Joseph L. Allen Apartments, Schenectady, NY
Environmental Assessment

September 25, 2015

Project Name:	Joseph L. Allen Apartments, Schenectady, NY
Project Location:	762 – 782 Albany Street, Schenectady, NY
Federal Agency:	U.S. Department of Housing and Urban Development
Responsible Entity:	New York State Homes and Community Renewal
Responsible Agency's Certifying Officer:	Thomas J. King, Assistant General Counsel and Certifying Officer
Project Sponsor:	DePaul of Rochester
Primary Contact:	Mark Fuller, CEO 1931 Buffalo Road Rochester, NY 14624 mfuller@depaul.org
Project NEPA Classification:	24 CFR 58.36 (Environmental Assessment)

Environmental Finding:	**X** Finding of No Significant Impact - The project will not result in a significant impact on the quality of the human environment.
	☐Finding of Significant Impact - The project may significantly affect the quality of the human environment.
Certification	The undersigned hereby certifies that New York State Homes and Community Renewal conducted an environmental review of the project identified above and prepared the attached environmental review record in compliance with all applicable provisions of the National Environmental Policy Act of 1969, as amended (42 USC Sec. 4321 et seq.) and its implementing regulations at 24 CFR Part 58.
Signature	Thomas J. King

Environmental Assessment Prepared By:	Consultant: Tetra Tech, Inc. Address: 1999 Harrison Street, Suite 500 Address: Oakland, CA 94612

CERTIFICATION OF NEPA CLASSIFICATION

It is the finding of the New York State Housing Trust Fund Corporation that the activity(ies) proposed in its 2015 NYS CDBG-DR project, the Joseph L. Allen Apartments are:

Check the applicable classification.

☐ Exempt as defined in 24 CFR 58.34 (a).

☐ Categorically Excluded as defined in 24 CFR 58.35(b).

☐ Categorically Excluded as defined in 24 CFR 58.35(a) and no activities are affected by federal environmental statues and executive orders [i.e., exempt under 58.34(a)(12)].

☐ Categorically Excluded as defined in 24 CFR 58.35(a) and some activities are affected by federal environmental statues and executive orders.

☒ "Other" neither exempt (24 CFR 58.34(a)) nor categorically excluded (24 CFR 58.35).

☐ Part or all of the project is located in an area identified as a floodplain or wetland. For projects located in a floodplain or wetland, evidence of compliance with Executive Orders 11988 and/or 11990 is required.

For activities excluding those classified as "Other", attached is the appropriate Classification Checklist (Exhibit 2-4) that identifies each activity and the corresponding citation.

Signature of Certifying Officer — September 24, 2015 Date

Thomas J. King — Assistant General Counsel and Certifying Officer

CERTIFICATION OF SEQRA CLASSIFICATION

It is the finding of the New York State Housing Trust Fund Corporation that the activity(ies) proposed in its 2015NYS CDBG-DR project, Joseph L. Allen constitute a:

Check the applicable classification:

- ☐ Type I Action (6NYCRR Section 617.4)
- ☐ Type II Action (6NYCRR Section 617.5)
- ☒ Unlisted Action (not Type I or Type II Action)

Check if applicable:

- ☐ Environmental Impact Statement (EIS) Prepared
  - ☐ Draft EIS
  - ☐ Final EIS

Signature of Certifying Officer — September 24, 2015 Date

Thomas J. King — Assistant General Counsel and Certifying Officer

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]**:**
DePaul of Rochester is proposing to redevelop the existing commercial properties at a site located at the corner of Albany and Hulett Streets in Schenectady, New York (See **Figures 1a**, **1b**, and **1c**). The existing buildings at the site would be demolished and a new 51-unit, three-story, multi-family residential complex would be constructed along with associated site improvements, including landscaping and parking.

The proposed site for the Joseph L. Allen Apartments Project (Project) is located in a highly urbanized area within downtown Schenectady, New York. Currently, the 1.38-acre site is made up of nine contiguous parcels (770, 774, 776, 778, 780, and 782 Albany Street and 312, 314, and 316 Hulett Street) that include commercial and residential buildings (in poor to fair condition) and three connected parking lots. Six of the properties are occupied by one-story to multi-story buildings, and three properties are designated parking lots. (See **Figure 2** for the current site plan.) Current zoning for the lots includes residential, apartment, commercial, office, retail, warehouse, and row storage. Surrounding buildings consist of small businesses, churches, and residential buildings in a downtown main street-type urban setting.

The new building would have three levels and contain 51 apartments (approximately 52,000 square feet). There would be one studio unit, 46 one-bedroom units, and four two-bedroom units. Each unit will have a kitchen and bath. Site amenities would include community rooms, staff offices, lounges, laundry, storage and other community space for the residents.

The building will be an elongated "L" shape of wood-frame construction. The building would include Energy Star features, target resiliency standards, and achieve significant efficiencies with green building measures. **Figure 3** shows the proposed site plan. In the rear will be green space and ample parking on site for residents, staff, and visitors. Because of the current deteriorated condition of the adjacent sidewalks along Albany and Hulett Streets, the development includes repair of these two sidewalks.

The Project property has easy access from Albany and Hulett Streets. Several major routes connect the Project site with the City of Schenectady and beyond. Interstate 890 (I-890) connects Schenectady to I-90 and the rest of the state. Interchanges at Broadway and Michigan Avenues and an on-ramp at Hulett Street provide access to and from the Project site. Hulett Street also provides access to State Street (State Route 5) and downtown Schenectady. The Capital District Transportation Authority (CDTA) provides bus service throughout Schenectady, Albany, Troy, and Saratoga. There are 11 CDTA bus routes through Schenectady, and the nearest bus station is on Route 355 at State Street and Hulett Street.

The Project would disturb the entire 1.38-acre site. On-site parking spaces for residents are included in the design. The development would connect to the existing water, sewer, and storm drain utilities. No new utility-related construction is required.

The building design incorporates New York State (NYS) Housing Finance Agency (HFA) Green and Energy Efficiency measures (including, but not limited to, energy-efficient heating, ventilation, and air conditioning [HVAC] systems; Energy Star lighting, appliances, and doors; and maintenance-free materials), Community Development Block Grant – Disaster Recovery (CDBG-DR) Resiliency tools, and Americans with Disabilities Act (ADA) compliance. On-site parking would be restricted to the tenants, visitors, and staff, with no commercial parking spaces.

Twenty-five of the 51 units would be part of New York State's Medicaid Redesign Team financing program. The other 26 units would be affordable to households earning up to 60 percent of the area median income (AMI).

The Project site and surrounding areas are currently serviced by New York State Electric and Gas Corporation (NYSEG) for gas and electric and the City of Schenectady Water and Wastewater Department for water and municipal sewer service.

The Project would receive water from City of Schenectady Water and Wastewater Department through water mains along Albany Street and Hulett Street, and sanitary sewer service would be provided by the City of Schenectady Water and Wastewater Department. Wastewater would be processed at the Schenectady Wastewater Treatment Plant. There is a city storm sewer along Albany Street.

A Stormwater Pollution Prevention Plan (SWPPP) and Notice of Intent were prepared for the Project in accordance with the NYS Stormwater Design Manual. The SWPPP was submitted to the City of Schenectady Stormwater Officer, and the city signed a Municipal Separate Storm Sewer System (MS4) Acceptance form, documenting that the Project complies with both the city storm sewer rules and regulations and the New York State General Permit.

Resiliency measures have been designed into the new construction plans to help ensure the long-term sustainability of the project. The project is located above the areas affected by flooding in Downtown Schenectady and well outside the 100- and 500-year flood zones, as shown on Federal Emergency Management Agency (FEMA) data and maps. The elevation of the building at grade is well above the base flood elevation (BFE). There will be no basement, so all utilities, electrical systems, and components will be placed above BFE. Even so, flood-resistant materials, including but not limited to mold-resistant drywall, tiling, and concrete, would be used on the lower floor. Backflow preventers would be installed on incoming water lines, and the roof would be secured by hurricane clips. Appropriate landscaping plantings would be part of resiliency planning. An emergency power generator would be installed on site. If determined to be needed, drainage and water removal systems, such as sump pumps and gravity-based drainage, would be installed. A passive radon system would be installed (to be made active should post-construction radon tests show radon levels above U.S. Environmental Protection Agency [EPA] thresholds). This system has the added benefit of resisting vapor intrusion into the building.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:
In June 2013, Governor Andrew Cuomo set out to centralize recovery and rebuilding efforts in storm-impacted areas of New York State. Although Schenectady County was not affected by Hurricane Sandy, this storm was the catalyst for allocation of disaster relief funds under the CDBG-DR award. These funds are being used to assist not only counties that were devastated by Hurricane Sandy, but also counties such as Schenectady County that were severely damaged by Hurricane Irene and Tropical Storm Lee in 2011. The Governor's Office of Storm Recovery (GOSR) was established to administer the award funds, address communities' most urgent needs, and encourage the identification of innovative and enduring solutions to strengthen the state's infrastructure and critical systems. Operating under the umbrella of New York State Homes and Community Renewal (HCR), GOSR uses approximately $3.8 billion in flexible funding made available by The U.S. Department of Housing and Urban Development's (HUD) CDBG-DR program to concentrate aid to four main areas: housing recovery, small business, community reconstruction, and infrastructure. Paired with additional federal funding that was awarded to other state agencies, the CDBG-DR program is enabling homeowners, small businesses, and entire communities to build back and better prepare for future extreme weather events.

In 2011, Schenectady County was severely damaged by the combination of the effects of Hurricane Irene and Tropical Storm Lee. On August 28, 2011, Hurricane Irene made landfall in New York with tropical storm force winds, causing disastrous flash flooding, especially in the eastern part of Upstate New York. The rains saturated the soils, wetlands reached their storage capacity, and the runoff in the area brought the streams and the rivers to near flood conditions. When Tropical Storm Lee hit the county 10 days later, on September 7, 2011, the conditions caused by Irene were magnified and resulted in major flooding.

Schenectady and Rotterdam were hard hit by Hurricane Irene and Tropical Storm Lee in 2011. Floodwaters poured into streets, homes, and buildings throughout Schenectady. The level of the Mohawk River rose as high as 28 feet above flood stage in the Stockade and East Front Street neighborhoods. Residential areas were among the hardest hit, and both communities struggle with abandoned homes as a result of Irene and Lee. Residents in these neighborhoods, who had experienced numerous previous floods, had never seen their homes (some of which are more than 200 years old) subject to such floodwaters. Electricity was out for almost a week, and telephone service was limited. The damage was so significant that some residents were unable to return to their homes for six to nine months (https://stormrecovery.ny.gov/sites /default/files/crp/community/documents/schenectady-rotterdam_nyrcr_plan.pdf).

The New York Rising Community Reconstruction Program (NYRCR) for Schenectady County includes the City of Schenectady and the Town of Rotterdam. The NYRCR plan primarily discusses infrastructure and resiliency improvements. It also identifies the need to protect vulnerable populations and increase viable housing in safe, secure, pleasant, and clean neighborhoods and provide resilient and sustainable housing choices for all income levels. These communities have a population whose average income is well below the AMI. The Joseph L. Allen Apartments Project would contribute to this effort by providing resilient affordable rental housing outside of

the 100-year floodplain and housing opportunities to those households that previously resided in areas with demolished and storm-damaged buildings.

Existing Conditions and Trends [24 CFR 58.40(a)]:
The City of Schenectady is in Schenectady County. Schenectady encompasses approximately 10.8 square miles and has a population of 65,915, according to the American Community Survey estimates for 2013. This estimate represents a population decrease of 3,896 (0.33 percent) from the 2010 Census. Census data do not suggest a significant population change as a result of the flood, however. About 51.1 percent of occupied housing units were owner-occupied and 48.9 percent were renter-occupied. Home ownership occupancy in 2013 was approximately 99.1 percent and rental occupancy was about 93.1 percent. Schenectady has undergone a decrease in the unemployment level; however, the percentage of individuals and of families below the poverty line has increased. The median household income has increased by $441. Between 2010 and 2013, unemployment estimates decreased from 10.9 percent of the civilian labor force to 6.2 percent. In 2010, approximately 18.7 percent of all families and 21.0 percent of individuals had incomes below the poverty line. By 2013, these estimates increased to 25.0 percent of all families and 26.5 percent of individuals with incomes below the poverty line. The median household income in 2010 was estimated to be $36,232, and in 2013 it was $36,673, a slight increase of about 1.2 percent; however, this value is within the margin of error for each estimate (Source: 34, 35).

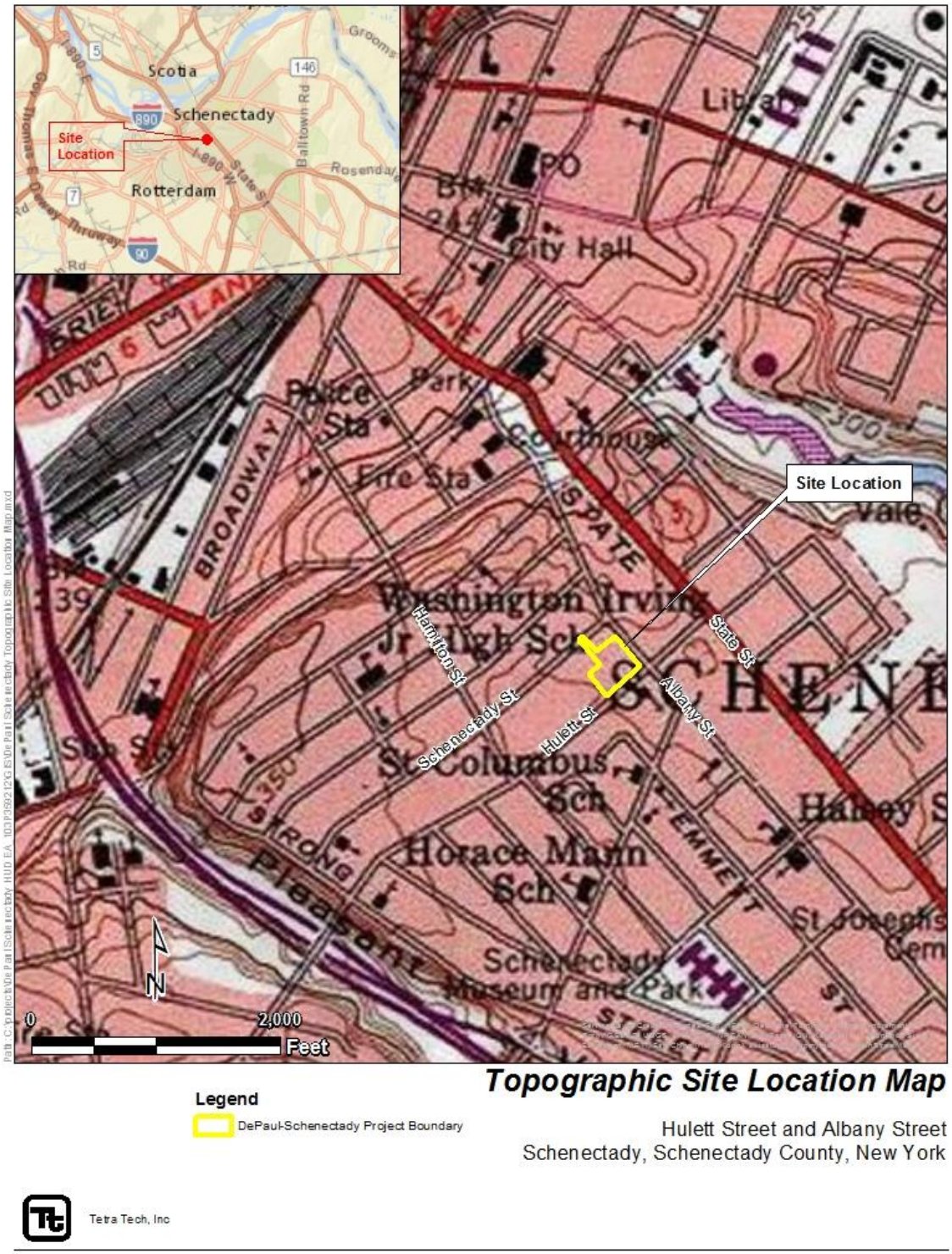
Over the same period, the housing stock increased slightly, and the rate of homeowner and rental vacancy rates declined. Between 2010 and 2013, the housing stock increased by 2.4 percent, from 31,894 to an estimated 32,677. The homeowner vacancy rate decreased from 5.0 percent to 0.9 percent, and the rental vacancy rate increased from 5.9 percent to 6.9 percent. The median house value declined by 9.5 percent, from $121,600 to $110,100, while the median monthly rent increased by 3.4 percent from $796 to $823. These conditions and trends point to a tight owner-occupied housing market, high rents relative to income and relative to increasing poverty rates, and a strong need for an increase in housing stock (Source: 34, 35).

Funding Information

Funding for the project would be derived from HFA Construction and permanent bonds, NYS Office of Mental Health (NYSOMH) debt service, property, and social service support for 30 years, NYSOMH Program Development Grant, CDBG-DR funds, Low-Income Housing Tax Credits (LIHTC) and DePaul subordinate loan and/or deferred fee.

