

# Brownfield Cleanup Program Application

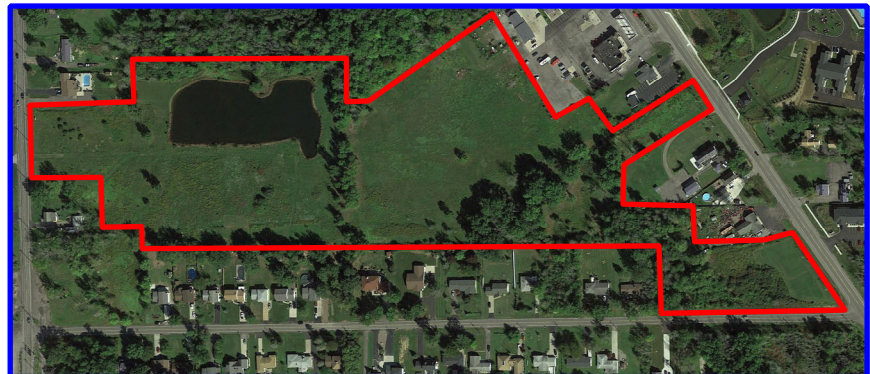
Webb Road Site  
Grand Island, New York

May 2021

T0395-021-001

Prepared For:

Rivertown Center Holdings LLC



Prepared By:

In Association With:



# Brownfield Cleanup Program Application

## Webb Road Site

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



# BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

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

Yes  No If yes, provide existing site number: \_\_\_\_\_

## PART A (note: application is separated into Parts A and B for DEC review purposes) BCP App Rev 11

<b>Section I. Requestor Information - See Instructions for Further Guidance</b>		DEC USE ONLY BCP SITE #:
NAME Rivertown Center Holdings LLC		
ADDRESS 285 Ellicott Street		
CITY/TOWN Buffalo		ZIP CODE 14203
PHONE 716-689-3300	FAX	E-MAIL FAC@legacydev.com
<p>Is the requestor authorized to conduct business in New York State (NYS)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> <li>If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the <a href="#">NYS Department of State's Corporation &amp; Business Entity Database</a>. A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. <b>Please note:</b> If the requestor is an LLC, the members/owners names need to be provided on a separate attachment. <b>See Appendix A; Section I</b></li> </ul> <p>Do all individuals that will be certifying documents meet the requirements detailed below? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> <li>Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of <a href="#">DER-10: Technical Guidance for Site Investigation and Remediation</a> and Article 145 of New York State Education Law. <b>Documents that are not properly certified will be not approved under the BCP.</b> <b>See Appendix A; Section I</b></li> </ul>		

<b>Section II. Project Description</b>	
1. What stage is the project starting at?	<input checked="" type="checkbox"/> Investigation <input type="checkbox"/> Remediation
<p>NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.</p>	
2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2):	<input type="checkbox"/> Yes <input type="checkbox"/> No <b>Not Applicable</b>
3. Please attach a short description of the overall development project, including:	
<ul style="list-style-type: none"> <li>the date that the remedial program is to start; and <b>See Appendix A; Section II</b></li> <li>the date the Certificate of Completion is anticipated. <b>See Figure 5</b></li> </ul>	

**Section III. Property's Environmental History**

See Appendix A; Section III

All applications **must include** 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 (*please submit the information requested in this section in electronic format only*):

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). **Please submit a separate electronic copy of each report in Portable Document Format (PDF). Please do not submit paper copies of supporting documents.**

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

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

\*Please describe: \_\_\_\_\_

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

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

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

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?\*  Yes  No  
 (\*answering No will result in an incomplete application)

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

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

Other: Dump - Filling activities



**Section IV. Property Information - See Instructions for Further Guidance**

PROPOSED SITE NAME Webb Road Site

ADDRESS/LOCATION 0 Baseline Road, 0 Grand Island Boulevard - see attached

CITY/TOWN Grand Island ZIP CODE 14072

MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Town of Grand Island

COUNTY Erie SITE SIZE (ACRES) 24.32

LATITUDE (degrees/minutes/seconds)	LONGITUDE (degrees/minutes/seconds)
43 ° 00 ' 56.88 "	78 ° 57 ' 41.67 "

**Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed, please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.** See Figure 3

Parcel Address	Section No.	Block No.	Lot No.	Acreage
0 Baseline Road	37.03	1	37.11	8.01
<del>0 Grand Island Boulevard</del>	<del>37.03</del>	<del>1</del>	<del>60</del>	<del>13.37</del>
0 Grand Island Boulevard	37.03	1	21.1	2.94

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

2. Is the required property map attached to the application?  Yes  No  
(application will not be processed without map) See Figures 2, 3, & 4

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

If yes, identify census tract : \_\_\_\_\_

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

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

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

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

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

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

**Section IV. Property Information (continued)**

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

<u>Easement/Right-of-way Holder</u>	<u>Description</u>
None/unknown	

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

<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>
None/Unknown		

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**

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

**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 credits?  Yes  No

If yes, requestor must answer questions on the supplement at the end of this form.

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

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

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

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

Initials of each Requestor: FA \_\_\_\_\_

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

<b>Section V. Additional Requestor Information</b> <b>See Instructions for Further Guidance</b>	DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____
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NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Mr. Frank Chinnici		
ADDRESS 250 Ramsdell Avenue		
CITY/TOWN Buffalo		ZIP CODE 14216
PHONE 716-689-3300	FAX	E-MAIL fac@legacydev.com
NAME OF REQUESTOR'S CONSULTANT Mr. Michael Lesakowski, Benchmark-TurnKey Cos.		
ADDRESS 2558 Hamburg Turnpike, Suite 300		
CITY/TOWN Buffalo		ZIP CODE 14218
PHONE 716-856-0599	FAX 716-856-0583	E-MAIL mlesakowski@bm-tk.com
NAME OF REQUESTOR'S ATTORNEY Mr. Craig Slater, Esq.		
ADDRESS 500 Seneca Street, Suite 504		
CITY/TOWN Buffalo		ZIP CODE 14204
PHONE 716-845-6760	FAX	E-MAIL cslater@cslaterlaw.com

**Section VI. Current Property Owner/Operator Information – if not a Requestor** See Appendix B; Section VI

CURRENT OWNER'S NAME Rivertown Center Holdings LLC		OWNERSHIP START DATE: 9/2020 & 4/2021
ADDRESS 285 Elliott Street		
CITY/TOWN Buffalo		ZIP CODE 14203
PHONE 716-689-3300	FAX	E-MAIL fac@legacydev.com
CURRENT OPERATOR'S NAME Same as above		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL
<p><b>PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".</b></p> <p><b>IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.</b></p>		

**Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)** See Appendix B; Section VII

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

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

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

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

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

PARTICIPANT

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

VOLUNTEER

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

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

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

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

Requestor Relationship to Property (check one):

Previous Owner  Current Owner  Potential /Future Purchaser  Other \_\_\_\_\_

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

Yes  No

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

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

1. Is / was the property, or any portion of the property, listed on the National Priorities List?  
If yes, please provide relevant information as an attachment.  Yes  No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305?  Yes  No  
If yes, please provide: Site # \_\_\_\_\_ Class # \_\_\_\_\_
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?  Yes  No  
If yes, please provide: Permit type: \_\_\_\_\_ EPA ID Number: \_\_\_\_\_  
Date permit issued: \_\_\_\_\_ Permit expiration date: \_\_\_\_\_
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation.  Yes  No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? **Not Applicable**  
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?  Yes  No  
If yes, please provide explanation as an attachment.

**Section IX. Contact List Information**

**See Appendix B; Section IX**

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

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



**Section X. Land Use Factors**

1. What is the current municipal zoning designation for the site? R3 and CBD

What uses are allowed by the current zoning? (Check boxes, below)

Residential    Commercial    Industrial

If zoning change is imminent, please provide documentation from the appropriate zoning authority.

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

**Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.**

3. Reasonably anticipated use Post Remediation:  Residential    Commercial    Industrial   (check all that apply)   **Attach a statement detailing the specific proposed use.**

If residential, does it qualify as single family housing?  Yes    No

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

Yes    No

5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.

Yes    No

See Appendix B; Section X

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.

Yes    No

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 *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

(By a requestor other than an individual)

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

Date: May 12, 2021 Signature:  \_\_\_\_\_

Print Name: \_\_\_\_\_ Frank A. Chinnici

**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
  - Division of Environmental Remediation
  - 625 Broadway
  - 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:** \_\_\_\_\_ **LEAD OFFICE:** \_\_\_\_\_



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

**BCP App Rev 11**

Not Applicable

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

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

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

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

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

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

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

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

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

**BCP Application Summary (for DEC use only)**

**Site Name:** Webb Road Site **Site Address:** 0 Baseline Road, 0 Grand Island Boulevard - see attached  
**City:** Grand Island **County:** Erie **Zip:** 14072

**Tax Block & Lot**  
**Section (if applicable):** 37.03 **Block:** 1 **Lot:** 37.11

**Requestor Name:** Rivertown Center Holdings LLC **Requestor Address:** 285 Ellicott Street  
**City:** Buffalo **Zip:** 14203 **Email:** FAC@legacydev.com

**Requestor's Representative (for billing purposes)**  
**Name:** Mr. Frank Chinnici **Address:** 250 Ramsdell Avenue  
**City:** Buffalo **Zip:** 14216 **Email:** fac@legacydev.com

**Requestor's Attorney**  
**Name:** Mr. Craig Slater, Esq. **Address:** 500 Seneca Street, Suite 504  
**City:** Buffalo **Zip:** 14204 **Email:** cslater@cslaterlaw.com

**Requestor's Consultant**  
**Name:** Mr. Michael Lesakowski, Benchmark-TurnKey Cos. **Address:** 2558 Hamburg Turnpike, Suite 300  
**City:** Buffalo **Zip:** 14218 **Email:** mlesakowski@bm-tk.com

**Percentage claimed within an En-Zone:**  0%  <50%  50-99%  100%

**DER Determination:**  Agree  Disagree

**Requestor's Requested Status:**  Volunteer  Participant

**DER/OGC Determination:**  Agree  Disagree  
Notes:

**For NYC Sites, is the Requestor Seeking Tangible Property Credits:**  Yes  No

**Does Requestor Claim Property is Upside Down:**  Yes  No

**DER/OGC Determination:**  Agree  Disagree  Undetermined

Notes:

**Does Requestor Claim Property is Underutilized:**  Yes  No

**DER/OGC Determination:**  Agree  Disagree  Undetermined

Notes:

