NEW YORK STATE | Department of Environmental Conservation

# Brownfield Cleanup Program

## Community Participation Plan
**for**
## Voelkers Lanes Apartments

October 2026

Site No. C915421
680 Amherst Street
City of Buffalo
Erie County, New York

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**Note:** The information presented in this Citizen Participation Plan was current as of the date of its approval by the New York State Department of Environmental Conservation. Portions of this Citizen Participation Plan may be revised during the site's investigation and cleanup process.

Applicant: **Voelkers Apartments LLC ("Applicant")**
Site Name: **Voelkers Lanes Apartments ("Site")**
Site Address: **680 Amherst Street, Buffalo, NY 14207**
Site County: **Erie**
Site Number: **C915421**

## 1. What is New York's Brownfield Cleanup Program?

New York's Brownfield Cleanup Program (BCP) works with private developers to encourage the voluntary cleanup of contaminated properties known as "brownfields" so that they can be reused and developed. These uses include recreation, housing, and business.

A *brownfield* is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination. A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A brownfield can pose environmental, legal, and financial burdens on a community. If a brownfield is not addressed, it can reduce property values in the area and affect economic development of nearby properties.

The BCP is administered by the New York State Department of Environmental Conservation (NYSDEC) which oversees Applicants who conduct brownfield site investigation and cleanup activities. An Applicant is a person who has requested to participate in the BCP and has been accepted by NYSDEC. The BCP contains investigation and cleanup requirements, ensuring that cleanups protect public health and the environment. When NYSDEC certifies that these requirements have been met, the property can be reused or redeveloped for the intended use.

For more information about the BCP, go online at: https://dec.ny.gov/environmental-protection/site-cleanup/brownfield-and-state-superfund-programs/brownfield.

## 2. Community Participation Activities

*Why NYSDEC Involves the Public and Why It Is Important*

NYSDEC involves the public to improve the process of investigating and cleaning up contaminated sites, and to enable communities to participate more fully in decisions that affect their health, environment, and social well-being. NYSDEC provides opportunities for community involvement and encourages early two-way communication with communities before decision makers form or adopt final positions.

Involving communities affected and interested in site investigation and cleanup programs is important for many reasons. These include:

- Promoting the development of timely, effective site investigation and cleanup programs that protect public health and the environment

- Improving public access to, and understanding of, issues and information related to a particular site and that site's investigation and cleanup process

- Providing communities with early and continuing opportunities to participate in NYSDEC's site investigation and cleanup process

- Ensuring that NYSDEC makes site investigation and cleanup decisions that benefit from input that reflects the interests and perspectives found within the affected community

- Encouraging dialogue to promote the exchange of information among the affected/interested public, State agencies, and other interested parties that strengthens trust among the parties, increases understanding of site and community issues and concerns, and improves decision making.

This Community Participation (CP) Plan provides information about how NYSDEC will inform and involve the public during the investigation and cleanup of the site identified above. The public information and involvement program will be carried out with assistance, as appropriate, from the Applicant.

*Project Contacts*

Appendix A identifies NYSDEC project contact(s) to whom the public should address questions or request information about the site's investigation and cleanup program. The public's suggestions about this CP Plan and the CP program for the site are always welcome. Interested people are encouraged to share their ideas and suggestions with the project contacts at any time.

*Locations of Reports and Information*

The locations of the reports and information related to the site's investigation and cleanup program also are identified in Appendix A. These locations provide convenient access to important project documents for public review and comment. Some documents may be placed on the NYSDEC web site. If this occurs, NYSDEC will inform the public in fact sheets distributed about the site and by other means, as appropriate.

*Site Contact List*

Appendix B contains the site contact list. This list has been developed to keep the community informed about, and involved in, the site's investigation and cleanup process. The site contact list will be used periodically to distribute fact sheets that provide updates about the status of the project. These will include notifications of upcoming activities at the site (such as fieldwork), as well as availability of project documents and announcements about public comment periods.
The site contact list includes, at a minimum:

- chief executive officer and planning board chairperson of each county, city, town and village in which the site is located;
- residents, owners, and occupants of the site and properties adjacent to the site;
- the public water supplier which services the area in which the site is located;
- any person who has requested to be placed on the site contact list;
- the administrator of any school or day care facility located on or near the site for purposes of posting and/or dissemination of information at the facility;
- location(s) of reports and information.

The site contact list will be reviewed periodically and updated as appropriate. Individuals and organizations will be added to the site contact list upon request. Such requests should be submitted to the NYSDEC project contact(s) identified in Appendix A. Other additions to the site contact list may be made at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

**Note:** The first site fact sheet (usually related to the draft Remedial Investigation Work Plan) is distributed both by paper mailing through the postal service and through DEC Delivers, its email listserv service. The fact sheet includes instructions for signing up with the appropriate county listserv to receive future notifications about the site. See https://dec.ny.gov/environmental-protection/site-cleanup/regional-remediation-project-information/environmental-cleanup-email-newsletters.

Subsequent fact sheets about the site will be distributed exclusively through the listserv, except for households without internet access that have indicated the need to continue to receive site information in paper form. Please advise the NYSDEC site project manager identified in Appendix A if that is the case. Paper mailings may continue during the investigation and cleanup process for some sites, based on public interest and need.

*CP Activities*

The table at the end of this section identifies the CP activities, at a minimum, that have been and will be conducted during the site's investigation and cleanup program. The flowchart in Appendix D shows how these CP activities integrate with the site investigation and cleanup process. The public is informed about these CP activities through fact sheets and notices distributed at significant points during the program. Elements of the investigation and cleanup process that match up with the CP activities are explained briefly in Section 5.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a site, and the nature and progress of efforts to investigate and clean up a site.

