

No. 17372-2023

**BUILDING PERMIT**  
TOWN OF NIAGARA, NY

ISSUE DATE: 05/03/2023

**LOCATION:** 4185 Military Rd

**TAX MAP NO:** 131.14-2-17

**PERMIT TYPE:** Demolition- Com

**DESCRIPTION OF WORK:**

Raze condemned ( fire damaged ) vacated school .

Safeguards during demolition as required by Chapter 33 ,( FCNYS) is to be strictly complied with . .

NO LONG TERM STORAGE OF CONSTRUCTION DEBRIS / BUILDING MATERIAL W/O TOWN BOARD SITING PERMIT APPROVAL .

**OCCUPANCY CLASSIFICATION:**

**ZONING:**      **FLOOD ZONE HAZARD:**

**REQUIREMENTS:**

**ESTIMATED COST: \$200,000.00**

**Owner**                      **4185 Military Road Inc.**

**The use of concrete on the Town Right-of-Way is prohibited. No building materials can be placed on the street without permission of Town Superintendent of Highways.**

The undersigned has submitted plans, specifications, and site plan which are hereto attached, incorporated into and made a part of this application.

In consideration of the granting of the permit hereby petitioned for, the undersigned hereby agrees that if such permit is granted he will comply with the the terms thereof, the laws of the State of New York, the Ordinance of the Town of Niagara and the Regulations of the various departments of the Town, County of Niagara, and State of New York; that he will preserve the established building line; give full notification to the building inspector, and that he will not use or permit to be used the structure or structures covered by the permit until sanitary facilities are completely furnished.

The undersigned hereby certifies that all of the information contained in this petition is correct and true. This permit shall expire in 1 year or 3 months from date of issuance if building has not commenced. Inspections Require a 72 Hour Notice.

I do certify that I have examined the foregoing petition and building plans and site plan and that they conform to Ordinances of the Town of Niagara.

  
\_\_\_\_\_  
Owner or Agent's Signature

  
\_\_\_\_\_  
Building Commissioner

Demo- Com                      \$ 200.00

**Total Fee: \$ 200.00**

Receipt of the sum of \$ \_\_\_\_\_

# Inspections Per Permit

Permit #: 17372-2023  
Permit Type : Demolition- Com  
Location : 4185 Military Rd

Inspection Type	Inspection Date	Inspector	Status	Notes
Final Inspection		<Unassigned>		



**Town of Niagara  
7105 Lockport Road  
Niagara Falls, New York 14305**

Receipt #: 00007824

Date: 5/3/2023

Payer: LAUBACKER ENTERPRISES

Payment Amount: \$200.00

Notes:

<b>Fee Type</b>	<b>Amount</b>
<b>Demo- Com</b>	200.00

<b>Payment Type</b>	<b>Amount</b>	<b>Payment #</b>
<b>Check</b>	200.00	2085

# PERMIT RELEASE FORM

**Application #: 17372-2023**

**Location: 4185 Military Rd**

**Tax Map #: 131.14-2-17**

**Permit Type: Demolition- Com**

**Fees Due: \$ 200.00**

**Notes (Outstanding Items):**

**ABESTOS ABATEMENT PAPERWORK FILED .(SEE DOCS )-  
C.H.**

**USAGE OF TOWN WATER REQUIRES TOWN WATER AND  
SEWER DEPARTMENT ISSUED PERMIT. - C.H.**

**NO SITING PERMIT APPLICATION FOR MATERIAL STORAGE  
( AS DISCUSSED IN PRE-PERMIT MEETING ) WAS FILED  
WITH THE TOWN ,AS OF DATE OF APPLICATION , APPROVAL  
OR ISSUANCE OF DEMOLITION PERMIT. -C.H.**

**Contacts:**

Owner	4185 Military Road Inc.		
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*Check Emailed  
4-5-2023*

*Called to Remed Parcel  
is available 4/14/23 CM*



# Application for Building Permit

Town of Niagara, 7105 Lockport Road, Niagara Falls, NY 14305



Complete the following information: Incomplete applications will be returned

- Name of Applicant: Laubacker Enterprises, Inc.
- Address of Applicant: 528 62nd Street
- Phone Number: 716-579-6522 Email: robert@laubackerenterprises.com
- Project Owner: 4185 Military Road, Inc. (PO Box 945, Hamburg, NY 14075)
- Project Address: 4185 Military Rd Tax Map # 131.14-2-17
- List all Contractors and addresses (as applicable) \_\_\_\_\_
- GC: Laubacker Enterprises
- Electrician: \_\_\_\_\_
- Plumber: \_\_\_\_\_