**Does Requestor Claim Affordable Housing Status:**  Yes  No  Planned, No Contract

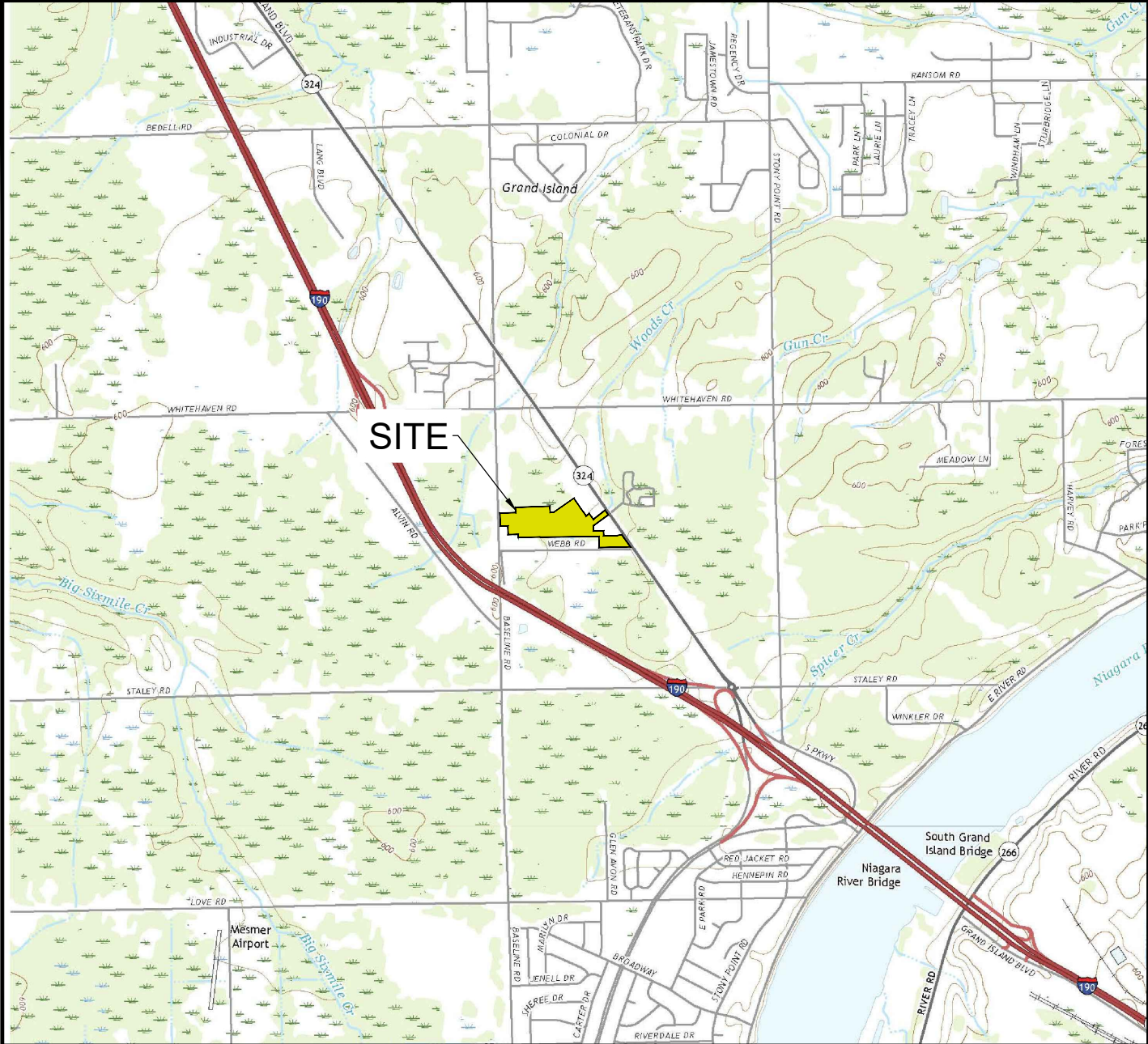
**DER/OGC Determination:**  Agree  Disagree  Undetermined

Notes:

# 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 Investigation Locations and Areas of Concern
- Figure 7 Adjacent Property Owners
- Figure 8 Wetland Map
- Figure 9 Zoning Map
- Figure 10 USDA Soil Type Map

**FIGURE 1**



SCALE: 1 INCH = 3,000 FEET  
SCALE IN FEET  
(approximate)



**SITE LOCATION AND VICINITY MAP**

BROWNFIELD CLEANUP PROGRAM APPLICATION  
WEBB ROAD SITE

GRAND ISLAND, NEW YORK  
PREPARED FOR

RIVERTOWN CENTER HOLDINGS LLC





2558 HAMBURG TURNPIKE  
SUITE 300  
BUFFALO, NY 14218  
(716) 856-0635

PROJECT NO.: T0395-021-001
DATE: MARCH 2021
DRAFTED BY: CNK

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**LEGEND:**

-  PROPERTY BOUNDARY
-  PARCEL BOUNDARY

**NOTE:**

1. IMAGE TAKEN FROM GOOGLE EARTH 2018

PARCEL 1  
 0 BASELINE ROAD  
 SBL NO. 37.03-1-37.11  
 8.01 ACRES

PARCEL 2  
 0 GRAND ISLAND BOULEVARD  
 SBL NO. 37.03-1-60  
 13.37 ACRES

PARCEL 3  
 0 GRAND ISLAND BOULEVARD  
 SBL NO. 37.03-1-21.1  
 2.94 ACRES



SCALE: 1 INCH = 200 FEET  
 SCALE IN FEET  
 (approximate)

**SITE PLAN AERIAL**

BROWNFIELD CLEANUP PROGRAM APPLICATION  
 WEBB ROAD SITE  
 GRAND ISLAND, NEW YORK  
 PREPARED FOR  
 RIVERTOWN CENTER HOLDINGS LLC

**FIGURE 2**

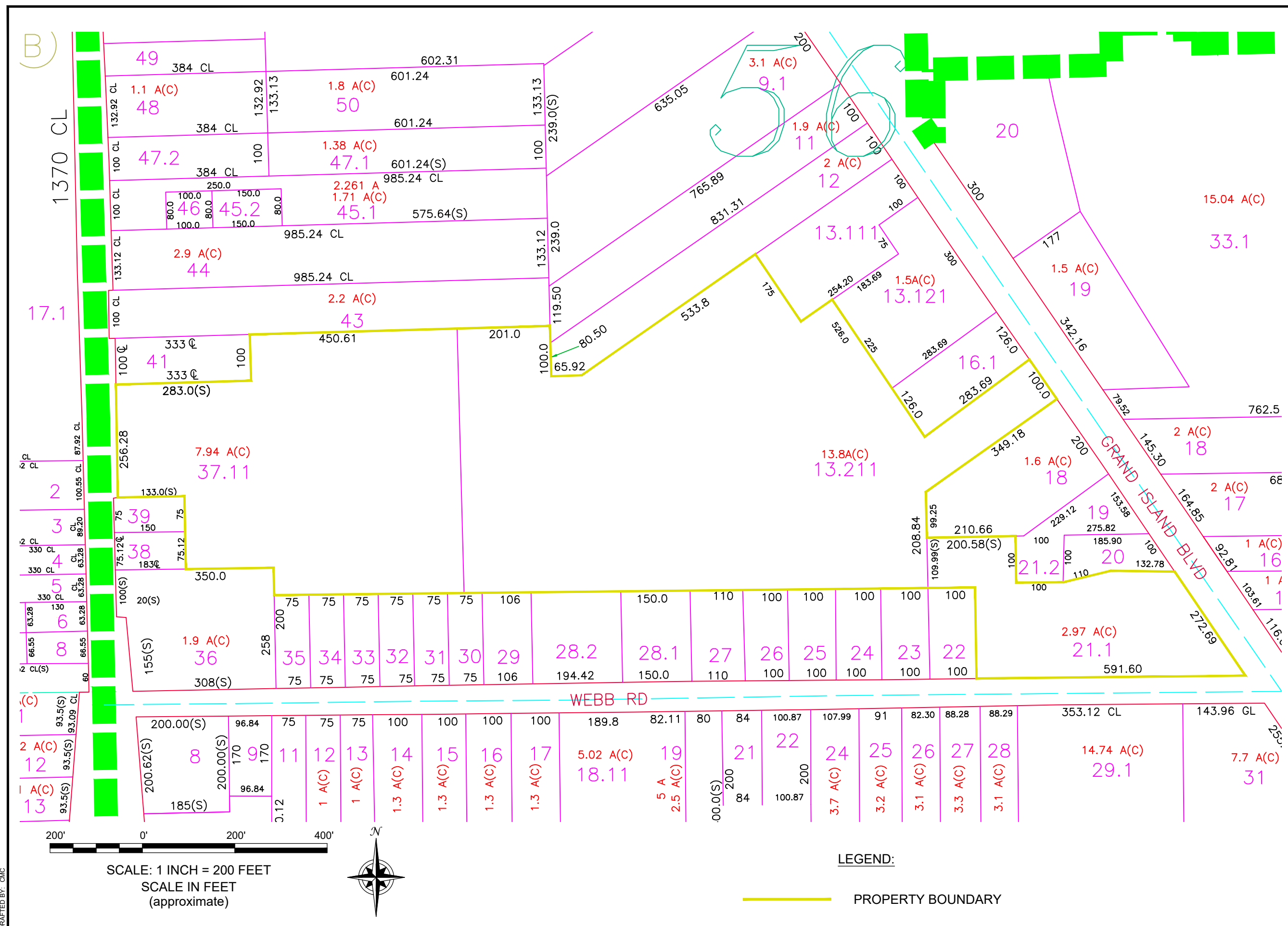


2558 HAMBURG TURNPIKE  
 SUITE 300  
 BUFFALO, NY 14218  
 (716) 856-0635

JOB NO.: T0395-021-001

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DATE: MAY 2021  
DRAFTED BY: GMC

SCALE: 1 INCH = 200 FEET  
SCALE IN FEET  
(approximate)

LEGEND:

— PROPERTY BOUNDARY

### TAX MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION  
WEBB ROAD SITE  
GRAND ISLAND, NEW YORK  
PREPARED FOR  
RIVERTOWN CENTER HOLDINGS LLC