- **Public forums, comment periods and contact with project managers** provide opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about a site's investigation and cleanup.

The public is encouraged to contact project staff at any time during the site's investigation and cleanup process with questions, comments, or requests for information.

This CP Plan may be revised due to changes in major issues of public concern identified in Section 3 or in the nature and scope of investigation and cleanup activities. Modifications may include additions to the site contact list and changes in planned community participation activities.

*Technical Assistance Grant*

DEC must determine if the site poses a significant threat to public health or the environment. This determination generally is made using information developed during the investigation of the site, as described in Section 5.

If the site is determined to be a significant threat, a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the site and the development/implementation of a remedy.

An eligible community group must certify that its membership represents the interests of the community affected by the site, and that its members' health, economic well-being or enjoyment of the environment may be affected by a release or threatened release of contamination at the site.

As of the date the declaration (page 2) was signed by the NYSDEC project manager, the significant threat determination for the site had not yet been made.

To verify the significant threat status of the site, the interested public may contact the NYSDEC project manager identified in Appendix A.

For more information about TAGs, go online at https://dec.ny.gov/regulatory/regulations/technical-assistance-grant-tag-guidance-handbook-der-14

Note: The table identifying the community participation activities related to the site's investigation and cleanup program follows on the next page:

| Citizen Participation Activities | Timing of CP Activity(ies) |
|---|---|
| **Application Process:** | |
| • Prepare site contact list<br>• Establish document repository(ies) | At time of preparation of application to participate in the BCP. |
| • Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day public comment period<br>• Publish above ENB content in local newspaper<br>• Mail above ENB content to site contact list<br>• Conduct 30-day public comment period | When NYSDEC determines that BCP application is complete. The 30-day public comment period begins on date of publication of notice in ENB. End date of public comment period is as stated in ENB notice. Therefore, ENB notice, newspaper notice, and notice to the site contact list should be provided to the public at the same time. |
| **After Execution of Brownfield Site Cleanup Agreement (BCA):** | |
| • Prepare Community Participation (CP) Plan | Before start of Remedial Investigation<br>**Note:** Applicant must submit CP Plan to NYSDEC for review and approval within 20 days of the effective date of the BCA. |
| **Before NYSDEC Approves Remedial Investigation (RI) Work Plan:** | |
| • Distribute fact sheet to site contact list about proposed RI activities and announcing 30-day public comment period about draft RI Work Plan<br>• Conduct 30-day public comment period | Before NYSDEC approves RI Work Plan. If RI Work Plan is submitted with application, public comment periods will be combined and public notice will include fact sheet. Thirty-day public comment period begins/ends as per dates identified in fact sheet. |
| **After Applicant Completes Remedial Investigation:** | |
| • Distribute fact sheet to site contact list that describes RI results | Before NYSDEC approves RI Report |
| **Before NYSDEC Approves Remedial Work Plan (RWP):** | |
| • Distribute fact sheet to site contact list about draft RWP and announcing 45-day public comment period<br>• Public meeting by NYSDEC about proposed RWP (if requested by affected community or at discretion of NYSDEC project manager)<br>• Conduct 45-day public comment period | Before NYSDEC approves RWP. Forty-five day public comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day public comment period. |
| **Before Applicant Starts Cleanup Action:** | |
| • Distribute fact sheet to site contact list that describes upcoming cleanup action | Before the start of cleanup action. |
| **After Applicant Completes Cleanup Action:** | |
| • Distribute fact sheet to site contact list that announces that cleanup action has been completed and that NYSDEC is reviewing the Final Engineering Report<br>• Distribute fact sheet to site contact list announcing NYSDEC approval of Final Engineering Report and issuance of Certificate of Completion (COC) | At the time the cleanup action has been completed.<br>**Note:** The two fact sheets are combined when possible if there is not a delay in issuing the COC. |

## 3. Major Issues of Public Concern

This section of the CP Plan identifies major issues of public concern that relate to the site. Additional major issues of public concern may be identified during the course of the site's investigation and cleanup process.

At this juncture the public has not identified major concerns with the project. In the event major concerns are expressed, future communication addressing those concerns will be issued to stakeholders.

## 4. Site Information

Appendix C contains a map identifying the location of the site.

*Site Description*

Eight historic parcels, namely 666, 668, 670 and 680 Amherst Street, 155 Marion Street and 1624, 1628 and 1634 Elmwood Avenue, recently merged under the address 680 Amherst Street, compose the Site which is 1.69-acres in size. The Site is currently occupied by two vacant buildings, one was most recently used as an autobody repair shop and the other is a vacant warehouse that was formerly operated by a neon sign making company. The former autobody repair shop building is located in the northwestern corner of the Site. The structure is one story and contains a hydraulic lift, office space, and a separate garage area. It is mainly empty besides some minor debris and left-over empty storage drums. The vacant warehouse formerly operated by a neon sign making company is located in the northeastern corner of the Site. The structure is one story and is empty in the interior. The remaining northern portion of the Site is paved parking lot and the entire southern portion of the Site is vacant soil covered with minor vegetation.

*History of Site Use, Investigation, and Cleanup*

The following Environmental assessments have occurred on the Site.

*May 2019 Phase I ESA, completed by TurnKey*

A Phase I ESA was previously completed by TurnKey Environmental Restoration, LLC in May 2019. The report included the Site parcels in this report as well as 1609 Elmwood Avenue and 111 and 141 Marion Street. The Recognized Environmental Conditions (RECs) which pertain to the Site parcels are described below.

