



# Brownfield Cleanup Program Application

---

619 Exchange Street Site  
Buffalo, New York

Revised January 2024

Prepared for:

**PG Larkinville, LLC**  
46 Prince Street, Suite 2003  
Rochester, NY 14607

Prepared by:

**Roux Environmental Engineering  
and Geology, D.P.C.**  
2558 Hamburg Turnpike, Suite 300  
Buffalo, New York 14218

# Brownfield Cleanup Program Application

## 619 Exchange Street Site

### Table of Contents

Attachment	PDF Page Number
<b>NYSDEC BCP Application Form</b>	Pgs 3 to 16
<b>Appendix A - BCP Application Supporting Information</b> Section I: Property Information Section II: Project Description Section III: Land Use Factors Section IV: Property's Environmental History Section V: Requestor Information Section IX: Current Property Owner/Operator Information Section XI: Contact List Information	Pgs 17 to 32
<b>List of Tables</b> Table 1 – Soil Data Summary Table Table 2 – Summary of Soil/Fill Sample Analytical Results	Pgs 33 to 35
<b>List of Figures</b> Figure 1 – Site Location and Vicinity Map Figure 2 – Site Plan (Aerial) Figure 3 – Tax Map Figure 4 – En-Zone Map Figure 5 – Disadvantaged Community Map Figure 6 – Adjacent Property Owners Figure 7 – Zoning Map Figure 8 – USDA Soil Type Map Figure 9 – Historic Investigation Locations and Areas of Concern Figure 10 – Preliminary Project Schedule	Pgs 36 to 46
<b>Exhibits</b> Exhibit 1 – Erie County Parcel Detail Report Exhibit 2 – NYSDOS Business Entity Database Printout Exhibit 3 – Organizational Information & Authorization to Sign Exhibit 4 – Document Repository Request & Confirmation Exhibit 5 – Land Use Plan Documentation	Pgs 47 to 67
<b>Environmental Reports:</b> TurnKey Environmental Restoration, LLC. Phase I Environmental Site Assessment (ESA), 619 Exchange Street, Buffalo, New York. July 2018. TurnKey Environmental Restoration, LLC. Phase II Environmental Investigation Report. 619 Exchange Street, Buffalo, New York. October 2023.	(included as separate PDF files in the submittal folder)



**SUBMITTAL INSTRUCTIONS:**

1. Compile the application package in the following manner:
  - a. one file in non-fillable PDF of the application form plus supplemental information, excluding the previous environmental reports and work plans, if applicable;
  - b. one individual file (PDF) of each previous environmental report; and,
  - c. one file (PDF) of each work plan being submitted with the application, if applicable.
2. Compress all files (PDFs) into one zipped/compressed folder.
3. Submit the application to the Site Control Section either via email or ground mail, as described below.

**Please select only ONE submittal method – do NOT submit both email and ground mail.**

a. VIA EMAIL:

- Upload the compressed folder to the NYSDEC File Transfer Service.  
(<http://fts.dec.state.ny.us/fts>) or another file-sharing service.
- Copy the download link into the body of an email with any other pertinent information or cover letter attached to the email.
- Subject line of the email: “*BCP Application NEW - \*Proposed Site Name\**”
- Email your submission to [DESiteControl@dec.ny.gov](mailto:DESiteControl@dec.ny.gov) – do NOT copy Site Control staff.

b. VIA GROUND MAIL:

- Save the application file(s) and cover letter to an external storage device (e.g., thumb drive, flash drive). Do NOT include paper copies of the application or attachments.
- Mail the external storage device to the following address:  
Chief, Site Control Section  
Division of Environmental Remediation  
625 Broadway, 11<sup>th</sup> Floor  
Albany, NY 12233-7020

**PROPOSED SITE NAME:** 619 Exchange Street Site

**Is this an application to amend an existing BCA with a major modification?** Please refer to the application instructions for further guidance related to BCA amendments.

If yes, provide existing site number: \_\_\_\_\_

☐

Yes

☒

No

**Is this a revised submission of an incomplete application?**

If yes, provide existing site number: C915403

☒

Yes

☐

No



BCP App Rev 15 – May 2023

**SECTION I: Property Information**

PROPOSED SITE NAME **619 Exchange Street Site**

ADDRESS/LOCATION **619 Exchange Street**

CITY/TOWN **Buffalo**

ZIP CODE **14210**

MUNICIPALITY (LIST ALL IF MORE THAN ONE) **City of Buffalo, Erie County**

COUNTY **Erie**

SITE SIZE (ACRES) **0.72**

LATITUDE

LONGITUDE

°	'	"	°	'	"
42	52	30.45	-78	51	14.93

Provide tax map information for all tax parcels included within the proposed site boundary below. If a portion of any lot is to be included, 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 acreage column.

**ATTACH REQUIRED TAX MAPS PER THE APPLICATION INSTRUCTIONS.**

Parcel Address	Section	Block	Lot	Acreage
619 Exchange Street	122.25	2	11	0.72

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

Y	N
<input checked="" type="radio"/>	<input type="radio"/>

2. Is the required property map included with the application?  
(Application will not be processed without a map)

<input checked="" type="radio"/>	<input type="radio"/>
----------------------------------	-----------------------

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)

If yes, identify census tract: 164

Percentage of property in En-zone (check one): 0% ☐ 1-49% ☐ 50-99% ☐ 100% ☒

<input checked="" type="radio"/>	<input type="radio"/>
----------------------------------	-----------------------

4. Is the project located within a disadvantaged community?  
See application instructions for additional information.

<input checked="" type="radio"/>	<input type="radio"/>
----------------------------------	-----------------------

5. Is the project located within a NYS Department of State (NYS DOS) Brownfield Opportunity Area (BOA)? See application instructions for additional information.

<input type="radio"/>	<input checked="" type="radio"/>
-----------------------	----------------------------------

6. Is this application one of multiple applications for a large development project, where the development spans more than 25 acres (see additional criteria in application instructions)?  
If yes, identify names of properties and site numbers, if available, in related BCP applications: \_\_\_\_\_

<input type="radio"/>	<input checked="" type="radio"/>
-----------------------	----------------------------------

SECTION I: Property Information (CONTINUED)		Y	N
7. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?		<input type="radio"/>	<input checked="" type="radio"/>
8. 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? If yes, attach relevant supporting documentation.		<input type="radio"/>	<input checked="" type="radio"/>
9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.		<input type="radio"/>	<input checked="" type="radio"/>
10. Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number: _____		<input type="radio"/>	<input checked="" type="radio"/>
11. Is the site currently listed on the Registry of Inactive Hazardous Waste Disposal Sites (Class 2, 3, or 4) or identified as a Potential Site (Class P)? If yes, please provide the DEC site number: _____ Class: _____		<input type="radio"/>	<input checked="" type="radio"/>
12. Are there any easements or existing rights-of-way that would preclude remediation in these areas? If yes, identify each here and attach appropriate information.  <div style="display: flex; justify-content: space-between;"> <div><u>Easement/Right-of-Way Holder</u></div> <div><u>Description</u></div> </div>		<input type="radio"/>	<input checked="" type="radio"/>
13. List of permits issued by the DEC or USEPA relating to the proposed site (describe below or attach appropriate information):  <div style="display: flex; justify-content: space-between;"> <div><u>Type</u></div> <div><u>Issuing Agency</u></div> <div><u>Description</u></div> </div>		<input type="radio"/>	<input checked="" type="radio"/>
14. Property Description and Environmental Assessment – please refer to the application instructions for the proper format of each narrative requested. Are the Property Description and Environmental Assessment narratives included in the prescribed format?		<input checked="" type="radio"/>	<input type="radio"/>
<b>Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.</b>			
15. Is the Requestor seeking a determination that the site is eligible for tangible property tax credits? If yes, Requestor must answer the Supplemental Questions for Sites Seeking Tangible Property Credits Located in New York City ONLY on pages 11-13 of this form.		<input type="radio"/>	<input type="radio"/>
16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?		<input type="radio"/>	<input type="radio"/>
17. If you have answered YES to Question 16 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?		<input type="radio"/>	<input type="radio"/>
<b>NOTE:</b> If a tangible property tax credit determination is not being requested at the time of application, 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.			
<b>If any changes to Section I are required prior to application approval, a new page, initialed by each Requestor, must be submitted with the application revisions.</b>			
<b>Initials of each Requestor:</b> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> </div>			

## SECTION II: Project Description

1. The project will be starting at: ☒ Investigation ☐ Remediation

NOTE: If the project is proposed to start at the remediation stage, at a minimum, a Remedial Investigation Report (RIR) must be included, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Action Work Plan (RAWP) are also included (see [DER-10, Technical Guidance for Site Investigation and Remediation](#) for further guidance), then a 45-day public comment period is required.

2. If a final RIR is included, does it meet the requirements in ECL Article 27-1415(2)?

☐ Yes ☐ No ☒ N/A

3. Have any draft work plans been submitted with the application (select all that apply)?

☐ RIWP ☐ RAWP ☐ IRM ☒ No

4. Please provide a short description of the overall project development, including the date that the remedial program is to begin, and the date by which a Certificate of Completion is expected to be issued.

Is this information attached? ☒ Yes ☐ No

## SECTION III: Land Use Factors

1. What is the property's current municipal zoning designation? N-1S (Secondary Employment Center)

2. What uses are allowed by the property's current zoning (select all that apply)?

Residential ☒ Commercial ☒ Industrial ☒

3. Current use (select all that apply):

Residential ☐ Commercial ☐ Industrial ☐ Recreational ☐ Vacant ☒

4. Please provide 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 by which the site became vacant.  
Is this summary included with the application?

Y ☒ N ☐

5. Reasonably anticipated post-remediation use (check all that apply):

Residential ☒ Commercial ☒ Industrial ☐

If residential, does it qualify as single-family housing?

N/A ☐ ☒

6. Please provide a statement detailing the specific proposed post-remediation use.  
Is this summary attached?

☒ ☐

7. Is the proposed post-remediation use a renewable energy facility?  
See application instructions for additional information.

☐ ☒

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

☒ ☐

9. Is the proposed use consistent with applicable zoning laws/maps?  
Please provide a brief explanation. Include additional documentation if necessary.

☒ ☐

10. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans?  
Please provide a brief explanation. Include additional documentation if necessary.

☒ ☐

## SECTION IV: Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that contamination of environmental media exists on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the site property and that the site requires remediation. To the extent that existing information/studies/reports are available to the requestor, please attach the following:

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 ANY supporting documents.**
2. **SAMPLING DATA: INDICATE (BY SELECTING THE OPTIONS BELOW) KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. DATA SUMMARY TABLES SHOULD BE INCLUDED AS AN ATTACHMENT, WITH LABORATORY REPORTS REFERENCED AND INCLUDED.**

CONTAMINANT CATEGORY	SOIL	GROUNDWATER	SOIL GAS
Petroleum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chlorinated Solvents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other VOCs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SVOCs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Metals	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCBs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PFAS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,4-dioxane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other – indicated below	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\*Please describe other known contaminants and the media affected:

3. For each impacted medium above, include a site drawing indicating:
  - Sample location
  - Date of sampling event
  - Key contaminants and concentration detected
  - For soil, highlight exceedances of reasonably anticipated use
  - For groundwater, highlight exceedances of 6 NYCRR part 703.5
  - For soil gas/soil vapor/indoor air, refer to the NYS Department of Health matrix and highlight exceedances that require mitigation

These drawings are to be representative of all data being relied upon to determine if the site requires remediation under the BCP. Drawings should be no larger than 11"x17" and should only be provided electronically. These drawings should be prepared in accordance with any guidance provided.

Are the required drawings included with this application? ☒ YES ☐ NO

4. Indicate Past Land Uses (check all that apply):

<input type="checkbox"/> Coal Gas Manufacturing	<input checked="" 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 type="checkbox"/> Landfill	<input type="checkbox"/> Tannery	<input type="checkbox"/> Electroplating	<input type="checkbox"/> Unknown

Other: various commercial and industrial uses including mill work, lumber storage, woodworking, bedding/textile manufacturing, warehousing, storage, and distribution. Prior to the current development, railroad tracks crossed the Site.

**SECTION V: Requestor Information**

NAME PG Larkinvile, LLC

ADDRESS 46 Prince Street, Suite 2003

CITY/TOWN Rochester

STATE NY

ZIP CODE 14607

PHONE (585) 434-4762

EMAIL [acrossed@parkgrovelc.com](mailto:acrossed@parkgrovelc.com)

	Y	N
1. Is the requestor authorized to conduct business in New York State (NYS)?	<input checked="" type="radio"/>	<input type="radio"/>
2. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS DOS 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 with this application to document that the requestor is authorized to conduct business in NYS. Is this attached?	<input checked="" type="radio"/>	<input type="radio"/>
3. If the requestor is an LLC, a list of the names of the members/owners is required on a separate attachment. Is this attached? N/A <input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
4. Individuals that will be certifying BCP documents, as well as their employers, must 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. Do all individuals that will be certifying documents meet these requirements? <b>Documents that are not properly certified will not be approved under the BCP.</b>	<input checked="" type="radio"/>	<input type="radio"/>

**SECTION VI: Requestor Eligibility**

If answering "yes" to any of the following questions, please provide appropriate explanation and/or documentation as an attachment.

	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?	<input type="radio"/>	<input checked="" type="radio"/>
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.	<input type="radio"/>	<input checked="" type="radio"/>
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 or regulation of the State or Federal government?	<input type="radio"/>	<input checked="" type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, please provide the site name, address, assigned DEC site number, the reason for denial, and any other relevant information regarding the denied application.	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>

## SECTION VI: Requestor Eligibility (CONTINUED)

7. Has the requestor been convicted of a criminal offense (i) involving the handling, storing, treating, disposing or transporting or contaminants; or (ii) that involved 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?	<input type="radio"/> Y	<input checked="" type="radio"/> N
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 a false statement in connection with any document or application submitted to DEC?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>	<input checked="" type="radio"/>
12. 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:		
<b>PARTICIPANT</b> <input type="checkbox"/> <p>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.</p>	<b>VOLUNTEER</b> <input checked="" type="checkbox"/> <p>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.</p> <p>NOTE: By selecting this option, 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; and, (iii) prevent or limit human, environmental or natural resource exposure to any previously released hazardous waste.</p> <p><b>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.</b></p>	
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?		
Yes <input checked="" type="radio"/> No <input type="radio"/> N/A <input type="radio"/>		

**SECTION VI: Requestor Eligibility (CONTINUED)**

14. Requestor relationship to the property (check one; if multiple applicants, check all that apply):

☐ Previous Owner ☒ Current Owner ☐ Potential/Future Purchaser ☐ Other: \_\_\_\_\_

If the requestor is not the current owner, **proof of site access sufficient to complete remediation must be provided.** 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 environmental easement on the site.

Is this proof attached?



Yes



No



N/A

**Note:** A purchase contract or lease agreement does not suffice as proof of site access.**SECTION VII: Requestor Contact Information**

REQUESTOR'S REPRESENTATIVE Andrew I. Crossed

ADDRESS 46 Prince Street, Suite 2003

CITY Rochester

STATE NY

ZIP CODE 14607

PHONE (585) 434-4762

EMAIL [acrossed@parkgrovelc.com](mailto:acrossed@parkgrovelc.com)

REQUESTOR'S CONSULTANT (CONTACT NAME) Mike Lesakowski

COMPANY Roux Environmental Engineering and Geology, D.P.C.