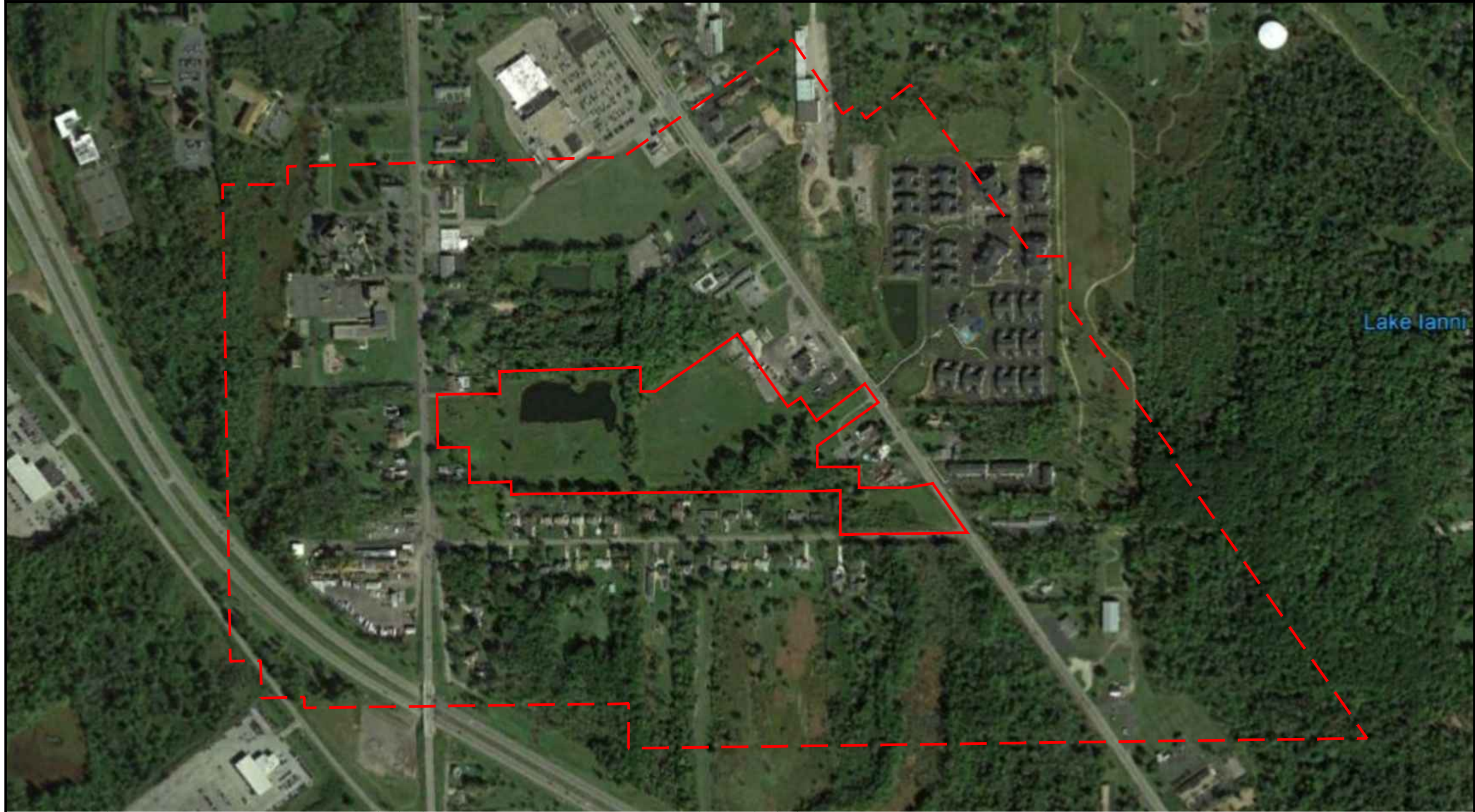
2556 HAMBURG TURNPIKE  
SUITE 300  
BUFFALO, NY 14218  
(716) 856-0655

JOB NO.: 0395-021-001

### FIGURE 3

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SCALE: 1 INCH = 500 FEET  
 SCALE IN FEET  
 (approximate)

LEGEND:

- PROPERTY BOUNDARY
- - - - - 1000' SETBACK

**PROPERTY BASE MAP (1000' SETBACK)**

BROWNFIELD CLEANUP PROGRAM APPLICATION  
 WEBB ROAD SITE  
 GRAND ISLAND, NEW YORK  
 PREPARED FOR  
 RIVERTOWN CENTER HOLDINGS LLC



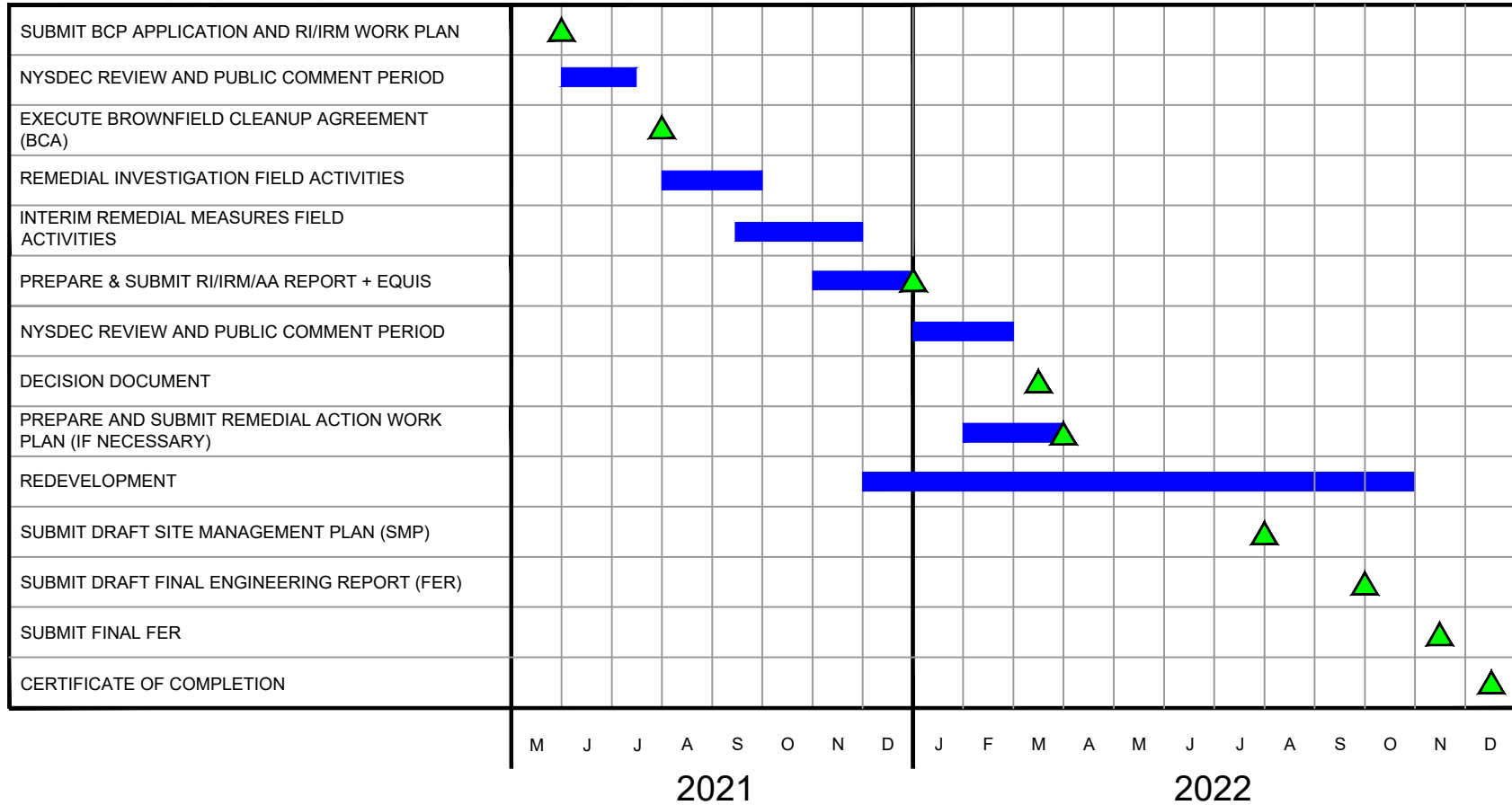
2558 HAMBURG TURNPIKE  
 SUITE 300  
 BUFFALO, NY 14218  
 (716) 856-0635

JOB NO.: 0395-021-001

**FIGURE 4**

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**PROJECT TASKS:**



2558 HAMBURG TURNPIKE  
 SUITE 300  
 BUFFALO, NY 14218  
 (716) 856-0835

PROJECT NO.: 0395-021-001

DATE: APRIL 2021

DRAFTED BY: CMC

**PRELIMINARY PROJECT SCHEDULE**

BROWNFIELD CLEANUP PROGRAM APPLICATION

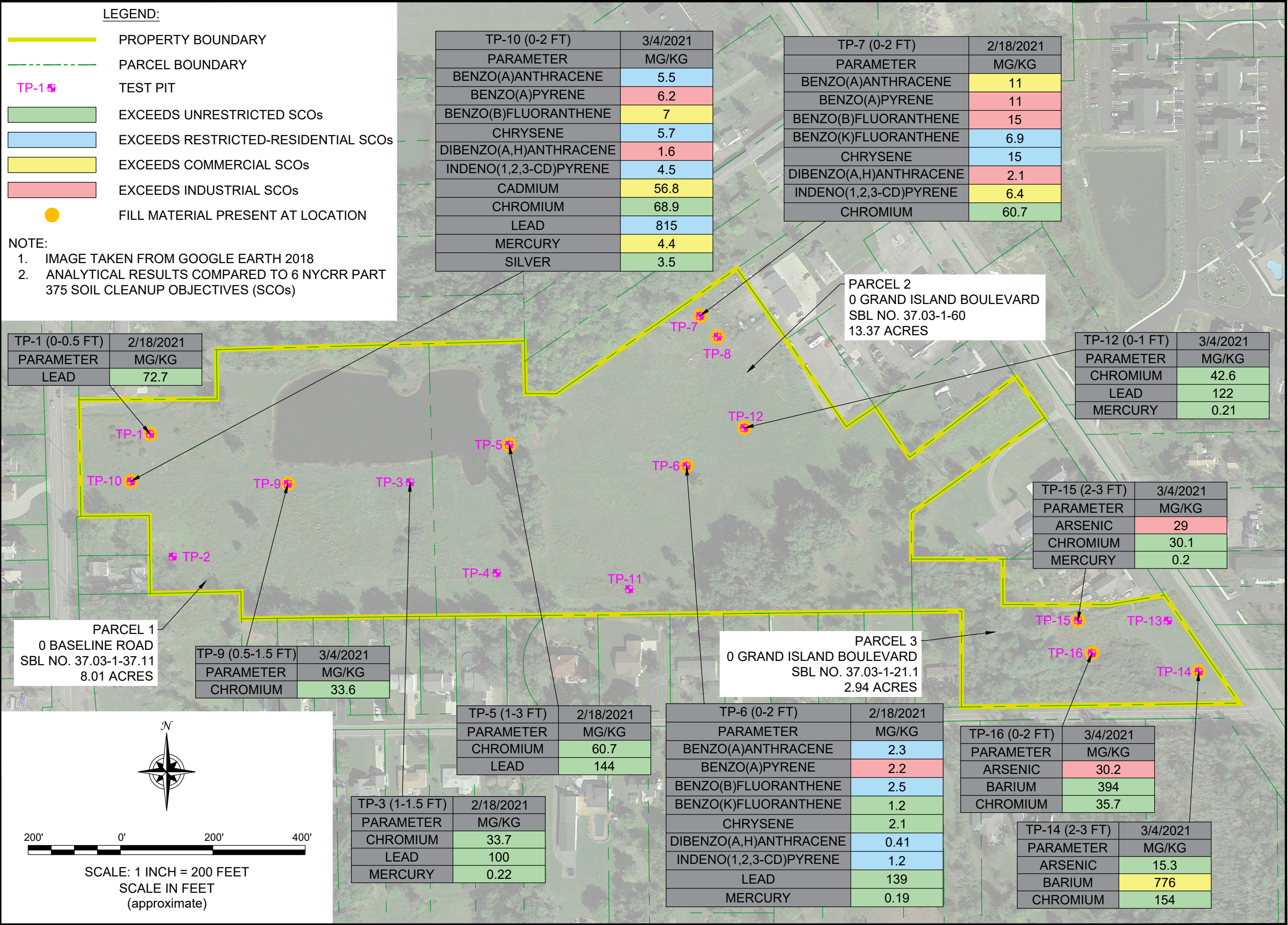
WEBB ROAD SITE  
 GRAND ISLAND, NEW YORK

PREPARED FOR  
 RIVERTOWN CENTER HOLDINGS LLC

**FIGURE 5**

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**INVESTIGATION LOCATIONS AND AREAS OF CONCERN**

BROWNFIELD CLEANUP PROGRAM APPLICATION  
WEBB ROAD SITE  
GRAND ISLAND, NEW YORK  
PREPARED FOR  
RIVERTOWN CENTER HOLDINGS LLC