Property 2 (668, 670, 680 Amherst Street, 1624, 1628, and 1634 Elmwood Avenue and 155 Marion Street):

- Current operations include automotive repair with the storage and use of hazardous/regulated materials. Historic operations have included automotive repair and/or a collision shop, a trucking company, an electrical equipment company, tool manufacturing, a machine shop, refrigeration service and laundry/laundromat facilities with the potential for dry cleaning. In addition, a portion of a railroad spur was formerly located on-site.

- Floor drains located within current repair areas and a paint room in Building 5 (155 Marion Street) reportedly discharge into the municipal sanitary sewer system.

- Black staining/spillage was noted to concrete ground surfaces proximate to a floor drain within Building 5 (155 Marion Street).

- Additional black staining was noted to concrete ground surfaces proximate to fuel oil aboveground storage tanks (ASTs) within the basement of Building 2 (680 Amherst Street). Some of the staining was noted proximate to cracks in the concrete floor. In addition, a floor drain was noted proximate to the staining.

- A petroleum odor was noted within the basement of Building 2 (680 Amherst Street) proximate to the fuel oil ASTs.

- Municipal records indicate installation of presumed underground storage tanks (USTs) at Property 2 in unknown locations. Specifically, one 1,000-gallon gas tank was installed in 1946 and an additional 1,000-gallon tank was installed in 1955.

- An unknown concrete pit was noted within Building 5 (155 Marion Street). No concerns (staining, odors, etc.) were noted within the concrete pit.

*July 2019 Phase II ESA, completed by TurnKey*

A subsequent Phase II ESA was also completed by TurnKey in July 2019 to investigate the previously identified RECs. Relevant conclusions are as follows:

- On-Site fill materials (i.e., urban fill containing significant amounts of non-soil debris) identified across the Site would be considered solid waste under current NYSDEC solid waste regulations if removed from the property and would therefore need to be properly disposed of if removed from the Site for geotechnical or other redevelopment purposes.

- NYSDEC regulations require proper removal of the existing UST at Property 2 and any orphan USTs encountered during the redevelopment project; the USTs and any impacted soil, groundwater or other materials encountered during the work should be removed in accordance with applicable local, state and federal regulations.

*December 2023 Phase I ESA, completed by BE3*

A Phase I ESA was completed in December 2023, for the Site (historic addresses 666, 668, 670, and 680 Amherst Street, 1624, 1628, and 1634 Elmwood Avenue, and 155 Marion Street). The following RECs, Historical Recognized Environmental Conditions (HRECs), and Business Environmental Risks (BERs) were identified:

The following RECs are associated with the subject properties as follows:

- REC – Historic uses as an auto repair shop at 155 Marion Street represents a REC for the subject properties. Municipal records indicate installation of presumed USTs at 155 Marion Street in unknown locations. Specifically, one 1000-gallon gas tank was installed in 1946 and one additional 1,000-gallon tank was installed in 1955.
- REC – Historic uses as a former dry cleaners and auto repair shop at 1630 Elmwood Avenue may represent a potential vapor concern.
- REC – ASTs in the basement of 680 Amherst used for fuel oil storage as well as staining proximate to floor drains and cracks in the floor could represent a release to the environment.
- REC – Suspected USTs adjacent to the Site at 141 Marion Street represent a REC for the subject properties due to the unknown status of the tanks and proximity.

The following HREC is associated with the Site as follows:

- HREC - The Voelker's Bowling Center UST at 686 Amherst Street, which is now the eastern portion of 680 Amherst Street, was removed in May 2003. During the removal of the 5000-gallon heating oil tank, contamination was discovered and the spill was assigned #0375107. Approximately 160 tons of contaminated soil was removed from the site and samples were taken around the hole from the tank. The results came back below regulatory guidance and the spill was subsequently closed in September 2003. Even though the spill appears to have been adequately cleaned, it is still considered an HREC for the subject properties.

The following BERs are associated with the subject properties as follows:

- BER – Historic adjacent property uses near the subject properties including dry cleaners located at 1611 Elmwood Avenue and a filling station located at 1602 Elmwood Avenue may represent a potential vapor concern.
- BER – On-Site fill material (i.e., urban fill containing significant amounts of non-soil debris) identified in the Phase II ESA by TurnKey in July 2019 across the Site is considered a BER for the subject properties.

*April 2024 Phase II ESA, completed by BE3*

A subsequent Phase II ESA was also completed in April 2024 to investigate the previously identified RECs and assess eligibility for the BCP. The subsurface soil assessment identified the existence of fill materials across the site down to at least 4 feet below ground surface (bgs). Material such as construction and demolition debris, black clayey silts, cinder, and coal were observed in each of the soil borings advanced as part of the April 2024 Phase II ESA. Soil sample laboratory results indicate that there are urban fill conditions existing at the property with several elevated metals and polycyclic aromatic hydrocarbon (PAH) compounds above the restricted residential NYSDEC Soil Cleanup Objective (SCO) which require remediation to allow for the anticipated future use of the property. Specific metals include lead and mercury; and specific SVOCs (PAHs) include benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, chrysene, dibenz(a,h)anthracene, fluoranthene, indeno(1,2,3-cd)pyrene, phenanthrene, and pyrene.

*January 2026 Phase II ESA, completed by BE3*

A subsequent Phase II ESA was completed in January 2026 to investigate the previously identified RECs and assess eligibility for the BCP. The subsurface soil assessment identified the existence of fill materials across the site down to at least 3 feet below ground surface (bgs). Material such as construction and demolition debris, black clayey silts, cinder, and coal were observed in each of the soil borings advanced as part of the January 2026 Phase II ESA. Soil sample laboratory results indicate that there are urban fill conditions existing at the property with several elevated metals and PAH compounds above the restricted residential NYSDEC SCO which require remediation to allow for the anticipated future use of the property. Specific metals include cadmium, lead, and mercury; and specific SVOCs (PAHs) include benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, chrysene, dibenz(a,h)anthracene, indeno(1,2,3-cd)pyrene, and phenanthrene.