ADDRESS 2558 Hamburg Turnpike, Suite 300

CITY Buffalo

STATE NY

ZIP CODE 14218

PHONE (716) 856-0599

EMAIL [mlesakowski@rouxinc.com](mailto:mlesakowski@rouxinc.com)

REQUESTOR'S ATTORNEY (CONTACT NAME) Robert G. Murray

COMPANY Harris Beach PLLC

ADDRESS 726 Exchange Street, Suite 1000

CITY Buffalo

STATE NY

ZIP CODE 14210

PHONE (716) 200-5180

EMAIL [bmurray@harrisbeach.com](mailto:bmurray@harrisbeach.com)

**SECTION VIII: Program Fee**

Upon submission of an executed Brownfield Cleanup Agreement to the Department, the requestor is required to pay a non-refundable program fee of \$50,000. Requestors may apply for a fee waiver based on demonstration of financial hardship.

	Y	N
1. Is the requestor applying for a fee waiver based on demonstration of financial hardship?	<input type="radio"/>	<input checked="" type="radio"/>
2. If yes, appropriate documentation to demonstrate financial hardship must be provided with the application. See application instructions for additional information.		
Is the appropriate documentation included with this application? N/A	<input checked="" type="radio"/>	<input type="radio"/>

**SECTION IX: Current Property Owner and Operator Information**

CURRENT OWNER PG Larkinville, LLC (Requestor)		
CONTACT NAME Andrew I. Crossed		
ADDRESS 46 Prince Street, Suite 2003		
CITY Rochester	STATE NY	ZIP CODE 14607
PHONE (585) 434-4762	EMAIL acrossed@parkgrovellc.com	
OWNERSHIP START DATE May 28, 2019		
CURRENT OPERATOR None (Vacant)		
CONTACT NAME		
ADDRESS		
CITY	STATE	ZIP CODE
PHONE	EMAIL	
OPERATION START DATE		

**SECTION X: Property Eligibility Information**

	Y	N
1. Is/was the property, or any portion of the property, listed on the National Priorities List? If yes, please provide additional information as an attachment.	<input type="radio"/>	<input checked="" type="radio"/>
2. Is/was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Site pursuant to ECL 27-1305? If yes, please provide the DEC site number: _____ Class: _____	<input type="radio"/>	<input checked="" type="radio"/>

**SECTION X: Property Eligibility Information (continued)**

	Y	N
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: _____ EPA ID Number: _____  Date Permit Issued: _____ Permit Expiration Date: _____	<input type="radio"/>	<input checked="" type="radio"/>
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? If yes, attach any available information related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filings and corporate dissolution documents. <div style="text-align: right;">N/A <input checked="" type="radio"/></div>	<input type="radio"/>	<input type="radio"/>
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? If yes, please provide the order number: _____	<input type="radio"/>	<input checked="" type="radio"/>
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide additional information as an attachment.	<input type="radio"/>	<input checked="" type="radio"/>

**SECTION XI: Site Contact List**

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 mailing addresses of the following:

- The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
- Residents, owners, and occupants of the property and adjacent properties.
- Local news media from which the community typically obtains information.
- The public water supplier which services the area in which the property is located.
- Any person who has requested to be placed on the contact list.
- The administrator of any school or day care facility located on or near the property.
- 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 XII: Statement of Certification and Signatures

(By a requestor other than an individual)

I hereby affirm that I am Authorized Person (title) of PG Larkinville, LLC (entity); that I am authorized by that entity to make this application and execute a Brownfield Cleanup Agreement (BCA) and all subsequent documents; that this application was prepared by me or under my supervision and direction. If this application is approved, I hereby 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 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: 1/10/2024

Signature: 

Print Name: Andrew I. Crossed

**PLEASE REFER TO THE APPLICATION COVER PAGE AND BCP APPLICATION INSTRUCTIONS FOR DETAILS OF PAPERLESS DIGITAL SUBMISSION REQUIREMENTS.**

## 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 15**

Please respond to the questions below and provide additional information and/or documentation as required. <i>Please refer to the application instructions.</i>	Y	N
1. Is the property located in Bronx, Kings, New York, Queens or Richmond County?	<input type="radio"/>	<input type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input type="radio"/>	<input type="radio"/>
3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?	<input type="radio"/>	<input type="radio"/>
4. Is the property upside down or underutilized as defined below?		
Upside down	<input type="radio"/>	<input type="radio"/>
Underutilized	<input type="radio"/>	<input type="radio"/>

**From ECL 27-1405(31):**

“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.

**From 6 NYCRR 375-3.2(I) as of August 12, 2016** (Please note: Eligibility determination for the underutilized category can only be made at the time of application):

375-3.2:

- (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
  - (1) the proposed use is at least 75 percent for industrial uses; or
  - (2) at which:
    - (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;
    - (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and
    - (iii) one or more of the following conditions exists, as certified by the applicant:
      - (a) property tax payments have been in arrears for at least five years immediately prior to the application;
      - (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
      - (c) there are no structures.

“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.

**FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)**

5. 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\*
- \*Selecting this option 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’ household’s 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 homeowners 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.

**FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)**

6. Is the site a planned renewable energy facility site as defined below?

☐ Yes – planned renewable energy facility site with documentation

☐ Pending – planned renewable energy facility awaiting documentation

\*Selecting this option will result in a “pending” status. The appropriate documentation 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.

☐ No – not a planned renewable energy facility site

If yes, please provide any documentation available to demonstrate that the property is planned to be developed as a renewable energy facility site.

**From ECL 27-1405(33) as of April 9, 2022:**

“Renewable energy facility site” shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system.

**From Public Service Law Article 4 Section 66-p as of April 23, 2021:**

(b) "renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.

7. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and plans to meet the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?

☐ Yes - \*Selecting this option will result in a “pending” status, as a BOA conformance determination has not yet been made. Proof of conformance 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.

☐ No

**From ECL 75-0111 as of April 9, 2022:**

(5) "Disadvantaged communities" means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.

**Brownfield Cleanup Program Application  
619 Exchange Street Site**

---

**APPENDIX A**

**BCP Application Supporting Information**

## Section I – Property Information

### Parcel Description

The 619 Exchange Street Site (hereinafter, the “Site”), subject to this Brownfield Cleanup Program (BCP) application, is located in a highly developed residential, commercial, and industrial use area in the City of Buffalo. The 0.72-acre Site consists of one parcel located at 619 Exchange Street (SBL No. 122.25-2-11), Buffalo, Erie County, New York (see Figures 1 and 2).

A drawing of the tax map for the subject parcel is provided as Figure 3. The boundaries of the proposed BCP Site correspond with the tax boundaries. The Erie County parcel detail report for the Site is attached as Exhibit 1 for reference.

PG Larkinville, LLC (PG Larkinville) acquired the Site on May 28, 2019.

According to NYSDEC Environmental Zone (EN-Zone) mapping, the Site is located within EN-Zone type B (census tract 164, see Figure 4).

According to The NYS Climate Leadership and Community Protection Act Disadvantaged Communities Map, the Site is located within a Disadvantaged Communities census tract (tract GEOID: 36029016400, see Figure 5).

According to The NYS Department of State (DOS) Brownfield Redevelopment website, the Site is not located within a Brownfield Opportunity Area (BOA).

The Site is not listed on the Registry of Inactive Hazardous Waste Disposal Sites and is not currently the subject of investigation as a Potential Site.

### Easements and Permits

PG Larkinville is not aware of any formal enforcement action, or civil, judicial, or administrative enforcement cases in connection with the Site. In addition, based on information gathered to date, there are no institutional controls recorded for the Site. Utilities are located in the right-of-way along Exchange Street and Larkin Street. The Site has access to municipal sanitary sewer, electric, natural-gas, and public water.

### Location

The Site is located in an urban area at the southwest corner of the intersection of Exchange Street and Larkin Street in the City of Buffalo, New York. The Site is located in a highly developed mixed-use residential, commercial, and industrial area of the City of Buffalo, Erie County, New York. The Site is bordered by commercial and industrial properties and Exchange Street to the north; a vacant commercial property to the south; a commercial property and Larkin Street to the east; and a commercial property and railroad lines to the west. Adjacent property owners are identified on Figure 6.

### Site Features

The Site is improved with one vacant industrial structure formerly consisting of three sections (See Figure 2). Section 1, a four-story structure with a subgrade basement, and Section 2, a four-story slab-on-grade

structure, remain at the Site. The westernmost Section 3 was demolished in 2022 with approval from the City of Buffalo and the New York State Historic Preservation office (SHPO) due to safety concerns posed by its poor structural integrity; the concrete slab-on-grade floor remains in the Section 3 area.

## **Current Zoning and Land Use**

The current zoning for the Site is N-1S (Secondary Employment Center), which is defined as mixed-use employment centers primarily located along the New York Central Belt Line, often defined by mid-rise and large-footprint industrial structures (see Figure 7). According to the Buffalo Green Code, the project redevelopment, planned for mixed residential and commercial use, is likely consistent with the zoning assigned to the Site, however steps required for rezoning will be evaluated, if necessary, based on future plans for the Site. Site plan approval was previously granted by the City of Buffalo, but that approval has since expired.

The Site is currently occupied with one vacant industrial structure. The surrounding parcels are as follows:

- north – commercial and industrial and Exchange Street;
- south – vacant commercial;
- east – commercial and Larkin Street; and
- west – commercial and railroad.

Figure 6 identifies the adjacent property owners.

## **Past Use of the Site**

Based on historic records and Sanborn Fire Insurance Maps, the Site was previously used in residential, commercial, and industrial capacities. Commercial and industrial uses of the Site included mill work, lumber storage, woodworking, bedding/textile manufacturing, warehousing, storage, and distribution.

Prior to construction of the existing building, the Site was developed with railroad tracks, an ice house, residential structures, and outbuildings, as depicted on historic Sanborn maps.

The existing building was constructed at the Site in 1908 with additions made in 1924. The Site was occupied by Iroquois Doors Co. and used for mill work, planning, woodworking, and lumber storage from at least 1926 through at least 1986. Other occupants include Otis Bedding Manufacturing Co. from at least 1992 through at least 2014, Ken's Sports Warehouse from at least 2008 through at least 2014, Copeland Family Services in at least 2010, and K.W. Textile, Inc., a textile distribution warehouse (with possible textile manufacturing) from at least 2001 through 2018. The Site has been vacant since approximately 2018.

Historic municipal records indicate wiring of a fuel oil burner in 1979. During previous investigations, cut copper lines, a 5,000-gallon fuel gauge, and a suspect former AST vault were identified at the Site. In addition, a suspect candy cane vent pipe protruding from the south wall of the existing was presumably associated with the former fuel oil tank.

Additionally, several structures have been demolished at the Site and backfilled with impacted urban fill material. The past use and presence of urban fill material has impacted the Site as evidenced by semi-volatile organic compound (SVOC) and metals contamination, with significant concentrations identified, as detected

during a previous investigation. Additional information relative to the previous investigation completed at the Site is provided below.

## Site Geology and Hydrogeology

The Site is located within the Lake Erie-Niagara River major drainage basin, which is typified by little topographic relief that gently slopes westward towards the Niagara River, except in the immediate vicinity of major drainage ways. According to the United States Department of Agriculture (USDA) Web soil survey, Site soils are characterized as Urban land (Ud, see Figure 8). These soils are characterized as 80 percent urban land and 20 percent minor components. Soils within the City of Buffalo with the majority of soil surface covered by asphalt, concrete, buildings, or other impervious structures, typical of an urban environment, are characterized as urban land.

The Site consists of 4 to 6 inches of concrete overlying urban fill to depths ranging between at least 1 to 3 feet below ground surface (fbgs) and native clay or combinations of sand and clay beneath the fill units to at least 6 fbgs. Note that ground surface is approximately 10 ft lower under Section 1 of the building, compared to the rest of the Site, due to the presence of a subgrade basement. Fill material in the western portion of the Site consists of black sand with varying mixtures of white ash, cinders/black fines, wood, and gravel. Fill materials in the eastern portion of the Site consists of black gravel and sand with black fines and black granular material. Black to dark brown clayey sand was identified underlying the fill to at least 4 fbgs in the western portion of the Site. Native reddish-brown lean clay was identified underlying the fill to at least 6 fbgs in the eastern portion of the Site.

Regional groundwater flow is likely west/southwest toward the Buffalo River. Locally, groundwater may be influenced by subsurface features, such as excavations, utilities, and localized fill conditions. Groundwater was encountered in soil borings at depths ranging between 2.5 fbgs (western portion of the Site) and 5 fbgs (eastern portion of the Site). Standing water/groundwater was identified in soil borings at 1 fbgs in the central portion of the Site. Monitoring wells will be installed during the Remedial Investigation to assess groundwater flow and quality.

## Environmental Assessment

Past uses of the Site (e.g. mill work, woodworking, lumber storage, manufacturing, warehousing) and the presence of urban fill material across the Site likely due to demolition and backfill of former structures have resulted in impacts to the Site.

Soil – Fill material containing wood, ash, and brick was identified Site-wide to depths between 1 and 3 fbgs. Laboratory analytical results indicate 6NYCRR Part 375 (Part 375) Residential Use Soil Cleanup Objectives (RSCOs) exceedances of SVOCs, specifically polycyclic aromatic hydrocarbons (PAHs), and metals including arsenic, barium, lead, and mercury across the Site. Analytical results are presented on Figure 9.

PAHs were detected exceeding RRSCOs in soil/fill collected from the Site at two locations, SB-3 (0-1 ft) and HC-1 (0-1 ft), located on the western and eastern parts of the Site, respectively. Benzo(a)anthracene exceeded its RRSCO (1 mg/kg) at SB-3 (2.7 mg/kg) and HC-1 (5 mg/kg), benzo(a)pyrene exceeded its RRSCO (1 mg/kg) at SB-3 (2.9 mg/kg) and HC-1 (3.9 mg/kg), benzo(b)fluoranthene exceeded its RRSCO (1 mg/kg) at SB-3 (2.9 mg/kg) and HC-1 (4.3 mg/kg), chrysene exceeded its RRSCO (3.9 mg/kg) at HC-1 (4.4 mg/kg), dibenzo(a,h)anthracene exceeded its RRSCO (0.33 mg/kg) at SB-3 (0.48 mg/kg) and HC-1 (0.62 mg/kg), and indeno(1,2,3-cd)pyrene exceeded its RRSCO (0.5 mg/kg) at SB-3 (2.1 mg/kg) and HC-1 (1.7

mg/kg). Metals were detected exceeding RRSCOs in soil/fill collected from the Site at seven locations across the Site (eastern, western, and central portions) at SB-1 (0-1 ft), SB-2 (0-1 ft), SB-7 (0-1 ft), SB-10 (0-1 ft), HC-1 (0-1 ft), HC-2 (0.5-2 ft), and HC-3 (0-1 ft). Arsenic exceeded its RRSCO (16 mg/kg) at SB-1 (22.5 mg/kg), SB-2 (64.4), SB-7 (18 mg/kg), HC-1 (16.8 mg/kg), and HC-3 (22.1 mg/kg), barium exceeded its RRSCO (400 mg/kg) at SB-10 (1,850 mg/kg), lead exceeded its RRSCO (400 mg/kg) at HC-1 (525 mg/kg), and mercury exceeded its RRSCO (0.81 mg/kg) at HC-1 (12.2 mg/kg) and HC-2 (2.53 mg/kg).

Historic documents and the previous investigation reports (Phase I, Phase II Reports) are provided electronically.

## Section II – Project Description

PG Larkinville, acting as a Volunteer, is willing to complete additional investigation and remediate the Site under the NYS Brownfield Cleanup Program (BCP), and is submitting this BCP Application for eligibility acceptance into the program, as a Volunteer.

Upon acceptance into the BCP, PG Larkinville is prepared to submit a Remedial Investigation (RI) Work Plan in Winter/Spring 2024. The Remedial Investigation would be completed in Spring 2024 and remedial and redevelopment activities would be completed in Fall/Winter 2024 in anticipation of the Certificate of Completion in March 2025. A preliminary project schedule is shown on Figure 10.

The Volunteer plans to redevelop the entire ±0.72-acre Site for mixed-use residential (multifamily apartments) and commercial use. Future redevelopment and occupancy plans are currently being evaluated and have not been finalized. The Project will result in the remediation and redevelopment of an underutilized and environmentally impacted Site within the City of Buffalo, New York.