**RECEIVED**

**MAR 31 2023**

**TOWN OF NIAGARA  
BLDG. INSP. OFFICE**

- Please Provide the Following:
- Survey of Property
  - Plans & Specifications
  - Estimated Cost of Project \$ 200,000
  - Valid Workers Compensation form

Description of Project Demolition and removal of 4185 Military Rd

- ACTION:**
- Erect
  - Alter
  - Add
  - Demolish
  - Repair
  - Other \_\_\_\_\_

- MATERIAL:**
- Frame
  - Masonry
  - Steel
  - Other \_\_\_\_\_

- USE:**
- One Family
  - Two Family
  - Multiple Family
  - Apartment
  - Commercial
  - Industrial
  - Detached Garage
  - Shed
  - Other \_\_\_\_\_
  - Fence
  - Pool

Size of Structure: Width 200' Length 60' Height \_\_\_\_\_ No. of Stories 2 Square Footage 24,272

Note: All work within the Town of Niagara right-of-way requires a separate permit (includes driveways)  
 Pursuant to Town of Niagara Code Chapter 155, §155-14 A. Inspections, states; Work for which a building permit has been issued under this chapter shall be inspected for approval prior to enclosing or covering any portion thereof, and upon completion of each state of construction, including but not limited to building location, site preparation, excavation, foundation, framing, superstructure, electrical insulation, plumbing, heating and air conditioning. Failure to comply will result in a Stop Work Order.

All contractors shall be current with the annual Town of Niagara Business Registration. (TNC 125)

Robert Laubacker  
 Applicant/Owner Signature

3/30/2023  
 Date

Approved  Denied Charles Helf

**APPROVED**  
 Building Inspector/Zoning Officer Signature  
APR 04 2023

**TOWN OF NIAGARA  
BLDG. INSP. OFFICE**

# Application for Building Permit

Town of Niagara, 7105 Lockport Road, Niagara Falls, NY 14305

17372-2023



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4. Project Owner: 4185 Military Road, Inc. (PO Box 945, Hamburg, NY 14075)
5. Project Address: 4185 Military Rd Tax Map # 131.14-2-17
6. List all Contractors and addresses (as applicable) \_\_\_\_\_
7. GC: \_\_\_\_\_
8. Electrician: \_\_\_\_\_
9. Plumber: \_\_\_\_\_

- Please Provide the Following:
- Survey of Property
  - Plans & Specifications
  - Estimated Cost of Project \$ \_\_\_\_\_
  - Valid Workers Compensation form

Description of Project Demolition and removal of 4185 Military Rd

**RECEIVED**

- ACTION:**
- |                                |  |
|--------------------------------|--|
| <input type="checkbox"/> Erect | <input checked="" type="checkbox"/> Demolish |
| <input type="checkbox"/> Alter | <input type="checkbox"/> Repair              |
| <input type="checkbox"/> Add   | <input type="checkbox"/> Other _____         |

APR 05 2023

TOWN OF NIAGARA  
BLDG. INSP. OFFICE

- MATERIAL:**
- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Frame              | <input type="checkbox"/> Steel       |
| <input checked="" type="checkbox"/> Masonry | <input type="checkbox"/> Other _____ |

- USE:**
- |  |  |  |                                |
|--|--|--|--------------------------------|
| <input type="checkbox"/> One Family      | <input type="checkbox"/> Apartment             | <input type="checkbox"/> Detached Garage | <input type="checkbox"/> Fence |
| <input type="checkbox"/> Two Family      | <input checked="" type="checkbox"/> Commercial | <input type="checkbox"/> Shed            | <input type="checkbox"/> Pool  |
| <input type="checkbox"/> Multiple Family | <input type="checkbox"/> Industrial            | <input type="checkbox"/> Other _____     |                                |

Size of Structure: Width 200' Length 60' Height \_\_\_\_\_ No. of Stories 2 Square Footage 24,272

**Note:** All work within the Town of Niagara right-of-way requires a separate permit (includes driveways)  
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All contractors shall be current with the annual Town of Niagara Business Registration. (TNC 125)

Robert Laubacker  
Applicant/Owner Signature

3/30/2023  
Date

Approved  Denied \_\_\_\_\_  
Building Inspector/Zoning Officer Signature





# Aurora Environmental LLC

1850 Davis Road  
West Falls NY 14170

June 5, 2015

Mr. Dave Tosetto  
David Communities LLC  
30 Carrollwood Court  
Youngstown, NY 14174

**Re: Pre-demolition Asbestos Inspection  
4185 Military Road  
Niagara Falls, NY 14728**

Dear Mr. Tosetto:

Enclosed please find a copy of the Pre-Demolition Asbestos Inspection report for the above-referenced property.