Estimated Total HUD Funded Amount:
$4,721,454

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]**:**
$17,650,928



Topographic Site Location Map

Legend

DePaul-Schenectady Project Boundary

Hulett Street and Albany Street
Schenectady, Schenectady County, New York

Tetra Tech, Inc

Figure 1a – Topographic Site Location Map

Figure 1b – Site Location Map

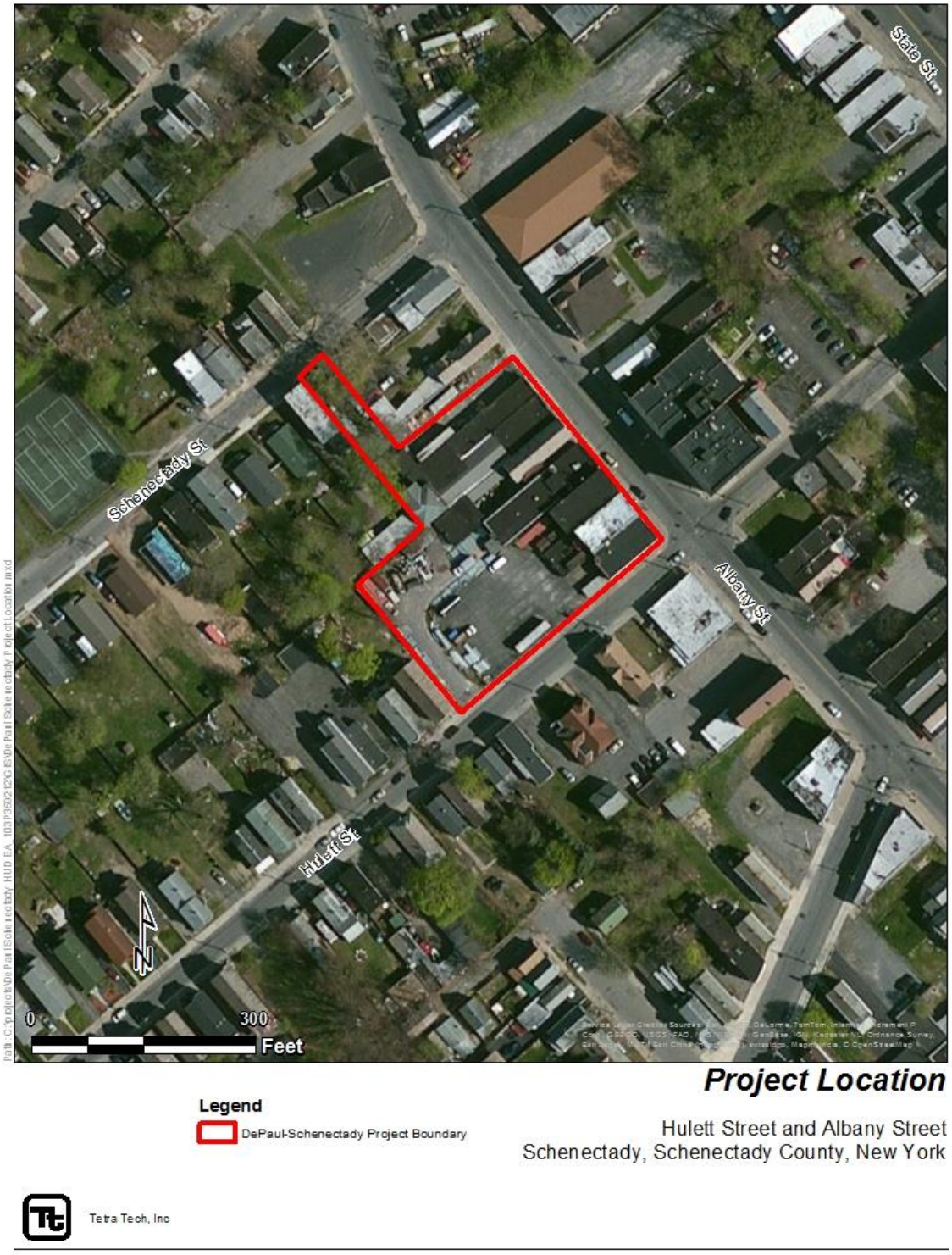


Figure 1c – Project Location Map

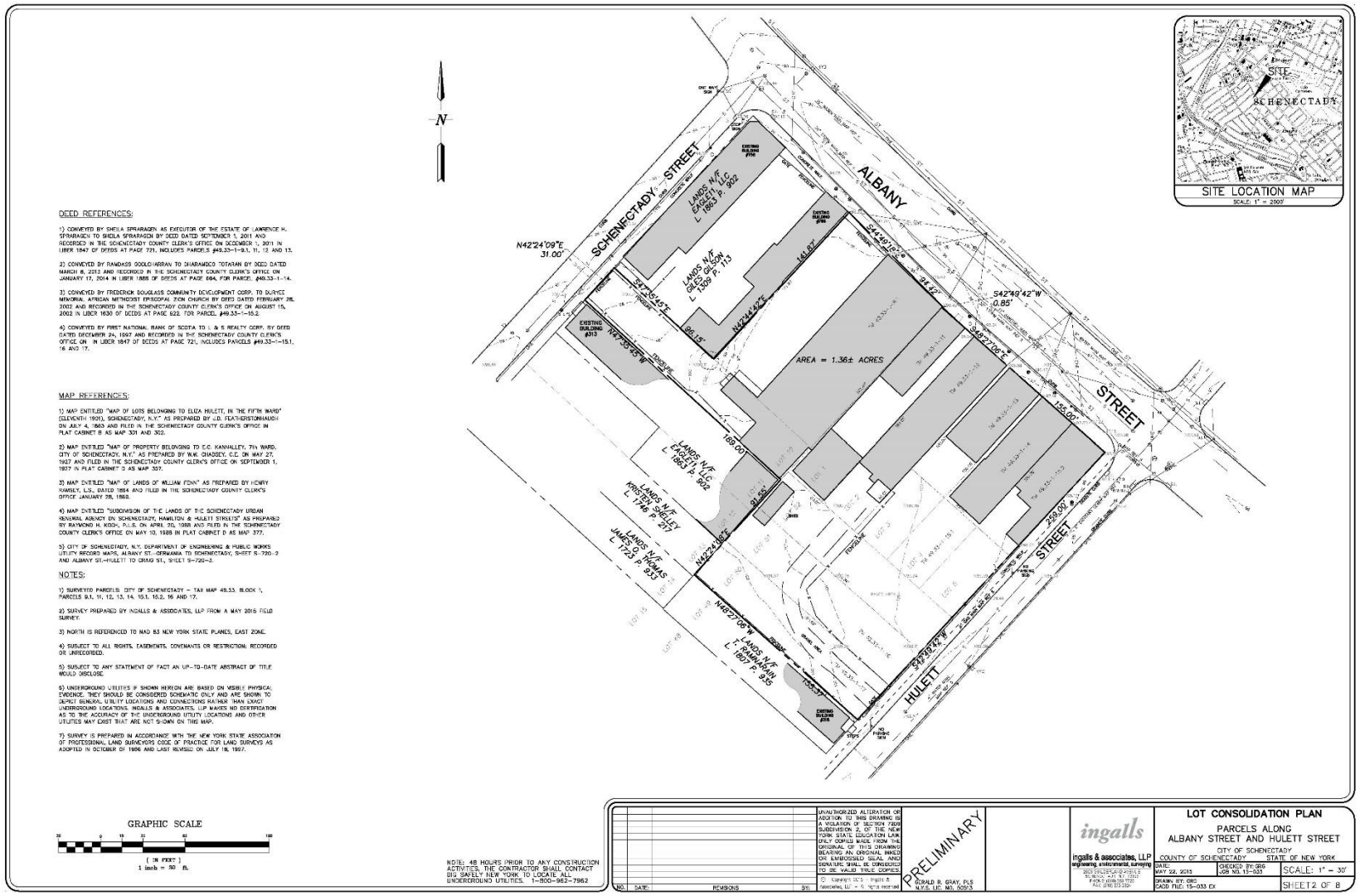


Figure 2 – Current Site Plan

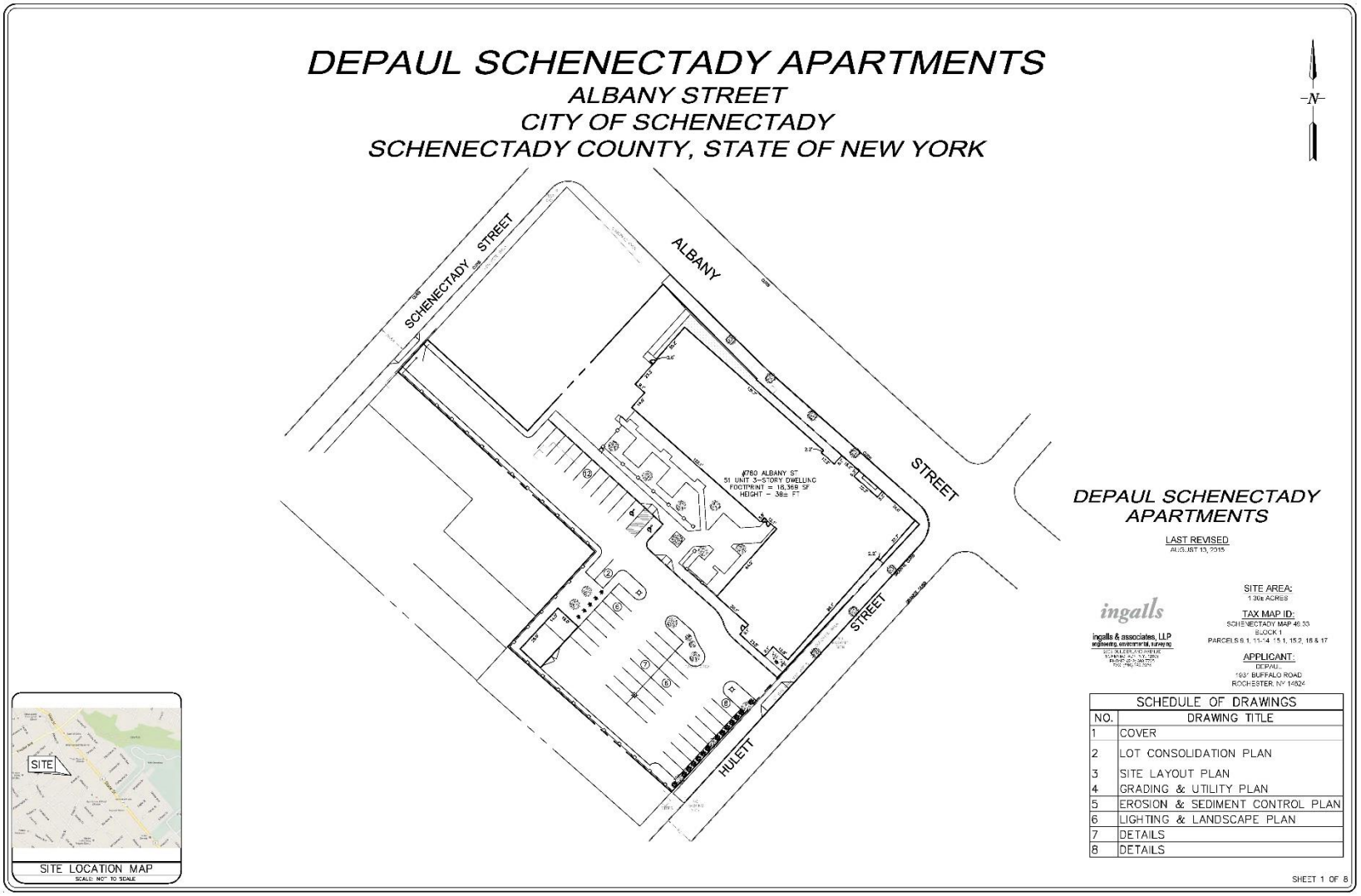


Figure 3 – Site Plan of Proposed Development

Compliance with 24 CFR 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes ☐ No ☒	Based on HUD guidance in Fact Sheet #D1, the National Plan of Integrated Airport Systems (NPIAS) was reviewed for civilian, commercial service airports near the Project site, as projects within 2,500 feet of a civil airport require consultation with the appropriate civil airport operator. The nearest airport to the project is the Schenectady County Airport in Scotia, approximately 2.6 miles away. No known military airports are within 15,000 feet of the Project site. The Stratton Air Base in Schenectady is outside this boundary. The project is not in an Airport Runway Clear Zone. No further assessment is needed. **Source: 3, 4**
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes ☐ No ☒	The Project site is not in a Coastal Barrier Resources Area as defined by the state's Coastal Zone Management Program. **Source: 5, 6**
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act	Yes ☐ No ☒	The Project site is not in a Special Flood Hazard Area (SFHA). The project site is outside the 0.2-percent-annual-chance (or 500-year) flood hazard zone based on a review of the FEMA Flood Insurance Rate Map (FIRM) (Map No.

of 1994 [42 USC 4001-4128 and 42 USC 5154a]		36093C0162D and 36093C0170D) for the City of Schenectady, New York (See **Appendix A**). **Source: 7**
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes ☐ No ☒	The Project site is not included in the most recent listing of nonattainment or maintenance areas for inhalable particulate matter (PM2.5) or the 2008 8-hour ozone standard, as defined by the EPA Green Book Nonattainment Areas for Criteria Pollutants. It is listed as Marginal for the 1997 8-hour ozone standard. The Project would not require an NYS Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit. The Project activities would not substantively affect air quality. The Project is of a size that is consistent with the New York State Implementation Plan (SIP). Implementation of standard best management practices (BMP) would control dust and other emissions during construction. Air quality impacts would be short term and localized. Air qualify effects of permanent increases in traffic would be minimal. If the project includes a generator, the sponsor must submit certification of compliance with the EPA Reciprocating Internal Combustion Engines rule before site altering activities. Negligible impacts on air quality would result, and further assessment is not required. **Source: 8**
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes ☐ No ☒	The Project site is not in a coastal zone as defined by the state's Coastal Zone Management Program. **Source: 5**
Contamination and Toxic Substances	Yes ☒ No ☐	HUD policy requires that the proposed site and adjacent areas be free of hazardous

24 CFR Part 50.3(i) & 58.5(i)(2)		materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants of the property. The Project does not involve the use or storage of any toxic chemicals or radioactive materials. A Phase I Environmental Site Assessment was completed in June 2015 and identified three potential recognized environmental conditions (RECs): three existing aboveground storage tanks (ASTs); broken mercury-containing light bulb debris in parking lots; and potential polychlorinated biphenyls (PCBs) in existing old electrical components. Based on these findings, the assessment recommended further investigation; and a limited Phase II Environmental Site Assessment was completed on August 12, 2015. (See **Appendix B** for the Phase I and Phase II Environmental Site Assessments.) The Phase II assessment entailed surface soil sampling, PCB surface wipe sampling, soil boring, and micro-well installation and associated sampling. The soils at the Project site were shown to be below the applicable NYS Department of Environmental Conservation (NYSDEC) Residential Use Soil Cleanup Objectives (SCOs). Analytical results indicated the presence of several hazardous metals and acetone in the surface and subsurface soils above the Unrestricted Use SCO levels. As a result, the following measures were recommended before the site could be developed: • Installation of a sub-slab depressurization system beneath any newly constructed living space or buildings; • Areas where soil samples contained contaminants above Unrestricted Use SCOs should not be used as in situ gardening beds without further delineation or remediation;

		• Areas where soil with contaminant concentrations above Unrestricted Use SCOs for lead and mercury may be excavated and backfilled with clean soil or fill to achieve these SCOs; • Removal and disposal of three ASTs and further investigation of the subterranean vault area beneath the AST in the garage of 774 Albany Street, once the current occupant has vacated the property and the AST has been removed; • If impacted groundwater soils are encountered during future development, they should be handled and tested by a qualified environmental professional in accordance with applicable regulatory criteria; and • Any future development on the Project site use the local municipal water system, restricting any use of groundwater directly from the Project site. (See **Appendix B** for the Phase II Environmental Site Assessment.) **Polychlorinated Biphenyls** PCBs were widely used in equipment, such as transformers, capacitors, and hydraulic equipment, until 1979, when the EPA regulated their use in this capacity. The Project site was inspected for the presence of equipment likely to contain PCBs in the Phase I Environmental Site Assessment. PCBs were detected in one out of the four PCB surface wipe samples obtained during the Phase II Environmental Site Assessment. The PCB level was lower than the EPA's Guidance value of 10 micrograms (µg)/100 square centimeters (cm^2). Caulks containing 50 parts per million (ppm) by weight (on a dry weight basis for other than liquid wastes) or greater of PCBs may be listed as hazardous waste in accordance with

		NYSDEC regulations (6 NYCRR Part 371). PCB wastes are also regulated by EPA at 40 Code of Federal Regulations (CFR) Part 761. In June and July 2015, an asbestos and PCB caulk pre-demolition survey (See **Appendix B**) was conducted on each of the properties that make up the project site. One of the two samples at 770 Albany Street contained PCBs at a concentration that is equal to or greater than 50 ppm, which would classify it as hazardous waste. None of the other samples contained PCBs equal to or greater than 50 ppm. **Lead-Based Paint** No investigation has been conducted for lead-based paint or lead in drinking water. Lead in soils was investigated in the Phase II Environmental Site Assessment. Three surface soil samples indicated Unrestricted Use SCOs were exceeded for lead and mercury; however, these three samples did not exceed Residential Use SCOs. Any surface coated with paint is considered to contain some percentage of lead, based on the ages of the buildings, which were constructed between 1900 and 1930. Any alteration or repair, including painting and decorating, must meet the requirements of the Occupational Safety and Health Administration (OSHA) Construction Lead Standard (29 CFR 1926.62). Contractors would be alerted to the fact that the paint coating on surfaces in this Project is likely to contain lead, and contractors of each trade would be required to submit their written lead program prior to the start of work. The plan must identify potential sources of lead exposure and propose specific procedures to protect workers from those exposures.

