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# Brownfield Cleanup Program Application

BCP Site No. TBD Jamestown YMCA Site Jamestown, New York



## **Prepared For:**

Krog Lechase Jamestown, LLC Pittsford, New York

Date: March 2022

**Project No.:** B0092-022-001

### **BROWNFIELD CLEANUP PROGRAM APPLICATION**

# Jamestown YMCA Site

BCP Site No. TBD

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Copies of the previous investigation(s) are provided in a separate folder on the full electronic submittal CD.





#### NEW YORK STATE OF OPPORTUNITY

Department of Environmental Conservation

# BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

Brownfield Cleanup Agreement, or property that could affect an eligibi Such application must be submitte	uest major changes to the description or " <i>BCA</i> " (e.g., adding a significant amoun lity determination due to contamination ad and processed in the same manner as nent period. Is this an application to an	nt of new property, or adding levels or intended land use). s the original application,
Yes 🖌 No	If yes, provide existing site r	number:
PART A (note: application is sep	arated into Parts A and B for DEC rev	view purposes) BCP App Rev 12
	on - See Instructions for Further Gui	
NAME Krog Lechase James	town, LLC	
ADDRESS C/O Harris Beach F	PLLC, 99 Garnsey Road	
CITY/TOWN Pittsford, NY	ZIP CODE 1	4534
PHONE 585.419.8800	FAX	E-MAIL SGriffin@HarrisBeach.com
<ul> <li>If the requestor is a Corp Department of State to co above, in the <u>NYS Depar</u> entity information from the Environmental Conservat to do business in NYS. P be provided on a separat</li> <li>Do all individuals that will be cert</li> <li>Individuals that will be cert</li> <li>of Section 1.5 of <u>DER-10</u></li> </ul>	tifying documents meet the requirement rtifying BCP documents, as well as their <u>c Technical Guidance for Site Investigat</u> ation Law. <b>Documents that are not pro</b>	ng authorization from the NYS name must appear, exactly as given <u>a Entity Database</u> . A print-out of ew York State Department of nent that the requestor is authorized the members/owners names need to s detailed below? ✓ Yes No r employers, meet the requirements ion and Remediation and Article 145
Section II. Project Description		
1. What stage is the project start	ting at? Investigation	Remediation
at a minimum is required to b Analysis and Remedial Work	sed to start at the remediation stage, a F e attached, resulting in a 30-day public Plan are also attached (see DER-10 / 1 n for further guidance) then a 45-day pu	comment period. If an Alternatives Fechnical Guidance for Site
2. If a final RIR is included, plea	ase verify it meets the requirements of E	nvironmental Conservation Law
(ECL) Article 27-1415(2):	Yes No NA	
3. Please attach a short descrip	tion of the overall development project,	including:
• the date that the remedia	al program is to start; and	
• the date the Certificate of	f Completion is anticipated.	

Section III. Property's Environmental History				
All applications <b>must include</b> an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that the site requires remediation and 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 ( <i>please submit the information requested in this section in electronic format only</i> ):				
<ol> <li>Reports: an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). Please submit a separate electronic copy of each report in Portable Document Format (PDF). Please do not submit paper copies of supporting documents.</li> </ol>				
	UMMARY TABLES SHOUL	NTS AND THE MEDIA WHICH A D BE INCLUDED, WITH LABOF		
Contaminant Category	Soil	Groundwater	Soil Gas	
Petroleum				
Chlorinated Solvents				
Other VOCs				
SVOCs	х			
Metals X X				
Pesticides				
PCBs				
Other*				
*Please describe:				
<ul> <li>3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:</li> <li>SAMPLE LOCATION</li> <li>DATE OF SAMPLING EVENT</li> <li>KEY CONTAMINANTS AND CONCENTRATION DETECTED</li> <li>FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE</li> <li>FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5</li> <li>FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX</li> <li>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?* <ul> <li>(*answering No will result in an incomplete application)</li> </ul> </li> </ul>				
4. INDICATE PAST LAND U	SES (CHECK ALL THAT A	PPLY):		
Coal Gas ManufacturingManufacturingAgricultural Co-opDry CleanerSalvage YardBulk PlantPipelineService StationLandfillTanneryElectroplatingUnknown				
Other: 133 Winsor St.: Lumber yard, sawmill, printing, glazing, manufacturing (1886 to 2009) 251 & 289 Harrison St.: manufacturing (dye ho., waste sorting rm., finishing rm., dry-cleaning) (1867 to 1999)				

Section IV. Property Information - See Instructions for Further Guidance					
PROPOSED SITE NAME Jamestown YMCA Site					
ADDRESS/LOCATION 251 & 289 Harrison Street and 133 Winsor Street					
CITY/TOWN Jamestown, NY ZIP C	ode 14	701			
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): City o	f James	stown			
COUNTY Chautauqua	S	ITE SIZE (AC	RES) 5.09		
LATITUDE (degrees/minutes/seconds) 42 ° 5 ' 48.40 "	LONGI -79	TUDE (degre °	es/minutes/se 13	,	47.82 "
Complete tax map information for all tax parcels included proposed, please indicate as such by inserting "P/O" in fr include the acreage for that portion of the tax parcel in the PER THE APPLICATION INSTRUCTIONS.	ont of the	e lot number	in the approp	riate box bel	ow, and only
Parcel Address		Section No.	Block No.	Lot No.	Acreage
133 Winsor Street		387.42	3	13	2.14
251 & 289 Harrison Street		387.42	3	25, 26	2.85
1. Do the proposed site boundaries correspond to tax If no, please attach an accurate map of the propse		etes and bo	unds?	√Yes [	]No
2. Is the required property map attached to the applic (application will not be processed without map)	ation?			<b>√</b> Yes	]No
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See <u>DEC's website</u> for more information) Yes ✓ No					
If yes, id	lentify ce	ensus tract :	306		
Percentage of property in En-zone (check one):	0-49	%	50-99%	<b>√</b> 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)?YesNo					
If yes, identify name of properties (and site number applications:	rs if avai	ilable) in rela	ated BCP		
5. Is the contamination from groundwater or soil vapor subject to the present application?	or solely	emanating f	rom propert	y other than ☐ Ye	
<ol> <li>Has the property previously been remediated pursule ECL Article 56, or Article 12 of Navigation Law? If yes, attach relevant supporting documentation.</li> </ol>	uant to T	Γitles 9, 13, α	or 14 of ECL	Article 27, Ye	
<ol> <li>Are there any lands under water? If yes, these lands should be clearly delineated on</li> </ol>	the site	map.		ΠYe	es 🖌 No

Section IV. Property Information (continued)
<ul> <li>8. Are there any easements or existing rights of way that would preclude remediation in these areas?</li> <li>If yes, identify here and attach appropriate information.</li> </ul>
Easement/Right-of-way Holder Description
<ol> <li>List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)</li> </ol>
Type Issuing Agency Description
None / unknown
<ol> <li>Property Description and Environmental Assessment – please refer to application instructions for the proper format of <u>each</u> narrative requested.</li> </ol>
Are the Dreperty Description and Environmental Assessment perratives included
Are the Property Description and Environmental Assessment narratives included in the <b>prescribed format</b> ? See Appendix A - Section IV
Note: Questions 11 through 13 only pertain to sites located within the five counties comprising New York City
11. Is the requestor seeking a determination that the site is eligible for tangible property tax Yes No credits?
If yes, requestor must answer questions on the supplement at the end of this form. Not Applicable
12. Is the Requestor now, or will the Requestor in the future, seek a determination Yes No that the property is Upside Down?
13. If you have answered Yes to Question 12, above, is an independent appraisalYesNo 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 Not Applicable application?
<b>NOTE:</b> 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, <u>except</u> 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: \_\_\_\_\_

\_\_\_\_

\_

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			A and B for DEC review purposes) DEC USE ONLY
Section V. Additional Requestor See Instructions for Further Gu		BCP SITE NAME:BCP SIT	
NAME OF REQUESTOR'S AUTHOR	IZED REPRESE	NTATIVE Mr. Peter I	Krog
ADDRESS 4 Centre Drive			Č (
CITY/TOWN Orchard Park, NY			ZIP CODE 14127
PHONE 716.667.1234	FAX 716.667	.1258	E-MAIL plkrog@kroggrp.com
NAME OF REQUESTOR'S CONSUL	TANT Benchm	ark Civil/Environme	ental Engineering & Geology, PLLC
ADDRESS 2558 Hamburg Tur	npike, Suite 3	300	
CITY/TOWN Buffalo			ZIP CODE 14218
PHONE 716-856-0599	FAX 716-85	6-0583	E-MAIL tforbes@bm-tk.com
NAME OF REQUESTOR'S ATTORN	ey Mr. Shawn	M. Griffin, Esq.	
ADDRESS 99 Garnsey Road			
CITY/TOWN Pittsford, NY			ZIP CODE 14534
PHONE 585.419.8800	FAX 585.419	.8801	E-MAIL SGriffin@HarrisBeach.com
Section VI. Current Property Ov	vner/Operator I	nformation – if not a	Requestor see Appendix B - Section VI
CURRENT OWNER'S NAME CCID	A & Jamesto	wn Area YMCA	OWNERSHIP START DATE: 08/23/2001
ADDRESS 201 West Third Stre	eet, Suite 115	5   101 East Fou	urth Street
CITY/TOWN Jamestown, NY		ZIP CODI	E14701
PHONE 716.661.8900	NE 716.661.8900 FAX E-MAIL ccida@ccida.com		E-MAIL ccida@ccida.com
CURRENT OPERATOR'S NAME Sa	ame as owner	-	
ADDRESS Same as owner			
CITY/TOWN Same as owner		ZIP COD	ESame as owner
PHONE Same as owner	FAX Same as		E-MAIL Same as owner
TO EACH PREVIOUS OWNER AND CORPORATE MEMBERS AND PREV see Appendix B - Section VI	MBERS AS AN A OPERATOR, INC /IOUS OWNER A ENT OWNER, DE	TTACHMENT. DESCR LUDING ANY RELATIC ND OPERATOR. IF NC SCRIBE REQUESTOR	IBE REQUESTOR'S RELATIONSHIP, ONSHIP BETWEEN REQUESTOR'S O RELATIONSHIP, PUT "NONE". S RELATIONSHIP TO THE CURRENT
Section VII. Requestor Eligibility	/ Information (I	Please refer to ECL §	27-1407) see Appendix B - Section VII
<ul><li>If answering "yes" to any of the fol</li><li>1. Are any enforcement actions p</li><li>2. Is the requestor subject to an e at the site?</li><li>3. Is the requestor subject to an of</li></ul>	lowing question ending against t existing order for utstanding clain	s, please provide an e he requestor regardin the investigation, rem n by the Spill Fund for	explanation as an attachment.

### Section VII. Requestor Eligibility Information (continued)

<ol> <li>Has the requestor been determined in an administra any provision of the ECL Article 27; ii) any order or of Title 14; or iv) any similar statute, regulation of the s explanation on a separate attachment.</li> <li>Has the requestor previously been denied entry to the application, such as name, address, DEC assigned relevant information.</li> </ol>	determination; iii) any regulation implementing tate or federal government? If so, provide an ☐Yes ☑No ne BCP? If so, include information relative to the		
6. Has the requestor been found in a civil proceeding to			
<ol> <li>Has the requestor knowingly falsified statements or jurisdiction of DEC, or submitted a false statement o connection with any document or application submit</li> </ol>	r made use of or made a false statement in		
9. Is the requestor an individual or entity of the type se	t forth in ECL 27-1407.9 (f) that committed an act or		
10. Was the requestor's participation in any remedial pr			
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?			
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	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		
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	site subsequent to the disposal of hazardous waste or discharge of petroleum.		

waste.

exposure to any previously released hazardous

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)					
	questor Relationship to Property (check one): Previous Owner				
be	If requestor is not the current site owner, <b>proof of site access sufficient to complete the remediation must</b> <b>be submitted</b> . 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				
No	te: a purchase contract does not suffice as proof of access.				
Se	ction 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?				
3.	Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? If yes, please provide: Permit type: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.				
5.	Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? If yes, please provide: Order # Yes ✔ No				
6.	Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide explanation as an attachment.				
Se	ction IX. Contact List Information see Appendix B - Section IX				
DE and 1. 2. 3. 4. 5. 6.	The public water supplier which services the area in which the property is located.				

Section X. Land Use Factors see Appendix B - Section X	
<ol> <li>What is the current municipal zoning designation for the site? <u>Manufacturing (M), Wate</u> What uses are allowed by the current zoning? (Check boxes, below)</li> <li>□Residential ☑ Commercial ☑ Industrial If zoning change is imminent, please provide documentation from the appropriate zoning a</li> </ol>	
<ol> <li>Current Use: Residential Commercial Industrial Vacant Recreational (checapply)</li> <li>Attach a summary of current business operations or uses, with an emphasis on iden possible contaminant source areas. If operations or uses have ceased, provide the d</li> </ol>	tifying
3. Reasonably anticipated use Post Remediation: ☐ Residential ✔ Commercial ☐ Industrial that apply) Attach a statement detailing the specific proposed use.	(check all
If residential, does it qualify as single family housing? Not Applicable	Yes No
4. Do current historical and/or recent development patterns support the proposed use?	<b>√</b> Yes No
<ol> <li>Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.</li> <li>See Appendix B, Section X</li> </ol>	√Yes No
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.	<b>√</b> Yes No
See Appendix B, Section X	

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 <i>DER 32, Brownfield Cleanup Program Applications and Agreements</i> ; and (3) that in the event of a conflict between the general terms and conditions or 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)
Krog Lechase Jamestown, LLC         I hereby affirm that I am Authorized Member (title) of(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:       Signature:         Print Name:       Signature:

#### SUBMITTAL INFORMATION:

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

PLEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS. Please provide a hard copy of ONLY the application form and a table of contents.

FOR DEC USE ONLY BCP SITE T&A CODE:\_\_\_

# 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 12 Not Applicable

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

### 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: Jamestown YMCA SiteSite Address: 251 & 289 Harrison Street and 133 Winsor StreetCity: Jamestown, NYCounty: ChautauquaZip: 14701				
Tax Block & LotSection (if applicable): 387.42Block: 3Lot: 13				
Requestor Name: Krog Lechase Jamestown, LLC City: Pittsford, NYRequestor Address: Zip: 14534: C/O Harris Beach PLLC, 99 Garnsey Road				
Requestor's Representative (for billing purposes)Name: Mr. Peter KrogAddress: 4 Centre DriveCity: Orchard Park, NYZip: 14127Email: plkrog@kroggrp.com				
Requestor's Attorney         Name: Mr. Shawn M. Griffin, Esq.         City:         Pittsford, NY    Address: 99 Garnsey Road          Zip:         14534    Email: SGriffin@HarrisBeach.com				
Requestor's Consultant         Name:       Benchmark Civil/Environmental Engineering & Geology, PLLC Address:       2558 Hamburg Turnpike, Suite 300         City:       Buffalo       Zip:       14218       Email:       tforbes@bm-tk.com         Percentage claimed within an En-Zone:       0%       <50%				
DER/OGC Determination: Agree Disagree				
For NYC Sites, is the Requestor Seeking Tangible Property Credits: $\Box_{Yes}$ $\Box_{No}$				
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:				
<b>Does Requestor Claim Affordable Housing Status:</b> Yes No Planned, No Contract <b>DER/OGC Determination:</b> Agree Disagree Undetermined Notes:				

- Table 1Summary of Constituents of Primary Concern
- Table 2Summary of Subsurface Soil/Fill Sample Analytical Results 133 Winsor St.
- Table 3Summary of Subsurface Soil/Fill Sample Analytical Results 289 Harrison St.
- Table 4Summary of Groundwater Sample Analytical Results 289 Harrison St.







### SUMMARY OF CONSTIUENTS OF PRIMARY CONCERN

### Brownfield Cleanup Program Application Jamestown YMCA Site Jamestown, New York

Analyte Exceeding CSCOs	Matrix	Detections Exceeding CSCOs	Maximum Detection (ppm)	CSCO or AWQS/GV* (ppm)	Depth (fbgs)
133 Winsor Street					
Benzo(a)anthracene	soil/fill	2	8.9	5.6	1-3
Benzo(a)pyrene	soil/fill	4	9	1	1-4
Benzo(b)fluoranthene	soil/fill	2	12	5.6	1-3
Dibenzo(a,h)anthracene	soil/fill	2	1.5	0.56	1-3
Ideno(1,2,3-cd)pyrene	soil/fill	1	6.2	5.6	2-3
Arsenic	soil/fill	3	24.5	16	0-2
Barium	soil/fill	2	544	400	1-3
Cadmium	soil/fill	1	10.1	9.3	1-2
Lead	soil/fill	1	4740	1000	1-2
Mercury	soil/fill	1	8.34	5.7	1-2
251 & 289 Harrison Stree	et				
Benzo(a)pyrene	soil/fill	5	2.4	1	1-4
Arsenic	soil/fill	3	349	16	1-3
Barium	soil/fill	1	591	400	3-4
251 & 289 Harrison Stree	et				
Arsenic	groundwater	1	0.626	0.025	NA
Barium	groundwater	1	3.72	1	NA
Cadmium	groundwater	1	0.021	0.005	NA
Chromium	groundwater	1	0.234	0.05	NA
Copper	groundwater	1	0.634	0.2	NA
Iron	groundwater	4	556	0.3	NA
Lead	groundwater	2	0.385	0.025	NA
Magnesium	groundwater	1	144	35*	NA
Manganese	groundwater	3	22.6	0.3	NA
Nickel	groundwater	1	0.385	0.1	NA
Sodium	groundwater	5	93.1	20	NA