**FIGURE 6**

2556 HAMBURG TURNPIKE  
SUITE 300  
BUFFALO, NY 14218  
(716) 856-0655

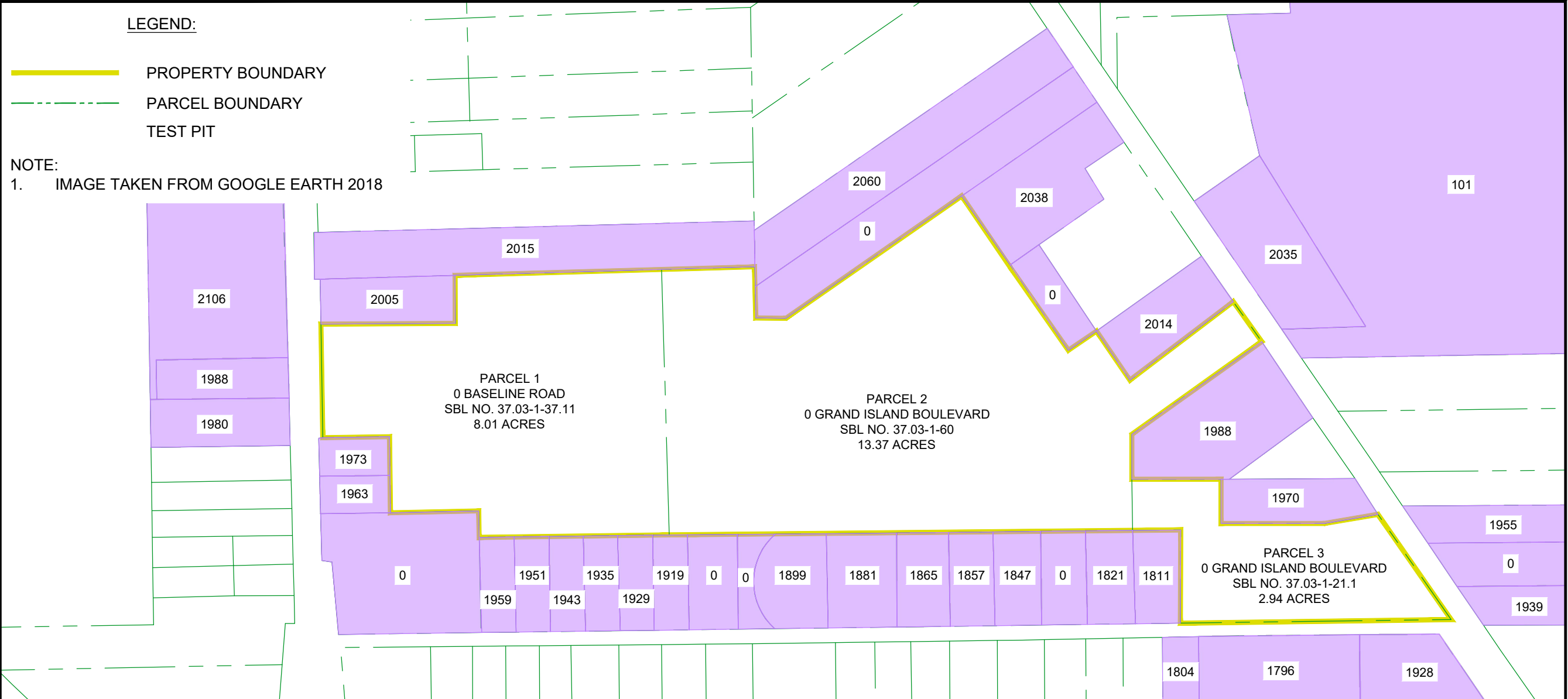
TURNKEY ENVIRONMENTAL RESTORATION, LLC

JOB NO.: T0395-021-001

DATE: MARCH 2021  
DRAFTED BY: GMC

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**LEGEND:**

- PROPERTY BOUNDARY
- - - - - PARCEL BOUNDARY
- TEST PIT

**NOTE:**  
1. IMAGE TAKEN FROM GOOGLE EARTH 2018



SCALE: 1 INCH = 250 FEET  
SCALE IN FEET  
(approximate)

Adjacent Property Address			
No	Street	S.B.L.	Property Description
2005	Baseline Road	37.03-1-41	Residential
2015	Baseline Road	37.03-1-43	Residential
2060	Grand Island Blvd.	37.03-1-11	Religious
0	Grand Island Blvd.	37.03-1-12	Religious
2038	Grand Island Blvd.	37.03-1-13.111	Auto Body (Commercial)
0	--	37.03-1-61	--
2014	Grand Island Blvd.	37.03-1-16.1	Commercial
2035	Grand Island Blvd.	37.03-2-20	Commercial (Vacant)
101	Heron Pointe Parkway	37.10-1-16.1	Residential (Multiple Family)
1988	Grand Island Blvd.	37.03-1-18	Residential
1970	Grand Island Blvd.	37.03-1-20.1	Commercial
1955	Grand Island Blvd.	37.03-2-15.1	Residential
0	Grand Island Blvd.	37.03-2-14	Commercial (Vacant)
1939	Grand Island Blvd.	37.03-2-12.11	Commercial
1928	Grand Island Blvd.	37.03-4-31	Commercial (Vacant)
1796	Webb Road	37.03-4-29.1	Residential
1804	Webb Road	37.03-4-28	Residential
1811	Webb Road	37.03-1-22	Residential
1821	Webb Road	37.03-1-23	Residential
0	Webb Road	37.03-1-24	Residential (Vacant)

Adjacent Property Address			
No	Street	S.B.L.	Property Description
1847	Webb Road	37.03-1-25	Residential
1857	Webb Road	37.03-1-26	Residential
1865	Webb Road	37.03-1-27	Residential
1881	Webb Road	37.03-1-28.1	Residential
1899	Webb Road	37.03-1-28.21	Residential
0	--	37.03-1-28.22	--
0	--	37.03-1-29	--
1919	Webb Road	37.03-1-30	Residential
1929	Webb Road	37.03-1-31	Residential
1935	Webb Road	37.03-1-32	Residential
1943	Webb Road	37.03-1-33	Residential
1951	Webb Road	37.03-1-34	Residential
1959	Webb Road	37.03-1-35	Residential
0	Baseline Road	37.03-1-36	Residential (Vacant)
1963	Baseline Road	37.03-1-38	Residential
1973	Baseline Road	37.03-1-39	Residential (Vacant)
1980	Baseline Road	36.04-1-2	Residential
1988	Baseline Road	36.04-1-1	Residential
2106	Baseline Road	36.00-2-17.1	Religious

**ADJACENT PROPERTY OWNERS**

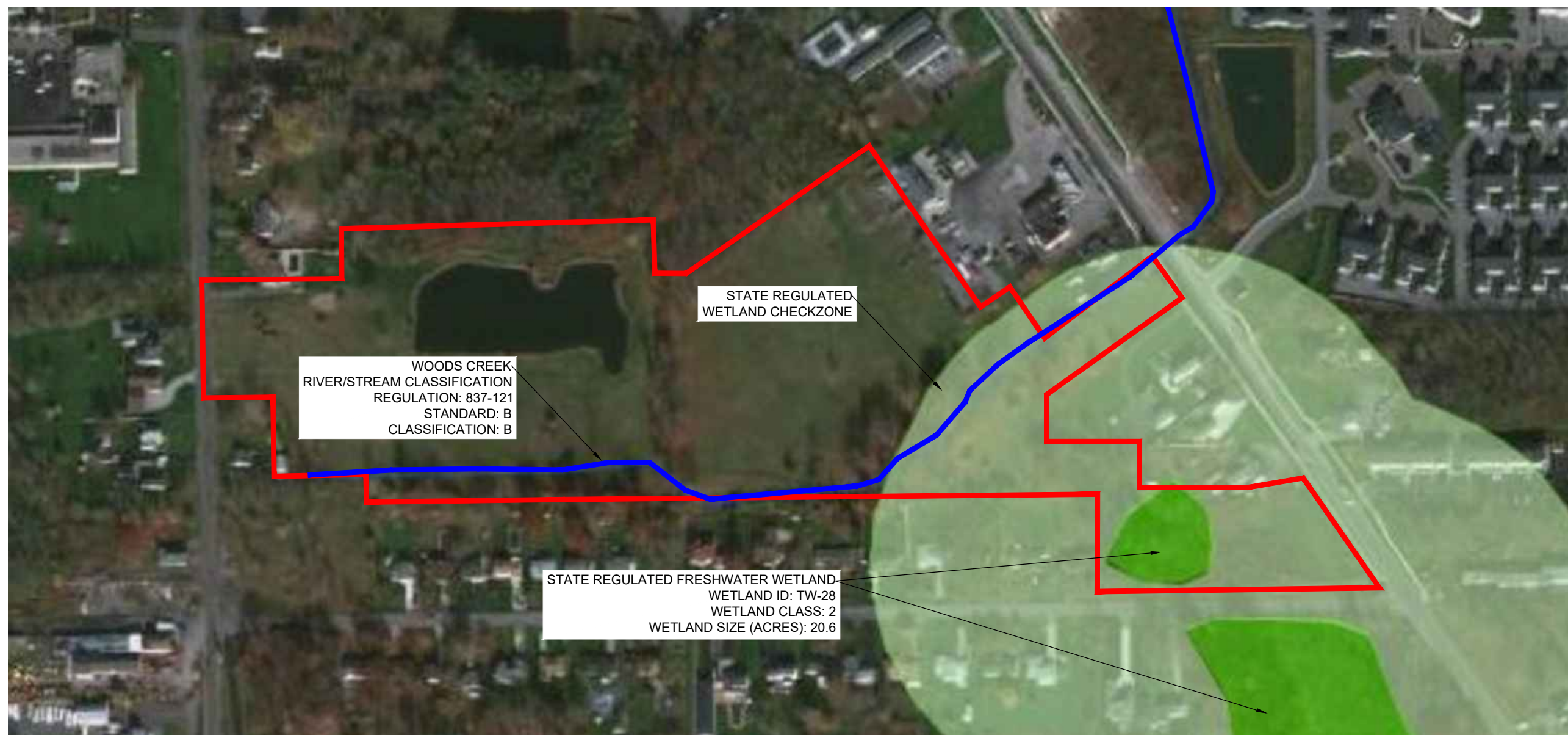
BROWNFIELD CLEANUP PROGRAM APPLICATION  
WEBB ROAD SITE  
GRAND ISLAND, NEW YORK  
PREPARED FOR  
RIVERTOWN CENTER HOLDINGS



JOB NO.: T0395-021-001

**FIGURE 7**

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WOODS CREEK  
RIVER/STREAM CLASSIFICATION  
REGULATION: 837-121  
STANDARD: B  
CLASSIFICATION: B

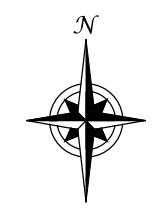
STATE REGULATED  
WETLAND CHECKZONE

STATE REGULATED FRESHWATER WETLAND  
WETLAND ID: TW-28  
WETLAND CLASS: 2  
WETLAND SIZE (ACRES): 20.6

LEGEND:

— PROPERTY BOUNDARY

NOTE: IMAGE PER NYSDEC ENVIRONMENTAL RESOURCE MAPPER



SCALE: 1 INCH = 200 FEET  
SCALE IN FEET  
(approximate)

