



April 23, 2024

Len Zinoman
New York State Department of Environmental Conservation
Bureau of Technical Support
Site Control Section
625 Broadway, 11th Floor
Albany, NY 12233-7020

Re: Revised Brownfield Cleanup Application – Hickory Street Apartments (BCP Site No. C915405)

On April 15, 2024, the New York State Department of Environmental Conservation (NYSDEC) issued a letter of incompleteness regarding the Brownfield Cleanup Application completed for Hickory Street Apartments (BCP Site No. C915405) located in Buffalo, Erie County, New York. On behalf of Legacy Landmark Holdings LLC, BE3 has provided the following responses to comments below in red.

Section I: Property Information

The following 4 comments, copied from the Department's 2/7/24 letter of incompleteness, were not addressed:

1. The SBL, 111.49-7-7, provided for 273 Hickory Street on the Figure 4: Site Map does not match the SBL, 111.57-3-1.21, provided for this address under Appendix A. Section I: Property Information. Please correct the SBLs for all tax parcels throughout the application.

Response: The SBL provided for 273 Hickory Street on Figure 4: Site Map has been updated to 111.57-3-1.21. The SBLs for all tax parcels throughout the application have been verified to be correct or were corrected.

2. The SBL, 111.57-3-1.21, provided for 337 Hickory Street on the Figure 4: Site Map does not match the SBL, 111.49-7-7, provided for this address under Appendix A. Section I: Property Information. Please correct the SBLs for all tax parcels throughout the application.

Response: The SBL provided for 337 Hickory Street on Figure 4: Site Map has been updated to 111.49-7-7. The SBLs for all tax parcels throughout the application have been verified to be correct or were corrected.

3. The acreage, 0.20 listed for 273 Hickory Street, on the Figure 4: Site Map does not match the acreage, 0.45, for this address under Appendix A. Section I: Property Information. Please correct the site acreage for all tax parcels throughout the application.

Response: The acreage provided for 273 Hickory Street on Figure 4: Site Map has been updated to 0.45. The acreages for all tax parcels throughout the application have been verified to be correct or were corrected.

4. The acreage, 0.45 listed for 337 Hickory Street, on the Figure 4: Site Map does not match the acreage, 0.20, for this address under Appendix A. Section I: Property Information. Please correct the site acreage for all tax parcels throughout the application.

Response: The acreage provided for 337 Hickory Street on Figure 4: Site Map has been updated to 0.20. The acreages for all tax parcels throughout the application have been verified to be correct or were corrected.

Section IV: Property's Environmental History

Please see attached comment(s) from the Project Manager.

Response: The attached additional comments from the Project Manager were reviewed and incorporated into the application and are further addressed below.

Section VI: Requestor Eligibility

Please see attached comment(s) from the Project Attorney.

Response: The attached additional comments from the Project Attorney were reviewed and incorporated into the application and are further addressed below.

Additional Comments

In the top section of Page 1 of the revised application, please select "yes" to indicate that the submittal is a revised application and include the NYSDEC site code in the space provided.

Response: "Yes" has been selected in the top section of Page 1 of the revised application to indicate that the submittal is a revised application. Additionally, the NYSDEC site code (C915405) has been added in the space provided.

PM Technical Comments

Figure 9: Please edit the value for Benzo(b)fluoranthracene in the callout for BH- 12. The exceedance is noted as "X". Use a numerical value here.

Response: Regarding Figure 9, the first reference to Benzo(b)fluoranthracene in the callout for BH-12 has been revised to Indeno(1,2,3-cd)pyrene with a corresponding value of 8.2 parts per million (ppm).

PA Comments - Site Access

The Warranty Deed provided as proof of site access shows that the proposed BCP site is now owned by Ellen Shareef in her individual capacity. While Ms. Shareef appears to control the requestor, Legacy Landmark Developers LLC, the requestor is a distinct legal entity. Please provide a signed letter or access agreement from Ms. Shareef identifying the proposed BCP site and providing Legacy Landmark Developers LLC with access to the site and authorizing the LLC to apply to and enter the BCP, to perform all required remediation activities, and to place an environmental easement on the site.



Response: A signed letter/access agreement from Ms. Shareef identifying the proposed BCP site and providing Legacy Landmark Holdings LLC with access to the site and authorizing the LLC to apply to and enter the BCP, to perform all required remediation activities, and to place an environmental easement on the site, has been amended to the application.

It is important to note that the Requestor has been updated to Legacy Landmark Holdings LLC. This has been reflected throughout this revised application. In addition, the associated Department of State Division of Corporations Entity Information has been attached to Appendix E Section V: Requestor Information. Ellen Shareef is the sole managing member of Legacy Landmark Holdings LLC (the "Requestor").

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**BROWNFIELD CLEANUP PROGRAM
APPLICATION FORM REVISION 15**

HICKORY STREET APARTMENTS

273 & 337 HICKORY STREET & 227, 229, 231 & 235 PRATT STREET
BUFFALO, ERIE COUNTY, NEW YORK



Submitted for:

Legacy Landmark Holdings LLC
230 Pratt Street
Buffalo, NY 14204

Submitted by:



960 Busti Avenue, Suite B-150
Buffalo, NY 14213

April 2024

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Figure 4: Site Map

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Figure 9: Boring Locations with Analysis (All Sampling Results)

Tables

Table 1: Summary of Soil Analytical Results (July 2023 Phase I-II Results)

Table 2: Summary of Soil Analytical Results (November 2023 Phase II

Results) Table 3: Boring Locations with Analysis (March 2024 Additional Sampling)

Appendices

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Previous Environmental Reports (included as separate, individual PDF files)

Phase I-II ESA, 273 Hickory Street, Buffalo, Erie County, New York, July 2023.

Phase II ESA, 273 and 337 Hickory Street and 229, 231 & 235 Pratt Street, Buffalo, Erie County, New York, November 2023.

Additional Sampling, 227 Pratt Street, Buffalo, Erie County, New York, March 2024.



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 – 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, 11th Floor
Albany, NY 12233-7020

PROPOSED SITE NAME:

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: _____

Yes

No



BCP App Rev 15 – May 2023

SECTION I: Property Information

PROPOSED SITE NAME

ADDRESS/LOCATION

CITY/TOWN

ZIP CODE

MUNICIPALITY (LIST ALL IF MORE THAN ONE)

COUNTY

SITE SIZE (ACRES)

LATITUDE

LONGITUDE

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. See Figures 1A, 1B, 1C and 2

Parcel Address	Section	Block	Lot	Acreage

	Y	N
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. See Figures 3A, 3B and 3C		
2. Is the required property map included with the application? (Application will not be processed without a map) See Figures 4 and 5		
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) See Figure 6 If yes, identify census tract: _____ Percentage of property in En-zone (check one): 0% 1-49% 50-99% 100%		
4. Is the project located within a disadvantaged community? See application instructions for additional information. See Figure 7		
5. Is the project located within a NYS Department of State (NYS DOS) Brownfield Opportunity Area (BOA)? See application instructions for additional information. See Figure 7		
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: _____		

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?			
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.			
9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.			
10. Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number: _____			
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: _____			
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>			
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>			
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? See Appendix A			
Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.			
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.		Y	N
16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?			
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?			
NOTE: 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.			
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.			
Initials of each Requestor: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <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	See Appendix B

SECTION III: Land Use Factors

1. What is the property's current municipal zoning designation? _____		
2. What uses are allowed by the property's current zoning (select all that apply)?	Residential	Commercial
	Industrial	See Figure 8
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?	See Appendix C	
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?	See Appendix C	
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?	See Appendix C	
9. Is the proposed use consistent with applicable zoning laws/maps?	See Appendix C	
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?	See Appendix C	
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			
Chlorinated Solvents			
Other VOCs			
SVOCs			
Metals			
Pesticides			
PCBs			
PFAS			
1,4-dioxane			
Other – indicated below			

*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? **See Appendix D** YES NO

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

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

Other:

SECTION V: Requestor Information

NAME

ADDRESS

CITY/TOWN

STATE

ZIP CODE

PHONE

EMAIL

1. Is the requestor authorized to conduct business in New York State (NYS)?

Y

N

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 [NYS Department of State's Corporation & Business Entity Database](#). 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? **See Appendix E**

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

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

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?

2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?

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.

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?

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.

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?

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?	Y	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?		
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?		
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?		
11. Are there any unregistered bulk storage tanks on-site which require registration? See Appendix F		
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:		
PARTICIPANT A requestor who either (1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum, or (2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.	VOLUNTEER A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum. NOTE: By 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. 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.	
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached? See Appendix F		
Yes	No	N/A

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
See Appendix E

Note: A purchase contract or lease agreement does not suffice as proof of site access.

SECTION VII: Requestor Contact Information

REQUESTOR'S REPRESENTATIVE

ADDRESS

CITY STATE ZIP CODE

PHONE EMAIL

REQUESTOR'S CONSULTANT (CONTACT NAME)

COMPANY

ADDRESS

CITY STATE ZIP CODE

PHONE EMAIL

REQUESTOR'S ATTORNEY (CONTACT NAME)

COMPANY

ADDRESS

CITY STATE ZIP CODE

PHONE EMAIL

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?		
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? See Appendix G N/A		

SECTION IX: Current Property Owner and Operator Information See Appendix H

CURRENT OWNER

CONTACT NAME

ADDRESS

CITY

STATE

ZIP CODE

PHONE

EMAIL

OWNERSHIP START DATE

CURRENT OPERATOR

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.		
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: _____		

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: _____		
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. N/A		
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: _____		
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.		

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: **See Attachment I**

- 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 requestor who is an individual)

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: _____

Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am Managing Partner (title) of Legacy Landmark Holdings 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: 4/23/2024

Signature: Ellen Shareef

Print Name: Ellen Shareef

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?		
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?		
3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?		
4. Is the property upside down or underutilized as defined below?		
Upside down		
Underutilized		

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.

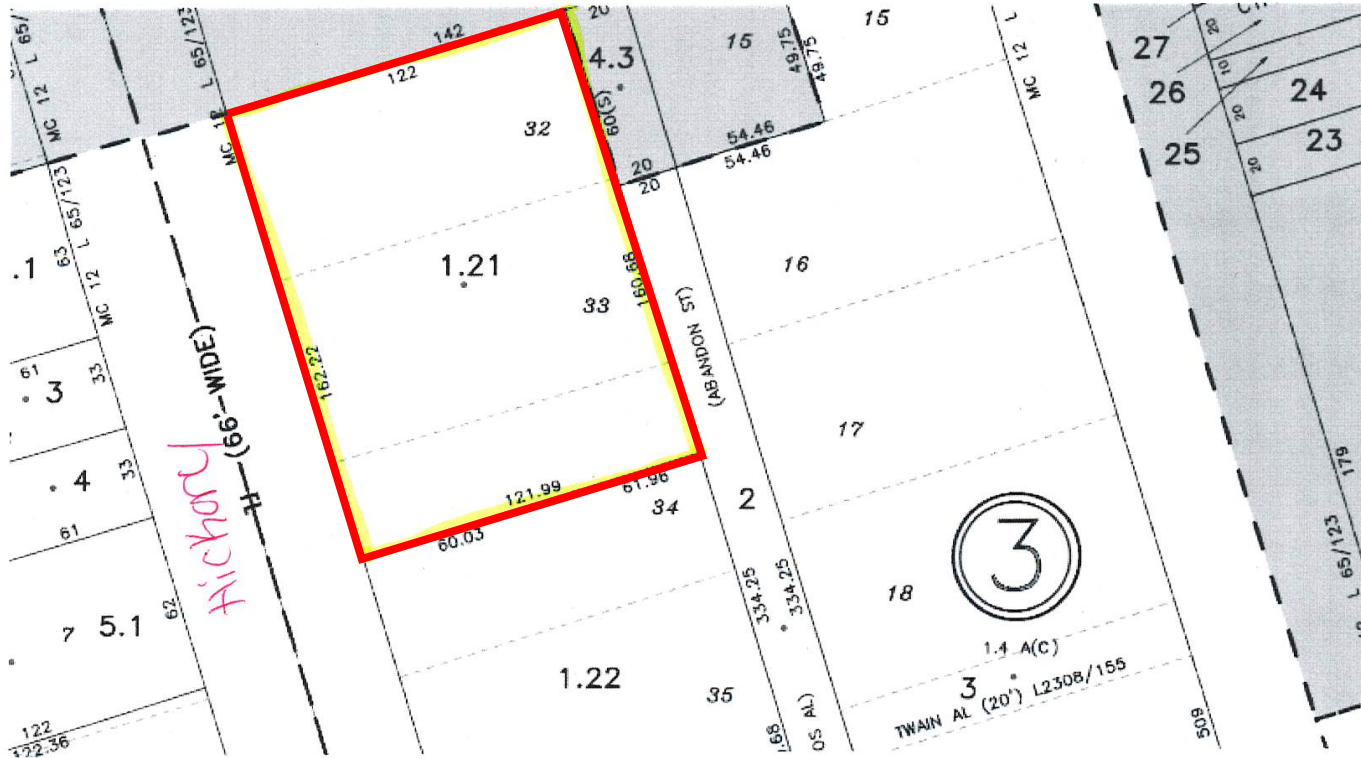
No

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.

Figures

111.57-3-1.21



Pratt

LEGEND

— BCP Site Boundary

NOTES

Tax maps obtained from the City of Buffalo
Tax Assessors Office

BE3

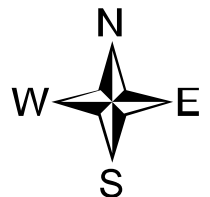
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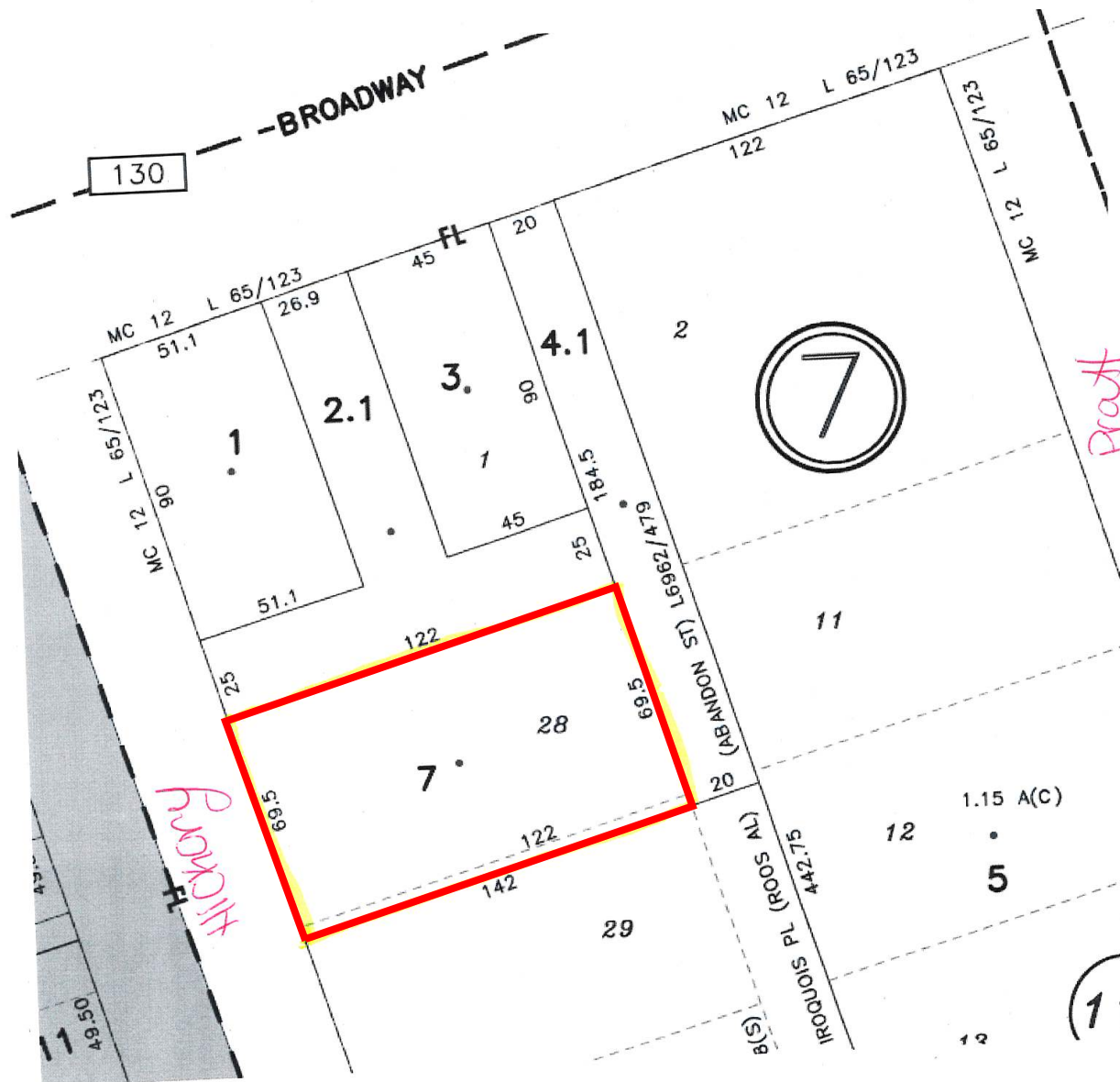
**Figure 1A: 273 Hickory Street
Tax Map**