Per New York State Asbestos Survey Requirements (12NYCRR Part 56-5.1g), it is required that this pre-demolition survey be sent to the local Asbestos Control Bureau district office. The Asbestos Control Bureau district office is located at 65 Court Street - Rm. 405, Buffalo, NY 14202. Aurora Environmental LLC has transmitted a copy to this office on your behalf. A copy will need to be provided to any local government entity charged with issuing a work permit. A copy of this survey shall also be kept on the construction site throughout the duration of the asbestos project.

If after reviewing this report you have any questions, or if we can be of assistance in any other way, please do not hesitate to call.

Sincerely,

John Puszta

Aurora\_Env@roadrunner.com  
716-655-5800

**Summary Tabulation**

**Pre-Demolition Asbestos Inspection**

1. Introduction
2. Methodology
3. Executive summary
- 3A. Suspect asbestos-containing materials
- 3B. Asbestos-containing materials

**Appendices**

- A General conditions of inspection
- B Certifications and licenses
- C Laboratory reports and chains of custody
- D Asbestos sample floor plans



## 1 Introduction

Aurora Environmental LLC (Aurora) was retained by David Communities LLC to perform a Pre-Demolition Asbestos Inspection of 4185 Military Road, Niagara Falls, NY. The property is a former 3 story school building with an approximate 13,000 square foot footprint.

Although the report is a comprehensive analysis of the asbestos inspection work performed, it would be helpful to review all applicable federal, state and local rules, laws and regulations regarding the handling and treatment of asbestos containing building materials (ACBM). The following is a list of suggested reading and information sources relating to asbestos:

- \* New York State Department of Labor Industrial Code Rule 56
- \* National Emission Standard for Hazardous Air Pollutants (NESHAPS)
- \* Occupational Safety and Health Administration
- \* Environmental Protection Agency rule CFR 763.46 Asbestos Hazard Emergency Response Act

## 2 Methodology

All work performed by Aurora was conducted in accordance with applicable regulations including New York State Department of Labor standards 12 NYCRR Part 56, National Emission Standards for Hazardous Air Pollutants (NESHAPS), and Occupational Safety and Health Administration regulations. All Aurora personnel assigned to conduct inspections have completed the Environmental Protection Agency (EPA) required training and New York State Department of Labor Division of Safety and Health certification program.

Based on the homogeneous areas, samples of suspect materials were collected and transported to a NYS DOH ELAP accredited laboratory for analysis.

Samples were analyzed using Polarized Light Microscopy (PLM) in accordance with NYS DOH ELAP Item #198.1 or #198.6. For materials classified as non-friable organically bound materials (NOBs) that were analyzed as equal to or less than 1% asbestos by PLM, additional analysis was performed under Transmission Electron Microscopy (TEM) in accordance with NYS DOH ELAP Item #198.4. The results of this analysis confirmed whether or not a suspect material actually contained asbestos. The confirmed materials are listed in **SECTION 3 Executive Summary**.

**3. Executive summary**

The pre-demolition asbestos survey included identification, quantification, assessment for condition, sampling and analysis of suspect asbestos containing materials within 4185 Military Road Niagara Falls, NY.

The summary of all suspect materials are reported in **3A**. Confirmed or assumed asbestos containing materials are reported in **3B**. Copies of all laboratory analysis reports and chains of custody listing locations of sample collection are located in **Appendix C**.

**3A. Suspect asbestos-containing materials**

The inspection was conducted on May 12, and 14, 2015. The following materials were observed and assessed as part of this inspection:

HAN Number	Description
100A/B	Plaster skim/ base
101A/B	Drywall/ joint compound
102	Mastic behind waterproof Masonite
103	Black vapor barrier- exterior walls
104	Chalkboard mastic - slate
105AB	Carpeted wallcovering mastic
106	Ceramic tile mastic
107	Paneling mastic
108	Non-slate chalkboard and bulletin board mastic
200AB	Plastic skim / base
201	1 x 1 ceiling tile smooth mastic pucks
202	2 x 4 ceiling tile dot and fissure
204	2 x 2 ceiling tile dot and fissure
205	1 x 1 ceiling tile hole with mastic
206	Drywall and joint compound
300	Yellow carpet mastic
301	Asphalt sub floor
303	Terrazzo beige aggregate
304	Terrazzo gold aggregate
305	9 x 9 floor tile - tan with black streak
306	9 x 9 floor tile - green with cream streak
307	Black mastic of 9 x 9
308	9 x 9 floor tile - blue- light and dark
309	9 x 9 floor tile - red with white streak
310	Terrazzo - white and black
311	Terrazzo - red and black
312	Stair tread mastic
313	Base cove mastic- black
314	Terrazzo - grey and black
315	Vapor barrier under gym floor

