plan E Broad Street Area encouraged the re-development of the on-site building (referenced as the Volunteers of America building) with the vision that the building would be used as a mixed use, mixed income development with commercial, community and residential components.

5.-6. Please refer to Questions 5-6 on the BCP Application Form.

Canal Street Manufacturing Site Brownfield Cleanup Program Application Supporting Document Exhibit List

Exhibit A: Section I-Requestor Information Supporting Documents

Exhibit B: Section II-Project Description Supporting Documents

Exhibit C: Section III-Property's Environmental History Supporting Documents

Exhibit D: Section IV-Property Information Supporting Documents

Exhibit E: Section VI-Current Property Owner/Operator Information Supporting Documents

Exhibit F: Section VII-Requestor Eligibility Information Supporting Documents

Exhibit G: Section IX-Contact List Information Supporting Documents

Canal Street Manufacturing Site Brownfield Cleanup Program Application Previously Completed Environmental Reports List *provided on separately attached CD

- A. NYSDEC Petroleum Bulk Storage (PBS) (PBS No. 8-44804) and Spill Files (Spill No. 9300522, Spill No. 0910281 and Spill No. 1005055).
- B. Phase II Site Characterization Report, 90 Canal Street Former MGP Site, Rochester New York, Performed for Rochester Gas & Electric (RG&E) by Haley & Aldrich of New York, Rochester, New York, 2008.
- C. Phase II Environmental Site Assessment, 67 and 69 Canal Street Rochester, New York. LaBella Associates, D.P.C., 2014. *Report incorrectly titled for 69 Canal Street, however the assessment was conducted on 89 Canal Street.
- D. Phase I Environmental Site Assessment, 67 and 89 Canal Street, City of Rochester, Monroe County, New York. Stantec Consulting Services, Inc., 2018.

EXHIBIT A
SECTION I-REQUESTOR INFORMATION
SUPPORTING DOCUMENTS

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through January 23, 2018.

Selected Entity Name: EAST HOUSE CANAL STREET LLC

Selected Entity Status Information

Current Entity Name: EAST HOUSE CANAL STREET LLC

DOS ID #: 5272299

Initial DOS Filing Date: JANUARY 23, 2018

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)

EAST HOUSE CANAL STREET LLC

259 MONROE AVENUE

SUITE 200

ROCHESTER, NEW YORK, 14607

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
JAN 23, 2018	Actual	EAST HOUSE CANAL 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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**EAST HOUSE CANAL STREET LLC
UNANIMOUS CONSENT OF MEMBERS**

The undersigned being all of the Members of East House Canal Street LLC, a New York limited liability company (the "Company"), pursuant to and in accordance with the provisions of New York Limited Liability Company Law, hereby waives notice of a meeting and consents to and adopts the following resolutions:

BE IT RESOLVED, that the Company be, and it hereby is, authorized and directed to enter into, execute and deliver, all documents, agreements and instruments and to take any and all action necessary or desirable on behalf of, and for the benefit of, the Company, to implement, secure and/or consummate the entering into a Brownfield Cleanup Agreement (BCA) with the State of New York by the New York State Department of Environmental Conservation; and


BE IT FURTHER RESOLVED, that Gregory J. Soehner is authorized to sign on behalf of the Company, and is authorized to execute any and all instruments and documents and to take any and all actions as he deems necessary or desirable to evidence, implement, secure and/or consummate the transactions as described above, including the execution of a BCA with the State of New York by the New York State Department of Environmental Conservation; and

BE IT FURTHER RESOLVED, that all actions heretofore taken and all documents heretofore executed and all present and future actions taken in connection with the above and/or these resolutions, be, and they hereby are, ratified, confirmed and approved.

IN WITNESS WHEREOF, the undersigned being all of the Members of the Company, have executed this Unanimous Consent of Members on the 14 day of March 2018.



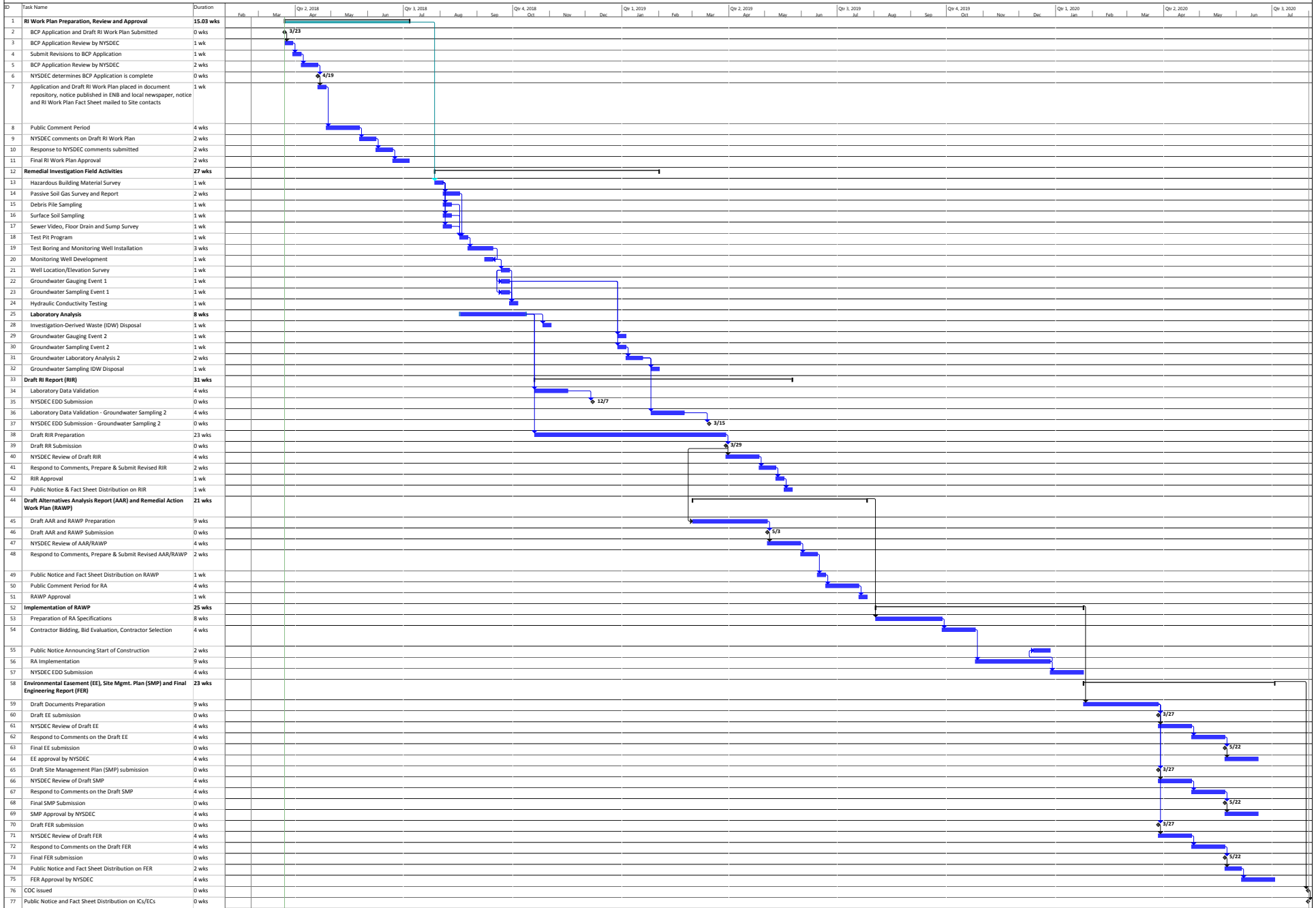
EAST HOUSE CANAL STREET MM LLC
By: Gregory S. Soehner
Its: Manager



GREG S. SOEHNER

EXHIBIT B
SECTION II-PROJECT DESCRIPTION
SUPPORTING DOCUMENTS

Canal Street Manufacturing Site
67 & 89 Canal Street, Rochester, Monroe County, New York
Estimated Schedule
March 2018



Note: The proposed schedule for field activities is weather-dependent.

\\US1275-F02\SHARED_PROJECTS\190500965\05_report_deliv\deliverables\reports\2_RWP\Tables\Table 4 Schedule\2018-02-15 Canal Street Schedule.mpp

EXHIBIT C
SECTION III-PROPERTY'S
ENVIRONMENTAL HISTORY
SUPPORTING DOCUMENTS

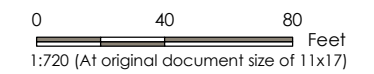
Table 2
Summary of Analytical Results in Groundwater
Brownfield Cleanup Program
Prior Environmental Investigations
Canal Street Manufacturing Site
67 & 89 Canal Street, Rochester, New York

Location Sample Location Sample Date Sample ID Sampling Company Laboratory Laboratory Work Order Laboratory Sample ID	Units	TOGS	On-Site		Off-Site	
			GP-06/MW-01	GP-11/MW-02	MW-09	
			11-Jun-14 MW-01	11-Jun-14 MW-02	24-Sep-08 MW-9	11-Jun-14 MW-09
			LABELLA ASSOCIATES, D.P.C		Haley & Aldrich	LABELLA ASSOCIATES, D.P.C
			ESC		UNKNOWN	ESC
		L704675 L704675-06	L704675 L704675-07	UNKNOWN A8B79401	L704675 L704675-08	
Polycyclic Aromatic Hydrocarbons						
Acenaphthene	µg/L	20 ^B	11	-	-	-
Acenaphthylene	µg/L	n/v	3.0	-	-	-
Anthracene	µg/L	50 ^A	5.6	-	-	-
Benzo(a)anthracene	µg/L	0.002 ^A	3.0 U	-	-	-
Benzo(a)pyrene	µg/L	n/v	3.0 U	-	-	-
Benzo(b)fluoranthene	µg/L	0.002 ^A	3.0 U	-	-	-
Benzo(g,h,i)perylene	µg/L	n/v	3.0 U	-	-	-
Benzo(k)fluoranthene	µg/L	0.002 ^A	3.0 U	-	-	-
Chloronaphthalene, 2-	µg/L	10 ^B	15 U	-	-	-
Chrysene	µg/L	0.002 ^A	3.0 U	-	-	-
Dibenzo(a,h)anthracene	µg/L	n/v	3.0 U	-	-	-
Fluoranthene	µg/L	50 ^A	3.0 U	-	-	-
Fluorene	µg/L	50 ^A	12	-	-	-
Indeno(1,2,3-cd)pyrene	µg/L	0.002 ^A	3.0 U	-	-	-
Methylnaphthalene, 1-	µg/L	n/v	1,100	-	-	-
Methylnaphthalene, 2-	µg/L	n/v	2,400	-	-	-
Naphthalene	µg/L	10 ^B	2,300^B	-	-	-
Phenanthrene	µg/L	50 ^A	20	-	-	-
Pyrene	µg/L	50 ^A	4.7	-	-	-
Volatile Organic Compounds						
Acetone	µg/L	50 ^A	5,000 U	50 U	24	810^A
Benzene	µg/L	1 ^B	100 U	1.0 U	1,400^B	660^B
Bromodichloromethane	µg/L	50 ^A	100 U	1.0 U	5.0 U	1.0 U
Bromoform (Tribromomethane)	µg/L	50 ^A	100 U	1.0 U	5.0 UJ	1.0 U
Bromomethane (Methyl bromide)	µg/L	5 ^{-B}	500 U	5.0 U	10 U	5.0 U
Butylbenzene, n-	µg/L	5 ^{-B}	110^B	1.0 U	-	9.0^B
Butylbenzene, sec- (2-Phenylbutane)	µg/L	5 ^{-B}	100 U	1.0 U	-	4.9
Butylbenzene, tert-	µg/L	5 ^{-B}	100 U	1.0 U	-	1.0 U
Carbon Disulfide	µg/L	60 ^A	100 U	1.0 U	5.0 U	1.0 U
Carbon Tetrachloride (Tetrachloromethane)	µg/L	5 ^B	100 U	1.0 U	5.0 U	1.0 U
Chlorobenzene (Monochlorobenzene)	µg/L	5 ^{-B}	100 U	1.0 U	5.0 U	1.0 U
Chlorobromomethane	µg/L	5 ^{-B}	100 U	1.0 U	-	1.0 U
Chloroethane (Ethyl Chloride)	µg/L	5 ^{-B}	500 U	5.0 U	5.0 U	5.0 U
Chloroform (Trichloromethane)	µg/L	7 ^B	500 U	5.0 U	5.0 U	5.0 U
Chloromethane	µg/L	5 ^{-B}	250 U	2.5 U	5.0 U	36^B
Cyclohexane	µg/L	n/v	160	1.0 U	210	100
Dibromo-3-Chloropropane, 1,2- (DBCP)	µg/L	0.04 ^B	500 U	5.0 U	5.0 U	5.0 U
Dibromochloromethane	µg/L	50 ^A	100 U	1.0 U	5.0 U	1.0 U
Dichlorobenzene, 1,2-	µg/L	3 ^B	100 U	1.0 U	5.0 U	1.0 U
Dichlorobenzene, 1,3-	µg/L	3 ^B	100 U	1.0 U	5.0 U	1.0 U
Dichlorobenzene, 1,4-	µg/L	3 ^B	100 U	1.0 U	5.0 U	1.0 U
Dichlorodifluoromethane (Freon 12)	µg/L	5 ^{-B}	500 U	5.0 U	5.0 U	5.0 U
Dichloroethane, 1,1-	µg/L	5 ^{-B}	100 U	1.0 U	5.0 U	3.8
Dichloroethane, 1,2-	µg/L	0.6 ^B	100 U	1.0 U	2.9 J^B	1.0 U
Dichloroethene, 1,1-	µg/L	5 ^{-B}	100 U	1.0 U	5.0 U	1.0 U
Dichloroethene, cis-1,2-	µg/L	5 ^{-B}	100 U	8.5^B	5.0 U	1.0 U
Dichloroethene, trans-1,2-	µg/L	5 ^{-B}	100 U	1.0 U	5.0 U	1.0 U
Dichloropropane, 1,2-	µg/L	1 ^B	100 U	1.0 U	5.0 U	1.0 U
Dichloropropene, cis-1,3-	µg/L	0.4 ^B	100 U	1.0 U	5.0 U	1.0 U
Dichloropropene, trans-1,3-	µg/L	0.4 ^B	100 U	1.0 U	5.0 U	1.0 U
Ethylbenzene	µg/L	5 ^{-B}	390^B	1.0 U	260^B	730^B
Ethylene Dibromide (Dibromoethane, 1,2-)	µg/L	0.0004 ^B	100 U	1.0 U	5.0 U	1.0 U
Hexanone, 2- (Methyl Butyl Ketone)	µg/L	50 ^A	1,000 U	10 U	10 U	10 U
Isopropylbenzene	µg/L	5 ^{-B}	190^B	1.0 U	23^B	41^B
Isopropyltoluene, p- (Cymene)	µg/L	5 ^{-B}	100 U	1.0 U	-	12^B
Methyl Acetate	µg/L	n/v	2,000 U	20 U	10 U	20 U
Methyl Ethyl Ketone (MEK) (2-Butanone)	µg/L	50 ^A	1,000 U	10 U	12	10 U
Methyl Isobutyl Ketone (MIBK)	µg/L	n/v	1,000 U	10 U	10 U	10 U
Methyl tert-butyl ether (MTBE)	µg/L	10 ^A	100 U	1.0 U	130 J^A	29^A
Methylcyclohexane	µg/L	n/v	420	1.0 U	130	62
Methylene Chloride (Dichloromethane)	µg/L	5 ^{-B}	500 U	5.0 U	5.0 UJ	5.0 U
Naphthalene	µg/L	10 ^B	1,000^B	5.0 U	-	210^B
Propylbenzene, n-	µg/L	5 ^{-B}	580^B	1.0 U	-	110^B
Styrene	µg/L	5 ^{-B}	100 U	1.0 U	5.0 U	1.8
Tetrachloroethane, 1,1,2,2-	µg/L	5 ^{-B}	100 U	1.0 U	5.0 U	1.0 U
Tetrachloroethene (PCE)	µg/L	5 ^{-B}	100 U	23^B	5.0 U	1.0 U
Toluene	µg/L	5 ^{-B}	500 U	5.0 U	180^B	82^B
Trichlorobenzene, 1,2,3-	µg/L	5 ^{-B}	100 U	1.0 U	-	1.0 U
Trichlorobenzene, 1,2,4-	µg/L	5 ^{-B}	100 U	1.0 U	5.0 U	1.0 U
Trichloroethane, 1,1,1-	µg/L	5 ^{-B}	100 U	1.0 U	5.0 U	1.0 U
Trichloroethane, 1,1,2-	µg/L	1 ^B	100 U	1.0 U	5.0 U	1.0 U
Trichloroethene (TCE)	µg/L	5 ^{-B}	100 U	7.0^B	5.0 UJ	1.0 U
Trichlorofluoromethane (Freon 11)	µg/L	5 ^{-B}	500 U	5.0 U	5.0 U	5.0 U
Trichlorotrifluoroethane (Freon 113)	µg/L	5 ^{-B}	100 U	1.0 U	5.0 U	1.0 U
Trimethylbenzene, 1,2,4-	µg/L	5 ^{-B}	5,600^B	1.9	-	920^B
See last page for Notes						
Trimethylbenzene, 1,3,5-	µg/L	5 ^{-B}	1,400^B	1.0 U	-	230^B
Vinyl Chloride	µg/L	2 ^B	100 U	1.0 U	5.0 U	1.0 U
Xylene, m & p-	µg/L	5 ^{-B}	2,600^B	2.0 U	-	770^B
Xylene, o-	µg/L	5 ^{-B}	180^B	1.0 U	-	36^B
Xylenes, Total	µg/L	5 ^{-B}	-	-	1,500^B	-