## 5. Investigation and Cleanup Process

*Application*

The Applicant has applied for and been accepted into New York's Brownfield Cleanup Program as a Volunteer**.** This means that the Applicant was not responsible for the disposal or discharge of the contaminants or whose ownership or operation of the site took place after the discharge or disposal of contaminants. The Volunteer must fully characterize the nature and extent of contamination onsite, and must conduct a "qualitative exposure assessment," a process that characterizes the actual or potential exposures of people, fish and wildlife to contaminants on the site and to contamination that has migrated from the site.

The Applicant in its Application proposes that the site will be used for restricted purposes.

To achieve this goal, the Applicant will conduct investigation and cleanup activities at the site with oversight provided by NYSDEC. The Brownfield Cleanup Agreement executed by NYSDEC and the Applicant sets forth the responsibilities of each party in conducting these activities at the site.

*Investigation*

The Applicant will conduct an investigation of the site officially called a "remedial investigation" (RI). This investigation will be performed with NYSDEC oversight. The Applicant must develop a remedial investigation workplan, which is subject to public comment.

The site investigation has several goals:

1) define the nature and extent of contamination in soil, surface water, groundwater and any other parts of the environment that may be affected;
2) identify the source(s) of the contamination;
3) assess the impact of the contamination on public health and the environment; and
4) provide information to support the development of a proposed remedy to address the contamination or the determination that cleanup is not necessary.

The Applicant submits a draft "Remedial Investigation Work Plan" to NYSDEC for review and approval. NYSDEC makes the draft plan available to the public review during a 30-day public comment period.

When the investigation is complete, the Applicant will prepare and submit a report that summarizes the results. This report also will recommend whether cleanup action is needed to address site-related contamination. The investigation report is subject to review and approval by DEC.

NYSDEC will use the information in the investigation report to determine if the site poses a significant threat to public health or the environment. If the site is a “significant threat,” it must be cleaned up using a remedy selected by NYSDEC from an analysis of alternatives prepared by the Applicant and approved by NYSDEC. If the site does not pose a significant threat, the Applicant may select the remedy from the approved analysis of alternatives.

*Interim Remedial Measures*

An Interim Remedial Measure (IRM) is an action that can be undertaken at a site when a source of contamination or exposure pathway can be effectively addressed before the site investigation and analysis of alternatives are completed. If an IRM is likely to represent all or a significant part of the final remedy, NYSDEC will require a 30-day public comment period.

*Remedy Selection*

When the investigation of the site has been determined to be complete, the project likely would proceed in one of two directions:

1. The Applicant may recommend in its investigation report that no action is necessary at the site. In this case, NYSDEC would make the investigation report available for public comment for 45 days. NYSDEC then would complete its review, make any necessary revisions, and, if appropriate, approve the investigation report. NYSDEC would then issue a “Certificate of Completion” (described below) to the Applicant.

or

2. The Applicant may recommend in its investigation report that action needs to be taken to address site contamination. After NYSDEC approves the investigation report, the Applicant may then develop a cleanup plan, officially called a “Remedial Work Plan”. The Remedial Work Plan describes the Applicant’s proposed remedy for addressing contamination related to the site.

When the Applicant submits a draft Remedial Work Plan for approval, NYSDEC would announce the availability of the draft plan for public review during a 45-day public comment period.

*Cleanup Action*

NYSDEC will consider public comments, and revise the draft cleanup plan if necessary, before approving the proposed remedy. The New York State Department of Health (NYSDOH) must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy. The selected remedy is formalized in the site Decision Document.

The Applicant may then design and perform the cleanup action to address the site contamination. NYSDEC and NYSDOH oversee the activities. When the Applicant completes cleanup activities, it will prepare a final engineering report that certifies that cleanup requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the report to be certain that the cleanup is protective of public health and the environment for the intended use of the site.

*Certificate of Completion*

When NYSDEC is satisfied that cleanup requirements have been achieved or will be achieved for the site, it will approve the final engineering report. NYSDEC then will issue a Certificate of Completion (COC) to the Applicant. The COC states that cleanup goals have been achieved, and relieves the Applicant from future liability for site-related contamination, subject to certain conditions. The Applicant would be eligible to redevelop the site after it receives a COC.

*Site Management*

The purpose of site management is to ensure the safe reuse of the property if contamination will remain in place. Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. Site management incorporates any institutional and engineering controls required to ensure that the remedy implemented for the site remains protective of public health and the environment. All significant activities are detailed in a Site Management Plan.

An *institutional control* is a non-physical restriction on use of the site, such as a deed restriction that would prevent or restrict certain uses of the property. An institutional control may be used when the cleanup action leaves some contamination that makes the site suitable for some, but not all uses.

An *engineering control* is a physical barrier or method to manage contamination. Examples include: caps, covers, barriers, fences, and treatment of water supplies.

Site management also may include the operation and maintenance of a component of the remedy, such as a system that pumps and treats groundwater. Site management continues until NYSDEC determines that it is no longer needed.