# Aurora Environmental LLC

316	12 x 12 floor tile - white and tan mottled and mastic
317	9 x9 floor tile - grey with blue and white stripe
318	Terrazzo- green and black
400	Mudded joint fittings
401	Mag pipe insulation
402	Air cell pipe insulation
500AB	Chimney patch at duct- white and grey
501	Incinerator cement liner
600	Cloth wire insulation
700	Caulk- gray
701	Perlite board
702	Flashing cement
703	Flashing
704	Built-up roof



**3B. Asbestos-containing materials**

Analysis of these materials under Polarized Light Microscopy, and where necessary Transmission Electron Microscopy revealed the following as asbestos containing materials (ACM). Copies of all laboratory analysis reports and chains of custody listing locations of sample collection are located in **Appendix C:**

HAN	Material	Location*	Quantity	Condition	Friability
102	Mastic behind waterproof Masonite	10, 39	128 SF	Intact	Non-friable
103	Black vapor barrier- exterior walls	Applied to interior surface of exterior walls, concealed behind plaster	14,640 SF	Intact	Non-friable
305 306 307 308 309 317	9X9 floor tile and associated mastic	B-4, B-5, B-6, B-7, B-8, B-9, B-10, B-12, B-13, B-14, B-15, 10, 12, 13,16, 17, 27, 32, 33, 34	9025 SF	Damaged to Significantly damaged	Non-friable
316	12 x 12 floor tile - white and tan mottled and mastic	9, 11	1500 SF	Damaged	Non-friable
400	Mudded joint fittings**	B-1, B-2, B-3, B-4, B-6, B-9, B-11, B14, 10, 12, 13, 16, 17, 19, 23	345 LF	Damaged	Friable
401	Mag pipe insulation	9	24 LF	Intact	Friable
402	Air cell pipe insulation	B-1, B-3, B-4, B-11, B-14, B-15, 12, 13, 16, 17	650 LF	Damaged to Significant Damage	Friable
500AB	Chimney patch at duct- white and grey	B-1	2 SF	Intact	Friable
502	Boiler – internal components**	B-1	40 SF	Intact	Friable
700	Caulk- gray	Windows, vents, and building joints	100 SF	Intact	Non-friable
702/703	Flashing/Fashing cement	Roof perimeter, curbs and penetrations	1100 SF	Intact	Non-friable

\* Refer to Appendix D for enumeration of spaces

\*\* Material was not analyzed and is assumed asbestos containing material

## Appendix A General conditions of inspection

1. This inspection was limited to those areas presented to Aurora's personnel by client representatives. Aurora Environmental LLC neither accepts nor implies any liability for ACBM that may be present between walls, floors or interstitial areas not readily accessible to our personnel. No subterranean investigation was conducted as part of this inspection. Should additional suspect materials be discovered during demolition, these materials should immediately be assessed for asbestos content prior to disturbance.
2. The results of the laboratory analytical reports that may be contained herein are the product of the knowledge, experience and expertise of the laboratory retained to perform such services.
3. Aurora Environmental LLC neither accepts nor implies any liability for the implementation of the recommendations found within this report.
4. Aurora Environmental LLC cannot be held responsible or liable for the misrepresentation of fact, misstatements or withholding of relevant information of those parties interviewed during this inspection.
5. This report is based on the condition and contents present at the site on the day of the inspection.

**Appendix B Certifications and licenses**



**New York State – Department of Labor**

Division of Safety and Health  
License and Certificate Unit  
State Campus, Building 12  
Albany, NY 12240

**ASBESTOS HANDLING LICENSE**

Aurora Environmental LLC

1850 Davis Road

West Falls, NY 14170

FILE NUMBER: 13-70444

LICENSE NUMBER: 70444

LICENSE CLASS: RESTRICTED

DATE OF ISSUE: 02/25/2015

EXPIRATION DATE: 02/28/2016

Duly Authorized Representative – John Pusztay:

This license has been issued in accordance with applicable provisions of Article 30 of the Labor Law of New York State and of the New York State Codes, Rules and Regulations (12 NYCRR Part 56). It is subject to suspension or revocation for a (1) serious violation of state, federal or local laws with regard to the conduct of an asbestos project, or (2) demonstrated lack of responsibility in the conduct of any job involving asbestos or asbestos material.