Notes:
TOGS NYSDEC Division of Water TOGS 1.1.1 (Reissued June 1998 with errata in January 1999 and addenda in April 2000 and June 2004)
^A TOGS 1.1.1 - Table 1 - Ambient Water Quality Standards and Guidance Values, Technical and Operational Guidance Series (TOGS 1.1.1); Guidance
^B TOGS 1.1.1 - Table 1 - Ambient Water Quality Standards and Guidance Values, Technical and Operational Guidance Series (TOGS 1.1.1); Standards
6.5^A Concentration exceeds the indicated standard.
15.2 Measured concentration did not exceed the indicated standard.
0.03 U Analyte was not detected at a concentration greater than the laboratory reporting limit.
n/v No standard/guideline value.
- Parameter not analyzed / not available.
-- The principal organic contaminant standard for groundwater of 5 ug/L (described elsewhere in the TOGS table) applies to this substance.
p Applies to the sum of cis- and trans-1,3-dichloropropene.
J The reported result is an estimated value.
UJ Indicates estimated non-detect.
ESC ESC Lab Sciences

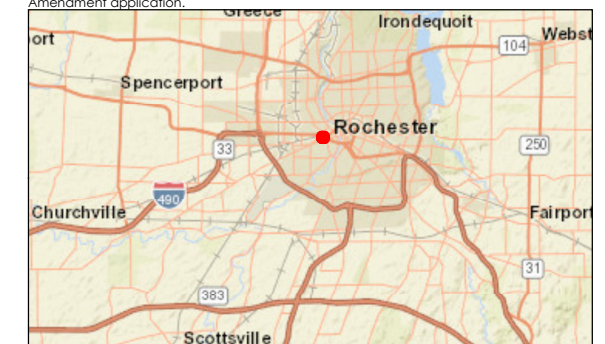
Legend

- Prior On-Site Investigation Location (LaBella Phase II ESA, 2014) - Soil Boring
- Prior On-Site Investigation Location (LaBella Phase II ESA, 2014) - Soil Boring/Monitoring Well
- Previous Excavation Extent
- Approximate Location of Vapor Extraction System
- Former Pump Island
- Site Boundary
- Site Parcels
- City of Rochester ROW*
- Onsite and Adjacent Building Outlines
- Approximate Location of Ramp with Retaining Sidewalls
- Approximate Location of Overhead Door at Ramp Base
- Approximate Location of 2" Steam Line Easement
- Nearby Parcel Boundaries
- Street Centerlines
- Drain



Notes

1. Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet.
2. Key Map basemap: ArcGIS World Street Map.
3. Locations are approximate.
4. Soil samples were collected by LaBella Associates, D.P.C. (LaBella) during a 2014 Phase II Environmental Site Assessment (ESA). Analytical data from LaBella was summarized from the laboratory report.
5. Concentrations of compounds displayed with orange background are exceedances of NYSDEC Part 375 Soil Cleanup Objectives (SCOs). Results were compared to SCOs for Unrestricted Use, the Protection of Human Health - Restricted Residential, and for the Protection of Groundwater. Results were also compared to NYSDEC CP-51 Table 2 Soil Cleanup Levels for Gasoline Contaminated Soils and Table 3 Soil Cleanup Levels for Fuel Oil Contaminated Soils. Only locations with exceedances of the listed criteria are depicted on this figure. See Table 1 for full sampling results.
6. Abbreviations:
U: Analyte was not detected at a concentration greater than the laboratory reporting limit.
7. Naphthalene was analyzed using USEPA Method 8260 (as a volatile organic compound [VOC]) and USEPA Method 8270 (as a semi-volatile polycyclic aromatic hydrocarbon [PAH]), thus appearing on both compound lists.
8. *The City of Rochester ROW is anticipated to become part of the Canal Street Site upon abandonment by the City of Rochester and submission and acceptance of a NYSDEC BCP Amendment application.



Project Location: 67 & 89 Canal Street, C. of Rochester, Monroe Co., NY
 Prepared by LB on 2018-01-02
 Technical Review by AN on 2018-01-18
 Independent Review by MPS on 2018-01-30

Client/Project

Canal Street Manufacturing Site
 Brownfield Cleanup Program Application

Figure No.

1

Title

Soil Sample Exceedances

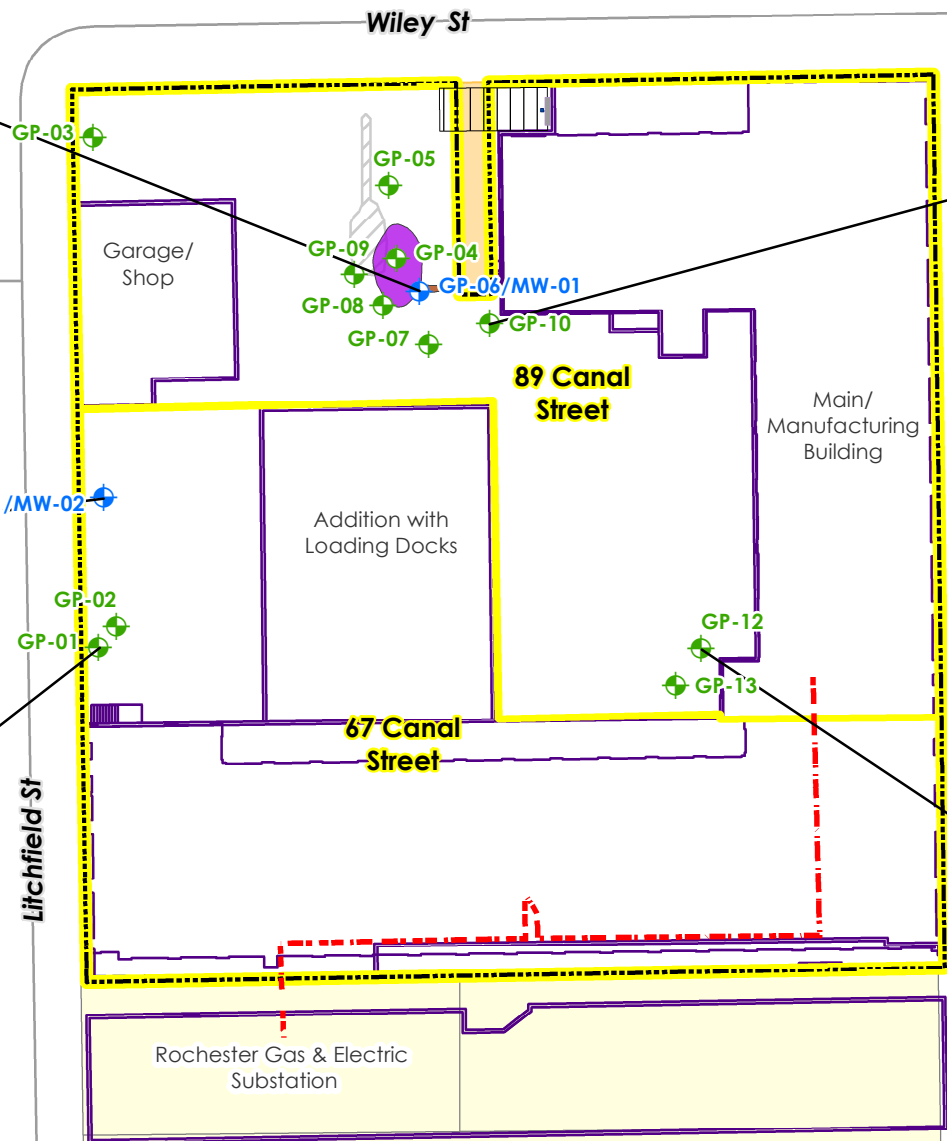
GP-06/MW-01	
Sample Date	06/11/2014
Sample Depth	8 - 8.1 ft
Acetone	76,000
Ethylbenzene	4,400
Isopropylbenzene	3,800
Naphthalene (as VOC)	17,000
Propylbenzene, n-	14,000
Trimethylbenzene, 1,2,4-	110,000
Trimethylbenzene, 1,3,5-	35,000
Xylene, m & p-	38,000
Xylene, o-	4,000

GP-11/MW-02	
Sample Date	06/11/2014
Sample Depth	7.4 ft
Acetone	280 U
Ethylbenzene	5.6 U
Isopropylbenzene	56 U
Naphthalene (as VOC)	28 U
Propylbenzene, n-	5.6 U
Trimethylbenzene, 1,2,4-	20
Trimethylbenzene, 1,3,5-	5.6 U
Xylene, m & p-	11 U
Xylene, o-	5.6 U

GP-01	
Sample Date	06/11/2014
Sample Depth	5.7 ft
Acetone	280 U
Ethylbenzene	5.6 U
Isopropylbenzene	56 U
Naphthalene (as VOC)	28 U
Propylbenzene, n-	5.6 U
Trimethylbenzene, 1,2,4-	5.6 U
Trimethylbenzene, 1,3,5-	5.6 U
Xylene, m & p-	11 U
Xylene, o-	5.6 U

GP-10	
Sample Date	06/11/2014
Sample Depth	8 - 8.2 ft
Acetone	290 U
Ethylbenzene	5.7 U
Isopropylbenzene	57 U
Naphthalene (as VOC)	29 U
Propylbenzene, n-	5.8
Trimethylbenzene, 1,2,4-	25
Trimethylbenzene, 1,3,5-	8.1
Xylene, m & p-	11 U
Xylene, o-	5.7 U

GP-12	
Sample Date	06/11/2014
Sample Depth	9 ft
Acetone	300 U
Ethylbenzene	6.0 U
Isopropylbenzene	60 U
Naphthalene (as VOC)	30 U
Propylbenzene, n-	6.0 U
Trimethylbenzene, 1,2,4-	6.0 U
Trimethylbenzene, 1,3,5-	6.0 U
Xylene, m & p-	12 U
Xylene, o-	6.0 U