# SUMMARY OF SUBSURFACE SOIL/FILL SAMPLE ANALYTICAL RESULTS 133 WINSOR STREET

#### Brownfield Cleanup Program Application Jamestown YMCA Site Jamestown, New York

PARAMETER <sup>1</sup> CP-51 SCLs <sup>2</sup> PGWSCOs <sup>3</sup> CSCOs <sup>4</sup> ISCOs <sup>5</sup> TP-1 0-2 ft         TP-3 3-4 ft         TP-6 2-3 ft         TP-8 3-4 ft         TP-6 3-4 ft         TP-8 1-2 ft         TP-8 1-2 ft         TP-8 1-2 ft         TP-8 3-4 ft         TP-8 3-4 ft         TP-8 3-4 ft         TP-8 3-4 ft         TP-8 3-4 ft         TP-8 1-2 ft         TP-8 1-2 ft         TP-8 3-4 ft         TP-8 3-4 ft         TP-8 3-4 ft         TP-8 1-2 ft         TP-8 1-2 ft         TP-8 3-4 ft         TP-8 3-4 ft         TP-8 3-4 ft         TP-8 1-2 ft         TP-8 1-2 ft         TP-8 3-4 ft         <		TP-11
	ft 1-2 ft	
		1-2 ft
Benchmark Benchm	nark Benchmark	Benchmark
01/23/2020 01/23/20	020 01/23/2020	01/23/2020
Semi-Volatile Organic Compounds (SVOCs) - mg/kg		
Acenaphthene <b>20 98 500 1000</b> 0.024 J 0.096 J 1.4 J 0.32 ND 0.3	J 0.058 J	0.32
Acenaphthylene         100         107         500         1000         0.063 J         0.04 J         0.91 J         0.1 J         ND         1.3	J 0.089 J	ND
Anthracene <b>100 1000 500 1000</b> 0.08 J 0.25 4.1 0.96 ND 2.	0.15	0.69
Benzo(a)anthracene 1 1 5.6 11 0.3 0.89 8.9 3.2 0.5 J 8.	0.5	1.3
Benzo(a)pyrene         1         22         1         1.1         0.26         0.8         9         3         ND         4.		1.2
Benzo(b)fluoranthene <b>1 1.7 5.6 11</b> 0.39 1.1 <b>12</b> 4.3 0.47 J <b>7.</b>	0.68	1.5
Benzo(ghi)perylene         100         1000         500         1000         0.26         0.51         5.4         2         ND         2.	0.35	0.71
Benzo(k)fluoranthene 0.8 1.7 56 110 0.1 J 0.33 3.6 1 ND 2.	0.18	0.43
Chrysene <b>1 1 56 110</b> 0.3 0.75 7.4 <b>3.2</b> 0.48 J 7.	0.49	1
Dibenzo (a,h)anthracene 0.33 1000 0.56 1.1 0.057 J 0.13 1.5 0.53 ND 0.8	J 0.092 J	0.18
Fluoranthene         100         1000         500         1000         0.48         1.9         19         6.5         1 J         2	0.95	2.8
Fluorene         30         386         500         1000         0.037 J         0.11 J         1.5 J         0.35         ND         0.9	J 0.12 J	3.4
Indeno(1,2,3-cd)pyrene 0.5 8.2 5.6 11 0.24 0.58 6.2 2.2 ND 3.	0.36	0.79
Naphthalene         12         12         500         1000         0.43         0.18 J         0.53 J         0.18 J         0.42 J         1.1	J 0.5	0.12 J
Phenanthrene         100         1000         500         1000         0.56         1.3         13         3.6         0.72 J         100	0.84	2.4
Pyrene         100         1000         500         1000         0.46         1.6         16         5.4         0.85 J         100	0.88	2.5
Total Metals - mg/kg		
Arsenic 16 16 16 21.2 7.18 3.99 12.7 24.5 12	2 <b>18.5</b>	8.36
Barium          820         400         10000         116         80.9         544         84.3         462         122	) 132	56.3
Cadmium          7.5         9.3         60         0.565         0.845         1.16         0.875         10.1         0.6	4 1.03	0.335 J
Chromium 19 1500 6800 8.22 11 5.34 36.6 644 15	2 12.9	6.81
Lead 450 1000 3900 475 88.9 115 195 4740 16	89.9	34.2
Mercury 0.73 2.8 5.7 0.099 0.118 0.14 0.68 8.34 0.1	2 0.107	ND
Selenium          4         1500         10000         1.46         1.64         0.538         0.957 J         0.926 J         1.1	2 1.66	0.707 J
Silver 8.3 1500 6800 0.179 J 0.167 J ND 0.922 0.597 0.2	J 0.174 J	0.154 J

#### Notes:

1. Only those SVOCs detected at a minimum of one sample location are presented in this table; all other compounds were reported as non-detect. Metals results shown are only for those compounds with an SCO.

2. Values per NYS CP-51 Soil Cleanup Levels (SCLs) for fuel oil contaminated Soil, Table 3.

3. Values per 6NYCRR Part 375 Protection of Groundwater Soil Cleanup Objectives (PGWSCOs), Table 375-6.8(b).

4. Values per 6NYCRR Part 375 Commercial Use Soil Cleanup Objectives (SCOs), Table 375-6.8(b).

5. Values per 6NYCRR Part 375 Industrial Use Soil Cleanup Objectives (SCOs), Table 375-6.8(b).

#### Definitions:

ND = Parameter not detected above laboratory detection limit.

J = Estimated value; result is less than the sample quantitation limit but greater than zero.

Color Code: BOLD

BOLD

BOLD = Result exceeds CP-51 SCLs BOLD = Result exceedes PGWSCOs

= Result exceedes PGWSCOs & CP-51 SCLs

= Result exceeds CSCOs, PGWSCOs, and CP-51 SCLs

= Result exceeds ISCOs, CSCOs, PGWSCOs, and CP-51 SCLs = Result exceeds CSCOs only

BOLD = BOLD =

= Result exceeds CSCOs and CP-51 SCLs

Page 1 of 1



# SUMMARY OF SUBSURFACE SOIL/FILL SAMPLE ANALYTICAL RESULTS 251 & 289 HARRISON STREET

# Brownfield Cleanup Program Application Jamestown YMCA Site

Jamestown, New York

									Sa	ample ID, Dep	oth (fbgs), &	Collection Da	ate				
							Histo	ric Sampling	Data				Tur	nKey Test P	it Sampling [	Data	
PARAMETER <sup>1</sup>	CP-51 SCLs <sup>2</sup>	PGWSCOs <sup>3</sup>	CSCOs <sup>4</sup>	ISCOs <sup>5</sup>	Watson-1 <sup>6</sup>	US-1 stream bank	DS-1 stream bank	TB-2 4-6 ft	TB-5 2-4 ft	MW-3 4-6 ft	MW-5 4-6 ft	TP-1 1-4 ft	TP-3 1-3 ft	TP-4 1-3 ft	TP-6 3-4 ft	TP-7 6-8 ft	TP-9 1-2 ft
					TVGA 03/31/2000	TVGA 05/17/2000	TVGA 05/17/2000	TVGA 05/11/2000	TVGA 05/11/2000	TVGA 05/11/2000	TVGA 05/11/2000	TunKey 05/18/2015	TunKey 05/18/2015	TunKey 05/18/2015	TunKey 05/18/2015	TunKey 05/18/2015	TunKey 05/18/2015
Volitile Organic Compounds (VOC's) - m	q/kq				•												•
Ethylbenzene	1	1	390	700	ND	ND	ND	ND	0.1	ND	ND						
Xylenes, Total	0.26	100	500	1000	ND	ND	ND	ND	0.422	ND	ND						
Polycyclic Aromatic Hydrocarbons (PAH	s) - mg/Kg				-												
Acenaphthene	20	98	500	1000	ND	ND	ND		0.759			ND	ND	0.3 J	ND	ND	ND
Acenaphthylene	100	107	500	1000	ND	ND	ND		0.966			ND	ND	0.21 J	ND	ND	ND
Anthracene	100	1000	500	1000	0.34	0.378	0.574		1.69			0.6 J	ND	0.78 J	ND	ND	ND
Benzo(a)anthracene	1	1	5.6	11	0.83	1.05	1.93		1.18			3.1	ND	2.7	1.1 J	ND	0.16 J
Benzo(a)pyrene	1	22	1	1.1	0.51	1.01	1.98		1.11			2.4	ND	2.3	0.89 J	ND	ND
Benzo(b)fluoranthene	1	1.7	5.6	11	1.2	1.57	2.72		0.601			3.3	ND	2.8	1.2 J	ND	ND
Benzo(ghi)perylene	100	1000	500	1000	0.33	0.465	ND		0.559			1.7	ND	1.3	0.38 J	ND	ND
Benzo(k)fluoranthene	0.8	1.7	56	110	0.32	0.552	1.4					1.1	ND	1.2	0.63 J	ND	ND
Chrysene	1	1	56	110	0.71	1.26	2.28		1.13			2.5	8.5 J	2.6	0.96 J	ND	ND
Fluoranthene	100	1000	500	1000	2.5	2.39	4.19		1.71			4.6	ND	5.5	1.4	ND	0.11 J
Fluorene	30	386	500	1000	ND	ND	ND		1.97			0.17 J	ND	0.34 J	ND	ND	ND
Indeno(1,2,3-cd)pyrene	0.5	8.2	5.6	11	0.39	0.455	0.791		0.791			1.5	ND	1.5	0.51 J	ND	ND
Naphthalene	12	12	500	1000	0.057 J	ND	ND		2.33			ND	ND	0.32 J	ND	ND	ND
Phenanthrene	100	1000	500	1000	2.4	1.59	2.54		7.44			2.7	ND	3.5	0.75 J	ND	0.15 J
Pyrene	100	1000	500	1000	1.9	2.36	3.85		4.96			4.6	ND	3.8	1.6	ND	0.16 J
Total Metals - mg/kg																	
Arsenic		16	16	16		12.2	13.3	7.21	14.3	10.1	13.2	14.1	6.3	349	178	8.9	30.1
Barium		820	400	10000		67.1	98.6	54.4	62	100	51.4	127	67.2	349	591	93.4	287
Beryllium		47	590	2700		ND	1.9	ND	ND	ND	ND						
Cadmium		7.5	9.3	60		1.41	2.55	ND	0.528	ND	ND	0.99	0.58	ND	0.23 J	0.12 J	0.51
Chromium		19	1500	6800		47.2	34.9	12.6	16.8	60.2	12.9	46.6	8.5	23.5	521	10.6	38.3
Copper		1720	270	10000		139	80.3	17.9	16.5	26.5	29						
Lead		450	1000	3900		156	107	12.9	12.7	39.3	11.3	164	45.9	256	172	136	47.6
Manganese		2000	10000	10000		520	752	179	335	386	89.6						
Mercury		0.73	2.8	5.7		ND	0.154	ND	ND	ND	ND	0.65	0.19	0.64	0.24	0.11	0.075
Nickel		130	310	10000		29.3	24.6	19.3	23.1	18.3	16.8						
Selenium		4	1500	6800		0.624	1.04	ND	ND	ND	2.08	ND	1.5 J	9.3	ND	7.4	ND
Silver		8.3	1500	6800		2.5	2.08	1.25	1.51	ND	3.69	0.67 J	ND	ND	ND	ND	ND
Zinc		2480	10000	10000		204	178	51.1	51.4	73.7	12.9	108	82.8	86	471	144	443

Notes:

1. Only those VOCs and SVOCs detected at a minimum of one sample location are presented in this table; all other compounds were reported as non-detect. Metals results shown are only for those compounds with an SCO. 2. Values per NYS CP-51 Soil Cleanup Levels (SCLs) for fuel oil contaminated Soil, Table 3. 3. Values per KNYCRP and 375 Protection of Groundwater Soil Cleanup Objectives (FGWSCOs), Table 375-6.8(b).

Values per 6NYCRR Part 375 Commercial Use Soil Cleanup Objectives (SCOs), Table 375-6.8(b).

5. Values per 6NYCRR Part 375 Industrial Use Soil Cleanup Objectives (SCOs), Table 375-6.8(b).

6. Sample results were collected from a former hydraulic lift cavity and reported by the laboratory in ug/kg and converted to mg/kg for comparison to SCOs.

Definitions:

J = Estimated value; result is less than the sample quantitation limit but greater than zero.

ND = Parameter not detected above laboratory detection limit.

"--" = No value available for the parameter. Or parameter not analysed for.

Color Code:	
BOLD	= F
POLD	- 5

**A** . . . . **A** . . . . .

Result exceeds CP-51 SCLs Result exceedes PGWSCOs & CP-51 SCLs

Result exceeds CSCOs, PGWSCOs, and CP-51 SCLs Result exceeds ISCOs, CSCOs, PGWSCOs, and CP-51 SCLs

Result exceeds CSCOs only

Result exceeds CSCOs and CP-51 SCLs

BOLD = Result exceeds ISCOs, CSCOs, and CP-51 SCLs



# SUMMARY OF GROUNDWATER SAMPLE ANALYTICAL RESULTS 251 & 289 HARRISON STREET

#### Brownfield Cleanup Program Application Jamestown YMCA Site Jamestown, New York

				Collection Date	
			Historic Sa	mpling Data	
PARAMETER <sup>1</sup>	AWQS/GV <sup>2</sup>	MW-2 TVGA 05/17/2000	MW-3 TVGA 05/17/2000	MW-4 TVGA 05/17/2000	MW-5 TVGA 05/17/2000
Volitile Organic Compounds (VOC's)	- mg/L	-			
Total VOCs		ND	ND	ND	ND
Semi-Volatile Organic Compounds (S	SVOCs) - mg/L				
Total SVOCs		ND	ND	ND	ND
Total Metals - mg/Kg					
Aluminum		0.723	ND	9.58	0.802
Arsenic	0.025	0.008	0.006	0.013	ND
Barium	1	0.082	0.122	0.201	0.264
Cadmium	0.005	ND	ND	ND	ND
Calcium		136	55.9	122	128
Chromium	0.05	ND	ND	0.012	ND
Cobalt		ND	ND	ND	ND
Copper	0.2	ND	ND	0.027	ND
Iron	0.3	1	0.141	10.9	1.79
Lead	0.025	ND	ND	0.03	0.007
Magnesium	35*	32.3	15.7	26.2	26.1
Manganese	0.3	0.286	0.023	0.339	1.2
Nickel	0.1	ND	ND	ND	ND
Potassium		15.9	9.78	19.1	10.1
Selenium	0.01	ND	0.008	ND	ND
Silver	0.05	ND	ND	ND	ND
Sodium	20	47	91.8	44.3	93.1
Vanadium		ND	ND	ND	ND
Zinc	2*	ND	ND	0.05	ND

Notes:

1. Only those Metals detected at a minimum of one sample location are presented in this table; all other compounds were reported as non-detect.

2. NYS Ambient Water Quality Class GA Groundwater Quality Standards/Guidance Values; NYSDEC June 1998 Division of Water Technical and Operational Guidance Series (TOGS) 1.1.1

#### Definitions:

\* = Ambient Water Quality Guidance Value (AWQGV).

ND = Parameter not detected above laboratory detection limit.

"--" = No value available for the parameter.

BOLD

= Exceeds AWQS/GV

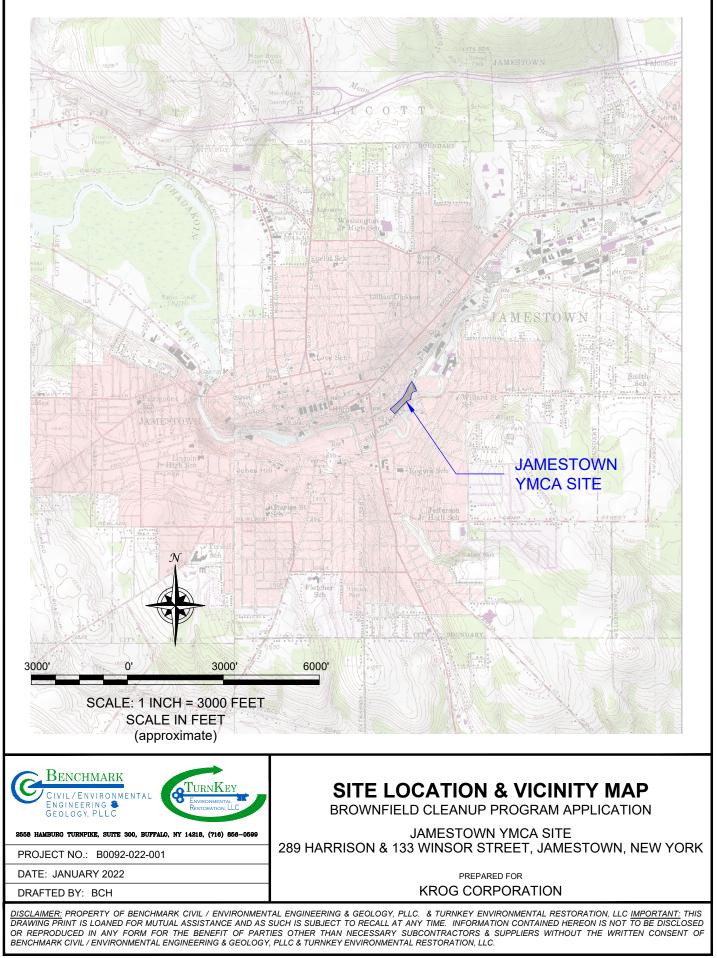
# FIGURES

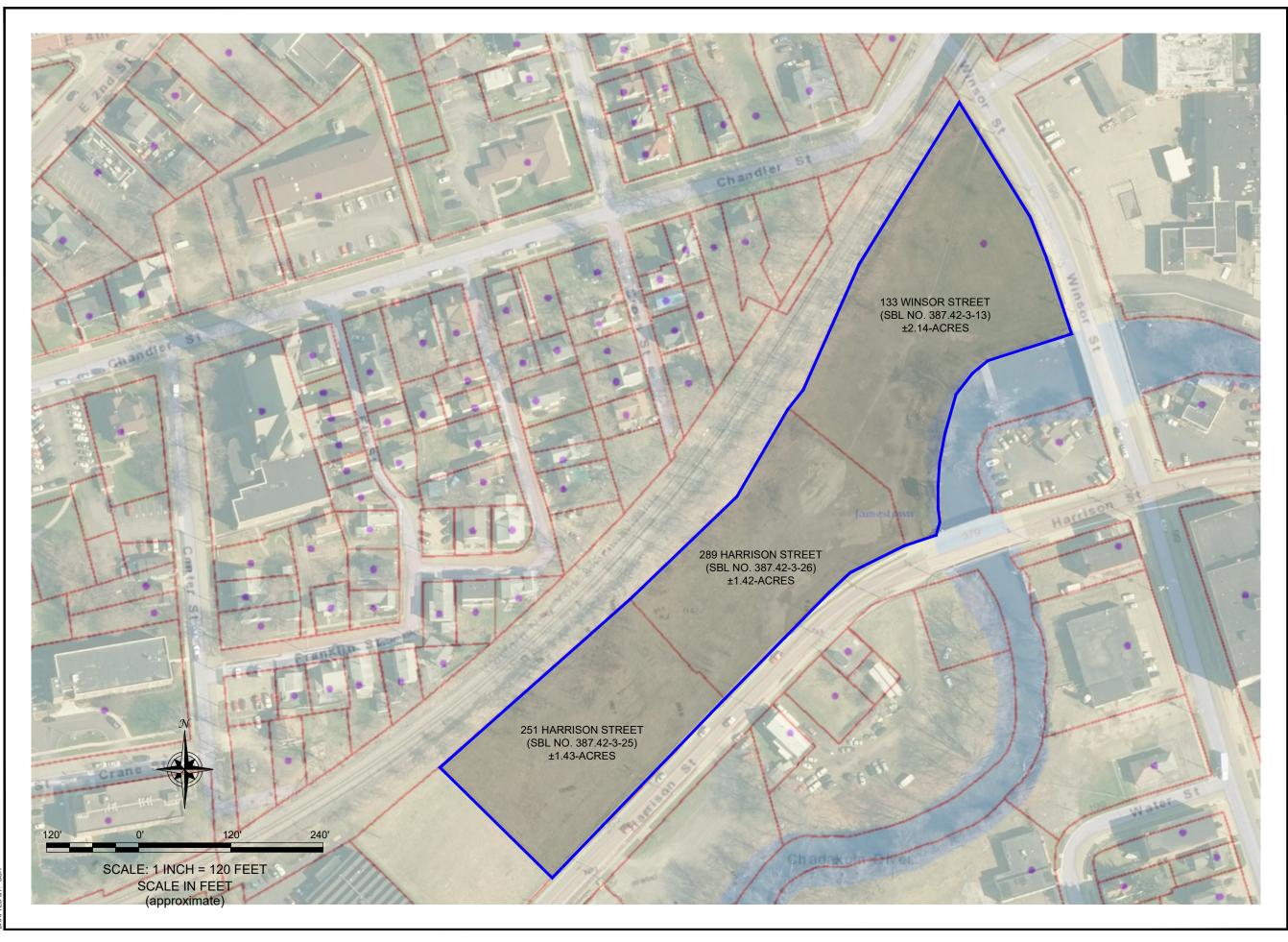
- Figure 1 Site Location and Vicinity Map
- Figure 2 Site Plan (Aerial)
- Figure 3 Tax Map
- Figure 4 Property Base Map (1,000' Setback)
- Figure 5 Preliminary Project Schedule
- Figure 6 Redevelopment Plan
- Figure 7 Investigation Locations and Areas of Concern
- Figure 8 EN-Zone Map
- Figure 9 Adjacent Property Owners
- Figure 10 Zoning Map
- Figure 11 USDA Soil Type Map