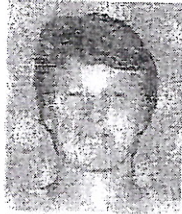
This license is valid only for the contractor named above and this license or a photocopy must be prominently displayed at the asbestos project worksite. This license verifies that all persons employed by the licensee on an asbestos project in New York State have been issued an Asbestos Certificate, appropriate for the type of work they perform, by the New York State Department of Labor.



Eileen M. Franko, Director  
For the Commissioner of Labor



STATE OF NEW YORK - DEPARTMENT OF LABOR  
ASBESTOS CERTIFICATE



DEBRA L ALDERMAN  
CLASS(EXPIRES)  
C ATEC(10/15) D INSP(10/15)  
H PM (10/15)

ISSUED 06/27/09  
EXPIRES 10/15/15

MUST BE CARRIED ON ASBESTOS PROJECTS



01213 0030327 58

EYES BLU  
HAIR BLN  
HGT 5' 02"

IF FOUND RETURN TO:  
NYSDEL - L&C UNIT  
ROOM 161A BUILDING 12  
STATE OFFICE CAMPUS  
ALBANY NY 12240



STATE OF NEW YORK DEPARTMENT OF LABOR  
ASBESTOS CERTIFICATE



CRAIG S LIBGLID  
CLASS(EXPIRES)  
C-ATEC(09/15) D-INSP(09/15)  
H-PM (09/15)

CERT# 09-21321  
DMV# 597486205

MUST BE CARRIED ON ASBESTOS PROJECTS



IF FOUND RETURN TO:

NYSDOL - L&C UNIT  
ROOM 161A BUILDING 12  
STATE OFFICE CAMPUS  
ALBANY NY 12240

EYES BLK  
HAIR BLK  
HGT 5' 07"



01213 009307921 28

NEW YORK STATE DEPARTMENT OF HEALTH  
WADSWORTH CENTER



Expires 12:01 AM April 01, 2016  
Issued April 01, 2015

**CERTIFICATE OF APPROVAL FOR LABORATORY SERVICE**

*Issued in accordance with and pursuant to section 502 Public Health Law of New York State*