		Mold Mold can also have an adverse effect on human health and is a common problem in houses that have been flooded. The Project does not involve rehabilitation; the structures on the site would be demolished. Therefore, no mold assessment was conducted at the Project site. If the building materials or areas of the newly constructed building become contaminated with mold, all mold contamination would be properly removed. A certified industrial hygienist would provide verification of site clearance and submit a clearance report before the loan is permanently closed. **Asbestos-Containing Materials** Representative bulk samples of suspect asbestos-containing materials (ACM) were collected by NYS Department of Labor (NYSDOL) certified inspectors in June and July 2015 to determine the presence and quantity of ACM for abatement purposes before the buildings are demolished. The asbestos survey was conducted in accordance with NYSDOL Industrial Code Rule (ICR) 56 (See **Appendix B** for the Asbestos, Lead Paint and PCB Caulk Survey reports). A sample is considered to be asbestos containing if it contains greater than 1 percent asbestos by weight based on laboratory analysis. In total, 15 of 30 areas sampled at 770 Albany Street, 12 of 39 areas at 772 Albany Street, 14 of 67 areas at 774 Albany Street, 18 of 51 areas at 778 Albany Street, eight of 56 areas at 780 Albany Street, and eight of 43 areas at 782 Albany Street were found to be asbestos containing. In accordance with 12 NYCRR 56, no demolition work would be commenced by any owner or agent before asbestos abatement is completed by a licensed asbestos abatement contractor. NYSDOL regulations require that

		the ACM that will be disturbed by the demolition be removed prior to demolition. If suspect ACM not identified in the pre-demolition asbestos survey report is discovered during the demolition process, the presence, quantity, and location of the newly discovered materials would be conveyed within 24 hours to the building owner. Activities in the area of the ACM would cease immediately until a licensed asbestos contractor appropriately assesses and manages the materials discovered. An asbestos remediation plan was submitted by LU Engineers on August 27, 2015, indicating that asbestos removal work would be in compliance with all applicable federal, state, and local laws, rules, and regulations pertaining to asbestos work practices, protection of workers, authorized visitors to the site, persons, and property adjacent to the work. (See **Appendix B** for the description of asbestos remediation activities.) **Radon** According to the EPA, the Project site is in Radon Zone 2, where the predicted average indoor radon screening level is between 2 and 4 picoCuries per liter (pCi/L), a moderate potential for elevated indoor radon levels. The average first-floor radon level in Schenectady County homes was estimated to be 2.3 pCi/L. Average basement levels were estimated to be 4.91 pCi/L. The Project would include a passive sub-slab vent system. Radon testing would be conducted prior to occupancy. If testing indicated radon levels exceeding the EPA action levels, the radon mitigation system would be made active. All testing and mitigation would be done prior to occupancy. (See **Appendix C** for Certification Letters.)

		Source: 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes ☐ No ☒	The U.S. Fish and Wildlife Service (USFWS) on line review process, completed August 12, 2015, indicated the threatened northern long-eared bat (*Myotis septentrionalis*) may occur in the boundary of or may be affected by the Project. No critical habitats were identified on the Project site. The USFWS concurred with the data showing there is no potential long-eared bat habitat on-site in July 2015. A New York Natural Heritage Program consultation letter dated July 17, 2015, indicated no records of rare or state-listed animals or plants, or significant natural communities, at the Project site or in its immediate vicinity. The Project landscape plantings would not include prohibited and regulated invasive species identified by the NYSDEC. (See **Appendix D**, Endangered Species Consultation Letters.) **Source: 21, 22, 23**
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes ☐ No ☒	The project does not involve explosive or flammable operations. Ingalls and Associates, LLP, performed an independent evaluation of thermal explosive hazards as they relate to the Project on June 19, 2015. A search of available aerial imagery and the NYSDEC Bulk Storage Program Database was performed to identify: • ASTs that store flammable or explosive gasses (such as propane) within a 1,000-foot radius of the Project site; • ASTs exceeding 100 gallons that store flammable or explosive liquids within a 1,000-foot radius of the Project site; or • ASTs that exceed 20,000 gallons and

		are within 1 mile of the site Two facilities with registered ASTs were found within a 1,000-foot radius of the Project site. These facilities are Mohawk Auto Sales, Inc., at 756 State Street, and Warren Tire Service Center, at 712 State Street. Four ASTs were in service at each facility. The largest tank with no diking was the 1,000-gallon gasoline tank at Mohawk Auto Sales, Inc. This tank would require the greatest acceptable separation distance (ASD) based on the size of the tank and the absence of diking. ASDs for this tank were calculated using HUD's Electronic Assessment Tool. The ASD for thermal radiation for people was 276.57 feet, and the ASD for thermal radiation for buildings was 50.28 feet. The Project site is not within this ASD for any of the ASTs at these two facilities. Ingalls and Associates conducted a field review on June 18, 2015. The field review concluded that the Project site is in a heavily populated urban area, and potential ASTs not listed in the NYSDEC database within a 1,000-foot radius and not visible from the site perimeter would be considered to be behind a blast barrier and not a threat to the Project. There were no facilities with ASTs that exceed 20,000 gallons within a one-mile radius of the Project site. However, three facilities within a one-mile radius of the site are listed as "Tank Information Withheld (not releasable under Freedom of Information Law) in accordance with Public Officers Law Sections 86.5, 87.2(f), 89.5(a)(1)(1-a)." These facilities are: General Electric (main plant) at 1 River Road, 0.86 mile from the site; Mariam Petroleum, Inc., at 585 Broadway, 0.52 mile from the Project site; and Schenectady Service Center at 734 Broadway, 0.65 mile from the Project site. ASDs were calculated assuming that the ASTs at these sites were not diked and contained

		20,000 gallons of petroleum-based products that was not under pressure. Based on these parameters, the ASD for thermal radiation for people was 963.41 feet (0.18 mile), and the ASD for thermal radiation for buildings was 200.85 feet. The Project site is not within this ASD for any of the ASTs at these two facilities. The Ingalls and Associates study concluded that several buildings exist in all three cases between the Project site and the sites with information withheld. In the unlikely event any of these three sites has an AST that exceeds 20,000 gallons, several structures within the heavily developed urban area would act as a blast barrier. (See **Appendix E**, Thermal/Explosive Hazards Survey.) **Source: 9, 24**
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes ☐ No ☒	Soils at the Project site are classified as Urban land – Colony Complex and are not prime farmland soils. (See **Appendix F**, Soils.) These soils do not qualify for Farmland Protection Policy Act regulatory protection. **Source: 25**
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes ☐ No ☒	The Project site is not in an SFHA. The project site is outside of the 0.2-percent-annual-chance (or 500-year) flood hazard zone based on a review of the FEMA FIRM (Map No. 36093C0162D and 36093C0170D) for the City of Schenectady, New York (See **Appendix A**). **Source: 7**
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800; Tribal notification for new ground disturbance.	Yes ☐ No ☒	The Project has been reviewed by the State Historic Preservation Office (SHPO) in accordance with Section 106 of the National Historic Preservation Act of 1966. In a letter dated July 13, 2015, SHPO indicated that it had determined that the Project would have no adverse effect on properties in or eligible for inclusion in the National Register of Historic

		Places. (See **Appendix H**, SHPO Correspondence.) The Saint Regis Mohawk Tribal Historic Preservation Office (THPO) was provided the site description, photographs, site plan, and map and stated in July 2015 that it was not interested in commenting on the Project. The Stockbridge-Munsee Community Band of Mohican Indians, Mohawk Nation Akwesasne Territory, and Delaware Tribe of Indians were identified as possible consulting parties and each was sent a letter on September 10, 2015, requesting a reply regarding each tribe's interest in the Project and the SHPO determination for the Project. On September 15, 2015, the project description, site plan, photographs of the existing site, and the cultural resources information system (CRIS) number were provided at the request of the Mohican tribal representative. On September 17, the Mohican tribal representative indicated that, based on the information in CRIS, the Stockbridge-Munsee Community Band of Mohican Indians has no issues with Project as long as the Project stays within the footprint of the current buildings. (See **Appendix G**, Tribal Correspondence.) **Source: 26, 27**
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes ☐ No ☒	The site is approximately 7.5 miles from the Albany International Airport and about 2.6 miles from the Schenectady County Airport and Stratton Air Base. It is approximately 2,800 feet east of the Delaware and Hudson Railway Company NEUS Freight line. It is not within 1,000 feet of a major roadway. Noise calculations, pursuant to the HUD Noise Assessment Guidelines, were performed using noise data supplied in June 2015. These calculations indicated that the noise environment would be in the acceptable category (Day/Night Noise Level [DNL] not

		exceeding 65 decibels [dB]). The noise contour map for the Albany International Airport shows the project site is located well outside of the 60 dB contour. The noise contour map for the Schenectady County Airport and Stratton Air Base shows the Project site is outside of the 65 dB contour. HUD's electronic assessment tool, DNL Calculator, was used to assess the DNL for the combination of the airport and rail sources. Airport noise was assumed to be 60 dB for the calculations, based on the contours provided. The calculations showed the exterior noise level would range between 48.4 and 60.3 dB DNL, which is considered acceptable. (See **Appendix I**, Noise.) **Source: 28**
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes ☐ No ☒	The Project site is in the Schenectady-Niskayuna Sole Source Aquifer (SSA) area but will have no impact on the aquifer. In accordance with the procedures set forth in the Memorandum of Understanding (MOU) between HUD and EPA Region 2 in meeting Safe Drinking Water Act requirements, the project was reviewed to determine the potential groundwater impact of project activities. Project activities did not result in a positive response to any of the Initial Screening Criteria questions in Attachment 2B of the MOU. In addition, the project would decrease the total amount of impervious surface covering the project area from 80 percent to 67 percent. The project would have no impact on the SSA, and no further review or consultation is required. (See the Housing Project Initial Screening Criteria in **Appendix J**.) **Source: 29, 30**

Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes ☐ No ☒	According to NYSDEC and National Wetlands Inventory (NWI) wetlands data, there are no wetlands on or adjacent to the Project site. No additional compliance steps are required. (See **Appendix K**, NWI Wetlands Map). **Source: 31, 32**
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes ☐ No ☒	There are no Wild and Scenic Rivers, as designated by the U.S. Department of the Interior and NYSDEC, near the Project site. **Source: 33, 34**
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes ☐ No ☒	The Project site is within a potential Environmental Justice (EJ) area, as defined by NYSDEC based on data from the 2010 U.S. Census. (See **Appendix L**, Potential Environmental Justice Areas). The Project would not raise EJ issues and would have no potential for new or continued disproportionately high and adverse human health and environmental effects on minority or low-income populations. The Project would benefit low- and moderate-income residents through construction of new affordable housing. The Project is designed to provide housing targeted for low-income residents, with 25 units as part of the New York State's Medicaid Redesign Team financing program. The other 26 units would serve households with incomes of 60 percent of the AMI or lower. **Source: 35**

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation is provided and described in support of each determination. Credible, traceable and supportive source documentation for each authority has been provided. The necessary reviews or consultations have been completed and applicable permits or approvals have been obtained or noted. Citations, dates/names/titles of contacts,

and page references are clear. Additional documentation is attached. **All conditions and attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.
(1) Minor beneficial impact
(2) No impact anticipated
(3) Minor Adverse Impact – May require mitigation
(4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	**1**	Allowable land uses in the City of Schenectady are determined by the City of Schenectady Comprehensive Plan 2020, finalized in March 2008. Within the overall plan, the Project site lies within the boundaries of the Hamilton Hill and Vale Neighborhood Plan. The current land use identified for the Project site in the Neighborhood Plan is Commercial Properties surrounded by Commercial Properties, Multi-Family Residential, Vacant Land, and Two and Three Family Residential uses. The Project site is zoned C-2 Mixed Use Commercial with R-2 Two Family residential to the southwest. (See **Appendix M** for land use and zoning maps.) The Project is consistent with the goals and actions identified in the Neighborhood Plan to "Identify areas suitable for clearance and redevelopment for new housing targeted to young families." While the plan emphasizes home ownership, the Project is in compliance with the theme of replacing and redeveloping vacant or deteriorated structures that should be demolished. Two zoning variances for the Project have been approved. One variance allows an increase to 51 proposed units over the currently zoning density of 47.4 units. The second variance allows the Project to place parking spaces and driveways closer than 15 feet from a residential property. (See **Appendix M**, Local Approvals.) The Project is aligned with the need identified in the NYRCR for Schenectady County to protect vulnerable populations and increase viable housing in safe, secure, pleasant, and clean neighborhoods and provide resilient and sustainable housing choices for all income levels. The Project would contribute to this effort by providing

		resilient affordable rental housing outside of the 100-year floodplain and housing opportunities to those households that previously resided in areas with demolished and storm-damaged buildings. http://www.cityofschenectady.com/pdf/development/misc/citywideplan_feb08.pdf http://www.cityofschenectady.com/Schenectady2020/documents/NeighHillandValeFinalDraftPlan.pdf **Source: 36, 37, 38**
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	**3**	Soils at the Project site are classified as Urban land – Colony Complex, which are previously disturbed by development and in a dense urban setting. The soils would be suitable for the new and rehabilitated structures because the sites previously supported similar structures. Grading for the sites would be minimal, and soils would be compacted per local building codes. According to the U.S. Geological Survey (USGS) topographic map (See **Appendix N**, Topographic Map), slopes at the Project site are relatively flat. The development will connect to the existing water, sewer, and storm drain utilities. Redevelopment of the Project site would not create stormwater runoff that would adversely affect these drainage systems. A State Pollutant Discharge Elimination System (SPDES) General Stormwater Permit is required because the amount of ground disturbance at the site would be greater than one acre. BMPs, such as silt fence and erosion prevention, would be implemented, if required by permits or agency discretion. State and local permitting requirements would incorporate BMPs (erosion blanketing and phasing and sequencing of construction) to eliminate erosion impacts for project locations that require excavation or soil modification, so minor impacts from erosion are anticipated from this project. **Source: 25**
Hazards and Nuisances including Site Safety and Noise	**2**	The Project site is in areas affected by Hurricanes Irene and Tropical Storm Lee, but it is not within a 100-year or a 500-year flood hazard area. No other known natural hazards, including earthquake fault zones, landslide zones, or hazardous terrain, are at or near the Project site.

		The project does not involve the use or storage of any toxic chemicals or radioactive materials. A June 2015 Phase I Environmental Site Assessment identified three potential RECs: three existing ASTs; broken mercury-containing light bulb debris in parking lots; and potential PCBs in existing old electrical components. A subsequent August 2015 limited Phase II Environmental Site Assessment indicated the presence of several hazardous metals and acetone in the surface and subsurface soils above the Unrestricted Use SCO levels. These issues would be remediated according to the recommendations in the Phase II Environmental Site Assessment prior to construction. A June and July 2015 asbestos, lead-based paint, and PCB caulk pre-demolition survey identified PCB-containing caulk at 770 Albany Street that would qualify as a hazardous waste; paint coating on surfaces in this Project is likely to contain lead; and ACM. PCB-containing caulks would be disposed of appropriately, either as bulk waste or hazardous waste. Contractors of each trade would be required to submit a written lead program, which would identify potential sources of lead exposure and propose specific procedures to protect workers, before work begins. In accordance with 12 NYCRR 56, no demolition work would be commenced by any owner or agent before asbestos abatement by a licensed asbestos abatement contractor is complete. A June 2015 explosives and flammable hazards study involved a review of NYSDEC records on line for ASTs exceeding 100 gallons of flammable or explosive liquids and gases within 1,000 feet of the Project site and ASTs that store flammable or explosive liquids exceeding 20,000 gallons within one mile of the Project site. It also involved a site visit to identify visible ASTs within 1,000 feet of the Project site. The study found that no facilities within one mile of the Project site had ASTs exceeding 20,000 gallons and the ASTs within one mile of the project site contained less than 20,000 gallons. ASDs were calculated for facilities within one mile with ASTs when tank information had been withheld. The study concluded that explosive and flammable hazards are at an acceptable separation distance from the Project site. (See **Appendix E**, Thermal/Explosive Hazards Survey.) The Project site is within 3,000 feet of the Hudson Railway Company NEUS Freight railroad line. The federal Department of Transportation, Federal Railroad Administration, and the New York State Rail Safety Inspection Program require safety monitoring and

		standards for freight and passenger service rail operations to ensure compliance with the Federal Railroad Safety Program. Per CFR 49 Part 212, State Safety Participation in conjunction with the Federal Railroad Administration requires NYS to provide the capability necessary to assure coverage of facilities, equipment, and operating practices through planned routine compliance inspections for all, or a specified part of, the territory of NYS. To this end, NYS is required to certify all safety inspectors in their discipline. Freight, intercity, and tourist railroads operating in NYS are required by the Rail Safety Bureau to provide immediate notification to the Rail Safety Inspection Section (RSIS) in case of spill or accident. The Project site is subject to noise from several sources, including Albany International Airport, Schenectady County Airport, Stratton Air Base, and the Delaware and Hudson Railway Company NEUS Freight line. Construction could result in short-term noise from construction vehicles, but the Project would adhere to local ordinances concerning allowable days and times for construction activities and restrictions on idling times for construction vehicles. A noise study was done in June 2015, pursuant to the HUD Noise Assessment Guidelines. HUD's electronic assessment tool, the DNL Calculator, was applied to assess the DNL for the combination of the airport, rail, and road sources. The noise calculations concluded that the exterior noise level at the site is 60.3 dB DNL, so the noise environment at the site would be in the acceptable category (DNL not exceeding 65 decibels). (See **Appendix I**, Noise.) **Source: 12, 13, 14, 15, 16, 17, 18, 19, 20, 24**
Energy Consumption	**2**	The Project would follow the Enterprise Green Communities building standard per the Green Communities Checklist. The design would include HCR/HFA Green Certificate Guidelines, including Energy Star standards and HFA/ADA compliance. Use of energy-efficient HVAC systems; Energy Star lighting and appliances; low/no volatile organic compound paints primers, adhesives, and sealants; exterior landscaping using non-invasive species; water-conserving bathroom and kitchen plumbing fixtures; daylight sensors on exterior lighting, a passive radon reduction system in building; Green Label certified floor coverings; and a construction waste management program to recycle at least 25 percent of all construction waste would be used in the design.