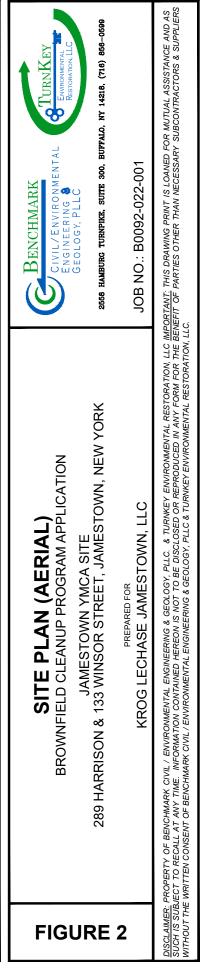


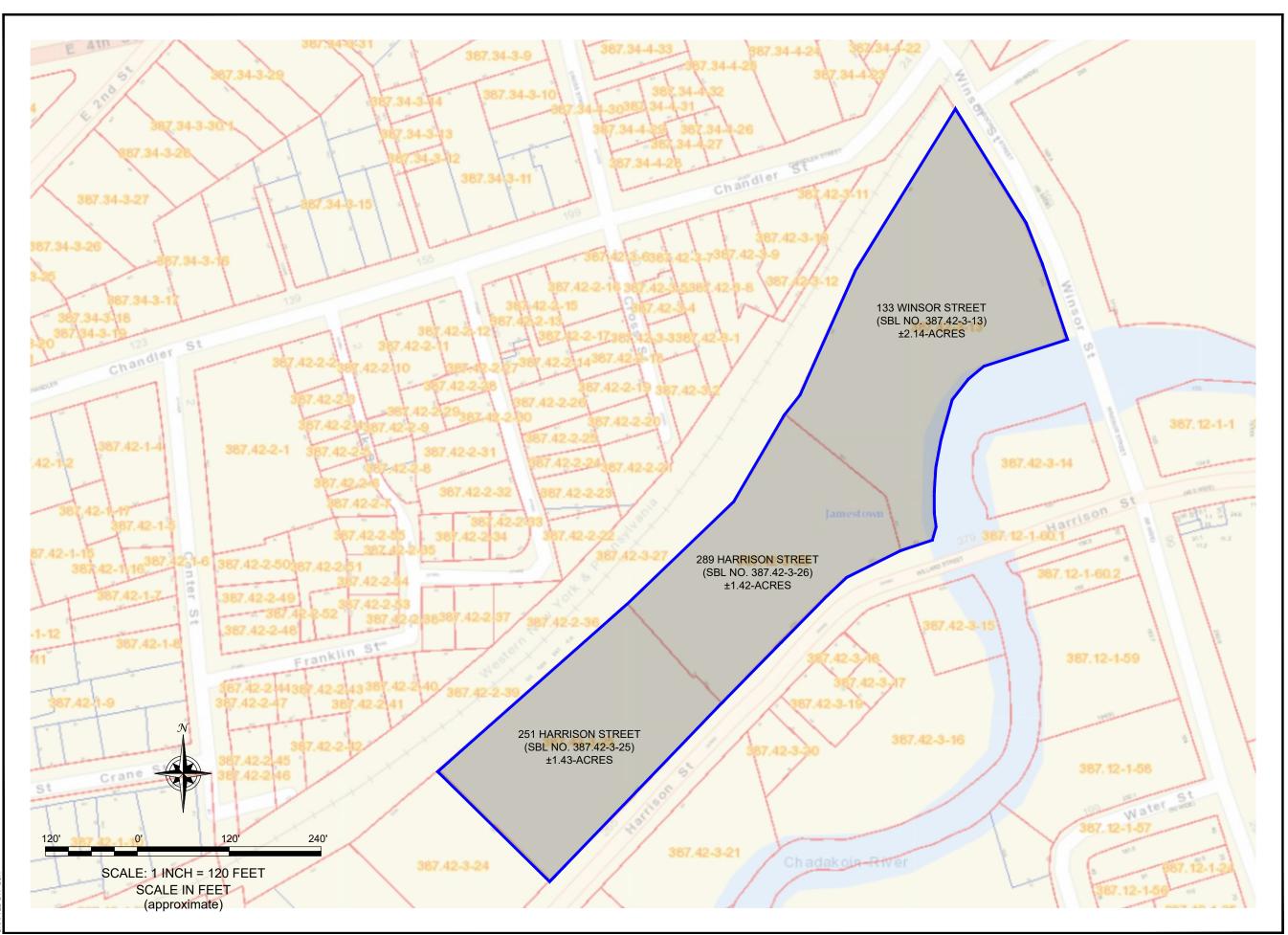
# **FIGURE 1**



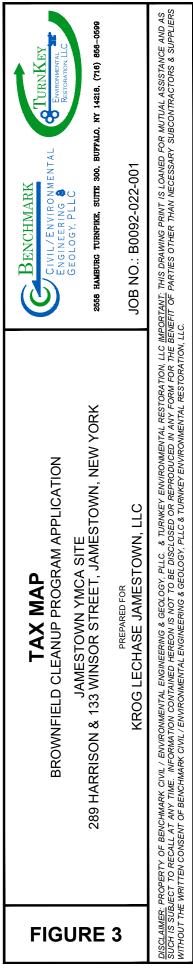


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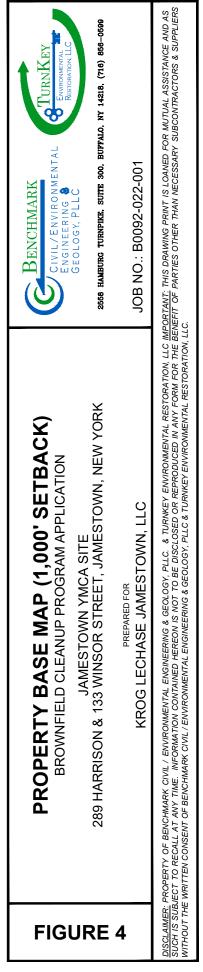




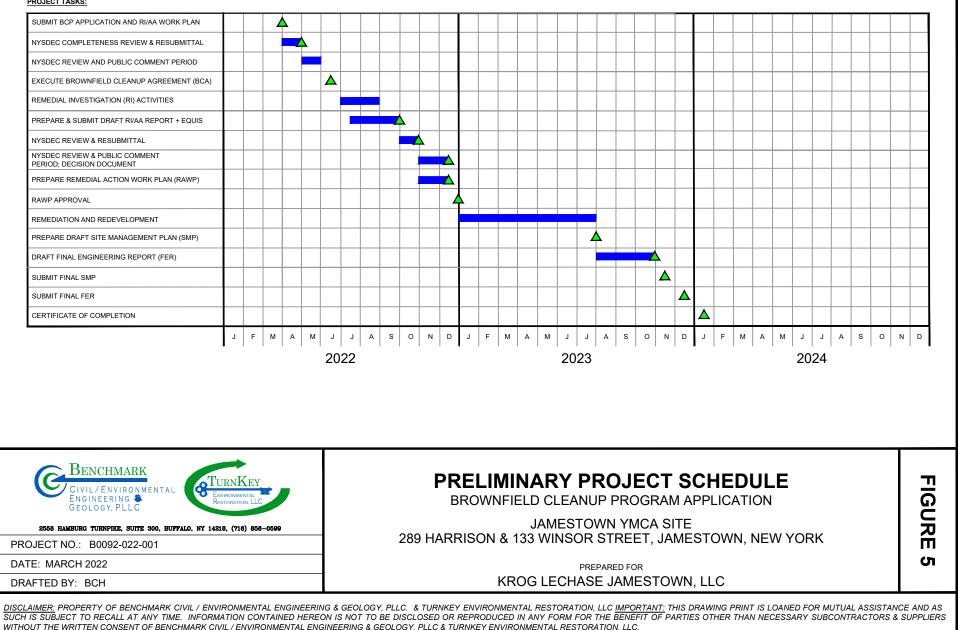
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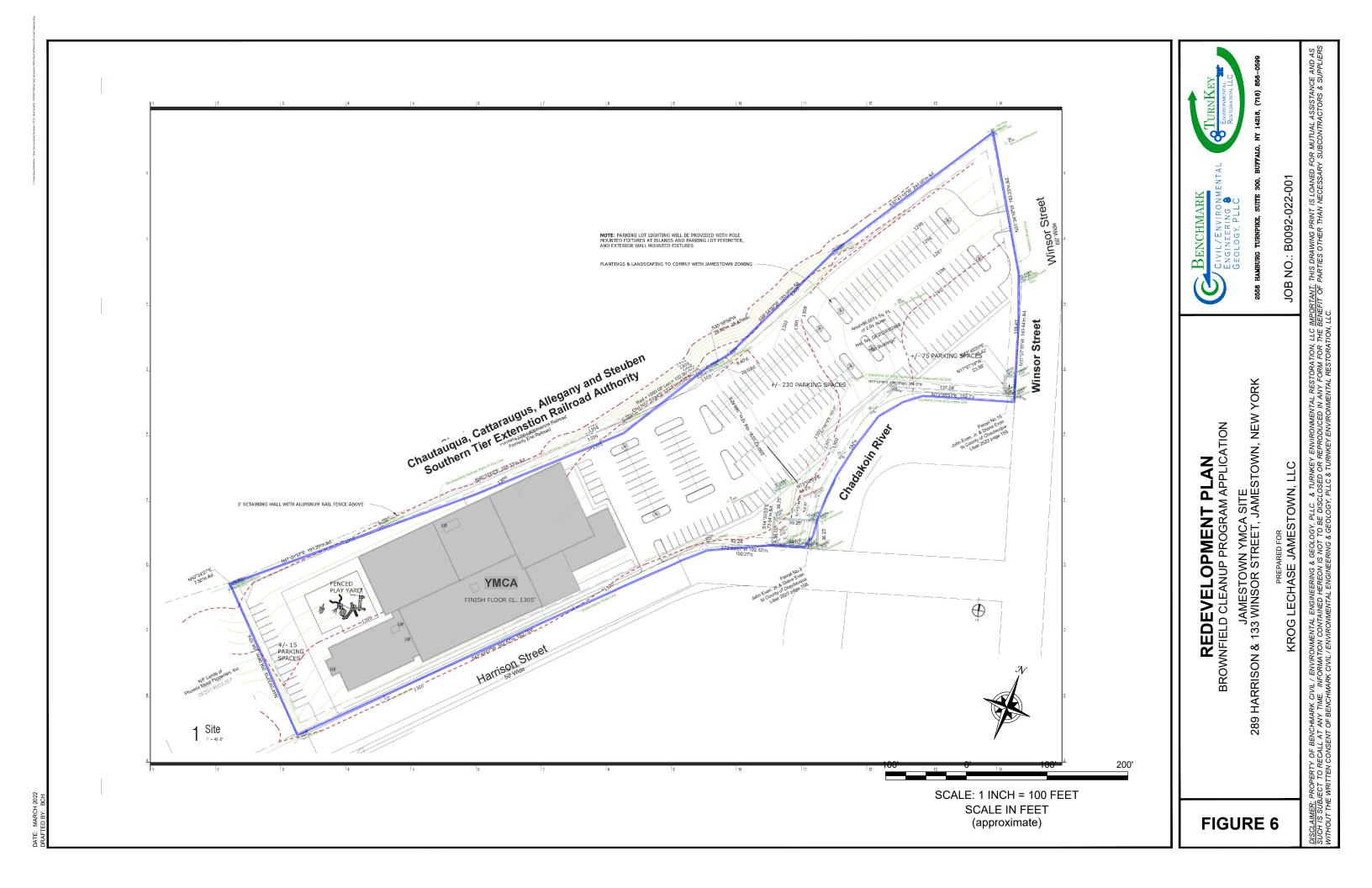