MS. RHONDA R. MCGEE  
EMSL ANALYTICAL INC  
490 ROWLEY ROAD  
DEPEW, NY 14043

NY Lab Id No: 11606

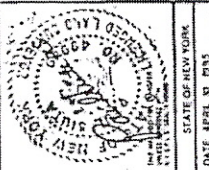
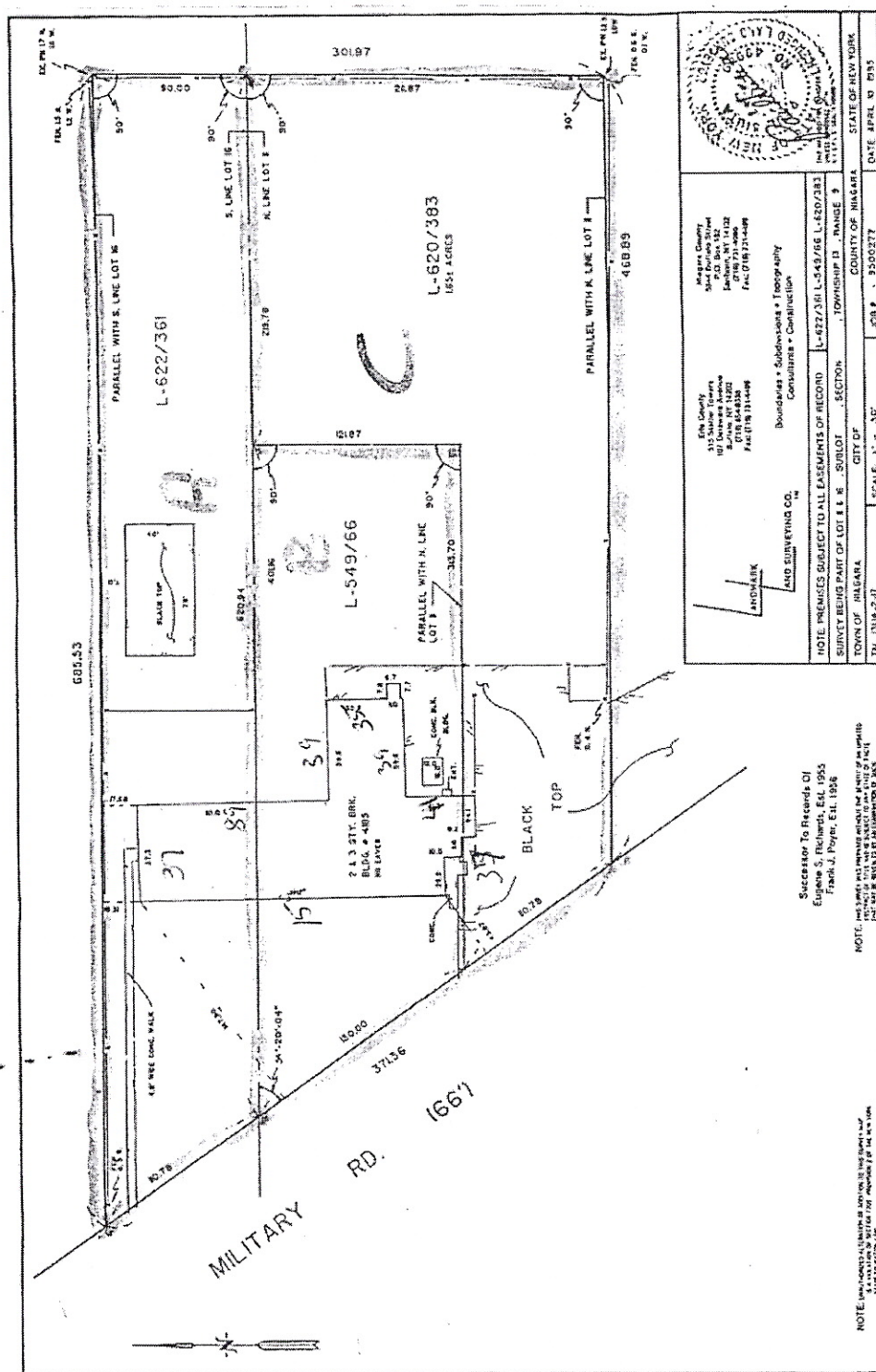
*is hereby APPROVED as an Environmental Laboratory for the category  
ENVIRONMENTAL ANALYSES SOLID AND HAZARDOUS WASTE  
All approved subcategories and/or analytes are listed below:*

**Miscellaneous**

Asbestos in Friable Material	Item 198.1 of Manual EPA 600/M4/82/020
Asbestos in Non-Friable Material-PLM	Item 198.6 of Manual (NOB by PLM)
Asbestos in Non-Friable Material-TEM	Item 198.4 of Manual

Serial No.: 52441

Property of the New York State Department of Health. Certificates are valid only at the address shown, must be conspicuously posted, and are printed on secure paper. Continued accreditation depends on successful ongoing participation in the Program. Consumers are urged to call (518) 485-5570 to verify the laboratory's accreditation status.



City County  
 315 Delaware Avenue  
 Buffalo, N. Y.  
 Erie County  
 2787 71st Avenue  
 Buffalo, N. Y.  
 Erie County  
 315 Delaware Avenue  
 Buffalo, N. Y.

**ANDERSON**  
 AND SURVEYING CO., INC.  
 Boundaries • Subdivisions • Topography  
 Consultants • Construction

NOTE: PREMISES SUBJECT TO ALL EASEMENTS OF RECORD. L-422/330, L-549/66, L-420/383, L-420/382.  
 SURVEY BEING PART OF LOT # 8 SUBLOT # SECTION # TOWNSHIP # RANGE # COUNTY OF NIAGARA STATE OF NEW YORK  
 TOWN OF NIAGARA CITY OF NIAGARA  
 TLA: 0314-2-17 SCALE: 1" = 30' JOB # : 9300277 DATE: APRIL 30 1993

Successor To Records Of  
 Eugene J. Richards, Esq. 1955  
 Frank J. Topper, Esq. 1996

NOTE: THIS SURVEY HAS BEEN CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF THE SURVEYS ACT, AND ALL NECESSARY RECORDS ARE ON FILE WITH THE SURVEYOR GENERAL.

NOTE: THE PROPERTY ALLIANCE IS AFFILIATED WITH THE NATIONAL SURVEYING SOCIETY (NSS).