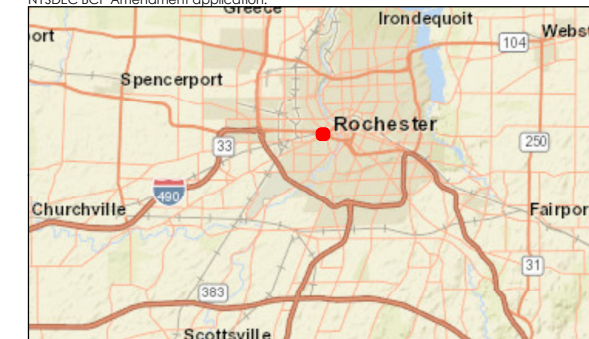
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Legend

- Prior On-Site Investigation Location (LaBella Phase II ESA, 2014) - Soil Boring
- Prior On-Site Investigation Location (LaBella Phase II ESA, 2014) - Soil Boring/Monitoring Well
- Previously Installed Off-Site Overburden Well (RGE MGP Site)
- Previously Installed Off-Site Bedrock Well (Carriage Factory BCP Site)
- Previous Excavation Extent
- Former Pump Island
- Approximate Location of Vapor Extraction System
- Site Boundary
- Site Parcels
- City of Rochester ROW*
- Onsite and Adjacent Building Outlines
- Approximate Location of 2" Steam Line Easement
- Approximate Location of Overhead Door at Ramp Base
- Approximate Location of Ramp with Retaining Sidewalls
- Nearby Parcel Boundaries
- Exterior Drain
- Street Centerlines
- Railroad

Scale: 1:840 (At original document size of 11x17)

- Notes**
1. Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet.
 2. Key Map basemap: ArcGIS World Street Map.
 3. Locations are approximate.
 4. On-Site groundwater samples were collected by LaBella Associates, D.P.C. (LaBella) during a 2014 Phase II Environmental Site Assessment (ESA). The groundwater samples from MW-09 were collected by Haley & Aldrich (H&A) during an adjacent property investigation in 2008 and LaBella during the 2014 Phase II ESA. Analytical data from LaBella was summarized from the laboratory report. Analytical data from H&A were extracted from a summary table (laboratory report not available).
 5. Concentrations of compounds displayed in bold with an orange background are exceedances of NYSDEC 10-GS 1.1.1 Ambient Water Quality Standards and Guidance Values. Not all locations were sampled for all parameters. See Table 2 for full sampling results.
 6. Abbreviations:
 J: The reported result is an estimated value.
 U: Analyte was not detected at a concentration greater than the laboratory reporting limit.
 -: Not analyzed (or result not provided in summary table)
 7. Naphthalene was analyzed using USEPA Method 8260 (as a volatile organic compound [VOC]) and USEPA Method 8270 (as a semi-volatile polycyclic aromatic hydrocarbon [PAH]), thus appearing on both compound lists.
 8. *The City of Rochester ROW is anticipated to become part of the Canal Street Site upon abandonment by the City of Rochester and submission and acceptance of a NYSDEC BCP Amendment application.

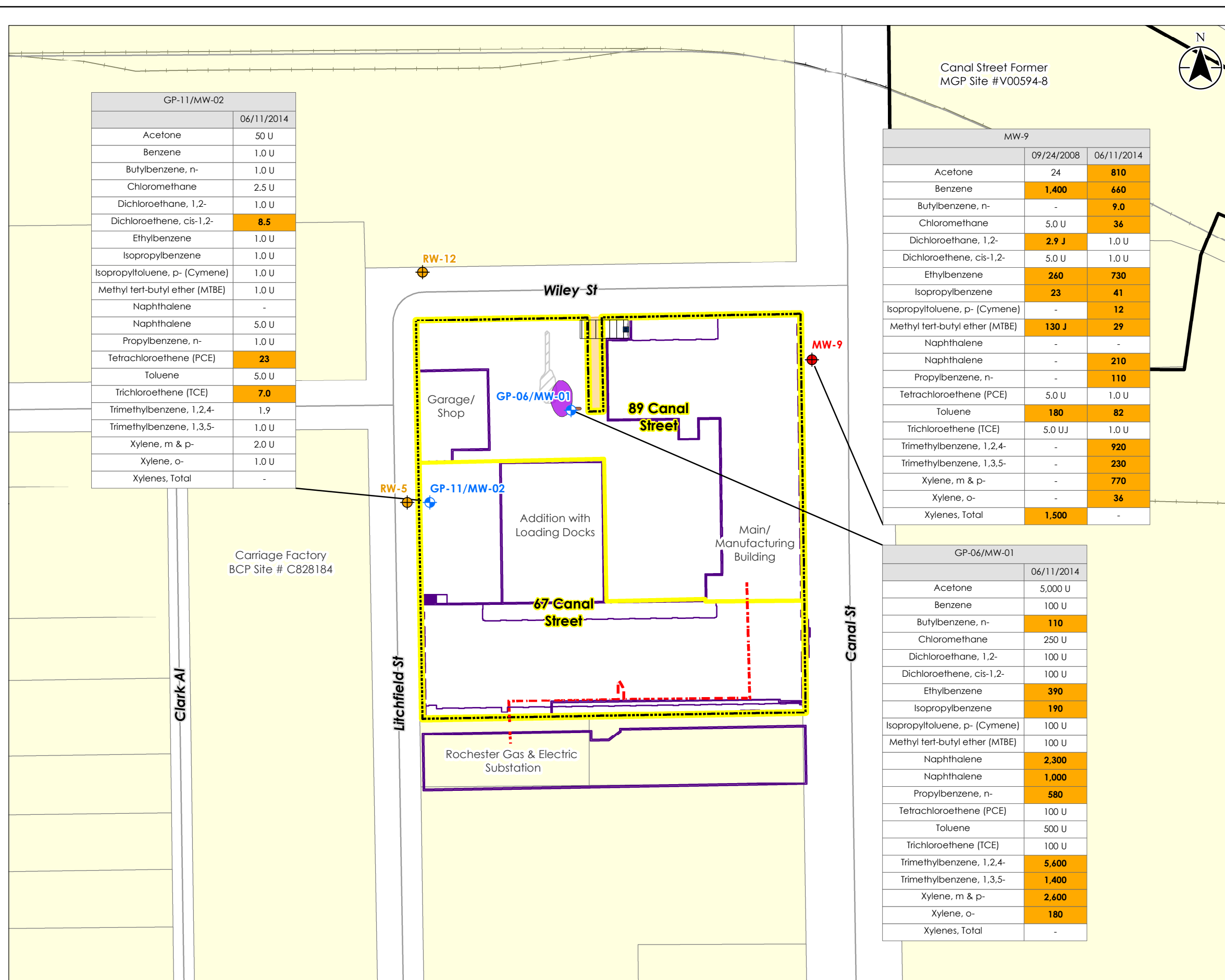


Project Location: 190500965
 67 & 89 Canal Street, C. of Rochester, Monroe Co., NY
 Prepared by LB on 2018-01-02
 Technical Review by AN on 2018-01-18
 Independent Review by MPS on 2018-01-30

Client/Project: Canal Street Manufacturing Site
 Brownfield Cleanup Program Application

Figure No.: 2

Title: Groundwater Sample Exceedances



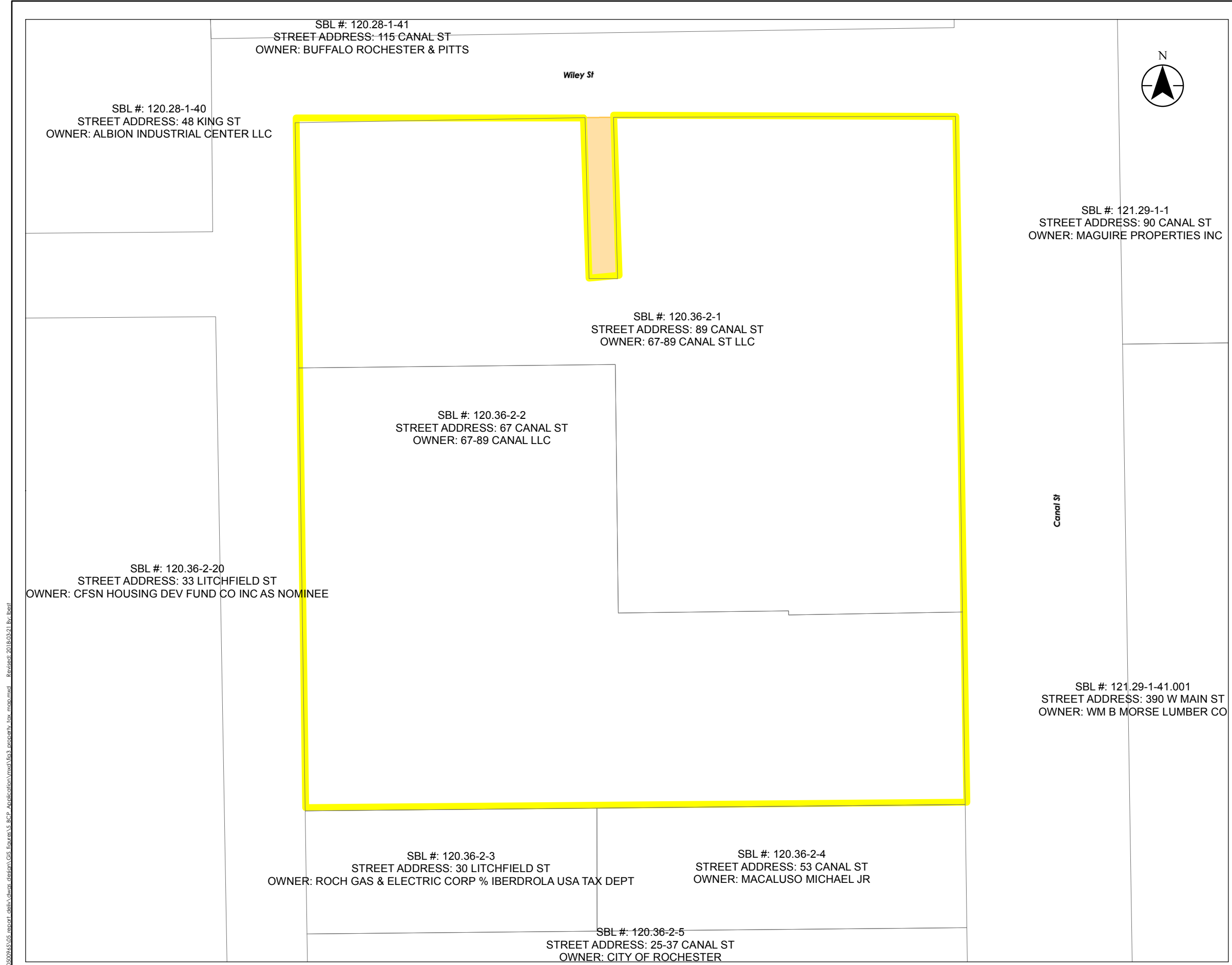
GP-11/MW-02	
	06/11/2014
Acetone	50 U
Benzene	1.0 U
Butylbenzene, n-	1.0 U
Chloromethane	2.5 U
Dichloroethane, 1,2-	1.0 U
Dichloroethene, cis-1,2-	8.5
Ethylbenzene	1.0 U
Isopropylbenzene	1.0 U
Isopropyltoluene, p- (Cymene)	1.0 U
Methyl tert-butyl ether (MTBE)	1.0 U
Naphthalene	-
Naphthalene	5.0 U
Propylbenzene, n-	1.0 U
Tetrachloroethene (PCE)	23
Toluene	5.0 U
Trichloroethene (TCE)	7.0
Trimethylbenzene, 1,2,4-	1.9
Trimethylbenzene, 1,3,5-	1.0 U
Xylene, m & p-	2.0 U
Xylene, o-	1.0 U
Xylenes, Total	-

MW-9		
	09/24/2008	06/11/2014
Acetone	24	810
Benzene	1,400	660
Butylbenzene, n-	-	9.0
Chloromethane	5.0 U	36
Dichloroethane, 1,2-	2.9 J	1.0 U
Dichloroethene, cis-1,2-	5.0 U	1.0 U
Ethylbenzene	260	730
Isopropylbenzene	23	41
Isopropyltoluene, p- (Cymene)	-	12
Methyl tert-butyl ether (MTBE)	130 J	29
Naphthalene	-	-
Naphthalene	-	210
Propylbenzene, n-	-	110
Tetrachloroethene (PCE)	5.0 U	1.0 U
Toluene	180	82
Trichloroethene (TCE)	5.0 UJ	1.0 U
Trimethylbenzene, 1,2,4-	-	920
Trimethylbenzene, 1,3,5-	-	230
Xylene, m & p-	-	770
Xylene, o-	-	36
Xylenes, Total	1,500	-

GP-06/MW-01	
	06/11/2014
Acetone	5,000 U
Benzene	100 U
Butylbenzene, n-	110
Chloromethane	250 U
Dichloroethane, 1,2-	100 U
Dichloroethene, cis-1,2-	100 U
Ethylbenzene	390
Isopropylbenzene	190
Isopropyltoluene, p- (Cymene)	100 U
Methyl tert-butyl ether (MTBE)	100 U
Naphthalene	2,300
Naphthalene	1,000
Propylbenzene, n-	580
Tetrachloroethene (PCE)	100 U
Toluene	500 U
Trichloroethene (TCE)	100 U
Trimethylbenzene, 1,2,4-	5,600
Trimethylbenzene, 1,3,5-	1,400
Xylene, m & p-	2,600
Xylene, o-	180
Xylenes, Total	-

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EXHIBIT D
SECTION IV-PROPERTY INFORMATION
SUPPORTING DOCUMENTS

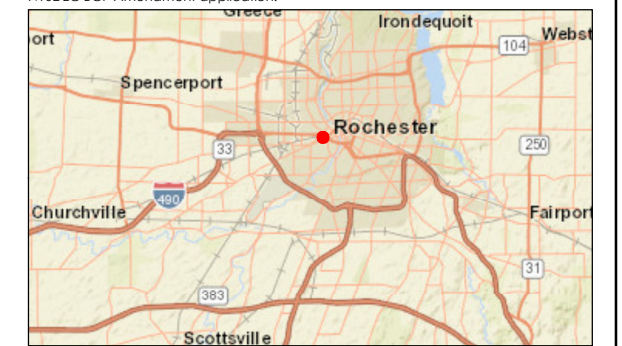


Legend

- Site Boundary
- City of Rochester ROW*
- Parcel Boundaries



- Notes**
1. Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet.
 2. Key Map basemap: ArcGIS World Street Map.
 3. Property information updated 1/30/2018 with City of Rochester Property Information and Recent Sales <http://maps.cityofrochester.gov/propinfo/>
 4. *The City of Rochester ROW is anticipated to become part of the Canal Street Site upon abandonment by the City of Rochester and submission and acceptance of a NYSDEC BCP Amendment application.