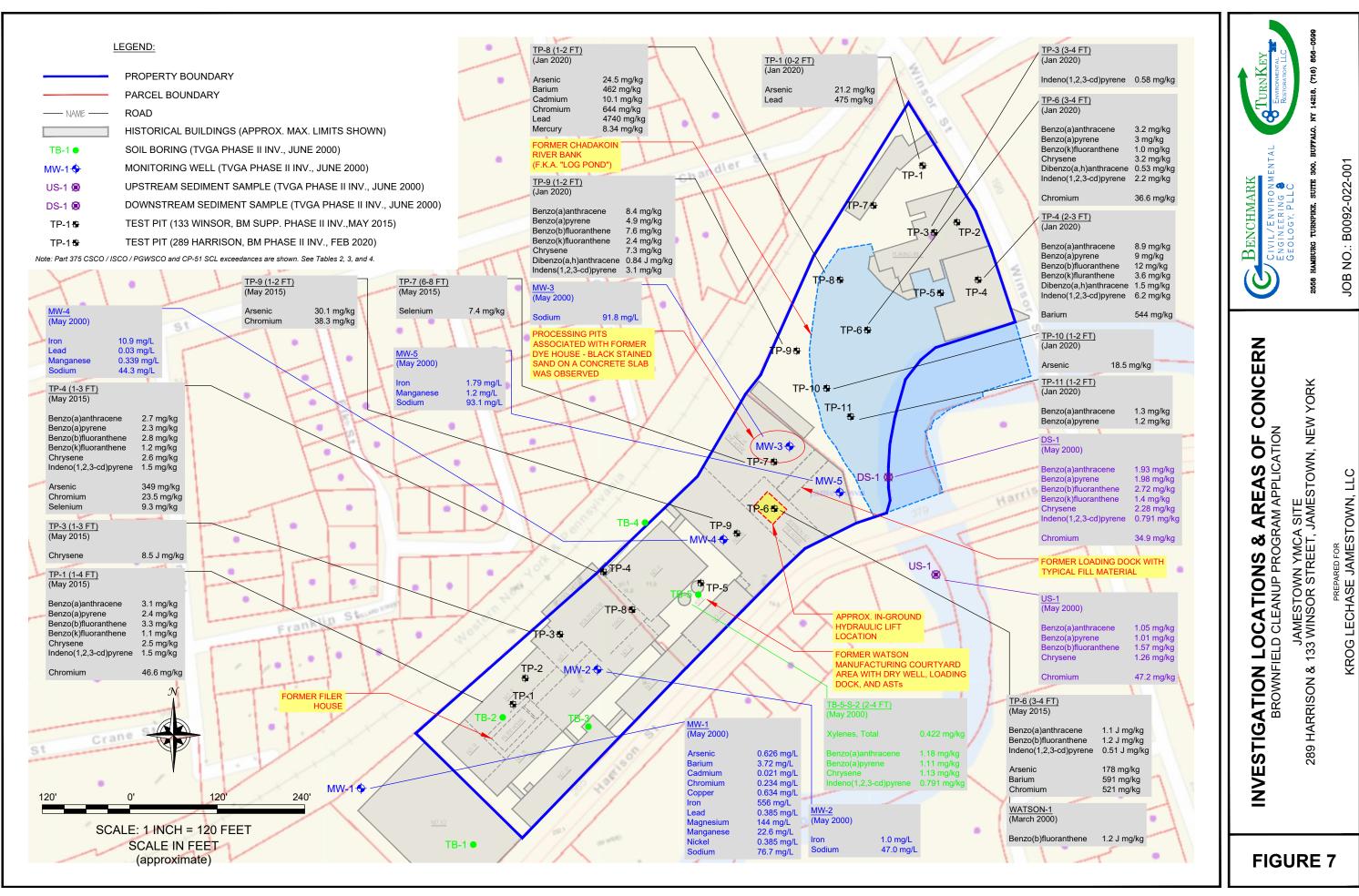




#### PROJECT TASKS:







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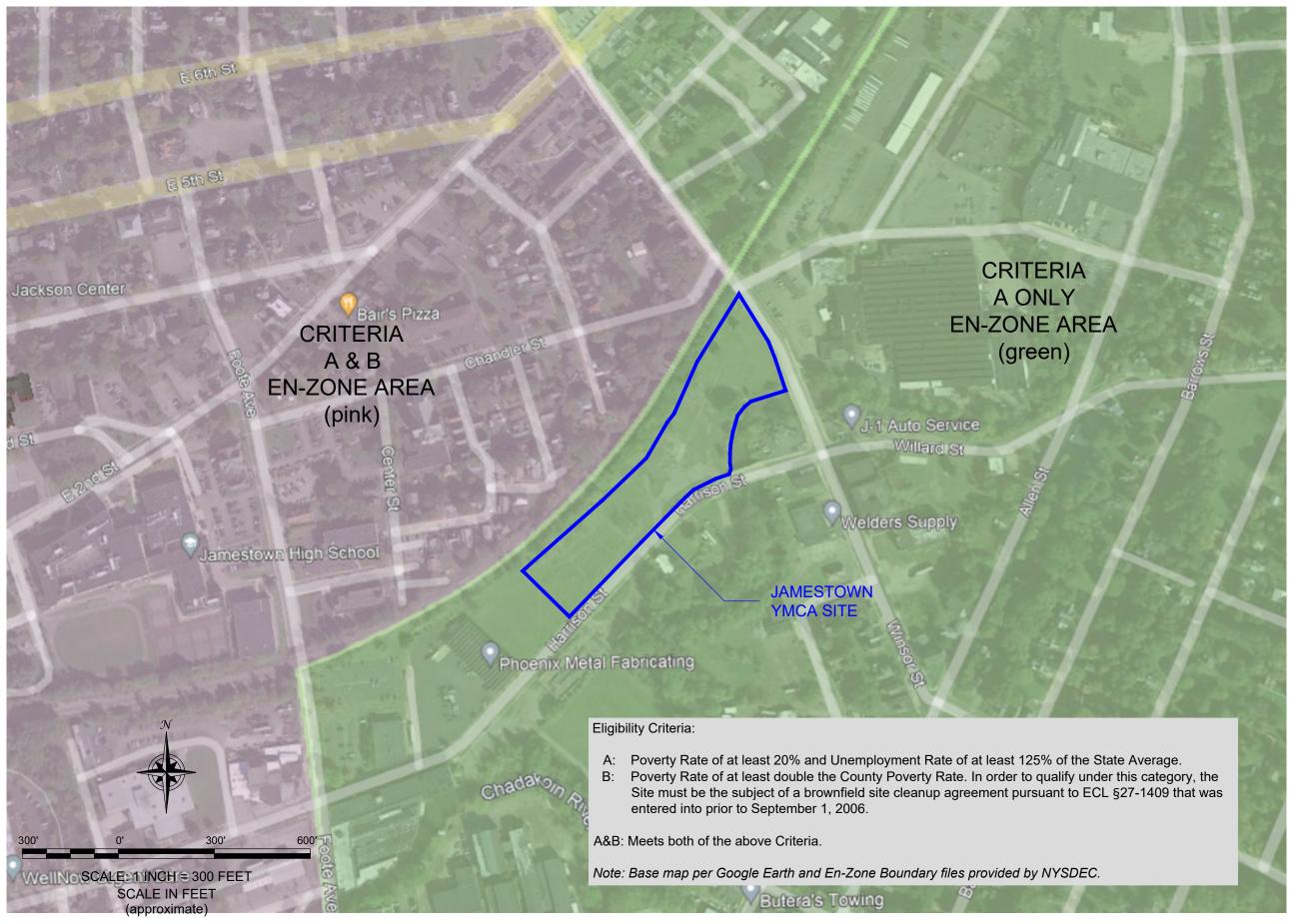
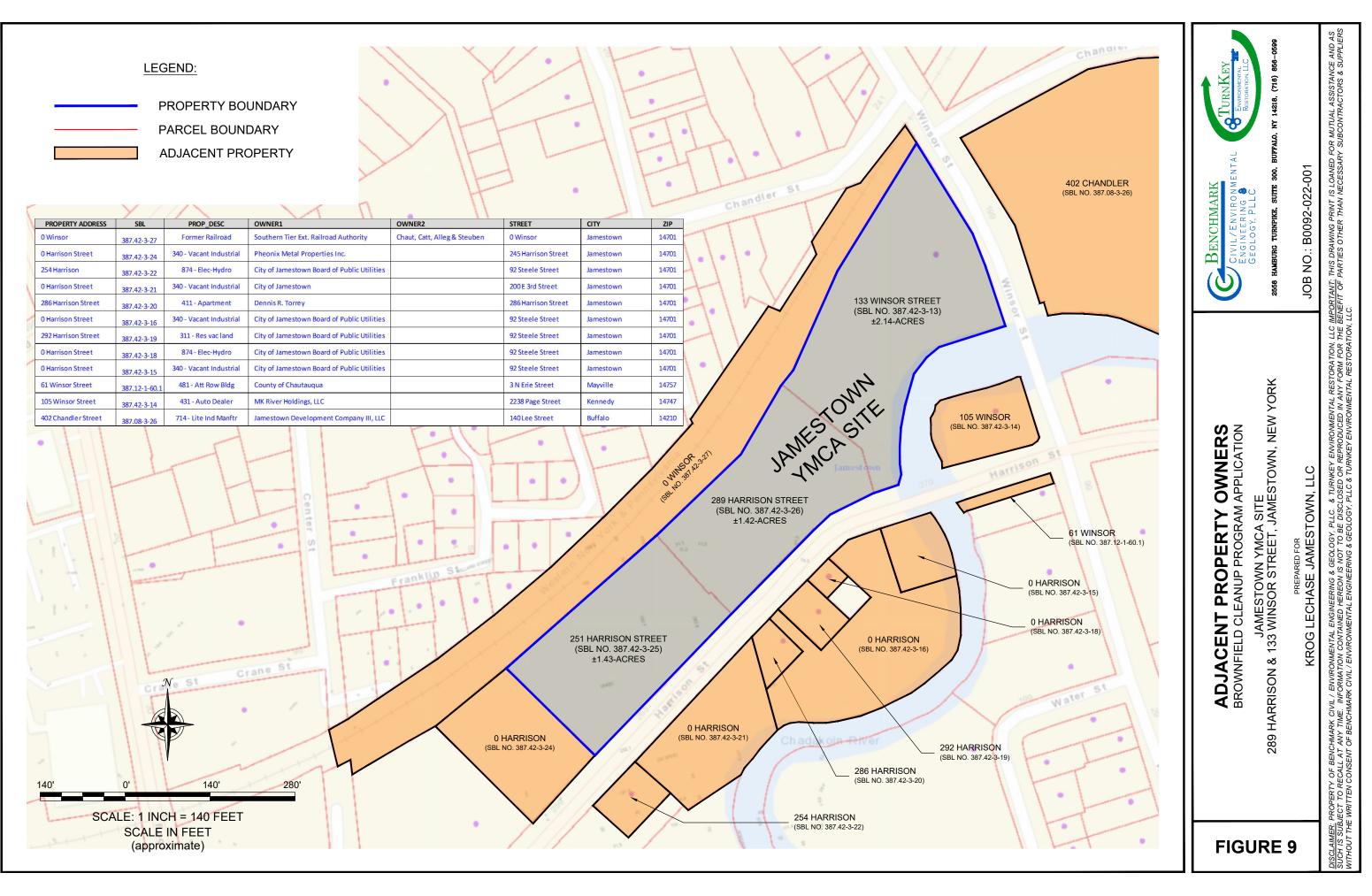
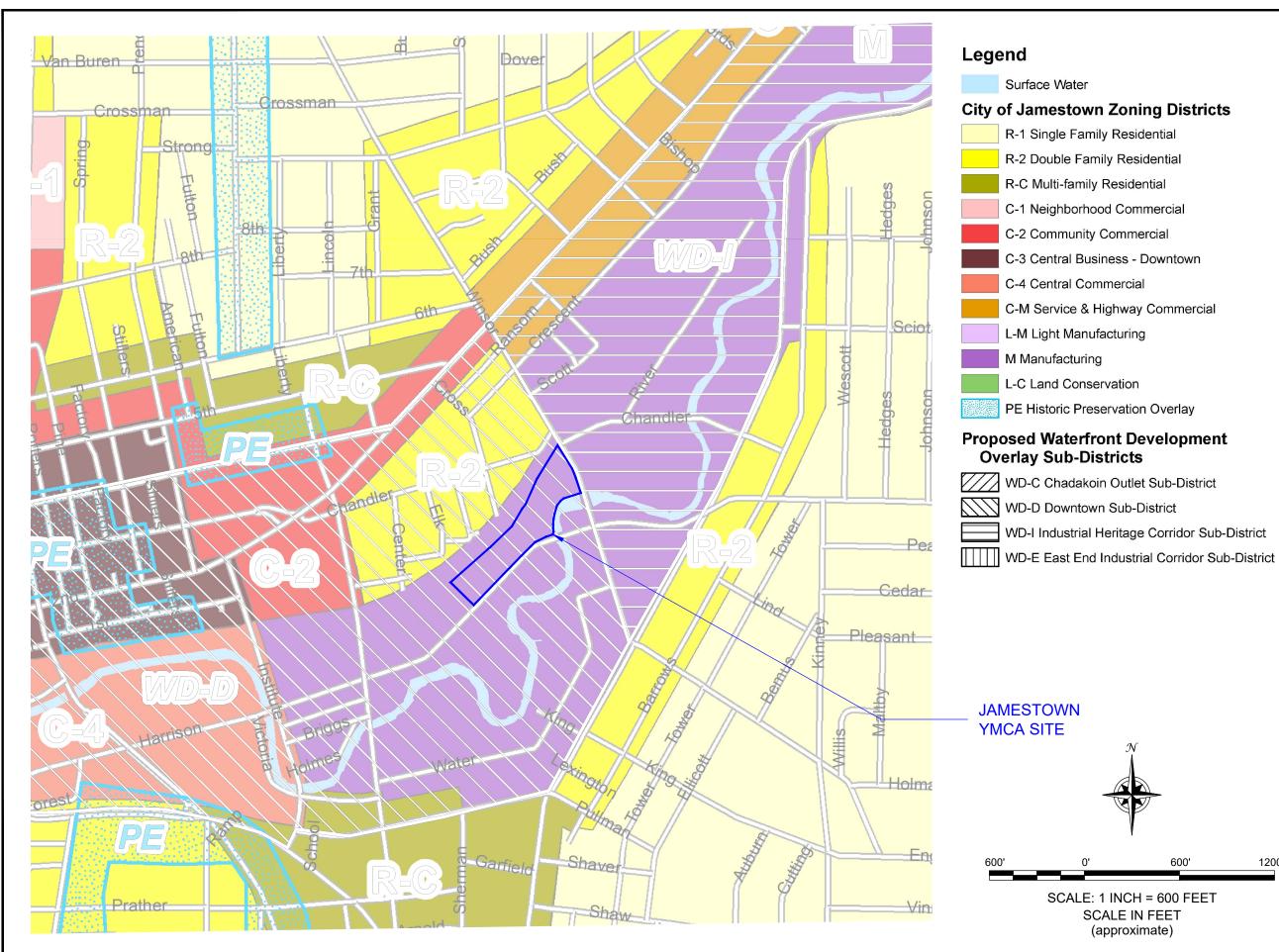


FIG	<b>EN-ZONE MAP</b> BROWNFIELD CLEANUP PROGRAM APPLICATION	BENCHMARK CIVIL/ENVIRONMENTAL
JRE	JAMESTOWN YMCA SITE 289 HARRISON & 133 WINSOR STREET, JAMESTOWN, NEW YORK	GEOLOGY, PLLC 2558 HAMBURG TURNPIKE, SUITE 300, BUFFALO, NY 14218, (718) 856-0599
8	PREPARED FOR KROG LECHASE JAMESTOWN, LLC	JOB NO.: B0092-022-001
DISCLAIMER: SUCH IS SUB WITHOUT THE	DISCLAIMER: PROPERTY OF BENCHMARK CIVIL / ENVIRONMENTAL ENGINEERING & GEOLOGY, PLLC. & TURKEY ENVIRONMENTAL RESTORATION, LLC IMPORTANT: THIS DRAWING PRINT IS LOANED FOR MUTUAL ASSISTANCE AND AS SUCH IS SUBJECT TO RECALL AT ANY TIME. INFORMATION CONTAINED HEREON IS NOT TO BE DISCLOSED OR REPRODUCED IN ANY FORM FOR THE BENEFIT OF PARTIES OTHER THAN NECESSARY SUBCONTRACTORS & SUPPLIERS WITHOUT THE WRITTEN CONSENT OF BENCHMARK CIVIL/ENVIRONMENTAL ENGINEERING & GEOLOGY, PLLC & TURNKEY ENVIRONMENTAL RESTORATION, LLC.	ORTANT: THIS DRAWING PRINT IS LOANED FOR MUTUAL ASSISTANCE AND AS LEFIT OF PARTIES OTHER THAN NECESSARY SUBCONTRACTORS & SUPPLIERS C



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- WD-I Industrial Heritage Corridor Sub-District



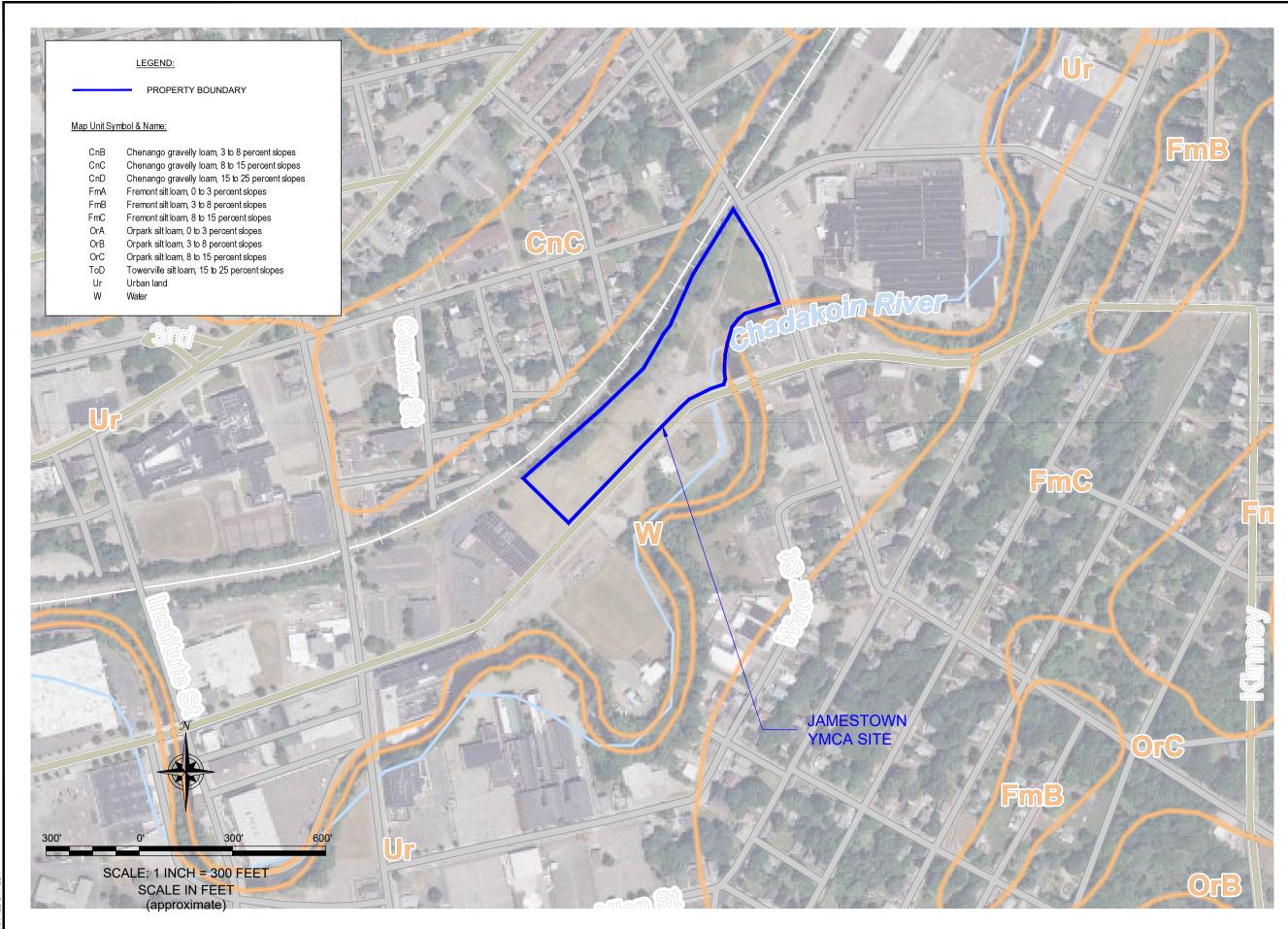
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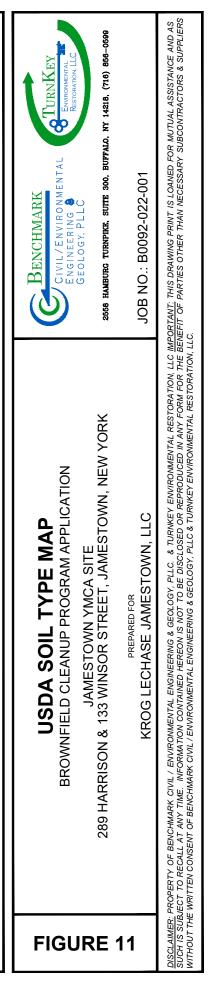
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SCALE: 1 INCH = 600 FEET SCALE IN FEET (approximate)

FIGU	ZONING MAP BROWNFIELD CLEANUP PROGRAM APPLICATION	BENCHMARK CIVIL/ENVIRONMENTAL
IRE <sup>·</sup>	JAMESTOWN YMCA SITE 289 HARRISON & 133 WINSOR STREET, JAMESTOWN, NEW YORK	GEOLOGY, PLLC 2558 HAMBURG TURNPIKE, SUTTE 300, BUFFALO, NY 14218, (716) 856-0599
10	PREPARED FOR KROG LECHASE JAMESTOWN, LLC	JOB NO.: B0092-022-001
DISCLAIMER: SUCH IS SUB WITHOUT THE	DISCLAIMER: PROPERTY OF BENCHMARK CIVIL / ENVIRONMENTAL ENGINEERING & GEOLOGY, PLLC. & TURNKEY ENVIRONMENTAL RESTORATION, LLC IMPORTANT: THIS DRAWING PRINT IS LOANED FOR MUTUAL ASSISTANCE AND AS SUCH IS SUBJECT TO RECALL AT ANY TIME. INFORMATION CONTAINED HEREON IS NOT TO BE DISCLOSED OR REPRODUCED IN ANY FORM FOR THE BENEFIT OF PARTIES OTHER THAN NECESSARY SUBCONTRACTORS & SUPPLIERS WITHOUT THE WRITTEN CONSENT OF BENCHMARK CIVIL/ENVIRONMENTAL ENGINEERING & GEOLOGY, PLLC & TURNKEY ENVIRONMENTAL RESTORATION, LLC.	DRTANT: THIS DRAWING PRINT IS LOANED FOR MUTUAL ASSISTANCE AND AS EFIT OF PARTIES OTHER THAN NECESSARY SUBCONTRACTORS & SUPPLIERS



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# **BCP** APPLICATION **PART A – SECTIONS I - IV**

SECTION I – REQUESTOR INFORMATION

SECTION II – PROJECT DESCRIPTION

SECTION III – PROPERTY'S ENVIRONMENTAL HISTORY

SECTION IV – PROPERTY INFORMATION

EXHIBIT A1: NYSDOS CORPORATION & BUSINESS ENTITY DATABASE INFORMATION

**EXHIBIT A2: LLC MEMBER / OWNER INFORMATION** 

EXHIBIT A3: CHAUTAUQUA COUNTY PARCEL DETAIL REPORTS





### **SECTION I – REQUESTOR INFORMATION**

Requestor Krog Lechase Jamestown, LLC, a New York limited liability company, is authorized to conduct business in New York State. A copy of the New York State Corporation and Business Entity Database printout for Krog Lechase Jamestown, LLC is attached as Exhibit A1.