Hickory Street Apartments
Buffalo, NY 14202



DATE: 12/21/2023

11.49-7-7



LEGEND

— BCP Site Boundary

NOTES

*Tax maps obtained from the City of Buffalo
Tax Assessors Office*

BE3

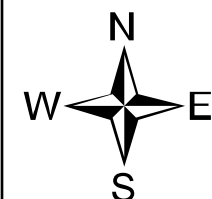
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**Figure 1B: 337 Hickory Street
Tax Map**

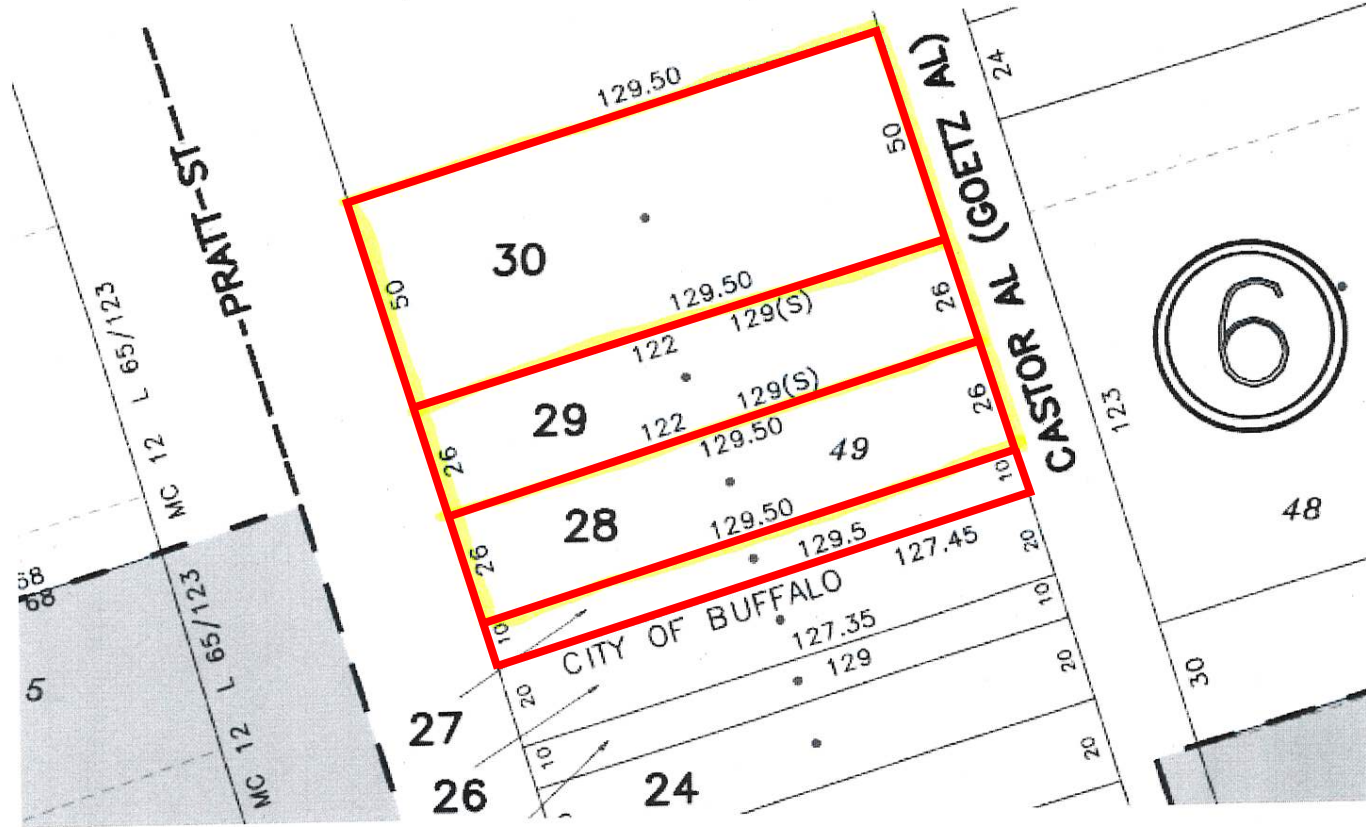
Hickory Street Apartments
Buffalo, NY 14202



DATE: 12/21/2023

111.49-6-30
-29
-28

Broadway



LEGEND

— BCP Site Boundary

NOTES

*Tax maps obtained from the City of Buffalo
Tax Assessors Office*

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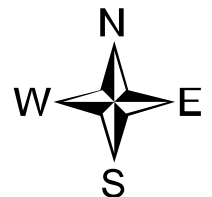
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**Figure 1C: 227, 229, 231 & 235 Pratt
Street Tax Map**

Hickory Street Apartments
Buffalo, NY 14202



DATE: 12/21/2023

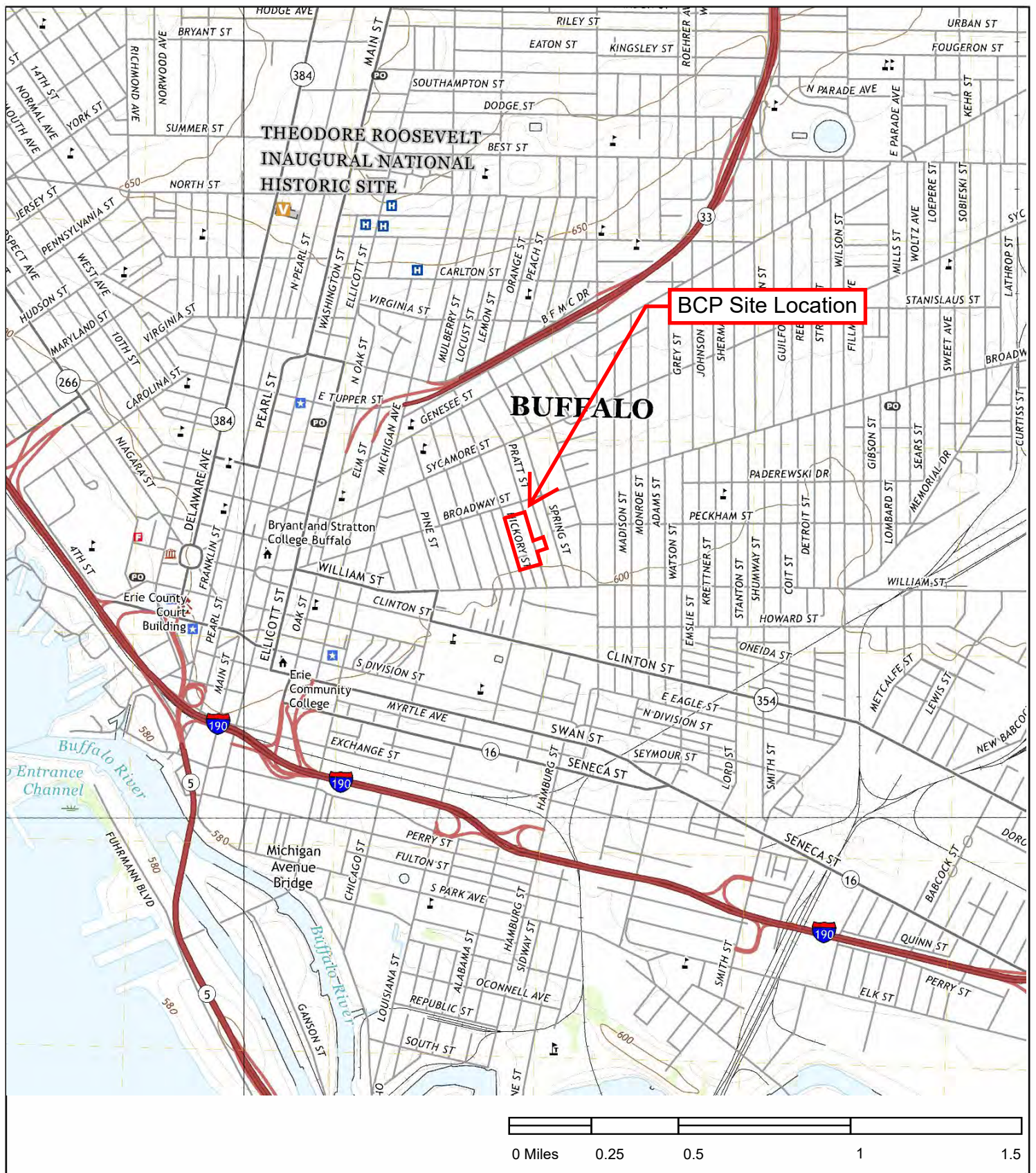


Figure 2
USGS 7.5-minute Quad Map
 Hickory Street Apartments
 Buffalo, NY 14202

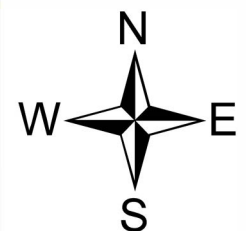
Scale provided on figure



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Client: C&R Housing

Date: November 15, 2023



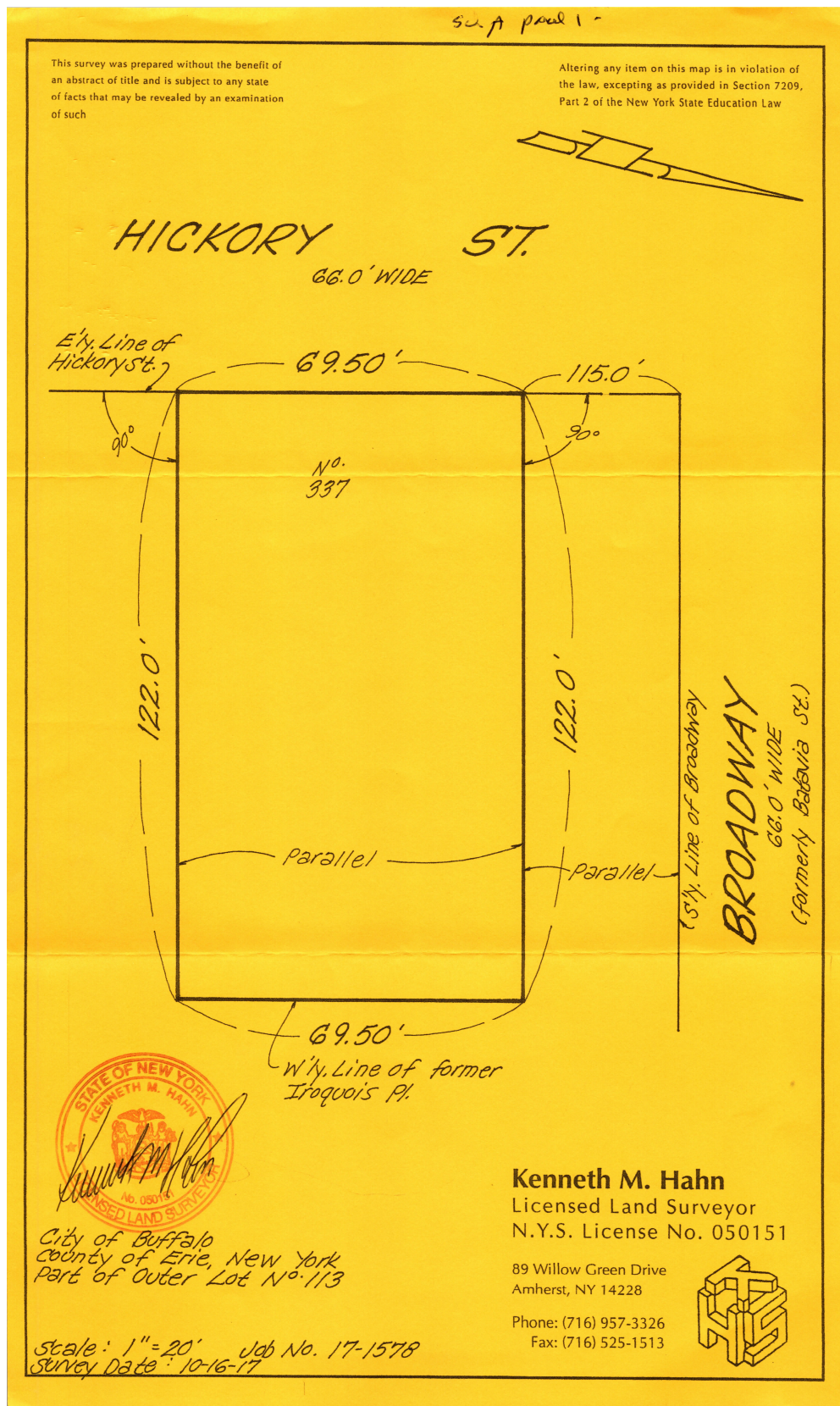


Figure 3B
337 Hickory Street Survey

Hickory Street Apartments
Buffalo, NY 14202

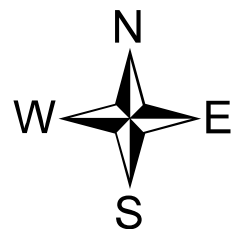
Scale N/A



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Client: C&R Housing

Date: January 8, 2023



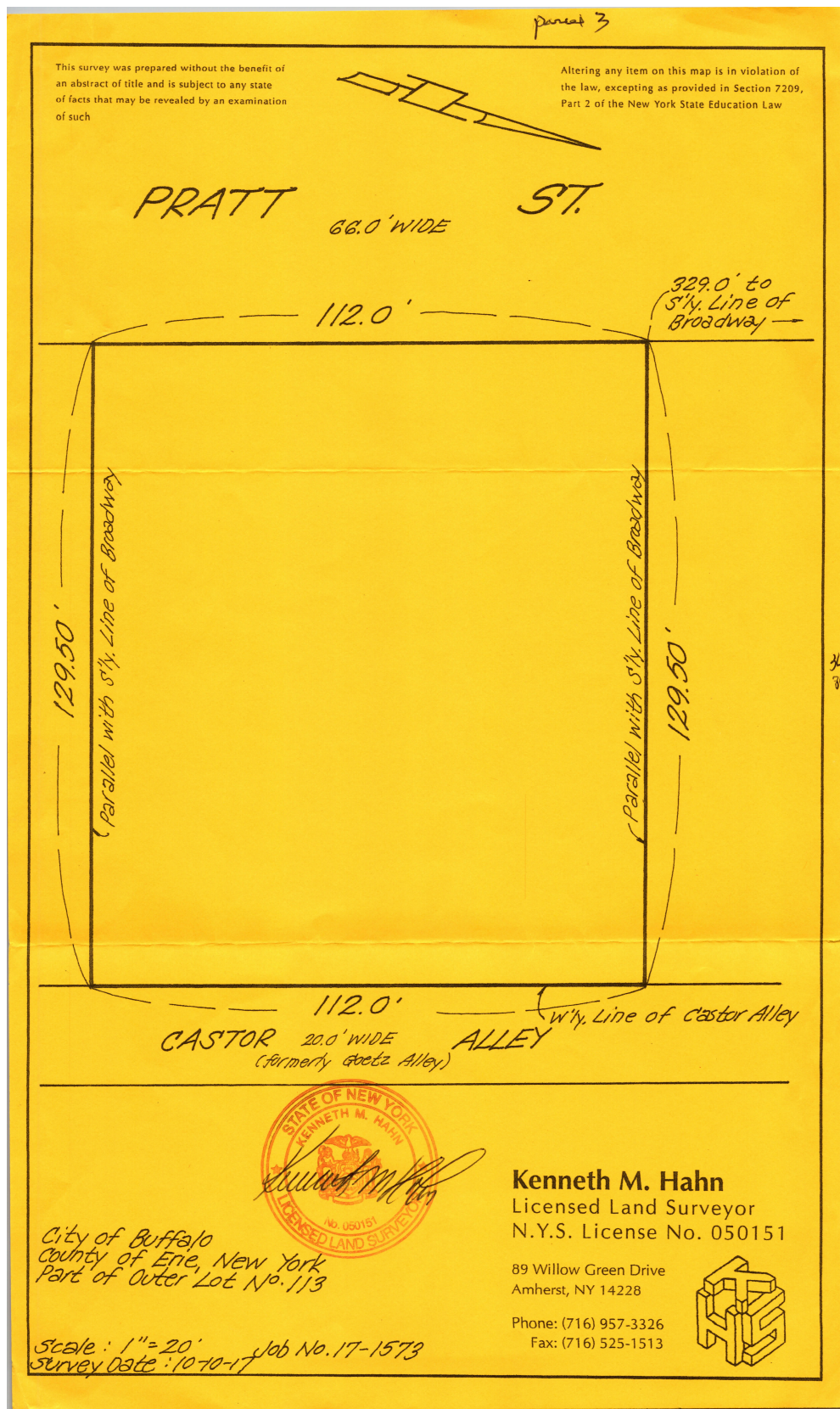


Figure 3C
227, 229, 231 & 235 Pratt Street
Survey
Hickory Street Apartments
Buffalo, NY 14202