**WETLAND MAP**

BROWNFIELD CLEANUP PROGRAM APPLICATION  
WEBB ROAD SITE  
GRAND ISLAND, NEW YORK  
PREPARED FOR  
RIVERTOWN CENTER HOLDINGS LLC



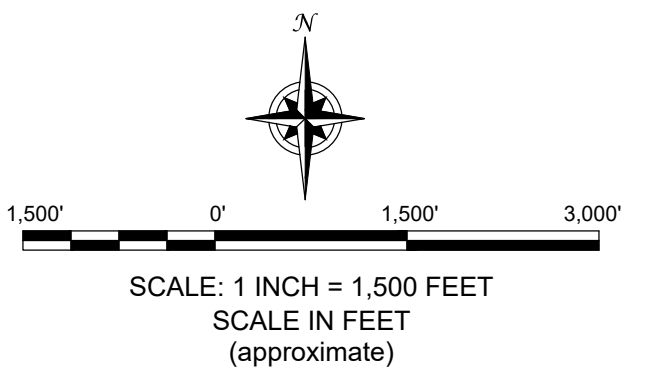
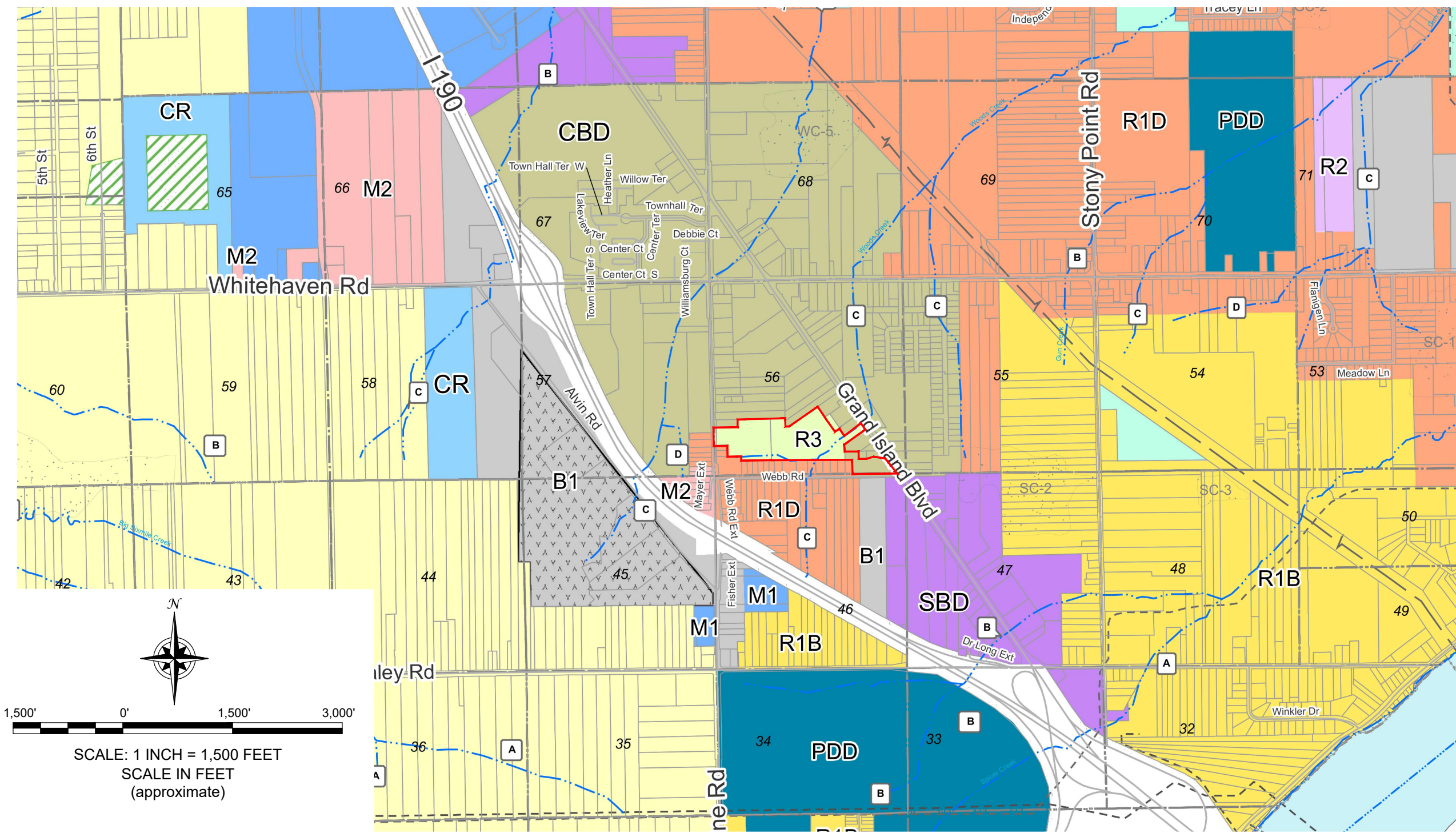
2558 HAMBURG TURNPIKE  
SUITE 300  
BUFFALO, NY 14218  
(716) 856-0635

JOB NO.: 0395-021-001

**FIGURE 8**

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**Legend**

- |   |   |  |                                  |
|---|---|--|----------------------------------|
| NBD-NORTH BUSINESS DISTRICT               | R1D-MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL      | B2-WATERFRONT BUSINESS                         | ME-MINING EXCAVATION OVERLAY     |
| CBD-CENTRAL BUSINESS DISTRICT             | R1E-HIGH DENSITY SINGLE FAMILY RESIDENTIAL        | B3-HAMLET BUSINESS                             | OS-OPEN SPACE                    |
| SBD-SOUTH BUSINESS DISTRICT               | R2-ATTACHED SINGLE FAMILY RESIDENTIAL             | CR-COMMERCIAL RECREATION FACILITIES            | PDD-PLANNED DEVELOPMENT DISTRICT |
| R1A-LOW DENSITY-SINGLE-FAMILY RESIDENTIAL | R2A-ATTACHED WATERFRONT SINGLE FAMILY RESIDENTIAL | E.E.D.-ENHANCED ENVIRONMENTAL OVERLAY DISTRICT | THRUWAY ROW                      |
| R1B-SINGLE-FAMILY RESIDENTIAL             | R3-MULTIPLE FAMILY RESIDENTIAL                    | M1-LIGHT INDUSTRIAL AND RESEARCH               | VEHICLE SALES OVERLAY DISTRICT   |
| R1C-SINGLE-FAMILY RESIDENTIAL             | B1-HIGHWAY BUSINESS                               | M2-GENERAL INDUSTRIAL                          |                                  |

IMAGE PER TOWN OF GRAND ISLAND ENGINEERING DEPARTMENT, MAP ADOPTED AND EFFECTIVE DATE: MARCH 7, 2011

**ZONING MAP**

BROWNFIELD CLEANUP PROGRAM APPLICATION  
 WEBB ROAD SITE  
 GRAND ISLAND, NEW YORK  
 PREPARED FOR  
 RIVERTOWN CENTER HOLDINGS LLC

2556 HAMBURG TURNPIKE  
 SUITE 300  
 BUFFALO, NY 14218  
 (716) 856-0655

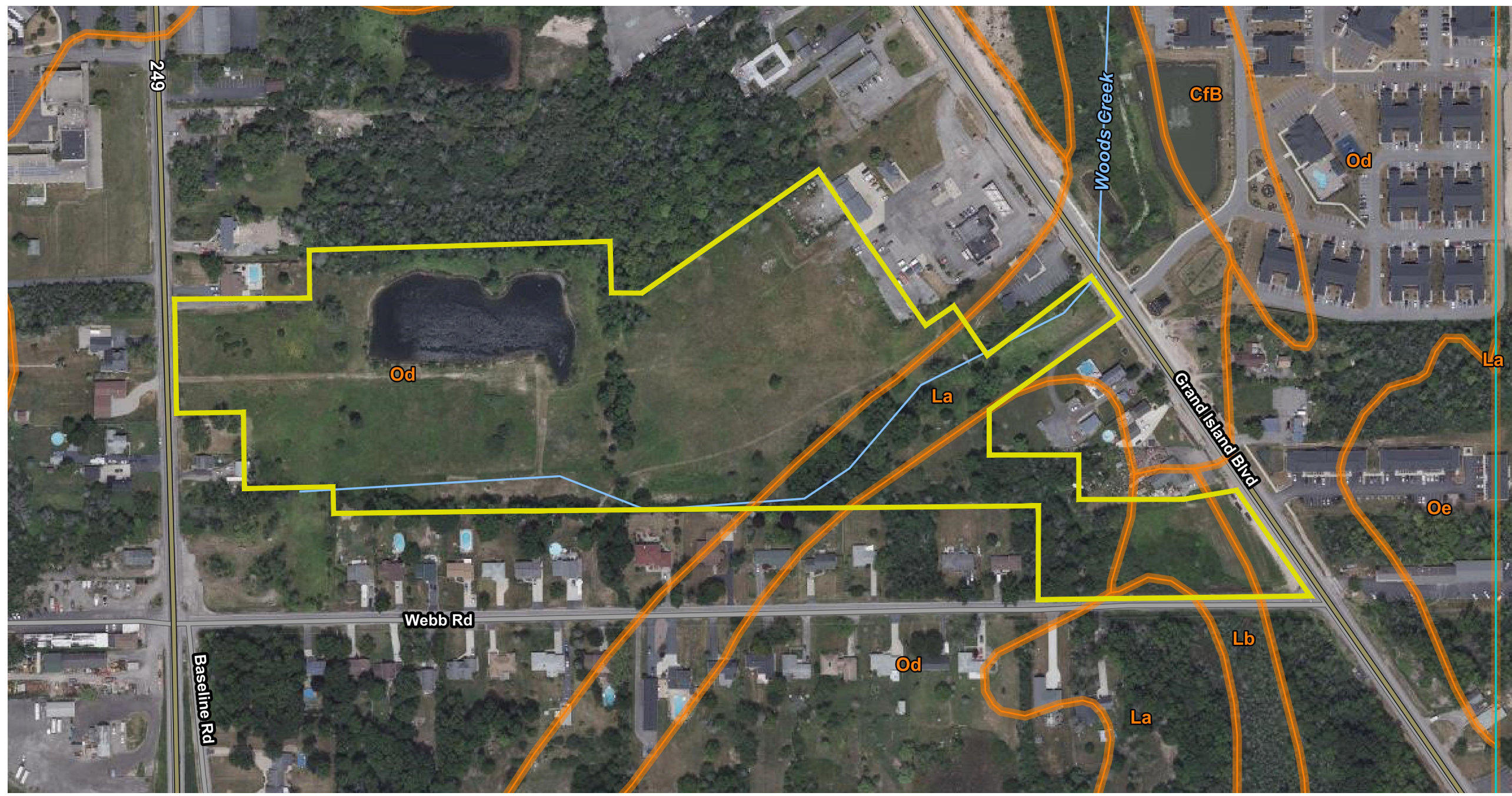


JOB NO.: 0395-021-001

**FIGURE 9**

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SCALE: 1 INCH = 250 FEET  
SCALE IN FEET  
(approximate)



**LEGEND:**

— PROPERTY BOUNDARY

USDA SOIL MAP LEGEND:  
Od - ODESSA SILT LOAM  
La - LAKEMONT SILT LOAM  
Lb - LAKEMONT MUCKY SILT LOAM

**SOIL MAP**

BROWNFIELD CLEANUP PROGRAM APPLICATION  
WEBB ROAD SITE  
GRAND ISLAND, NEW YORK  
PREPARED FOR  
RIVERTOWN CENTER HOLDINGS LLC



IN ASSOCIATION WITH



2558 HAMBURG TURNPIKE, SUITE 300, BUFFALO, NY 14218, (716) 856-0599

JOB NO.: 0395-021-001

**FIGURE 10**

**DISCLAIMER: PROPERTY OF BENCHMARK ENVIRONMENTAL ENGINEERING & SCIENCE, 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 ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC & TURNKEY ENVIRONMENTAL RESTORATION, LLC.**



## **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**

**NYS CORPORATION & BUSINESS ENTITY DATABASE INFORMATION**

**APPLICANT INFORMATION AND AUTHORIZATION TO EXECUTE**

**ERIE COUNTY PARCEL DETAIL REPORTS**

## **BCP Application – Part A**

### **Section I – Section IV**

#### **Webb Road Site**

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

The Volunteer Applicant, Rivertown Center Holdings LLC, is authorized to conduct business in New York State, as identified on the New York State Department of State's Corporation & Business Entity Database. A print-out of entity information from the database is attached.