Krog Lechase Jamestown, LLC member/owner information is attached as Exhibit A2.

Benchmark Civil/Environmental Engineering and Geology, PLLC (Benchmark), a registered NYS engineering firm, and licensed NYS Professional Engineer (PE) will be acting as the Engineer of Record for this BCP project. Benchmark's sister company, TurnKey Environmental Restoration, LLC (TurnKey) will be providing select environmental services under the direct supervision of Benchmark (hereinafter referred to as Benchmark TurnKey).

## SECTION II – PROJECT DESCRIPTION

Krog Lechase Jamestown, LLC, acting as a Volunteer, is willing to complete additional investigation and remediate the Jamestown YMCA Site under the NYS Brownfield Cleanup Program (BCP), and is submitting this BCP Application for eligibility acceptance into the program. The Site is depicted on the following attached figures:

- Figure 1: Site Location & Vicinity Map
- Figure 2: Site Plan (Aerial)
- Figure 3: Tax Map
- Figure 4: Property Base Map (1,000-foot Set-Back)

On behalf of Krog Lechase Jamestown, LLC, Benchmark has prepared a Remedial Investigation/Alternatives Analysis (RI/AA) Work Plan for concurrent submittal with the BCP Application and is prepared to complete a RI, upon acceptance into the BCP.







A preliminary project schedule is shown on Figure 5.

The Volunteer plans to redevelop the entire  $\pm 5.09$ -acre Site, with the construction of a new Jamestown YMCA Facility that will consist of a base building area of  $\pm 55,584$ -SF (first floor  $\pm 36,125$ -SF, second floor  $\pm 19,459$ -SF), a potential future tenant space ( $\pm 3,127$ -SF) and two early learning centers (first floor  $\pm 5,799$ -SF and second floor  $\pm 5,889$ -SF) for a total building size of  $\pm 70,489$ -SF. A preliminary concept redevelopment plan is included as Figure 6.

The Project will result in the remediation and redevelopment of an environmentally impacted Site located in the City of Jamestown, Chautauqua County, New York.

## SECTION III – PROPERTY'S ENVIRONMENTAL HISTORY

A summary of the previous environmental investigation findings completed for the Site, and historically by parcel, are provided below.

### <u>133 Winsor Street: Phase I Environmental Site Assessment – January 2020</u>

Based on a Phase I Environmental Site Assessment (ESA) completed by TurnKey Environmental Restoration, LLC (TurnKey), dated January 2020, the Site was used for industrial purposes from at least 1886 to approximately 2009 when former buildings were demolished, and the Site became vacant land. Historic industrial operations reportedly included a lumber yard with lumber supply and storage, a sawmill, printing, glazing, a chemical company, and manufacturing of doors and blinds. The Site historically included a transformer room, a glue room, a paint room, a coal room, and lumber piles. A portion of the adjacent Chadakoin River (formerly a portion of Log Pond) was formerly located on the central and southwestern portions of the Site until prior to 1930 when on-Site portions of the waterbody were backfilled with fill materials from unknown origins.

TurnKey's January 2020 Phase I ESA revealed the following RECs in connection with the Site:

• The long history of industrial uses at the Site (at least 1886 to 2009) with operations including a lumber yard, a sawmill, printing, glazing, and manufacturing of doors









and blinds. In addition, a transformer room, a glue room, a paint room, a coal room, and lumber piles were identified on-Site.

- A portion of the Chadakoin River (FKA Log Pond) was formerly located on the central and southwestern portions of the Site until prior to 1930 when on-Site portions of the waterbody were apparently backfilled with fill materials from unknown origins.
- The Site is located in an industrial area.

## <u>133 Winsor Street: Phase II Environmental Investigation – February 2020</u>

On January 23, 2020, TurnKey completed 11 test pits, identified as TP-1 through TP-11, across the Site using an excavator; the majority of the test pits were completed to a target depth of approximately eight feet below ground surface (fbgs); however, shallow equipment refusal due to apparent concrete was encountered at TP-2, TP-3, and TP-4 at approximately six fbgs. Test pit locations are shown on Figure 7. Soil/fill samples from each test pit were screened for volatile organics using a MiniRAE 3000 Photoionization Detector (PID). Eight subsurface soil/fill samples were collected and submitted to the laboratory for analysis of polycyclic aromatic hydrocarbons (PAHs) and Resource Conservation and Recovery Act (RCRA) Metals.

In general, urban fill was observed consisting of black fines mixed with cinders, ash, brick fragments, metal, glass, and brick/concrete pieces from the ground surface to depths ranging between approximately 2 to approximately 7 fbgs. Intermingled slag was noted at certain test pits (TP-1 and TP-10). Apparent foundry sand was noted intermingled with fill material at TP-3 and ash layers were noted at TP-10 and TP-11. In addition, unknown odors and a layer of wood chips were noted at TP-6. A sheen was noted on groundwater at TP-6; TurnKey suspects that the sheen may be biological due to the presence of wood chips and absence of other indications of petroleum. Native sand and gravel were observed underlying the fill materials across the Site.

Groundwater was encountered at certain test pits at depths ranging between 3 fbgs and 6 fbgs at TP-6 (3 fbgs), TP-8 (5 fbgs), TP-9 (3 fbgs), TP-11 (6 fbgs). No elevated PID readings above background (0.0 parts per million, ppm) were noted during the work.







As summarized on Tables 1 and 2 and spatially depicted on Figure 7, multiple individual PAHs were identified at concentrations exceeding their respective Part 375 Commercial Use Soil Cleanup Objectives (CSCOs) and Industrial Use SCOs (ISCOs) at four of the eight subsurface investigation locations at TP-4, TP-6, TP-9, and TP-11. Metals were identified at concentrations exceeding CSCOs and/or ISCOs in seven of the eight soil/fill samples. Specifically, arsenic was detected at a concentration exceeding its ISCO at TP-1 (21.2 milligrams per kilogram, mg/kg), TP-8 (24.5 mg/kg), and TP-10 (18.5 mg/kg). Barium was detected above CSCOs at TP-4 and TP-8. Cadmium was detected above its CSCO at TP-8. Lead was detected above its ISCO at TP-8 (4,740 mg/kg). Mercury exceeded its ISCO at TP-8. Based on evidence of urban fill observed at all investigation locations, it is likely that PAH-and/or metals-impacted soil/fill is present across the Site.

### <u>251 & 289 Harrison Street: Phase I Environmental Site Assessment – June 1999</u>

Based on a Phase I ESA performed by Clough Harbour & Associates, LLP (CHA) in June 1999, the subject property was occupied by a variety of commercial and manufacturing operations, including a textile mill (1867 to1881), plating company, chemical company, dry cleaning facility, and a number of metal working companies. Common contaminants associated with these types of commercial and manufacturing operations include solvents, degreasers, dry cleaning fluids, volatiles, petroleum products, thinners, metals, cyanide, acids, and bases. Regulatory records indicated that the site was listed as a large quantity hazardous waste generator in the early 1990's, and inspections by the NYSDEC revealed that the last recorded tenant, Watson Manufacturing Co. Facility, was badly out of compliance with hazardous waste regulations. The Site is currently vacant but was once occupied by a manufacturing complex that underwent phased demolition from 1988-1999.

CHA's June 1999 Phase I ESA revealed the following RECs in connection with the Site:

• The historical use of the property and buildings as a manufacturing facility which included a dye house, waste sorting room, finishing room, and dry-cleaning operation, for over 100 years indicates the potential for past discharges of







petroleum, solvents, dry cleaning solutions and other chemicals to floor drains, the ground surface and possibly the storm sewer.

- The suspected discharge of a process wastewater from a phosphatizer used in the metal cleaning process to the subsurface via a suspected dry-well in the courtyard area indicates the potential for subsurface contamination.
- The former occurrence of a 10,000-gallon UST, and a 2,000-gallon tank that may or may not have been located on the subject property indicates the potential for subsurface contamination related to leakage from the tanks and/or underground piping.
- The occurrence of oil accumulations in two concrete vaults and several below-floor pipes used for equipment tie-down, indicates past discharges of petroleum into the structure as well as the potential for discharges to the subsurface of the site.
- The former presence of numerous containers of petroleum and other chemicals, some of which are not sealed or are deteriorated, within the on-site building indicates a material threat of a release of these substances into the structure.
- The improper storage of a listed hazardous waste (paint sludge) in two former ASTs in the former building represents a material threat of a release.
- Prior to building demolition, regulatory records indicating the most recent occupant's non-compliance with hazardous waste regulations indicates the potential for past discharges or on-site disposal of hazardous waste.
- The former presence of an electrical transformer that may have contained PCB-containing dielectric fluid indicates the potential for the release of PCBs.

#### 251 & 289 Harrison Street: Phase II Environmental Site Assessment – June 2000

In May 2000, TVGA Engineering, Surveying, P.C. (TVGA) conducted a Phase II ESA at the 247-335 Harrison Street parcels in Jamestown, New York to investigate potential sources of environmental concern identified during previous Phase I ESAs of the subject property. The scope of work included sampling and laboratory analysis of soil from the western bank of the Chadakoin River (and above the stream level) at upstream and downstream locations (US-1 and DS-1, respectively), drilling of ten (10) test borings across the site to collect subsurface soil samples for chemical analysis, five of which were completed as groundwater monitoring wells to facilitate collection and analysis of groundwater samples (borings TB-1 thru TB-5 and





wells MW-1 thru MW-5, respectively). Sediment, boring, and well locations are shown on Figure 7.

It should be noted that TVGA's investigation included the subject parcels (251 and 289 Harrison Streets) and an additional parcel (245 Harrison Street) located southwest adjacent to the Site that was purchased by nearby Phoenix Metal Fabricating and is not considered part of this BCP application. The physical addresses identified in TVGA's report are suspected to be historic addresses associated with previous development and, according to the City of Jamestown Assessor, such are no longer used/accurate. Therefore, the findings discussed below are associated with the subject parcels only (i.e., borings TB-2 thru TB-5, and wells MW-2 thru MW-5). The locations of boring TB-1 and well MW-1, located on 245 Harrison Street, are shown on Figure 7 for completeness, but the analytical results are not discussed.

As summarized on Tables 1 and 3, and spatially depicted on Figure 7, one VOC (total xylenes) and PAHs were identified in subsurface soil at concentrations exceeding their respective Part 375 CSCOs and ISCOs, Soil Cleanup Levels (SCLs), and/or Protection of Groundwater SCOs (PGWSCOs) at four of the seven investigation locations; Watson-1, US-1, DS-1, and TB-5. Chromium was identified at a concentration exceeding the PGWSCO at two of the seven locations (US-1 and DS-1). As summarized on Tables 1 and 4, and spatially depicted on Figure 7, several metals were identified at concentrations exceeding the NYSDEC Division of Water Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards/Guidance Values (AWQSs/GVs) (June 1998) in each of the four groundwater samples. Based on evidence of urban fill observed at all investigation locations, it is likely that PAH-impacted soil/fill and metals-impacted groundwater is present across the Site. Specific investigation findings reported by TVGA are presented below.

• Fill material was observed across the Site ranging from 1 to 14 feet in depth and reportedly consisted of sand, gravel, brick, foundry sand, and wood debris. Native soil underlying the fill material reportedly consisted of silt with varying amounts of sand, gravel, and clay.







- Visual and olfactory evidence of suspected petroleum impacts were encountered at borings TB-2, TB-5 and MW-3 completed across the Site.
- The highest photoionization detector (PID) reading, 120 parts per million (ppm), was identified at TB-5 (2 to 4-foot interval) reportedly completed proximate to the former Watson Manufacturing facility courtyard area that formerly contained a suspected dry well, a loading dock, and several above-ground storage tanks (ASTs). The sample reportedly consisted of fill material.
- Four subsurface soil samples were analyzed by the laboratory for Target Compound List (TCL) VOCs, TCL SVOCs, and Target Analyte List (TAL) metals. Three petroleum-related SVOCs, benzo(a)anthracene, chrysene, and benzo(a)pyrene as well as arsenic, chromium, and silver were identified at elevated concentrations above Technical and Administrative Guidance Memorandum (TAGM) Soil Cleanup Objectives (SCOs). [TurnKey compared the analytical results to current SCOs/SCLs and the SVOC concentrations exceed CP-51 SCLs as well as Part 375 Commercial and/or Industrial Use SCOs.]
- Two off-site soil bank samples from upstream (US-1) and downstream (DS-1) locations were collected from along the western bank of the Chadakoin River to assess suspected former discharge from the Watson Manufacturing Facility. The sediment samples were analyzed by the laboratory for TCL VOCs, TCL SVOCs, and TAL metals. Concentrations of several SVOCs, including petroleum-related compounds, exceeded TAGM SCOs in both samples. [TurnKey's comparison to current SCOs/SCLs revealed SVOC concentrations exceeding CP-51 SCLs as well as Part 375 Commercial and/or Industrial Use SCOs.] Several metals including arsenic, cadmium, chromium, lead, and mercury exceeded TAGM in the downstream sample, DS-1. [The concentrations of chromium exceed Part 375 PGWSCOs.]
- Petroleum-impacted soil was detected in the courtyard area. Petroleum impacted soil was also confirmed in the vicinity of the former hydraulic lift during the demolition of the former Watson Manufacturing facility, and the extent of soil contamination in both the courtyard and hydraulic lift cavity areas has not been fully delineated.
- The petroleum contamination detected in the courtyard area consisted primarily of PAHs. The suspected source of the contamination may include past discharges to the former suspected dry well, past releases to the ground surface associated with past manufacturing practices, and/or poor housekeeping practices.









- Depth to groundwater ranged between approximately 3 to 8 feet below ground surface (fbgs) within the four on-Site monitoring wells. It was determined that the groundwater flow direction at the Site is easterly, toward the Chadakoin River.
- Four groundwater samples were analyzed for TCL VOCs, TCL SVOCs, and TAL metals. Metals were identified in groundwater at concentrations above AWQSs/GVs.

A site map depicting the former on-site structures and areas of concern is attached as Figure 7.

#### 251 & 289 Harrison Street: Supplemental Phase II Site Investigation – May 2015

On May 18, 2015, in response to a NYSDEC request for additional data related to a BCP eligibility determination at that time, TurnKey performed a supplemental test pit investigation across the Site. Nine test pits, identified as TP-1 thru TP-9, were advanced a select locations based off of the June 2000 TVGA investigation locations and findings. Subsurface soil samples were collected from six of the nine test pits (TP-1, -3, -4, -6, -7, and -8). As summarized on Tables 1 and 3, and spatially depicted on Figure 7, PAHs were identified in subsurface soil at concentrations exceeding their respective Part 375 CSCOs and ISCOs, CP-51 Soil Cleanup Levels (SCLs), and/or Protection of Groundwater SCOs (PGWSCOs) at four of the six sampled investigation locations; TP-1 (1-4 feet), TP-3 (1-3 feet), TP-4 (1-3 feet), and TP-6 (3-4 feet). Arsenic was identified at a concentration exceeding the Part 375 CSCO, PGWSCO, and ISCO at three test pit locations (TP-4, -6, and -9). Chromium was identified at a concentration exceeding the PGWSCO at two of the six test pit locations (TP-4, and -7).

#### SECTION IV – PROPERTY INFORMATION

#### **Parcel Description**

The Jamestown YMCA Site, subject to this BCP application, consists of three parcels totaling approximately  $\pm 5.09$ -acres, located in a moderately developed mixed-use commercial,







industrial, and residential area of the City of Jamestown, Chautauqua County, New York (see Figures 1 thru 4), and is further identified as:

- 133 Winsor Street, S.B.L. # 387.42-3-13, ±2.14-acres
- 251 Harrison Street, S.B.L #387.42-3-25, ±1.43-acres
- 289 Harrison Street, S.B.L. # 387.42-3-26, ±1.42-acres

The proposed BCP boundary is shown on Figure 2.

A tax map is provided as Figure 3. The boundaries of the BCP Site correspond with the tax parcel boundaries of all three parcels. The Chautauqua County tax parcel detail reports for each parcel of the Site is provided for reference in Exhibit A3.

According to NYSDEC Environmental Zone (EN-Zone) mapping, the Site is located in an NYS EN-Zone Criteria A (see Figure 8), indicative of the economic conditions of the surrounding area, including a poverty rate of at least 20% and unemployment of at 125% of the State average. Because the Site is located in the NYS En-Zone, it is eligible for certain local, state, and federal financial incentives.

#### Easements and Permits

Utilities are located in the right-of-way along Harrison and Winsor Streets. Based on a deed from the City of Jamestown to the Jamestown Urban Renewal Agency, an easement is located on the 251 and 289 Harrison Street parcels. The nature of the easement is unknown, and Benchmark TurnKey is unsure if such has been extinguished. No other on-Site easements were identified. Krog Lechase Jamestown, LLC is not aware of any other easements or restrictions on the Site.

Krog Lechase Jamestown, LLC is not aware of any formal enforcement action, civil, judicial, or administrative enforcement cases in connection with the subject property. In addition, based on information gathered to date, there are no institutional controls recorded for the Site.







### **Regulatory Listings**

The Site was not identified in the NYSDEC Remedial Site or Bulk Storage databases.

The following spill incidents identified through the on-line NYSDEC Environmental Site Database are suspected to have involved the Site:

- Spill No. 0651000, dated September 20, 2006, involved a warehouse fire at an unknown chemical company. Upon investigation, several drums and containers were noted on the property; however, NYSDEC notes indicate that none of the containers stored liquids or mercury. Due to no spillage at the Site, the spill was reportedly reclassified as "closed" by the NYSDEC on January 11, 2007.
- Spill No. 901231, dated February 1, 1991, apparently involved drums of waste/used oil at 335 Harrison Street (a suspected historic address for the Site) and was reclassified as either "inactive" or "closed" on March 14, 1991.
- Spill No. 9975611, dated December 1, 1999, was identified for the Watson Plant at 335 Harrison Street. The spill involved a hydraulic oil release to soil and was reclassified as either "inactive" or "closed" on June 5, 2001.

The Harrison Street portion of the Site was identified in the Enforcement and Compliance History Online (ECHO) database under Watson Industries Division of Afro-Lecon (historic site occupant) listed at 335 Harrison Street (now 289 Harrison).

#### **Location**

The Site is located in a moderately developed mixed-use commercial, industrial, and residential area of the City of Jamestown, Chautauqua County, New York. The Site, located on the north side of Harrison Street, is bound by Harrison Street to the south, an active railroad line to the north, Winsor Street to the east, and vacant land to west. Adjacent property owners are identified on Figure 9.

#### Site Features

The  $\pm 5.09$ -acre Site is currently vacant land with green areas, trees, a historical parking area, and former building foundation/concrete floor. The Site has no improvements.