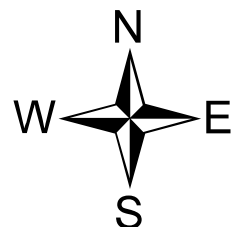
Scale N/A

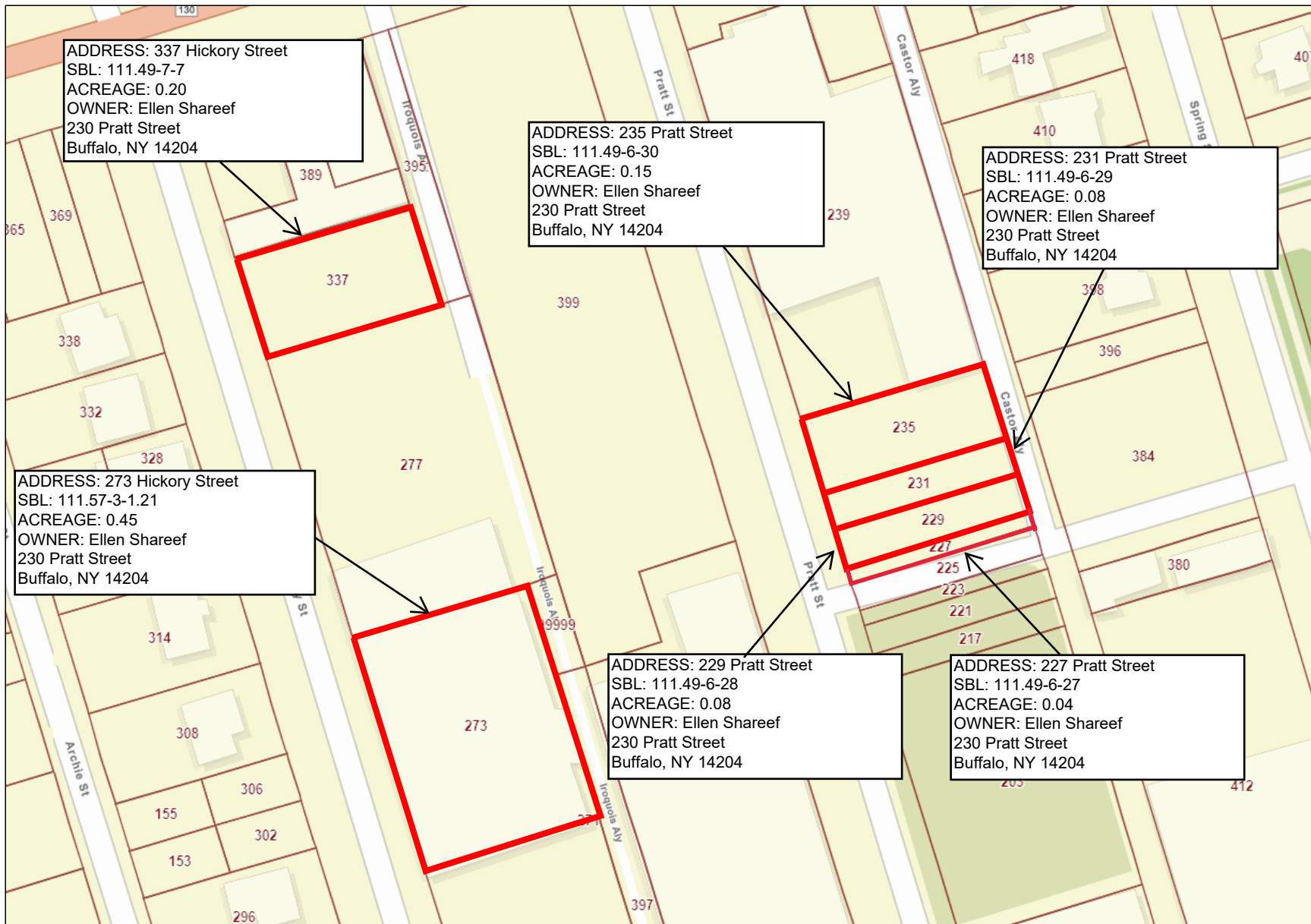


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Client: C&R Housing

Date: January 8, 2024





LEGEND

— BCP Property Boundaries

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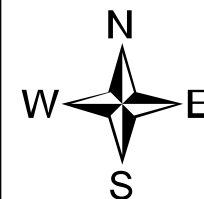
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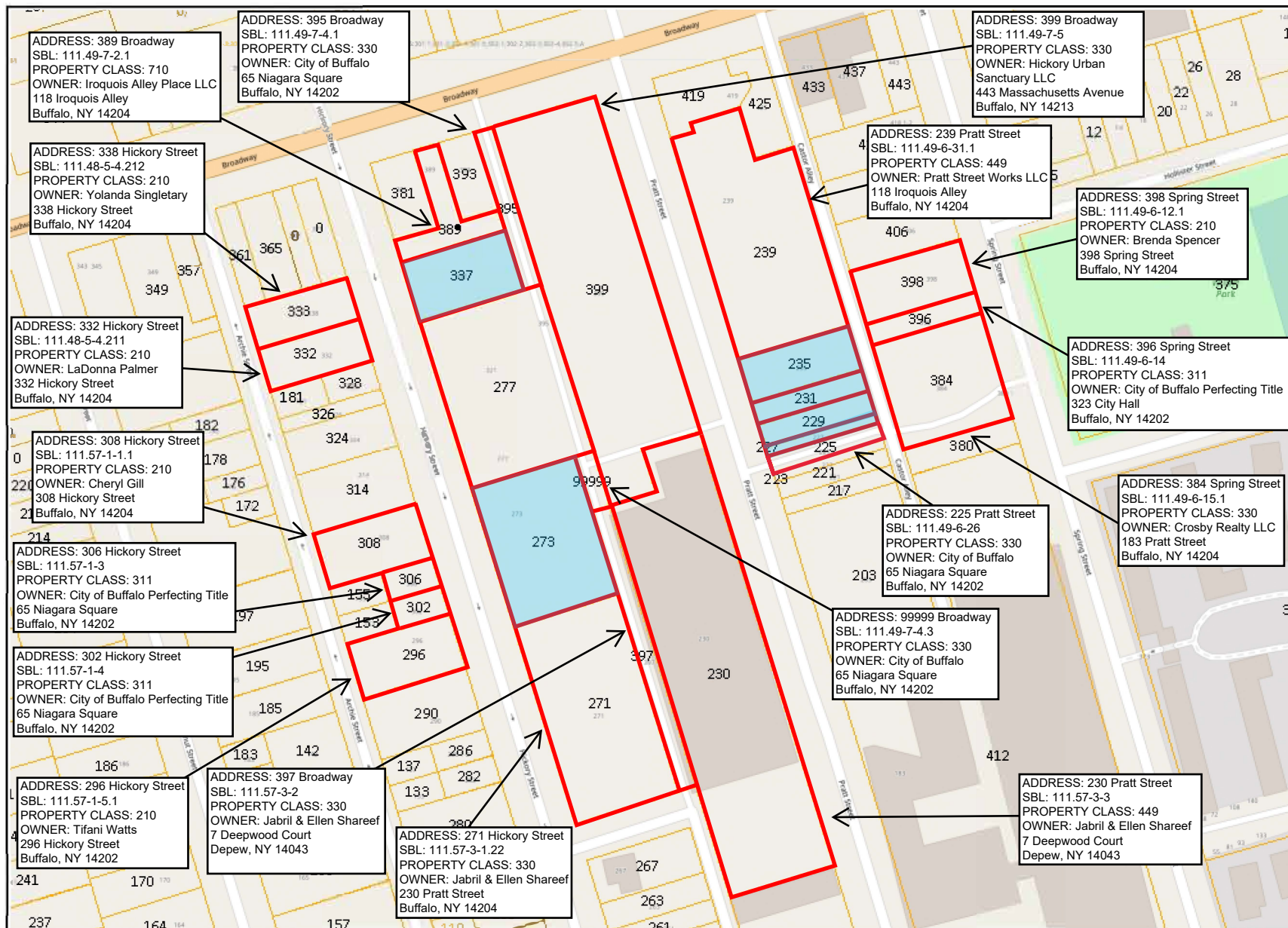
CLIENT: C&R Housing

Figure 4: Site Map

Hickory Street Apartments
 Buffalo, NY 14202



Scale: 1:1,128



LEGEND

- Proposed Parcels to be Included in BCP
- Adjacent Property Boundaries

BE3

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Figure 5: Adjacent Owners Map

Hickory Street Apartments
Buffalo, NY 14202



Scale: 1:2,257



LEGEND

- BCP Site Boundary
- Enzone Type AB
- Enzone Type B

NOTES

*The properties are located in EnZone **Type AB***



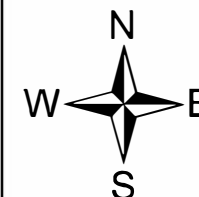
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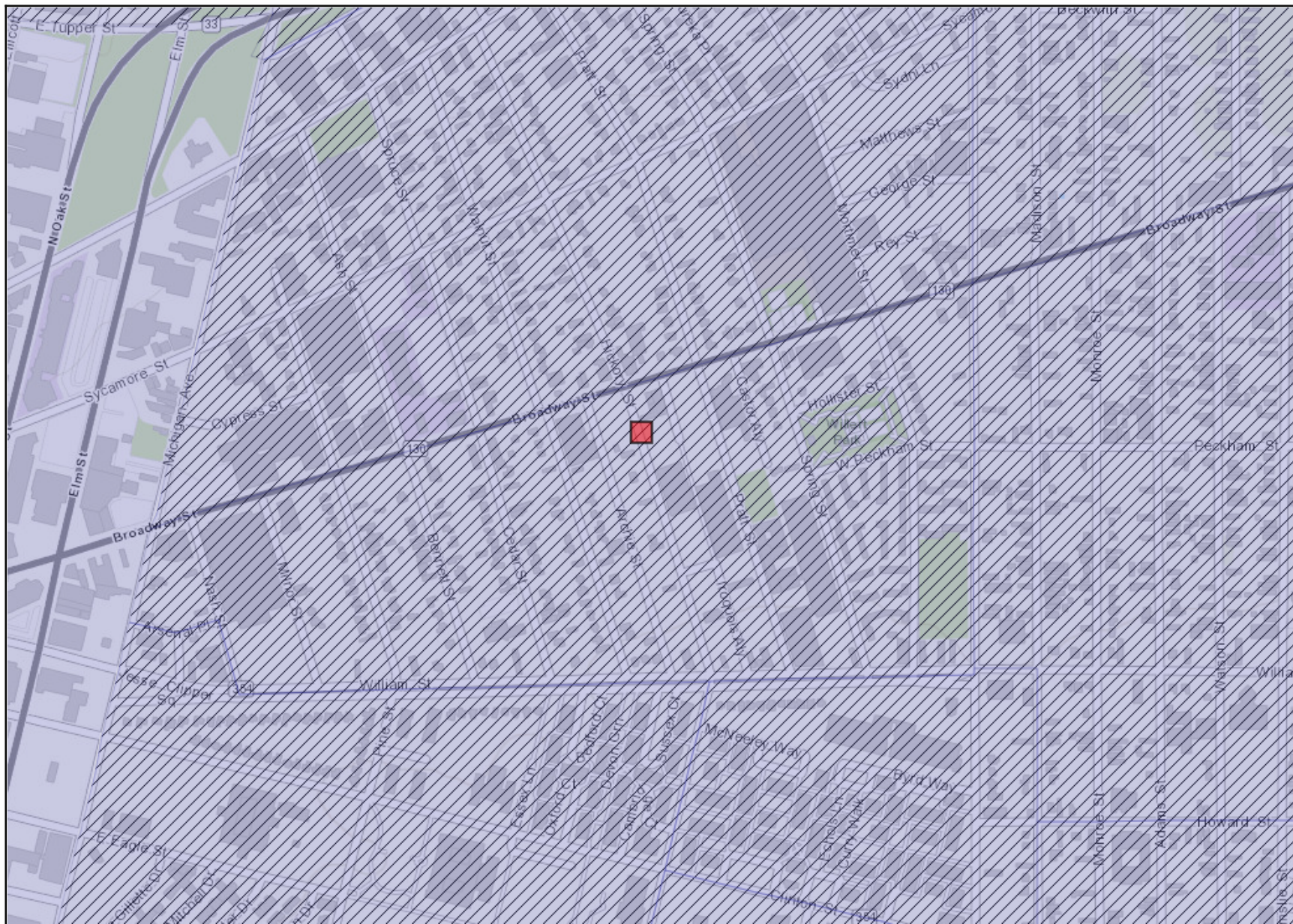
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Figure 6: EnZone Map

Hickory Street Apartments
Buffalo, NY 14202





LEGEND

-  Potential Environmental Justice Areas
-  Disadvantaged Communities (DAC)

NOTES

The site is located within both a Potential Environmental Justice Area and a Disadvantaged Community



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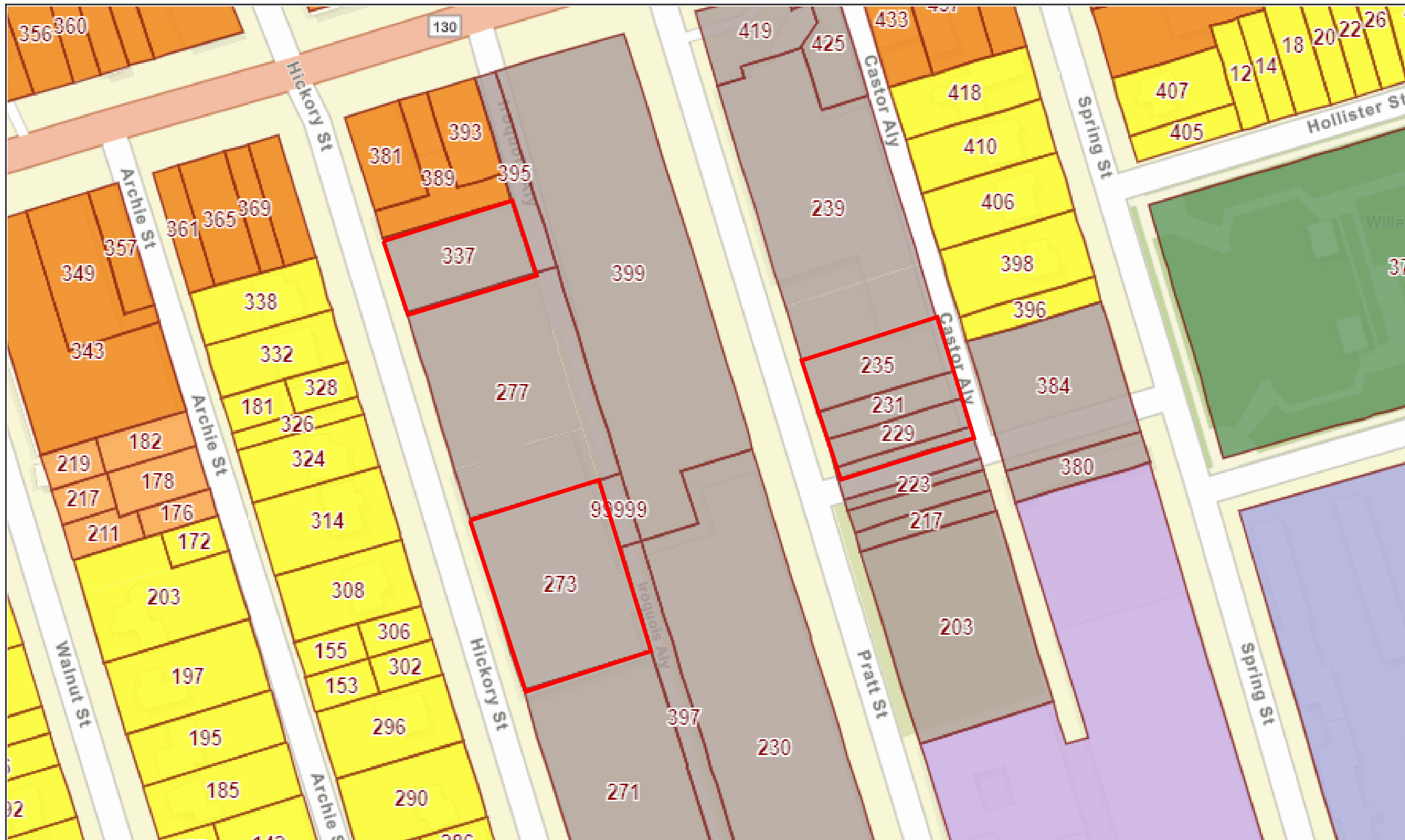
CLIENT: C&R Housing

Figure 7: Disadvantaged Community Map

Hickory Street Apartments
Buffalo, NY 14202



Scale: 1:9,028



LEGEND

- | | |
|------------------------------------|--------------------------|
| N-1S (Secondary Employment Center) | N-4-30 (Single Family) |
| N-3C (Mixed-Use Center) | D-R (Residential Campus) |
| N-3E (Mixed-Use Edge) | D-C (Flex Commercial) |
| D-OG (Green) | BCP Boundary |

NOTES

All properties composing the BCP site are located in a D-C (Flex Commercial) Zone which addresses general commercial and mixed-use areas, which typically benefit from flexible form standards and are separate from, but within close proximity to, residential neighborhoods.