		Natural gas and electricity from would be provided by NYSEG. **Source: 39**

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	**2**	According to 2013 Census estimates, the median household income in the City of Schenectady was $36,673. This estimate compares with $57,369 for the State of New York. The estimated median value of owner-occupied housing units in Schenectady in 2013 was $110,100, compared with $277,600 for the State of New York. Employment in Schenectady is widely distributed among several key industries and occupations. Approximately 27.8 percent of the population is employed in educational services and health care; 15.2 percent in retail trade; 13.0 percent in arts, entertainment, and recreation; and 10.9 percent in professional, scientific, and management, and administrative and waste management services. An estimated 15 to 20 temporary construction jobs would be created by the Project. Permanent employment would include a full-time, on-site superintendent. Based on the number of associated employees, the Project is not expected to alter employment and income patterns. The Project would benefit employment and local income in the area by providing additional residents who would use local businesses and stimulate employment. **Source: 40, 41**
Demographic Character Changes, Displacement	**2**	According to the 2013 U.S. Census estimates, the population of the City of Schenectady was 65,915. This estimate represents a population decrease of 0.33 percent since 2010. In 2013, approximately 56.3 percent identified as Caucasian, 21.5 percent as black or African-American, 5.7 percent as Asian, 2.1 percent as two or more races, 0.8 percent as American Indian or Alaskan Native, 0.0 percent as Native Hawaiian and Other Pacific Islander, 4.1 percent as some other race, and 9.5 percent identified as Hispanic or Latino. The Project would construct 51 housing units on a densely developed urban site. The Project would increase the supply of rental apartments with 25 units as part of the New York State's

		Medicaid Redesign Team financing program and 26 units affordable to households earning up to 60 percent of AMI. The Project would provide affordable rental housing, outside the floodplain, in a market area that lost rental and owned housing because of Tropical Storm Lee and Hurricane Irene. The project would be expected to draw from the existing low-income population in the area, so no demographic changes are expected. The Project would not result in physical barriers or create difficult access, thereby isolating or concentrating any particular population group. There are currently no residences on the Project site, so there would be no displacement of residents. **Source: 41**

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	**2**	The City of Schenectady City School District includes two early childhood schools, nine elementary schools, four kindergarten/grades one through eight schools, two middle schools, and two high schools, which served 9,790 students during the 2012-2013 school year. There are four colleges and adult education facilities in Schenectady; the largest is the Schenectady County Community College, with a full-time enrollment of 3,676. Schenectady and the surrounding area have numerous cultural amenities that would be available to the residents of the Joseph L. Allen Apartments, including libraries, churches, museums, and historic sites. The Schenectady County Public Library is approximately 0.5 mile north of the Project site, and the Hamilton Branch Library is about 0.25 mile south of the site. There are 16 churches within one mile of the Project site, and the Museum of Innovation and Science and planetarium are about 0.3 mile northeast of the site. The Schenectady Business and Technology Center and Schenectady Stadium also are nearby attractions. The Stockade Historic District, which features dozens of Dutch and English Colonial houses dating from the 18th and 19th centuries, is within one mile northwest of the Project site, along the Mohawk River.

		The Project would provide housing for a limited number of families and is designed to serve the existing population of the area. The small increase in the number of residents would not substantially increase the demand for nearby educational services or cultural facilities. **Source: 42, 43, 44, 45, 46**
Commercial Facilities	**2**	There are numerous commercial facilities near the Project site, primarily clustered in the downtown central business district between Washington Avenue and Clinton Street and Union Street and State Street. In addition, there are four major shopping plazas in Schenectady, including Sheridan Plaza Shopping Center, Woodlawn Plaza Shopping Center, Crosstown Plaza Shopping Center, and Canal Square Mall Shopping Center. These facilities would adequately support the needs of the new Project residents. Although new residents would visit the existing commercial establishments in the neighborhood, the Project would not significantly increase the demand beyond existing capacity for existing commercial establishments. **Source: 42, 45**
Health Care and Social Services	**3**	There are four hospitals and several health-care facilities in Schenectady. Ellis Medicine has a number of facilities in Schenectady, including its bariatric care center, Bellevue Women's Center, Blood Draw Stations, McClellan Street Health Center, Ellis Hospital, imaging, and primary care facilities on Nott Street and McClellan Street. Sunnyview Rehabilitation Hospital, Saint Clare's Hospital, Hometown Health Center, and the Schenectady VA Outpatient Clinic also would be available to residents of the Joseph L. Allen Apartments. The number of units and residents associated with the Project would not significantly increase the demand on the health-care system. Social services are provided by a range of nonprofit, local, state, and federal agencies. The Schenectady County Department of Social Services provides a variety of services to county residents. These services include Protective Services for Adults, Alien Eligibility Services, Child Support Enforcement Unit, Children and Family Services, Domestic Violence Services, Emergency Assistance, Employment Services, Family Assistance, Food Stamps, Foster Care and Adoption Services, Guide Dog Assistance Program, Home Energy Assistance Program, Housing/Homeless Services, Medical/Home Care Services, Medicaid Managed Care, Medical Assistance, Medical Services and Managed Care/Supplemental

		Security Income, safety net assistance, and Income Tax Preparation Assistance. The Project is not expected to exceed the capacity of providers because it is in an area well-served by existing health-care and social-service providers. **Source: 42, 47, 48, 49, 50, 51, 52**
Solid Waste Disposal / Recycling	**2**	Construction debris would primarily be made up of materials from demolition of existing structures and materials left over from construction. These materials include wood, piping, appliances, and other materials commonly found in residential construction. These wastes would be recycled by SM Gallivan Recycling in Albany. Asbestos-containing construction debris, petroleum-contaminated soils, municipal solid waste, and construction and demolition debris would be disposed of at the Rapp Road Solid Waste Management Facility in Albany. (See **Appendix O**, Solid Waste.) The Project would involve new residential housing and new sources of solid waste. By law, property owners are responsible for solid waste pickup at rental properties. Residential solid waste pick-up would be handled by the City of Schenectady Waste Collection Department for eventual disposal at the Schenectady Solid Waste Transfer Station/Disposal Facility (about 0.6 mile northwest of the project site). These facilities are adequately sized and would not be adversely impacted by this project. (See **Appendix O**, Solid Waste.) **Source: 53, 54, 55, 56, 57, 58**
Waste Water / Sanitary Sewers	**3**	Wastewater treatment in Schenectady is provided by the City of Schenectady Water and Wastewater Department. Wastewater is processed at the Schenectady Waste Water Treatment Plant. The Project is in a central area of the city that is served by existing wastewater and sewer services and infrastructure and would not require installation of new wastewater collection infrastructure. The Project would connect to the city's sanitary sewers and wastewater treatment system. The Project is expected to generate approximately 6,050 gallons per day (gpd) of sanitary sewage. The City of Schenectady Water and Wastewater Department has indicated that it has adequate capacity to support the Project and that it would not adversely affect wastewater operations or treatment. New utilities in the units would employ efficiency standards per local and state codes, the HCR mandatory green building and energy efficiency practices, and the New York State Energy

		Research and Development Authority (NYSERDA) Low-Rise Residential New Construction Program. A SWPPP and notice of intent were prepared for the Project in accordance with the NYS Stormwater Design Manual. The SWPPP was submitted to the City of Schenectady Stormwater Officer, and the city signed an MS4 Acceptance form, documenting that the Project would comply with both the city storm sewer rules and regulations and the NYS General Permit. (See **Appendix P**, Sewer and Water.) **Source: 59, 60,61**
Water Supply	**3**	The City of Schenectady Water and Wastewater Department would provide drinking water to the Project. This water system serves approximately 61,821 people in the City of Schenectady through 19,000 service connections. It also serve a portion of the Town of Niskayuna and a few customers in the Town of Rotterdam. In 2014, the system produced a total of more than five billion gallons of water. The daily average of water treated and pumped into the distribution system is 14,048,017 gpd. The city has indicated that the system is expected to have adequate capacity to provide water to the Joseph L. Allen Apartments. An eight-inch water main extends along Albany Street, and a four-inch water main extends along Hulett Street. (See **Appendix P**, Sewer and Water.) The City of Schenectady's water originates from the Great Flats Aquifer. Water from the aquifer is pumped into the system through a series of 12 70-foot drilled wells located at the treatment plant on Rice Road in the Town of Rotterdam. The Project would include all water conservation measures proscribed by the HCR mandatory green building and energy efficiency practices, the NYSERDA Low-Rise Residential New Construction Program, and local codes. With incorporation of these water conservation components into the design and construction of each residential unit, the Project would not result in a significant demand on the city's water delivery system. **Source: 62, 63, 64**
Public Safety - Police, Fire and Emergency Medical	**3**	Public safety services are provided by the City of Schenectady Police Department. The Schenectady Police Department is the seventh-largest police department in the state. It provides such specialty services as Special Investigations Unit, Forensics, K-9, Youth Aid, Counter-terrorism, Sniper Sharp-shooter, Hostage Negotiator, Motorcycle Patrol, Mountain Bike Patrol, and School Resource

		Officer. The department is located at 531 Liberty Street, approximately 0.5 mile north of the Project site. The Schenectady Fire Department has jurisdiction to provide fire suppression and emergency services at the Hamilton Hill neighborhood, where the Project is located. The Project would increase the number of residents, which could increase the demand for emergency services. The fire department is committed to working with the community to ensure that sufficient fire safety is provided. The Schenectady Fire Department responds to electrical emergencies, hazardous conditions, hazardous materials, flooding, and almost any kind of accident or medical condition, as well as providing fire safety education. There are four fire stations in Schenectady: Station #1 – 360 Veeder Avenue, Station #2 – 1515 State Street, Station #3 – Third Avenue, and Station #4 – Avenue A and Nott Street. Station #1 is closest to the Project site, at approximately 0.25 mile away and serves the Hamilton Hill, Vale Park, and Downtown neighborhoods. (See **Appendix Q**, Emergency Services.) The Project would provide housing for a limited number of families and is designed to serve the existing population of the area. The small increase in the number of residents would not substantially increase the demand for nearby police and fire services. **Source: 65, 66, 67, 68**
Parks, Open Space and Recreation	**2**	Parks and recreation facilities are managed by the City of Schenectady Parks Department. These facilities include the 25 parks in the city and the municipal golf course. Jerry Burrell Park is the closest to the Project site, across Schenectady Street and approximately 180 feet away. This 2.75-acre park offers a basketball court, tennis courts, and playground equipment. Veterans Park is approximately 0.25 mile north of the Project site, and Vale Park is approximately 0.25 mile east of the Project site. The small increase in the number of residents would not substantially increase the demand for additional parks or open space and would not cause the deterioration of the existing facilities. **Source: 37, 69**
Transportation and Accessibility	**2**	Several major routes connect the Project site with the City of Schenectady and beyond. I-890 connects Schenectady to I-90 and the rest of the state. Interchanges at Broadway and Michigan Avenue and an on-ramp at Hulett Street provide access to and from

		the Project site. Hulett Street also provides access to State Street (State Route 5) and downtown Schenectady. The CDTA provides bus service throughout Schenectady, Albany, Troy, and Saratoga. There are 11 CDTA bus routes through Schenectady, and the nearest bus station is on Route 355 at State Street and Hulett Street. Amtrak provides rail service in Schenectady, with lines along Erie Boulevard, and the nearest rail station is at Erie Boulevard between Liberty Street and State Street. The Project would not require development of new transit service or create population demand that would exceed the capacity of current transportation infrastructure or transit service systems. On-site parking spaces for residents, visitors, and staff are included in the design. **Source: 70, 71, 72, 73, 74**

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	**3**	The Project site is densely developed urban land. Surrounding buildings consist of small businesses, churches, and residential buildings in a downtown urban setting. The Project site is bounded to the east by Albany Street and to the south by Hulett Street. The NYSDEC environmental resource mapper shows no unique natural features or surface water on or near the project area. (http://www.dec.ny.gov/imsmaps/ERM/viewer.htm) The Project site is in the Schenectady-Niskayuna SSA area, according the EPA NEPAssist mapper. The Project would result in redevelopment of an already developed urban site, with new construction of a residential structure containing multiple units. The action threshold for significant increases in impervious surfaces is considered to be 30 percent for Safe Drinking Water Act purposes in Region II, based on HUD's CPD-14-017. The Project would not increase the amount of impervious surface at the Project site, which is currently substantially covered by impervious surfaces. A Sole Source Aquifer Review Request was submitted to EPA on July 20, 2015. (See **Appendix J** for correspondence.) The EPA has not responded with any concerns or recommendations.

		Source: 21, 29, 30
Vegetation, Wildlife	**2**	The USFWS on-line review process indicated the threatened northern long-eared bat (*Myotis septentrionalis*) may occur in the boundary of or may be affected by the Project. No critical habitats were identified on the Project site. The USFWS concurred with the data showing there is no potential long-eared bat habitat on-site in July 2015. If present at the time, migratory birds could be affected by demolition of the existing structures. To avoid these impacts, demolition should be scheduled outside the migratory bird nesting season. If it cannot be scheduled outside the nesting season, then pre-activity surveys for migratory bird nests should be conducted. The June 17, 2015, report submitted to the New York Natural Heritage Program (NYNHP) detailed that there is no wildlife habitat on site, as the Project site is a developed commercial site within a high-density urban area. The NYNHP responded on July 17, 2015, that it has no record of rare or state-listed animals or plants, or significant natural communities, at the Project site or in its immediate vicinity. (See **Appendix D**, Endangered Species Consultation Letters.) The Project landscape plantings would not include prohibited and regulated invasive species identified by the NYSDEC. (See **Appendix R**, Invasive Species Assurance Letter.) **Source: 21, 22, 23**
Other Factors		Beyond those already addressed, no other factors were identified or evaluated for the Project.

Additional Studies Performed:

A Phase I Environmental Site Assessment was completed in June 2015. A limited Phase II Environmental Site Assessment was completed on August 12, 2015. An asbestos survey was conducted and bulk samples of suspect ACM were collected by NYSDOL-certified inspectors in June and July 2015. Ingalls and Associates, LLP, performed an independent evaluation of thermal explosive hazards as they relate to the Project on June 19, 2015.

Field Inspection

LU Engineers did a field inspection on May 26, 2015, as part of the Phase I Environmental Site Assessment; in conjunction with the limited Phase II Environmental Site Assessment, surface soil sampling, PCB surface wipe sampling, soil boring, and micro-well installation and associated sampling events completed on July 10, 2015, and July 21, 2015. Additional field investigations

were performed as part of the asbestos, lead-based paint, and PCB caulk surveys and sampling for each building, which occurred on June 23, 2015, July 15, 2015, July 16, 2015, and July 17, 2015. As part of the evaluation of thermal explosive hazards, Ingalls and Associates, LLP, conducted a field review on June 18, 2015.

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]**:**

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2. New York State. 2013. NY Rising Housing Recovery Program Homeowner Guidebook (revised December 12, 2013).

3. Federal Aviation Administration. Report to Congress – National Plan of Integrated Airport Systems. Internet Website: http://www.faa.gov/airports/planning_capacity/npias/reports/media/ npias-2015-2019-report-appendix-b-part-4.pdf.

4. Federal Aviation Administration. Report to Congress – National Plan of Integrated Airport Systems. Internet Website: http://www.faa.gov/airports/planning_capacity/npias/reports/media/npias-2015-2019-report-narrative.pdf.

5. New York State Department of State, Office of Communities and Waterfronts – Coastal Boundary Map. Internet Website: http://appext20.dos.ny.gov/coastal_map_public/map.aspx.

6. US Fish and Wildlife Service. 2014. Coastal Barrier Resources Mapper – Beta. Internet Website: http://www.fws.gov/cbra/Maps/Mapper.html.

7. United States Federal Emergency Management Agency. Current FEMA issued Flood Maps. Internet Website: https://msc.fema.gov/portal/search?AddressQuery=hulett%20street%2C%20schenectady%2C%20ny.