Rivertown Center Holdings LLC member information is attached.

Benchmark Environmental Engineering and Science, PLLC (Benchmark), a registered New York State (NYS) engineering firm, and licensed NYS Professional Engineer (PE), will be acting as the Engineer of Record for this BCP project.

##### **SECTION II – PROJECT DESCRIPTION**

Rivertown Center Holdings LLC, acting as a Volunteer, is willing to complete additional investigation and remediate the Webb Road Site (see Figures 1-4) under the NYS Brownfield Cleanup Program (BCP) and is submitting this BCP application for eligibility into the Program.

A preliminary project schedule is shown on Figure 5.

The Project will result in the remediation and redevelopment of an environmentally impacted site in the Town of Grand Island, New York.

The Site is not located within a NYS Environmental Zones (En-Zones).

##### **SECTION III – PROPERTY'S ENVIRONMENTAL HISTORY**

A summary of the previous environmental investigation findings completed for the Webb Road Site (hereinafter, the "Project Site" or the "Site") are provided below.

## BCP Application – Part A

### Section I – Section IV

#### Webb Road Site

##### March 2021 – Ltd. Phase II Environmental Investigation Report

TurnKey completed a Phase II Environmental Investigation on the Site in February and March 2021. The investigation consisted of the advancement of sixteen (16) test pits (TP-1 through TP-16) across the Site. Thirteen (13) shallow soil samples were submitted to the laboratory for analysis of polycyclic aromatic hydrocarbons (PAHs) and Resource Conservation and Recovery Act (RCRA) metals. Findings of the Phase II are detailed below:

- The site is currently vacant land. Historic aerial photographs indicate unknown disturbances (likely filling activities) across the Site from at least 1958 until approximately 2000.
- Shallow fill material, including coal, graphite, cinders, ash, wood, concrete, glass, brick and/or metal was identified on-Site in 12 of 16 investigation locations across the site and ranged in depth from ground surface to approximately 3 fbs. Fill material is underlain by native soils consisting of sandy lean clay to a depth of at least 6 fbs.
- Elevated semi-volatile organic compounds (SVOCs) specifically polycyclic aromatic hydrocarbons (PAHs) were detected exceeding their respective 6NYCRR Part 375 Restricted Residential Use Soil Cleanup Objectives (RRSCO), Commercial Use (CSCO) and Industrial Use (ISCO) at multiple locations across the Site.
- Elevated metals including arsenic, barium, cadmium, lead, and mercury were detected exceeding their respective RRSCOs, CSCOs and/or ISCOs.

Areas of impacts described above are shown on Figure 6. Historic documents, previous investigation laboratory reports are provided as separate PDF files electronically on an attached CD.

#### **SECTION IV – PROPERTY INFORMATION**

##### Parcel Description

The 24.3 ace Webb Road Site consists of three (3) adjoining parcels and is located in a mixed use commercial and residential area in the Town of Grand Island, Erie County, New York (see Figures 1 and 2), and the tax parcels are further identified as:

## BCP Application – Part A

### Section I – Section IV

#### Webb Road Site

- 0 Baseline Road, S.B.L. No. 37.03-1-37.11, 8.01-acres (Parcel 1)
- 0 Grand Island Boulevard, S.B.L. No. 37.03-1-60, 13.37-acres (Parcel 2)
- 0 Grand Island Boulevard, S.B.L. No. 37.03-1-21.1, 2.94-acres (Parcel 3)

A copy of the tax map is provided as Figure 3. The Erie County GIS parcel detail reports are attached.

According to NYSDEC Environmental Zone (En-Zone) mapping, the Site is not located within an En-Zone.

#### Property Description Narrative

##### Location

The Site is located at the corner of Webb Road and Grand Island Boulevard, in a mixed use area of Grand Island, Erie County, New York. The Site is bordered by vacant residential, religious, and/or commercial properties to the north, residential properties and Webb Road to the south, residential and commercial properties and Grand Island Boulevard to the east, and residential and/or religious properties and Baseline Road to the west. Adjacent property owners are identified on Figure 7.

##### Site Features

The Site is currently vacant. The site is covered by vegetation, with an open water pond located in the central portion of the Site (see Figure 8)

##### Zoning and Land Use

According to the Town of Grand Island zoning map, the current zoning for the Site is R3 (Multiple Family Residential) which is defined as multifamily dwellings (townhouses and apartment buildings) and single-family attached and patio homes; and CBD (Central Business District) which is defined as a mixed-use district that accommodates activities that are particularly oriented to the automobile (hotels, restaurants, retail, professional business

## BCP Application – Part A

### Section I – Section IV

#### Webb Road Site

(see Figure 9). The planned redevelopment is consistent with the current zoning, and outlined below:

- Parcel 1 – 0 Baseline Road – SBL 37.03-137.11; 8.01 acres – will include single family residences
- Parcel 2 – 0 Grand Island Boulevard – SBL 37.03-1-60; 13.37 acres – will include single family residences
- Parcel 3 – 0 Grand Island Boulevard – SBL 37.03-1-21.1; 2.95 acres – Mixed Use

The surrounding parcels are as follows:

- north – residential, religious institution, and commercial
- south – commercial (vacant) and residential
- east – residential and commercial
- west – residential and religious institution

#### Past Use of the Site

Based on the historic records, the site was potentially used as a dump and/or historic filling activities as evidenced on aerial photographs and the presence of fill debris during the previous investigations. Extents of the filling activities will be assessed during the Remedial Investigation.

Previous investigation reports are provided electronically on the enclosed CD.

#### Site Geology and Hydrogeology

A portion of a NYS wetland and check zone, identified as TW-28, is located on Parcel 3 at the corner of Webb Road and GI Boulevard. Surface waterbody Woods Creek is also present onsite (see Figure 8).

The Site is located within the Lake Erie-Niagara River major drainage basin, which is typified by little topographic relief that gently slope westward towards the Niagara River, except in

## BCP Application – Part A

### Section I – Section IV

#### Webb Road Site

the immediate vicinity of major drainage ways. According to the United States Department of Agriculture (USDA) Web soil survey, the majority of the Site is characterized as Odessa Silt Loam (Ud), with lesser portions characterized Lakemont Silt Loam (La) and Lakemont Mucky Silt Loam (Lb) (Figure 10). Odessa silt loam is defined as somewhat poorly drained and slopes 0 to 3 percent. Lakemont silt loam is defined as poorly drained and slopes 0 to 3 percent. Lakemont mucky silt loam is very poorly drained and slopes 0 to 3 percent.

Previous investigations identified fill across the site ranging in depth from approximately 0 to 3 fbs. Fill consisted of silty sand, brick, concrete, asphalt, metal, cinders, glass, ash, graphite, coal, and wood, and typically underlain by sandy lean clay with some fine sand.

Surface water likely flows north via Woods Creek to the Niagara River. Regional groundwater likely flows north towards the Niagara River. Local groundwater flow, however, is likely influenced by subsurface features, such as excavations, utilities, and localized fill-conditions.

Additional work is required to investigate groundwater flow direction and quality at the Site.

#### Environmental Assessment Narrative

Past use of the Site for dumping-filling activities has impacted the Site. Figure 6 summarizes the environmental conditions identified during the previous investigations.

Soil – Shallow fill material, including coal, graphite, cinders, ash, wood, concrete, glass, brick and/or metal was identified on-Site in 12 of 16 investigation locations across the site and ranged in depth from ground surface to approximately 3 fbs.

Laboratory analytical results detected elevated PAHs at concentrations exceeding RRSCO, CSCO and ISCOs. Specifically, elevated benzo(a)pyrene was detected exceeding its ISCO of 1.1 ppm at TP-6 (2.2 ppm), TP-7 (11 ppm) and TP-10 (6.2 ppm); benzo(b)fluoranthene exceeding its ISCO of 11 ppm at TP-7 (15 ppm), and its CSCO of 5.6 ppm at TP-10 (7

## BCP Application – Part A

### Section I – Section IV

#### Webb Road Site

ppm); dibenzo(a,h)anthracene exceeding its ISCO of 1.1 ppm at TP-7 (2.1 ppm) and TP-10 (1.6 ppm), benzo(a)anthracene exceeding its CSCO of 5.6 ppm at TP-7 (11 ppm), and indeno(1,2,3-cd)pyrene exceeding its CSCO of 5.6 ppm at TP-7 (6.4 ppm). PAHs exceeding their RRSCOs were also detected in the shallow soil samples. at multiple locations.

Elevated metals, including arsenic exceeded its ISCO of 16 ppm was detected at TP-15 (29 ppm) and TP-16 (30.2 ppm); barium exceeding its CSCO of 400 ppm at TP-14 (776 ppm); cadmium exceeding its CSCO of 9.3 at TP-10 (56.8 ppm); mercury exceeding its CSCO of 2.8 ppm at TP-10 (4.4 ppm); and lead exceeding its RRSCO of 400 ppm at TP-10 (815 ppm)

Previous investigation documents are provided electronically on the attached CD.



# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through April 12, 2021.

---

Selected Entity Name: RIVERTOWN CENTER HOLDINGS LLC

Selected Entity Status Information

**Current Entity Name:** RIVERTOWN CENTER HOLDINGS LLC

**DOS ID #:** 5783995

**Initial DOS Filing Date:** JULY 09, 2020

**County:** ERIE

**Jurisdiction:** NEW YORK

**Entity Type:** DOMESTIC LIMITED LIABILITY COMPANY

**Current Entity Status:** ACTIVE

Selected Entity Address Information

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

RIVERTOWN CENTER HOLDINGS LLC

285 ELLICOTT STREET

BUFFALO, NEW YORK, 14203

**Registered Agent**

NONE

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

**\*Stock Information**

# of Shares	Type of Stock	\$ Value per Share
-------------	---------------	--------------------

## No Information Available

\*Stock information is applicable to domestic business corporations.