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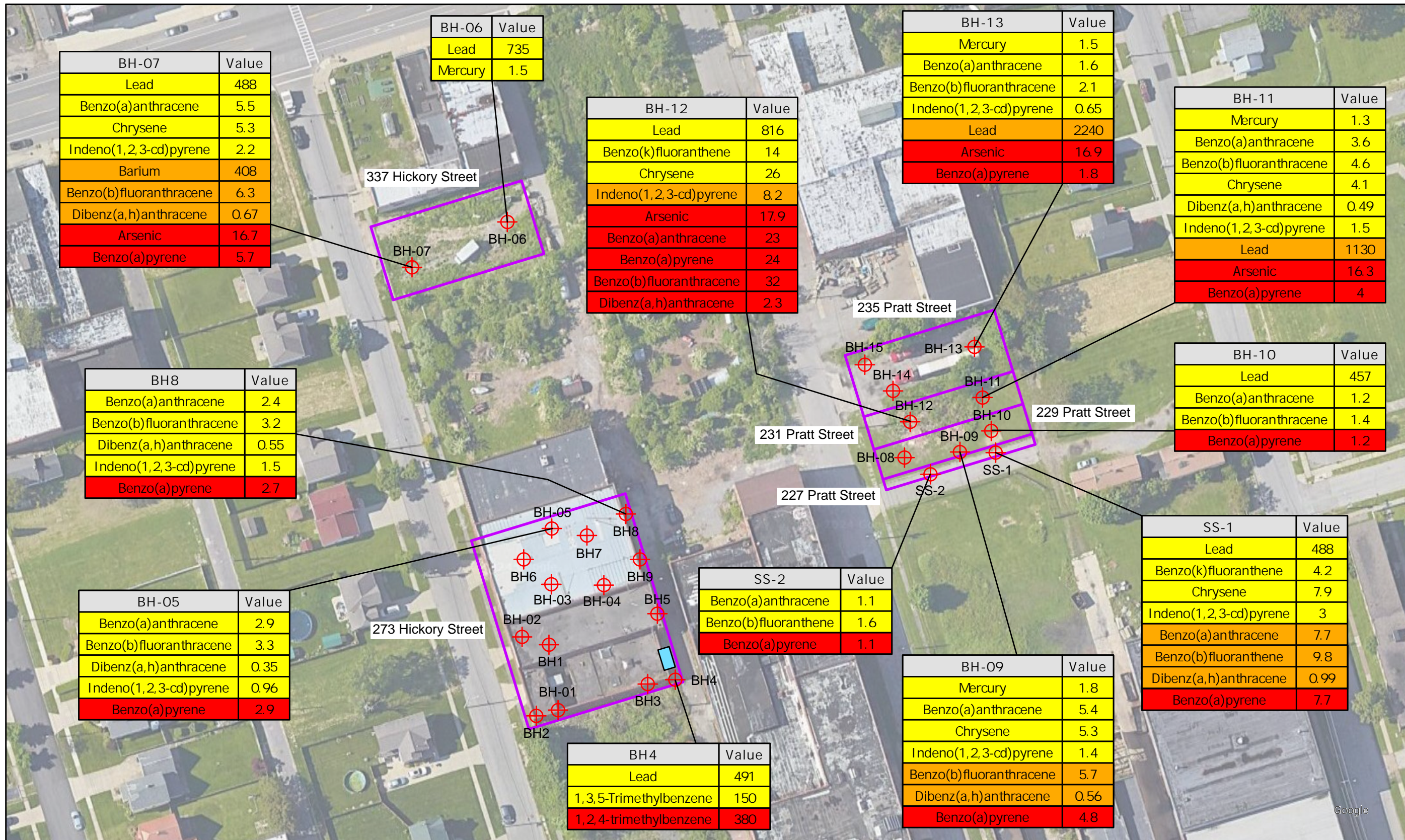
CLIENT: C&R Housing

Figure 8: Zoning Map
Hickory Street Apartments
Buffalo, NY 14202



DATE ISSUED:
November 15, 2023

△
△
△



LEGEND

BCP parcel boundaries

Approximate boring locations

Existing UST location

Value exceeds NYSDEC Restricted Residential SCOs

Value exceeds NYSDEC Commercial SCOs

Value exceeds NYSDEC Industrial SCOs

NOTES

- 1.) Exceedances values are represented in parts per million (ppm)
- 2.) Basemap was adapted from Google Maps
- 3.) Borings denoted BH# represent samples collected on June 13, 2023
- 4.) Borings denoted BH-# represent samples collected on October 23, 2023

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CLIENT: C&R HOUSING

FIGURE 9 Boring Locations with Analysis

Hickory Street Apartments
Buffalo, NY 14202



DATE ISSUED:
March 28, 2024

△
△
△

0 0.01 0.02
Miles

Tables

TABLE 1
SUMMARY OF SOIL ANALYTICAL RESULTS

Parameter Tested	BE3 Phase II Report July 2023 - Sample Identification, Sample Depth in feet below ground surface (bgs), and Sample Date								NYSDEC Soil Cleanup Objectives (SCOs)				
	BH1	BH3	BH3	BH4	BH6	BH7	BH8	BH9	Unrestricted	Residential	Restricted Residential	Commerical	Industrial
	0.5-1	0.5-1	1-2	0.5-3	1-2	0.5-2	2-3	1-3					
	6/28/2023												
METALS/INORGANICS													
Arsenic	9.2	ND	6.80	6.10	ND	3.40	7.80	4.70	13	16	16	16	16
Barium	93.4 B	ND	196 B	148 B	ND	32.8 B	87.4 B	90.5 B	350	350	400	400	10,000
Beryllium	0.74	ND	0.81	0.71	ND	0.24	0.68	0.75	7.2	14	72	590	2,700
Cadmium	2.8 B	ND	0.44 B	0.31 B	ND	0.25 B	0.48 B	0.47 B	2.5	2.5	4.3	60	4.4
Chromium	15.3	ND	24.50	21.10	ND	7.00	17.40	20.80	30	36	180	1,500	6,800
Copper	43.8 B	ND	30.8 B	28.0 B	ND	7.0 B	46.2 B	19.2 B	50	270	270	270	10,000
Lead	76.90	ND	320.00	491.00	ND	12.20	203.00	138.00	63	400	400	1,000	3,900
Manganese	234 B	ND	470 B	324 B	ND	152 B	392 B	309 B	1,600	2,000	2,000	10,000	10,000
Mercury	0.098	ND	0.41	0.67	ND	0.03	0.72	0.24	0.18	0.81	0.81	2.8	5.7
Nickel	26.50	ND	20.80	20.60	ND	8.30	17.40	15.50	30	140	310	310	10,000
Selenium	1.9 J	ND	1.1 J	ND	ND	ND	0.74 J	ND	3.9	36	180	1,500	6,800
Zinc	148 B	ND	140 B	95.2 B	ND	31.6 B	206 B	215 B	109	2,200	10,000	10,000	10,000
SEMI-VOLATILE ORGANIC COMPOUNDS (SVOCs)													
Acenaphthene	ND	ND	ND	0.049 J	0.15 J	ND	0.2 J	ND	20	100	100	500	1,000
Acenaphthylene	ND	ND	ND	ND	0.056 J	ND	0.17 J	ND	100	100	100	500	1,000
Anthracene	ND	ND	ND	ND	0.36	ND	0.49 J	ND	100	100	100	500	1,000
Benzo(a)anthracene	ND	ND	ND	0.18 J	0.74	0.06 J	2.4	0.083 J	1	1	1	5.6	11
Benzo(a)pyrene	ND	ND	ND	0.14 J	0.7	0.055 J	2.7	0.091 J	1	1	1	1	1.1
Benzo(b)fluoranthene	ND	ND	ND	0.16 J	0.8	0.64 J	3.2	0.085 J	1	1	1	5.6	11
Benzo(g,h,i)perylene	ND	ND	ND	0.062 J	0.46	0.032 J	1.8	0.042 J	100	100	100	500	1,000
Benzo(k)fluoranthene	ND	ND	ND	0.085 J	0.43	0.031 J	1.6	0.043 J	0.8	1	3.9	56	110
Chrysene	ND	ND	ND	0.18 J	0.83	0.062 J	2.9	0.080 J	1	1	3.9	56	110
Dibenz(a,h)anthracene	ND	ND	ND	ND	0.14 J	ND	0.55 J	ND	0.33	0.33	0.33	0.56	1.1
Fluoranthene	ND	ND	ND	0.34	1.3	0.11 J	5.5	0.072 J	85	100	100	500	1,000
Fluorene	ND	ND	ND	0.049 J	0.015 J	ND	0.2 J	ND	30	100	100	500	1,000
Indeno(1,2,3-cd)pyrene	ND	ND	ND	0.055 J	0.41	0.028 J	1.5	0.038 J	0.5	0.5	1.4	5.6	11
Naphthalene	ND	ND	ND	14	0.17 J	ND	ND	ND	12	84	100	500	1,000
Phenanthrene	ND	ND	ND	0.13 J	1.4	0.088 J	ND	ND	1.1	100	100	500	1,000
Pyrene	ND	ND	ND	0.29	1.3	0.1 J	ND	0.083 J	64	100	100	500	1,000
VOLATILE ORGANIC COMPOUNDS (VOCs)													
1,2,4-Trimethylbenzene	ND	0.005 J	ND	380	ND	ND	ND	ND	3.6	47	52	190	380.0
1,3,5-Trimethylbenzene	ND	0.0022 J	ND	150	ND	ND	ND	ND	8.4	47	52	190	380.0
2-Butanone (MEK)	ND	0.0041 J	ND	ND	ND	ND	ND	ND	0.12	100	100	500	1,000
Acetone	ND	0.022 J	ND	ND	ND	ND	ND	ND	0.05	100	100	500	1,000
Methylene Chloride	ND	0.0053	ND	ND	ND	ND	ND	ND	0.05	51	100	500	1,000
Xylenes, Total	ND	0.0017 J	ND	41	ND	ND	ND	ND	0.26	100	100	500	1,000
TOTAL TENTATIVELY IDENTIFIED COMPOUNDS (TICS)													
Total TICs	ND	ND	ND	2100	ND	ND	ND	ND	N/A	N/A	N/A	N/A	N/A

ND Analyte not detected
 - Not Applicable or sample not tested for this analyte
 J Estimated Concentration
 B Analyte detected in method blank
 K Result is reported as Benzo(b)fluoranthene
 E Results exceeded calibration range
 T Result is Tentatively Identifies Compound and an estimated value

	Analyte detected
	Reported concentration greater than or equal to the NYSDEC Unrestricted SCO
	Reported concentration greater than or equal to the NYSDEC Residential SCO
	Reported concentration greater than or equal to the NYSDEC Restricted Residential SCO
	Reported concentration greater than or equal to the NYSDEC Commercial SCO
	Reported concentration greater than or equal to the NYSDEC Industrial SCO

TABLE 2
SUMMARY OF SOIL ANALYTICAL RESULTS

Parameter Tested	BE3 Hickory and Pratt Street Phase II - Sample Identification and Sample Date						NYSDEC Soil Cleanup Objectives (SCOs)				
	BH-01 1-3'	BH-02 0.5-1'	BH-05 1-4'	BH-06 1-3'	BH-07 1-3.5'	BH-09 0-2'	Unrestricted	Residential	Restricted Residential	Commerical	Industrial
	10/23/2023										
	METALS/INORGANICS										
Arsenic	9.0	8.1	5.3	9.0	16.7	6.3	13	16	16	16	16
Barium	139.0	136.0	59.9	242.0	408.0	46.0	350	350	400	400	10,000
Beryllium	0.73	0.9	0.34	0.67	1.4	0.56	7.2	14	72	590	2,700
Cadmium	0.44	3.1	0.057 J	0.28	1.9	0.13 J	2.5	2.5	4.3	9.3	60
Chromium	17.5	19.3	9.0	20.8	25.6	10.0	30	36	180	1,500	6,800
Copper	32.6	34.4	10.5	36.6	92.7	23.1	50	270	270	270	10,000
Lead	230.0	87.7	52.0	735.0	488.0	38.5	63	400	400	1,000	3,900
Manganese	418 B	486 B	194 B	304 B	950 B	154 B	1,600	2,000	2,000	10,000	10,000
Mercury	0.27	0.077	0.067	1.5	0.092	1.8	0.18	0.81	0.81	2.8	5.7
Nickel	17.7	29.9	9.1	23.9	17.7	15.9	30	140	310	310	10,000
Selenium	0.83 J	ND	ND	0.92 J	0.74 J	ND	3.9	36	180	1,500	6,800
Zinc	139.0	233.0	31.0	215.0	339.0	72.5	109	2,200	10,000	10,000	10,000
	SEMI-VOLATILE ORGANIC COMPOUNDS (SVOCs)										
3-Methylphenol	ND	ND	0.042 J	ND	ND	ND	-	-	-	-	-
4-Methylphenol	ND	ND	0.042 J	ND	ND	ND	-	-	-	-	-
Acenaphthene	ND	ND	0.54	ND	0.940 J	1.1	20	100	100	500	1,000
Acenaphthylene	ND	ND	0.110 J	ND	ND	0.760 J	100	100	100	500	1,000
Anthracene	ND	ND	1.3	ND	2.1	3	100	100	100	500	1,000
Benzo(a)anthracene	0.150 J	ND	2.9	0.320 J	5.5	5.4	1	1	1	5.6	11
Benzo(a)pyrene	0.150 J	ND	2.9	0.330 J	5.7	4.8	1	1	1	1	1.1
Benzo(b)fluoranthene	0.170 J	ND	3.3	0.370 J	6.3	5.7	1	1	1	5.6	11
Benzo(g,h,i)perylene	0.120 J	ND	0.85	0.140 J	2.1	1.3	100	100	100	500	1,000
Benzo(k)fluoranthene	ND	ND	1.3	0.180 J	3.5	2.2	0.8	1	3.9	56	110
Chrysene	ND	ND	2.7	0.310 J	5.3	5.3	1	1	3.9	56	110
Dibenz(a,h)anthracene	ND	ND	0.35	ND	0.670 J	0.560 J	0.33	0.33	0.33	0.56	1.1
Dibenzofuran	ND	ND	0.43	ND	0.530 J	0.840 J	7	14	59	350	1,000
Fluoranthene	0.230 J	0.270 J	5.4	0.630 J	15	13	100	100	100	500	1,000
Fluorene	ND	ND	0.5	ND	0.850 J	1.5	30	100	100	500	1,000
Indeno(1,2,3-cd)pyrene	ND	ND	0.96	0.170 J	2.2	1.4	0.5	0.5	0.5	5.6	11
Naphthalene	ND	ND	0.38	ND	0.620 J	0.610 J	12	100	100	500	1,000
Phenanthrene	ND	ND	4.9	0.380 J	8.6	10	100	100	100	500	1,000
Pyrene	0.190 J	ND	3.6	0.440 J	8.5	7.9	100	100	100	500	1,000
ND Analyte not detected					Analyte detected						
- Not Applicable or sample not tested for this analyte					Reported concentration greater than or equal to the NYSDEC Industrial SCO						
J Estimated Concentration					Reported concentration greater than or equal to the NYSDEC Commercial SCO						
B Anaalyte detected in method blank					Reported concentration greater than or equal to the NYSDEC Restricted Residential SCO						
K Result is reported as Benzo(b)fluoranthene					Reported concentration greater than or equal to the NYSDEC Residential SCO						
E Results exceeded calibration range					Reported concentration greater than or equal to the NYSDEC Unrestricted SCO						
F1/F2 MS or MSD recovery exceeds control limits											
T Result is Tentatively Identifies Compound and an estimated value											

TABLE 2
SUMMARY OF SOIL ANALYTICAL RESULTS

Parameter Tested	BE3 Hickory and Pratt Street Phase II - Sample Identification and Sample Date					NYSDEC Soil Cleanup Objectives (SCOs)				
	BH10 0-2'	BH11 0-3'	BH12 0-2'	BH13 0-3'	BH14 0-1'	Unrestricted	Residential	Restricted Residential	Commerical	Industrial
	10/23/2023									
	METALS/INORGANICS									
Arsenic	13.0	16.3	17.9	16.9	3.2	13	16	16	16	16
Barium	162.0	260.0	258.0	378.0	151.0	350	350	400	400	10,000
Beryllium	0.66	0.9	0.86	1.4	3.1	7.2	14	72	590	2,700
Cadmium	0.63	1.3	0.78	1.3	ND	2.5	2.5	4.3	9.3	60
Chromium	17.7	27.9	24.5	20.4	7.7	30	36	180	1,500	6,800
Copper	49.7	57.0	38.8	85.3	16.9	50	270	270	270	10,000
Lead	457.0	1130.0	816.0	2240.0	31.0	63	400	400	1,000	3,900
Manganese	349 B	343.0	363 B	733 B	1240 B	1,600	2,000	2,000	10,000	10,000
Mercury	0.46	1.3	0.80	1.5	0.1	0.18	0.81	0.81	2.8	5.7
Nickel	23.4	27.6	22.2	17.4	13.2	30	140	310	310	10,000
Selenium	ND	0.99 J	ND	2.2 J	0.94 J	3.9	36	180	1,500	6,800
Zinc	321.0	554.0	308.0	717.0	20.1	109	2,200	10,000	10,000	10,000
	SEMI-VOLATILE ORGANIC COMPOUNDS (SVOCs)									
Acenaphthene	ND	0.380 J	1.5 J	0.310 J	ND	20	100	100	500	1,000
Acenaphthylene	ND	0.530 J	5.2	ND	0.092 J	100	100	100	500	1,000
Anthracene	ND	1 J	7	0.680 J	0.079 J	100	100	100	500	1,000
Benzo(a)anthracene	1.2 J	3.6	23	1.6 J	0.45	1	1	1	5.6	11
Benzo(a)pyrene	1.2 J	4	24	1.8 J	0.55	1	1	1	1	1.1
Benzo(b)fluoranthene	1.4 J	4.6	32	2.1	0.81	1	1	1	5.6	11
Benzo(g,h,i)perylene	0.450 J	1.4 J	7.9	0.690 J	0.2	100	100	100	500	1,000
Benzo(k)fluoranthene	0.600 J	2.7	14	1.1 J	0.28	0.8	1	3.9	56	110
Chrysene	1.1 J	4.1	26	1.6 J	0.54	1	1	3.9	56	110
Dibenz(a,h)anthracene	ND	0.490 J	2.3 J	ND	0.069 J	0.33	0.33	0.33	0.56	1.1
Dibenzofuran	ND	0.340 J	2.8 J	ND	0.160 J	7	14	59	350	1,000
Fluoranthene	2.7	11	77	4.1	1	100	100	100	500	1,000
Fluorene	ND	0.510 J	2.9 J	0.310 J	ND	30	100	100	500	1,000
Indeno(1,2,3-cd)pyrene	0.490 J	1.5 J	8.2	0.650 J	0.19	0.5	0.5	0.5	5.6	11
Naphthalene	ND	ND	1.1 J	ND	0.3	12	100	100	500	1,000
Phenanthrene	1.5 J	6.8	54	2.8	0.68	100	100	100	500	1,000
Pyrene	1.6 J	6.3	41	2.2	0.58	64	100	100	500	1,000
Notes: All units in parts per million (ppm)					Analyte detected					
ND Analyte not detected					Reported concentration greater than or equal to the NYSDEC Industrial SCO					
- Not Applicable or sample not tested for this analyte					Reported concentration greater than or equal to the NYSDEC Commercial SCO					
J Estimated Concentration					Reported concentration greater than or equal to the NYSDEC Restricted Residential SCO					
B Anaalyte detected in method blank					Reported concentration greater than or equal to the NYSDEC Residential SCO					
K Result is reported as Benzo(b)fluoranthene					Reported concentration greater than or equal to the NYSDEC Unrestricted SCO					
E Results exceeded calibration range										
T Result is Tentatively Identifies Compound and an estimated value										