## Section III – Land Use Factors

### Zoning and Current Use

The current zoning for the Site is N-1S (Secondary Employment Center), which is defined as mixed-use employment centers primarily located along the New York Central Belt Line, often defined by mid-rise and large-footprint industrial structures. The current zoning permits limited residential and commercial uses including attached houses, civic buildings, flex buildings, and loft buildings.

The Site is currently improved with one vacant industrial structure. Prior to the building being vacated in January 2020, it was extremely underutilized, with only a fraction of the building being used as warehouse space and a small front office. Due to deteriorating building conditions, the westernmost portion of the building was demolished in 2022 with the approval of the City of Buffalo and the New York SHPO. The former concrete slab-on-grade remains in this area. SVOCs- and metals-impacted subsurface soil/fill has been identified across the Site to depths of at least 2 fbgs.

### Anticipated Use

The Volunteer plans to redevelop the entire ±0.72-acre Site for mixed-use residential and commercial use.

The Site is not planned to be a renewable energy facility as defined in Section 66-p of the Public Service Law.

The proposed redevelopment is consistent with the City of Buffalo zoning and land use; however, steps for rezoning will be evaluated as necessary.

According to the City of Buffalo's Land Use Plan, top priorities of the city include to: accelerate downtown's momentum, leverage and repurpose former industrial assets, promote diversity and affordability, reinforce neighborhood centers, and reclaim vacant buildings and land. The 619 Exchange Street project is consistent with these goals. The commercial ground floor combined with the upper multifamily floor will help make Larkinville a lively, mixed-use neighborhood and will renovate a former industrial asset to be placed back into productive use. The commercial ground floor will help to reinforce the neighborhood by adding shops and services that the surrounding neighborhood will be able to utilize. This project will also add to the wide variety of housing options available in Buffalo by offering more housing in the Larkinville neighborhood. This rehabilitation project will provide a reuse of the existing structure that has been sitting vacant since January of 2020. The building has been approved for historic rehabilitation through the New York SHPO and the National Park Service (NPS).

The Larkin District Plan also highlights the needs of the area. The plan principal, "blend new features with old to enhance the appeal of both" is aligned with the 619 Exchange Project. The 619 Exchange Project will take the existing industrial building and restore it while still maintaining the industrial elements of the area. The Land Use Plan highlights the importance of restoring the vacant facilities that are currently in the neighborhood and adding a healthy mix of uses. They also note that there is currently a low density of housing in the area. This rehabilitation will solve these problems by increasing the neighborhood's housing and services density. Pertinent documents from the City of Buffalo Land Use Plan and the Larkin District Plan are included as Exhibit 5.

## Section IV – Property’s Environmental History

A summary of the previous environmental investigation findings at the Site are provided below. Investigation locations and associated analytical results are provided on Figure 9. A summary of soil analytical results exceeding RRSCOs, which are applicable for the intended reuse of the Site, maximum detections, and depth of detection is provided as Table 1. A full list of soil analytical results compared to Unrestricted SCOs (USCOs), RRSCOs, Commercial SCOs (CSCOs), and Industrial SCOs (ISCOs) is provided on Table 2. Electronic copies of the previous investigation reports are provided.

### Phase II Environmental Investigation Report (October 2023)

TurnKey Environmental Restoration, LLC, now Roux, completed a Phase II Environmental Site Assessment at the Site in May and October 2023. Phase II activities included completion of three hand cores (HC-1 through HC-3), advancement of ten soil borings (SB-1 through SB-10), and collection of 13 subsurface soil/fill samples. The findings of the investigation are summarized below:

- The Site is currently vacant and underutilized and is located within an historical industrial area. Specific uses at the Site formerly included woodworking, planning, and milling. TurnKey suspects that the existing building was heated by fuel oil as evidenced by cut copper lines, a 5,000-gallon fuel gauge, and a suspect vault where TurnKey suspects a fuel oil AST was previously located. A threaded suspect vent pipe, which may have been a vent pipe for a fuel oil tank, was noted protruding from the south exterior wall of the existing building.
- Fill material, consisting of mixtures of black fines, granular material, ash, cinders, and/or fragments of wood and brick was encountered across the Site at all of the investigation locations at depths ranging between 1 fbgs and 3 fbgs. Chemical analysis indicates the presence of impacted fill materials across the Site.
- PAHs and metals were detected at concentrations above Part 375 RRSCOs across the Site. The highest PAH concentrations were identified on the eastern and western portions of the Site. Elevated metals were identified across the Site, in the eastern, western, and central areas. The highest concentrations include arsenic, which exceeded its ISCO (64.4 mg/kg) at SB-2 (64.4 mg/kg), barium, which exceeded its CSCO (400 mg/kg) at SB-10 (1,850 mg/kg), lead, which exceeded its RRSCO (400 mg/kg) at HC-1 (525 mg/kg), and mercury, which exceeded its ISCO (5.7 mg/kg) at HC-1 (12.2 mg/kg).

Based on the existing data with significant exceedances of regulatory criteria at multiple locations across the single Site parcel, the Site is a candidate for the BCP. The Site meets the definition of a BCP site per the current BCP law which states a “brownfield site or site shall mean any real property where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria, or guidance adopted by the department that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations.”

## **Section V – Requestor Information**

The New York State Department of State's (NYSDOS) Corporation & Business Entity Database print-out for PG Larkinville is attached as Exhibit 2.

Roux Environmental Engineering and Geology, D.P.C. (Roux), a registered NYS engineering firm, and a licensed NYS Professional Engineer (PE), will be acting as the Engineer of Record for this BCP project. Robert G. Murray will be acting as the Volunteer's attorney.

PG Larkinville member/owner information, as well information for the individual authorized to sign on behalf of PG Larkinville is attached as Exhibit 3.

## **Section VI – Requestor Eligibility Information**

The Applicant, PG Larkinvillle, LLC, qualifies as a “Volunteer” in accordance with NY ECL 27-1405(1)(b) and 6 NYCRR 375-3.2(c)(2). PG Larkinvillle acquired the parcels in May 2019, as shown in the parcel history found in Section IX. The Applicant has exercised all due care with respect to the environmental conditions at the properties during its ownership.

The Applicant’s liability arises solely from having taken title to the property after the contaminants had already been present at the Site. The Applicant became involved with the property after the disposal or discharge of contaminants and has no relationship with the previous owners/operators of the Site. There has been no continuing release since the Applicant took ownership of the parcel or any known threat of future release. The entire Site is covered by hardscape (building or concrete slab), limiting the potential exposure to existing contaminants. Additionally, the Site is vacant, which has also limited the human exposure risk.

As such, PG Larkinvillle is entitled to Volunteer status under NY ECL §27-1405(1)(b).

## Section IX – 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 is provided in the table below, as available.

619 Exchange Street – Owner Information			
Previous Addresses: 619, 629, 639, 649, 655, 657, 659 Exchange Street			
Parcel Address	Use	Approx. Date(s)	Relationship to Applicant
Current Owner			
PG Larkinville, LLC 46 Prince Street, Suite 2003 Rochester, New York 14607 (585) 434-4762	Vacant Industrial	May 28, 2019 – Present	Owner & Applicant
Previous Owners			
M.U. Partners 520 Brisbane Building 403 Main Street Buffalo, New York 14203	Commercial/ Industrial	2005 – 2019	None
M U Partners 520 Brisbane Building 403 Main Street Buffalo, New York 14203		1991 – 2005	
ECIDA 95 Perry Street, Suite 403 Buffalo, New York 14203			
George Smilanich III (Address Unknown)			
SNPT Partnership (Address Unknown)		1988 – 1991	
Iroquois Door Co. (Address Unknown)		At least 1926 – 1986	
Unknown Residential Owners (Addresses Unknown)	Residential	At least 1899	

619 Exchange Street – Operator Information			
Previous Addresses: 619, 629, 639, 649, 655, 657, 659 Exchange Street			
Parcel Address	Use	Approx. Date(s)	Relationship to Applicant
<b>Current Operator</b>			
PG Larkinville, LLC 46 Prince Street, Suite 2003 Rochester, New York 14607 (585) 434-4762	Vacant Industrial	May 28, 2019 – Present	Owner & Applicant
<b>Previous Operators</b>			
Copeland Family Services Inc. (Address Unknown)	Commercial/ Industrial	2010	None
Kens Sports Warehouse Inc. (Address Unknown)		2008 – 2014	
K.W. Textile, Inc. 425 Michigan Avenue, Suite LL200 Buffalo, New York 14203		2001 – 2018	
Otis Bedding Mfg. Co. Inc. 80 James E. Casey Drive Buffalo, New York 14206		1992 – 2014	
International Forwarding Company (Address Unknown)		1946 – 1950	
Iroquois Door Co. (Address Unknown)		At least 1926 – 1986	
Wabash Railway Company (Address Unknown)		1930	

## Section XI – 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

Mr. Daniel Castle, AICP  
Commissioner  
Erie County Environment & Planning  
95 Franklin Street, 10<sup>th</sup> Floor  
Buffalo, NY 14202

Mr. Mark Rountree  
Chief Planner  
Erie County Environment & Planning  
95 Franklin Street, 10<sup>th</sup> Floor  
Buffalo, NY 14202

Mr. Robert M. Graber  
Erie County Legislature Clerk  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, NY 14202

Ms. Gale Burstein, MD, MPH, FAAP  
Commissioner of Health  
Erie County Department of Health  
95 Franklin Street  
Buffalo, NY 14202

Hon. Howard J. Johnson Jr.  
Erie County Legislator – District 1  
1367 Fillmore Avenue  
Buffalo, NY 14211

Mr. Thomas E. Baines, Esq.  
Deputy Commissioner of Planning & Economic  
Development  
Erie County Environment & Planning  
95 Franklin Street, 10<sup>th</sup> Floor  
Buffalo, NY 14202

Ms. Bonnie Lawrence  
Deputy Commissioner  
Erie County Environment & Planning  
95 Franklin Street, 10<sup>th</sup> Floor  
Buffalo, NY 14202

Mr. John Cappellino  
President & CEO  
Erie County Industrial Development Agency  
95 Perry Street, Suite 403  
Buffalo, NY 14203

Mr. Daniel J. Neaverth, Jr.  
Commissioner  
Erie County Department of Homeland Security &  
Emergency Services  
45 Elm Street  
Buffalo, NY 14203

**City of Buffalo Contacts:**

Byron W. Brown  
Mayor  
65 Niagara Square, Room 201  
Buffalo, NY 14202

Mitch Nowakowski  
Council Member, Fillmore District  
65 Niagara Square, Room 1414  
Buffalo, NY 14202

Nkosi Alleyne  
Senior Planner  
City of Buffalo Planning Board  
65 Niagara Square, Room 920  
Buffalo, NY 14202

James Morrell  
Chair  
City of Buffalo Planning Board  
65 Niagara Square, Room 920  
Buffalo, NY 14202

**Supplier of Potable Water:**

Buffalo Water  
281 Exchange Street  
Buffalo, NY 14204

**Local News Media:**

Buffalo News  
ATTN: Mr. Aaron Besecker  
1 News Plaza  
Buffalo, NY 14203

WGRZ TV - Ch. 2  
ATTN: Mr. Jeremy Settle  
259 Delaware Avenue  
Buffalo, NY 14202

WIVB - Ch. 4  
ATTN: Mr. Joshua Roy  
2077 Elmwood Avenue  
Buffalo, NY 14207

WKBW News Channel 7  
ATTN: Mr. Aaron Mason  
7 Broadcast Plaza  
Buffalo, NY 14202

Business First  
ATTN: Donna Collins  
465 Main Street, Suite 100  
Buffalo, NY 14203

WNED  
ATTN: Ms. Brigid Jaipaul-Valenza  
P.O. Box 1263, Horizons Plaza  
Buffalo, NY 14240

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

**Nearby Schools and Daycares:**

Ms. Lisa Lovallo-Coyle, Principal  
PS 033 Bilingual Center  
157 Elk Street  
Buffalo, NY 14210

Erin Lawson, Deputy Head of School  
Buffalo Creek Academy Charter School  
528 South Park Avenue  
Buffalo, NY 14204

Ms. Jenn Stockmeyer, Principal  
PS 032 Bennett Park Montessori School  
342 Clinton Street  
Buffalo, NY 14204

Ms. Wendy Emerling, Principal  
PS 006 Buffalo Elementary School of Technology  
414 South Division Street  
Buffalo, NY 14202

Ms. Ashley Piazza, Principal  
Buffalo Academy of Science Charter School  
89 Clare Street  
Buffalo, NY 14206

Ms. Ellie Poleon-Peters, CEO & Executive Director  
LE3 Inc.  
799 Seneca Street, Suite G  
Buffalo, NY 14210

Ms. Denise Pikuzinski, Executive Director  
Valley Child Care @ The Larkin Building  
726 Exchange Street, No. 130  
Buffalo, NY 14210

Ms. Denise Pikuzinski, Executive Director  
Valley Child Care @ The Valley Community Center  
93 Leddy Street  
Buffalo, NY 14210

Kiddie Corner at Larkin Center  
685 Seneca Street  
Buffalo, NY 14210

**Other Interested Parties:**

WNY Director  
Citizens Environmental Coalition  
543 Franklin Street  
Buffalo, NY 14202-1109

**Document Repository:**

Ms. April Tompkins  
Re: Document Repository  
Buffalo & Erie County Public Library  
1 Lafayette Square  
Buffalo, NY 14203

### Adjacent Property Owners

Information for the residents, owners, and occupants of the properties adjacent to the Site is provided in the table below and is also shown on Figure 6.

Adjacent Property Address			Property Owner Mailing Address
No.	Street	Property Use	
567	Exchange Street	Storage, warehouse, and distribution facilities	567 Exchange Street LLC C/O Seneca Development & Management Corporation 701 Seneca Street, Suite 200 Buffalo, NY 14210
594	Exchange Street	Manufacturing and processing	AGC Inc P.O. Box 1085 Buffalo, NY 14220
658	Exchange Street	Manufacturing and processing	ALP Steel Corp P.O. Box 1085 Buffalo, NY 14220
235	Larkin Street	Storage, warehouse, and distribution facilities	A.G.C. Inc P.O. Box 1085 Buffalo, NY 14220
236	Larkin Street	Commercial vacant land with minor improvements	A.G.C. Inc P.O. Box 1085 Buffalo, NY 14220
429	Hamburg Street	Non-ceiling railroad	Consolidated Rail Corporation 397 Hamburg Street Buffalo, NY 14204
701	Seneca Street	Downtown row type (detached)	Seneca Larkin 701, LLC 701 Seneca Street Buffalo, NY 14210

### Document Repository

The Buffalo and Erie County Library has agreed to act as the document repository for the proposed BCP Site. A letter of acknowledgement from the repository is included as Exhibit 4.