Project Location 190500965
67 & 89 Canal Street Prepared by MB on 2018-01-26
C. of Rochester, Monroe Co., NY Technical Review by AN on 2018-01-26
Independent Review by MPS on 2018-01-30

Client/Project

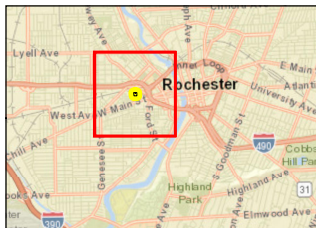
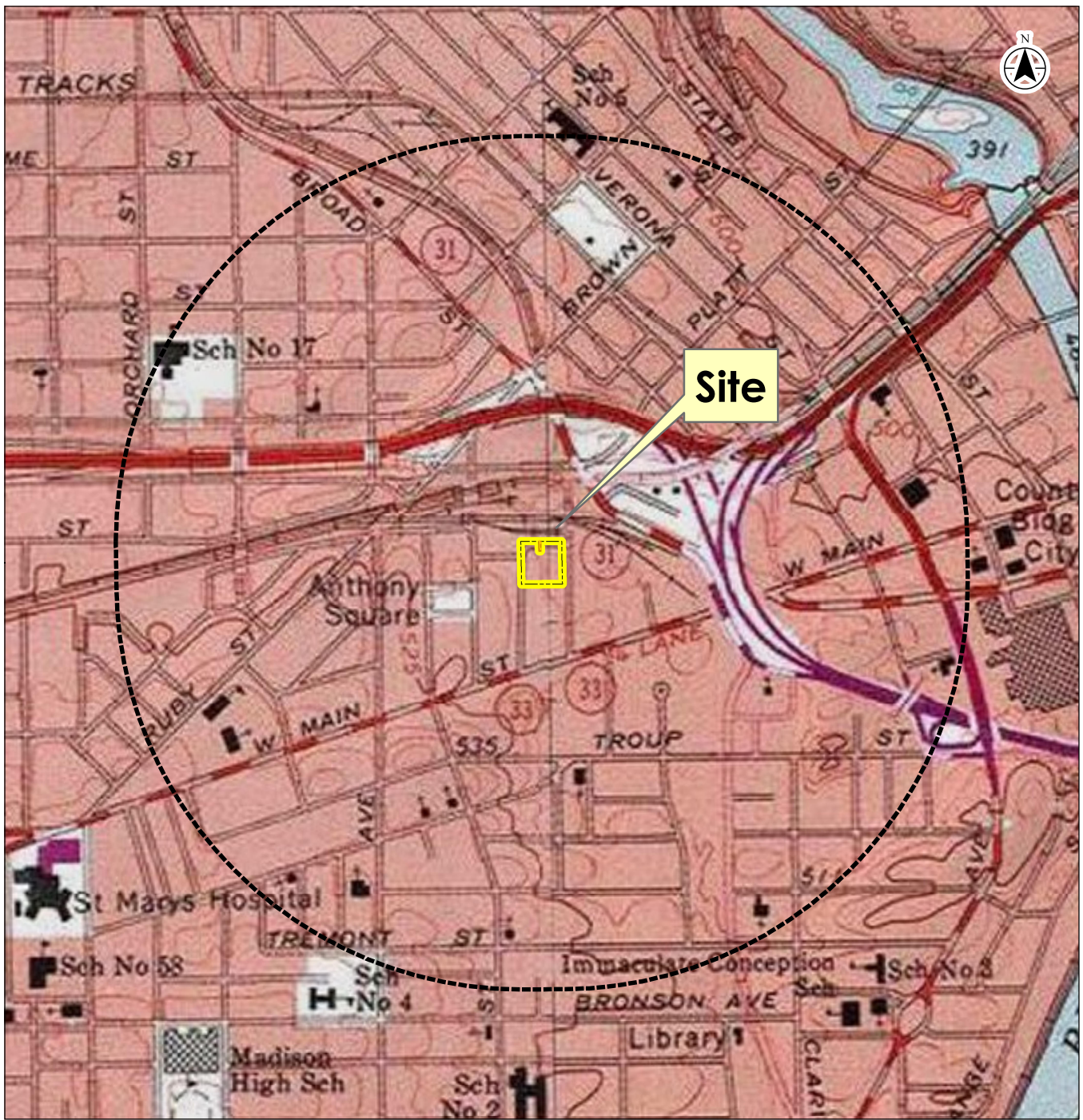
Canal Street Manufacturing Site
Brownfield Cleanup Program Application

Figure No.




3

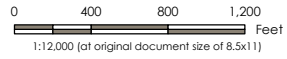
Title

Property Tax Map



Legend

-  Property Outline
-  City of Rochester ROW*
-  1/2-mile Site Buffer



Project Location: 67 & 89 Canal Street, C. of Rochester, Monroe Co., NY
 Prepared by LB on 2017-12-13
 Technical Review by AN on 2018-01-26
 Independent Review by MFS on 2017-01-30

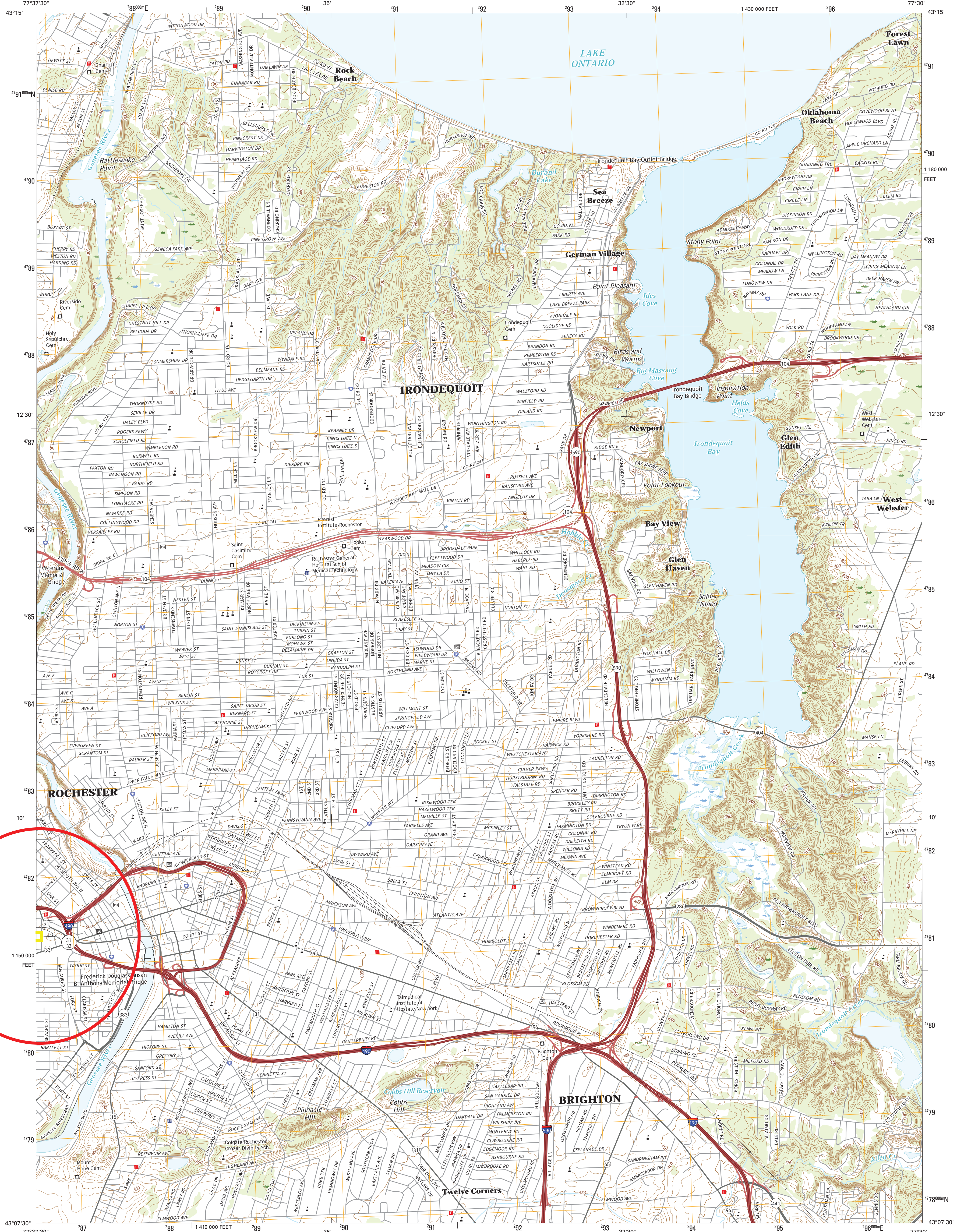
Client/Project: Canal Street Manufacturing Site Brownfield Cleanup Program Application

Figure No. 4
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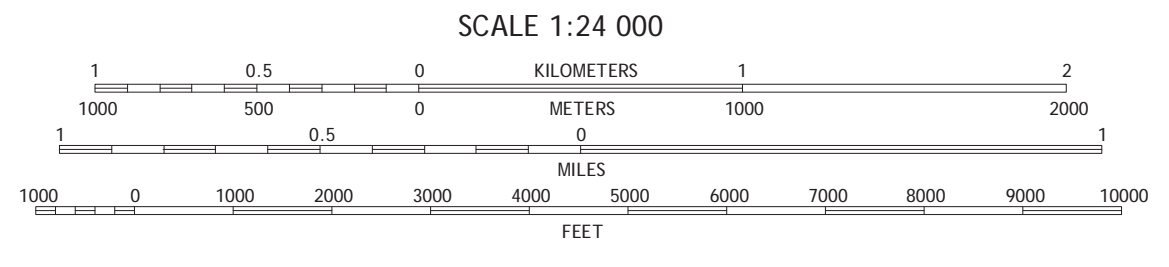
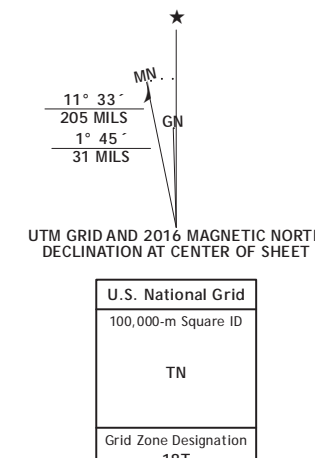
Site Location Map

Notes
 1. Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
 2. ArcGIS Basemaps: USA Topo Maps (main frame) and World Street Map (key map).
 3. *The City of Rochester ROW is anticipated to become part of the Canal Street Site upon abandonment by the City of Rochester and submission and acceptance of a NYSDEC BCP Amendment application.

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Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84) Projection and 1000-meter grid. Universal Transverse Mercator, Zone 18T
10 000-foot ticks. New York Coordinate System of 1983 (west zone)

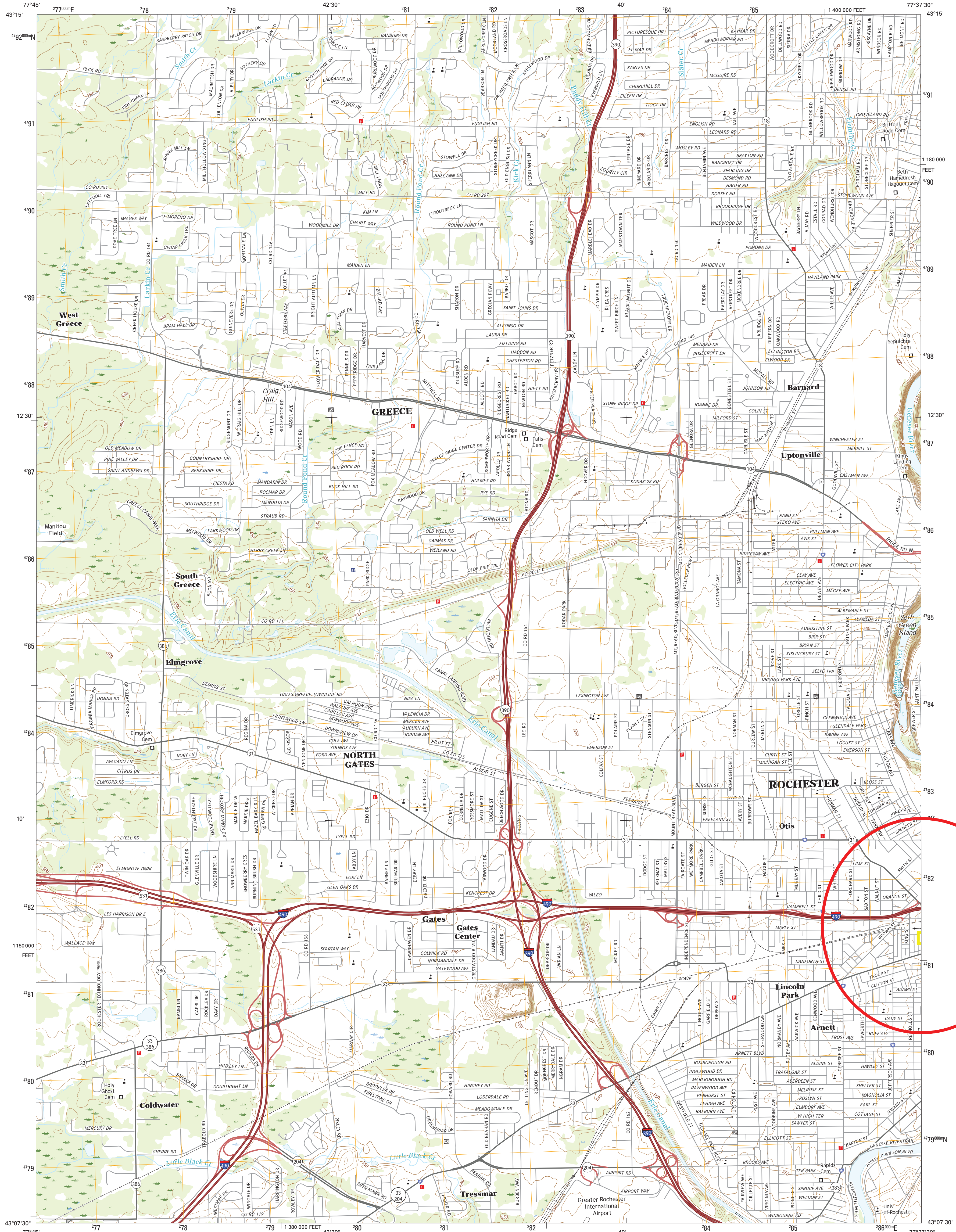


ROAD CLASSIFICATION table with symbols for Expressway, Secondary Hwy, Interstate Route, Local Connector, Local Road, 4WD, US Route, and State Route.