TABLE 3
SUMMARY OF SOIL ANALYTICAL RESULTS

Parameter Tested	227 Pratt Street Sampling - Sample Name, Sample Depth in feet below ground surface (bgs), Sample Date		NYSDEC Soil Cleanup Objectives (SCOs)				
	SS-1 0-1.5	SS-2 0-1.5	Unrestricted	Residential	Restricted	Commerical	Industrial
	3/6/2024				Residential		
METALS/INORGANICS							
Arsenic	7.1	7.5	13	16	16	16	16
Barium	154.0	132.0	350	350	400	400	10,000
Beryllium	0.82	0.6	7.2	14	72	590	2,700
Cadmium	1.0	0.85	2.5	2.5	4.3	9.3	60
Chromium	39.4 B	20.3 B	30	36	180	1,500	2,000
Copper	50.7 B	31.5 B	50	270	270	270	10,000
Lead	488.0	363.0	63	400	400	1,000	3,900
Manganese	621 B	384 B	1,600	2,000	2,000	10,000	10,000
Mercury	0.29	0.47	0.18	0.81	0.81	2.8	5.7
Nickel	24.9	22.1	30	140	310	310	10,000
Selenium	1.5 J	0.74 J	3.9	36	180	1,500	6,800
Silver	0.56 J	0.29 J	2	36	180	1,500	6,800
Zinc	585.0	189.0	109	2,200	10,000	10,000	10,000
SEMI-VOLATILE ORGANIC COMPOUNDS (SVOCs)							
Acenaphthene	0.95	ND	20	100	100	500	1,000
Anthracene	2.3	ND	100	100	100	500	1,000
Benzo(a)anthracene	7.7	1.1	1	1	1	5.6	11
Benzo(a)pyrene	7.7	1.1	1	1	1	1.1	1.1
Benzo(b)fluoranthene	9.8	1.6	1	1	1	5.6	11
Benzo(g,h,i)perylene	2.7	0.35 J	100	100	100	500	1,000
Benzo(k)fluoranthene	4.2	0.57 J	0.8	1	3.9	56	110
Chrysene	7.9	1.3	1	1	3.9	56	78
Dibenz(a,h)anthracene	0.99 J	ND	0.33	0.33	0.33	0.56	1.1
Dibenzofuran	0.46 J	ND	Various	Various	Various	Various	Various
Fluoranthene	19	2.7	85	100	100	500	1,000
Fluorene	0.79 J	ND	30	100	100	500	1,000
Indeno(1,2,3-cd)pyrene	3	0.39 J	0.5	0.5	0.5	5.6	11
Phenanthrene	11	1.6	1.1	100	100	500	1,000
Pyrene	13	1.7	64	100	100	500	1,000

NOTE: All units are in parts per million (ppm)

ND Analyte not detected

J Estimated Concentration

B Analyte detected in method blank

	Concentration above unrestricted SCOs but below residential SCOs
	Concentration above residential SCOs but below restricted residential SCOs
	Concentration above restricted residential SCOs but below commercial SCOs
	Concentration above commercial SCOs but below industrial SCOs
	Concentration above industrial SCOs

Appendix A

Section I: Property Information



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Appendix A. Section I: Property Information

Location

The Hickory Streets Apartments (i.e., the Site) is approximately 1-acre and is composed of the following properties:

Address	Tax ID (SBL)	Acreage
273 Hickory Street	111.57-3-1.21	0.45
337 Hickory Street	111.49-7-7	0.20
227 Pratt Street	111.49-6-27	0.04
229 Pratt Street	111.49-6-28	0.08
231 Pratt Street	111.49-6-29	0.08
235 Pratt Street	111.49-6-30	0.15

Property information was obtained from the Erie County New York Interactive Mapping Viewer at: https://gis.erie.gov/Html5Viewer133/index.html?viewer=ErieCountyNY.HTML5_2_11_0.

The site is located approximately 0.9-miles northeast of Sahlen Field, less than 0.5-miles south-southeast of Kensington Expressway, and about 0.65-miles west of School 31 (Harriet Ross Tubman School). The properties are bounded as follows:

Address	North	East	South	West
273 Hickory Street	277 Hickory Street (industrial)	397 Broadway (vacant)	271 Hickory Street (vacant)	Hickory Street
337 Hickory Street	389 Broadway (manufacturing)	395 Broadway (vacant)	277 Hickory Street (industrial)	Hickory Street
227 Pratt Street	229 Pratt Street (vacant)	Castor Alley	225 Pratt Street (vacant)	Pratt Street
229 Pratt Street	231 Pratt Street (vacant)	Castor Alley	227 Pratt Street (vacant)	Pratt Street
231 Pratt Street	235 Pratt Street (vacant)	Castor Alley	229 Pratt Street (vacant)	Pratt Street
235 Pratt Street	239 Pratt Street (commercial)	Castor Alley	231 Pratt Street (vacant)	Pratt Street

The Brownfield Cleanup Program (BCP) properties are located on Hickory and Pratt Streets which are two adjacent city streets/blocks. The six properties are bounded by Hickory Street to the west, Broadway to the north, Castor Alley to the east and William Street to the south. The surrounding properties are mixed commercial/former industrial/manufacturing and residential.

Current Site Features

The following provides a brief description of each of the six parcels that make up the BCP site.

273 Hickory Street currently contains a brick one-three story, 39,225 square foot, former industrial building which occupies most of the parcel. Currently the building is used as a warehouse and is in some disrepair with parts of the upper floors removed and/or in structural distress.

337 Hickory Street currently contains a vacant weed/grass and soil/debris covered lot.

227 Pratt Street currently contains a vacant grass covered lot with minimal asphalt along the southern border.

229 Pratt Street currently contains a vacant grass covered lot. Some brick debris is located along its northern side.

231 Pratt Street currently contains a vacant lot that is mostly covered with brick, soil, and weeds. The brick/soil waste has elevated the site by about 1-2 feet and the east and west ends are free of debris and grass covered.

235 Pratt Street is a vacant soil and weed covered lot that is currently used as a parking area for large trucks.

Current Zoning and Land Use

The following table provides zoning and property class codes and descriptions.

Address	Zoning	Description	Property Class	Description
273 Hickory Street	D-C	Flex commercial	449	Other storage & warehouse facilities
337 Hickory Street	D-C	Flex commercial	330	Commercial vacant land
227 Pratt Street	D-C	Flex commercial	330	Commercial vacant land
229 Pratt Street	D-C	Flex commercial	330	Commercial vacant land
231 Pratt Street	D-C	Flex commercial	330	Commercial vacant land
235 Pratt Street	D-C	Flex commercial	330	Commercial vacant land

Past Use of the Site

The following provides a brief summary of the historical uses of each parcel.

273 Hickory Street: During the late 1800s the subject property appears to have been part of a brewery complex, the majority of which was located across Iroquois Alley at 230 Pratt Street. The brewery went through various owners/name changes as follows:

- Jacob Roos Brewery (1830-1874)
- George Roos Brewery (1874- 1887)
- Roos Co-operative Brewing Co. (1887-1892)
- Iroquois Brewing Co. (1892-1920)
- Iroquois Beverage Corp. (1933-1955)
- International Breweries INC Brewery (1955-1967)
- Iroquois Brewing Co. (1967-1971)

By the 1920s and at least into the 1980s, the property functioned as a truck/vehicle repair and parking garage. An underground storage tank (UST) is shown on the subject property (i.e., 273 Hickory Street) on the 1950 and 1981 Sanborn maps outside along the southeast building wall. Fill ports and vent pipes indicating an existing tank were observed during the Phase I and Phase II Environmental Site Assessments (ESAs) at this location and subsurface samples indicated petroleum impacts to soil adjacent to the UST.

City records indicate that two tanks were associated with the building; one on what is now the adjacent southern parcel and one on the subject property where it appears located presently. A 1965 City of Buffalo building record and associated Buffalo Fire Department record indicates a 4,000-gallon underground steel gasoline tank was installed outside at 50-70 Iroquois Place. The fire record also shows an existing 2,000-gallon tank east of the garage building and adjacent to Iroquois Place in a location where the tank exists currently. Notes in the city records indicate that the 2,000-gallon tank was converted to diesel fuel.

At the time of the site visit and Phase II field work various miscellaneous items were stored across the building rooms. There was some staining noted on the first-floor concrete slab from past property use and some small quantities of oils and chemicals were observed particularly on the northern end, where some empty and partially full drums and containers were noted.

337 Hickory Street: The property was residential from the late 1800s to at least 1930. Sometime before 1950 through at least the 1980s, it was used as parking. Currently it appears to be a vacant lot.

227, 229, 231 and 235 Pratt Street: These properties were mostly residential through the 1950s and became vacant lots prior to the 1980s. Historically, a large stamping and forged metal plant is located just south and a large iron works and forge to the north of these properties.

Site Geology and Hydrogeology

The project area is situated within the Erie Lake Plain physiographic province, one of the two physiographic provinces of Erie County (the Allegheny Plateau is the other). The lake plain province is located along Lake Erie and its topography is typical of an abandoned lakebed with little significant relief except for narrow ravines carved by the area's streams. Although the project area is relatively flat, this topography is by no means natural. The current landscape is a result of nearly two centuries of alteration and development. The bedrock beneath the project area is Onondaga limestone, consisting of Middle Devonian age limestone and chert. It lies deeply buried beneath glacial deposits and no rock outcroppings are visible on the ground surface. This formation is notable for its chert nodules that were the primary prehistoric lithic resource used in western New York. Relatively flat, the bedrock underlying Erie County tilts to the southwest at approximately 50 ft (15 m) per mile. Based on nearby investigations bedrock in the area of the property across Broadway Avenue may be relatively shallow.

Geologic information was obtained from <https://www.usgs.gov/>.

Environmental Assessment

A Phase I-II ESA was completed in July 2023 at 273 Hickory Street, Buffalo, Erie County, New York. A follow-up Phase II ESA at 273 and 337 Hickory Street and 229, 231 and 235 Pratt Street was completed in November 2023 when the project was expanded to include four additional properties (i.e., 337 Hickory Street and 229, 231 and 235 Pratt Street).

The Phase I ESA completed at 273 Hickory Street indicated the following recognized environmental conditions (RECs) in connection with the property:

- A UST exists on the subject property and Phase II soil sampling results indicate elevated petroleum compounds in soils near the UST.
- The subject property has a long-term historical use as a truck and vehicle repair location. Observation made during the property visit noted some staining at various locations across the first-floor concrete slab from past property use and some small quantities of oils and chemicals were observed particularly on the northern end where some empty and partially full drums and containers were noted.
- Based on historic records a UST may be located about seven feet south of the subject property on the adjacent property.

The initial Phase II ESA and follow-up Phase II ESA (i.e., to include the additional parcels) indicated elevated petroleum compounds in soils near the existing UST at 273 Hickory Street and urban fill material below the slab in 273 Hickory Street and across the other vacant parcels to various depths. The fill material contained elevated metal and semi-volatile (SVOC) compounds above NYSDEC restricted residential, commercial, and industrial soil cleanup objectives. No groundwater was encountered, and bedrock appears to be relatively shallow.

Refer to the attached electronic copies of these reports.

Appendix B

Section II: Project Description



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Appendix B. Section II: Project Description

The purpose of the project is the construction of a mixed-use building containing 29 apartment units and approximately 6,000 square feet of commercial space (i.e., used for offices, retail stores, etc.). The additional lots will be used for parking and infill housing. The project is intended to provide affordable housing accommodations for households earning less than 80% of the area median income (AMI).

Architectural drawings are scheduled for completion in January 2024. The project is anticipated to start in July 2024 with a construction duration period of approximately 20 months. Remediation will occur concurrently with the construction phase and will be completed in March 2026. The Certificate of Completion (COC) is expected to be awarded in April 2026.

Appendix C

Section II: Land Use Factors



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Appendix C. Section III: Land Use Factors

Current Zoning

All properties composing the site are zoned D-C (Flex Commercial). This zoning district addresses general commercial and mixed-use areas, which typically benefit from flexible form standards and are separate from, but within close proximity to, residential neighborhoods.

Current Use

273 Hickory Street currently contains a brick one-three story, 39,225 square foot, former industrial building which occupies most of the parcel. Currently the building is used as a warehouse and is in some disrepair with parts of the upper floors removed and/or in structural distress.

337 Hickory Street currently contains a vacant weed/grass and soil/debris covered lot.

227 Pratt Street currently contains a vacant grass covered lot with minimal asphalt along the southern border.

229 Pratt Street currently contains a vacant grass covered lot. Some brick debris is located along its northern side.

231 Pratt Street currently contains a vacant lot that is mostly covered with brick, soil and weeds. The brick/soil waste has elevated the site by about 1-2 feet and the east and west ends are free of debris and grass covered.

235 Pratt Street is a vacant soil and weed covered lot that is currently used as a parking area for large trucks.

Proposed Post-Remediation Use

The purpose of the project is the construction of a mixed-use building containing 29 apartment units and approximately 6,000 square feet of commercial space (i.e., used for offices, retail stores, etc.). The additional lots will be used for parking and infill housing. The project is intended to provide affordable housing accommodations for households earning less than 80% of the area median income (AMI).

Proposed Use & Zoning Consistency

The proposed post-remediation use is consistent with the current zoning (see **Figure 9**).

Proposed Use & City Planning

The site is located in the Willert Park Neighborhood, which is an approximately 0.85-square mile section of Buffalo centered around Willert Park and bounded by Broadway Street to the north, Jefferson Avenue to the east, William Street to the south, and Cedar Street to the west. This diverse, low-income neighborhood is characterized as urban with most residential rental rates vastly below the Buffalo and New York State average. Real estate is primarily comprised of small (studio to two bedroom) to medium sized (three or four bedroom) apartment complexes/high-rise apartments and small apartment buildings with a vacancy rate of nearly 45%. The majority of residences were established sometime between 1970 and 1999 and a number were built

sometime after. Willert Park is an incredibly unique area of Buffalo as it was the location of one of Buffalo's first public housing projects and Western New York's first public housing complex for the African American community. Willert Park Courts, a once successful multi-building complex, is currently dilapidated and unusable. Although the Buffalo Housing Authority has the intention to demolish much of the complex, the community is fighting for its historic preservation and renovation for future use. The project meets community objectives of restoration and reuse and will serve the surrounding area by providing affordable housing to a disadvantaged community located within an environmental justice area.

The Four-Year Strategic Plan (2023-2027) serves as a roadmap for the City of Buffalo to achieve its strategic priorities and goals over the next four years. The Plan is centered around four priorities: thriving neighborhoods and people, economic opportunities and mobility, smart and sustainable infrastructure, and climate resilience. This project exemplars the first two priorities of the Plan as it intends to revitalize the neighborhood and provide access to economic opportunities and public transportation to low-income communities.

The Buffalo Green Code (i.e., Unified Development Ordinance), adopted in January 2017, serves as the City's blueprint for zoning and development. The proposed use is consistent with all components of the Buffalo Green Code.

Appendix D

Section IV: Property's Environmental History



BRYDGES ENGINEERING
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Appendix D. Section IV: Property's Environmental History

Phase I-II ESA, 273 Hickory Street, Buffalo, Erie County, New York, July 2023.