## Appendix A -
## Project Contacts and Locations of Reports and Information

### Project Contacts

For information about the site's investigation and cleanup program, the public may contact any of the following project staff:

**New York State Department of Environmental Conservation (NYSDEC):**

Patrick Diez
Project Manager
DEC Region 9
Division of Environmental Remediation
700 Delaware Avenue
Buffalo, NY 14209
(716) 851-7202
patrick.diez@dec.ny.gov

**New York State Department of Health (NYSDOH):**

Zoe Gliosco
Project Manager
NYSDOH
Empire State Plaza
Corning Tower, 17th Floor
Albany, NY 12237
(518) 402-7860
zoe.gliosco@health.ny.gov

### Locations of Reports and Information

The facilities identified below are being used to provide the public with convenient access to important project documents:

**Document Repository:**

April Tompkins
Buffalo and Erie County Public Library
1 Lafeyette Square
Buffalo, NY 14203

## Appendix B - Site Contact List

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

| | |
|---|---|
| | Buffalo, NY 14207 |
| WKBW News Channel 7 | 7 Broadcast Plaza<br>Buffalo, NY 14202 |
| WJYE<br>ATTN: Environmental News Desk | 1700 Rand Building<br>Buffalo, NY 14203 |
| Business First | 465 Main Street<br>Buffalo, NY 14203-1793 |
| WBEN News Radio 930<br>Entercom Radio of Buffalo | 500 Corporate Pkwy, Suite 200<br>Buffalo, NY 14226 |
| WNED, Environmental News Desk | P.O. Box 1263, Horizons Plaza<br>Buffalo, NY 14240 |
| Nearby Schools and Day Cares | |
| Buffalo Elementary School of Technology | 414 South Division St., Buffalo, NY 14204 |
| REACH Academy Charter Elementary School | 115 Ash St., Buffalo, NY 14204 |
| Waterfront Elementary School | 95 4th Street., Buffalo, NY 14202 |
| Document Repository | |
| April Tompkins | Buffalo and Erie County Public Library<br>1 Lafeyette Square<br>Buffalo, NY 14203 |

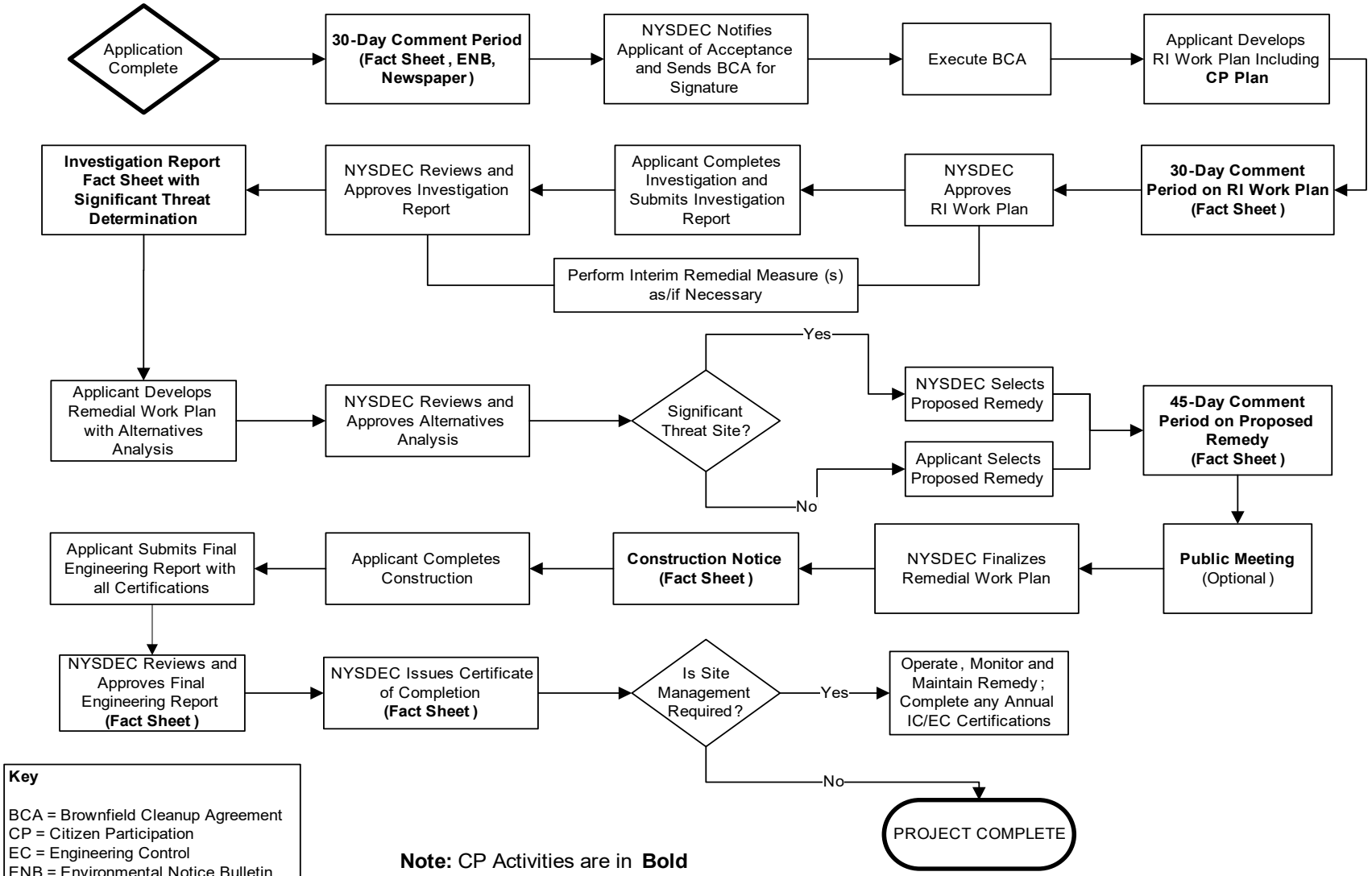
| Address | SBL/Tax ID | Owner | Owner Address |
|---|---|---|---|
| Adjacent Property Owners | | | |
| 662 Amherst Street | 89.21-7-12 | Miller, Joan S | 662 Amherst Street<br>Buffalo, NY 14207 |
| 659 Amherst Street | 89.21-6-9 | Widmer, Heidi K | 659 Amherst Street<br>Buffalo, NY 14207 |
| 663 Amherst Street | 89.21-6-10 | Grace, Peter | 663 Amherst Street<br>Buffalo, NY 14207 |
| 665 Amherst Street | 89.21-6-11 | Mark Glenn Realty Inc. | 7250 Countryview Lane<br>Clarence Center, NY 14032 |
| 673 Amherst Street | 89.21-6-12 | Oleinic Veniamin | 673 Amherst Street<br>Buffalo, NY 14207 |
| 679 Amherst Street | 89.21-6-13 | Labrador Building Systems & Inc. | 7250 Countryview Lane<br>Clarence Center, NY 14032 |
| 1597 Elmwood Avenue | 89.21-4-1.11 | Arc Elmwood LLC | 167 Amsterdam Avenue<br>Passaic, NJ 07055 |
| 1609 Elmwood Avenue | 89.21-3-21 | 1625 Elmwood LLC | 1 CVS Drive<br>Woodsocket, RI 02895 |
| 1629 Elmwood Avenue | 89.21-3-1 | L&S Estates, LLC | 562 Ashland Avenue<br>Buffalo, NY 14222 |