ADJOINING QUADRANGLES table with a grid of numbers 1-9.

ROCHESTER EAST, NY 2016





Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84) Projection and
1 000-meter grid. Universal Transverse Mercator, Zone 18T
10 000-foot ticks. New York Coordinate System of 1983 (west
zone).

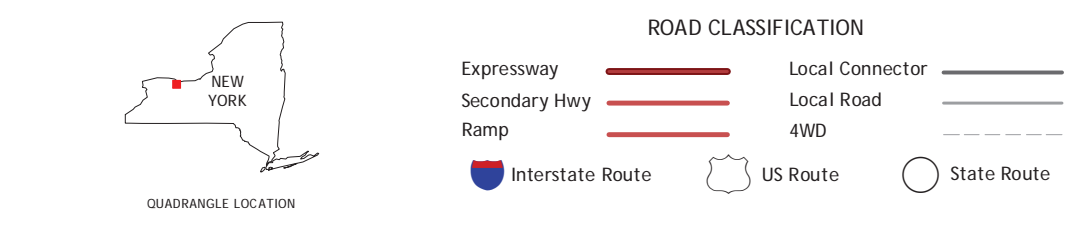
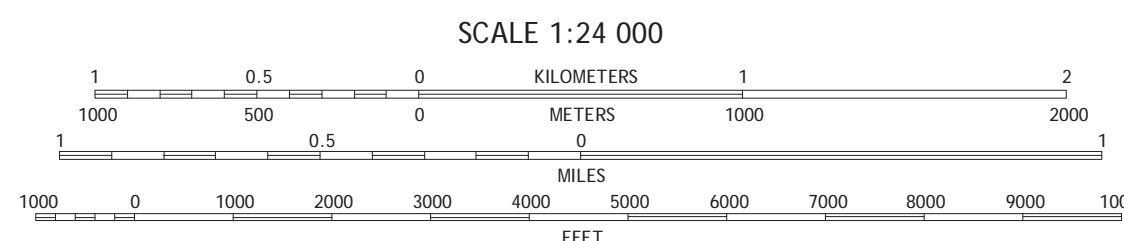
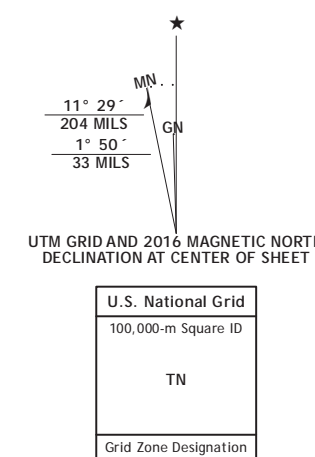


Table with 3 columns: Adjoining Quadrangles (1-8), 1 Hilton, 2 Braddock Heights, 3 Rochester East OE N, 4 Spencerport, 5 Rochester East, 6 Clifton, 7 West Henrietta, 8 Pittsford.

ROCHESTER WEST, NY 2016

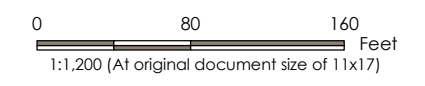
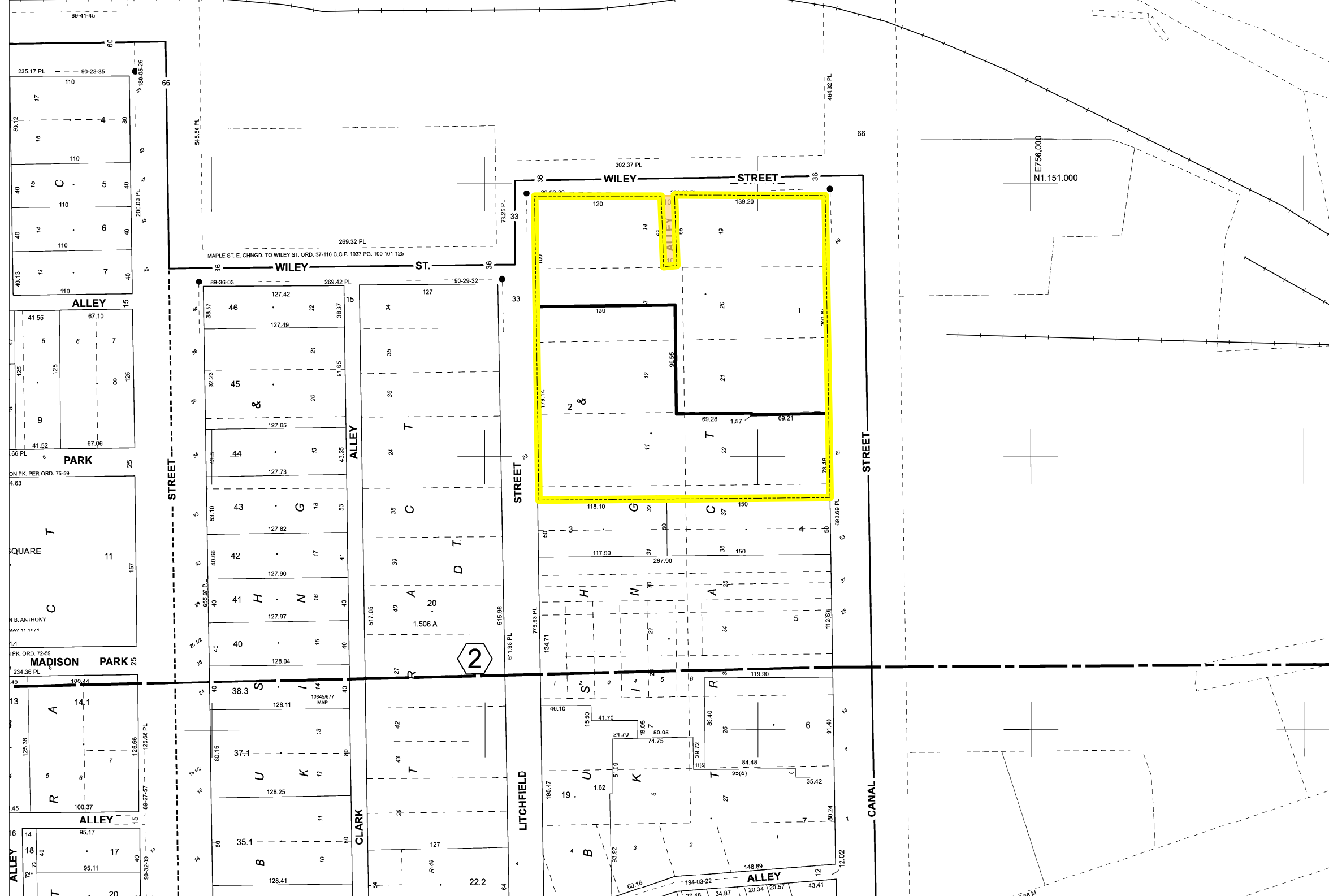


Legend

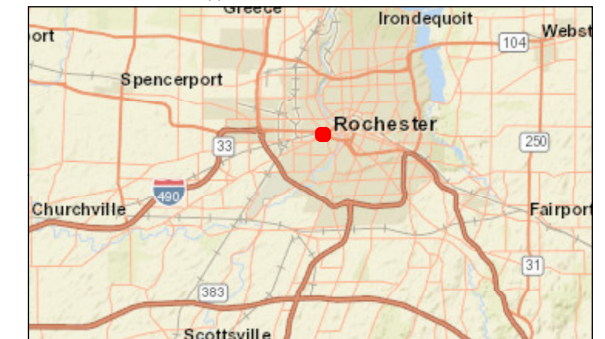
- Site Boundary
- Site Parcels
- City of Rochester ROW*
- Railroad



Property Line	Great Lot or Tract Line	Great Lot or Tract No.	2	Tax Map Parcel No.
Original Sublot Line	Bartholomew Line	Tax Map Block No.	14	Original Sublot No.
Railroad	Easement	Centroid Position	17.5A	Acreage
Water Course	RCS Monument	Street Address	225.54	Lot Dimension
City Boundary	RTS Monument	RTS Monument Text	173.35 (D)	Deed Dimension
Block Limit Line	Fed. Agency Monument	Denotes Parcel Continuation	472.81 M	Monument Distance
			471.12 PL	Total Property Line Distance



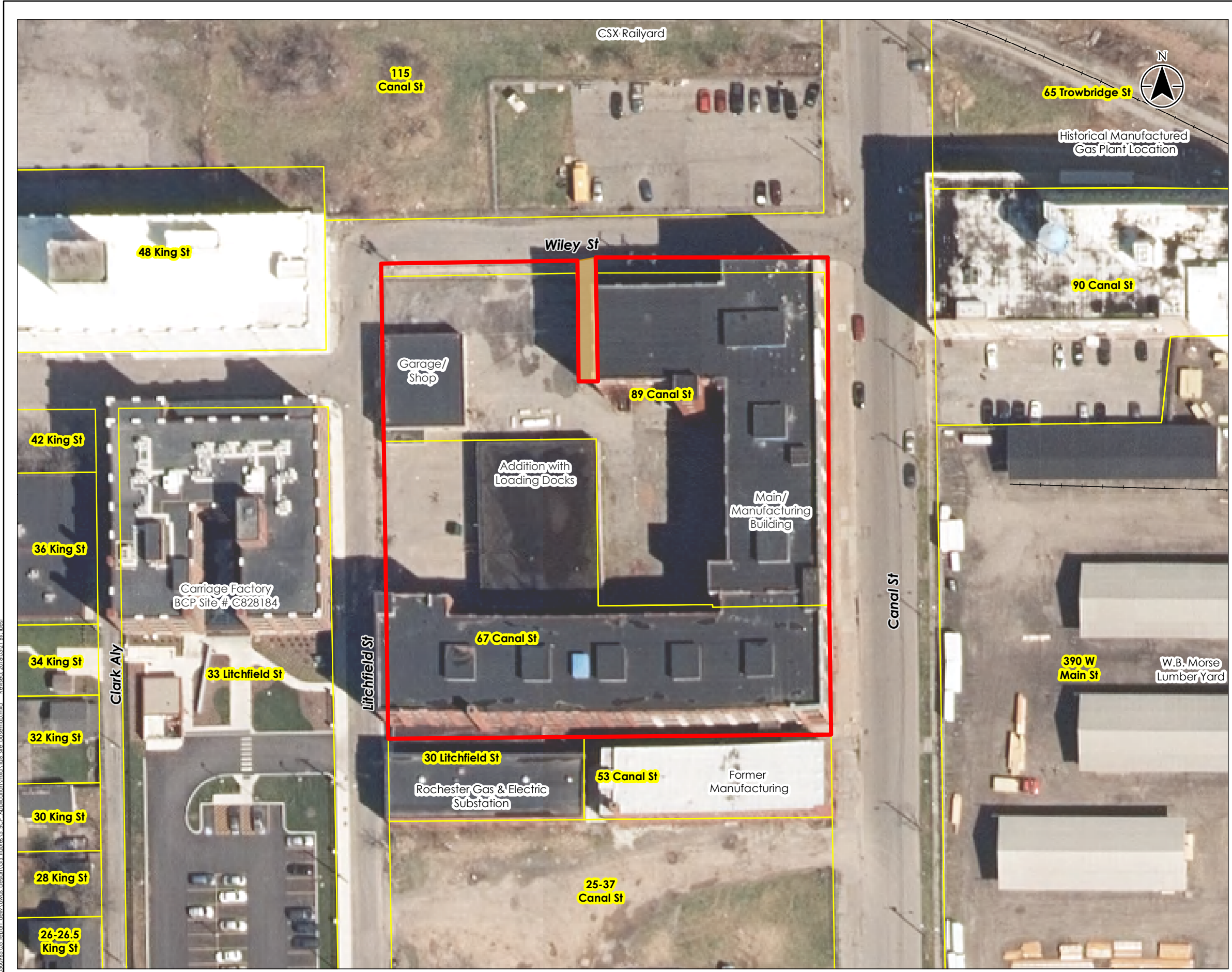
- Notes**
1. Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet.
 2. Basemap is the Tax Map for the City of Rochester (Monroe County, New York) Section 120.36, prepared by the Real Property Service Agency, published September 18, 2014.
 3. *The City of Rochester ROW is anticipated to become part of the Canal Street Site upon abandonment by the City of Rochester and submission and acceptance of a NYSDEC BCP Amendment application.