The Phase I ESA indicated the following recognized environmental conditions (RECs) in connection with the property:

- A UST exists on the subject property and Phase II soil sampling results indicate elevated petroleum compounds in soils near the UST.
- The subject property has a long-term historical use as a truck and vehicle repair location. Observation made during the property visit noted some staining at various locations across the first-floor concrete slab from past property use and some small quantities of oils and chemicals were observed particularly on the northern end where some empty and partially full drums and containers were noted.
- Based on historic records a UST may be located about seven feet south of the subject property on the adjacent property.

The following historical recognized environmental condition (HREC) was identified:

- Nearby and adjacent properties had spills that were closed by NYSDEC which are considered HRECs.

The following business environmental risks (BERs) were noted:

- Other Historic gasoline storage and sales, vehicle repair, vehicular garages and a dry cleaner were historically located within the search radius to the subject property. These are considered BERs and not RECs because they are a sufficient distance away or cross gradient or downgradient of the property.
- Some staining was observed across the ground floor which may represent minor past spills and leaks, and this is considered an additional BER. No significant chemicals or petroleum were indicated in shallow soils from the limited soil borings completed.
- Materials and containers currently stored on the property should be properly containerized/stored or removed/disposed. There was some staining noted on the first-floor concrete slab from past property use and some small quantities of oils and chemicals were observed particularly on the northern end where some empty and partially full drums and containers were noted.

Phase II ESA, 273 and 337 Hickory Street and 229, 231 & 235 Pratt Street, Buffalo, Erie County, New York, November 2023.

The assessment indicated that there are urban fill conditions existing at the properties ranging from at least one to three (1-3) feet below ground surface (bgs). Soil sample laboratory results from this fill material indicated elevated metal and SVOCs (primarily PAHs compounds) above NYSDEC restricted residential, commercial, and industrial SCOs. An underground storage tank (UST) exists at the 273 Hickory Street property and elevated concentrations of petroleum-related compounds were detected in soil samples adjacent to the UST.

These reports 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.

The follow-up Phase II ESA did indicate elevated petroleum compounds in soils near the existing UST that may represent a petroleum spill. The owner should be notified that they are responsible for contacting the NYSDEC and report as a spill. Subsurface shallow fill exists below the floor and across the property including the outside border. This fill contained some exceedances of metals and semi-volatile (SVOC) compounds above NYSDEC soil cleanup objectives. No groundwater was encountered, and bedrock appears to be relatively shallow. See **Table 1** for a summary of soil analytical results and **Figure 9** for boring/soil sampling locations and an analytical summary.

Per ECL 27-1407(1), copies of the referenced investigatory reports are provided individually in Portable Document Format (PDF) in a separate electronic folder.

Appendix E

Section V: Requestor Information



BRYDGES ENGINEERING
IN ENVIRONMENT AND ENERGY, DPC

Appendix E. Section V: Requestor Information

The Requestor, LEGACY LANDMARK HOLDINGS LLC, is a corporation authorized by the New York State (NYS) Department of State to conduct business in NYS (refer to the attached entity printout).

Ellen Shareef is the managing member and there are no additional LLC members.

Investigation, assessment and remedial workplans, reports and other documents will be prepared for the Requestor by Brydges Engineering in Environment & Energy (BE3). BE3 is a New York State Licensed Professional Engineering firm meeting the requirements of Section 7210 of the Education Law to provide professional engineering services in the State of New York (Certification number 0019059) and is authorized to practice engineering in New York State. All documents will be certified by a New York State licensed professional engineer.

Department of State

Division of Corporations

Entity Information

Return to Results

Return to Search

Entity Details

ENTITY NAME: LEGACY LANDMARK HOLDINGS LLC
DOS ID: 7295471
FOREIGN LEGAL NAME:
FICTITIOUS NAME:
ENTITY TYPE: DOMESTIC LIMITED LIABILITY COMPANY
DURATION DATE/LATEST DATE OF DISSOLUTION:
SECTIONOF LAW: LIMITED LIABILITY COMPANY LAW - 203 LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW
ENTITY STATUS: ACTIVE
DATE OF INITIAL DOS FILING: 04/02/2024
REASON FOR STATUS:
EFFECTIVE DATE INITIAL FILING: 04/02/2024
INACTIVE DATE:
FOREIGN FORMATION DATE:
STATEMENT STATUS: CURRENT
COUNTY: ERIE
NEXT STATEMENT DUE DATE: 04/30/2026
JURISDICTION: NEW YORK, UNITED STATES
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: LEGACY LANDMARK HOLDINGS LLC
Address: 7 DEEPWOOD COURT, DEPEW, NY, UNITED STATES, 14043

Electronic Service of Process on the Secretary of State as agent: 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

Proof of Site Access Certification

Date: April 23, 2024

Property Addresses: 273 and 337 Hickory Street and 227, 229, 231 and 235 Pratt Street

Property ID/SBL: 111.57-3-1.21, 111.49-7-7, 111.49-6-27, 111.49-6-28, 111.49-6-29 and 111.49-6-30

Property Owner Name: Ellen Shareef

Property Owner Address: 7 Deepwood Court, Depew, NY 14043

Applicant Name: Legacy Landmark Holdings LLC

The undersigned hereby certified as follows:

- 1.) I am duly authorized to furnish this Certification on behalf of Ellen Shareef (the "Owner").
- 2.) As of the date hereof, the Owner is the fee simple owner of the properties: 111.57-3-1.21, 111.49-7-7, 111.49-6-27, 111.49-6-28, 111.49-6-29 and 111.49-6-30, located in the City of Buffalo, New York.
- 3.) The Owner is aware that (a) Legacy Landmark Holdings LLC (the "Applicant") is filing a Brownfield Cleanup Program Application ("BCPA") relating to the properties.
- 4.) The Owner has no objection to the Applicant filing the BCPA with the New York State Department of Environmental Conservation.
- 5.) This will confirm that the Applicant has been granted legal access to the properties for the purposes of the BCPA and will be granted all necessary legal access, including an easement, if required, to complete remediation of the properties.

IN WITNESS WHEREOF, this Certification has been duly executed and delivered as of the date set forth above.

Signature: 

Name: Ellen Shareef

Title: Owner

Appendix F

Section VI: Requestor Eligibility



BRYDGES ENGINEERING
IN ENVIRONMENT AND ENERGY, DPC

Appendix F. Section VI: Requestor Eligibility

Unregistered Bulk Storage Tank

Indication of an underground bulk storage tank (UST) was first identified during the Phase I-II Environmental Site Assessment (ESA) performed in July 2023. A 1965 City of Buffalo building permit and associated Buffalo Fire Department records indicate the installation of a 2,000-gallon UST at 273 Hickory Street which was converted to diesel fuel storage. Additionally, the 1950 and 1981 Sanborn maps depict a UST located in the southeast corner of the property immediately adjacent to the building. During the Phase I ESA site reconnaissance, fill ports and vent pipes indicative of an existing UST were noted in this area.

The follow-up Phase II ESA did indicate elevated petroleum compounds in soils near the existing UST that may represent a petroleum spill. The suspected spill (Spill No. 2304316) was subsequently reported to the New York State Department of Environmental Conservation (NYSDEC) and the determination letter dated February 13, 2024, indicated that remedial work is necessary (see attached documentation). Although the requestor has not been identified as a potentially responsible party, the requestor will remove the existing UST and all surrounding contaminated soils concurrently with remedial efforts.

All additional documentation relating to the spill is included in the complete July 2023 Phase I-II ESA.

Volunteer Status

The requestor, LEGACY LANDMARK HOLDINGS LLC, qualifies as a "Volunteer" in accordance with NY ECL27-1405(1)(b) and 6 NYCRR 375.2(b)(2). The volunteer requestor has no relationship to the historical series of owners and operators. Although the requestor recently obtained property ownership, the requestor has never utilized the premises other than developing re-development concepts for the property.

The requestor became involved with the property after the disposal or discharge of contaminants and has no relationship with the previous owners/operators of the site and is thus entitled to a volunteer status.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Region 9
700 Delaware Avenue, Buffalo, NY 14209
P: (716) 851-7220 | F: (716) 851-7226
www.dec.ny.gov

February 13, 2024

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Iroquois Brew Building LLC
507 Wilson Avenue
E Rochester, NY 14445

To Whom It May Concern:

**Spill Number 2304316
Phase I/II Site Assessment
273 Hickory Street
Buffalo, NY 14204
Erie County**

This Department has determined that investigation and/or remedial work is necessary at the above-mentioned spill site. Before this Department does any work, all potentially responsible parties for the spill must be given the opportunity to do the work.

You have been identified as a potentially responsible party. As such, you have two options:

1. You may do the necessary work to the satisfaction of this Department. Please notify this Department by March 15, 2024, if you will investigate and remediate the site.
2. You may decline to do any work. This Department will then do the work with its own contractor. Since we must notify your insurance company of our work, please inform us of the name and address of your insurance company. If you are determined to be responsible for this spill, you, and possibly your insurance company, will be responsible for all costs incurred by the State of New York for the investigation and the remedial work.

Some of the work will be on your property. If you elect to have this Department do the work, please sign and return the enclosed Right-of-Entry form by March 15, 2024.

If you fail to do the necessary work or fail to return the Right-of-Entry form, this Department will start legal action against you to proceed with the site investigation or remediation. Legal action will include, but is not limited to, a warrant to enter your property to allow for the work. You also may be fined by this Department.



Department of
Environmental
Conservation

Your cooperation with the investigation and remediation of this site is requested.
If you have any questions, please contact Craig Mikida at (716) 796-5253.

Sincerely,

Craig Mikida
Assistant Environmental Engineer
Division of Environmental Remediation

Enclosure

Spill Number: 2304316

Address to Access:
273 Hickory Street
Buffalo, NY 14204

RIGHT-OF-ENTRY FORM

The New York State Department of Environmental Conservation will be investigating and/or remediating a petroleum spill on the project referred to above. In order to perform investigative and/or cleanup work, members of this Department and its contractors will have to enter property within or adjacent to the spill area. We may have to perform sampling of water or soil, remove contaminated soil, install monitoring wells, or do other activities. We find that property belonging to you is within this area.

Although this Department has the legal right to enter your property for this purpose, as authorized by Article 12 of the Navigation Law, Section 178, we would prefer to have your cooperation, as well as the cooperation of all the other property owners within the spill area. Thus, we are requesting your permission to do this work on your property.

Every effort will be made to prevent damage and inconvenience. Should you feel that your property has been damaged as the result of this project, you have a right to file a claim. Please feel free to direct any questions you have on this matter to us at the New York State Department of Environmental Conservation, 700 Delaware Avenue, Buffalo, New York 14209. You may also contact us at (716) 851-7220.

Please sign below to indicate that you consent to the Department's and/or its contractor's entrance onto and use of your property solely for the purposes indicated above. Please return this form to this Department as soon as possible.

Signature of Property Owner

Date

COPY

Record: Box 258
FILED

WARRANTY DEED - LIEN COVENANT

MAR 26 2024

**ERIE COUNTY
CLERK'S OFFICE**

THIS INDENTURE, made this 15th day of March, 2024 BETWEEN

IROQUOIS BREW BUILDING, LLC, a New York limited liability company, having offices at 507 Wilson Avenue, East Rochester, NY 14445, GRANTOR, and

ELLEN SHAREEF, an individual having an address at 230 Pratt Street, Buffalo, NY 14204, GRANTEE,

WITNESSETH, that the Grantor(s), in consideration of ONE AND MORE Dollars (\$1.00 & more), lawful money of the United States of America, received by the Grantor(s), and paid by the Grantee, do(es) hereby grant and release unto the Grantee(s), the survivor of them, their distributees and assigns forever,

SEE SCHEDULE A ATTACHED

And said Grantor(s) covenant as follows: FIRST, that the Grantor(s) are seized of said premises in fee simple and have good right to convey the same; SECOND, that the Grantee(s) shall quietly enjoy the said premises; THIRD, that the Grantor(s) will forever warrant the title to said premises. FOURTH, that this conveyance is subject to the Trust Fund provisions of Section Thirteen of the Lien Law.

IN WITNESS WHEREOF, the Grantor(s) have hereunto set their hand(s) the day and year first above written.

In Presence of


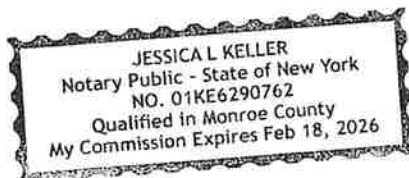
IROQUOIS BREW BUILDING, LLC



By: Devin Hollands, Member

STATE OF NEW YORK :
COUNTY OF MONROE : ss:

On this 15 day of March in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Devin Hollands personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, and acknowledged to me that they executed the same in their capacity, and that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


NOTARY PUBLIC

Legal Description

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Buffalo, County of Erie and State of New York, being part of Outer Lot No. 113, bounded and described as follows:

BEGINNING at a point in the easterly line of Hickory Street, distant 383.90 feet southerly from the intersection of the easterly line of Hickory Street with the southerly line of Broadway; thence southerly along the easterly line of Hickory Street, 162.22 feet to the north line of the third described parcel of land conveyed to Buffalo Central Homefinders, Inc. by deed recorded in the Erie County Clerk's Office in Liber 9394 of Deeds at page 556; thence easterly along the north line of the third described parcel of land conveyed to Buffalo Central Homefinders, Inc. by deed aforesaid, 121.99 feet to the wet lien of former Iroquois Place; thence northerly along the west line of former Iroquois Place, 160.68 feet to the north line of the second described parcel of land conveyed to Richard J. Greene by deed recorded in Liber 9014 of Deeds at page 312; thence westerly 122 feet to the point or place of beginning.

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, bounded and described as follows:

Beginning at a point in the easterly line of Pratt Street 329 feet southerly from the intersection of said line with Broadway (formerly Batavia Street); thence by Pratt Street southerly 50 feet; thence parallel with Broadway easter 129.5 feet or thereabouts to Goetz Alley (now Castor Alley); thence by Goetz Alley northerly 50 feet; thence parallel with Broadway westerly 129.5 feet or thereabouts to Pratt Street, the place of beginning.

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Buffalo, County of Erie and State of New York, being part of Outer Lot No. 113 and being more particularly bounded and described as follows:

Beginning at a point in the easterly line of Pratt Street, 379 feet southerly from the southerly line of Broadway; thence along Pratt Street southerly 26 feet; thence at right angles with Pratt Street easterly 122 feet to an alley, suppose to be 20 feet wide; thence northerly at right angles and bounding on said alley 26 feet; thence westerly at right angles 122 feet to the place of beginning.

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Outer Lot No. 113, bounded and described as follows:

Beginning at a point in the easterly line of Hickory Street, distant 115 feet southerly from its intersection with the southerly line of Broadway; running thence southerly along the easterly line of Hickory Street 69 feet; thence easterly at right angles to the easterly line of Hickory Street 122 feet to the westerly line of Iroquois Place or Alley; thence northerly along the westerly line of Iroquois Place 69 feet; thence westerly at right angles to the easterly line of Hickory Street 122 feet to the said easterly line of Hickory Street at the point or place of beginning.

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Outer Lot No. 113, bounded and described as follows:

Beginning at a point in the easterly line of Pratt Street 405 feet southerly from the southerly line of Batavia Street (now Broadway), being the southerly line of the lot heretofore conveyed to Elam R. Jewett; running thence southerly on Pratt Street 26 feet; thence at right angles easterly 130 feet to an alley; thence at right angles northerly 26 feet to said Jewett lot; thence westerly to the point of beginning.

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Outer Lot No. 113 of the Holland Land Company's Survey, and more particularly described as follows:

Beginning at a point in the easterly line of Pratt Street 431 feet south of the southerly line of Broadway; thence southerly on the said easterly line of Pratt Street 10.00 feet; thence easterly at right angles to the said easterly line of Pratt Street, 127.45 +/- feet to the westerly line of Castor Alley (20 feet wide); thence northerly along the said westerly line of Castor Alley 10.00 feet; thence westerly along a line drawn at right angles to the said easterly line of Pratt Street, 127.40 +/- feet to the point of beginning.

FILED**MAR 26 2024****ERIE COUNTY
CLERK'S OFFICE**

THIS MORTGAGE HAS BEEN APPROVED BY THE BAR ASSOCIATION OF ERIE COUNTY.
IT IS RECOMMENDED THAT ANY PERSON NAMED IN THIS
MORTGAGE CONSULT HIS/HER ATTORNEY BEFORE SIGNING.

MORTGAGEBAR ASSOCIATION OF
ERIE COUNTY

1. WORDS USED OFTEN IN THIS DOCUMENT.

- (A) **"Mortgage"** – This document which is dated March 25, 2024 will be called the "Mortgage."
(B) **"Borrower"** – Ellen Shareef

sometimes will be called the "Borrower" and sometimes simply "I" or "me." Borrower's address is the Property Address unless otherwise stated in this paragraph. _____

- (C) **"Note Holder"** – Iroquois Brew Building LLC
or anyone who takes this Mortgage by transfer will be called "Note Holder." Note Holder's address is _____
507 Wilson Avenue, East Rochester NY 14445

- (D) **"Note"** – The note signed by Borrower and dated March 18, 2024 will be called the "Note."
The Note shows that I owe Note Holder Four Hundred Fifty Thousand and 00/100
Dollars (U.S. \$ \$450,000.000) plus interest. I have promised to pay this debt in full by _____
July 1, 2024

- (E) **"Property"** – The property that is described below in this section entitled "Description of the Property" will be called the "Property."