| | | | |
|---|---|---|---|
| 1635 Elmwood Avenue | 89.21-2-2 | 1635 Elmwood, LLC | 17 Bemus Street<br>Bemus, NY 14712 |
| 1642 Elmwood Avenue | 89.21-1-10 | Burt Voelker LLC | 7250 Countryview Lane<br>Clarence Center, NY 14032 |
| 168 Marion Street | 89.21-1-12 | Burt Voelker LLC | 430 Lincoln Parkway<br>Buffalo, NY 14216 |
| 166 Marion Street | 89.21-1-13 | Scott, Tiffany Michelle | 166 Marion Street<br>Buffalo, NY 14207 |
| 162 Marion Street | 89.21-1-14 | Black Dog NY LLC | 885 Niagara Street, Suite 101<br>Buffalo, NY 14213 |
| 156 Marion Street | 89.21-1-15 | Sperandeo, Benjamin F | 156 Marion Street<br>Buffalo, NY 14207 |
| 154 Marion Street | 89.21-1-16 | Howard F and Catherine Handley | 154 Marion Street<br>Buffalo, NY 14207 |
| 141 Marion Street | 89.21-7-4 | Labrador Building Systems & Inc. | 7250 Countryview Lane<br>Clarence Center, NY 14032 |

# Appendix C

# Site Location Map

# Appendix D– Brownfield Cleanup Program Process

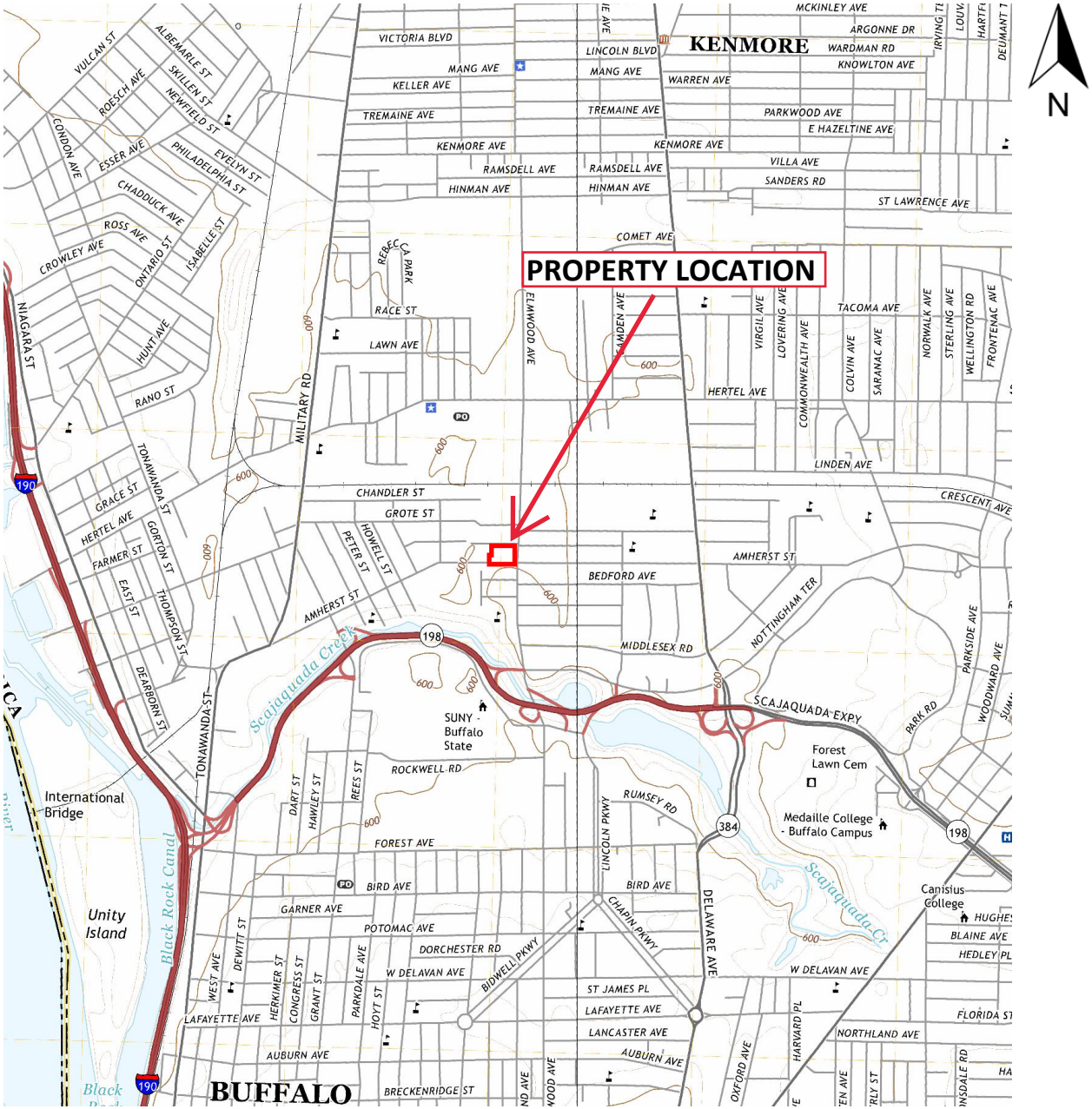



**Key**

BCA = Brownfield Cleanup Agreement
CP = Citizen Participation
EC = Engineering Control
ENB = Environmental Notice Bulletin
IC = Institutional Control
RI = Remedial Investigation

**Note:** CP Activities are in **Bold**

# Figure 1: Historical Topographic Map




| | | |
|---|---|---|
| BRYDGES ENGINEERING IN ENVIRONMENT AND ENERGY, DPC | Figure 1: Property Location | |
| | Voelkers | 3/28/2026 |
| | Buffalo, New York | SAA EVI MC Family, LLC |

**Division of Environmental Remediation**

# Remedial Programs
# Scoping Sheet for Major Issues of Public Concern

## Instructions

This Scoping Sheet assesses major issues of public concern; impacts of the site and its remedial program on the community; community interest in the site; information the public needs; and information needed from the public.

The information generated helps to plan and conduct required community participation (CP) activities, and to choose and conduct additional CP activities, if appropriate. The scoping sheet can be revisited and updated as appropriate during the site's remedial process to more effectively implement the site's CP program.

**Note: Use the information as an aid to prepare and update the Major Issues of Public Concern section of the site CP Plan.**

## General Instructions

- When to prepare: During preparation of the CP Plan for the site. It can be revisited and updated anytime during the site remedial process.
- Fill in site name and other information as appropriate.
- The Scoping Sheet may be prepared by DEC or a remedial party, but must be reviewed and approved by the DER site project manager or his/her designee.

## Instructions for Numbered Parts

Consider the bulleted issues and questions below and any others that may be unique or appropriate to the site and the community to help complete the five Parts of this Scoping Sheet. Identify the issue stakeholders in Parts 1 through 3 and adjust the site's contact list accordingly.

## Part 1. List Major Issues of Public Concern and Information the Community Wants.

- Is our health being impacted? (e.g. Are there problems with our drinking water or air? Are you going to test our water, yards, sumps, basements? Have health studies been done?)
- There are odors in the neighborhood. Do they come from the site and are they hazardous?