## Brownfield Cleanup Program Application 619 Exchange Street Site

---

### **TABLES**

1. Soil Data Summary Table
2. Summary of Soil/Fill Sample Analytical Results

**TABLE 1**  
**SOIL DATA SUMMARY TABLE**  
**BROWNFIELD CLEANUP PROGRAM APPLICATION**  
**619 EXCHANGE STREET SITE**  
**BUFFALO, NEW YORK**

Analytes > RRSCOs	Number of Detections > RRSCOs	Maximum Detection (ppm)	RRSCO (ppm)	Depth (fbgs)
Benzo(a)anthracene	2	5	1	0-1
Benzo(a)pyrene	2	3.9	1	0-1
Benzo(b)fluoranthene	2	4.3	1	0-1
Chrysene	1	4.4	3.9	0-1
Dibenzo(a,h)anthracene	2	0.62	0.33	0-1
Indeno(1,2,3-cd)pyrene	2	2.1	0.5	0-1
Arsenic	5	64.4	16	0-1
Barium	1	1850	400	0-1
Lead	1	525	400	0-1
Mercury	2	12.2	0.81	0-2

**Definitions:**

RRSCO = 6NYCRR Part 375 Restricted-Residential Soil Cleanup Objectives

ppm = parts per million

fbgs = feet below ground surface



TABLE 2  
SUMMARY OF SOIL/FILL SAMPLE ANALYTICAL RESULTS  
PHASE II ENVIRONMENTAL INVESTIGATION REPORT  
619 EXCHANGE STREET  
BUFFALO, NEW YORK

Parameter <sup>1</sup>	Unrestricted UseSCOs <sup>2</sup> (mg/kg)	Restricted- Residential Use SCOs <sup>2</sup> (mg/kg)	Commercial Use SCOs <sup>2</sup> (mg/kg)	Industrial Use SCOs <sup>2</sup> (mg/kg)	Sample Location (Depth)												
					SB-1 (0-1 FT)	SB-2 (0-1 FT)	SB-3 (0-1 FT)	SB-4 (0-1 FT)	SB-5 (0-1 FT)	SB-6 (0-1 FT)	SB-7 (0-1 FT)	SB-8 (0-1 FT)	SB-9 (0-1 FT)	SB-10 (0-1 FT)	HC-1 (0-1 FT)	HC-2 (0.5-2 FT)	HC-3 (0-1 FT)
					5/23/2023						8/22/2023				5/23/2023		
Polycyclic Aromatic Hydrocarbons (PAHs) - mg/kg <sup>3</sup>																	
2-Methylnaphthalene	--	--	--	--	0.095 J	0.096 J	0.14 J	ND	ND	ND	0.06 J	--	--	--	0.38	0.2 J	0.11 J
Acenaphthene	20	100	500	1000	ND	ND	0.054 J	ND	ND	ND	0.026 J	ND	ND	ND	0.11 J	0.061 J	0.16
Acenaphthylene	100	100	500	1000	ND	ND	0.15 J	ND	ND	ND	0.054 J	ND	ND	ND	0.72	0.046 J	0.037 J
Anthracene	100	100	500	1000	ND	ND	0.58	ND	ND	ND	0.12 J	ND	ND	ND	1.8	0.16	0.28
Benzo(a)anthracene	1	1	5.6	11	0.064 J	0.037 J	2.7	ND	0.048 J	0.024 J	0.22	ND	ND	0.3 J	5	0.28	0.54
Benzo(a)pyrene	1	1	1	1.1	0.12 J	ND	2.9	ND	ND	ND	0.18	ND	ND	0.39 J	3.9	0.18	0.46
Benzo(b)fluoranthene	1	1	5.6	11	0.12 J	0.044 J	2.9	ND	0.051 J	ND	0.2	ND	ND	0.55 J	4.3	0.26	0.55
Benzo(g,h,i)perylene	100	100	500	1000	0.09 J	0.027 J	1.6	ND	ND	ND	0.09 J	ND	ND	0.33 J	1.6	0.12 J	0.23
Benzo(k)fluoranthene	0.8	3.9	56	110	0.043 J	ND	0.86	ND	ND	ND	0.07 J	ND	ND	0.2 J	2.2	0.082 J	0.15
Chrysene	1	3.9	56	110	0.062 J	0.035 J	2.3	ND	0.046 J	0.024 J	0.19	ND	ND	0.35 J	4.4	0.28	0.52
Dibenzo(a,h)anthracene	0.33	0.33	0.56	1.1	ND	ND	0.48	ND	ND	ND	ND	ND	ND	ND	0.62	0.028 J	0.057 J
Fluoranthene	100	100	500	1000	0.058 J	0.037 J	2.1	ND	0.11 J	0.036 J	ND	ND	ND	0.64 J	8.6	0.54	1.3
Fluorene	30	100	500	1000	ND	ND	0.082 J	ND	ND	ND	0.074 J	ND	ND	ND	0.44	0.095 J	0.16 J
Indeno(1,2,3-cd)pyrene	0.5	0.5	5.6	11	0.077 J	0.03 J	2.1	ND	ND	ND	0.11 J	ND	ND	0.25 J	1.7	0.13 J	0.29
Naphthalene	12	100	500	1000	0.12 J	0.086 J	0.19 J	ND	ND	0.052 J	0.073 J	0.029 J	ND	ND	0.55	0.24	0.1 J
Phenanthrene	100	100	500	1000	0.056 J	0.052 J	1.3	ND	0.094 J	0.034 J	0.51	0.051 J	ND	0.41 J	7.8	0.64	1.2
Pyrene	100	100	500	1000	0.06 J	0.043 J	2.3	ND	0.082 J	0.034 J	0.4	ND	ND	0.49 J	7.2	0.42	1.1
RCRA Metals - mg/kg																	
Arsenic	13	16	16	16	22.5	64.4	6.3	8.53	11.5	5.61	18	13.3	15.3	11.6	16.8	14.8	22.1
Barium	350	400	400	10000	72.9	91.7	87	161	99.7	28.1	86.3	265	255	1850	127	68.5	64.6
Cadmium	2.5	4.3	9.3	60	0.414 J	0.331 J	0.124 J	0.214 J	0.218 J	0.233 J	0.322 J	0.13 J	0.18 J	0.38	0.341 J	0.324 J	0.636
Chromium	30	180	1,500	6,800	11.3	7.77	10.5	16	10.2	6.38	20.1	9.7	8.3	12.4	10.5	10.6	7.57
Lead	63	400	1,000	3,900	21.4	67.6	16.8	45.3	56.1	24.3	237	24.3	20.5	69	525	286	98.3
Mercury	0.18	0.81	2.8	5.7	ND	0.088 J	ND	ND	ND	0.088	0.453	0.059	0.029	0.073	12.2	2.53	0.214
Selenium	3.9	180	1,500	6,800	ND	1.44	0.277 J	0.394 J	0.399 J	0.386 J	4.02	ND	ND	ND	1.76	4.03	1.21
Silver	2	180	1,500	6,800	ND	ND	ND	ND	0.192 J	0.173 J	ND	ND	ND	ND	0.688	0.298	ND

- Notes:
- 1. Only those parameters detected at a minimum of one sample location are presented in this table; all other compounds were reported as non-detect.
  - 2. Values per 6NYCRR Part 375 Unrestricted Soil Cleanup Objectives (SCOs).
  - 3. Sample results were reported by the laboratory in micrograms per kilogram (ug/kg) and converted to milligram per kilogram (mg/kg) for comparison to SCOs.

Definitions:

ND = Parameter not detected above laboratory detection limit.

-- = Sample not analyzed for parameter and/or no SCO available.

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

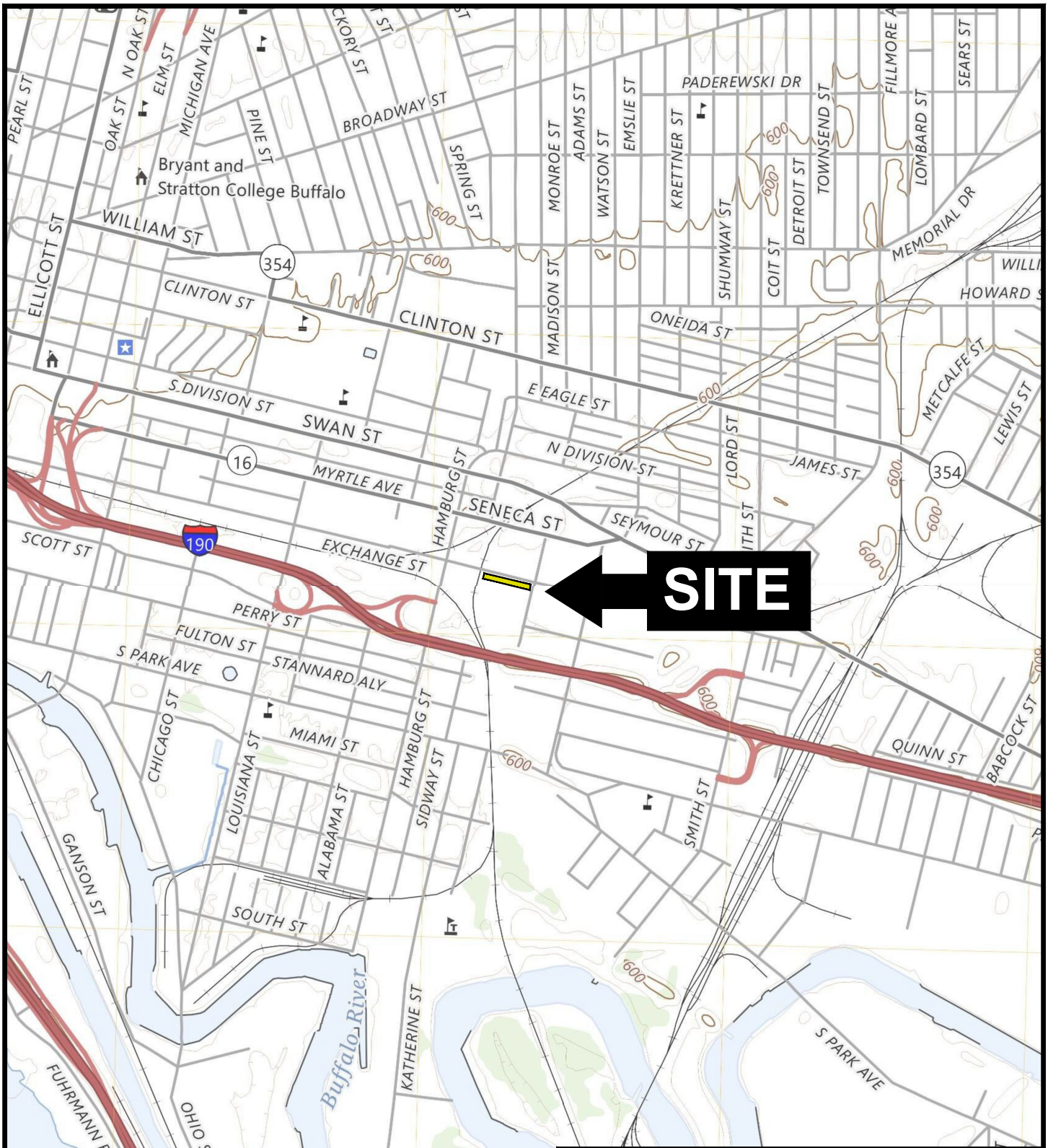
<b>Bold</b>	= Result exceeds Unrestricted Use SCOs
<b>Bold</b>	= Result exceeds Restricted-Residential Use SCOs
<b>Bold</b>	= Result exceeds Commercial Use SCOs
<b>Bold</b>	= Result exceeds Industrial Use SCOs

## Brownfield Cleanup Program Application 619 Exchange Street Site

---

### FIGURES

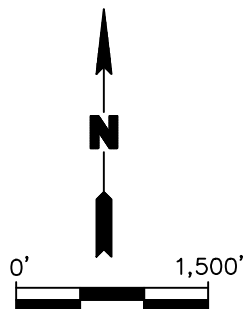
1. Site Location and Vicinity Map
2. Site Plan (Aerial)
3. Tax Map
4. En-Zone Map
5. Disadvantaged Community Map
6. Adjacent Property Owners
7. Zoning Map
8. USDA Soil Type Map
9. Historic Investigation Locations and Areas of Concern
10. Preliminary Project Schedule



QUADRANGLE LOCATION



SOURCE:  
USGS, 2023, BUFFALO, NY  
7.5 MINUTE TOPOGRAPHIC QUADRANGLE



Title: **SITE LOCATION AND VICINITY MAP  
BROWNFIELD CLEANUP  
PROGRAM APPLICATION**

619 EXCHANGE STREET SITE  
BUFFALO, NEW YORK

Prepared for:

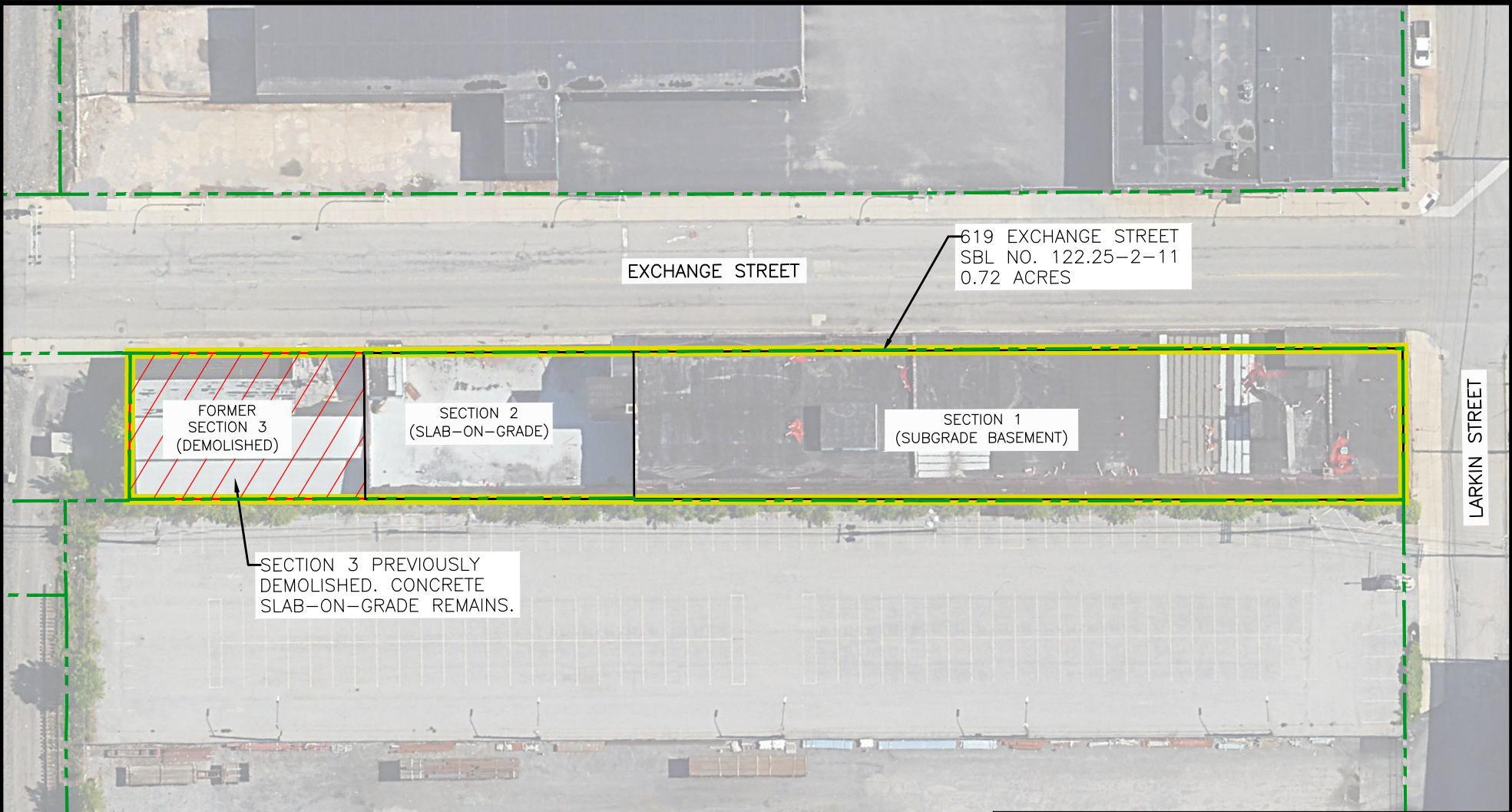
PG LARKINVILLE, LLC



Compiled by: CNK	Date: OCTOBER 2023
Prepared by: CNK	Scale: AS SHOWN
Project Mgr: BWM	Project: B0718-023-001
File: FIGURE 1: SITE LOCATION AND VICINITY MAP.DWG	

FIGURE

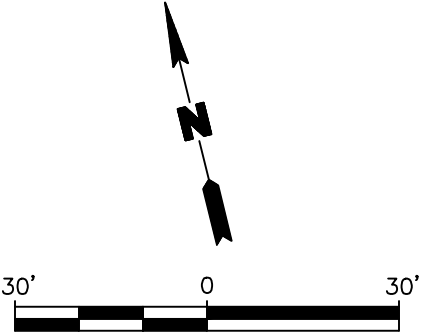
**1**



LEGEND

- BCP SITE BOUNDARY
- PARCEL BOUNDARY
- BUILDING OUTLINE
- DEMOLISHED BUILDING SECTION

NOTE:  
1. IMAGE SOURCE GOOGLE EARTH 2022.  
2. NO PUBLIC SOURCE AERIALS CURRENTLY SHOW BUILDING DEMOLITION.