Project Location: 67 & 89 Canal Street, C. of Rochester, Monroe Co., NY
 Prepared by LB on 2017-12-13
 Technical Review by AN on 2018-01-26
 Independent Review by MPS on 2017-01-30

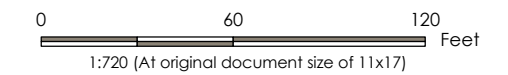
Client/Project: Canal Street Manufacturing Site, Brownfield Cleanup Program Application
 Figure No.: 5
 Title: County Tax Map

U:\190500965\05_reporr\068\dwg\design\GIS\figures\5_BCP_Application.mxd; 2018-03-21 10:11:48 AM



Legend

- Site Boundary*
- Monroe County Tax Parcels
- City of Rochester ROW*
- Approximate On-Site Building Outlines
- Railroad



- Notes**
1. Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet.
 2. Orthoimagery (2015) downloaded from gis.ny.gov. Key Map basemap: ArcGIS World Street Map.
 3. *Site boundary is approximate, based on Monroe County Tax Parcel data and adjusted to appropriately depict buildings as on-site.
 4. *The City of Rochester ROW is anticipated to become part of the Canal Street Site upon abandonment by the City of Rochester and submission and acceptance of a NYSDEC BCP Amendment application.



Project Location: 67 & 89 Canal Street, C. of Rochester, Monroe Co., NY
 Prepared by LB on 2018-01-04
 Technical Review by AN on 2018-01-26
 Independent Review by MPS on 2018-01-30

Client/Project: Canal Street Manufacturing Site
 Brownfield Cleanup Program Application

Figure No.: **6**
 Title: **Site Base Map**

U:\190500965\05_report_data\gis\design\GIS_Images\US_BCP_Application\mxd\fig6_site_base.mxd - Revised: 2018-03-21 By: lbst



Monroe County GIS Services Division



Legend

□ Monroe County Parcels

Notes

67 Canal Street

166.7 0 83.33 166.7 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere



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PROPERTY ASSESSMENT REPORT



PROPERTY ADDRESS	67 Canal St
MUNICIPALITY	Rochester
ZIP CODE	14608
PRINT KEY	120.36-2-2
PROPERTY CLASS	449
PROPERTY DESCRIPTION	Other Storage
PREVIOUS CLASS	449
SITE_PROP	449
SITE_USED	F05
FRONT	78.46
DEPTH	268.1
ACRES	0
SITE TYPE	C
YEAR BUILT	1920
GRADE	Economy
OVER_COND	Fair
STORIES	4
BASEMENT	Unfinished
SEWER TYPE	Comm/public
WATER SUPPLY	Comm/public



Overview Map



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PROPERTY ASSESSMENT REPORT

BUILDING STYLE

EXTERIOR WALL

HEAT TYPE

AIR CONDITIONING

NUMBER OF FIREPLACES 0

NUMBER OF BEDS 0

NUMBER OF KITCHENS 0

NUMBER OF BATHS 0

NUMBER OF HALF BATHS 0

GARAGE CAPACITY 0

SQUARE FT OF LAND 0

TOTAL ASSESSED VALUE 125000

LAND ASSESSED VALUE 61000

COUNTY TAXABLE 125000

TOWN TAXABLE 125000

SCHOOL TAXABLE 125000

VILLAGE TAXABLE 0

NEIGH_CD 6

SCHOOL DISTRICT Rochester

ACTIVSTAT A

ROLLSECT Taxable

HIST_BOOK 11047

HIST_PAGE 00384

DESCRIPTION 1 0096.01 502 11 00238

DESCRIPTION 2 4315433777883327

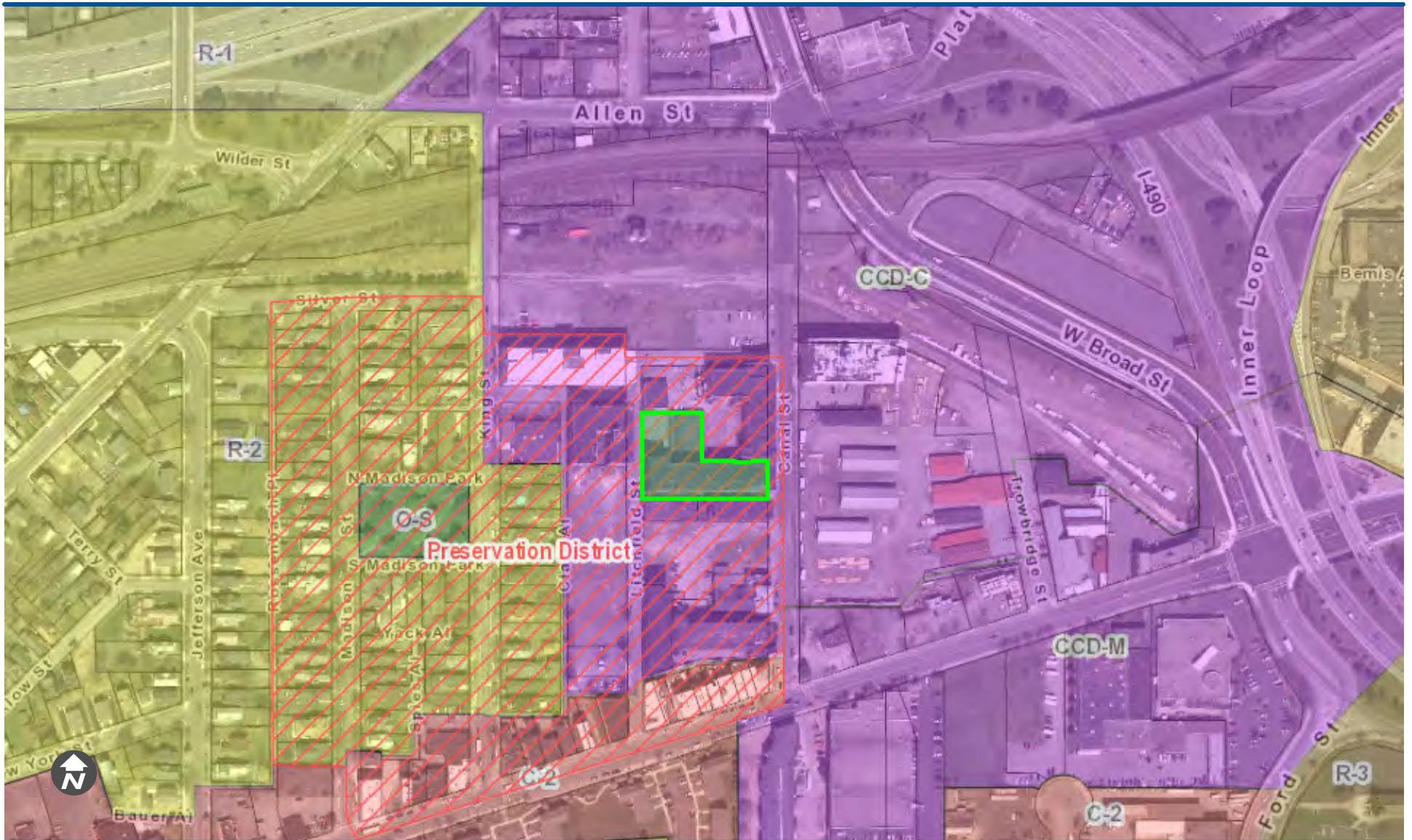
DESCRIPTION 3 32 Litchfield St



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67 CANAL ST



December 13, 2017

This map is intended for general reference only.

The City of Rochester makes no representation as to the accuracy or fitness of the data presented.

City of Rochester, NY



City of Rochester, NY
Lovely A. Warren, Mayor

67 CANAL ST - 14608

SBL: 120.36-2-2

SBL20: 12036000020020000000



City of Rochester, NY
Lovely A. Warren, Mayor



Owner Name:	67-89 CANAL LLC
Owner Address:	259 ALEXANDER ST ROCHESTER NY 14607
Frontage:	78.46000000
Depth:	268.10000000
Acreage:	0.78
Use Code:	449 - DISTRIBUTION FACILITY
Zoning:	CCD-C
Land Value:	\$61,000.00
Assessed Value:	\$125,000.00
Tentative Land Value:	\$61,000.00
Tentative Total Value:	\$125,000.00
Sale Date:	09/30/2011
Sale Price:	\$305,000.00

67 CANAL ST - 14608

SBL: 120.36-2-2

SBL20: 12036000020020000000



City of Rochester, NY
Lovely A. Warren, Mayor

Taxes

Installments	Amount Due	Date Paid	Payment
7/31/2017	\$2,034.97	6/30/17	\$2,034.97
9/30/2017	\$1,232.00	6/30/17	\$1,232.00
1/31/2018	\$1,232.00	6/30/17	\$1,232.00
3/31/2018	\$1,232.00	6/30/17	\$1,232.00
Total Taxes Paid to Date:			\$5,730.97
Current Annual Tax:			\$5,730.97
Principal Due:			\$0.00
Interest Due:			\$0.00
Annual Taxes without Exemptions, Interest, Delinquencies, and Code Violation Charges:			\$5,730.97

Tax Exemptions

No tax exemptions found.

Special Districts

Special District Code	Special District Desc	Units
SC400	STREET MAINT. FULL	138
RP600	ROADWAY SNOW PLOW	138
SP700	SIDEWALK SNOW PLOW	138
HSR00	HAZARD SDWLK REPLACE	138



Monroe County GIS Services Division



Legend

Monroe County Parcels

Notes

89 Canal Street

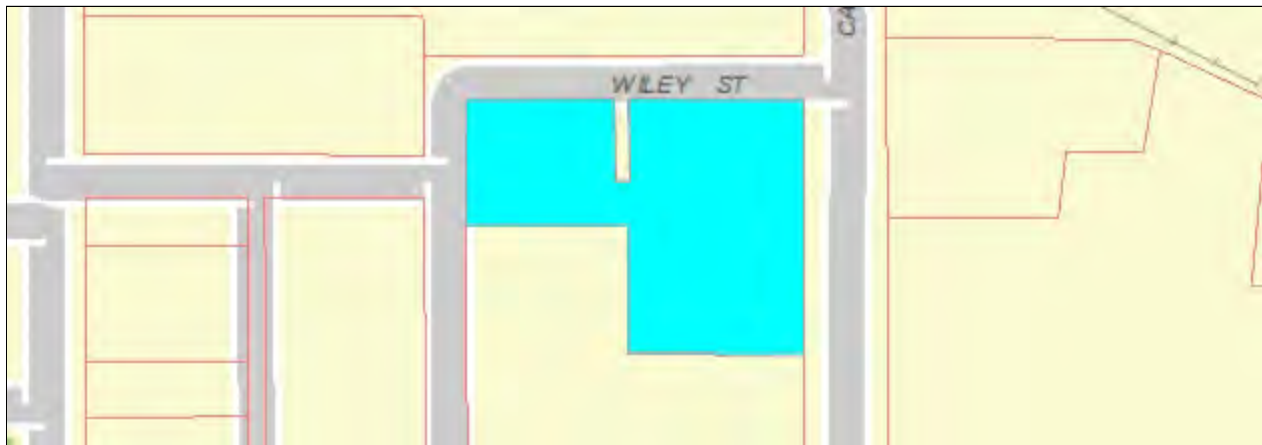
166.7 0 83.33 166.7 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere



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PROPERTY ASSESSMENT REPORT



PROPERTY ADDRESS	89 Canal St
MUNICIPALITY	Rochester
ZIP CODE	14608
PRINT KEY	120.36-2-1
PROPERTY CLASS	710
PROPERTY DESCRIPTION	Manufacture
PREVIOUS CLASS	710
SITE_PROP	710
SITE_USED	F05
FRONT	200.84
DEPTH	139.2
ACRES	0
SITE TYPE	C
YEAR BUILT	1920
GRADE	Economy
OVER_COND	Fair
STORIES	4
BASEMENT	Unfinished
SEWER TYPE	Comm/public
WATER SUPPLY	Comm/public