- Are there restrictions on what we may do (e.g. Can our children play outside? Can we garden? Must we avoid certain areas? Can we recreate (fish, hunt, hike, etc. on/around the site?)
- How and when were the site's contamination problems created?
- What contaminants are of concern and why? How will you look for contamination and find out where it is going? What is the schedule for doing that?
- The site is affecting our property values!
- How can we get more information (e.g. who are the project contacts?)
- How will we be kept informed and involved during the site remedial process?
- Who has been contacted in the community about site remedial activities?
- What has been done to this point? What happens next and when?
- The site is going to be cleaned up for restricted use. What does that mean? We don't want redevelopment on a "dirty" site.

## Part 2. List Important Information Needed From the Community, if Applicable.

- Can the community supplement knowledge about past/current uses of the site?
- Does the community have knowledge that the site may be significantly impacting nearby people, properties, natural resources, etc.?
- Are activities currently taking place at the site or at nearby properties that may need to be restricted?
- Who may be interested or affected by the site that has not yet been identified?
- Are there unique community characteristics that could affect how information is exchanged?
- Does the community and/or individuals have any concerns they want monitored?
- Does the community have information about other sources in the area for the contamination?

## Part 3. List Major Issues and Information That Need to be Communicated to the Community.

- Specific site investigation or remediation activities currently underway, or that will begin in the near future.
- The process and general schedule to investigate, remediate and, if applicable, redevelop the site.
- Current understanding about the site contamination and effects, if any, on public health and the environment.
- Site impacts on the community and any restrictions on the public's use of the site and/or nearby properties.
- Planned CP activities, their schedule, and how they relate to the site's remedial process.
- Ways for the community to obtain/provide information (document repositories, contacts, etc.).

## Part 4. Community Characteristics

**a. - e.** Obtain information from local officials, property owners and residents, site reports, site visits, "windshield surveys," other staff, etc.

**f.** Has the affected community experienced other **significant** present or past environmental problems unrelated to this site? Such experiences could significantly affect public concerns and perspectives about the site; how the community will relate to project staff; the image and credibility of project staff within the community; and the ways in which project staff communicate with the community.

**g.** In its remedial programs, DER seeks to integrate, and be consistent with, environmental justice principles set forth in *DEC Commissioner Policy 29 on Environmental Justice* and *DER 23 – Citizen Participation Handbook for Remedial Programs*. Is the site and/or affected community wholly or partly in an Environmental Justice (EJ) Area? Use the Search feature on DEC's public web site for "environmental justice". DEC's EJ pages define an EJ area, and link to county maps to help determine if the site and/or community are in an EJ area.