**Name History**

<b>Filing Date</b>	<b>Name Type</b>	<b>Entity Name</b>
JUL 09, 2020	Actual	RIVERTOWN CENTER HOLDINGS LLC

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

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

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**RIVERTOWN CENTER HOLDINGS LLC**

**UNANIMOUS WRITTEN CONSENT OF THE MEMBER**

May 12, 2021

The undersigned being the sole holder of all of the membership interest of Rivertown Center Holdings LLC, a New York limited liability company (the "*Company*"), hereby consents to the adoption of the following resolutions without a meeting and direct that this Consent be filed with the minutes of the Company:

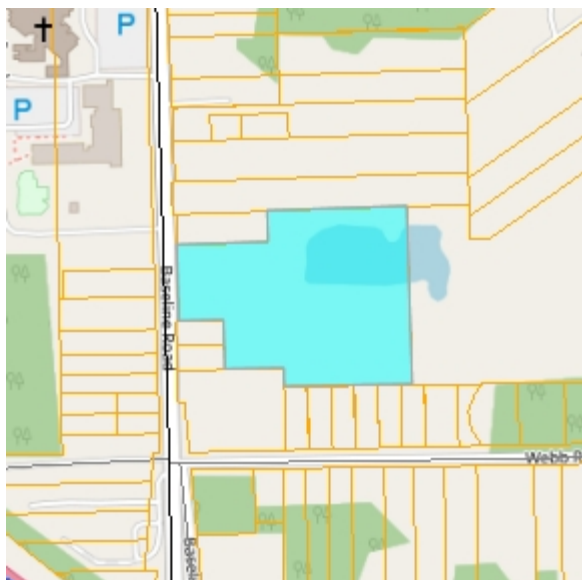
***RESOLVED***, that Frank Chinnici (an "*Authorized Person*") be, and hereby is, authorized, directed, and empowered, acting alone, in the name or on behalf of the Company, to execute the Brownfield Cleanup Program ("*BCP*") Application, the Brownfield Cleanup Agreement (BCA), or any other documents 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 the property located at Webb Road Site, Grand Island, 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 Company as they may deem necessary, appropriate or advisable to carry out the intent and purposes of the foregoing resolutions; and be it further

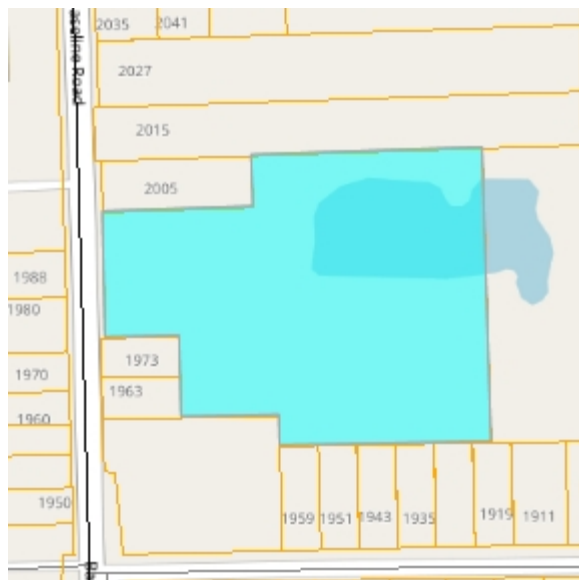
***RESOLVED***, that any acts of any manager of the Company and of any persons designated and authorized to act by any such manager of the Company, which acts would have been authorized by the foregoing resolutions except that such acts were taken prior to the adoption of such resolutions, are hereby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

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

  
\_\_\_\_\_  
J. Roger Trettel, Sole Member  
Rivertown Center Holdings LLC



Parcel Overview Map



Parcel Detail Map

**PIN:** 1446000370300001037110

**SBL:** 37.03-1-37.11

**Address:** 0 BASELINE RD

**Owner 1:** HILLOCK RANDON P

**Owner 2:**

**Mailing Address:** 10698 E RISING SUN DR

**City/Zip:** SCOTTSDALE AZ 85262

**Municipality:** Grand Island

**Property Class:** 311

**Class Description:** R - Res vac land

**Front:** 258.11999512

**Depth:** 0

**Deed Roll:** 1

**Deed Book:**

**Deed Page:**

**Deed Date:**

**Acreage:** 8.00806245

**Total Assessment:** \$49,500

**Land Assessment:** \$49,500

**County Taxes:** \$49,500

**Town Taxes:** \$0

**School Taxes:** \$0

**Village Taxes:** \$0

**School District:** GRAND ISLAND CENTRAL SCHOOL DISTRICT

**Year Built:** 0

**Sqft Living Area:** 0

**Condition:** 0

**Heating:** 0

**Basement:** 0

**Fireplace:** 0

**Beds:** 0

**Baths:** 0



Parcel Overview Map



Parcel Detail Map

**PIN:** 1446000370300001060000

**SBL:** 37.03-1-60

**Address:** 0 GRAND ISLAND BLVD

**Owner 1:** SIMON ENTRPRS LTD JOHN R

**Owner 2:**

**Mailing Address:** PO BOX 57

**City/Zip:** KENMORE NY 14217

**Municipality:** Grand Island

**Property Class:** 330

**Class Description:** B - Vacant comm

**Front:** 0

**Depth:** 0

**Deed Roll:** 1

**Deed Book:**

**Deed Page:**

**Deed Date:**

**Acreage:** 13.37308875

**Total Assessment:** \$144,600

**Land Assessment:** \$144,600

**County Taxes:** \$144,600

**Town Taxes:** \$0

**School Taxes:** \$0

**Village Taxes:** \$0

**School District:** GRAND ISLAND CENTRAL SCHOOL DISTRICT

**Year Built:** 0

**Sqft Living Area:** 0

**Condition:** 0

**Heating:** 0

**Basement:** 0

**Fireplace:** 0

**Beds:** 0

**Baths:** 0



Parcel Overview Map



Parcel Detail Map

**PIN:** 1446000370300001021100

**SBL:** 37.03-1-21.1

**Address:** 0 GRAND ISLAND BLVD

**Owner 1:** 1958 GRAND ISLAND BLVD LLC

**Owner 2:**

**Mailing Address:** 2680 GRAND ISLAND BLVD

**City/Zip:** GRAND ISLAND NY 14072

**Municipality:** Grand Island

**Property Class:** 330

**Class Description:** B - Vacant comm

**Front:** 272.69000244

**Depth:** 0

**Deed Roll:** 1

**Deed Book:** 11325

**Deed Page:** 6366

**Deed Date:**

**Acreage:** 2.93504627

**Total Assessment:** \$60,000

**Land Assessment:** \$60,000

**County Taxes:** \$60,000

**Town Taxes:** \$0

**School Taxes:** \$0

**Village Taxes:** \$0

**School District:** GRAND ISLAND CENTRAL SCHOOL DISTRICT

**Year Built:** 0

**Sqft Living Area:** 0

**Condition:** 0

**Heating:** 0

**Basement:** 0

**Fireplace:** 0

**Beds:** 0

**Baths:** 0

## **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**

**DOCUMENT REPOSITORY CONFIRMATION**

**BCP Application – Part B**

**Section V – Section XI**

**Webb Road Site**

**SECTION VI – CURRENT PROPERTY OWNER/OPERATOR INFORMATION**

Reasonable attempts were made to attain complete information regarding current and previous site owners and operators.

Parcel Address	Use	Approx. Date(s)	Relationship to Applicant
<b>0 Baseline Road (SBL – 37.03-1-37.11)</b>			
<b>Current Owner/Operator</b>			
Rivertown Center Holdings LLC 285 Ellicott Street Buffalo, NY 14203	Vacant Land	September 2020 to Present	Applicant
<b>Former Owner/Operator</b>			
Randon P. Hillock 10698 E Rising Sun Drive Scottsdale, AZ 85262	Vacant	August 1992 to September 2020	No Relationship
Elmer Webb	Vacant	April 1946 to August 1992	No Relationship

Parcel Address	Use	Approx. Date(s)	Relationship to Applicant
<b>0 Grand Island Boulevard (SBL – 37.03-1-60)</b>			
<b>Current Owner/Operator</b>			
Rivertown Center Holdings LLC 285 Ellicott Street Buffalo, NY 14203	Vacant Land	September 2020 to Present	Applicant
<b>Former Owner/Operator</b>			
John R Simon Enterprises Ltd. PO Box 57 Kenmore, NY 14217	Vacant	October 1981 to September 2020	No Relationship



## BCP Application – Part B

### Section V – Section XI

#### Webb Road Site

Parcel Address	Use	Approx. Date(s)	Relationship to Applicant
0 Grand Island Boulevard (SBL – 37.03-1-21.1)			
Current Owner/Operator			
Rivertown Center Holdings LLC 285 Ellicott Street Buffalo, NY 14203	Vacant	April 2021	Applicant
Former Owner/Operator			
1958 Grand Island Boulevard LLC 2680 Grand Island Blvd Grand Island, NY 14072	Vacant Land	February 2018 to April 2021	No Relationship
Cheryl Organ / Jacqueline Pritchard	Vacant	September 2011 to February 2018	No Relationship
Francis Pritchard	Vacant	May 1976 to September 2011	No Relationship

The Site has historically been vacant and undeveloped since at least as the 1950s. Site conditions were based on historic records.

#### **SECTION VII – REQUESTOR ELIGIBILITY INFORMATION**

The Applicant, Rivertown Center Holdings 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 became involved with the property after any potential disposal or discharge of contaminants and has no relationship with the previous owners/operators of the Site, therefore, Rivertown Center Holdings LLC is entitled to Volunteer status under NY ECL27-1405(1)(b).

## BCP Application – Part B

### Section V – Section XI

#### Webb Road Site

#### 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.

##### *Erie County Contacts:*

Honorable Mark Poloncarz  
Erie County Executive  
95 Franklin Street  
Buffalo, NY 14202

Honorable Kevin R. Hardwick  
Erie County Legislator, District 4  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, NY 14202

Commissioner Thomas R. Hersey, Jr.  
Erie Co. Environment & Planning  
95 Franklin Street  
Buffalo, NY 14202

Mr. John Hood  
Erie Co. Environment & Plan.  
95 Franklin Street, 10<sup>th</sup> Floor  
Buffalo, NY 14202

Mr. Robert M. Graber  
Erie County Legislature Clerk  
92 Franklin Street  
Buffalo, NY 14202

Mr. John Cappellino  
ECIDA  
95 Perry Street  
Buffalo, NY 14203

Commissioner Gale Burstein, MD  
Erie County Health Department  
95 Franklin Street, Room 931  
Buffalo, NY 14202

Commissioner Daniel Neaverth, Jr.  
Erie County Local Emergency  
45 Elm Street  
Buffalo, NY 14203

##### *Town of Grand Island Contacts:*

John C. Whitney, P.E.  
Town of Grand Island Supervisor  
2255 Baseline Road  
Grand Island, NY 14072

Pattie Frentzel  
Town of Grand Island Clerk  
2255 Baseline Road, 1<sup>st</sup> Floor  
Grand Island, NY 14072

## BCP Application – Part B

### Section V – Section XI

#### Webb Road Site

David Bruno  
Planning Board Chair  
2255 Baseline Road  
Grand Island, NY 14072

#### *Supplier of Potable Water:*

Grand Island Water Department  
(Gillman) Cody Clarke,  
2255 Baseline Road, 1<sup>st</sup> Floor  
Grand Island, NY 14072