Overview Map



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PROPERTY ASSESSMENT REPORT

BUILDING STYLE

EXTERIOR WALL

HEAT TYPE

AIR CONDITIONING

NUMBER OF FIREPLACES 0

NUMBER OF BEDS 0

NUMBER OF KITCHENS 0

NUMBER OF BATHS 0

NUMBER OF HALF BATHS 0

GARAGE CAPACITY 0

SQUARE FT OF LAND 0

TOTAL ASSESSED VALUE 200000

LAND ASSESSED VALUE 60700

COUNTY TAXABLE 200000

TOWN TAXABLE 200000

SCHOOL TAXABLE 200000

VILLAGE TAXABLE 0

NEIGH_CD 6

SCHOOL DISTRICT Rochester

ACTIVSTAT A

ROLLSECT Taxable

HIST_BOOK 11047

HIST_PAGE 00384

DESCRIPTION 1 0096.01 502 11 00238

DESCRIPTION 2 4315469277883190

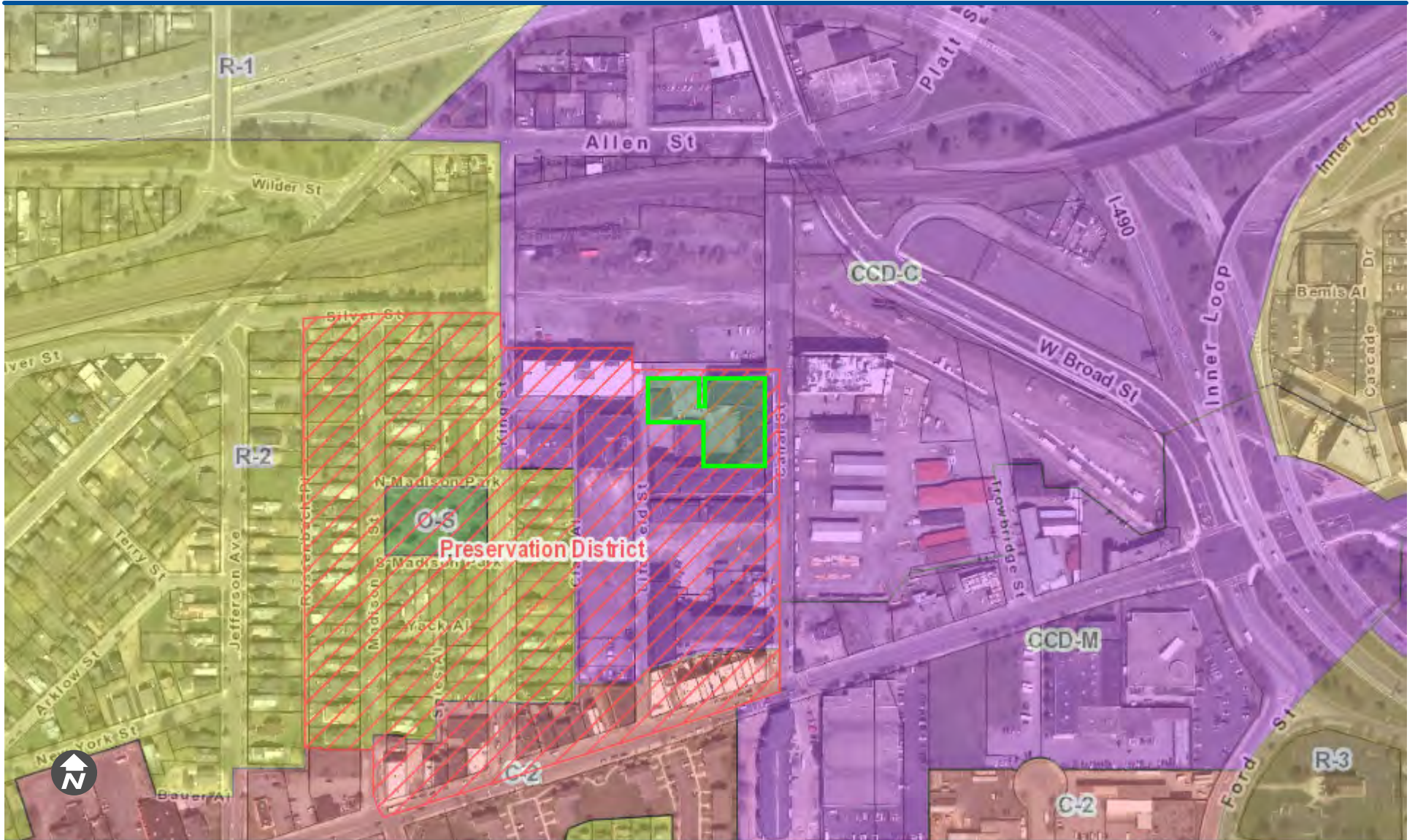
DESCRIPTION 3



The information contained herein is provided for informational purposes only. Monroe County, New York and their mapping and software consultants provide this GIS data and metadata with no claim as to the completeness, usefulness, or accuracy of its content, positional or otherwise. Your use and browsing of information is at your own risk. In providing this data and application or access to it, Monroe County, New York, assumes no obligation to assist the user in the use of such data or in the development, use, or maintenance of any applications applied to or associated with the data or metadata.



89 CANAL ST



December 13, 2017

This map is intended for general reference only.

The City of Rochester makes no representation as to the accuracy or fitness of the data presented.

City of Rochester, NY



City of Rochester, NY
Lovely A. Warren, Mayor

89 CANAL ST - 14608

SBL: 120.36-2-1

SBL20: 12036000020010000000



City of Rochester, NY
Lovely A. Warren, Mayor



Owner Name:	67-89 CANAL ST LLC
Owner Address:	259 ALEXANDER ST ROCHESTER NY 14607
Frontage:	200.84000000
Depth:	139.20000000
Acreage:	0.92
Use Code:	710 - MANUFACTURING
Zoning:	CCD-C
Land Value:	\$60,700.00
Assessed Value:	\$200,000.00
Tentative Land Value:	\$60,700.00
Tentative Total Value:	\$200,000.00
Sale Date:	09/30/2011
Sale Price:	\$305,000.00

89 CANAL ST - 14608

SBL: 120.36-2-1

SBL20: 1203600002001000000



City of Rochester, NY
Lovely A. Warren, Mayor

Taxes

Installments	Amount Due	Date Paid	Payment
7/31/2017	\$3,946.92	6/30/17	\$3,946.92
9/30/2017	\$1,971.00	6/30/17	\$1,971.00
1/31/2018	\$1,971.00	6/30/17	\$1,971.00
3/31/2018	\$1,971.00	6/30/17	\$1,971.00
Total Taxes Paid to Date:			\$9,859.92
Current Annual Tax:			\$9,859.92
Principal Due:			\$0.00
Interest Due:			\$0.00
Annual Taxes without Exemptions, Interest, Delinquencies, and Code Violation Charges:			\$9,744.40

Tax Exemptions

No tax exemptions found.

Special Districts

Special District Code	Special District Desc	Units
SC400	STREET MAINT. FULL	320
RP600	ROADWAY SNOW PLOW	320
SP700	SIDEWALK SNOW PLOW	320
HSR00	HAZARD SDWLK REPLACE	320

EXHIBIT E
SECTION VI-CURRENT PROPERTY
OWNER/OPERATOR INFORMATION
SUPPORTING DOCUMENTS

List of Previous Owners

Subject Property	Previous Owners	Last Known Address	Last Known Telephone Number
67 Canal Street	Prior to 1926, portions of the 67 Canal Street tax parcel were owned by the following, which is comprised primarily of individuals:	The last known address of all previous owners prior to 1926 is a tract of land now comprising the 67 Canal Street tax parcel unless otherwise listed below.	The last known telephone number for all previous owners prior to 1926 is unknown unless otherwise listed below.
	Moses and Bercy King		
	Abraham M. Schernerhorn		
	Lyman and Caroline W. Granger		
	Samuel D. Porter		
	Mary E. and Charles F. Pond		
	Martha P. Porter (Hopkins)		
	Samuel and Farley Porter		
	George Henry and Annie Royce		
	Edward (Edwin) and Jane Sabin(s)		
	Arthur Keegan		
	John and Mary A. Doerner		
	Tomasa (Tomaso) and Maria Annunciata Tronello		
	Henry J. (T.) and Eloise Utz		
	William H. and Emma E. Dunn		
	Lazzaro Coia		
	Frederick and Johanna Stadler		
	Lezette (Lizetta) Stadler		
	Stephen A. and Catherine Doody		
	Estelle C. Doody		
	Elijah F. and Emily M. Smith		
	Eleazer (Eleser) Burnham		
	Cornelius Cutler (Cuyler)		
	Isaac R. Elwood		
	Erastus T. Smith		
	Albert G. Smith		
	Herve D. and Julia E. Wilkin(s)		
Henry C. and Ednah V. Munn			
Charles F. (T.) and Sarah G. Smith			
Julius W. Smith			

Subject Property	Previous Owners	Last Known Address	Last Known Telephone Number	
	Henry L. Smith			
	Fredrick and Sarah A. Smith			
	Catherine (Katherine) Smith			
	Gilman H. Perkins			
	Charles Walter Smith			
	Lester Bordman Smith			
	The James Cunningham Son and Co. Corp.	33 Litchfield Street, Rochester NY 14608	Unknown	
	Joseph T. and Ellen M. (N.) Cunningham			
	Rufus K. Dryer			
	Augustine J. Cunningham			
	<i>In 1926, the W. B. Coon Company Inc. obtained the tracts of land comprising the current boundaries of 67 Canal Street. The following companies have owned portions of or the entire Property:</i>			
	1926-1948 - W. B. Coon Company Inc.	Unknown	Unknown	
	1948-1958 - Alfonso Gioia and Sons, Inc.*	Unknown	Unknown	
	1958-1959 - C.A.C. Industries, Inc.	54-08 Vernon Boulevard, Long Island City NY 11101	718-729-3600	
	1959-1966 - Lauer Furniture Company, Inc.*	3300 Monroe Avenue, Rochester NY 14618	585-381-7900	
1966-1983 - Alfonso Gioia and Sons, Inc. / Gioia Macaroni Company, Inc.*	Unknown	Unknown		
1983-2011 - Volunteers of America, Inc. / Volunteers of America of Rochester New York Inc. / Volunteers of America Western New York Inc.	275 Lake Avenue, Rochester, NY 14608	585-647-1150		
2011-Present - 67-89 Canal LLC	259 Alexander Street, Rochester, NY 14607	585-371-7008		
* Indicates an Inactive Entity Status in the NYS Department of State Division of Corporations Entity Information Database, current through April 30, 2018.				
89 Canal Street	Prior to 1926, portions of the 89 Canal Street tax parcel were owned by the following, which is comprised primarily of individuals:	The last known address of all previous owners prior to 1926 is a tract of land now comprising the 89 Canal Street tax parcel unless otherwise listed below.	The last known telephone number for all previous owners prior to 1926 is unknown unless otherwise listed below.	
	Jonette Benjamin			
	Frederick D. and Lucinda I. Stone			
	Albino and Rosa Dattero			

Subject Property	Previous Owners	Last Known Address	Last Known Telephone Number	
	Tomasa (Tomaso) and Maria Annunciata Tronello			
	Henry J. (T.) and Eloise Utz			
	William H. and Emma E. Dunn			
	Estelle C. Doody			
	Charles Walter Smith			
	Lester Bordman Smith			
	The James Cunningham Son and Co. Corp.	33 Litchfield Street, Rochester NY 14608	Unknown	
	Joseph T. and Ellen M. (N.) Cunningham			
	DeWitt and Ellen M. Green			
	James J. Tanner			
	Joseph W. and Mary Dremel			
	Richard and Kate Baker			
	Frank and Teresa Tuffer			
	Anthony and Mary K. Tuffer			
	<i>In 1926, the W. B. Coon Company Inc. obtained the tracts of land comprising the current boundaries of 89 Canal Street. The following companies have owned the Property:</i>			
	1926-1948 - W. B. Coon Company Inc.	Unknown	Unknown	
	1948-1983 - Alfonso Gioia and Sons, Inc. / Gioia Macaroni Company, Inc.*	Unknown	Unknown	
	1983-2011 - Volunteers of America, Inc. / Volunteeers of America of Rochester New York Inc. / Volunteeers of America Western New York Inc.	275 Lake Avenue, Rochester, NY 14608	585-647-1150	
	2011-Present - 67-89 Canal LLC	259 Alexander Street, Rochester, NY 14607	585-371-7008	
	* Indicates an Inactive Entity Status in the NYS Department of State Division of Corporations Entity Information Database, current through April 30, 2018.			

Previous owners were obtained from Stewart Title Insurance Company Abstracts 58113 and 170409 dated February 27, 2018, provided by the Requestor.

Two easements were included in the abstracts:

- 67 Canal Street - In 1948, W.B. Coon Company, Inc. granted RG&E an easement to construct, replace, repair, operate, maintain, and remove one 2-inch or smaller steam line or main through the premises, parts of Lots 11, 22, 12, and 13 of Section "D" of the Bush & King Subdivision. The steam main was to be constructed through the basement of the building on the premises.

- 89 Canal Street - In 2009, Volunteers of America of Rochester New York Inc. were ordered by the Supreme Court of the State of New York to grant AT&T a 16.5 foot wide permanent easement to maintain, upgrade, expand cable, install new conduits and fiber or replacement technology with unrestricted use through the settlement corridor as defined in the Settlement Agreement and described in the Order and Judgement. The Settlement Agreement and Order and Judgement were not included in the title abstract; the location of the easement on the Property is unknown.

List of Previous Operators

Name	Date of Tenancy	Contact Name	Last Known Address	Last Known Telephone Number	Relationship to Requestor
Neal Barrett Woodworking	2011-1989	Neal Barrett	1115 East Main Street, Box 71 Door #5, Suite 112 Rochester, NY 14609	585-436-7111	None
Volunteers of America	2011, 1994-1989	Unknown	275 Lake Avenue, Rochester, NY 14608	585-647-1150	None
R S Newman Associates	2009-1989	Richard S. Newman	1115 East Main Street, #80 Rochester, NY 14609	585-328-1577	None
Andy Buck Furniture Maker	2003-2001	Andy Buck	1629 West Bloomfield Road, Honeoye Falls, NY 14472	Unknown	None
Ronald Cirri Specialty Trade Center	2000-1997	Unknown	Unknown	Unknown	None
Fowler & Webster Inc. Wood Furniture	2000-1997	Unknown	Unknown	Unknown	None
NEM Prototype	1994-1993	Unknown	Unknown	Unknown	None
Cirri General Contractors	1993	Unknown	Unknown	Unknown	None
NYRA Graphics	1992	Unknown	470 West Ridge Road, Rochester, NY 14615	585-461-5540	None
Eastman Kodak storage	1990-1986	Unknown	Unknown	Unknown	None
Simeones Laminated Products	1989	Unknown	Unknown	Unknown	None
Bravo Macaroni Co.	1979-1970, 1964	Unknown	Unknown	Unknown	None
Kanty Paper Boxes	1951-1945	Unknown	Unknown	Unknown	None
Gioia Alfonso & Sons Macaroni Manufacturers	1982-1939	Unknown	Unknown	Unknown	None
W. B. Coon Co. Shoe Manufacturers	1938-1928	Unknown	Unknown	Unknown	None
Utz & Dunn Co. Shoe Manufacturers	1927-1900	Unknown	Unknown	Unknown	None

Previous Operators were obtained for all years on record from Polk City Directory records examined at the City of Rochester Library.