8. United States Environmental Protection Agency. Green Book Nonattainment Areas. Internet Website: http://www.epa.gov/oaqps001/greenbk/ancl.html.

9. New York State Department of Environmental Conservation GIS Clearinghouse, Bulk Storage Sites in New York State and Remediation Sites in New York State. Internet Website: http://gis.ny.gov/gisdata/inventories/member.cfm?organizationID=529.

10. United States Department of Housing and Urban Development. Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing (2012 Edition). Internet Website: http://portal.hud.gov/hudportal/HUD?src=/program_offices/healthy_homes/lbp/hudguidelines.

11. U.S. Environmental Protection Agency EPA Map of Radon Zones. Internet Website: http://www.epa.gov/radon/pdfs/zonemapcolor.pdf.

12. LU Engineers. 2015. Phase I Environmental Site Assessment, Albany Street Block, City of Schenectady, Schenectady County, New York. June 2015.

13. LU Engineers. 2015. Limited Phase II Site Investigation Report, Albany Street Block, Schenectady, New York. August 12, 2015.

14. LU Engineers. 2015. Asbestos, Lead Paint and PCB Caulk Survey, 770 Albany Street, Schenectady, New York. August 2015.

15. LU Engineers. 2015. Asbestos, Lead Paint and PCB Caulk Survey, 772 Albany Street, Schenectady, New York. August 2015.

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List of Permits and Approvals Obtained or Required:

- An SWPPP and notice of intent were prepared for the Project in accordance with the NYS Stormwater Design Manual. The SWPPP was submitted to the City of Schenectady Stormwater Officer, and the city signed an MS4 Acceptance form on August 10, 2015, documenting that the Project complies with both the city storm sewer rules and regulations and the NYS General Permit.
- On August 12, 2015, the City of Schenectady Board of Zoning Appeals approved an area variance to construct a 51-unit multi-family apartment building where only 47.4 units are allowed.
- On August 19, 2015, the City of Schenectady City Planning Commission approved the Site Plan for the Joseph L. Allen Apartments project.

- On August 5, 2015, the City of Schenectady Board of Zoning Appeals approved a variance to allow the Project to place parking spaces and driveways less than 15 feet from a residential property.
- A final revised site plan showing lighting and landscaping plans and any changes to the proposal must be submitted to the City Planner for final review and approval
- A lot consolidation map must be approved by the City Engineer and filed with the County Clerk's office before building permits will be issued

Public Outreach [24 CFR 50.23 & 58.43]**:**
On September 25, 2015, a combined Notice of Finding of No Significant Impact and Intent to Request Release of Funds will be published in the *Schenectady Daily Gazette*. Any individual, group, or agency may submit written comments on the Environmental Review Record to:

Lori A. Shirley, HCR
38-40 State Street
Albany, NY 12207
(518) 474-0755
NYSCDBG_DR_ER@nyshcr.org

Cumulative Impact Analysis [24 CFR 58.32]**:**
The Project is not expected to trigger cumulative impacts, including the degradation of important natural resources, socioeconomic resources, human health, recreation, quality of life issues, and cultural and historic resources. The Project is not of a scale large enough to contribute significantly to cumulative impacts. It would create positive impacts, as it would create new affordable housing built in an area that lost housing due to Hurricane Irene and Tropical Storm Lee.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

Proposed Project. As fully described in this Environmental Assessment, the Joseph L. Allen Apartments are being developed to address a long-standing need for affordable housing in the City of Schenectady. The Project would provide 51 apartments: one studio unit, 46 one-bedroom units, and four two-bedroom units. Twenty-five of the 51 units will be part of the New York State Medicaid Redesign Team financing program. The other 26 units will be affordable to households earning up to 60 percent of AMI. This housing would comply with the City of Schenectady Comprehensive Plan 2020 and City of Schenectady and Town of Rotterdam NYRCR Plan. The project relies on the requested funding for construction. Absent this funding, the Project would not be constructed, and the goals of replacement and redevelopment of vacant or deteriorated structures and providing affordable housing expressed in the referenced plans would not be realized.

Alternate Housing Sites Alternative. Several other sites were analyzed in identifying an appropriate location for affordable housing in Schenectady. These sites included a property on

upper State Street, east of downtown Schenectady, and another property that was the site of a former supermarket. These sites were ruled out because the cost was too high and they are farther from the downtown area and from public transit. A site on Peek Street, north of the downtown, also was examined. This property is a vacant parcel and site of a former factory. The environmental issues were extensive, and the development costs were prohibitive. The alternate housing sites would not take advantage of accessibility for the residents, potential residents, and visitors provided by a location closer to downtown and public transportation. This distance could be an access issue especially during the winter, when road conditions deteriorate and maintenance is more problematic.

No Action Alternative [24 CFR 58.40(e)]:
Not undertaking the Project would not be consistent with the goals and objectives of the City of Schenectady Comprehensive Plan 2020 and City of Schenectady and Town of Rotterdam NYRCR, and other local and state plans. The city and state would not realize their housing and land use goals because there would be no increase in the availability of resilient, sustainable, affordable housing, and no net addition of residents supporting the business and facilities necessary to enhance the viability of Schenectady's economy. Without the project, planning goals to revitalize downtowns and neighborhoods, particularly those with high concentrations of poverty, would be delayed. These populations would continue to be underserved in the area, and residents displaced by Hurricane Irene and Tropical Storm Lee would have fewer options to remain in Schenectady. Not constructing the Project would result in a loss of potential customers to businesses and services in the neighborhood.

Summary of Findings and Conclusions:

The proposed Project would be an appropriate use of the Project site. On August 19, 2015, the City of Schenectady City Planning Commission voted to approve the site plan for the Project. Two zoning variances for the project have been approved. One variance allows an increase to 51 proposed units over the currently zoning density of 47.4 units. The second variance allows the proposed project to place parking spaces and driveways less than 15 feet from a residential property. The project would provide affordable housing consistent with local and state housing goals and in an area close to existing health and social services. The goals and objectives of GOSR in response to addressing the counties most-impacted by Hurricanes Sandy and Irene and Tropical Storm Lee would be achieved. The Project would not significantly alter the character or resources of the area. In some cases, the Project would result in potential benefits by providing needed housing and new employment. The proposed Project would not result in a significant impact on the quality of the human environment.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

GOSR has summarized below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures or conditions must be incorporated into project contracts, development agreements, and other relevant documents.

The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
Clean Air Act	All Project activities would comply with applicable federal, state, and local laws and regulations regarding construction emissions, including but not limited to NYCRR, NYSDEC Air Quality Management Plan, and the New York SIP. All necessary measures would be used to minimize fugitive dust emissions during activities, such as demolition of existing structures. The preferred method for dust suppression is water sprinkling.
Contamination and Toxic Substances	All demolition activities would follow Lead-Safe Work Practices. All activities would comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to, the EPA Renovation, Repair, and Painting Rule (40 CFR 745.80 Subpart E), HUD's lead-based paint regulations in 24 CFR Part 35 Subparts A, B, H, J, and R, and the HUD "Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing."
Contamination and Toxic Substances	In accordance with Part 56 of Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York Department of Labor (Cited as 12 NYCRR Part 56), the National Emission Standard for Asbestos-Standard for Demolition and Renovation (40 CFR Part 61.145), and National Emission Standard for Asbestos-Standard for Waste Disposal for Manufacturing, Fabricating, Demolition, and Spraying Operations (40 CFR Part 61.150), asbestos abatement would be completed by a licensed asbestos abatement contractor prior to demolition work. NYSDOL regulations require that ACM that will be disturbed by the demolition be removed before demolition. If suspect ACM not identified in the pre-demolition asbestos survey report is discovered during the demolition process, the presence, quantity, and location of the newly discovered materials would be conveyed within 24 hours to the building owner. Activities in the area of the ACM would cease immediately until a licensed asbestos contractor

	appropriately assesses and manages the materials discovered. An asbestos operations and maintenance plan will be prepared before funding will be released.
Contamination and Toxic Substances	Contaminated soils would be excavated, removed, and disposed of according to the applicable federal and NYSDEC regulations.
Contamination and Toxic Substances	The three ASTs on the Project site would be removed and disposed of according to the applicable federal and NYSDEC regulations.
Contamination and Toxic Substances	PCB-containing caulk would be managed in accordance with the applicable federal and NYSDEC regulations.
Contamination and Toxic Substances	Radon mitigation would be included for all Project properties. Mitigation measures would be in accordance with EPA Model Standards and Techniques for Control of Radon in New Residential Buildings (EPA 402-R-94-009) and EPA Passive Radon Control System for New Construction (EPA 402-95-012). The mitigation design must be submitted to the program architect for review and approval. Radon testing will be conducted in each building when construction is completed, with test results forwarded to the case manager to be placed in the case file prior to occupancy. A third-party air monitoring contractor must complete the final testing and clearance with certified results by an authorized testing laboratory. If radon testing indicates that the radon level exceeds the EPA action level of 4 pCi/L, additional mitigation would be applied until radon levels are demonstrated to be below recommended limits. All radon testing and mitigation measures would be conducted when construction is substantially completed and prior to occupancy.
Contamination and Toxic Substances	All Project-related solid waste materials would be managed and transported in accordance with the NYS solid and hazardous waste rules.
Conformance with NYS Department of Environmental Conservation State Pollution Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity GP-0-15-002	An SWPPP and notice of intent were prepared for the Project in accordance with the NYS Stormwater Design Manual because the amount of ground disturbance at the site would be greater than one acre. The SWPPP was submitted to the City of Schenectady Stormwater Officer, and the city signed an MS4 Acceptance form, documenting that the Project would comply with both the city storm sewer rules and regulations and the NYS

	General Permit for Discharges from Construction Activity GP-0-15-002. BMPs, such as silt fence and erosion prevention, would be implemented, if required by permits or agency discretion.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	Same as the stormwater mitigation discussed above
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	The Project site would be graded to accommodate improvements and landscaping. Soils would be compacted per local building codes.
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	All improvements made to this site and all conditions imposed by the City of Schenectady City Planning Commission must remain in full force and effect as long as the site remains in the use identified by the site plan.
Vegetation, Wildlife	Demolition should be scheduled outside the migratory bird nesting season. If it cannot be scheduled outside the migratory bird nesting season, then pre-activity surveys for migratory bird nests should be conducted.

Determination:

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Preparer Signature: Genevieve Kaiser Date: September 24, 2015

Name/Title/Organization: Genevieve Kaiser, Senior Environmental Planner, Tetra Tech, Inc.

Certifying Officer Signature: Thomas J. King Date: September 24, 2015

Name/Title: Thomas J. King, Assistant General Counsel and Certifying Officer, Governor's Office of Storm Recovery

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

APPENDIX A

FLOOD HAZARD MAPS

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations** (BFEs) and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) Report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS Report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations shown on this map apply only landward of 0.0' North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study Report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study Report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study Report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Universal Transverse Mercator (UTM) zone 18. The **horizontal datum** was NAD 83, GRS 1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at http://www.ngs.noaa.gov or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, N/NGS12
National Geodetic Survey
SSMC-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at **(301) 713- 3242**, or visit its website at http://www.ngs.noaa.gov.

Base Map Information Shown on this FIRM was provided by the New York State Office of Cyber-Security and Critical Infrastructure Coordination. The digital orthoimagery dates from 2007, and was produced at an image pixel size of 1 foot ground surface distance.

The **profile baselines** depicted on this map represent the hydraulic modeling baselines that match the flood profiles in the FIS report. As a result of improved topographic data, the **profile baseline**, in some cases, may deviate significantly from the channel centerline or appear outside the SFHA.

This map reflects more detailed and up-to-date **stream channel configurations** than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables for multiple streams in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

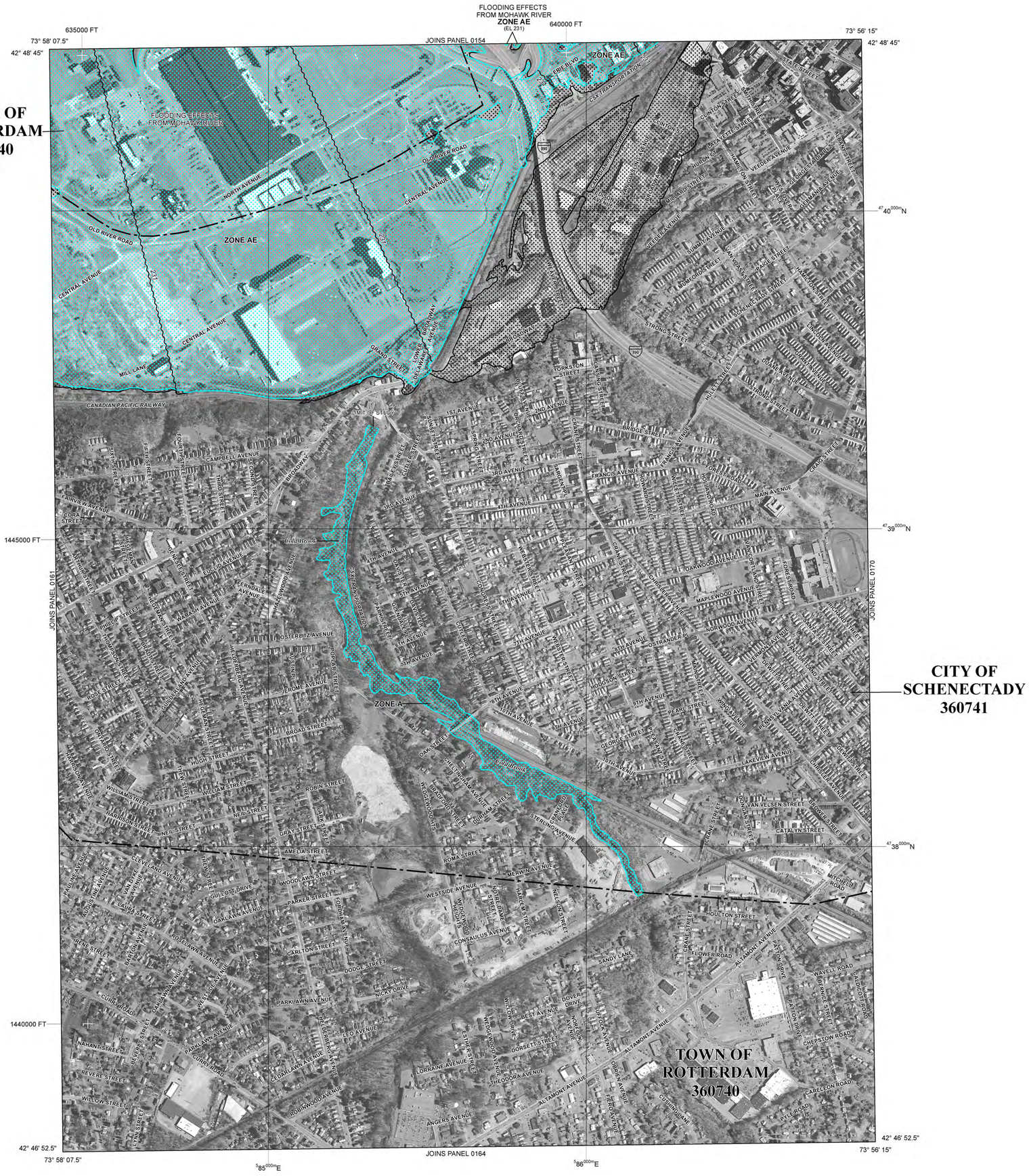
Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

For information on available products associated with this FIRM visit the **Map Service Center (MSC)** website at http://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the MSC website.

If you have **questions about this map,** how to order products, or the National Flood Insurance Program in general, please call the **FEMA Map Information eXchange (FMIX)** at **1-877-FEMA-MAP** (1-877-336-2627) or visit the FEMA website at http://www.fema.gov/business/nfip.

CTP Cooperating Technical Partners

This digital FIRM was produced through a unique cooperative partnership between the New York State Department of Environmental Conservation (NYSDEC) and FEMA. As part of the effort, NYSDEC has joined in a Cooperative Technical Partnership agreement to produce and maintain FEMA's digital FIRM.



LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A	No Base Flood Elevations determined.
ZONE AE	Base Flood Elevations determined.
ZONE AH	Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
ZONE AO	Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
ZONE AR	Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
ZONE A99	Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
ZONE V	Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
ZONE VE	Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X	Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X	Areas determined to be outside the 0.2% annual chance floodplain.
ZONE D	Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

	1% Annual Chance Floodplain Boundary
	0.2% Annual Chance Floodplain Boundary
	Floodway boundary
	Zone D boundary
	CBRS and OPA boundary
	Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths, or flood velocities.
513	Base Flood Elevation line and value; elevation in feet*
(EL 987)	Base Flood Elevation value where uniform within zone; elevation in feet*

*Referenced to the North American Vertical Datum of 1988

A — A	Cross section line
23 - - - - - 23	Transect line
45° 02' 08", 93° 02' 12"	Geographic coordinates referenced to the North American Datum of 1983 (NAD 83) Western Hemisphere
$^{49}89^{000m}$ N	1000-meter Universal Transverse Mercator grid values, zone 18
600000 FT	5000-foot grid ticks: New York State Plane coordinate system, East zone (FIPSZONE 3101), Transverse Mercator projection
DX5510 ×	Bench mark (see explanation in Notes to Users section of this FIRM panel)
• M1.5	River Mile

MAP REPOSITORIES
Refer to Map Repositories list on Map Index

EFFECTIVE DATE OF COUNTYWIDE
FLOOD INSURANCE RATE MAP
January 8, 2014

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 500'

250 0 500 1000 FEET

150 0 150 300 METERS

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0162D

FIRM
FLOOD INSURANCE RATE MAP

for SCHENECTADY COUNTY, NEW YORK
(ALL JURISDICTIONS)

CONTAINS:

COMMUNITY	NUMBER
ROTTERDAM, TOWN OF	360740
SCHENECTADY, CITY OF	360741

PANEL 162 OF 257
MAP SUFFIX: D
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
36093C0162D

EFFECTIVE DATE
JANUARY 8, 2014

Federal Emergency Management Agency

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations** (BFEs) and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) Report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS Report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations shown on this map apply only landward of 0.0' North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study Report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study Report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study Report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Universal Transverse Mercator (UTM) zone 18. The **horizontal datum** was NAD 83, GRS 1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at http://www.ngs.noaa.gov or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, N/NGS12
National Geodetic Survey
SSMC-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at **(301) 713- 3242**, or visit its website at http://www.ngs.noaa.gov.