2. BORROWER'S TRANSFER TO NOTE HOLDER OF RIGHTS IN THE PROPERTY.

I hereby mortgage the Property to Note Holder subject to the terms of this Mortgage. By signing this Mortgage I am giving Note Holder the rights contained in this Mortgage and also the rights that the law gives to Note Holders who hold mortgages on real property. I am doing this to protect Note Holder from possible losses that might result if I fail to:

- (A) Pay all the amounts that I owe Note Holder under the Note;
(B) Pay, with interest, any amounts that Note Holder may advance under this Mortgage to protect the value of the Property and Note Holder's rights in the Property; and
(C) Keep my other promises and agreements under this Mortgage.

3. DESCRIPTION OF THE PROPERTY.

I give Note Holder rights in the Property described in A through I below:

- (A) The Property address is 273, 337 Hickory Ave, 227, 229, 231, 235 Pratt St, Buffalo NY "Property Address".
This Property is in Erie County. It has the following legal description:

See attached Schedule A.

This Property is or will be:

- ☐ principally improved by a one or two family residence.
☐ improved by three to six residential dwelling units each with their own separate cooking facilities.
☒ vacant land or improved by a commercial building with no residential dwelling units.
☐ other: _____

This Mortgage:

- ☒ is a purchase money mortgage. This Mortgage is given to secure part of the purchase price of the Property and is intended to be recorded at the same time as the deed to the Borrowers.
☐ is not a purchase money mortgage.
(B) All buildings and other improvements that are located now or in the future on the Property.
(C) All rights in other property that I have as owner of the Property including strips and gores of land adjoining the Property. These rights are known as "easements, rights and appurtenances attached to the Property."
(D) All rents or royalties from the Property.

- (E) All timber, mineral, oil and gas rights and profits, water rights and stock that I own and that are part of the Property.
- (F) All rights that I have in the land which lies in the streets or roads in front of, or next to, the Property.
- (G) All fixtures that are now or in the future will be on the Property.
- (H) All of the rights and property described in Subparagraph B through G of this Paragraph that I acquire in the future; and
- (I) All replacements of or additions to the Property described in Subparagraphs B through H of this Paragraph.

4. BORROWER'S RIGHT TO MORTGAGE THE PROPERTY AND BORROWER'S OBLIGATION TO DEFEND OWNERSHIP OF THE PROPERTY.

I promise that: (A) I lawfully own the Property; (B) I have the right to mortgage, grant and convey the Property to Note Holder; and (C) there are no outstanding claims or charges against the Property except for those which are of public record. I give a warranty of title to the Note Holder. I will be responsible to Note Holder for any losses which Note Holder suffers because someone other than myself has some rights in the Property which I promise that I have. I promise that I will defend my ownership of the Property against any claims of such rights.

5. BORROWER'S PROMISE TO PAY.

I will pay to Note Holder, on time, principal and interest due under the Note and any prepayment and late charges under the Note.

6. BORROWER TO EXHIBIT TAX RECEIPTS.

Upon request, I will present to the Note Holder within ten (10) days after written notice paid current tax bills and water assessments affecting the Property.

7. APPLICATION OF BORROWER'S PAYMENTS.

Note Holder will apply my payments under the Note and this Mortgage (A) first to any prepayment charges due under the Note; (B) next to any escrow payments required under Paragraph 8 of this Mortgage; (C) next to pay interest then due under the Note; (D) next, to pay late charges under the Note; (E) next, to pay principal then due under the Note; and (F) next, to any other amount due Note Holder under this Mortgage.

8. BORROWER'S OBLIGATION TO PAY TAXES, CHARGES, ASSESSMENTS AND CLAIMS.

I will pay, when due, all taxes, assessments, and any other charges and fines that may be imposed on the Property and that may be superior to this Mortgage. Unless previously recognized by Borrower and Note Holder in writing, if Note Holder determines that any part of the Property is subject to a superior lien, Note Holder may give Borrower notice identifying the superior lien. Borrower shall pay or satisfy the lien within thirty (30) days of the giving of notice and if this is not done it shall be considered a default under the terms of the Note and Mortgage.

9. BORROWER'S OBLIGATION TO MAINTAIN HAZARD INSURANCE.

(A) I will obtain hazard insurance to cover all buildings and other improvements that now are or in the future will be located on the Property. The insurance must cover loss or damage caused by fire, hazards normally covered by "extended coverage" hazard insurance policies and other hazards for which Note Holder requires coverage. The insurance must be in the amounts and for the periods of time required by Note Holder. Note Holder may not require me to obtain hazard insurance in an amount greater than the replacement value of the improvements of the Property. In no event shall the coverage be less than the amount of this Mortgage when first recorded. I may choose the insurance company, but my choice is subject to Note Holder's approval. Note Holder may not refuse my choice unless the refusal is reasonable.

(B) All of the insurance policies and renewals of those policies must include what is known as a "standard mortgage clause" to protect Note Holder. The form of all policies and renewals must be acceptable to Note Holder. Note Holder will have the right to hold the policies and renewals.

(C) If there is a loss or damage to the Property, I will promptly notify the insurance company and Note Holder. If I do not promptly prove to the insurance company that the loss or damage occurred, then Note Holder may do so. The amount paid by the insurance company is called "proceeds." The proceeds will be used to repair or to restore the damaged Property unless: (i) it is not economically feasible to make the repairs or restoration; or (ii) the use of the proceeds for that purpose would lessen the protection given to Note Holder by this Mortgage; or (iii) Note Holder and I have agreed in writing not to use the proceeds for that purpose. If the repair or restoration is not economically feasible or if it would lessen Note Holder's protection under this Mortgage, then the proceeds will be used to reduce the amount that I owe to Note Holder under the Note and under this Mortgage. Any decision as to whether or not it is economically possible to make repairs or restorations to the Property shall be made solely by the Note Holder, whose decision shall be conclusive. I hereby assign all rights I have under any insurance policy, together with my entitlement to any insurance proceeds thereunder, to the Note Holder, upon foreclosure of this Mortgage. Each insurance company is hereby authorized and directed to make payment for any loss directly to the Note Holder instead of to me and the Note Holder jointly. Unless Note Holder and Borrower otherwise agree in writing, any such application of proceeds to principal shall not extend or postpone the due date of the payments referred to in the Note or this Mortgage or change the amount of such installments. If any of the proceeds remain after the amount that I owe to Note Holder has been paid in full, the remaining proceeds will be paid to me.

10. BORROWER'S OBLIGATION TO MAINTAIN PROPERTY.

I will keep the Property in good repair. I will not myself and will not allow others to destroy, damage or substantially change the Property without Note Holder's prior written consent and I will not (i) allow the Property to deteriorate or (ii) use or store hazardous substances at the Property except as permitted by law. I will not change the use of the Property or seek a rezoning of the Property.

11. NOTE HOLDER'S RIGHT TO INSPECT THE PROPERTY.

Note Holder, and others authorized by Note Holder, may enter on and inspect the Property. They must do so in a reasonable manner and at reasonable times. Before or at the time an inspection is made, Note Holder must give me a written notice stating a reasonable purpose for the inspection.

12. AGREEMENTS ABOUT CONDEMNATION OF THE PROPERTY.

- (A) A taking of property by any governmental authority by eminent domain is known as "condemnation." I give to Note Holder my right: (i) to proceeds of all awards or claims for damages resulting from condemnation or other governmental taking of the Property; and (ii) to proceeds from a sale of the Property that is made to avoid condemnation. All of those proceeds will be paid to Note Holder.
- (B) If all of the Property is taken, the proceeds will be used to reduce the amount that I owe to Note Holder under the Note and under this Mortgage. If any of the proceeds remain after the amount that I owe to Note Holder has been paid in full, the remaining proceeds will be paid to me. Unless Note Holder and I agree otherwise in writing, if only a part of the Property is taken, the amount that I owe to Note Holder will be reduced only by the amount of proceeds multiplied by the following fraction: (i) the total amount of the sums secured immediately before the taking, divided by (ii) the fair market value of the Property immediately before the taking. The remainder of the proceeds will be paid to me.
- (C) If I abandon the Property, or if I do not answer, within thirty (30) days, a notice from Note Holder stating that a governmental authority has offered to make a payment or to settle a claim for damages, Note Holder has the authority to accept payment and to settle a claim for damages and collect the proceeds. Note Holder may then use the proceeds to repair or restore the Property or reduce the sums secured. The thirty (30) day period will begin when the notice is given.
- (D) If any proceeds are used to reduce the amount of principal which I owe to Note Holder under the Note, that use will not delay the due date or change the amount of any installment payment due under the Note or this Mortgage. However, Note Holder and I may agree in writing to those delays or changes.

13. NOTICES REQUIRED UNDER THIS MORTGAGE.

Any notice that must be given to me under this Mortgage and for purposes of service of process in any foreclosure proceeding will be given by mailing it by first class mail or personally delivering it to me at the Property Address (or other address if listed in Paragraph 1(B) of this Mortgage), or at a different address if I have given the Note Holder prior written notice of my different address.

14. LAW THAT GOVERNS THIS MORTGAGE.

This Mortgage is governed by New York State Law.

15. BORROWER'S COPY.

I acknowledge receipt of one conformed copy of the Note and of this Mortgage.

16. AGREEMENTS ABOUT NOTE HOLDER'S RIGHT IF THE PROPERTY IS SOLD OR TRANSFERRED.

Note Holder may require immediate payment in full of all sums secured by this Mortgage if either the legal or equitable title of the Property is transferred without Note Holder's prior written permission. Note Holder also may require immediate payment in full if a beneficial interest in Borrower is sold or transferred and Borrower is not a natural person. If the Note Holder requires immediate payment in full under this paragraph, Note Holder shall give Borrower a notice which states this requirement. The notice shall provide a period of not less than fifteen (15) days from the date the notice is mailed or delivered to me within which Borrower must pay all sums secured by this Mortgage. If Borrower fails to make the required payment during that period, Note Holder may act to enforce its rights under this Mortgage without giving me any further notice or demand for payment.

17. NOTE HOLDER'S RIGHTS IF BORROWER FAILS TO KEEP PROMISES AND AGREEMENT.

- (A) If I fail to keep any promise or agreement made in this Mortgage within any applicable cure period, including the promises to pay when due the amounts I owe to Note Holder, or if I default in any of the conditions and covenants of the Note, Mortgage or any other mortgage which is a lien against the Property within any applicable cure period, then the Note Holder may demand the full amount of the indebtedness then due by requiring payment in full. If Note Holder so declares, Note Holder may (i) bring a lawsuit on the Note to seek enforcement of the debt, or (ii) bring a foreclosure action and sell the Property in one or more parcels to enforce the debt or (iii) seek any other remedy provided by law. If applicable, Note Holder may seek a deficiency judgment against me should the Property not bring sufficient funds at foreclosure sale to satisfy the debt due to Note Holder. If applicable, Note Holder shall also have the right to sell the Property pursuant to Article 14 of the New York Real Property Actions and Proceedings Law.
- (B) If I am in default, I agree to pay all costs and disbursements incurred by Note Holder, whether or not a lawsuit is brought, to the extent not prohibited by applicable law. These costs and disbursements may include, but are not limited to, appraisals, broker's price opinions, property inspections and property maintenance, in addition to customary foreclosure disbursements. I also agree to pay reasonable attorney's fees.
- (C) If I fail to pay all taxes, assessments and any other charges and fines that may be imposed on the Property or any required insurance premiums when due, Note Holder may in its discretion require the establishment of a tax and insurance escrow funded by the Borrower in a manner reasonably acceptable to Note Holder.

18. RECEIVER.

In any lawsuit for foreclosure and sale, Note Holder will have the right to have a Receiver appointed by a Court without first giving notice to me and without regard to the value of the Property.

19. WRITTEN STATEMENT.

Within ten (10) days of the mailing or delivery of written request, I will furnish to Note Holder a written statement duly acknowledged of the amount then secured by this Mortgage and whether any offsets against the amount secured by this Mortgage or any defenses to the enforcement of the Note and/or this Mortgage exist.

20. ASSIGNMENT OF LEASES AND RENTALS.

In the event of default, I hereby assign to the Note Holder all existing and future leases, rents, issues and profits of the Property as further security for the payment of said indebtedness, and I grant to the Note Holder the right to enter upon and to take possession of the Property for the purpose of collecting the same to let the Property or any part thereof and to apply the rents, issues and profits after payment of all necessary charges and expenses in account of the indebtedness secured by this Mortgage which assignment shall continue in effect until the indebtedness is paid in full. Note Holder will not be under any obligation to exercise any right under this Paragraph 20.

21. AGREEMENTS ABOUT NEW YORK LIEN LAW.

I will receive all amounts lent to me by Note Holder subject to the trust fund provisions of Section 13 of the New York Lien Law.

22. OBLIGATIONS OF PERSONS UNDER THIS MORTGAGE.

If more than one person signs this Mortgage, each person is fully and personally obligated to keep all the promises made in this Mortgage.

23. FURTHER ASSURANCES.

Upon request of the Note Holder, I will execute, acknowledge and deliver to Note Holder any supplemental instrument Note Holder may reasonably request in order to accomplish the intended purpose of this Mortgage.

By signing below, I accept and agree to the promises and agreements contained in Paragraph 1 through 22 of this Mortgage and in any rider(s) signed by me and recorded with it.

Ellen Shareef

Borrower

Borrower

Borrower

Borrower

USE WHEN EXECUTED WITHIN THE STATE OF NEW YORK

STATE OF NEW YORK :
COUNTY OF ERIE SS:

On the 25 day of March in the year 2024 before me, the undersigned a Notary Public in and for said State, personally appeared Ellen Shareef, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Richard T. Rogers

Notary Public

RICHARD T. ROGERS
NOTARY PUBLIC-STATE OF NEW YORK
No. 02R06375142
Qualified in Erie County
My Commission Expires 05-14-2022

STATE OF NEW YORK :
COUNTY OF _____ SS:

On the _____ day of _____ in the year _____ before me, the undersigned a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

USE WHEN EXECUTED OUTSIDE OF NEW YORK STATE

STATE OF _____ :
COUNTY OF _____ SS:

On the _____ day of _____ in the year _____ before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the _____.

(Insert the city or other political subdivision and the state or country or other place the acknowledgment was taken.)

Notary Public

Legal Description

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Buffalo, County of Erie and State of New York, being part of Outer Lot No. 113, bounded and described as follows:

BEGINNING at a point in the easterly line of Hickory Street, distant 383.90 feet southerly from the intersection of the easterly line of Hickory Street with the southerly line of Broadway; thence southerly along the easterly line of Hickory Street, 162.22 feet to the north line of the third described parcel of land conveyed to Buffalo Central Homefinders, Inc. by deed recorded in the Erie County Clerk's Office in Liber 9394 of Deeds at page 556; thence easterly along the north line of the third described parcel of land conveyed to Buffalo Central Homefinders, Inc. by deed aforesaid, 121.99 feet to the wet lien of former Iroquois Place; thence northerly along the west line of former Iroquois Place, 160.68 feet to the north line of the second described parcel of land conveyed to Richard J. Greene by deed recorded in Liber 9014 of Deeds at page 312; thence westerly 122 feet to the point or place of beginning.

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, bounded and described as follows:

Beginning at a point in the easterly line of Pratt Street 329 feet southerly from the intersection of said line with Broadway (formerly Batavia Street); thence by Pratt Street southerly 50 feet; thence parallel with Broadway easter 129.5 feet or thereabouts to Goetz Alley (now Castor Alley); thence by Goetz Alley northerly 50 feet; thence parallel with Broadway westerly 129.5 feet or thereabouts to Pratt Street, the place of beginning.

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Buffalo, County of Erie and State of New York, being part of Outer Lot No. 113 and being more particularly bounded and described as follows:

Beginning at a point in the easterly line of Pratt Street, 379 feet southerly from the southerly line of Broadway; thence along Pratt Street southerly 26 feet; thence at right angles with Pratt Street easterly 122 feet to an alley, suppose to be 20 feet wide; thence northerly at right angles and bounding on said alley 26 feet; thence westerly at right angles 122 feet to the place of beginning.

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Outer Lot No. 113, bounded and described as follows:

Beginning at a point in the easterly line of Hickory Street, distant 115 feet southerly from its intersection with the southerly line of Broadway; running thence southerly along the easterly line of Hickory Street 69 feet; thence easterly at right angles to the easterly line of Hickory Street 122 feet to the westerly line of Iroquois Place or Alley; thence northerly along the westerly line of Iroquois Place 69 feet; thence westerly at right angles to the easterly line of Hickory Street 122 feet to the said easterly line of Hickory Street at the point or place of beginning.

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Outer Lot No. 113, bounded and described as follows:

Beginning at a point in the easterly line of Pratt Street 405 feet southerly from the southerly line of Batavia Street (now Broadway), being the southerly line of the lot heretofore conveyed to Elam R. Jewett; running thence southerly on Pratt Street 26 feet; thence at right angles easterly 130 feet to an alley; thence at right angles northerly 26 feet to said Jewett lot; thence westerly to the point of beginning.