Title:

**SITE PLAN (AERIAL)  
BROWNFIELD CLEANUP  
PROGRAM APPLICATION**

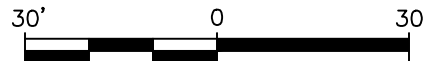
619 EXCHANGE STREET SITE  
BUFFALO, NEW YORK

Prepared for:

PG LARKINVILLE, LLC

Compiled by: CNK	Date: OCTOBER 2023	FIGURE <b>2</b>
Prepared by: CNK	Scale: AS SHOWN	
Project Mgr: BWM	Project: B0718-023-001	
File: FIGURE 2; SITE PLAN.DWG		

 BCP SITE BOUNDARY  
 PARCEL BOUNDARY



**TAX MAP  
BROWNFIELD CLEANUP  
PROGRAM APPLICATION**

619 EXCHANGE STREET SITE  
BUFFALO, NEW YORK

Prepared for:

PG LARKINVILLE, LLC



Compiled by: CNK
------------------

Date: OCTOBER 2023

Prepared by: CNK

Scale: AS SHOWN

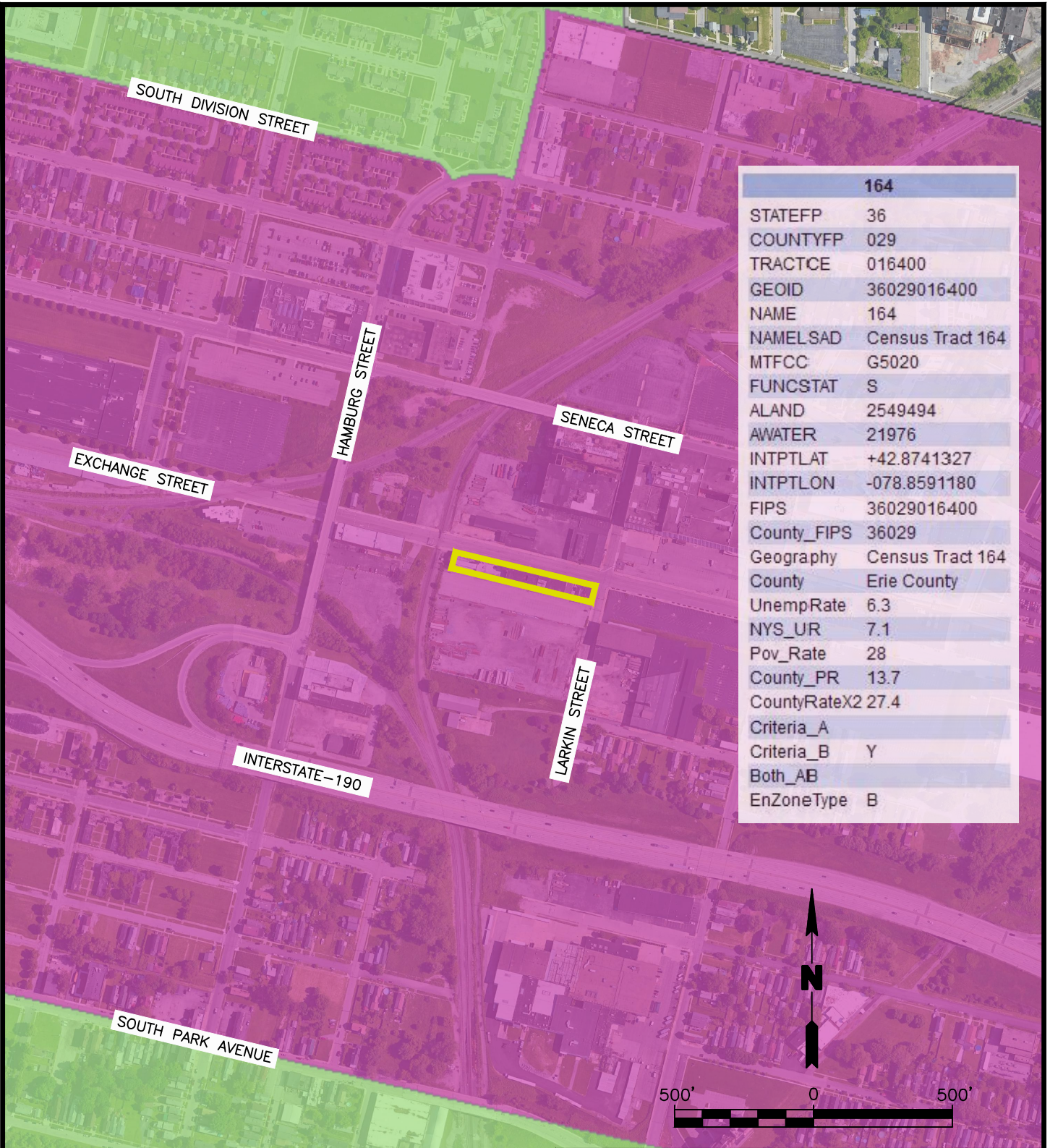
Project Mgr: BWM

Project: B0718-023-001
------------------------

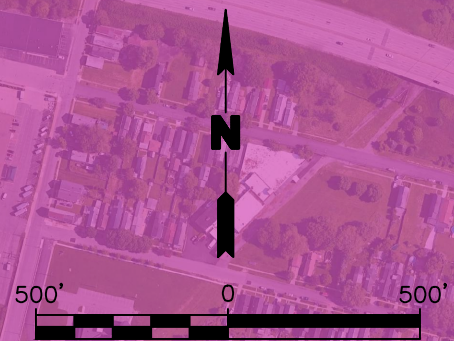
File: FIGURE 3; TAX MAP.DWG

FIGURE

3



	164
STATEFP	36
COUNTYFP	029
TRACTCE	016400
GEOID	36029016400
NAME	164
NAMLSAD	Census Tract 164
MTFCC	G5020
FUNCSTAT	S
ALAND	2549494
AWATER	21976
INTPTLAT	+42.8741327
INTPTLON	-078.8591180
FIPS	36029016400
County_FIPS	36029
Geography	Census Tract 164
County	Erie County
UnempRate	6.3
NYS_UR	7.1
Pov_Rate	28
County_PR	13.7
CountyRateX2	27.4
Criteria_A	
Criteria_B	Y
Both_AB	
EnZoneType	B



## LEGEND

- BCP SITE BOUNDARY
- EN-ZONE TYPE B
- EN-ZONE TYPE AB

## NOTE:

1. IMAGE SOURCE GOOGLE EARTH 2022.

Title:

## EN-ZONE MAP BROWNFIELD CLEANUP PROGRAM APPLICATION

619 EXCHANGE STREET SITE  
BUFFALO, NEW YORK

Prepared for:

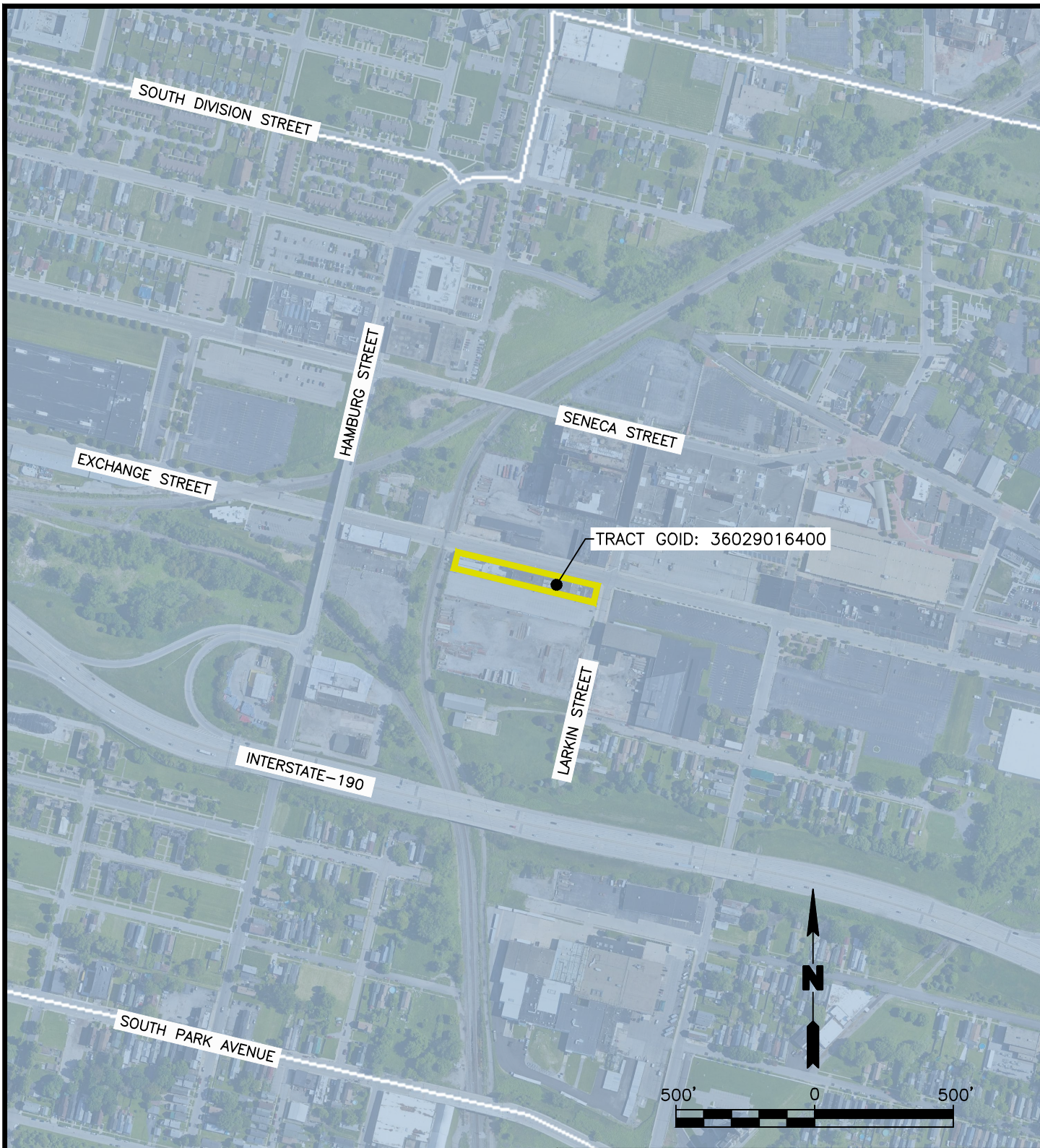
PG LARKINVILLE, LLC



Compiled by: CNK	Date: OCTOBER 2023
Prepared by: CNK	Scale: AS SHOWN
Project Mgr: BWM	Project: B0718-023-001
File: FIGURE 4; EN-ZONE MAP.DWG	

FIGURE

4



#### LEGEND

- BCP SITE BOUNDARY
- DESIGNATED AS A DISADVANTAGED COMMUNITY

#### NOTE:

1. IMAGE SOURCE GOOGLE EARTH 2022.

Title: **DISADVANTAGED COMMUNITIES MAP  
BROWNFIELD CLEANUP  
PROGRAM APPLICATION**

619 EXCHANGE STREET SITE  
BUFFALO, NEW YORK

Prepared for:

PG LARKINVILLE, LLC



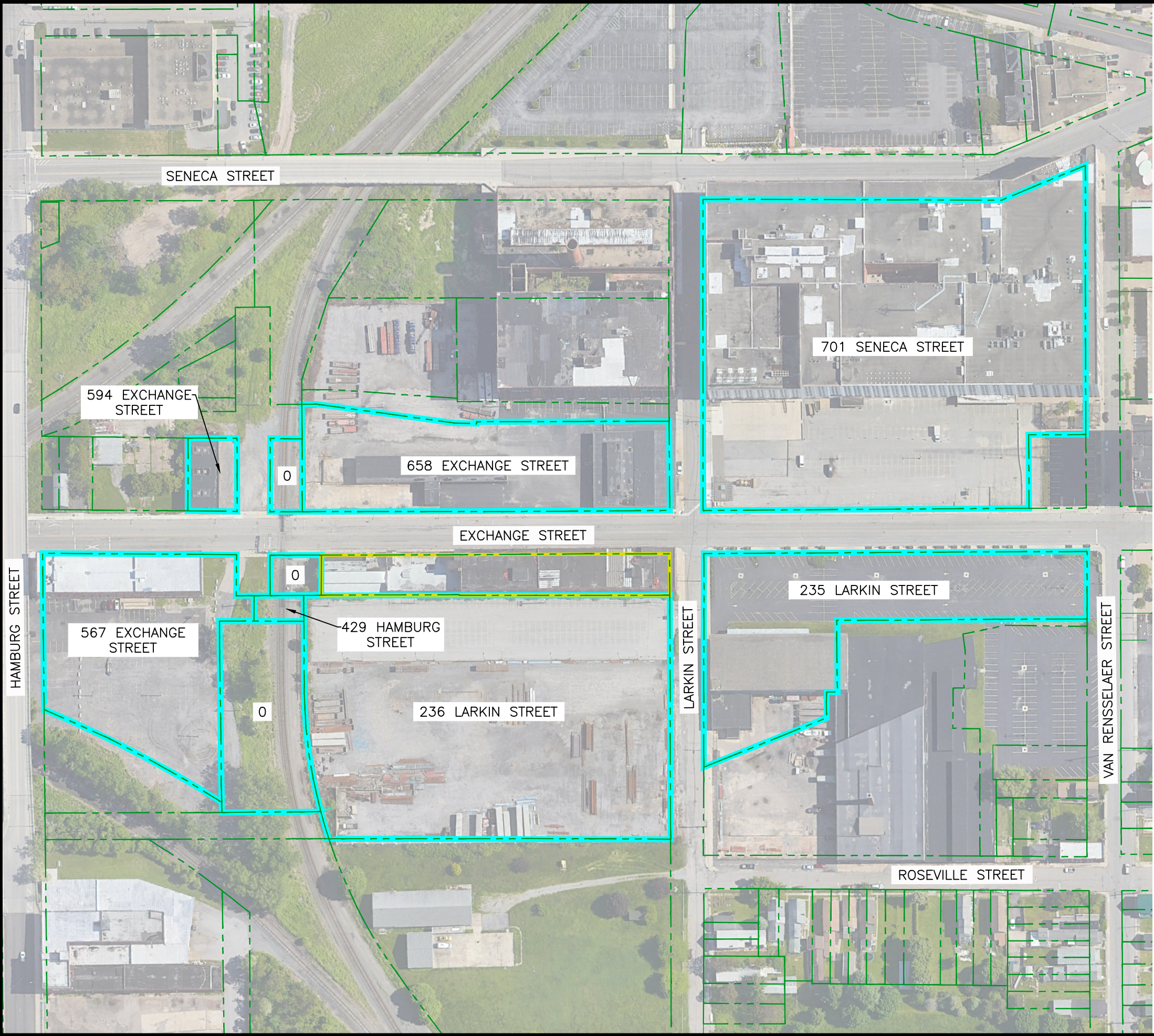
Compiled by: CNK	Date: OCTOBER 2023
Prepared by: CNK	Scale: AS SHOWN
Project Mgr: BWB	Project: B0718-023-001

File: FIGURE 5: DISADVANTAGED COMMUNITIES MAP.DWG

FIGURE

**5**

F:\CAD\TURNKEY\PARK GROVE REALTY, LLC\619 EXCHANGE\BCP APPLICATION\FIGURE 6, ADJACENT PROPERTY OWNERS.DWG

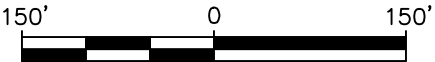


LEGEND

- BCP SITE BOUNDARY
- PARCEL BOUNDARY
- ADJACENT PROPERTIES

- NOTE:
- IMAGE SOURCE GOOGLE EARTH 2022.
  - "0" INDICATES PARCEL DOES NOT HAVE ADDRESS OR OWNER INFORMATION ON ERIE COUNTY TAX MAP.