Base Map Information Shown on this FIRM was provided by the New York State Office of Cyber-Security and Critical Infrastructure Coordination. The digital orthoimagery dates from 2007, and was produced at an image pixel size of 1 foot ground surface distance.

The **profile baselines** depicted on this map represent the hydraulic modeling baselines that match the flood profiles in the FIS report. As a result of improved topographic data, the **profile baseline**, in some cases, may deviate significantly from the channel centerline or appear outside the SFHA.

This map reflects more detailed and up-to-date **stream channel configurations** than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables for multiple streams in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

For information on available products associated with this FIRM visit the **Map Service Center (MSC)** website at http://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the MSC website.

If you have **questions about this map,** how to order products, or the National Flood Insurance Program in general, please call the **FEMA Map Information eXchange (FMIX)** at **1-877-FEMA-MAP** (1-877-336-2627) or visit the FEMA website at http://www.fema.gov/business/nfip.

CTP Cooperating Technical Partners

This digital FIRM was produced through a unique cooperative partnership between the New York State Department of Environmental Conservation (NYSDEC) and FEMA. As part of the effort, NYSDEC has joined in a Cooperative Technical Partnership agreement to produce and maintain FEMA's digital FIRM.

LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A	No Base Flood Elevations determined.
ZONE AE	Base Flood Elevations determined.
ZONE AH	Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
ZONE AO	Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
ZONE AR	Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
ZONE A99	Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
ZONE V	Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
ZONE VE	Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X	Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X	Areas determined to be outside the 0.2% annual chance floodplain.
ZONE D	Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

	1% Annual Chance Floodplain Boundary
	0.2% Annual Chance Floodplain Boundary
	Floodway boundary
	Zone D boundary
	CBRS and OPA boundary
	Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths, or flood velocities.
513	Base Flood Elevation line and value; elevation in feet*
(EL 987)	Base Flood Elevation value where uniform within zone; elevation in feet*

*Referenced to the North American Vertical Datum of 1988

A — A	Cross section line
23 - - - - - 23	Transect line
45° 02' 08", 93° 02' 12"	Geographic coordinates referenced to the North American Datum of 1983 (NAD 83) Western Hemisphere
$^{4}989^{000m}$ N	1000-meter Universal Transverse Mercator grid values, zone 18
600000 FT	5000-foot grid ticks: New York State Plane coordinate system, East zone (FIPSZONE 3101), Transverse Mercator projection
DX5510 ×	Bench mark (see explanation in Notes to Users section of this FIRM panel)
• M1.5	River Mile

MAP REPOSITORIES
Refer to Map Repositories list on Map Index

EFFECTIVE DATE OF COUNTYWIDE
FLOOD INSURANCE RATE MAP
January 8, 2014

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 500'

250 0 1000 500 FEET
150 0 300 150 METERS

NFIP
NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0170D

FIRM
FLOOD INSURANCE RATE MAP

for SCHENECTADY COUNTY, NEW YORK
(ALL JURISDICTIONS)

CONTAINS:

COMMUNITY	NUMBER
NISKAYUNA, TOWN OF	360739
ROTTERDAM, TOWN OF	360740
SCHENECTADY, CITY OF	360741

PANEL 170 OF 257
MAP SUFFIX: D
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
36093C0170D

EFFECTIVE DATE
JANUARY 8, 2014

Federal Emergency Management Agency

APPENDIX B
HAZARDOUS MATERIALS

PHASE I ENVIRONMENTAL SITE ASSESSMENT
ALBANY STREET BLOCK
CITY OF SCHENECTADY
SCHENECTADY COUNTY, NEW YORK

Prepared for:
DePaul Properties
150 Mount Hope Avenue
Rochester, New York

Prepared by:

Lu Engineers
ENVIRONMENTAL • TRANSPORTATION • CIVIL

175 Sully's Trail, Suite 202
Corporate Crossings Office Park
Pittsford, New York 14534

June 2015

Project # 50225-09

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1. EXECUTIVE SUMMARY

DePaul Properties engaged Lu Engineers to conduct a Phase I Environmental Site Assessment (ESA) of nine contiguous parcels located Albany and Hulett Streets, subsequently referred to as "the Site", located at the following addresses:

- 770 Albany Street, Schenectady, New York
- 774 Albany Street, Schenectady, New York
- 776 Albany Street, Schenectady, New York
- 778 Albany Street, Schenectady, New York
- 780 Albany Street, Schenectady, New York
- 782 Albany Street, Schenectady, New York
- 312 Hulett Street, Schenectady, New York
- 314 Hulett Street, Schenectady, New York
- 316 Hulett Street, Schenectady, New York

This assessment was prepared in general accordance with the American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM Designation: E1527-13) and the United States Environmental Protection Agency (USEPA) All Appropriate Inquiries Final Rule 40 CFR Part 312.

The Site consists of nine contiguous parcels containing the following:

- 770 Albany Street (consists of former 770 and 772 Albany Street, and 311 Schenectady Street parcels): 0.36 acre parcel containing three adjoined row storage buildings totaling 11,270 square feet and a vacant parcel (formerly 311 Schenectady Street) covered with overgrown vegetation;
- 774 Albany Street: 0.11 acre parcel containing two row storage buildings totaling 4,320 square feet;
- 776 Albany Street: 0.11 acre parcel containing a 4,650 square foot, 2-4 story warehouse building;
- 778 Albany Street: 0.07 acre parcel containing a 5,108 square foot, detached row building;
- 780 Albany Street: 0.07 acre parcel containing a detached row building with the following use per square footage:
    - External apartment: 1,708 square feet
    - Non-contributing: 1,680 square feet
    - Office space: 1,708 square feet
    - Row retail: 2,827 square feet
- 782 Albany Street: 0.07 acre parcel containing a 2,724 square foot row office building;
- 312 Hulett Street: 0.331 acre undeveloped, paved parking lot;

- 314 Hulett Street: 0.138 acre undeveloped, paved parking lot; and
- 316 Hulett Street: 0.117 acre undeveloped, paved parking lot.

Adjacent properties include residential and commercial use parcels, vacant parking lots, and a church across Hulett Street.

A walkover of the Site was completed by Lu Engineers on May 26, 2015. Visual observations during the Site walkover include significant debris accumulation in the three joined parking lots as well as in most of the buildings. Areas of several structures were deemed unsafe for entry. A garage structure located on 774 Albany Street had exterior piping consistent with a fuel storage tank and verification from an employee that an aboveground storage tank (AST) currently remains inside the building; however, due to the amount of stored material in the building access and visual inspection were not feasible or safe.

Information relative to the Site's historical use was provided by the current owners, review of aerial photographs, street directories, plat maps, Sanborn® maps, and review of federal, state and local government records.

Historic Sanborn® maps indicate two gas tanks (GTs) on the Site, one located at 774 Albany Street and one located at 778 Albany Street going back to as early as 1930. The gas tank on the 778 Albany Street parcel was no longer present in the 1988 Sanborn® map.

A review of appropriate federal, state and local environmental records and databases has identified Recognized Environmental Conditions (RECs) including Historical Recognized Environmental Conditions (HRECs) and Controlled Recognized Environmental Conditions (CRECs) at the Site due to activities at the Site or adjacent properties.

Based on information collected as a part of this Phase I ESA, the following was found regarding potential RECs:

- Three existing, unregistered ASTs;
- Broken mercury-containing light bulbs in parking lots; and
- Potential PCBs in existing old electrical components.

2. INTRODUCTION

2.1 Purpose and Definitions

The Phase I Environmental Site Assessment (ESA) practice, established by the American Society for Testing and Materials (ASTM) Standard Practice E1527-13 and the United States Environmental Protection Agency (USEPA) All Appropriate Inquiries Final Rule 40 CFR Part 312, is intended to for use on a voluntary basis by parties who wish to assess the environmental condition of *commercial real estate* taking into account commonly known and *reasonably ascertainable* information. The practice permits a *User* to satisfy one of the requirements to qualify for the *innocent landowner, contiguous property owner, or bonafide prospective purchaser limitations* (i.e., landowner liability protections or LLPs) on Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) liability.

The purpose of this Phase I ESA is to identify, to the extent feasible pursuant to the process described in Section 2.3, *Recognized Environmental Conditions* in connection with a *property*.

Recognized Environmental Conditions (RECs) are defined as the presence or likely presence of any *hazardous substances* or *petroleum products* in, on, or at a *property:* 1) due to any *release* to the *environment;* 2) under conditions indicative of a *release* to the *environment;* 3) under conditions that pose a *material threat* of a future *release* to the *environment. De minimis* conditions, generally do not present a threat to public health or the environment, and would not be the subject of an enforcement action if brought to the attention of the appropriate regulatory agencies and are not considered to be RECs.

Historical RECs (HRECs) are a past *release* of any *hazardous substances* or *petroleum products* that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the *property* to any required controls (*i.e., activity and use limitations (AULs), land use restrictions, institutional controls, or engineering controls*).

Controlled RECs (CRECs) are RECs resulting from a past *release* of *hazardous substances* or *petroleum products* that has been addressed to the satisfaction of the applicable regulatory authority with *hazardous substances* or *petroleum products* allowed to remain in place subject to the implementation of required controls.

2.2 Scope of Services

The scope of services performed by Lu Engineers is consistent with the general specifications outlined in ASTM 1527-13 and 40 CFR Part 312. In general, the scope of services for this project included:

- Review environmental database search to identify sites in federal and state records that are potentially characterized by environmental liabilities within the recommended ASTM search radius as described in Section 4;
- Review available historical aerial photographs, USGS topographic maps, tax maps, plat maps, atlases, local street directories, and Sanborn® Fire Insurance Maps to obtain information relative to the historical usage of the Site;
- Conduct a Site visit, interview appropriate Site personnel and adjacent property owners, and record pertinent observations related to potential environmental impacts at the Site;
- Contact governmental authorities, including the New York State Department of Environmental Conservation (NYSDEC) to obtain any records on file associated with the property; local environmental and health departments, and local municipalities to obtain available Site-specific information, including legal descriptions, tax and title information, and locations of municipal services; and
- Prepare a report that provides a Site description, summary of records reviewed and observations noted of the environmental conditions at the Site, and an opinion as to the presence of potential RECs.

2.3 Limiting Conditions, Deviations, and Exceptions of Assessment

No sampling or testing of media such as soil, soil gas, surface water, groundwater, suspect asbestos containing material, radon, mold, or lead-based paint was conducted during this assessment. Subsequent asbestos and lead-based paint surveys will be conducted as a separate assessment.

In addition, no inquiry was made into endangered species, regulatory compliance, ecological resources, industrial hygiene and indoor air quality, health and safety, power lines and electromagnetic fields, and cultural and historical resources during this assessment.

The Site visit was limited to visual observations of accessible areas only. No attempt was made to observe conditions in spaces not generally accessible, including but not limited to:

1. Crawlspaces;
2. Attics and roofs;
3. Pipe chases or plenums;
4. Spaces concealed by walls, floors, or ceilings;

5. Materials concealed by paneling, carpeting, or wallpaper; and
6. Vacant land with overgrown vegetation.

The Site visit was also limited to visual observations of the perimeter of the property and other accessible areas only. Visual observations of the exterior were limited due to excessive vegetative growth (specifically former 311 Schenectady Street parcel now a part of 770 Albany Street) and debris covering the majority of several parcels (specifically the parking lots located at 312, 314, and 316 Hulett Streets). Items such as stressed vegetation or stained soils may not have been apparent. Interior observations were limited to representative portions of office and warehouse areas, retail store spaces, apartment units, and accessible basements which were visually inspected.

Areas of the Site that were inaccessible were left to the judgment and discretion of the Environmental Professional conducting the site visit.

- Upper floors of the building in the back of 770 (772) Albany Street were not observed due to broken and exposed potential asbestos containing materials lining the stairwell;
- The projector room of the former theatre located at 776 Albany Street had no access to it and therefore was not inspected;
- Attached outdoor decks and porches were not inspected due to potential unsafe structural issues;
- Roof tops were not inspected due to lack of safe accessibility;
- The garage building associated with 774 Albany Street was not accessible due to large quantities of materials stored inside the structure;
- Vacant lot associated with 770 Albany Street (former 311 Schenectady Street) was limited during the visual inspection due to overgrown vegetation and debris;
- Various interior and exterior locations of the Site covered with debris and stored miscellaneous electrical equipment were not inspected; and
- Parking lots had limited visibility, primarily around the perimeters due to miscellaneous debris, such as broken light bulbs, pallets, and stored electrical conduits.

Freedom of Information Law (FOIL) requests were submitted on April 14, 2015. At the time of this report, the requested information has not been fully received. When the information is received it will be forwarded in a Letter of Addendum and this report will be amended, if necessary, should the information reveal additional findings.

2.4 Significant Assumptions

While this report provides an overview of potential current and historical RECs, the ESA is limited by the availability of information at the time of the assessment. It is possible that unreported disposal of waste or illegal activities impairing the environmental status of the property may have occurred which could not be identified. The conclusions and

recommendations regarding the RECs that are presented in this report are based on a Scope of Work authorized by the Client.

2.5 Special Terms and Conditions

DePaul Properties and Lu Engineers have agreed that the Scope of Work described in Section 2.2, and the Limitations and Exceptions described in Section 2.3 above, are acceptable and that to the fullest extent permitted by law, Lu Engineers shall not be liable for limiting its investigation to the Scope of Work described.

2.6 User Reliance

DePaul Properties may rely upon the findings of this report and should be aware of the agreed upon Scope of Work and the limitations associated with this Scope of Work. This report has been completed within 180 days prior to the date of acquisition of the property or the date of the intended transaction.

Use of or reliance upon this report, its findings and recommendations, by any other person or firm is prohibited without the prior written permission of Lu Engineers.

3. SITE DESCRIPTION

3.1 Location and Legal Description

The "Site" is a collection of nine (9) adjoined parcels located at the following addresses, in the City of Schenectady, Schenectady County, New York (Figure 1):

- 770 Albany Street (comprised of the former 311 Schenectady Street parcel and the former 772 Albany Street parcel)
- 774 Albany Street
- 776 Albany Street
- 778 Albany Street
- 780 Albany Street
- 782 Albany Street
- 312 Hulett Street
- 314 Hulett Street
- 316 Hulett Street

Collectively these properties consist of a 1.38-acre parcel that contains primarily commercial and residential buildings, and three connected parking lots. Refer to Section 3.3 for further detail.

According to the Property Tax Map (Figure 2), the Site parcel is split into two approximately rectangular shaped parcels with the exception of the 770 Albany parcel which protrudes in an L-shape towards Schenectady Street. The Site is approximately

263 feet deep by 437 feet wide at its longest points. The Site Tax Numbers and associated property zoning are listed in the table below.

Property Address	Tax Numbers	Property Zoning
770 Albany Street	49.33-1-9.1	Row Storage
774 Albany Street	49.33-1-11	Apartment/Warehouse/Row Storage
776 Albany Street	49.33-1-12	Distributor Warehouse/Apartment
778 Albany Street	49.33-1-13	Small Retail
780 Albany Street	49.33-1-14	Apartment/Office/Row Retail
782 Albany Street	49.33-1-15.2	Row Office
312 Hulett Street	49.33-1-15.1	Commercial Vacant
314 Hulett Street	49.33-1-16	Commercial Vacant
316 Hulett Street	49.33-1-17	Residential Vacant

3.2 General Site Setting

The Site is located in a densely populated urban setting and consists of nine (9) adjoining parcels. Six (6) of the properties are occupied by one-story to multi-story buildings and three (3) properties are designated parking lots. During the Site visit it was observed that the majority of the parcels were packed full with electrical equipment, pallets, pipes, old tires, and other various debris materials. All of the buildings entered appeared to be in various stages of neglect. Obvious roof leaks, deteriorating porches, crumbling ceilings and walls, and water damage were observed in each building entered. Parking areas were covered in part by electrical conduit piping storage, disposal dumpsters, and broken lamp debris. Site photographs of the Phase I Site visit are included as Appendix A.

The Site is located in a highly urbanized area, within downtown Schenectady, New York. Surrounding buildings consist of small businesses, churches, and residential buildings in a downtown Main-Street type urban setting.

The Schenectady, New York USGS 7.5 Minute Topographical Map (photo inspected 2013) was used in evaluating the physical setting of the Site. Topography of the Site shows that the Site consists of generally level land. The Site elevation is approximately 320 feet (USGS datum).