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Outer Lot No. 113 of the Holland Land Company's Survey, and more particularly described as follows:

Beginning at a point in the easterly line of Pratt Street 431 feet south of the southerly line of Broadway; thence southerly on the said easterly line of Pratt Street 10.00 feet; thence easterly at right angles to the said easterly line of Pratt Street, 127.45 +/- feet to the westerly line of Castor Alley (20 feet wide); thence northerly along the said westerly line of Castor Alley 10.00 feet; thence westerly along a line drawn at right angles to the said easterly line of Pratt Street, 127.40 +/- feet to the point of beginning.

Appendix G

Section VIII: Program Fee



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IN ENVIRONMENT AND ENERGY, DPC

Appendix G. Section VIII: Program Fee

The requestor is applying for a fee waiver because the payment of the program fee affects the applicant's ability to complete financing for the remediation of the brownfield site and makes the project less economically viable.

Presently, Ellen Shareef, in honor of her recently deceased husband, Jabril Shareef, and their joint dream to revitalize this blighted area of Buffalo is embarking on a unique development project involving the redevelopment of the former site of the Iroquois Brewery and adjacent/nearby vacant lots. The project involves the construction of a mixed-use building containing 29 affordable apartment units and 6,000 square feet of commercial space (i.e., used for offices, retail stores, etc.). Approximately 25,000 total square feet of space will be dedicated to residential housing. The additional lots will be used for parking and infill housing. The project is intended to provide affordable housing accommodations for underserved households on the east side of Buffalo, New York earning less than 80% of the area median income (AMI). It is important to note that 100% of the residential units in the proposed development will qualify as affordable housing under the BCP.

To help finance this project, the applicant will solicit funding through various funding sources such as the Community Preservation Corporation (CPC). The CPC and TruFund Financial Services, Inc. have a \$6 Million Joint Venture to Empower New York State Black, Indigenous and People of Color (BIPOC) Housing Developers. This fund provides equity capital and technical support to eligible BIPOC housing developers who may lack access to affordable capital and support from conventional sources with the goal of building their capacity and growing their business infrastructure. This project meets the needs of low- to moderate-income communities and residents and enhances the capacity and progress of BIPOC owned businesses. Additionally, the applicant has been in contact with Empire State Development (ESD) for consideration of financial assistance for this adaptive reuse development. Because the applicant main managing partner, Ellen Shareef, is a graduate of the Community-Based Real Estate Developer Training Program, the ESD-sponsored real estate training program for individuals who own and are committed to developing projects on Buffalo's East Side, this project has access to a dedicated ESD capital fund reserved for projects undertaken by program graduates. As such, a waiver of the application fee will allow needed funding to go towards the project financing in this distressed community.

Appendix H

Section XI: Current Property Owner & Operator Information

Appendix H. Section IX: Current Property Owner and Operator Information

Information regarding current ownership was adapted from Erie County Geographic Information System (GIS) and limited past ownership was provided by LightBox Environmental Data Resources (EDR), which included historic street directories and Sanborn maps. It is important to note that previous owner/operator contact information was not able to be located as most of the properties were historically residential.

Historical Property Ownership					
Date	Liber	Page	Grantee	Grantor	Requestor Relationship
273 Hickory Street					
01/30/1875	507	609	The Trustees of the Evangelical Lutheran St. Johns Church	Elizabeth and Jacob Koons	None
10/27/1893	721	340	The Iroquois Brewing Company	The Roos Cooperative Brewing Company	None
12/30/1919	1505	274	Leonhardt Burgweger	The Iroquois Brewing Company	None
01/03/1921	1558	154	Phoenix Beverage Company	Leonhardt and Lina Burgweger	None
04/16/1922	1586	266	Edward Beck	Iroquois Beverage Company, Inc	None
05/17/1922	1564	634	Iroquois Beverage Corporation	Edward Beck	None
06/01/1955	5761	329	International Breweries, Inc.	Iroquois Beverage Corporation	None
08/05/1960	6575	397	International Breweries, Inc.	St. John's Church of Buffalo	None
09/01/1972	7957	220	Dominion Distributors, Inc.	Iroquois Industries, Inc.	None
12/30/1980	8992	15	WNY Plumbing – Ellicott Plumbing and Remodeling Co., Inc.	Dominion Distributors, Inc.	None
03/04/1981	9014	312	Richard Greene	WNY Plumbing – Ellicott Plumbing and Remodeling Co., Inc.	None
09/25/1985	9491	139	Melvin Smoot	Richard Greene	None
07/20/2019	11347	6348	Iroquois Brew Building, LLC	Marion White	None
02/08/2021	11373	5774	Iroquois Brew Building, LLC	Iroquois Brew Building, LLC	None
<i>Warranty deed filed March 26, 2024, not recorded in Deed book at this time</i>			Ellen Shareef	Iroquois Brew Building, LLC	Owner
337 Hickory Street					
08/19/1909	1135	334	Elizabeth Seeger	Caroline and Jacob Unger	None

02/07/1917	1372	440	Louis Wagner and Solomon Aleck	Esther and Samue	None
10/01/1924	1775	588	Ralph Fingold	Hoodel and Louis Wagner	None
04/18/1932	2195	460	Bella Fingold	Molly and Solomon Aleck and Bella and Ralph Fingold	None
05/17/1933	2255	151	Edwin Seeger	Elizabeth Seeger	None
11/10/1937	2776	55	Ralph Fingold	Bella Fingold	None
10/24/1945	3782	440	Ralph Fingold	Edwin Seeger	None
10/03/1947	4318	558	Iroquois Beverage Corporation	Ralph Fingold	None
06/01/1955	5761	329	International Breweries, Inc.	Iroquois Beverage Corporation	None
08/25/1972	7957	220	Dominion Distributors, Inc.	Iroquois Industries, Inc.	None
12/30/1980	8992	15	WNY Plumbing – Ellicott Plumbing and Remodeling Co., Inc.	Dominion Distributors, Inc.	None
03/04/1981	9014	312	Richard Greene	WNY Plumbing – Ellicott Plumbing and Remodeling Co., Inc.	None
09/25/1985	9491	139	Melvin Smoot	Richard Greene	None
07/30/2019	11347	6348	Iroquois Brew Building, LLC	Marion White	None
<i>Warranty deed filed March 26, 2024, not recorded in Deed book at this time</i>			Ellen Shareef	Iroquois Brew Building, LLC	Owner
227 Pratt Street					
06/01/1944	3566	475	William and Ivory Bristow	Rose Coplon Jewish Old Folks Home, Inc	None
05/02/1956	6047	131	Joseph Cohen and Ernest Lombardo	Robert A. Glasser.	None
11/05/1956	6086	163	Ruth Berger	Joseph Cohen and Ernest Lombardo	None
11/07/1956	6486	239	Ruth Berger Laverne Doran and Miriam Doran	Ruth Berger	None
11/24/1967	7423	355	The Crosby Company	Ruth Berger Laverne Doran and Miriam Doran	None
10/20/1970	7771	25	Iroquois Industries, Inc.	The Crosby Company	None
08/25/1972	7957	220	Dominion Distributors, Inc.	Iroquois Industries, Inc.	None
12/30/1980	8992	15	WNY Plumbing – Ellicott Plumbing and Remodeling Co., Inc.	Dominion Distributors, Inc.	None

03/04/1981	9014	312	Richard J. Greene	WNY Plumbing – Ellicott Plumbing and Remodeling Co., Inc.	None
09/25/1985	9491	139	Melvin Smoot	Richard J. Greene	None
07/30/2019	11347	6348	Iroquois Brew Building, LLC	Marion White	None
<i>Warranty deed filed March 26, 2024, not recorded in Deed book at this time</i>			Ellen Shareef	Iroquois Brew Building, LLC	Owner

229 Pratt Street					
05/16/1889	572	124	Mary Ann Schwabl	Anna and Michael Sieg	None
06/02/1926	1887	196	Charles and Mollie Kusslow	Katherine Wild	None
08/03/1926	1899	282	Victor Wagner	Charles and Mollie Kusslow	None
04/26/1937	2651	52	Irish American Savings and Loan Association	Sophie and Victor Wagner	None
07/28/1944	3574	317	Lucy Mason	Irish American Savings and Loan Association	None
10/17/1955	5858	297	Albert Davis	Lucy Mason	None
08/31/1970	7721	363	Iroquois Industries, Inc.	Albert Davis	None
09/01/1972	7971	391	Dominion Distributors, Inc.	Iroquois Industries, Inc.	None
12/30/1980	8992	15	WNY Plumbing – Ellicott Plumbing and Remodeling Co., Inc.	Dominion Distributors, Inc.	None
03/04/1981	9014	312	Richard Greene	WNY Plumbing – Ellicott Plumbing and Remodeling Co., Inc.	None
09/25/1985	9491	139	Melvin Smoot	Richard Greene	None
07/30/2019	11347	6348	Iroquois Brew Building, LLC	Marion White	None
<i>Warranty deed filed March 26, 2024, not recorded in Deed book at this time</i>			Ellen Shareef	Iroquois Brew Building, LLC	Owner
231 Pratt Street					
08/25/1972	7957	215	Dominion Distributors, Inc.	Iroquois Industries, Inc.	None
12/30/1980	8992	15	WNY Plumbing – Ellicott Plumbing and Remodeling Co., Inc.	Dominion Distributors, Inc.	None
03/04/1981	9014	312	Richard Greene	WNY Plumbing – Ellicott Plumbing and Remodeling Co., Inc.	None

09/25/1985	9491	139	Melvin Smoot	Richard Greene	None
07/30/2019	11347	6348	Iroquois Brew Building, LLC	Marion White	None
<i>Warranty deed filed March 26, 2024, not recorded in Deed book at this time</i>			Ellen Shareef	Iroquois Brew Building, LLC	Owner
235 Pratt Street					
10/02/1873	317	166	Lana Amann	Joseph Armbruster	None
10/02/1943	3450	520	Martha Amann	Lambert Amann	None
10/02/1943	3450	558	Martha Amann	Rose Amann	None
10/14/1943	3450	524	Iroquois Beverage Corporation	Martha Amann	None
08/25/1972	7957	220	Dominion Distributors, Inc.	Iroquois Industries, Inc.	None
12/30/1980	8992	15	WNY Plumbing – Ellicott Plumbing and Remodeling Co., Inc.	Dominion Distributors, Inc.	None
03/04/1981	9014	312	Richard Greene	WNY Plumbing – Ellicott Plumbing and Remodeling Co., Inc.	None
09/25/1985	9491	139	Melvin Smoot	Richard Greene	None
07/30/2019	11347	6348	Iroquois Brew Building, LLC	Marion White	None
<i>Warranty deed filed March 26, 2024, not recorded in Deed book at this time</i>			Ellen Shareef	Iroquois Brew Building, LLC	Owner

Current Property Ownership					
Property Address	Owner/Operator	Owner Address	Phone number	Email Address	Ownership Start Date
273 Hickory Street	Ellen Shareef	230 Pratt Street, Buffalo, NY 14204	(716) 907-6808	crhousing230@gmail.com	3/15/2024
337 Hickory Street	Ellen Shareef	230 Pratt Street, Buffalo, NY 14204	(716) 907-6808	crhousing230@gmail.com	3/15/2024
227 Pratt Street	Ellen Shareef	230 Pratt Street, Buffalo, NY 14204	(716) 907-6808	crhousing230@gmail.com	3/15/2024
229 Pratt Street	Ellen Shareef	230 Pratt Street, Buffalo, NY 14204	(716) 907-6808	crhousing230@gmail.com	3/15/2024

231 Pratt Street	Ellen Shareef	230 Pratt Street, Buffalo, NY 14204	(716) 907-6808	crhousing230@gmail.com	3/15/2024
235 Pratt Street	Ellen Shareef	230 Pratt Street, Buffalo, NY 14204	(716) 907-6808	crhousing230@gmail.com	3/15/2024

Appendix I

Section XI: Site Contact List



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Appendix I. Section XI: Site Contact List

All of the following contacts and adjacent property owners will receive fact sheets throughout the project duration.

Contact	Address
Erie County	
Honorable Mark Poloncarz Erie County Executive	95 Franklin Street Buffalo, NY 14202
Daniel Castle AICP County Environment & Planning Co.	95 Franklin Street, 16th Floor Buffalo, NY 14202
Howard Johnson Erie County Legislator	1367 Fillmore Ave Buffalo, NY 14211
Mr. Paul Kranz Erie Co. Environment & Plan.	95 Franklin Street Buffalo, NY 14202
Ms. Karen M. McCarthy Erie County Legislature Clerk	25 Delaware Avenue Buffalo, NY 14202
Mr. Steve Weathers ECIDA	95 Perry Street Buffalo, NY 14203
Commissioner Gale Burstein, MD Erie County Health Department	95 Franklin Street, Room 931 Buffalo, NY 14202
Commissioner Daniel Neaverth, Jr. Erie County Local Emergency	45 Elm Street Buffalo, NY 14203
City of Buffalo	
Byron Brown City of Buffalo Mayor	65 Niagara Square Buffalo, NY 14202
Brendan R. Mehaffy Director of Planning	65 Niagara Square, Room 901 Buffalo, NY 14202
Darius G. Pridgen Ellicott District Councilmember	65 Niagara Square, Rm 1315 Buffalo, NY 14202
James K. Morrell City of Buffalo Chairman	65 Niagara Square Buffalo, NY 14202
Supplier of Potable Water	
Buffalo Water Department Veolia Water	2 Porter Avenue Buffalo, NY 14201
Erie County Water Authority	295 Main Street #350 Buffalo, NY 14203
Local News Media	
Buffalo News	1 News Plaza Buffalo, NY 14240
WGRZ TV - Ch. 2	259 Delaware Avenue Buffalo, NY 14202
WIVB - Ch. 4	2077 Elmwood Avenue Buffalo, NY 14207
WKBW News Channel 7	7 Broadcast Plaza Buffalo, NY 14202
WJYE ATTN: Environmental News Desk	1700 Rand Building Buffalo, NY 14203
Business First	465 Main Street Buffalo, NY 14203-1793

WBEN News Radio 930 Entercom Radio of Buffalo	500 Corporate Pkwy, Suite 200 Buffalo, NY 14226
WNED, Environmental News Desk	P.O. Box 1263, Horizons Plaza Buffalo, NY 14240
Nearby Schools and Day Cares	
Director of Peace-Mind Quality Child Care	696 Broadway Buffalo, NY 14212
Director of Out Future Leads Inc.	205 Locust Street Buffalo, NY 14204
Director of Kiddie Corner at Larkin Center	685 Seneca Street Buffalo, NY 14210
Director of Valley Child Care LCO	726 Exchange Street, Suite 130 Buffalo, NY 14210
Document Repository	
April Tompkins	Buffalo and Erie County Public Library 1 Lafayette Square Buffalo, NY 14203

Address	SBL/Tax ID	Owner	Owner Address
Adjacent Property Owners			
389 Broadway	111.49-7-2.1	Iroquois Alley Place LLC	118 Iroquois Alley Buffalo, NY 14204
395 Broadway	111.49-7-4.1	City of Buffalo	65 Niagara Square Buffalo, NY 14202
397 Broadway	111.57-3-2	Jabril & Ellen Shareef	7 Deepwood Court Depew, NY 14043
399 Broadway	111.49-7-5	Hickory Urban Sanctuary LLC	443 Massachusetts Ave Buffalo, NY 14213
99999 Broadway	111.49-7-4.3	City of Buffalo	65 Niagara Square Buffalo, NY 14202
271 Hickory Street	111.57-3-1.22	Jabril & Ellen Shareef	230 Pratt Street Buffalo, NY 14204
296 Hickory Street	111.57-1-5.1	Tifani Watts	296 Hickory Street Buffalo, NY 14202
302 Hickory Street	111.57-1-4	City of Buffalo Perfecting Title	65 Niagara Square Buffalo, NY 14202
306 Hickory Street	111.57-1-3	City of Buffalo Perfecting Title	65 Niagara Square Buffalo, NY 14202
308 Hickory Street	111.57-1-1.1	Cheryl Gill	208 Hickory Street Buffalo, NY 14204
332 Hickory Street	111.48-5-4.211	LaDonna Palmer	332 Hickory Street Buffalo, NY 14204
338 Hickory Street	111.48-5-4.212	Yolanda Singletary	338 Hickory Street Buffalo, NY 14204
227 Pratt Street	111.49-6-15.1	Iroquois Brew Building LLC	507 Wilson Avenue East Rochester, NY 14445
230 Pratt Street	111.57-3-3	Jabril & Ellen Shareef	7 Deepwood Court Depew, NY 14043
239 Pratt Street	111.49-6-31.1	Pratt Street Works LLC	118 Iroquois Alley

			Buffalo, NY 14204
384 Spring Street	111.49-6-15.1	Crosby Realty LLC	183 Pratt Street Buffalo, NY 14204
396 Spring Street	111.49-6-14	City of Buffalo Perfecting Title	65 Niagara Square Buffalo, NY 14202
398 Spring Street	111.49-6-12.1	Brenda Spencer	398 Spring Street Buffalo, NY 14204

RE: Repository Request

April Tompkins <tompkinsa@buffalolib.org>

Fri 11/17/2023 11:37 AM

To: Alexis Palumbo <apalumbo@be3corp.com>

CAUTION: This email originated from outside of the organization.

Good morning Alexis,

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 **Hickory Street Apartments** Brownfield Cleanup Program (BCP) Application. The site includes the following addresses: **273 and 337 Hickory Street and 229, 231 and 235 Pratt Street, Buffalo, Erie County, New York**. 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 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.

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

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