NO.	STREET	PROPERTY USE	PROPERTY OWNER MAILING ADDRESS
567	EXCHANGE STREET	STORAGE, WAREHOUSE, AND DISTRIBUTION FACILITIES	567 EXCHANGE STREET LLC C/O SENECA DEVELOPMENT & MANAGEMENT CORPORATION 701 SENECA ST, STE 200 BUFFALO, NY 14210
594	EXCHANGE STREET	MANUFACTURING AND PROCESSING	AGC INC P.O. BOX 1085 BUFFALO, NY 14220
658	EXCHANGE STREET	MANUFACTURING AND PROCESSING	ALP STEEL CORP P.O. BOX 1085 BUFFALO, NY 14220
235	LARKIN STREET	STORAGE, WAREHOUSE, AND DISTRIBUTION FACILITIES	A.G.C. INC P.O. BOX 1085 BUFFALO, NY 14220
236	LARKING STREET	COMMERCIAL VACANT LAND WITH MINOR IMPROVEMENTS	A.G.C. INC P.O. BOX 1085 BUFFALO, NY 14220
429	HAMBURG STREET	NON-CEILING RAILROAD	CONSOLIDATED RAIL CORPORATION 397 HAMBURG ST BUFFALO, NY 14204
701	SENECA STREET	DOWNTOWN ROW TYPE (DETACHED)	SENECA LARKIN 701, LLC 701 SENECA ST BUFFALO, NY 14210



Title: **ADJACENT PROPERTY OWNERS  
BROWNFIELD CLEANUP  
PROGRAM APPLICATION**

619 EXCHANGE STREET SITE  
BUFFALO, NEW YORK

Prepared for:  
PG LARKINVILLE, LLC



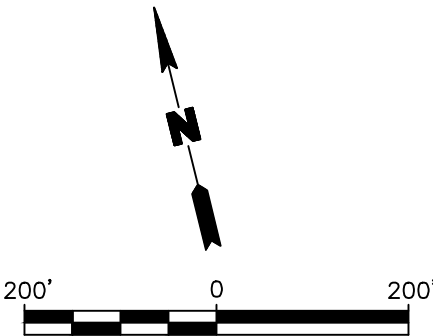
Compiled by: CNK	Date: OCTOBER 2023
Prepared by: CNK	Scale: AS SHOWN
Project Mgr: BWM	Project: B0718-023-001
File: FIGURE 6; ADJACENT PROPERTY OWNERS.DWG	



**LEGEND**

- BCP SITE BOUNDARY
- PARCEL BOUNDARY
- N-1S (SECONDARY EMPLOYMENT CENTER)
- C-R (RAIL CORRIDOR)
- D-IL (LIGHT INDUSTRIAL)
- N-2R (RESIDENTIAL)
- N-2C (MIXED-USE CENTER)

NOTE:  
1. IMAGE SOURCE CITY OF BUFFALO  
PROPERTY VIEWER.




Title:

**ZONING MAP**  
**BROWNFIELD CLEANUP**  
**PROGRAM APPLICATION**

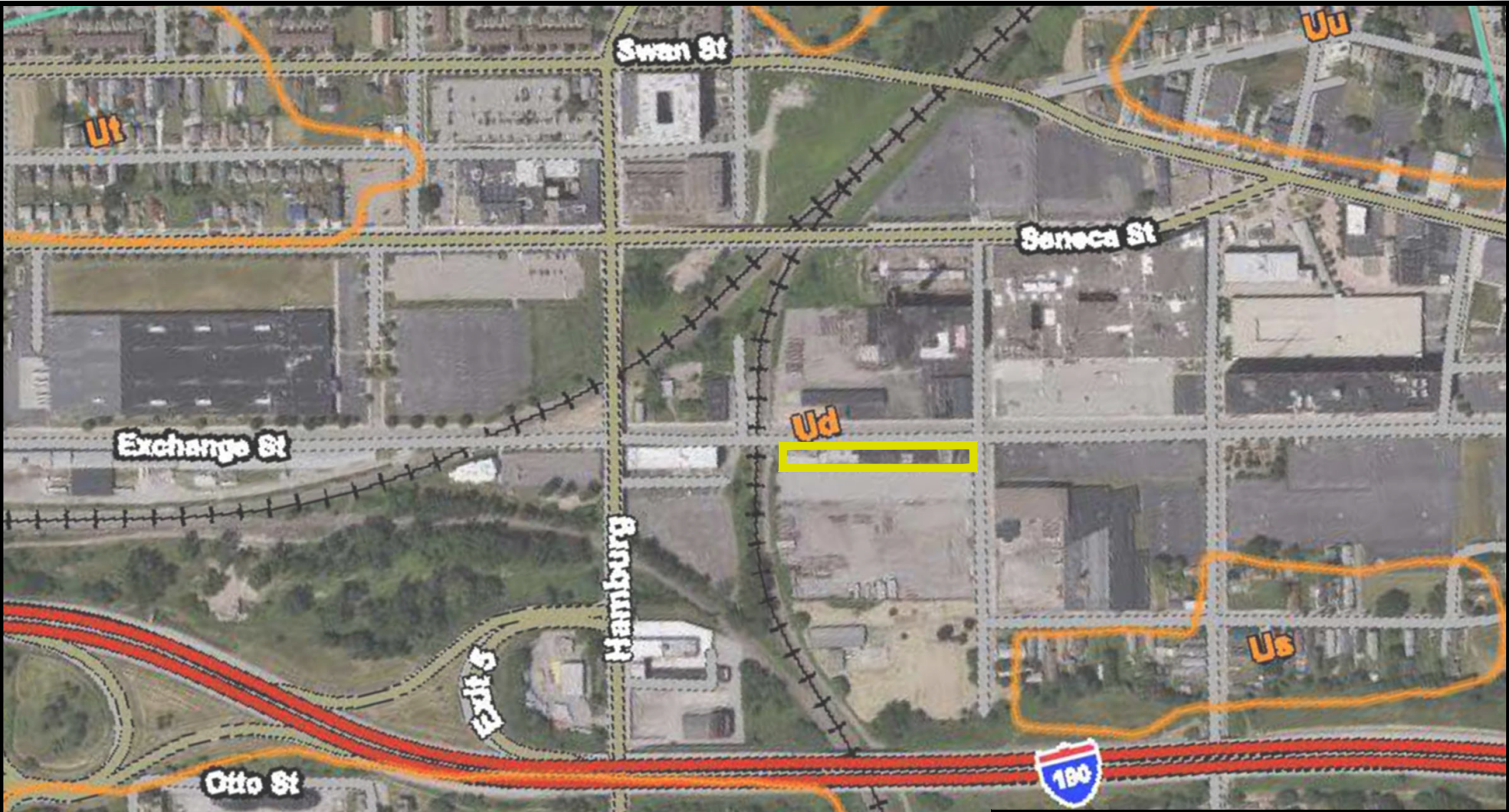
619 EXCHANGE STREET SITE  
BUFFALO, NEW YORK

Prepared for:

PG LARKINVILLE, LLC



Compiled by: CNK	Date: OCTOBER 2023	FIGURE <b>7</b>
Prepared by: CNK	Scale: AS SHOWN	
Project Mgr: BWM	Project: B0718-023-001	
File: FIGURE 7; ZONING MAP.DWG		

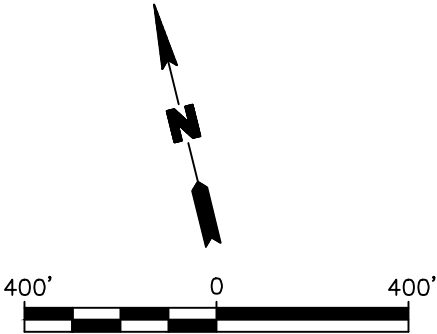


LEGEND

BCP SITE BOUNDARY

MAP SYMBOL	UNIT NAME
Ud	URBAN LAND
Uo	URBAN LAND - SCHOHARIE COMPLEX
Us	URBAN LAND - NIAGARA COMPLEX
Ut	URBAN LAND - ODESSA COMPLEX

NOTE:  
1. IMAGE SOURCE USDA WEB SOIL SURVEY.



Title:  
**USDA SOIL TYPE MAP  
BROWNFIELD CLEANUP  
PROGRAM APPLICATION**

619 EXCHANGE STREET  
BUFFALO, NEW YORK

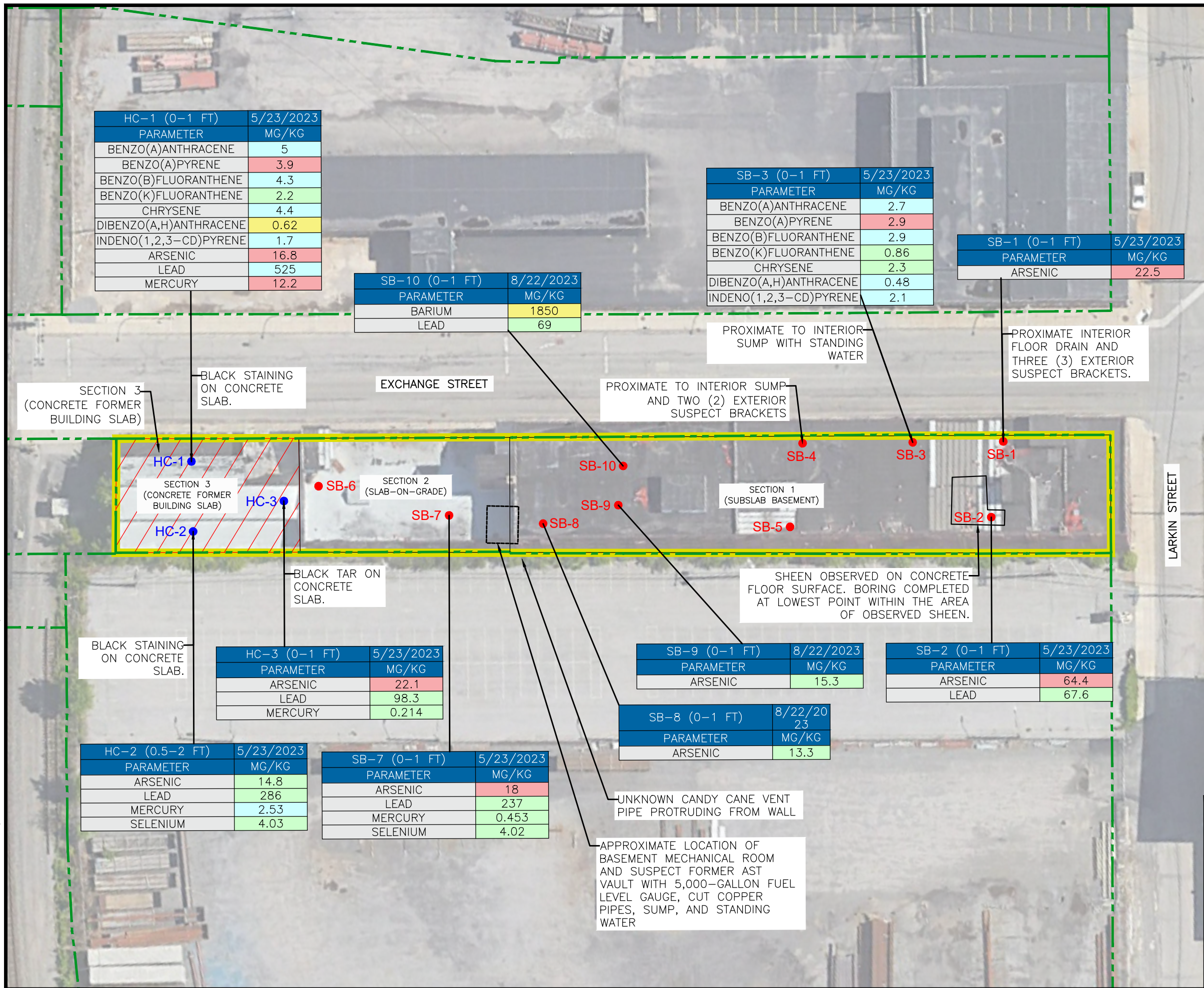
Prepared for:  
**PG LARKINVILLE, LLC**



Compiled by: CNK	Date: OCTOBER 2023
Prepared by: CNK	Scale: AS SHOWN
Project Mgr: BWM	Project: B0718-023-001
File: FIGURE 8; USDA SOIL TYPE MAP.DWG	

FIGURE  
**8**

F:\CAD\TURNKEY\PARK GROVE REALTY, LLC\619 EXCHANGE\BCP APPLICATION\FIGURE 9: HISTORIC INVESTIGATION LOCATIONS AND AREAS OF CONCERN.DWG



LEGEND

BCP SITE BOUNDARY

PARCEL BOUNDARY

BUILDING OUTLINE

DEMOLISHED BUILDING SECTION (SLAB-ON-GRADE REMAINS)

HC-1

PHASE II HAND CORE/AUGER

SB-1

PHASE II SOIL BORING

EXCEEDS UNRESTRICTED SCOs

EXCEEDS RESTRICTED-RESIDENTIAL SCOs

EXCEEDS COMMERCIAL SCOs

EXCEEDS INDUSTRIAL SCOs

NOTE:  
1. IMAGE SOURCE GOOGLE EARTH 2022.  
2. RESULTS COMPARED TO 6NYCRR PART 375 SOIL CLEANUP OBJECTIVES (SCOs).