3.2.1 Current Use of the Property

The Sites currently have multiple owners and uses. The table below describes each in detail.

Property Address	Owners	Site Utilization	Occupants
770 Albany Street	Sparagan	American Electric Supply Company/Vacant Land/Loading Dock	American Electric Supply Company
774 Albany Street	Sparagan	American Electric Supply Company Warehouse/Distribution Center	American Electric Supply Company
776 Albany Street	Sparagan	American Electric Supply Company Warehouse/Distribution Center	American Electric Supply Company
778 Albany Street	Sparagan	American Electric Supply Company Storefront	American Electric Supply Company
780 Albany Street	Totaram Dharamdeo	Retail Store/Residential Apartments	Lakshmi market/owner occupied apartment/ two vacant apartments
782 Albany Street	Duryee Memorial AME Zion	Former Bank/Church School	Currently vacant
312 Hulett Street	Sparagan	Parking lot	American Electric Supply Company
314 Hulett Street	Sparagan	Parking lot	American Electric Supply Company
316 Hulett Street	Sparagan	Parking lot	American Electric Supply Company

At the time of the Site visit the properties were in fair to poor condition and visually had some areas of environmental concern. Past uses of the Site are discussed in Section 5.5.1.

3.2.2 Current Use of Adjoining Properties

The current uses of the properties adjoining the Site are primarily commercial, residential, and vacant lots. These uses are summarized below.

North of Site: Residential, commercial, vacant parcels
South of Site: Residential, church, parking lots
East of Site: Residential, commercial, vacant parcels
West of Site: Residential, Jerry Burrell park

Past uses of the adjoining property are discussed in Section 5.5.3.

3.3 Descriptions of Structures, Roads, and Other Improvements at the Site

The Site is located within an urban area on the east side of Albany Street in Schenectady, New York. Description of the buildings use and construction is detailed in the table below.

Property Address	No. of Buildings	Construction	Improvements
770 Albany Street	2	Original 3 structures constructed sometime before 1930. The buildings appear to be brick and wood construction with stone/block basement.	Two structures on 770 and 772 Albany Streets were combined with an addition (year unknown). A loading dock was added (year unknown).
774 Albany Street	2	Main building constructed sometime around 1900 and appears to be brick and wood construction with a stone/block basement.	An additional garage structure, constructed of brick and wood, appears in the 1930 Sanborn® Map. A storage awning/shed was added at an unknown date.
776 Albany Street	1	Former theatre building originally constructed sometime after 1900 and before 1914. The building appears to be brick and wood construction with a stone/block basement and crawlspace.	The former theatre structure remains intact; however, has been converted to storage/warehouse space for the American Electric Company. No exterior structural additions were observed.
778 Albany Street	1	One building originally constructed sometime after 1900 and before 1914. The building appears to be brick and wood construction with a stone/block basement.	No exterior improvements or additions were observed.
780 Albany Street	1	Two buildings originally constructed sometime after 1900 and before 1914. The building appears to be brick and wood construction with a stone/block basement.	Sometime after 1914 and before 1930 the main building was constructed out to either combine the smaller building in the back of the parcel or expanded.

782 Albany Street	1	One building originally constructed sometime after 1900 and before 1914. The building appears to be brick and wood construction with a stone/block basement.	The 1930 Sanborn® map clearly lists this building as a bank. A small addition was constructed in the rear of the building sometime after 1951 and before 1988.
312 Hulett Street	0	No buildings on parcel.	NA
314 Hulett Street	0	No buildings on parcel.	NA
316 Hulett Street	0	No buildings on parcel.	NA

Electric power is supplied to the Sites by Niagara Mohawk. The majority of the buildings are heated by natural gas provided by Niagara Mohawk; however, one building (located on former 772 Albany Street currently included as part of the 770 Albany Street tax parcel) is heated by Number 2 fuel oil. Water and sewer service is by the City of Schenectady.

4. USER PROVIDED INFORMATION

4.1 Reason for Performing the Phase I

In accordance with the ASTM E1527-13, a *User* is defined as the party seeking to complete an ESA of the *property*. A *User* may include a potential purchaser, tenant, owner, lender, or manager of a property. If the user is aware of any specialized knowledge or experience that is material to RECs in connection with the property, it is the user's responsibility to communicate any information based on such specialized knowledge or experience to the environmental professional.

Lu Engineers was contracted by DePaul Properties to perform this Phase I ESA to qualify for CERCLA Landowner Liability Protection (LLP) during the purchase of the nine adjoining properties. DePaul Properties has designated Chris Betts of Betts Housing Partners as the appropriate contact to provide the User Information for this assessment. This Phase I ESA was conducted as part of a purchase environmental Site assessment.

The following sections summarize the responses from the User Questionnaire, completed by Chris Betts. A copy of the completed User Questionnaire is included in Appendix D.

4.2 Environmental cleanup liens that are filed or recorded against the Site (40 CFR 312.25).

Mr. Betts responded that it is unknown if environmental cleanup liens have been filed or recorded against the property.

4.3 Activity and land use limitations that are in place on the site or that have been filed or recorded against the site (40 CFR 312.26).

Mr. Betts responded that there are no engineering controls, land use restriction, or institutional controls are in place at the Site. Additionally, review of NYSDEC records indicates that there are no engineering or institutional controls in place at the Site.

4.4 Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).

Mr. Betts responded that they have no specialized knowledge or experience related to the Site.

4.5 Relationship of the purchase price to the fair market value of the *property* if it were not contaminated (40 CFR 312.29).

Mr. Betts responded that purchase price being paid for this property reasonably reflects the fair market value of the property.

4.6 Commonly known or *reasonably ascertainable* information about the *property* (40 CFR 312.30).

Mr. Betts is unaware of any specific chemicals, spill, or environmental cleanups associated with the Site. In addition, Mr. Betts is not aware of the past uses of the Site.

4.7 The degree of obviousness of the presence or likely presence of contamination at the *property*, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31).

Mr. Betts responded that they are not aware of any obvious indicators that point to the presence or likely presence of contamination at the Site.

4.8 Owner, Property Manager, and Occupant Information

The current owners are listed in the table below.

Property Address	Property Owner	Occupant Information
770 Albany Street	Sparagen	American Electric Supply Company
774 Albany Street	Sparagen	American Electric Supply Company
776 Albany Street	Sparagen	American Electric Supply Company

Property Address	Property Owner	Occupant Information
778 Albany Street	Sparagen	American Electric Supply Company
780 Albany Street	Totaram Dharamdeo	Lakshmi market/owner occupied apartment/two vacant apartments
782 Albany Street	Duryee Memorial AME Zion	Former Church school
312 Hulett Street	Sparagen	American Electric Supply Company
314 Hulett Street	Sparagen	American Electric Supply Company
316 Hulett Street	Sparagen	American Electric Supply Company

4.9 Previous Reports

There are no previous reports known or provided in regards to the subject parcels at the time of this ESA.

5. RECORDS REVIEW

The purpose of the records review is to help identify RECs in connection with the Site. Records reviewed pertain to the Site, adjoining properties, and properties within an approximate minimum search distance in order to help assess the likelihood of an impact to the Site from migrating hazardous substance or petroleum products. The records review includes sources that are reasonably ascertainable, publicly available, and reasonably reviewable.

5.1 Standard Federal, State, and Tribal Environmental Record Sources

Lu Engineers reviewed the Federal, State, Tribal and local records, to determine whether the Site or other sites within the applicable search distance are identified on these lists and determined the significance of listing(s) associated the Site.

The attached Environmental Data Resources, Inc. (EDR) Report (Appendix C) provides a summary of the Federal, State, and Tribal records review findings as well as the sources reviewed and date the information was last updated. Relevant information identified as a result of this search is discussed herein.

Federal Lists and Search Radius	No. of Sites	Facility name and ID#, approximate distance and direction from Site	RECs relative to the Site
National Priority List (NPL) Site list-*1.0 mile*	0	NA	No, based on the lack of listed facilities.
Delisted NPL Site List-*0.5 mile*	0	NA	No, based on the lack of listed facilities.

Federal Lists and Search Radius	No. of Sites	Facility name and ID#, approximate distance and direction from Site	RECs relative to the Site
Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) List- *0.5 mile*	1	Schemerhorn Creek 95 Van Guysling Avenue 2,497 feet west	No based on the distance and location from the Site.
CERCLIS No Further Remedial Action Planned (NFRAP) List- *0.5 mile*	0	NA	No, based on the lack of listed facilities.
Resource Conservation and Recovery Information System-Corrective Action Treatment Storage and Disposal (RCRA CORRACTS TSD) Facilities List- *1.0 mile*	1	General Electric Company 1 River Road 5,137 feet west	No based on the distance and location of the facility from the Site.
RCRA non-CORRACTS TSD Facilities List- *0.5 mile*	0	NA	No, based on the lack of listed facilities.
RCRA Large and Small Quantity Generator List- *Site and adjoining properties*	1	Autobody of Schenectady 777 State Street 517 feet south	No, based on the distance and location of the facility.
Emergency Response Notification System (ERNS) List-*Site*	0	NA	No, based on lack of listings for the Site.
Institutional/ Engineering Control Registry-*Site*	0	NA	No, based on lack of listings for the Site.

State and Tribal Lists and Search Radius	Number of Sites	Facility name and ID#, approximate distance and direction from Site	RECs relative to the Site
NPL Equivalent (Inactive Hazardous Waste Disposal Sites(IHWDS) or State	5	KEM Cleaners (NY SHWS: 421416) 809 State Street 597 feet east	No based on the distance and location of the facility as well as elevation in relation to the Site.

State and Tribal Lists and Search Radius	Number of Sites	Facility name and ID#, approximate distance and direction from Site	RECs relative to the Site
Hazardous Waste Sites (SHWS) List)- *1.0 mile*		Mid-Town Laundry (NY SHWS: 466381) 1122-1124 State Street 3,584 feet southeast	
		222 South Ferry Street (NY SHWS: 452534) 3,459 feet northwest	
		Niagara Mohawk (NY SHWS: 58935) 790 Broadway Street 3,790 feet west southwest	
		Former Kenwood Cleaners (NY SHWS: 58186) 445 Duane Avenue 3,989 feet southeast	
		General Electric (NY SHWS: 56150) 1 River Road 5,137 feet west	
CERCLIS Equivalent (Hazardous Substance Waste Disposal Sites (HSWDS) List-*0.5 mile*	1	General Electric 1 River Road 5,137 feet west	No, based on the location and distance of the facility in relation to the Site.
Solid waste disposal site lists (Waste Facilities/ Landfill Sites (SWF/LF)- *0.5 mile*	0	NA	No, based on the lack of listed facilities.
Leaking Storage Tank (LTANKS) Lists and NYSDEC Spill Sites- *0.5 mile*	18	18 LTANK listings 0 Active NYSDEC spill listings	Yes, refer to Section 5.1.1.
NYSDEC Spill Sites- *0.25 mile*	52	52 Closed NYSDEC spill listings	Yes, refer to Section 5.1.1.
Registered Storage Tanks List- *Site and adjoining properties*	10	8 NY USTs and 6 NY ASTs across 10 properties	Yes, refer to Section 5.1.2.

State and Tribal Lists and Search Radius	Number of Sites	Facility name and ID#, approximate distance and direction from Site	RECs relative to the Site
Institutional/ Engineering Control Registry-*Site*	0	NA	No, based on lack of listings for the Site.
Voluntary Cleanup Program (VCP) Site Lists, Brownfield Site (BCP), and Environmental Restoration Program (ERP) Lists- *0.5 mile*	4	Kaiser Permanente (VCP 56991) 530 Liberty Street 2,473 feet north	No based on the distance and location of the facility as well as elevation in relation to the Site.
		314 Clinton Street (ERP 336888) 1,890 feet northwest	
		Broadway Assemblage (BCP) 448 State Street 2,133 feet north northwest	
		312 Broadway Site (ERP 36887) 2,170 feet northwest	

5.1.1 LTANKS List and Spill Sites

Review of relevant documents has revealed that there are eighteen (18) LTANK*S* listed at or within a one-half mile radius of the Site, and are described in the Table below. It is noted that no active LTANK listings exist either on the subject Site or the adjacent properties within one-half miles of the Site. One of the closed LTANK listings could potentially have negative impact to the Site according to proximity, details of spill closure, and groundwater flow.

Leaking Underground Storage Tank Incidents					
Spill No.	**Location and approximate distance from Site**	**Date Reported**	**Material Spilled**	**Status**	**Significance**
1310322	808 Albany Street 96 feet east southeast	1/27/14	No.2 Fuel Oil	Closed: 12/4/14	Approximately 100-gallons leaked into basement from leaking tank. Corrective action taken. Potential REC due to close proximity to the Site.

Leaking Underground Storage Tank Incidents					
Spill No.	**Location and approximate distance from Site**	**Date Reported**	**Material Spilled**	**Status**	**Significance**
8705850	Kem Cleaners 809 State Street 596 feet east	10/12/87	Gasoline	Closed: 4/18/88	Tank test failure. Corrective action taken. PBS 4-088145.
9415652	Finn Res Agway 5 Grove Place 649 feet northeast	3/2/95	No.2 Fuel Oil	Closed: 4/7/95	1-gallon of No. 2 fuel oil spilled due to tank overfill. Cleaned up with Speedi-dry/absorbs.
8809532	339 Summit Avenue 849 feet west northwest	2/24/89	Gasoline	Closed: 3/17/89	5-gallons gasoline from leaking tank in street. SFD used bio-solve and water to wash spill into storm sewer.
9509721	Summit Towers 720 Albany Street 851 feet north northwest	11/6/95	No.2 Fuel Oil	Closed: 7/14/96	PBS 4-600002. Tank test failure. Tank excavated and retested. Corrective action taken. Closed.
8710626	7 Barney Street 1,108 feet north	3/2/88	Gasoline	Closed: 3/2/88	1-gallon gasoline leak from passenger vehicle. SFD used bio-solve to wash down. Closed.
8805587	320 Vedeer Street 1,087 feet northwest	8/30/88	Gasoline	Closed: 10/4/88	10-gallons gasoline spilled due to ruptured gas tank. SFD used bio-solve and water to flush. Closed.
9807724	Central Fire Station 360 Vedeer Avenue 1,167 feet northwest	9/24/98	Diesel	Closed: 5/25/99	13-yards of affected soil landfilled in association with Tank #13A (1,000-gallon) removal. PBS 4-600587
9805212	Craig Street Gas Station 801 Craig Street 1,620 feet south	7/27/98	Gasoline	Closed: 9/22/99	Five tanks removed (#11A-11E) had holes/leaks. 40 yards of contaminated soil disposed of at landfill. PBS 4-600585.
9501673	10 Hawk Street 1,966 feet east southeast	4/27/95	Gasoline	Closed: 5/11/95	Passenger vehicle spilled unknown amount of gasoline. SFD used bio-solve to cleanup.

Leaking Underground Storage Tank Incidents					
Spill No.	**Location and approximate distance from Site**	**Date Reported**	**Material Spilled**	**Status**	**Significance**
8703947	NYNEX 966 Albany Road 2,175 feet southeast	8/12/87	No.2 Fuel Oil	Closed 10/22/87	Tank system failure. No record of spill migrating off-site.
9107572	Verizon (NYNEX) 133 Clinton Street 2,208 feet north northwest	10/15/91	Diesel	Closed: 10/9/92	5,000-gallon UST tank test failure. Passed on 10/9/92. Related spills: 8702024, 8706962, 8803113.
8702024	Verizon (NYNEX) 133 Clinton Street 2,208 feet north northwest	6/10/87	No.2 Fuel Oil.	Closed: 8/18/87	10,000-gallon UST tank failure. Corrective action taken.
8706962	Verizon (NYNEX) 133 Clinton Street 2,208 feet north northwest	11/14/87	No.2 Fuel Oil.	Closed: 11/30/87	6,000-gallon tank test failure. Corrective action taken.
8803113	Verizon (NYNEX) 133 Clinton Street 2,208 feet north northwest	7/11/88	No.2 Fuel Oil.	Closed: 7/13/88	Heat expansion caused plug to loosen. Spill confined to concrete, cleaned (pumped and sorbent pads).
0508926	Precision Industrial Maintenance 1710 Erie Blvd. 2,354 feet northwest	10/26/05	No.2 Fuel Oil.	Closed: 1/3/06	Holes in tank and some associated contamination. Soil removed – clearance samples approved. Closed.
9201903	Gas Station 80 Nott Terrace 2,398 feet north northeast	5/15/92	Gasoline	Closed: 9/29/92	8,000-gallon UST tank test failure. Corrective action taken. PBS 4-066494.

Leaking Underground Storage Tank Incidents					
Spill No.	**Location and approximate distance from Site**	**Date Reported**	**Material Spilled**	**Status**	**Significance**
9212989	Mariam Petroleum Inc. 585 Broadway 2,592 feet west	2/19/93	Unknown	Closed: 4/10/95	PBS 4-143200 Contaminated soil found when re-piping tank. Site remediation complete. Also spills: 9904179, 0502298, 8403517, 8806443, 8910484, 9212989, 9516309, 9608665, 9702402, 9711610, 9903753, 9904179, 0502298, 0606188.