#### Zoning and Land Use

The Site and vicinity are zoned manufacturing (Zoned M, Overlay WD-D Downtown Sub-District) and land use immediately surrounding the Site currently includes commercial (Zoned C-2) and vacant properties (see Figure 10). Residential properties (Zoned R-2) are located north of the Site beyond the railroad tracks and the Chadakoin River is located south and east of the Site beyond vacant properties (also Zoned M, Overlay WD-D Downtown Sub-District). Planned Site redevelopment is not consistent with the City of Jamestown zoning and land use plans assigned to the Site, so a zoning change is anticipated.

The surrounding parcels are currently used as follows:

- north Southern Tier Ext. Railroad Authority (active railroad tracks);
- south Harrison Street, and City of Jamestown Board of Public Utilities substation and vacant manufacturing;
- east Jamestown Development Company III, LLC; and
- west vacant land and Phoenix Metal Fabricating Inc.

#### Past Use of the Site

The subject property consists of three parcels totaling approximately  $\pm 5.09$ -acres, identified as 133 Winsor Street, 251 Harrison Street, and 289 Harrison Street. The past use of each parcel is provided below.

#### <u>133 Winsor Street</u>

This portion of the subject property was used for industrial purposes from at least 1886 to approximately 2009 when former buildings were demolished, and the Site became vacant land. Historic industrial operations reportedly included a lumber yard with lumber supply and storage, a sawmill, printing, glazing, a chemical company, and manufacturing of doors and blinds. The Site historically included a transformer room, a glue room, a paint room, a coal room, and lumber piles. A portion of the adjacent Chadakoin River (formerly a portion of Log Pond) was formerly located on the central and southwestern portions of the Site until prior to 1930 when on-Site portions of the waterbody were backfilled with fill materials from unknown origins.





#### <u>251 & 289 Harrison Street</u>

This portion of the subject property was occupied by a variety of commercial and manufacturing operations, including a textile mill (1867 to1881), plating company, chemical company, dry cleaning facility, and a number of metal working companies. Common contaminants associated with these types of commercial and manufacturing operations include solvents, degreasers, dry cleaning fluids, volatiles, petroleum products, thinners, metals, cyanide, acids, and bases. Regulatory records indicated that the site was listed as a large quantity hazardous waste generator in the early 1990's, and inspections by the NYSDEC revealed that the last recorded tenant, Watson Manufacturing Co. Facility, was badly out of compliance with hazardous waste regulations. The Site is currently vacant but was once occupied by a manufacturing complex that underwent phased demolition from 1988-1999.

Due to the Site's industrial history, previous investigations have identified PAHs and metals (arsenic and chromium) at concentrations exceeding CSCOs and ISCOs. Redevelopment of the Site for commercial use will require remediation to a Track 4 CSCO prior to Site development.

Previous investigation reports are provided electronically on the enclosed CD.

#### Site Geology and Hydrogeology

The Site is located within the Allegheny River major drainage basin (Chautauqua Lake Watershed), which is typified by glaciofluvial, and alluvial deposit filled valleys and eroded foothills of the Allegheny Mountains. These deposits overlay sedimentary bedrock that have been fractured in many places by folding and faulting and are generally much more permeable and comprise the valley-fill aquifers. The northwestern Allegheny Plateau of this basin has been glaciated and glaciofluvial deposits include sediments left by water flowing within, under, or out of glaciers. In contrast, the Appalachian highlands to the east and southeast have steep, high peaks, ridges, and plateaus that are deeply divided by valleys (see Figure 1).

Based upon a review of the *Surficial Geologic Map of New York, Niagara Sheet* (1988), the overburden on-site consists of kame deposits, which include kames, eskers, kame terraces, and





kame deltas, composed of coarse to fine gravel and/or sand. These types of deposits are characterized as having lateral variability in sorting, coarseness, and thickness, were deposited adjacent to ice, and have a variable thickness from approximately 33 to 100 feet (10 to 30 meters). The overburden is underlain by Upper Devonian-aged bedrock consisting of Ellicott and Dexterville formations of shale and siltstone belonging to the Conneaut Group (map symbol Dct) according to the *Geologic Map* of *New York, Niagara Sheet* (1970).

According to information obtained on-line through the United States Department of (USDA) Web Soil Agriculture Survey (WSS) (https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx), Site soils are characterized as Urban land (Ur) where 85 percent or more of the soil surface is covered with asphalt, concrete, buildings, or other impervious structures, typical of an urban environment (see Figure 11). Previous investigations of the Site have identified an upper fill unit ranging from approximately 1.0 to 14.0 fbgs. The fill material was described containing black fines mixed with foundry sand, cinders, ash, brick fragments, metal, glass, brick/concrete pieces, and wood debris underlain by an assumed native mixture of fine-grained glaciolacustrine deposits, more permeable glaciofluvial deposits, and/or more recent alluvial deposits. Although the top of bedrock at the Site has never been confirmed, it is assumed to be greater than 24 fbgs.

Based on the location and topography of the Site, groundwater would appear to flow south or southeast toward the Chadakoin River. TVGA's Phase II Investigation (June 2000) confirmed groundwater flow direction at the Site is to the southeast toward the Chadakoin River. Additional work is required to investigate groundwater flow direction and quality at the Site.

### Environmental Assessment Narrative

The past use of the Site and/or the presence of urban fill has impacted the Site; fill materials consisting of black fines mixed with foundry sand, cinders, ash, brick fragments, metal, glass, brick/concrete pieces, and wood debris were identified Site-wide at depths ranging from 1.0 fbgs to 14.0 fbgs. Figure 7 identifies the environmental impacts (i.e., areas of concern) identified during previous investigations. Laboratory analytical results indicate elevated PAHs





and metals exceeding CSCOs and ISCOs in soil/fill across the Site, and elevated VOCs in soil/fill exceeding CP-51 SCLs and elevated metals in groundwater exceeding AWQSs/GVs on the Harrison Street portion of the Site. A summary of known impacts is presented below.

### Volatile Organic Compounds (VOCs)

Soil/fill samples from each sample location from all three Site parcels (133 Winsor, 251 Harrison, and 289 Harrison) were screened for volatile organics using a handheld Photoionization Detector (PID). Soil/fill samples collected from the 133 Winsor Street portion of the Site did not exhibit visual, olfactory, or PID evidence of impact, therefore none of samples were analyzed for VOC laboratory analysis. Three (TB-2, TB-5, and MW-3) of the seven soil/fill samples analyzed for VOCs from the 251 and 289 Harrison Street portions of the Site did exhibit visual, olfactory, and/or PID evidence of impact. Detectable concentrations of three petroleum-VOCs were identified in one of the three samples identified as boring TB-5: ethylbenzene (0.1 mg/L), m/p-xylene (0.159 mg/L), and o-xylenes (0.263 mg/L). The combined total xylene concentration (m/p-xylene plus o-xylene) exceeded the CP-51 SCL of 0.23 mg/kg.

#### Semi-Volatile Organic Compounds (SVOCs)

SVOCs were detected above MDLs in 17 of the 18 soil samples analyzed for SVOCs. Specifically, PAHs were detected above their respective Part 375 CSCOs and/or ISCOs at several locations, including:

- Benzo(a)anthracene exceeded its CSCO (5.6 mg/kg) at two (2) locations on the 133 Winsor Street portion of the Site: TP-4 (8.9 mg/kg) and TP-9 (8.4 mg/kg).
- Benzo(a)pyrene exceeded its CSCO (1.0 mg/kg) and ISCO (1.1 mg/kg) at four (4) locations on the 133 Winsor Street portion of the Site: TP-4 (9.0 mg/kg), TP-6 (3.0 mg/kg), TP-9 (4.9 mg/kg), and TP-11 (1.2 mg/kg).
- Benzo(a)pyrene exceeded its CSCO (1.0 mg/kg) and ISCO (1.1 mg/kg) at three (3) locations on the 251 and 289 Harrison Street portions of the Site: DS-1 (1.98 mg/kg), TB-5 (1.11 mg/kg), TP-1 (2.4 mg/kg), and TP-4 (2.3 mg/kg).
- Benzo(a)pyrene exceeded its CSCO (1.0 mg/kg) at one (1) location on the 251 and 289 Harrison Street portions of the Site: US-1 (1.01 mg/kg).







- Benzo(b)fluoranthene exceeded its CSCO (5.6 mg/kg) and ISCO (11.0 mg/kg) at location TP-4 (12.0 mg/kg) and exceeded its CSCO (5.6 mg/kg) at location TP-9 (7.6 mg/kg) on the 133 Winsor Street portion of the Site.
- Dibenzo(a,h)anthracene exceeded its CSCO (0.56 mg/kg) and ISCO (1.1 mg/kg) at location TP-4 (1.5 mg/kg) and exceeded its CSCO (5.6 mg/kg) at location TP-9 (0.84 J mg/kg) on the 133 Winsor Street portion of the Site.
- Indeno(1,2,3-cd)pyrene exceeded its CSCO (5.6 mg/kg) and ISCO (11.0 mg/kg) at location TP-4 (6.2 mg/kg) on the 133 Winsor Street portion of the Site.

### <u>Metal Analytes</u>

Metal analytes were detected above MDLs in the twenty (20) soil/fill and four (4) groundwater samples analyzed for metals across the Site. Specifically, arsenic, barium, cadmium, lead and mercury were detected above their respective Part 375 CSCOs and/or ISCOs at seven (7) investigation locations: TP-1 (0-2 fbgs), TP-4 (2-3 fbgs), TP-8 (1-2 fbgs), and TP-10 (1-2 fbgs) from the 133 Winsor Street portion of the Site and TP-4 (1-3 fbgs), TP-6 (3-4 fbgs), and TP-9 (1-2 fbgs) from the 251 and 289 Harrison Street portions of the Site. Exceedances included:

- Arsenic exceeded its CSCO and ISCO (16 mg/kg) at three (3) locations: TP-1 (21.2 mg/kg), TP-8 (24.5 mg/kg), and TP-10 (18.5 mg/kg) on the 133 Winsor Street portion of the Site.
- Arsenic exceeded its CSCO and ISCO (16 mg/kg) at three (3) locations: TP-4 (349 mg/kg), TP-6 (178 mg/kg), and TP-9 (30.1 mg/kg) on the 251 and 289 Harrison Street portions of the Site.
- Barium exceeded its CSCO (400 mg/kg) at two (2) locations: TP-4 (544 mg/kg) and TP-8 (462 mg/kg) on the 133 Winsor Street portion of the Site.
- Barium exceeded its CSCO (400 mg/kg) at one (1) location: TP-6 (591 mg/kg) on the 251 and 289 Harrison Street portions of the Site.
- Cadmium exceeded its CSCO (9.3 mg/kg) at one (1) location: TP-8 (10.1 mg/kg) on the 133 Winsor Street portion of the Site.
- Lead exceeded its CSCO (1,000 mg/kg) and ISCO (3,900 mg/kg) at one (1) location: TP-8 (4,740 mg/kg) on the 133 Winsor Street portion of the Site.





Mercury exceeded its CSCO (2.8 mg/kg) and ISCO (5.7 mg/kg) at one (1) • location: TP-8 (8.34 mg/kg) on the 133 Winsor Street portion of the Site.

Elevated laboratory soil/fill analytical results exceeding the CSCOs (the anticipated reuse of the Site) were detected in 7 of the 8 analyzed sample locations on the 133 Winsor Street portion of the Site and 7 of 13 analyzed locations on the 251 and 289 Harrison Street portions. Elevated laboratory groundwater analytical results exceeding the AWQSs/GVs were detected in all 4 monitoring wells on the 289 Harrison Street portion of the Site.

Historic documents and previous investigation reports are provided electronically on the enclosed CD.







# EXHIBIT A1

# NEW YORK STATE DEPARTMENT OF STATE (NYSDOS)

### CORPORATION AND BUSINESS ENTITY DATABASE PRINT-OUT





Children ages 5+ are eligible for the COVID-19 vaccine and children ages 12+ are eligible for a booster. Parents and guardians: make sure your child gets vaccinated and stays up to date with all recommended doses.

#### **Department of State** Division of Corporations

#### **Entity Information**

Return to Results Return to Search

Entity Details

ENTITY NAME: KROG LECHASE JAMESTOWN, LLC FOREIGN LEGAL NAME: ENTITY TYPE: DOMESTIC LIMITED LIABILITY COMFANY SECTIONOF LAW: LIMITED LIABILITY COMPANY LAW - 203 LIMITED LIABILITY COMFANY LAW - LIMITED LIABILITY COMFANY LAW DATE OF INITIAL DOS FILING: 02/23/2022 EFFECTIVE DATE INITIAL FILING: 02/23/2022 FOREIGN FORMATION DATE: COUNTY: MONROE JURISDICTION: NEW YORK, UNITED STATES DOS ID: 6411927 FICTITIOUS NAME: DURATION DATE/LATEST DATE OF DISSOLUTION: ENTITY STATUS: ACTIVE

REASON FOR STATUS: INACTIVE DATE: STATEMENT STATUS: CURRENT NEXT STATEMENT DUE DATE: NFP CATEGORY:

ENTITY DISPLAY NAME HISTORY FILING HISTORY MERGER HISTORY ASSUMED NAME HISTORY

Service of Process Name and Address

Name: SHAWN M. GRIFFIN HARRIS BEACH PLLC

Address: 99 GARNSEY ROAD , PITTSFORD, NY, UNITED STATES, 14534

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Office Address

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: NO

Number Of Shares

Stock Information

Share Value

Value Per Share

## STATE OF NEW YORK DEPARTMENT OF STATE

I hereby certify that the annexed copy for KROG LECHASE JAMESTOWN, LLC, File Number 220223002738 has been compared with the original document in the custody of the Acting Secretary of State and that the same is true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on February 23, 2022.

Brandon C. Hughen

Brendan C. Hughes Executive Deputy Secretary of State

Authentication Number: 100001129494 To Verify the authenticity of this document you may access the Division of Corporation's Document Authentication Website at <u>http://ecorp.dos.ny.gov</u>

#### ARTICLES OF ORGANIZATION

#### OF

#### KROG LECHASE JAMESTOWN, LLC

#### Under Section 203 of the Limited Liability Company Law

The undersigned, for the purpose of forming a limited liability company pursuant to Section 203 of the New York Limited Liability Company Law, hereby certifies:

1. The name of the limited liability company is Krog Lechase Jamestown, LLC.

2. The office of the limited liability company shall be located in the County of Monroe, State of New York.

3. The Secretary of State of the State of New York is hereby designated as the agent of the limited liability company upon whom process in any action or proceeding against it may be served and the address to which the Secretary of State shall mail a copy of process in any action or proceeding against the company which may be served upon him is Shawn M. Griffin, Harris Beach PLLC, 99 Garnsey Road, Pittsford, NY 14534.

4. The limited liability company shall be managed by one or more of its members.

IN WITNESS WHEREOF, I have signed these Articles of Organization this 22nd day of February, 2022.

/s/ Carla J. Penazek Carla J. Penazek Organizer

228524\4889-5797-9664\ v1

#### ARTICLES OF ORGANIZATION

OF

#### KROG LECHASE JAMESTOWN, LLC

Under Section 203 of the Limited Liability Company Law

# UNI-37 DRAWDOWN

HARRIS BEACH PLLC 99 Garnsey Road Pittsford, New York 14534

Filed with the NYS Department of State on 02/23/2022 Filing Number: 220223002738 DOS ID: 6411927

# EXHIBIT A2

LLC MEMBER/OWNER INFORMATION





#### KROG LECHASE JAMESTOWN, LLC

#### JOINT UNANIMOUS WRITTEN CONSENT

#### OF THE MEMBERS AND OFFICERS

March 1, 2022

The undersigned and Managing Members of **KROG LECHASE JAMESTOWN, LLC**, a New York limited liability company (the "Company"), herby jointly consent to the adoption of the following resolutions without a meeting and direct that this Consent be filed with the minutes of the Company.

RESOLVED, that PETER L. KROG (an "Authorized Person") be, and hereby is, authorized, directed, and empowered, acting alone, in the name or on behalf of the Corporation, to execute the Brownfield Cleanup Program (BCP) Application, the Brownfield Cleanup Agreement (BCA), or any other documents or agreements necessary to enter and participate in the New York State Department of Environmental Conservation's Brownfield Cleanup Program (Environmental Conservation Law Article 27, Title 14) for property owned by the Company located at 351 Franklin Street, Olean, New York; and be it further

RESOLVED, that the Authorized Person is hereby authorized, empowered and directed to take all such action on behalf of the Corporation as they may deem necessary, appropriate or advisable to carry out the intent and purposes of the foregoing resolution; and be it further

RESOLVED, that any acts of any officer of the Corporation and of any persons designated and authorized to act by any such officer of the Corporation, which acts would have been authorized by the forgoing resolutions except that such acts were taken prior to the adoption of such resolutions, are hereby severally ratified, confirmed, approved and adopted as acts of the Corporation.

**IN WITNESS WHEREOF**, the undersigned have executed this Joint Unanimous Written Consent as of the date set forth above.

THE KROG GROUP, LLC
Signed:
Name: VETER KROG
Title: COO

Le Chase Development (72) LECHASE CONSTRUCTION
LECHASE CONSTRUCTION
Signed:
Name: homas O Carel
Title: Hutharized Rep.