Title:  
HISTORIC INVESTIGATION LOCATIONS AND AREAS OF CONCERN

BROWNFIELD CLEANUP  
PROGRAM APPLICATION

619 EXCHANGE STREET SITE  
BUFFALO, NEW YORK

Prepared for:  
PG LARKINVILLE, LLC

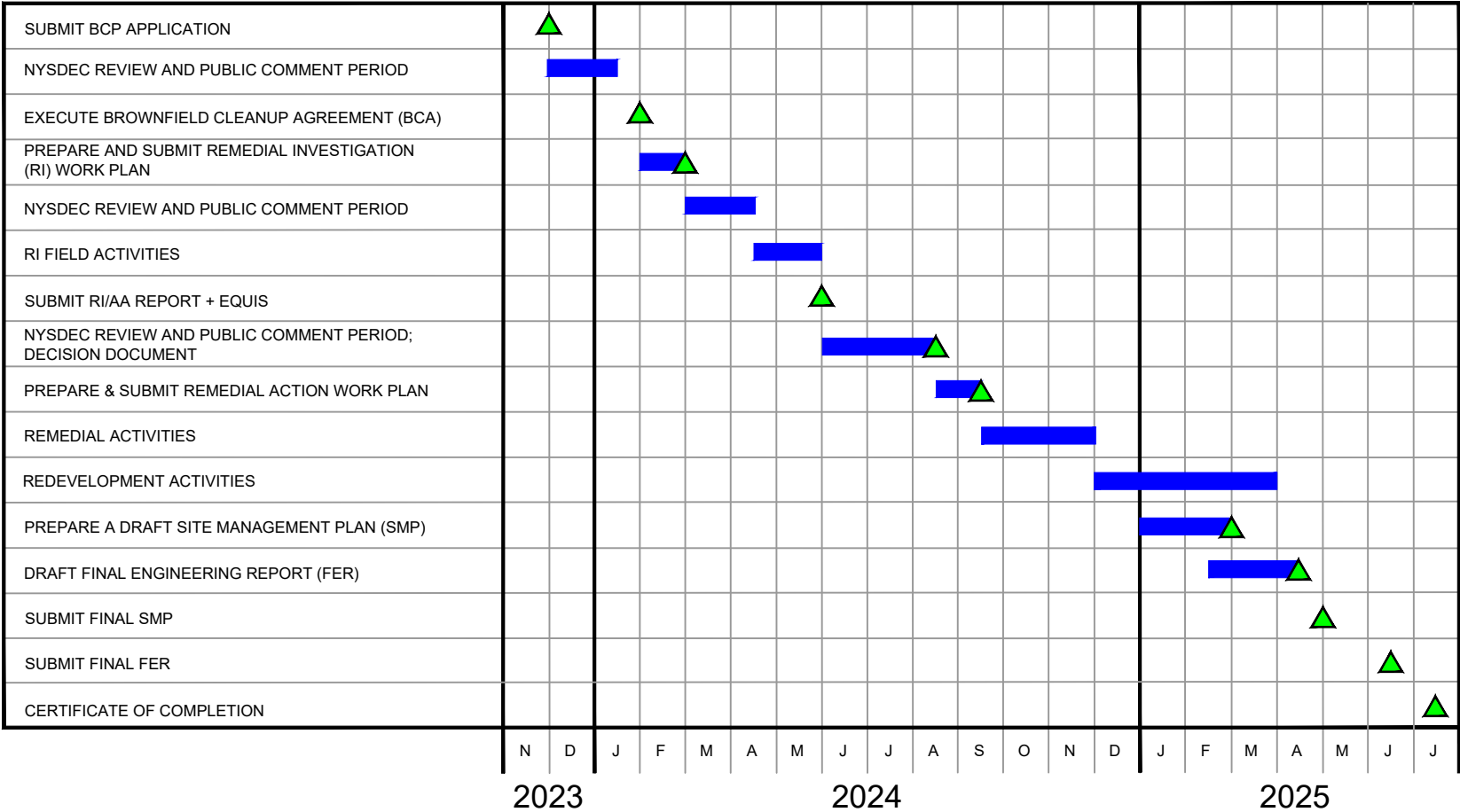
ROUX

Compiled by: CNK  
Prepared by: CNK  
Project Mgr: BWM

Date: JANUARY 2024  
Scale: AS SHOWN  
Project: B0718-023-001

FIGURE  
9

PROJECT TASKS:



Title:

**PRELIMINARY PROJECT SCHEDULE**  
**BROWNFIELD CLEANUP**  
**PROGRAM APPLICATION**

619 EXCHANGE STREET SITE  
BUFFALO, NEW YORK

Prepared for:

PG LARKINVILLE, LLC

Compiled by: CNK

Prepared by: CNK

Project Mgr: BWM

File: FIGURE 10; PRELIMINARY PROJECT SCHEDULE.DWG

Date: OCTOBER 2023

Scale: AS SHOWN

Project: B0719-023-001

FIGURE

10

**Brownfield Cleanup Program Application**  
**619 Exchange Street Site**

---

**EXHIBITS**

1. Erie County Parcel Detail Report
2. NYSDOS Business Entity Database Printout
3. Organizational Information & Authorization to Sign
4. Document Repository Request & Confirmation
5. Land Use Plan Documentation

**Brownfield Cleanup Program Application  
619 Exchange Street Site**

---

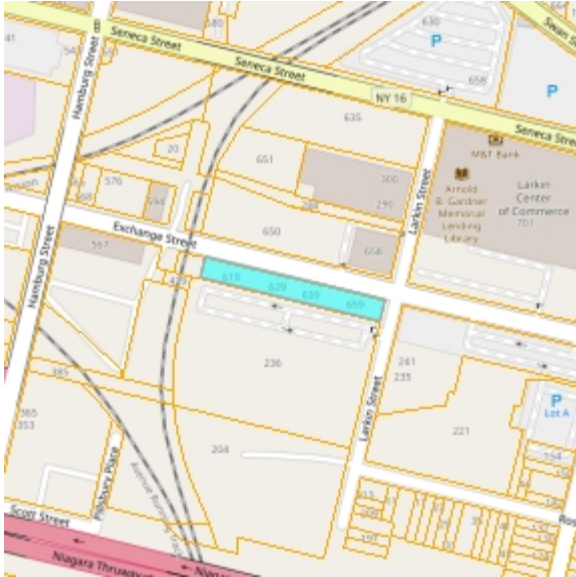
**EXHIBIT 1**

**Erie County Parcel Detail Report**

# Erie County On-Line Mapping System

## Parcel Detail Report

Report generated:  
7/17/2023 5:44:02 AM



Parcel Overview Map



Parcel Detail Map

**PIN:** 1402001222500002011000

**SBL:** 122.25-2-11

**Address:** 619 EXCHANGE

**Owner 1:** PG LARKINVILLE LLC

**Owner 2:**

**Mailing Address:** 46 PRINCE ST

**City/Zip:** ROCHESTER NY 14607

**Municipality:** City of Buffalo

**Property Class:** 710

**Class Description:** C - Manufacture

**Front:** 516

**Depth:** 60

**Deed Roll:** 1

**Deed Book:** 11344

**Deed Page:** 8672

**Deed Date:**

**Acreage:** 0.72071933

**Total Assessment:** \$1,150,000

**Land Assessment:** \$310,800

**County Taxes:** \$1,150,000

**Town Taxes:** \$0

**School Taxes:** \$0

**Village Taxes:** \$0

**School District:** CITY OF BUFFALO

**Year Built:** 0

**Sqft Living Area:** 0

**Condition:** 0

**Heating:** 0

**Basement:** 0

**Fireplace:** 0

**Beds:** 0

**Baths:** 0

**Brownfield Cleanup Program Application  
619 Exchange Street Site**

---

**EXHIBIT 2**

**NYSDOS Business Entity Database Printout**

# Department of State

## Division of Corporations

### Entity Information

[Return to Results](#)[Return to Search](#)

Entity Details

**ENTITY NAME:** PG LARKINVILLE, LLC**FOREIGN LEGAL NAME:****ENTITY TYPE:** DOMESTIC LIMITED LIABILITY COMPANY**SECTION OF LAW:** 203 LLC - LIMITED LIABILITY COMPANY LAW**DATE OF INITIAL DOS FILING:** 04/26/2019**EFFECTIVE DATE INITIAL FILING:** 04/26/2019**FOREIGN FORMATION DATE:****COUNTY:** MONROE**JURISDICTION:** NEW YORK, UNITED STATES**DOS ID:** 5541897**FICTITIOUS NAME:****DURATION DATE/LATEST DATE OF DISSOLUTION:****ENTITY STATUS:** ACTIVE**REASON FOR STATUS:****INACTIVE DATE:****STATEMENT STATUS:** PAST DUE DATE**NEXT STATEMENT DUE DATE:** 04/30/2021**NFP CATEGORY:**[ENTITY DISPLAY](#)[NAME HISTORY](#)[FILING HISTORY](#)[MERGER HISTORY](#)[ASSUMED NAME HISTORY](#)

Service of Process on the Secretary of State as Agent

The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the Secretary of State by personal delivery:

**Name:** PARK GROVE REALTY, LLC**Address:** 46 PRINCE STREET, SUITE 2003, ROCHESTER, NY, UNITED STATES, 14607**Electronic Service of Process on the Secretary of State as agent:** Not Permitted

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

Stock Information

Share Value

Number Of Shares

Value Per Share

**Brownfield Cleanup Program Application  
619 Exchange Street Site**

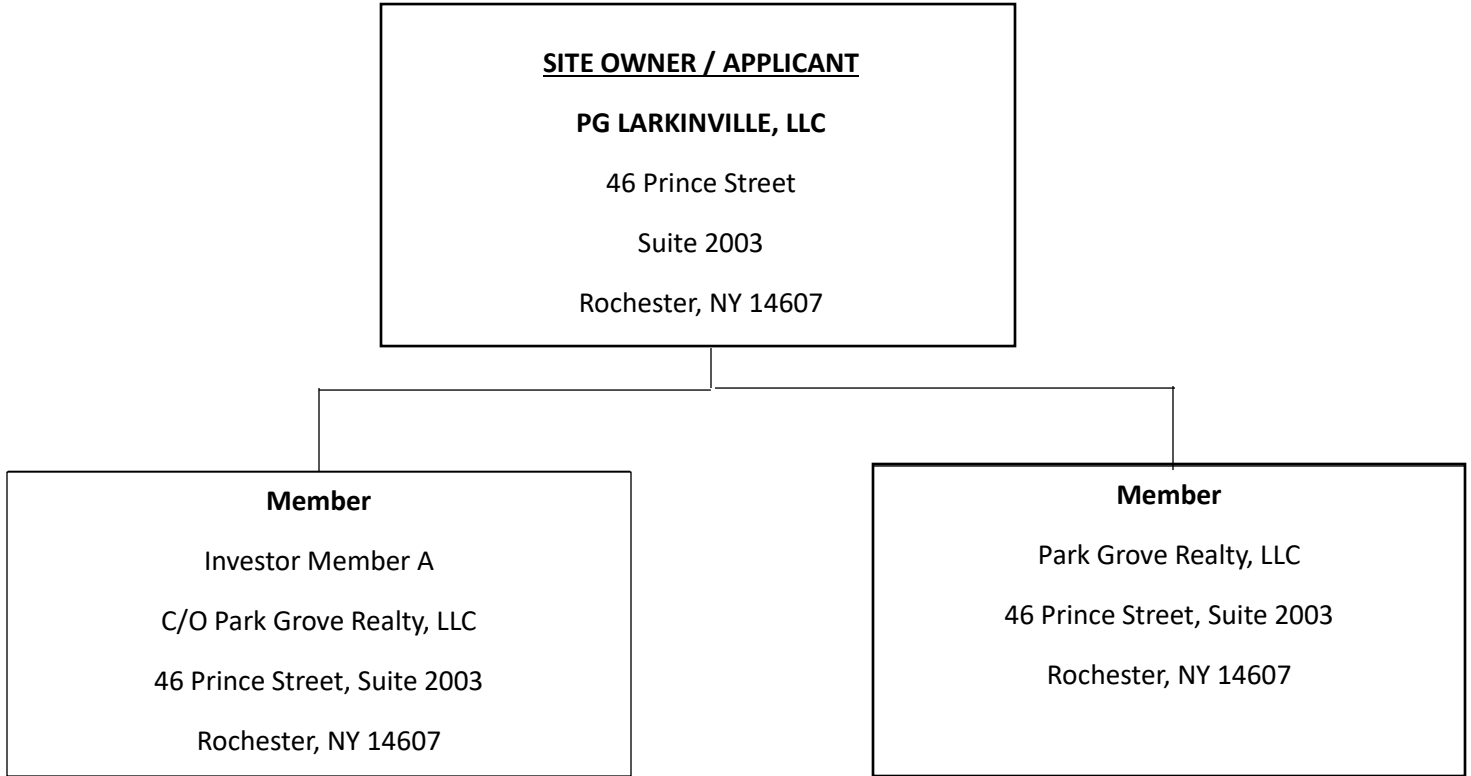
---

**EXHIBIT 3**

**Organizational Information & Authorization to Sign**

**639-659 EXCHANGE STREET**

**ORGANIZATIONAL CHART**



**PG LARKINVILLE, LLC**

**UNANIMOUS WRITTEN CONSENT OF THE SOLE MEMBER**

October 31, 2023

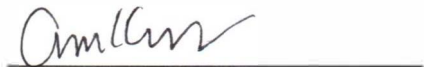
The undersigned being the holder of all of the membership interest of PG Larkinville, LLC (the "Company"), hereby consents to the adoption of the following resolutions without a meeting and direct that this Consent be filed with the minutes of the Company.

RESOLVED, that **Andrew I. Crossed** (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 property located at 619 Exchange Street (S.B.L. No. 122.25-2-11), Buffalo, 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 resolution; and be it further

RESOLVED, that any acts of any officer of the Company 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 Company.

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



Name: Andrew I. Crossed

Authorized Member

**Brownfield Cleanup Program Application  
619 Exchange Street Site**

---

**EXHIBIT 4**

**Document Repository Request & Confirmation**

## RE: Document Repository Request - 619 Exchange Street Site

April Tompkins <tompkinsa@buffalolib.org>

Mon 10/30/2023 3:26 PM

To:Chelsea Kanaley <ckanaley@rouxinc.com>

 1 attachments (118 KB)

Document Repository Request.pdf;

**This message originated outside your organization. Please use caution!**

---

Good afternoon Chelsea,

Per your request, this is to inform you that the Buffalo and Erie County Public Library will be the repository for all documents (and updates) submitted by your company for the Brownfield Cleanup Program at the **619 Exchange Street Site**. These documents will be made available for public viewing at the **Central Library (downtown)** 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 documents and cover letter to the Central Library. We will process according to our procedure and distribute to the location(s) of your choice. **If you would like a confirmation that your documents were 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 that are 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 usually 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 documents distributed at **libraries other than Central**, you will need to send or give us the appropriate quantity of copies with labels or a list regarding their destination(s). We will distribution accordingly. We do not make copies for distribution.
- Documents that cannot be stapled, should be kept together in some type of 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 or flash drive) you wish to submit. If submitting in more than one format (ex: print and disk), 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 disk in-house. Public computers do have USB ports. 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 e-mail or phone (716-858-7129). Thank you.

Regards,  
April

*April Tompkins, Sr. Library Clerk*

Office of Chief Operating Officer  
Buffalo and Erie County Public Library  
1 Lafayette Square | Buffalo, NY 14203  
Voice: 716-858-7129 | Fax: 716-845-9053  
E-mail: [tompkinsa@buffalolib.org](mailto:tompkinsa@buffalolib.org)

---

**From:** Chelsea Kanaley <[ckanaley@rouxinc.com](mailto:ckanaley@rouxinc.com)>  
**Sent:** Monday, October 30, 2023 2:14 PM  
**To:** April Tompkins <[tompkinsa@buffalolib.org](mailto:tompkinsa@buffalolib.org)>  
**Subject:** Document Repository Request - 619 Exchange Street Site

**CAUTION:** This email originated from outside of the Library. Attachment and links **may not be safe!**

Dear Ms. Tompkins,

Please see the attached document repository request for the Brownfield Cleanup Program.

Thank you,  
Chelsea Kanaley

### Chelsea Kanaley | Staff Hydrogeologist II

2558 Hamburg Turnpike, Suite 300, Buffalo, NY 14218  
Main: 716-856-0599 | Fax: 716-856-0583  
Email: [ckanaley@rouxinc.com](mailto:ckanaley@rouxinc.com) | Website: [www.rouxinc.com](http://www.rouxinc.com)



California | Illinois | Massachusetts | New Jersey | New York | Texas | Virginia



Please consider the environment before printing this email.

NOTICE: This electronic communication, including any authorized attachments, contains information that may be legally privileged, protected, confidential and/or exempt from disclosure or certain types of use under applicable law. This information is for the sole use of the intended recipient(s). If you are not the intended recipient(s) or the employee or agent responsible for delivery of this message to the intended recipient(s), you are hereby notified that any review, use, disclosure, copying, distribution or the taking of any action in reliance on the contents of this e-mail or any attachments is strictly prohibited. You are further advised that review by an individual other than the intended recipient(s) shall not constitute a waiver of any attorney-client privilege which may apply to this communication. If you have received this communication in error, please notify the sender immediately by return e-mail, permanently delete this e-mail and any attachments from all computers on which they may be stored and destroy any print-outs of this email and any attachments.