**h.** Consider factors such as:

- Is English the primary language of the affected community? If not, provisions should be considered regarding public outreach activities such as fact sheets, meetings, door-to-door visits and other activities to ensure their effectiveness.
- The age demographics of the community. For example, is there a significant number of senior citizens in the community? It may be difficult for some to attend public meetings and use document repositories. This may suggest adopting more direct interaction with the community with activities such as door-to-door visits, additional fact sheets, visits to community and church centers, nursing homes, etc.
- How do people travel about the community? Would most people drive to a public meeting or document repository? Is there adequate public transportation?

## Part 5. Affected/Interested Public.

Individuals and organizations who need or want information and input can change during the site's remedial process. This need is influenced by real, potential, or perceived impacts of the site or the remedial process. Some people may want information and input throughout the remedial process. Others may participate only during specific remedial stages, or may only be interested in particular issues.

It is important to revisit this question when reviewing this scoping sheet. Knowing who is interested in the site – and the issues that are important to them – will help to select and conduct appropriate outreach activities, and to identify their timing and the information to be exchanged.

Check all affected/interested parties that apply to the site. **Note: Adjust the site's contact list appropriately.** The following are some ways to identify affected/interested parties:

- Tax maps of adjacent property owners
- Attendees at public meetings
- Telephone discussions
- Letters and e-mails to DER, the remedial party, and other agencies
- Political jurisdictions and boundaries
- Media coverage
- Current/proposed uses of site and/or nearby properties (recreational, commercial, industrial)
- Discussions with community organizations: grass roots organizations, local environmental groups, environmental justice groups, churches, and neighborhood advisory groups

**Division of Environmental Remediation**

# Remedial Programs
# Scoping Sheet for Major Issues of Public Concern (see instructions)

**Site Name:** Voelkers Lanes Apartments

**Site Number:** Site No. C915421

**Site Address and County:** 680 Amherst Street, City of Buffalo, Erie County

**Remedial Party(ies):** Voelkers Apartments LLC (Applicant)

**Note: For Parts 1. – 3. the individuals, groups, organizations, businesses and units of government identified should be added to the site contact list as appropriate.**

**Part 1.** List major issues of public concern and information the community wants. Identify individuals, groups, organizations, businesses and/or units of government related to the issue(s) and information needs. **Use this information as an aid to prepare or update the Major Issues of Public Concern section of the site Community Participation Plan.**

Soil and groundwater investigation and remediation may negatively affect the air quality while performing work. NYSDEC and NYSDOH will require air monitoring and preventative safety in accordance with the CAMP and HASP protocols.

How were these issues and/or information needs identified?

During the Phase II Environmental Site Assessment, impacts to the soil were identified above restricted residential SCOs for metals and PAHs across the Site.

**Part 2.** List important information needed **from** the community, if applicable. Identify individuals, groups, organizations, businesses and/or units of government related to the information needed.

No information is needed from the community however, Fact Sheets and other Site information will be received by the community as identified in the Site Contact List and CPP.

How were these information needs identified?

Information needs were identified during public review.

**Part 3.** List major issues and information that need to be communicated **to** the community. Identify individuals, groups, organizations, businesses and/or units of government related to the issue(s) and/or information.
As outlined in the CPP, information will be communicated to the public as well as contacts for NYSDEC personnel. A document repository has been established for public review documentation.

How were these issues and/or information needs identified?

Information needs were identified through the BCP process.

**Part 4.** Identify the following characteristics of the affected/interested community. This knowledge will help to identify and understand issues and information important to the community, and ways to effectively develop and implement the site community participation plan (mark all that apply):

**a.** Land use/zoning at and around site:
☒ **Residential** ☐ **Agricultural** ☐ **Recreational** ☒ **Commercial** ☐ **Industrial**

**b.** Residential type around site:
☒ **Urban** ☐ **Suburban** ☐ **Rural**

**c.** Population density around site:
☒ **High** ☐ **Medium** ☐ **Low**

**d.** Water supply of nearby residences:
☒ **Public** ☐ **Private Wells** ☐ **Mixed**

**e.** Is part or all of the water supply of the affected/interested community currently impacted by the site?
☐ **Yes** ☒ **No**

Provide details if appropriate:
Unknown. Groundwater has been identified at the Site. Groundwater impacts will be identified during the remedial investigation.

**f.** Other environmental issues significantly impacted/impacting the affected community?
☒ **Yes** ☐ **No**

Provide details if appropriate:

Soil and soil vapor impacts.

**g.** Is the site and/or the affected/interested community wholly or partly in an Environmental Justice Area?
☒ **Yes** ☐ **No**

**h.** Special considerations:
☐ **Language** ☐ **Age** ☐ **Transportation** ☒ **Other**

Explain any marked categories in **h:**
The Site is also in a disadvantage community area.

**Part 5.** The site contact list must include, at a minimum, the individuals, groups, and organizations identified in Part 2. of the Community Participation Plan under 'Site Contact List'. Are *other* individuals, groups, organizations, and units of government affected by, or interested in, the site, or its remedial program? (Mark and identify all that apply, then adjust the site contact list as appropriate.)

☐ **Non-Adjacent Residents/Property Owners:** Click here to enter text.

☐ **Local Officials:** Click here to enter text.

☐ **Media:** Click here to enter text.

☐ **Business/Commercial Interests:** Click here to enter text.

☐ **Labor Group(s)/Employees:** Click here to enter text.

☐ **Indian Nation:** Click here to enter text.

☐ **Citizens/Community Group(s):** Click here to enter text.

☐ **Environmental Justice Group(s):** Click here to enter text.

☐ **Environmental Group(s):** Click here to enter text.

☐ **Civic Group(s):** Click here to enter text.

☐ **Recreational Group(s):** Click here to enter text.

☐ **Other(s):** Click here to enter text.

**Prepared/Updated By:** BE3 **Date:** 10/29/2026

**ReviewedApproved By:** Click here to enter text. **Date:** Click here to enter text.