### **JAMESTOWN YMCA SITE**

#### **ORGANIZATIONAL CHART**

#### **SITE OWNER/APPLICANT**

#### **Krog Lechase Jamestown LLC**

c/o Harris Beach PLLC 99 Garnsey Road Pittsford. New York 14534

#### **MEMBER**

#### **Mr. Peter Krog**

617 Main Street, Suite 350 Buffalo, New York 14203 (716) 220-8468

#### <u>MEMBER</u>

Mr. Thomas O'Gara 8940 Main Street Clarence, New York 14031 (716) 220-8468

# EXHIBIT A3

CHAUTAUQUA COUNTY PARCEL DETAIL REPORT







Chautauqua County - Parcel Report

Parcel Information:

JAMESTOWN

387.42-3-13

Street:133 Winsor StSchool District:60800 - Jamestown

Acres:	2.1	Tract:	Sub Land Sep.:	
Frontage:	313	Lot:	Prop Class:	Vacant comm
Depth:	614.4	Section:	<u>Sub Div. Lot</u>	
		<u>Township:</u>	Filed Map No.:	
		Range:	Filed Date:	

 Merge Request Note:

 Note:

Current Ownership:								
Last	<u>First</u>	<u>Middle</u>	<u>Suffix</u>	<u>Liber</u>	<u>Page</u>	Deed Date	Sale Price	<u>Deed</u> <u>Has</u> <u>Note</u>
YMCA of Jamestown New York				2021	2038	3/1/2021	1	

Historic Ownership:								
<u>Last</u>	<u>First</u>	<u>Middle</u>	<u>Suffix</u>	<u>Liber</u>	Page	Deed Date	Sale Price	<u>Deed</u> <u>Has</u> <u>Note</u>
133 Winsor Street LLC				2020	2468	4/14/2020	70,000	
Miller	Kimberly			2018	2315	3/27/2018	500	
Washington	Savitri	С		2688	745	11/13/2009	5,000	
County of Chautauqua				2685	713	10/02/2009	289587	
Evan	Diane	к		2200	622	08/28/1989		Х

# CHAUTAUQUA COUNTY PROPERTY INFORMATION

## LOCATION: 133 Winsor St, Jamestown

### SBL (NEW): 387.42-3-13 (OLD): 415-7-8

### □ PROPERTY INFORMATION

Owner Name	Miller Kimberly	Neighborhood Code	205
Total Assessed Value (98.60% Market)	\$43,300	School District Code	060800
Full Market Value	\$43,900	SWIS Code	060800
Land Value	\$31,300	Parcel Status	ACTIVE
Property Type	331 - Com vac w/imp	County Taxable	\$43,300
Lot Size	Acres: 0, Front:313, Depth:614	Town Taxable	\$43,300
Mailing Address 1	2238 Page Rd	School Taxable	\$43,300
Mailing Address 2		Village Taxable	\$0
Mailing City, State	Kennedy, NY	Tax Code	
Mailing ZIP Code	14747	Bank Code	
Description #1	414905	Deed Book	2020
Description #2		Deed Page	2468
Description #3	415-7-8	Year Built	-
Roll Year	2019	Last Sale Date	4/7/2020

### **PHYSICAL INFORMATION**

# of Bedrooms		Home/Building Style -
# of Baths	-	Structure Year Built -
# of Fireplaces		Square Footage
# of Kitchens		1st Story Sq. Ft.
# of Stories		2nd Story Sq. Ft.
Construction Quality	-	Additional Story Sq. Ft.
Utilities	-	1/2 Story Sq. Ft.
Sewer Type	-	3/4 Story Sq. Ft.
Water Type	-	Finished Over Garage Sq. Ft.
Waterfront Type	-	Finished Attic Sq. Ft.
Overall Condition	-	Finished Basement Sq. Ft.
Exterior Wall	-	Unfinished 1/2 Story Sq. Ft.
Basement Type	-	Unfinished 3/4 Story Sq. Ft.
Heat Type	-	Unfinished Room Sq. Ft.
Fuel Type	_	Unfinished Over Garage Sq. Ft.
Central Air	_	Total Living Area
Road Type	_	Finished Rec Room Sq. Ft.

# **\$** CURRENT TAXES

See current taxes on the Chautauqua County Real Property Services web site

# LATEST OWNER

See latest property owner on the Chautauqua County Parcel History Database

# **T** COMMERCIAL INFORMATION

Property Class: Com vac w/imp		Bl	<b>dg Sq Ft:</b> -1		Assessment/Sq Ft: -1			
Buildings:	Site #	Bldg #	• A	Act. Yr. Built	Eff. Yr. Bu	ilt		
Property Use:	Site #	Use #	Used As	Rent Sq Ft	Acres	Rent Type		
Click on site's row for details	1	1	Non-contrib	0	0			

# **HISTORICAL INFORMATION**

Owner History	Deed Book	Deed Page	Sale Date	Valid Sale	Sale Price
County of Chautauqua	2685	713	9/24/2009	NO	\$289,587
Washington, Savitri C	2688	745	11/13/2009	NO	\$5,000
133 Winsor St LLC	2020	2468	4/7/2020	NO	\$70,000
Miller, Kimberly	2018	2315	3/27/2018	NO	\$500

# IMPROVEMENT INFORMATION

Structure	Size	Grade	Condition	Year Built
Bilbrd-spole	12000.00 x 0.00	Average	Normal	2008



### РНОТО



# MAP



# COMPARABLE SALES

Comparable sales not available for this property.

COMPARABLE ASSESSMENTS

Comparable assessments not available for this property.



Chautauqua County - Parcel Report

Parcel Information:	JAMESTOWN	387.42-3-25

Street:Harrison StSchool District:60800 - Jamestown

<u>Acres:</u> 1.5	Tract:	Sub Land Sep.:
Frontage: 329.6	Lot:	Prop Class: Vacant indus
Depth: 204.1	Section:	<u>Sub Div. Lot</u>
	<u>Township:</u>	Filed Map No.:
	Range:	Filed Date:

Merge Reques	<u>st Note:</u>
Note:	

Current Ow	nership:							
Last	<u>First</u>	<u>Middle</u>	<u>Suffix</u>	<u>Liber</u>	<u>Page</u>	Deed Date	Sale Price	<u>Deed</u> <u>Has</u> <u>Note</u>
County Of Chautauqua Ida								

Historic Ow	nership:							
Last	<u>First</u>	<u>Middle</u>	<u>Suffix</u>	<u>Liber</u>	<u>Page</u>	<u>Deed Date</u>	Sale Price	<u>Deed</u> <u>Has</u> <u>Note</u>

#### LOCATION: 251 Harrison St, Jamestown

#### SBL (NEW): 387.42-3-25 (OLD): 415-7-7.2

Owner Name	County Of Chautauqua IDA	Neighborhood Code	205				
Total Assessed Value (96.20% Market)	\$16,100	School District Code	060800				
Full Market Value	\$16,736	SWIS Code	060800				
Land Value	\$16,100	Parcel Status	ACTIVE				
Property Type	340 - Vacant indus	County Taxable	\$0				
Lot Size	Acres: 0, Front:329, Depth:204	Town Taxable	\$0				
Mailing Address 1	200 Harrison St	School Taxable	\$0				
Mailing Address 2		Village Taxable	\$0				
Mailing City, State	Jamestown, NY	Tax Code					
Mailing ZIP Code	14701	Bank Code	504				
Description #1	414904a1b2	Deed Book	2474				
Description #2		Deed Page	739				
Description #3	415-7-7.2	Year Built	-				
Roll Year	2021	Last Sale Date					

#### **PHYSICAL INFORMATION**

# of Bedrooms		Home/Building Style -
# of Baths	-	Structure Year Built -
# of Fireplaces		Square Footage
# of Kitchens		1st Story Sq. Ft.
# of Stories		2nd Story Sq. Ft.
Construction Quality	-	Additional Story Sq. Ft.
Utilities	Gas & elec	1/2 Story Sq. Ft.
Sewer Type	Comm/public	3/4 Story Sq. Ft.
Water Type	Comm/public	Finished Over Garage Sq. Ft.
Waterfront Type	-	Finished Attic Sq. Ft.
Overall Condition	-	Finished Basement Sq. Ft.
Exterior Wall	-	Unfinished 1/2 Story Sq. Ft.
Basement Type	-	Unfinished 3/4 Story Sq. Ft.
Heat Type	-	Unfinished Room Sq. Ft.
Fuel Type	-	Unfinished Over Garage Sq. Ft.
Central Air	-	Total Living Area
Road Type		Finished Rec Room Sq. Ft.

#### **\$** CURRENT TAXES

Z See current taxes on the Chautauqua County Real Property Services web site

#### **LATEST OWNER**

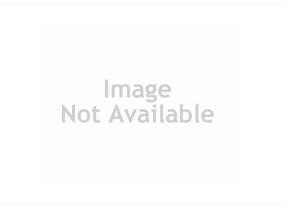
Z See latest property owner on the Chautauqua County Parcel History Database

T COMMERCIAL INF									
Property Class: Vacant indus			<b>q Ft:</b> -1		Assessment/Sq Ft: -1				
Buildings:	Site #	Bldg #		Act. Yr. Built	Eff. Yr. Bu	ilt			
<b>Property Use:</b> Click on site's row for	Site #	Use #	Used As	Rent Sq Ft	Acres	Rent Type			
details									
HISTORICAL INFO	RMATION								
Owner History	Deed Boo	ok	Deed Page	Sale Date	Valid Sale	Sale Price			
IMPROVEMENT IN	IFORMATION	I							
Structure	Size	Grad	le	Condition	Year I	Built			

#### **O** EXEMPTIONS

Code Description	Amount	Exempt Percent	Start Year	End Year
IND DEVEL	21760	0	2002	

#### 🖪 РНОТО



#### MAP



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COMPARABLE ASSESSMENTS Comparable assessments not available for this property.

CITY, TOWN OR VILL	SECTION	BLOCK	LOT	DESCRIPTION			F-125			
Jamestown-	4	15	7	7.2	North side of			2		
SIZE 1.5A	DIST	RICT	school	DISTRICT	Han	Harrison St.				
OWNER'S NAM	ME		MAI	LING ADDRE	SS	LIBER	PAGE	RECORDED		
City of James	J	Jamestown NY 2			2143	48	11/27/87			
Jamestown Ur		P	Municipal Bldg.			2148	199	2/1/88		
Renewal Ag	sency		Jame	stown, NY			¦			
<u>Co. of Chaut.</u>	IDA	20	0.18a2	cison_St.	City	- 2474	739	8/22/01		

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Chautauqua County - Parcel Report

Parcel Information:

JAMESTOWN

387.42-3-26

Street:Harrison StSchool District:60800 - Jamestown

Acres:	0	Tract:	Sub Land Sep.:	
Frontage:	317	Lot:	Prop Class:	Vacant indus
Depth:	239.5	Section:	<u>Sub Div. Lot</u>	
		<u>Township:</u>	Filed Map No.:	
		Range:	Filed Date:	

Merge Request Note:

Current Ow	nership:							
Last	<u>First</u>	<u>Middle</u>	<u>Suffix</u>	<u>Liber</u>	Page	Deed Date	<u>Sale Price</u>	<u>Deed</u> <u>Has</u> <u>Note</u>
County Of Chautauqua Ida				2474	739	8/23/2001	18000	

Historic Ownership:									
<u>Last</u>	<u>First</u>	<u>Middle</u>	<u>Suffix</u>	<u>Liber</u>	<u>Page</u>	Deed Date	<u>Sale Price</u>	<u>Deed</u> <u>Has</u> <u>Note</u>	
Jamestown Urban Ren Ag				2423	717	11/18/1998	1		
County Of Chautauqua				2395	134	8/26/1998	26292		

# CHAUTAUQUA COUNTY PROPERTY INFORMATION

### LOCATION: 289 Harrison St, Jamestown

### SBL (NEW): 387.42-3-26 (OLD): 415-7-7.1

Owner Name	County Of Chautauqua IDA	Neighborhood Code	205
Total Assessed Value (98.60% Market)	\$17,700	School District Code	060800
Full Market Value	\$18,000	SWIS Code	060800
Land Value	\$17,700	Parcel Status	ACTIVE
Property Type	340 - Vacant indus	County Taxable	\$O
Lot Size	Acres: 0, Front:317, Depth:239	Town Taxable	\$O
Mailing Address 1	200 Harrison St	School Taxable	\$O
Mailing Address 2		Village Taxable	\$O
Mailing City, State	Jamestown, NY	Tax Code	
Mailing ZIP Code	14701	Bank Code	504
Description #1	414904a1b1	Deed Book	2474
Description #2		Deed Page	739
Description #3	415-7-7.1	Year Built	-
Roll Year	2019	Last Sale Date	8/23/2001

### □ PROPERTY INFORMATION

# **PHYSICAL INFORMATION**

# of Bedrooms		Home/Building Style -
# of Baths	-	Structure Year Built -
# of Fireplaces		Square Footage
# of Kitchens		1st Story Sq. Ft.
# of Stories		2nd Story Sq. Ft.
Construction Quality	-	Additional Story Sq. Ft.
Utilities	Gas & elec	1/2 Story Sq. Ft.
Sewer Type	Comm/public	3/4 Story Sq. Ft.
Water Type	Comm/public	Finished Over Garage Sq. Ft.
Waterfront Type	-	Finished Attic Sq. Ft.
Overall Condition	-	Finished Basement Sq. Ft.
Exterior Wall	-	Unfinished 1/2 Story Sq. Ft.
Basement Type	-	Unfinished 3/4 Story Sq. Ft.
Heat Type	-	Unfinished Room Sq. Ft.
Fuel Type	-	Unfinished Over Garage Sq. Ft.
Central Air	-	Total Living Area
Road Type		Finished Rec Room Sq. Ft.

# **\$** CURRENT TAXES

See current taxes on the Chautauqua County Real Property Services web site

# LATEST OWNER

See latest property owner on the Chautauqua County Parcel History Database

# **T** COMMERCIAL INFORMATION

Property Class: Vacant indus		Bldg Sq Ft: -1			Assessment/Sq Ft: -1		
Buildings:	Site #	Bldg #	Act. Yr. Built		Eff. Yr	Eff. Yr. Built	
Property Use:	Site #	Use #	Used As	Rent Sq Ft	Acres	Rent Type	
Click on site's row for details							

# **HISTORICAL INFORMATION**

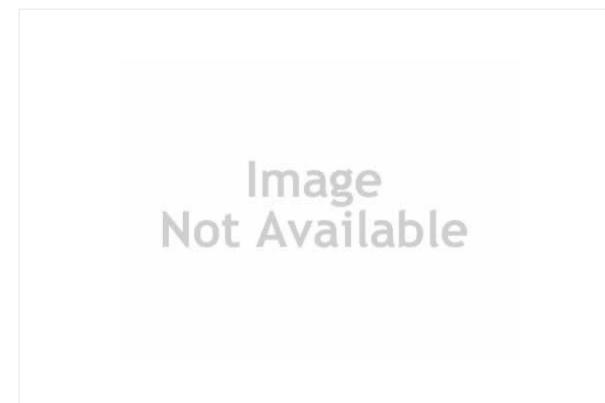
Owner History	Deed Book	Deed Page	Sale Date	Valid Sale	Sale Price
County Of Chautauqua	2395	134	8/26/1998	NO	\$26,292
Jamestown Urban Ren Ag	2423	717	11/18/1998	NO	\$1
County Of Chautauqua Ida	2474	739	8/23/2001	NO	\$18,000

MINT INFORMATION						
Structure	Size	Grade	Condition	Year Built		

# • EXEMPTIONS

Code Description	Amount	Exempt Percent	Start Year	End Year
IND DEVEL	17700	0	2002	

### РНОТО



### MAP



**TOMPARABLE SALES** 

# *Comparable sales not available for this property.*

## COMPARABLE ASSESSMENTS

*Comparable assessments not available for this property.* 

# BCP APPLICATION Part B – Sections V - XI

SECTION VI – CURRENT PROPERTY OWNER/OPERATOR INFORMATION

SECTION VII – REQUESTOR ELIGIBILITY

SECTION IX – CONTACT LIST

SECTION X – LAND USE FACTORS

EXHIBIT B1: JAMESTOWN YMCA & CCIDA LETTER OF INTENT & ACCESS LICENSE

EXHIBIT B2: DOCUMENT REPOSITORY REQUEST LETTER & ACKNOWLEDGEMENT





# SECTION VI – CURRENT PROPERTY OWNER/OPERATOR INFORMATION

Reasonable attempts were made to attain complete information regarding current and previous site owners and operators. Information for the previous and current owners/operators are provided in the table below, as available.

Owner / Operator(s)	Use	Approx. Date(s)	Relationship to Applicant	
133 Winsor Street – Current				
Jamestown Area YMCA <i>a.k.a., YMCA of Jamestown New York</i> 101 East Fourth Street Jamestown, New York 14701	Vacant	March 1, 2021 to Present	Applicant	
Attn.: Mr. Mark Eckendorf, CEO Phone: (716) 664-2802 Email: <u>CEO@jamestownymca.org</u>				
133 Winsor Street – Previous				
133 Winsor Street LLC	Vacant	April 7, 2020 to March 1, 2021	None – No Relationship	
Kimberly Miller	Vacant	March 27, 2018 to April 7, 2020	None – No Relationship	
Savitri C. Washington	Vacant	November 13, 2009 to March 27, 2018	None – No Relationship	
County of Chautauqua IDA 201 W Third Street #115 Jamestown, NY 14701	Vacant	September 24, 2009 to November 13, 2009	None – No Relationship	





BCP Application – Part B

Section V – Section X

# Jamestown YMCA Site

Owner / Operator(s)	Use	Approx. Date(s)	Relationship to Applicant
251 Harrison Street – Current			
County of Chautauqua IDA 201 West Third Street, Suite 115 Jamestown, New York 14701 Attn.: Mr. Mark Geise, CEO Phone: (716) 661-8902 Email: geisem@chqgov.com Attn.: Mr. Richard Dixon, CFO Phone: (716) 661-8905 Email: dixonr@chqgov.com	Vacant	August 22, 2001 to Present	Applicant
251 Harrison Street – Previous			
Jamestown Urban Renewal Agency 200 East Third Street Jamestown NY 14701	Vacant	February 1, 1988 to August 22, 2001	None – No Relationship
City of Jamestown 200 E 3 <sup>rd</sup> Street #2 Jamestown, NY 14701	Vacant	November 27, 1987 to February 1, 1988	None – No Relationship

Owner / Operator(s)	Use	Approx. Date(s)	Relationship to Applicant
289 Harrison Street – Current	-		
County of Chautauqua IDA 201 West Third Street, Suite 115 Jamestown, New York 14701 Attn.: Mr. Mark Geise, CEO			
Phone: (716) 661-8902	Vacant	August 23, 2001 to	Applicant
Email: geisem@chqgov.com		Present	
Attn.: Mr. Richard Dixon, CFO Phone: (716) 661-8905 Email: <u>dixonr@chqgov.com</u>			
289 Harrison Street – Previous			
Jamestown Urban Renewal Agency 200 East Third Street Jamestown NY 14701	Vacant	November 18, 1998 to August 23, 2001	None – No Relationship
County of Chautauqua 3 N Erie Street Mayville, NY 14757	Vacant	August 26, 1998 to November 18, 1998	None – No Relationship







# APPENDIX B BCP Application – Part B

# Section V – Section X

# Jamestown YMCA Site

# SECTION VII – REQUESTOR ELIGIBILITY INFORMATION

The Applicant, Krog Lechase Jamestown, LLC, qualifies as a "Volunteer" in accordance with NY ECL 27-1405(1)(b) and 6NYCRR 375-3.2(b)(2) based on the following:

- The Applicant does not own the property. The Applicant will be involved with the property upon acquisition, and any liability for the Site will arise solely as a result of taking ownership.
- The SVOC and metals contamination in soil/fill is reasonably attributable to the historic industrial use and tank history at the Site.
- The Applicant became involved with the property after the disposal or discharge of contaminants.

The Applicant has approval from the current owners, Jamestown YMCA (133 Winsor Street) and Chautauqua County Industrial Development Agency (IDA) (251 and 289 Harrison Streets), to access the Site and complete the Site investigation and remediation under the BCP (see Exhibit B1).

Krog Lechase Jamestown, LLC acted in due care with regard to the Site, by completing their environmental due diligence prior to their intended purchase, which identified contamination due to historic use of the Site by others and are now applying to the NYS BCP for eligibility to further investigate and remediate the Site.