EXHIBIT F
SECTION VII-REQUESTOR ELIGIBILITY
INFORMATION
SUPPORTING DOCUMENTS

SITE ACCESS AGREEMENT

This Site Access Agreement (“Agreement”) is made and entered into this 20th day of March, 2018, by and between EAST HOUSE CANAL STREET LLC c/o EAST HOUSE CORPORATION, with an address of 259 Monroe Avenue, Suite 200, Rochester, New York 14607 (hereinafter “Buyer”), and 67-89 CANAL LLC c/o Buckingham Properties, with an address of 259 Alexander Street, Rochester, New York 14607 (hereinafter “Site Owner”), with reference to the following facts:

WHEREAS, Site Owner is the record owner of a certain parcel of real property totaling approximately 1.7 acres located at 67 and 89 Canal Street, Rochester, New York identified as tax lot numbers 120.36-2-2.000 and 120.36-2-1.000 (hereinafter “Site”);

WHEREAS, the Site is more particularly described on the map attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, Site Owner and Buyer have entered into a Purchase and Sale Agreement dated September 17, 2017 (“Purchase Agreement”) and a First Amendment dated December 2017 with a Closing Date of July 17, 2019 (“Closing Date”);

WHEREAS, Hazardous Substances, as defined in the Purchase Agreement §6.1.4, have been found on the Site and must be remediated pursuant to Environmental Laws, as defined in Purchase Agreement §6.1.4;

WHEREAS, Buyer and/or a newly formed affiliated company intends to submit an application for the New York State Brownfield Cleanup Program (“BCP”) to further investigate and remediate the Hazardous Substances and shall abide by all of the provisions in Purchase Agreement §3.1.2; and

WHEREAS, Site Owner agrees to grant temporary license to provide access of the Site to Buyer and/or its environmental contractor and/or subcontractor (hereinafter “Contractor”) prior to the Closing Date to perform any investigation and remediation work required by the BCP (“BCP Work”);

NOW, THEREFORE, intending to be legally bound, Site Owner and Buyer agree as follows:

1. PERMISSION, LOCATION AND GRANT OF ACCESS.

Site Owner hereby grants Buyer and/or its Contractor a temporary license to enter upon the Site solely to conduct the BCP Work prior to the Closing Date and for no other purpose.

2. NON-INTERFERENCE.

Site Owner will not interfere with, damage, or disturb Buyer or its Contractor's BCP Work, which will involve some Site disturbance (at a minimum the installation of monitoring wells) on the Site, and Site Owner will cooperate with Buyer, its Contractor, and any State agencies including the New York State Department of Environmental Conservation (“NYSDEC”) or the New York State Department of Health (“NYSDOH”) to facilitate the BCP Work provided Buyer and its Contractor complies with all applicable Environmental Laws.

Contractor's Work shall be carried on in such a manner so as not to intrude or interfere with Site Owner's use of the Site.

3. PHYSICAL RESTORATION OF THE SITE.

Immediately upon completion of any BCP Work, Buyer and its Contractor shall return the portions of the Site utilized or disturbed to the status or conditions which existed prior to the physical disturbance or excavation unless the Parties agree that any investigation wells or other Site disturbances should remain in place or the NYSDEC or NYSDOH have required such wells or other Site disturbances to remain in place.

4. PRE-EXISTING AGREEMENT OBLIGATIONS.

Buyer remains subject to all of the pre-existing obligations in the Purchase Agreement, including but not limited to §§3.1.2 and 7, which do not need to be repeated here but are incorporated herein. Contractor shall obtain the \$1 million insurance certificate from an existing policy as required in Purchase Agreement §3.1.2 and shall add 67-89 Canal LLC, Buckingham Properties and East House Corporation as additional insureds.

5. TERMINATION OF AGREEMENT.

This Agreement will terminate immediately upon Closing as of the Closing Date or in the event the Purchase Agreement is terminated. Under no circumstances shall the temporary license granted pursuant to this Site Access Agreement be construed as granting Buyer any right, title, or interest of any kind or character in or about the Site or any other land or premises prior to the Closing.

6. MISCELLANEOUS PROVISIONS.

All miscellaneous provisions in the Purchase Agreement apply to this Site Access Agreement and do not need to be repeated herein but are incorporated herein. In addition, these additional Miscellaneous provisions shall apply herein:

A. Successors and Assigns. This Agreement shall bind and inure to the benefit of the assigns or the successors of the Parties hereto.

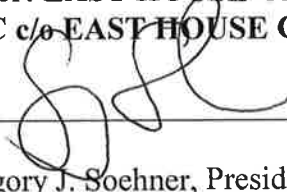
B. Entire Agreement. This Agreement embodies the entire Site Access Agreement between and among Site Owner and Buyer and no prior oral or written representations shall serve to modify or amend this Site Access Agreement. This Site Access Agreement may be modified only by written agreement signed by both Parties.

* * *

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first set forth above.

Site Owner: 67-89 CANAL LLC

**Buyer: EAST HOUSE CANAL STREET
LLC c/o EAST HOUSE CORPORATION**



Richard I. Finley III, Chief Operating Officer

Gregory J. Soehner, President

Date: 2/12/18

Date: 3/20/18

EXHIBIT G
SECTION IX-CONTACT LIST
INFORMATION
SUPPORTING DOCUMENTS

Site Contact List

United States Officials

Senator Charles E. Schumer United States Senate 100 State Street, Room 3040 Rochester, NY 14614	Senator Kristen Gillibrand United States Senate 100 State Street, Room 4195 Rochester, NY 14614
Representative Louise Slaughter United States Congress 100 State Street, Room 3120 Rochester, NY 14614	

New York State Officials

Assembly Member David F. Gantt New York State Assembly District 137 107 Liberty Pole Way Rochester, NY 14604	Senator Joseph E. Robach New York State Senate District 56 2300 West Ridge Road Rochester, NY 14626
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Monroe County Officials

Cheryl Dinolfo – County Executive 110 County Office Building 39 West Main Street Rochester, NY 14614	Jeff Adair – Chief Economic Development Officer, Department of Planning and Development 8100 City Place 50 West Main Street Rochester, NY 14614
Adam Bello – County Clerk 101 County Office Building 39 West Main Street Rochester, NY 14614	Dr. Joe Carbone – Monroe County Legislature, President 410 County Office Building 39 West Main Street Rochester, NY 14614
Todd Baxter – County Sheriff 130 South Plymouth Avenue Rochester, NY 14614	Rachel Johnson – Environmental Management Council, MCDOH 111 Westfall Road, Room 916 Rochester, NY 14620
John Lightfoot – County Legislature 25 th District 52 Dr. Samuel McCree Way Rochester, NY 14608	

City of Rochester Officials

Lovely Warren – Mayor City Hall 30 Church Street Rochester, NY 14614	James H. Demps III – Administrator, Southwest Neighborhood Service Center 923 Genesee Street Rochester, NY 14611
Hazel Washington – City Clerk City Hall, Room 300A 30 Church Street Rochester, NY 14614	Mimi Freund Tilton – City of Rochester Zoning Board, Chair City Hall, Room 125B 30 Church Street Rochester, NY 14614
Michael Ciminelli – City of Rochester Police Chief Public Safety Building 185 Exchange Boulevard Rochester, NY 14614	John Schreiber – City of Rochester Fire Chief Public Safety Building 185 Exchange Boulevard Rochester, NY 14614
Loretta C. Scott – Rochester City Council, President City Hall, Room 301A 30 Church Street Rochester, NY 14614	Willie J. Lightfoot – Rochester City Council, At Large 147 Trafalgar Street Rochester, NY 14619
Mitchell D. Gruber – Rochester City Council, At Large 10 King Street Rochester, NY 14608	Malik D. Evans – Rochester City Council, At Large 115 Nunda Boulevard Rochester, NY 14610
Jacklyn Ortiz – Rochester City Council, At Large 27 Grassmere park Rochester, NY 14612	Adam C. McFadden – South District Councilmember 178 Farragut Street Rochester, NY 14611

Agency Officials

Todd Caffoe, P.E. – NYSDEC Region 8 6274 East Avon-Lima Road Avon, NY 14414	Bernette Schilling, P.E. – NYSDEC Region 8 6274 East Avon-Lima Road Avon, NY 14414
Regina Willis – Regional Public Participation Specialist, NYSDEC 6274 East Avon-Lima Road Avon, NY 14414	Michael Cruden – Director of Remedial Bureau E, Division of Environmental Remediation, NYSDEC 6274 East Avon-Lima Road Avon, NY 14414
NYSDOH Corning Tower Empire State Plaza Albany, NY 12237	Michael Mendoza, MD. – Commissioner of Public Health, Monroe County Health Department 111 Westfall Road, Room 952 Rochester, NY 14620

Area Property Owners*

Buffalo Rochester & Pitt-CSX Transportation (Owner of 115 Canal Street) 500 Water Street Jacksonville, FL 32202	Maguire Properties Inc. (Owner of 90 Canal Street) 770 Rock Beach Road Rochester, NY 14617
William B. Morse Lumber Co. (Owner of 390 West Main Street) 340 West Main Street Rochester, NY 14608	Michael Macaluso Jr. (Owner of 53 Canal Street) 7 Canal Street Rochester, NY 14608
Rochester Gas & Electric (Owner of 30 Litchfield Street) One City Center, 5 th Floor Portland, ME 04101	CFSN Housing Development Fund Co. (Owner of 33 Litchfield Street) 1931 Buffalo Road Rochester, NY 14624
Albion Industrial Center LLC (Owner of 48 King Street) PO Box 580 Pittsford, NY 14534	

*Property owner names and addresses were obtained from City of Rochester Property Information.

Current Site Tenants

Rich Finley – Buckingham Properties, LLC
259 Alexander Street
Rochester, NY 14607

News Media Contacts

WROC-TV 8 News Director 201 Humboldt Street Rochester, NY 14610	WHEC-TV 10 News Director 191 East Avenue Rochester, NY 14604
WHAM-TV 13 News Director 4225 West Henrietta Road Rochester, NY 14623	WXXI-TV 21 News Director 280 State Street Rochester, NY 14614
WUHF FOX-TV 31 News Director 4225 West Henrietta Road Rochester, NY 14623	1180 WHAM-AM News Director 1700 HSBC Plaza 100 Chestnut Street Rochester, NY 14604
1370 WXXI-AM News Director 280 State Street Rochester, NY 14614	Democrat & Chronicle Karen Magnuson – Editor 245 East Main Street Rochester, NY 14604
City Newspaper Mary Anna Towler – Editor 250 North Goodman Street Rochester, NY 14607	Rochester Business Journal Ben Jacobs – Editor 165 West Main Street, Suite 341 Rochester, NY 14614

Water Supplier

Monroe County Water Authority
Nicholas Noce – Executive Director
475 Norris Drive
Rochester, NY 14610

No Additional Persons have requested to be included on the contact list

Nearby School and Day Care Facility Administrators (1/2 Mile)

Sunshine Village Daycare Center Valerie Nix – Executive Director 284 Allen Street Rochester, NY 14608	Community Child Care Center Mischele Terrell – Program Supervisor 170 Troup Street Rochester, NY 14608
Monroe Community College (MCC) Downtown Campus 321 State Street Rochester, NY 14608	Hochstein School of Music and Dance Dr. Margaret Quackenbush – President 50 Plymouth Avenue North Rochester, NY 14614
Enrico Fermi School No. 17 ES Caterina Leone-Mannino – Principal 158 Orchard Street Rochester, NY 14611	John Williams School No. 5 ES Terrilyn Hammond – Principal 555 North Plymouth Avenue Rochester, NY 14608
George Mather Forbes School No. 4 ES Karon A. Jackson – Principal 198 Dr. Samuel McCree Way Rochester, NY 14611	

Document Repository

City of Rochester Public Library (Rundel Building)
Information Desk
c/o: Ms. Florence Morris
115 South Avenue
Rochester, NY 14604



Stantec Consulting Services
Inc.
61 Commercial Street Suite
100, Rochester NY 14614-
1009

December 18, 2017

File: 190500965

Reference: Document Repository for
Brownfield Cleanup Program Project – 67
and 89 Canal Street, City of Rochester,
New York

Attention: Florence Morris
115 South Avenue
Rochester, NY 14604

Dear Ms. Florence Morris,

On behalf of East House, Stantec Consulting Services, Inc. is preparing an application to enter the 67 and 89 Canal Street site (Site) referenced above in the New York State Department of Environmental Conservation's Brownfields Cleanup Program (NYSDEC BCP). A requirement of the BCP application is that a document repository be established at a community institution such as a local library. I, Mark Bailey of Stantec, spoke with you by telephone on December 18, 2017 to inquire whether the library would be willing to serve as the public document repository for the project, and you indicated it would. We appreciate your willingness to allow the library to serve that function for the Site.

The application requires that a copy of a letter acknowledging that the City of Rochester Public Library (Rundel Library) agrees to act as the document repository for the Site. Please sign below to acknowledge your agreement and return a signed copy to my attention.

Acknowledgement:



Florence Morris

Your assistance is greatly appreciated. If you have any questions, please feel free to call me at 585-413-5204.

Sincerely,



Mark Bailey
Environmental Engineer in Training

Phone: (585) 413-5204
Fax: (585) 272-1814
Mark.Bailey@stantec.com

c. Mike Storonsky, Amanda Napieralski
bm u:\190500965\05_report_deliv\deliverables\reports\3_bcp application\public repository request\tr_rundel library request_12_18_17.docx