#### *Local News Media:*

Buffalo News  
ATTN: Ms. Aaron Besecker  
1 News Plaza  
Buffalo, NY 14240

WGRZ TV - Ch. 2  
ATTN: Ms. Maria Sisti  
259 Delaware Avenue  
Buffalo, NY 14202

WIVB - Ch. 4  
ATTN: Ms. Lisa Fullone  
2077 Elmwood Avenue  
Buffalo, NY 14207

WKBW News Channel 7  
ATTN: Ms. Melanie Pritchard  
7 Broadcast Plaza  
Buffalo, NY 14202

WJYE  
ATTN: Environmental News Desk  
1700 Rand Building  
Buffalo, NY 14203

Business First  
ATTN: Anne Marie Franczyk  
465 Main Street  
Buffalo, NY 14203-1793

WBEN News Radio 930  
Entercom Radio of Buffalo  
500 Corporate Pkwy, Suite 200  
Buffalo, NY 14226

WNED, Environmental News Desk  
ATTN: Mr. Michael Desmond  
P.O. Box 1263, Horizons Plaza  
Buffalo, NY 14240

**BCP Application – Part B**  
**Section V – Section XI**  
**Webb Road Site**

*Nearby Schools:*

Mr. Scott Gruenauer, Principal  
St. Stephen School  
2080 Baseline Road  
Grand Island, NY 14072

*Document Repository:*

April Tompkins  
Repository Documents  
Buffalo & Erie County Public Library  
1 Lafayette Square  
Buffalo, NY 14203

**BCP Application – Part B**

**Section V – Section XI**

**Webb Road Site**

Adjacent Property Owners

Information for the residents, owners, and occupants of the properties adjacent to the Site is provided in the table below and shown in Figure 7.

Adjacent Property Address			Property Owner Mailing Address
No.	Street	Property Use	
2005	Baseline Road	Residential	Paul K. Salonek & Christine R. Salonek 2005 Baseline Road Grand Island, NY 14072
2015	Baseline Road	Residential	Jeffrey & Judith Dinsmore 2015 Baseline Road Grand Island, NY 14072
2060	Grand Island Boulevard	Religious	Overcoming Faith Center Inc. c/o New Life in Christ PO Box 809 Grand Island, NY 14072
0	Grand Island Boulevard	Religious	Overcoming Faith Center Inc. PO Box 809 Grand Island, NY 14072
2038	Grand Island Boulevard	Commercial (Auto Body)	Auto Fix of Grand Island LLC 2038 Grand Island Boulevard Grand Island, NY 14072
0	--	--	--
2014	Grand Island Boulevard	Commercial	401 Lang Boulevard Realty LLC c/o Ken Knight 1693 Grand Island Boulevard Grand Island, NY 14072

**BCP Application – Part B**

**Section V – Section XI**

**Webb Road Site**

2035	Grand Island Boulevard	Commercial (Vacant)	Henrietta A. Fortman 75 Clifford Heights Amherst, NY 14226
101	Heron Pointe Parkway	Residential (Multiple Family)	Heron Pointe LLC 5360 Genesee Street Bowmansville, NY 14206
1988	Grand Island Boulevard	Residential	Joseph Spinella 1988 Grand Island Boulevard Grand Island, NY 14072
1970	Grand Island Boulevard	Commercial	Peter J. Marston 2445 First Street Grand Island, NY 14072
1955	Grand Island Boulevard	Residential	2014 Mazur Family Trust 2680 Grand Island Boulevard, Suite 4 Grand Island, NY 14072
0	Grand Island Boulevard	Commercial (Vacant)	Jeanette Levin 2330 Maple Road Williamsville, NY 14221
1939	Grand Island Boulevard	Commercial	Mark A. Abate 1931 Staley Road Grand Island, NY 14072
1928	Grand Island Boulevard	Commercial (Vacant)	L. Visone Development LLC 4470 Darcy Lane Williamsville, NY 14221
1796	Webb Road	Residential	Robert K. & Cynthia Hillock 1796 Webb Road Grand Island, NY 14072
1804	Webb Road	Residential	Robert W. & Donna L. Saj 1804 Webb Road Grand Island, NY 14072



**BCP Application – Part B**

**Section V – Section XI**

**Webb Road Site**

1811	Webb Road	Residential	Arthur L. Chamberlain, H&W & Susan J. Woloszyn 1821 Webb Road Grand Island, NY 14072
1821	Webb Road	Residential	Susan Woloszyn & Arthur Chamberlain (Joint Tenant) 1821 Webb Road Grand Island, NY 14072
0	Webb Road	Residential (Vacant)	Brian M. Stockton 1847 Webb Road Grand Island, NY 14072
1847	Webb Road	Residential	Brian M. Stockton 1847 Webb Road Grand Island, NY 14072
1857	Webb Road	Residential	Jennifer L Wzontek 1857 Webb Road Grand Island, NY 14072
1865	Webb Road	Residential	William K. & Jean V. Bleich 1865 Webb Road Grand Island, NY 14072
1881	Webb Road	Residential	Irene & Rene L. Acklin Et Al 1881 Webb Road Grand Island, NY 14072
1899	Webb Road	Residential	Sarbijit & Rajinder Khakh 1899 Webb Road Grand Island, NY 14072
0	--	--	David R. & Diana L. Perri 1911 Webb Road Grand Island, NY 14072
0	--	--	--

**BCP Application – Part B**

**Section V – Section XI**

**Webb Road Site**

1919	Webb Road	Residential	Timothy & Mary Elizabeth Wellence 1919 Webb Road Grand Island, NY 14072
1929	Webb Road	Residential	James Mitchell 1929 Webb Road Grand Island, NY 14072
1935	Webb Road	Residential	Richard W. Schmitz II 1935 Webb Road Grand Island, NY 14072
1943	Webb Road	Residential	Walter C. & Colleen M. Huff 1943 Webb Road Grand Island, NY 14072
1951	Webb Road	Residential	Janet L. Martin & Tracy Kennerly 1951 Webb Road Grand Island, NY 14072
1959	Webb Road	Residential	Bryan A. Parkes 1959 Baseline Road Grand Island, NY 14072
0	Baseline Road	Residential (Vacant)	Margaret Webb 1950 Webb Road Grand Island, NY 14072
1963	Baseline Road	Residential	Eric C. Pietron 1963 Baseline Road Grand Island, NY 14072
1973	Baseline Road	Residential (Vacant)	Julio C. Neyra 841 East River Road Grand Island, NY 14072
1980	Baseline Road	Residential	Donald L. & Linda A. Gardner 1980 Baseline Road Grand Island, NY 14072

**BCP Application – Part B**

**Section V – Section XI**

**Webb Road Site**

1988	Baseline Road	Residential	Dominick M. & Lois Affuso 1988 Baseline Road Grand Island, NY 14072
2106	Baseline Road	Religious	St. Stephens R C Church 2100 Baseline Road Grand Island, NY 14072

Document Repository

The Buffalo and Erie County Library – Grand Island Memorial Library has agreed to act as the document repository for the proposed BCP Site. Reports will be mailed to the Erie County Library – Central Branch and will be distributed to the Grand Island Memorial Branch library. A letter of acknowledgement from the Central Branch is attached.

**SECTION X – LAND USE FACTORS**

1 – Current Zoning

The current zoning for the Site is R3 (Multiple Family Residential) which is defined as multifamily dwellings (townhouses and apartment buildings) and single-family attached and patio homes; and CBD (Central Business District) which is defined as a mixed-use district that accommodates activities that are particularly oriented to the automobile (hotels, restaurants, retail, professional business).

2 – Current Use

The Site is currently vacant land.

3, 4, 5 and 6 – Planned Future Use

**BCP Application – Part B**  
**Section V – Section XI**  
**Webb Road Site**

The Volunteer plans to redevelop the site as a mixed-use residential-commercial development. Redevelopment is consistent with the current zoning map.

## Charlotte M. Clark

---

**From:** April Tompkins <tompkinsa@buffalolib.org>  
**Sent:** Tuesday, May 11, 2021 12:32 PM  
**To:** Charlotte M. Clark  
**Subject:** RE: Grand Island Site  
**Attachments:** Grand Island Blvd. & Webb Rd. Site Document Repository LOT.pdf

Good afternoon Charlotte,

Per your request, this is to inform you that the Buffalo and Erie County Public Library will be the repository for all document(s) submitted by your company for the Brownfield Cleanup Program at the **Grand Island Blvd. & Webb Road Site**. These documents will be made available for public viewing at the **Grand Island Library** and/or any other library of your choice. Please refer to our procedure below.

We prefer that you do not take and/or send documents to individual libraries. Please bring or send your document(s), and cover letter, to the Central Library and we will process according to our procedure and distribute to the location of your choice. **If you would like a confirmation that your document was received, you will need to include the request in your cover letter and provide an email address.**

Please keep the following in mind:

- Documents (including updates) for public viewing should be either brought in person (to my attention) to the Central Library's administrative reception desk located on the second floor or sent via mail carrier. Documents sent via e-mail will not be accepted. The mailing address is:

**Attention: April Tompkins**  
**Re: Repository Documents**  
**Buffalo and Erie County Public Library**  
**1 Lafayette Square**  
**Buffalo, NY 14203**

- Documents are made available within three business days after receipt, excluding weekends and holidays. Documents for the Central/Downtown library are located on the first floor in the Information Services Department.
- If you would like the document(s) distributed at **libraries other than Central**, you will need to send or give us the appropriate quantity of copies with labels regarding their destination(s). We will distribute accordingly. We do not make copies for distribution.
- Documents that cannot be stapled, should be kept together spiral bound or in a ring binder. Please do not send 'loose' papers, especially if including a cd or flash drive.
- You have the choice regarding the format (hard copy print and / or disk) you wish to submit. If submitting in both formats, please be sure that they are titled/labeled accordingly. **If cd's or flash drives are included, please secure to the corresponding printed document(s) to prevent it from getting lost or separated.** Although CD-ROMs cannot be used on public library computers, patrons may bring in their personal laptop to view the disc in-house. If optional, an alternative is the availability to go online using a provided link for patrons to read/print. Patrons are not allowed to take original repository documents out of the Library.

If you still have any questions/concerns, please feel free to contact me by replying to this e-mail or by phone at 716-858-7129. Thank you.

Regards,  
April

---

**From:** Charlotte M. Clark <cclark@bm-tk.com>  
**Sent:** Tuesday, May 11, 2021 10:34 AM  
**To:** April Tompkins <tompkinsa@buffalolib.org>  
**Subject:** Grand Island Site

Good Morning April,

Contacting in regards to the Grand Island Blvd. & Webb Road Site, attached is the letter of transmittal requesting that the Buffalo and Erie County Library act as the document repository for the Grand Island Blvd. & Webb Road Site. Please respond at your earliest convenience as we hope to send the report out today. Let me know if you have any questions.

Regards,  
**Charlotte Clark**  
Project Engineer  
[CClark@bm-tk.com](mailto:CClark@bm-tk.com)

## Benchmark Environmental Engineering & Science, PLLC

[www.benchmarkturnkey.com](http://www.benchmarkturnkey.com)

2558 Hamburg Turnpike, Suite 300, Buffalo, NY 14218

Phone: (716) 856-0599, Mobile: (716) 220-1201

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