Based on the information above, Krog Lechase Jamestown, LLC is entitled to "Volunteer" status under NY ECL27-1405(1)(b).

# SECTION IX – CONTACT LIST INFORMATION

# Site Contact List

The following is the contact list for the subject property. Each contact will be sent fact sheets throughout the project's duration.





## Chautauqua County Contacts:

#### Honorable Vincent W Horrigan Chautauqua County Executive

Gerace Office Building 3 N Erie Street Mayville, NY 14757

Legislator Charles C Nazzaro District 9 236 Springdale Avenue Jamestown, NY 14701

#### **Legislator David E Wilfong** District 11

39 Norton Avenue Jamestown, NY 14701

Legislator Paul D Whitford District 13 55 Harris Avenue Jamestown, NY 14701

## **Legislator Lisa A Vanstrom** District 15

55 Plummer Avenue Jamestown, NY 14701

# Ms. Christine Schuyler, Commissioner

Chautauqua County Health Dept. Hall R. Clothier Bldg. 7 N Erie Street Mayville, NY 14757

# Mr. Daniel T Imfeld

Chautauqua Co. HazMat Team Coordinator 2 Academy Street Suite A, Room 106 Mayville, NY 14757

## Chairman Jay Gould

Chautauqua County Legislature Gerace Office Building 3 North Erie Street Mayville, NY 14757-1007

# Legislator Paul N Wendel Jr.

District 10 20 Hern Avenue Lakewood, NY 14750

#### **Legislator Elisabeth T Rankin** District 12 4 Arlington Avenue Jamestown, NY 14701

# Legislator Mark J Tarbrake

District 14 3151 Oak Ridge Circle Jamestown, NY 14701

# Clerk Kathy K Tampio

Chautauqua County Legislature Gerace Office Building 3 North Erie Street Mayville, NY 14757

#### **Mr. David Sturges, Chairperson** Chautauqua Co. Soil & Water District 222 Fluvanna Avenue, Suite 600

222 Fluvanna Avenue, Suite 600 Jamestown, NY 14701-9608

# Mr. George Spanos, P.E., Director

Chautauqua Co. Dept of Public Facilities 454 North Work Street Falconer, NY 14733





# **BCP** Application – Part B

Section V – Section X

## Jamestown YMCA Site

#### Mr. Julius J Leone Jr

Chautauqua County Fire Coordinator 2 Academy Street Suite A, Room 106 Mayville, NY 14757

#### Sheriff James B. Quattrone

County Jail P.O. Box 292 15 East Chautauqua Street Mayville, NY 14757

#### Mr. Kevin Sanvidge, Director

Chautauqua County IDA 200 Harrison Street. Jamestown, NY 14701

# City of Jamestown Contacts:

Mayor Edward Sundquist Municipal Building 200 East Third Street Jamestown, NY 14701

## Councilman Kimberly A Ecklund

Council at Large Municipal Building 200 East Third Street Jamestown, NY 14701

#### **Councilman Randall Daversa** Council at Large Municipal Building 200 East Third Street Jamestown, NY 14701

**Councilman Anthony J Dolce** President & Jamestown City Council Ward 2 Municipal Building 200 East Third Street Jamestown, NY 14701

#### Mr. Julius J Leone Jr, Director

Chautauqua County Emergency Services 2 Academy Street Suite A, Room 106 Mayville, NY 14757

#### Clerk Larry L Barmore

County Courthouse Gerace Office Building 1 N Erie Street Mayville, NY 14757

#### Mr. Kevin Sanvidge, Director

Chautauqua County Planning Dept. 200 Harrison St. Jamestown, NY 14701

#### **Clerk James N Olson** Municipal Building 200 East Third Street Jamestown, NY 14701

# Councilman Jeff Russell

Council at Large Municipal Building 200 East Third Street Jamestown, NY 14701

## Councilman Brent P Sheldon

Jamestown City Council Ward 1 Municipal Building 200 East Third Street Jamestown, NY 14701

# Councilman Regina L. Brackman

Jamestown City Council Ward 3 Municipal Building 200 East Third Street Jamestown, NY 14701





# BCP Application – Part B

Section V – Section X

# Jamestown YMCA Site

#### Councilman Marie Carrubba

Jamestown City Council Ward 4 Municipal Building 200 East Third Street Jamestown, NY 14701

#### Councilman Andrew Faulkner

Jamestown City Council Ward 6 Municipal Building 200 East Third Street Jamestown, NY 14701

## Supplier of Potable Water:

#### **Gregory P. Rabb, Chairman** Jamestown Board of Public Utilities 92 Steele Street Jamestown, NY 14701

# Local News Media:

#### Attn: Michael Bird

Jamestown Post Journal P.O. Box 190 Jamestown, NY 14701

## Attn: Environmental News Desk

WDOE Box 209 Willow Road Dunkirk, NY 14048

#### Attn.: Michael Desmond WNED, Environmental News Desk PO 1263, Horizons Plaza Buffalo, NY 14240

#### Attn.: Environmental News Desk WKBW News Channel 7 7 Broadcast Plaza Buffalo, NY 14202

## Councilman William R. Reynolds III

Jamestown City Council Ward 5 Municipal Building 200 East Third Street Jamestown, NY 14701

#### Planning Board

City of Jamestown 200 East Third Street Jamestown, NY 14701

#### Attn: Environmental News Desk

Buffalo News, Jamestown 511 Clinton Street Jamestown, NY 14701

## Attn: Environmental News Desk

Observer 10 E Second Street Dunkirk, NY 14048

## Attn.: Environmental News Desk

WGRZ TV - CH. 2 259 Delaware Avenue Buffalo, NY 14202

## Attn: Anne Marie Franczyk

Business First 465 Main Street Buffalo, NY 14203-1793





#### Attn.: Environmental News Desk

WHEN Radio 930 & WMJQ 500 Corporate Pkwy Buffalo, NY 14226

Attn: Environmental News Desk WKSN & WHUG 202 Front St. Jamestown, NY 14701

#### Nearby Schools:

**Dr. Mike McElrath, Principal** Jamestown High School 350 East Second Street Jamestown, NY 14701

**The Resource Center** 200 Harrison Street Jamestown, NY 14701

#### Document Repository

Anne Greene, Executive Director James Prendergast Library 509 Cherry Street Jamestown, NY 14701

Environmental/Citizen Groups:

**WNY Director** Citizens' Env. Coalition 1075 Elmwood Ave. Buffalo, NY 14222 Attn.: Environmental News Desk WIVB - CH. 4 2077 Elmwood Avenue Buffalo, NY 14207

Attn: Environmental News Desk WJTN & WWSE P.O. Box 1139 Jamestown, NY 14702

**Ms. Renee Hartling, Principal** Love Elementary School 50 East Eighth Street Jamestown, NY 14701

**Gateway Family Center** 31 Water Street Jamestown, NY 14701





# Adjacent Property Owners

Information for the residents, owners, and occupants of the properties adjacent to the Site are provided in the table below (see Figure 8).

Adjacent Property Address & SBL	Property Use	Property Owner Mailing Address
0 Winsor 387.42-3-27	Former Railroad	Southern Tier Extension Railroad Authority 4039 US-219 Salamanca, NY 14779
245 Harrison Street 387.42-3-24	340 - Vacant Industrial	Phoenix Metal Properties Inc. 245 Harrison Street Jamestown, NY 14701
254 Harrison Street 387.42-3-22	874 - Elec-Hydro	City of Jamestown Board of Public Utilities 92 Steele Street Jamestown, NY 14701
0 Harrison Street 387.42-3-21	340 - Vacant Industrial	City of Jamestown 200 East Third Street Jamestown, NY 14701
286 Harrison Street 387.42-3-20	411 - Apartment	Dennis R. Torrey 286 Harrison Street Jamestown, NY 14701
0 Harrison Street 387.42-3-16	340 - Vacant Industrial	City of Jamestown Board of Public Utilities 92 Steele Street Jamestown, NY 14701
292 Harrison Street 387.42-3-19	311 - Res vac land	City of Jamestown Board of Public Utilities 92 Steele Street Jamestown, NY 14701
0 Harrison Street 387.42-3-18	874 - Elec-Hydro	City of Jamestown Board of Public Utilities 92 Steele Street Jamestown, NY 14701
0 Harrison Street 387.42-3-15	340 - Vacant Industrial	City of Jamestown Board of Public Utilities 92 Steele Street Jamestown, NY 14701









# **BCP** Application – Part B

# Section V – Section X

# Jamestown YMCA Site

61 Winsor Street 387.12-1-60.1	481 - Attached Row Bldg	County of Chautauqua 3 N Erie Street Mayville, NY 14757
105 Winsor Street 387.42-3-14	431 - Auto Dealer	MK River Holdings, LLC 2238 Page Street Kennedy, NY 14747
402 Chandler Street 387.08-3-26	714 - Lite Industrial Manftr	Jamestown Development Company III, LLC 140 Lee Street Buffalo, NY 14210

# Document Repository

The James Prendergast Library located at 509 Cherry Street, Jamestown, NY 14701, has agreed to act as the document repository for the proposed BCP Site. Our initial request letter and an email response of acknowledgement from the repository is included in Exhibit B2.

# SECTION X - LAND USE FACTORS

# 1 – Current Zoning

The Site and vicinity are zoned manufacturing (Zoned M, Overlay WD-D Downtown Sub-District) and land use immediately surrounding the Site currently includes commercial (Zoned C-2) and vacant properties (see Figure 10). Residential properties (Zoned R-2) are located north of the Site beyond the railroad tracks and the Chadakoin River is located south and east of the Site beyond vacant properties (also Zoned M, Overlay WD-D Downtown Sub-District). Planned Site redevelopment is not consistent with the City of Jamestown zoning and land use plans assigned to the Site, so a zoning change is anticipated.

# 2 – Current Use

The Site consists of three parcels totaling  $\pm 5.09$ -acres, identified as 133 Winsor Street, 251 Harrison Street, and 289 Harrison Street. The Site is currently vacant land with green areas, trees, a historic parking area, and former building foundation/concrete floor. The Site has no improvements.







# <u>133 Winsor Street</u>

This portion of the subject property was used for industrial purposes from at least 1886 to approximately 2009 when former buildings were demolished, and the Site became vacant land. Historic industrial operations reportedly included a lumber yard with lumber supply and storage, a sawmill, printing, glazing, a chemical company, and manufacturing of doors and blinds. The Site historically included a transformer room, a glue room, a paint room, a coal room, and lumber piles. A portion of the adjacent Chadakoin River (formerly a portion of Log Pond) was formerly located on the central and southwestern portions of the Site until prior to 1930 when on-Site portions of the waterbody were backfilled with fill materials from unknown origins.

# 251 & 289 Harrison Street

This portion of the subject property was occupied by a variety of commercial and manufacturing operations, including a textile mill (1867 to1881), plating company, chemical company, dry cleaning facility, and a number of metal working companies. Common contaminants associated with these types of commercial and manufacturing operations include solvents, degreasers, dry cleaning fluids, volatiles, petroleum products, thinners, metals, cyanide, acids, and bases. Regulatory records indicated that the site was listed as a large quantity hazardous waste generator in the early 1990's, and inspections by the NYSDEC revealed that the last recorded tenant, Watson Manufacturing Co. Facility, was badly out of compliance with hazardous waste regulations. The Site is currently vacant but was once occupied by a manufacturing complex that underwent phased demolition from 1988-1999.

# 3, 4, 5, and 6 – Planned Future Use

The Volunteer plans to redevelop the entire  $\pm 5.09$ -acre Site, with the construction of a new Jamestown YMCA Facility that will consist of a base building area of  $\pm 55,584$ -SF (first floor  $\pm 36,125$ -SF, second floor  $\pm 19,459$ -SF), a potential future tenant space ( $\pm 3,127$ -SF) and two early learning centers (first floor  $\pm 5,799$ -SF and second floor  $\pm 5,889$ -SF) for a total building size of  $\pm 70,489$ -SF. A preliminary concept redevelopment plan is included as Figure 6.









# EXHIBIT B1

JAMESTOWN AREA YMCA & CHAUTAUQUA COUNTY IDA

LETTER OF INTENT & ACCESS LICENSE





March 1, 2022

Ms. Kelly Lewandowski, P.E. Chief, Site Control Section NYSDEC - Division of Environmental Remediation 625 Broadway, Albany, NY 12233-7020

Re: Property Access Authorization NYSDEC Brownfield Cleanup Program 251 and 289 Harrison Street Jamestown, New York

Dear Ms. Lewandowski:

Please be advised that County of Chautauqua IDA is the owner of the above-referenced property (the "Site"), which is a portion of the Harrison and Winsor Street Site, subject to a Brownfield Clean KROG LECHASE JAMESTOWN, LLC will be filing an application to enter the NYS BCP and, subsequent to acceptance into the BCP, will be executing a Brownfield Cleanup Program Agreement ("BCA") with the NYS Department of Environmental Conservation for environmental investigation and/or remediation of the Site.

As owner of the Site, County of Chautauqua IDA will authorize KROG LECHASE JAMESTOWN, LLC (and any of its designated contractors and consultants) unlimited access to the Site to perform any required work related to and necessary to secure a Certificate of Completion under the BCP, including placing an Environmental Easement on the Site, provided all activities are completed in accordance with NYSDEC requirements and the provisions of the BCP and the BCA.

Sincerely, County of Chautauqua IDA

By:

NAME TITLE CED



March 23, 2022

Bryan C. Hann, P.G. Senior Project Manager Benchmark Civil/Environmental Engineering & Geology, PLLC 2558 Hamburg Turnpike, Suite 300 Buffalo, New York 14218

#### JAMESTOWN AREA YMCA CORPORATE BRANCH

101 East Fourth Street Jamestown, NY 14701 P 716 664 2802 F 716 488 7680 www.jamestownymca.org

#### LAKEWOOD PAUL BUSH BRANCH YMCA

 183 East Fairmount Avenue Lakewood, NY 14750
 P 716 763 0303
 F 716 763 4728
 www.jamestownymca.org

#### **EASTSIDE FAMILY YMCA**

727 East Second Street Jamestown, NY 14701 P 716 484 3729 F 716 484 6732 www.jamestownymca.org

#### YMCA CAMP ONYAHSA

101 East Fourth Street Jamestown, NY 14701 P 716 664 2802 ext. 238 F 716 487 1174 www.onyahsa.org

The Y: A charity that makes a difference. Invest in our youth; please consider a gift to the Endowment Fund. Re: Property Access Authorization NYSDEC Brownfield Cleanup Program 133 Winsor Street Section #387.42 Block #3 Lot #13 Jamestown, New York 14701

Dear Mr. Hann:

Please be advised that Young Men's Christian Association of Jamestown New York is the owner of the above-reference property (the "Site"), which is a portion of the Harrison and Winsor Street Site, subject to a Brownfield Clean KROG LECHASE JAMESTOWN, LLC will be filing an application to enter the NYS BCP and, subsequent to acceptance into the BCP, will be executing a Brownfield Cleanup Program Agreement ("BCA") with the NYS Department of Environmental Conservation for environmental investigation and/or remediation of the Site.

As owner of the Site, Young Men's Christian Association of Jamestown New York will authorize KROG LECHASE JAMESTOWN, LLC (and any of its designated contractors and consultants) unlimited access to the Site to perform any required work related to and necessary to secure a Certificate of Completion under the BCP, including placing an Environmental Easement on the Site, provided all activities are completed in accordance with NYSDEC requirements and the provisions of the BCP and the BCA.

Sincerely,

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Mark Eckendorf Jamestown YMCA Chief Executive Officer

# EXHIBIT B2

**DOCUMENT REPOSITORY** 

REQUEST LETTER & LETTER OF ACKNOWLEDGEMENT







March 3, 2022

Ms. Anne Greene Executive Director James Prendergast Library 509 Cherry Street Jamestown, NY 14701

Re: Document Repository for Brownfield Cleanup Program Jamestown YMCA Site 133 Winsor & 289 Harrison Streets Jamestown, New York

Dear Ms. Greene:

On behalf of our client, Krog Lechase Jamestown, LLC, Benchmark Civil/Environmental Engineering & Geology, PLLC would like to request the James Prendergast Library located at 509 Cherry Street, Jamestown, NY 14701, to act as the document repository for the above-referenced Site. In the future, we will be sending various documents relating to the Site that should be made available for public review upon request.

Please contact me if you have questions or require additional information.

Sincerely,

Benchmark Civil/Environmental Engineering & Geology, PLLC

Bryan C. Hann, P.G. Senior Project Manager

File: B0092-022-001

Strong Advocates, Effective Solutions, Integrated Implementation

www.benchmarkturnkey.com

2558 Hamburg Turnpike, Suite 300 | Buffalo, NY 14218 phone: (716) 856-0599 | fax: (716) 856-0583

## **Bryan Hann**

From:	Bryan Hann
Sent:	Thursday, March 3, 2022 11:10 AM
То:	'Tress Williams'
Subject:	RE: Document Repository Request - Jamestown YMCA Site
Attachments:	Exhibit B1; Document Repository Request - Jamestown YMCA Site (REV).pdf

#### Good morning Tress!

Thank you for your quick response. The new library contact has been changed and our revised request letter request is attached for your files.

Thank you again and I look forward to working with you on this exciting project.

#### Bryan C. Hann, P.G.

Senior Project Manager

**Benchmark Civil/Environmental Engineering & Geology, PLLC** *O*: (716) 856-0599, *M*: (716) 870-1165, *F*: (716) 856-0583

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From: Tress Williams <LibraryManager@prendergastlibrary.org>
Sent: Thursday, March 3, 2022 8:21 AM
To: Bryan Hann <br/>bhann@bm-tk.com>
Subject: RE: Document Repository Request - Jamestown YMCA Site

Good morning,

We are happy to serve as a document repository for this project.

For your reference, Bobbie Caswell is no longer at the library. Anne Greene is the Library Director.

Thank you!

Tress Williams, Library Manager James Prendergast Library Association 509 Cherry St. Jamestown, New York 14701 716-484-7135, ext. 240 Prendergast Library Facebook Page

From: Bryan Hann <<u>bhann@bm-tk.com</u>>
Sent: Wednesday, March 2, 2022 4:15 PM
To: Prendergast Reference <<u>Reference@prendergastlibrary.org</u>>
Subject: Document Repository Request - Jamestown YMCA Site

Dear Ms. Caswell,

See the attached document repository request for the above referenced Brownfield Cleanup Program Site planned for the Harrison/Winsor Street properties. Your response is greatly appreciated.

Thank you.

Bryan C. Hann, P.G.

Senior Project Manager bhann@bm-tk.com

# Benchmark Civil/Environmental Engineering & Geology, PLLC

<u>www.benchmarkturnkey.com</u> 2558 Hamburg Turnpike, Suite 300, Buffalo, NY 14218 *O*: (716) 856-0599, *M*: (716) 870-1165, *F*: (716) 856-0583

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