Buffalo & Erie County Public Libraries have more than 3.2 million materials - books, eBooks, DVDs, music & more. Free library cards (traditional and eLibrary) are available to Erie County, New York residents and to those who work and/or attend school in Erie County, NY. Follow the library on [Facebook](#), [Twitter](#), [Instagram](#), [Pinterest](#), [Flickr](#) and on our podcast [All Booked Up!](#) Information: 716-858-8900 or <http://www.buffalolib.org>.

October 30, 2023

Ms. April Tompkins  
Buffalo & Erie County Public Library  
1 Lafayette Square  
Buffalo, NY 14203

Re: Document Repository for Brownfield Cleanup Program  
619 Exchange Street Site  
Buffalo, New York 14210

Dear Ms. Tompkins:

On behalf of our client, Roux Environmental Engineering & Geology, D.P.C. would like to request the Buffalo & Erie County Public Library (Central Library) 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 at the Central Library.

Sincerely,

**ROUX ENVIRONMENTAL ENGINEERING AND GEOLOGY, D.P.C.**



Chelsea Kanaley  
Staff Hydrogeologist II

**Brownfield Cleanup Program Application  
619 Exchange Street Site**

---

**EXHIBIT 5**

**Land Use Plan Documentation**

## ➤ Accelerate downtown's momentum

Downtown remains the center of the region, and its ongoing redevelopment must be supported. To make it a lively, mixed-use neighborhood, a number of complementary uses need to be woven together: residential, office, retail, entertainment, and hospitality.

Momentum is clearly building. Since 2000, 888 housing units and 1,022 hotel rooms have been added in the Central Business District. New construction of mixed-use and commercial space—more than 1.8 million square feet—has also picked up. And the number of new restaurant openings is another sign that downtown is becoming a 24/7 neighborhood.

This progress is encouraging, but more work is needed to make downtown strong, vibrant, and whole; such as

continuing the return of cars to Main Street, which has already had a positive impact on investment.

Nearby, thousands of employees are being added to the Larkin District and Buffalo Niagara Medical Campus, a substantial number of whom could become downtown residents. The availability of buildings and land, coupled with a 97 percent apartment occupancy rate, create abundant opportunities for additional housing and amenities in the downtown core.

Dozens of existing structures have already been renovated with the use of historic tax credits, and infill development on the 40 acres of downtown land devoted to commercial parking lots represents the next major opportunity.

### Land use policies

- Promote regional strategies that attract residents, employers, retail, and entertainment facilities to transit-served locations in the city center.
- Prioritize public realm improvements that calm traffic, cultivate street life, enhance transportation alternatives, and restore the Ellicott street grid and squares.
- Limit new or expanded surface parking, and encourage infill development and adaptive reuse of vacant and underutilized properties in the downtown core.
- Support retail and street level vitality by encouraging active ground-floors, sidewalk cafes, and short-term, on-street parking.
- Allow for maximum building heights and densities downtown, while mitigating wind impacts and preserving access to air and light.



## ► Leverage and repurpose former industrial assets

Industry originally grew up along the waterfront and rail lines, depending on these locations for receiving, processing, and shipping. As the city expanded outward in the late 1800s, manufacturing grew at the stops along the New York Central Belt Line.

Buffalo may no longer be a major grain port or steel producer, but emerging sectors such as advanced manufacturing can contribute to expanding the local economy. As the WNY Regional Economic Development Council notes, no region has yet reversed its fortunes without growth in advanced manufacturing.

The city has an abundance of industrial land, much of which is underutilized and requires remediation to be

placed back into productive use. Brownfield cleanup has been aggressively pursued, as shown by the successful effort to reactivate the former Republic Steel site into the largest solar panel manufacturing facility in the US.

The Land Use Plan targets industrial uses for sites adjacent to railroads, expressways, high-voltage power lines, and other infrastructure. It also encourages the reuse of former manufacturing buildings and sites into a mix of new uses such as residential, commercial, and artisan industrial. In all cases, remediation and reuse improves the environment and reduces pressure on undeveloped greenfields and farmland in suburban and rural areas.

### Land use policies

- Prioritize strategic brownfield sites, and support their remediation and reclamation.
- Preserve industrial sites, particularly with rail or highway access; and increase the availability of reuse-ready structures and shovel-ready land.
- Reinforce employment centers along the Belt Line by encouraging a mix of uses for underutilized structures.
- Protect existing manufacturing uses from conflicting land uses.
- Support infrastructure improvements that facilitate water, rail, and highway freight movement consistent with economic development and environmental justice objectives.





## ► Promote diversity and affordability

Buffalo's housing market has tremendous potential for growth, just as the two largest generations in American history—the baby boomers and millennials—reach a point where urban housing matches their life stages.

Outdated policies have made it difficult for Buffalo to respond to these changing demographics. The current zoning, which reflects the priorities of the 1950s, makes it challenging to construct infill housing, and generally allows for only a limited set of housing types, each zoned for separate sections of the city.

This is in contrast to the wide variety of housing options available in Buffalo's historic neighborhoods. These typically include a mix of singles, doubles, and apartments at a range of heights and lot sizes, resulting in choice for households of every type and income level.

To remain competitive, neighborhoods must offer housing choices that target multiple market segments. By offering a mix, each neighborhood could potentially meet an individual's housing needs over a lifetime—or, for that matter, the needs of many generations over time. This adds to community character, and encourages social and economic diversity.

### Land use policies

- Encourage neighborhoods to provide housing options for a range of income levels, household sizes, ages, and abilities.
- Continue the city's inclusionary strategies with respect to supportive housing for the disabled, seniors, and veterans.
- Remove barriers to affordable housing, such as off-street parking requirements, restrictions on multi-family and accessory dwelling units, and inappropriate density limitations.
- Locate workforce housing close to transit routes to foster combined housing and transportation savings; and encourage home occupations to allow for zero-commute housing.
- Allow for farmers' markets, mobile food vending, urban agriculture, supermarkets, and healthy corner shops to provide fresh and affordable food, particularly in neighborhoods considered to be food deserts.



## ➤ Reinforce neighborhood centers

Mixed-use neighborhoods, where daily needs can be met close to home, are highly valued by residents across the city. As a result, the Land Use Plan identifies a mixed-use center for every neighborhood—where one already exists, or where one previously existed and should be restored.

Historically, mom-and-pop stores opened at streetcar stops in the heart of a neighborhood. Many of these mixed-use centers remain vital today, with shops and services that make the surrounding neighborhood attractive; but others have suffered due to population loss and the trend towards auto-oriented retail strips, often located beyond the city line.

Neighborhood centers have a greater chance for success when they are based on sound urban design principles and surrounded by compact residential areas with a mix of housing options. Density must be high enough to support a full range of retail, services, and public transit; and design must ensure that buildings and public spaces work together to appeal to pedestrians.

The design of context-sensitive infill development is particularly important to revitalizing these areas, since vital neighborhood centers lead to increases in both property values and quality of life.

### Land use policies

- Cluster diverse land uses in neighborhood centers to minimize auto dependence and facilitate walking, biking, and transit use.
- Support an active public realm by placing buildings close to the sidewalk, requiring ground-floor windows and doors, limiting blank walls, and providing generous shaded sidewalks.
- Maximize on-street parking, prohibit surface parking lots between buildings and the street, and minimize pedestrian conflicts with parking and loading.
- Eliminate minimum parking requirements to encourage transportation alternatives and remove barriers to infill development and adaptive reuse.
- Improve public safety by using Crime Prevention Through Environmental Design (CPTED) principles; and encourage Universal Design that accommodates seniors, the disabled, and children.



## ► Reclaim vacant buildings and land

Buffalo's loss of employers and households to the suburbs has led to an abundance of vacant structures and land. It is unlikely that there will be sufficient growth to reclaim these assets over the next 20 years, so it is critical to identify strategies that support neighborhood stability.

Demolition has been successful in selectively addressing blighted structures that threaten public health and safety. Yet even after abandoned and unsafe buildings are removed, the vacant land that is left behind presents its own challenges.

Depending on the scale of abandonment and the market for alternative land uses, approaches ranging from infill

development to community gardens to urban agriculture and forestry will be considered. Strategies that allow for the adaptive reuse of existing structures must be strengthened, and new tools for the appropriate management of vacant land introduced.

This will help to ensure that vacant structures are quickly placed back into productive use before deteriorating beyond repair, and that vacant lots add value to adjacent properties. In neighborhoods that have lost most of their traditional uses and structures, land banking will be employed until the market stabilizes and alternatives can be implemented.

### Land use policies

- Minimize regulatory barriers to the adaptive reuse of vacant structures and land to prevent abandonment and blight.
- Encourage homesteading as an option for renovating abandoned structures, building new housing on vacant lots, and adding yard space for homeowners who have lived in the community.
- Land bank parcels in areas where the traditional neighborhood structure has eroded, to allow for future redevelopment.
- Allow interim and permanent reuses for vacant land, such as market or community gardens, stormwater management, habitat restoration, open space, renewable energy generation, or district heating and cooling systems.



## OVERVIEW: THE LARKIN DISTRICT PLAN

potential investment and redevelopment activities in the Larkin District. These planning principles include the following:

- Market the Larkin District “brand name” so that it becomes recognizable and identified with by the public.
- Base the “image” of the district on its past and help brand the District with future design features.
- Allow for flexibility and change in the Plan.
- Whenever possible, preserve, restore and/or reuse important historic features.
- Blend new features with old to enhance the appeal of both. This does not mean imitating the architectural features of historic buildings.
- Capitalize on the proximity of the Larkin District to downtown through physical connections and visual design features.
- Improve physical, visual, and way finding connections between the Larkin District, its businesses, and its residents and the region.
- Encourage a vital urban neighborhood by developing vibrant streets and public spaces.
- Make the district safe and easy to get around for all people using different modes of transportation—pedestrians, bicyclists, transit riders, car drivers, and truck operators alike.

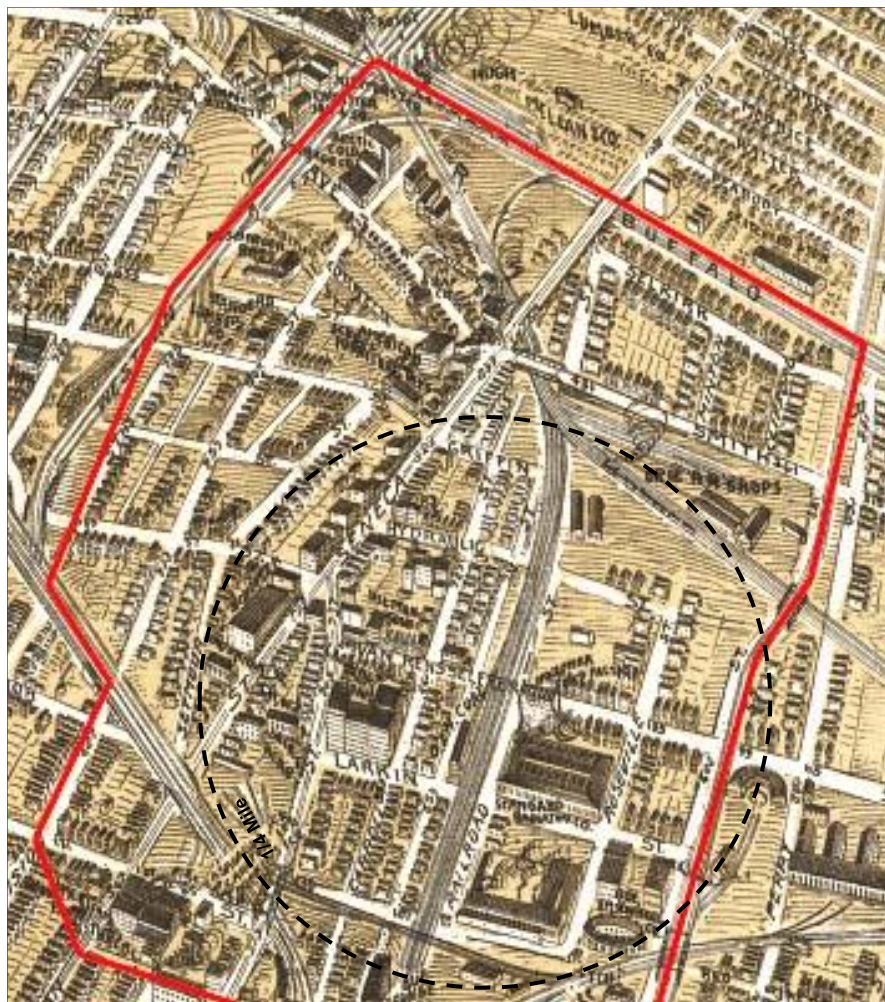
## Background Studies

The *Larkin District Plan* draws upon an extensive analysis of the Larkin District conducted by the Urban Design Project and Kevin Connors & Associates. This analysis focused on the area’s history, land use and public policies, community demographic profile, urban design characteristics, and transportation system.

## Outline of the Plan

Within this plan are three chapters. Chapter I, “The Larkin District Plan Recommendations,” presents the heart of the

Plan, a series of action steps to help guide and enhance the growth of the Larkin District. Chapter II, “Plan Implementation,” describes the recommended sequencing of future development and identifies the organizations responsible for the implementation of the development projects. Chapter III, “Funding,” describes funding sources and programs potentially available to help implement future development projects in the Larkin District.



A 1901 illustration of the Larkin District area. The Larkin Soap Company had not yet constructed the Larkin Administration building. (Source: The Library of Congress)

## E. LAND USE PLAN

The Land Use Plan translates the concepts, goals, and objectives developed for the Larkin District and vicinity into specific land use policies. The Plan applies many of the basic elements found in successful urban districts to the specific characteristics, needs, and constraints of the area.

This section identifies recommendations for land use patterns and provides the overall parameters for their development—including the function of the area as a part of downtown Buffalo and the larger citywide and regional setting, its general boundaries, allowed use groups and location of parking. The recommendations for the form that the build out of these land uses should take, including such characteristics as relative height and massing of structures, are provided in the implementation of the recommendations in this section. The “Land Use Plan” will require amendments to the City of Buffalo’s comprehensive plan, *Queen City in the 21st Century*. These comprehensive plan amendments, in turn, provide the foundation and planning rationale to support the proposed zoning map and text amendments specified below. The Planned Land Use Map shows the land use recommendations.

### Goal

The work plan goal for land use is to facilitate and encourage, through City policy and legislation, a land use pattern that includes a healthy mix of uses and provides for enough density to create a vibrant urban environment.

### Problem Statement

Vacant storefronts and storage facilities with few employees create stretches of seemingly dead street fronts. Surface parking and driveways add to the lack of vibrancy on some streets. New developments are out of character with the historic parts of the Larkin District. They detract from the dense, historic, urban

character of the Larkin District, and reduce the types of street front uses and the number of people on the streets. Current zoning laws prevent mixed use buildings and mixed use neighborhoods.

### Current Status

The existing land use pattern of the Larkin District study area is both eclectic and sparse. Existing uses include commercial office space, most notably along the Exchange Street spine; limited neighborhood retail and service businesses along Seneca Street; low density (one- and two-family) housing along the edges of the District to the north, south, and east; and large amounts of underutilized industrial and rail lands, other transportation-related rights-of-way, and surface parking.

While this list contains diverse use groups, the preponderance of parking and other unimproved open tracts of lands gives parts of the area a desolate feel. In addition, there are other uses typically represented in healthy urban districts that are precluded from much of the study area—most notably higher density housing, mixed uses within buildings, and community facilities.



*Underused industrial buildings are disconnected by vacant land in the Larkin District. These buildings and land should be redeveloped.*