Review of relevant documents has revealed that there have been 52 NYSDEC Closed spills reported within one-quarter mile radius of the Site, including one (1) NYSDEC Closed spill reported at or in the immediate vicinity of the Site. The on-Site closed spill could potentially have a negative impact to the Site. NYSDEC closed spills are discussed in the table below.

Spill Incidents					
Spill No.	**Location and approximate distance from Site**	**Date Reported**	**Material Spilled**	**Status**	**Significance**
9412911	American Electric 772 Albany Street On-Site	12/28/94	No.2 Fuel Oil	Closed: 3/7/96	Oil delivered to wrong building. Pipe not connected – 40-gallons of oil spilled into cellar. Corrective action taken.
0710109	Comanzo 832 Albany Street 286 feet southeast	12/21/07	Unknown	Closed: 4/24/08	Two leaking tanks in basement. Removed in January 2008. 1,000-gal UST still remains on property (spill 8801212, closed 5/9/88).
8801212	Comanzo 832 Albany Street 286 feet southeast	5/9/88	No.2 Fuel Oil	Closed: 5/9/88	25 gallons spilled on concrete basement floor. Cleaned up with speedi-dry.

Spill Incidents					
Spill No.	**Location and approximate distance from Site**	**Date Reported**	**Material Spilled**	**Status**	**Significance**
0403810	835 Albany Street 286 feet southeast	7/9/04	Gasoline	Closed: 7/9/04	15 gallons of gasoline spilled directly into sewer due to car crash. Sewer was padded and flushed.
8704659	SFD Leaking Car 299 Craig Street 385 feet south southeast	8/15/87	Gasoline	Closed: 9/4/87	1 gallon gasoline spilled due to leaking automobile gas tank. Corrective action taken.
9400336	Tire Warehouse 780 State Street Route 5 387 feet northeast	4/7/94	Unknown	Closed: 4/15/94	Small amount of housekeeping material spilled. No corrective action required.
9313514	Tire Warehouse 780 State Street Route 5 387 feet northeast	2/17/94	Hydraulic Oil	Closed: 7/29/96	Hydraulic fluid leaking from lifts. PBS 4-600648.
9502196	Tire Warehouse 780 State Street Route 5 387 feet northeast	5/22/95	Waste Oil	Closed: 8/16/99	Operator of site regularly disposed of waste fluids at rear of site and inside building via drains. Corrective action taken.
9803630	Quality Car Care 780 State Street Route 5 387 feet northeast	6/20/98	Paint, Anti-freeze, Waste Oil, Trans-mission Fluid	Closed: 8/6/98	Operator of site regularly disposed of waste fluids at rear of site and inside building via drains. Corrective action taken.
8902540	SFD Car 800 State Street 476 feet east north east	5/28/89	Gasoline	Closed: 5/28/89	15 gallons of gasoline spilled to ground due to traffic accident. Bio-solve applied and washed down sewer.
0411376	857 Albany Street 511 feet southeast	1/20/05	No.2 Fuel Oil	Closed: 4/27/05	20 gallons of fuel oil spilled to soil. Covered the fuel oil back up with soil. Referenced spill 0409227.

Spill Incidents					
Spill No.	**Location and approximate distance from Site**	**Date Reported**	**Material Spilled**	**Status**	**Significance**
0112107	Pedro 712 Stanley Street 522 feet south southwest	3/25/02	Gasoline, Motor Oil	Closed: 5/29/02	Illegal auto shop, owner dumping used fluids (approximately 1-5 gallons) by tree in front. Corrective action taken.
9704974	Holmes & Kugler Truck 700 Block Stanley Street 525 feet south southwest	7/25/97	Diesel	Closed: 7/25/97	5-gallons diesel spilled to pavement from tow truck. Cleaned up with speedi-dry.
0801902	Mohawk Honda 756 State Street 532 feet north northeast	5/19/08	Motor Oil	Closed: 6/19/09	Leak found during DEC inspection. Corrective action taken.
0751597	Kem Cleaners 809 State Street 596 feet east	10/23/07	Perchloro-ethane	Closed: 4/2/10	Leaking dry cleaning machines cause of PERC spill. SVI investigation performed 3/27/08. Order on Consent was generated due to RCRA and air violations. Kem filed for Ch. 7 – site then handled under Superfund program, therefore spill closed.
8907920	Car Leak 4 Grove Place 600 feet north east	9/1/89	Gasoline	Closed: 11/28/09	1-gallon gasoline leaking from vehicle. Corrective action taken.
0409227	David Louis Floor Covering 867 Albany Street 612 feet southeast	11/17/04	Unknown	Closed: 11/9/05	Strong odor encountered during excavation. Soils not contaminated.
9413589	Waste Management 867 Albany Street 612 feet southeast	1/12/95	Hydraulic Oil	Closed: 5/3/95	Garbage truck hydraulic line broke. Speedi-dry used for cleanup.
8704658	Car Leak 715 Albany Street 651 feet north northwest	8/14/87	Gasoline	Closed: 9/4/87	1-gallon gasoline spilled. Corrective action taken.

Spill Incidents					
Spill No.	**Location and approximate distance from Site**	**Date Reported**	**Material Spilled**	**Status**	**Significance**
8900511	Baumgardner Truck State Street 666 feet north	4/17/89	Waste Oil/Used Oil	Closed: 4/17/89	75-gallons waste oil/used oil pumped out of truck due to operator error. ECO PNB cleaned up. Corrective action taken.
9512992	828-830 State Street 674 feet east southeast	11/20/95	Gasoline	Closed: 1/23/97	Tank removal at former gas station. 2 ppb of contaminant found. 5 yards of soil removed. Groundwater not affected.
1309103	Mohawk Chevrolet 738 State Street 689 feet north	12/12/13	No.2 Fuel Oil	Closed: 11/13/14	Unknown quantity of No. 2 fuel oil leaked due to abandoned fuel tank. Soil and groundwater impacted. Cleanup and disposal info received by NYSDEC. Closed.
0801555	National Grid Transformer 879 Albany Street 733 feet southeast	5/8/08	Trans-former Oil (PCB)	Closed: 5/30/08	Less than 1 quart of transformer oil spilled to curb/stone. Post cleanup analytical sample was <1 ppm PCB. Closed.
0803226	Vacant Commercial Property 834 State Street 766 feet east southeast	6/18/08	Petroleum	Closed: 1/15/09	Two tanks found during Phase II investigation. Tanks were removed and closure samples taken/approved. Closed.
0301751	Mohawk Honda 728-756 State Street 532 feet north northeast	5/19/03	Unknown Petroleum	Closed: 10/1/03	Groundwater and soil contamination encountered. Soil removal and low level GW impacts addressed. Corrective action taken.
9305696	Craig & Stanley Smudgepot 797 feet south southeast	5/2/93	Kerosene	Closed: 8/11/93	Overturned smudge pot. Speedi-dry used. Corrective action taken.

Spill Incidents					
Spill No.	**Location and approximate distance from Site**	**Date Reported**	**Material Spilled**	**Status**	**Significance**
0508884	Apartment House 724 State Street 829 feet north	10/25/05	No.2 Fuel Oil	Closed: 7/28/06	500 gallons of No. 2 fuel oil leaked out of tanks due to flooded basement. Wells were installed inside and outside buildings. Soil sampling conducted. Corrective action taken. Spill closed.
0613724	729 State Street 840 feet north	3/23/07		Closed: 11/28/07	Basement flooded – oil spilled into basement. Corrective action taken according to NYSDEC. Closed.
9506755	Car Leak	9/1/95	Gasoline	Closed: 9/5/95	20-gallons of gasoline from car gas tank spilled on street and flushed with hose. Corrective action taken.
8101750	Morsillo 723 State Street 894 feet north	2/24/82	No.2 Fuel Oil	Closed: 4/4/94	150-gallons of No. 2 fuel oil spilled. Limited information available. Unwilling responsible party. Corrective action taken.
9404939	836-840 Stanley Street 967 feet south	7/10/94	Waste Oil/Used Oil	Closed: 9/27/94	1-gallon waste oil/used oil spilled on driveway during oil change. Corrective action taken.
8703740	Motorcycle	7/24/87	Gasoline	Closed: 8/5/87	2-gallons gasoline spilled from motorcycle. Cleaned with bio-solve.
0203673	NiMo Transformer 208-210 Victory Avenue 977 feet northeast	7/5/02	Trans-former Oil	Closed: 7/8/02	4-gallons transformer oil spilled. Vandalism caused. Corrective action taken.
0710359	308 Victory Avenue 982 feet east northeast	12/29/07	Lube Oil	Closed: 12/31/07	5-gallons lube oil spilled due to vandalism. Speedi-dry applied. Closed.

Spill Incidents					
Spill No.	**Location and approximate distance from Site**	**Date Reported**	**Material Spilled**	**Status**	**Significance**
9406291	Carrington Residence 842 Stanley Street 1,007 feet south southeast	8/8/94	Gasoline	Closed: 8/10/95	Gasoline spilled in front of residence. See spill 9404939.
1409846	407 Mumford Street 1,007 feet west	1/5/15	No. 2 Fuel Oil	Closed: 1/6/15	5-gallons No. 2 fuel oil spilled in basement of residence. No corrective action required.
8900538	Scorn Residence 603 Craig Street 1,025 feet south	4/14/89	Waste Oil/Used Oil	Closed: 4/21/89	5-gallons waste oil/used oil spilled to driveway. Corrective action taken. Closed.
8805549	Garbage Truck 600 Block Hamilton St. 1,058 feet west northwest	7/12/88	Unknown Petroleum	Closed: 10/4/88	5-gallons unknown petroleum spilled from leaking garbage truck. Cleaned with bio-solve.
8906050	300 Veeder Avenue 1,070 feet north northwest	8/15/89	Diesel	Closed: 9/8/89	20-gallons diesel fuel spilled on road. Cleaned with speedi-dry.
8701827	320 Vedeer Street 1,087 feet northwest	5/22/87	Gasoline	Closed: 2/15/95	Car fire caused 15-gallons of gasoline to spill on roadway. Corrective action taken by SFD. Closed.
0101568	MVP Construction State Street at Nott St. 1,098 feet north northwest	5/10/01	Unknown Petroleum	Closed: 1/24/02	UST leaked possible diesel fuel or fuel oil into ground. Soil was removed/ cleaned.
0012466	Mohawk Office Products 908 State Street 1,153 feet east southeast	2/20/01	Unknown Material	Closed: 9/3/01	30-gallons of unknown material (possibly a film developing solution – potentially corrosive) spilled in back parking lot. Disposal receipts received. Closed.
0808286	Construction Site 830 Lincoln Avenue 1,159 feet south southwest	10/23/08	Unknown Petroleum	Closed: 2/6/09	Abandoned tank hit during new home construction. Tank and affected soil removed. Closed.

Spill Incidents					
Spill No.	**Location and approximate distance from Site**	**Date Reported**	**Material Spilled**	**Status**	**Significance**
9807724	Central Fire Station 360 Veeder Avenue 1,167 feet northwest	9/24/98	Diesel	Closed: 5/25/99	Spill during tank removal. Affected soil removed. Corrective action taken. Other spills 8802520 and 9304638.
8802520	Central Fire Station 360 Veeder Avenue 1,167 feet northwest	5/10/88	Non-PCB Oil	Closed: 6/20/88	Transmission line rupture and spill. Cleaned with bio-solve.
9304638	Central Fire Station 360 Veeder Avenue 1,167 feet northwest	7/13/93	Diesel	Closed: 7/22/93	Soil contaminated from return line while excavating UST. 1 yard affected soil treated on-site.
0751456	917 Albany Street 1,227 feet south east	2/18/08	Diesel/ Unknown Petroleum	Closed: 7/29/08	Spill from an abandoned tank at old fire station. A total of four tanks were removed from site. No groundwater encountered. Closure samples were clear. Spill closed.
8707636	Car on 233 Nott Terrace 1,262 feet north	10/24/87	Gasoline	Closed: 12/7/87	1-gallon of gasoline spilled from car. Cleaned with bio-solve.
8803806	401 Summitt Avenue 1,265 feet west	6/5/88	Gasoline	Closed: 8/3/88	2-gallons of gasoline spilled to ground/sewer during car accident. Bio-solve used during cleanup.
0008218	Child Protect/OTB 510 Smith Street 1,279 feet north west	10/13/00	Unknown Petroleum	Closed: 10/13/00	Odor from tarring of OTB roof (near CPS building). Strong petroleum odor. Minimal occurrence.
9910252	DPW Garbage Truck Hulett St. & Grant Ave. 1,284 feet southwest	11/24/99	Hydraulic Oil	Closed: 11/24/99	5-gallons hydraulic oil leak from garbage truck. Spill was contained and cleaned by SFD.
9410542	Tri-City Acoustical 908-910 State Street 1,316 feet east southeast	11/8/94	Gasoline	Closed: 11/22/94	Spill from drums on parking lot. Tri-City removed drums/cleaned site. Corrective action taken.

One (1) LTANK and one (1) Spill listing are considered RECs relative to the Site at this time. LTANK number 1310322 is considered a REC at this time due to its proximity to the Site. Spill number 9412911 is located on-Site and therefore is considered a REC at this time.

5.1.2 Registered Storage Tanks List

Review of relevant documents has revealed that there are a total of ten (10) registered storage tank facilities located at or adjacent to the Site, and are described as follows:

- Mohawk Honda (ID # 4-054429) is located at 756 State Street, approximately 533 feet north northeast of the Site. This facility is located at a lower elevation than the Site and therefore is not considered to be a REC relative to the Site at this time.
- Kem Cleaners Inc (ID # 4-088145) is located at 809 State Street, approximately 597 feet east of the Site. Due to the distance and lower elevation than the Site it is not considered to a REC relative to the Site at this time.
- 834-838 State Street (ID # 4-601238) is approximately 766 feet east southeast of the Site. Due to the distance from the Site, this location is not considered to a REC relative to the Site at this time.
- Summit Towers (ID # 4-600002) is located at 720 Albany Street, approximately 597 feet east of the Site. Due to the distance and lower elevation from the Site, it is not considered to a REC relative to the Site at this time.
- Two Guys LLC (ID # 4-601094) is located at 724 State Street, approximately 829 feet north of the Site. Due to the distance and lower elevation from the Site, it is not considered to a REC relative to the Site at this time.
- Warren Tire Service (ID # 4-601410) is located at 712 State Street, approximately 961 feet north northwest of the Site. Due to the distance and lower elevation from the Site, it is not considered to a REC relative to the Site at this time.
- Senecal Property (ID # 4-600501) is located at 828-830 State Street, approximately 1,082 feet north northwest of the Site. Due to the distance and lower elevation from the Site, it is not considered to a REC relative to the Site at this time.
- Dick Baker Services (ID # 4-142832) is located at 333 Veeder Avenue, approximately 1,093 feet north northwest of the Site. Due to the distance and lower elevation from the Site, it is not considered to a REC relative to the Site at this time.
- Mohawk Office Products (ID # 4-601194) is located at 908 State Street, approximately 1,151 feet east southeast of the Site. Due to the distance from the Site, it is not considered to a REC relative to the Site at this time.
- Central Fire Station (ID # 4-600587) is located at 360 Veeder Avenue, approximately 1,167 feet northwest of the Site. Due to the distance and lower

elevation from the Site, it is not considered to a REC relative to the Site at this time.

5.2 Regulatory Agency File and Records Review

Information obtained from the NYSDEC FOIL request states that one spill was reported on Site in December, 1994 by an oil delivery company that discharge Number 2 fuel oil into the wrong pipe subsequently spilling approximately 40-gallons into the basement of 772 Albany Street. Corrective action was taken and the spill was closed on March, 1996, however, additional investigation to confirm appropriate removal was conducted is recommended. Therefore the Site considered a REC at this time. FOIL documents received are included in Appendix C.

5.3 Additional Federal, State, Tribal, and Local Environmental Record Sources

There are no Native American Sovereign Territories at or within a one-mile radius of the Site. Therefore tribal government representatives were not contacted as part of this Phase I ESA report.

Information from the City of Schenectady and Schenectady County Officials has been used to supplement data found during the records review, and is included as Appendix C.

Information obtained from the Municipalities regarding building records and ownership information is discussed in Section 6 and included as Appendix C.

A reasonable attempt was made to interview staff members from the following State and local agencies to obtain information relative to Local Brownfield Lists, Landfill/Solid Waste Disposal Sites, Hazardous Waste/Contaminated Sites, Registered Storage Tanks, Land Records for Activity or Use limitations, Emergency Release Reports, and Contaminated Public Wells:

- Department of Health/Environmental Division
- Fire Department
- Planning Department
- Engineering Department
- Building Permit/Inspection Department

A FOIL request was submitted to the Schenectady County Health Department to review records on file associated with the Site properties. At the time of this report, the requested information had not been received. When the information is received it will be forwarded and this report will be amended should the information reveal additional findings.

Agency	FOIL Sent/Records Reviewed	Response	RECs relative to the Site
City of Schenectady	April 14, 2015	Records obtained at the time of this report do not indicate any environmental concerns at or in the vicinity of the Site.	No, based on records received.
Schenectady County	April 14, 2015	Records obtained at the time of this report do not indicate any environmental concerns at or in the vicinity of the Site.	No, based on records received.
Schenectady County Health Department	April 14, 2015	At the time of this report, the requested information has not been received.	Not available at this time.

5.4 Physical Setting Sources

The Schenectady, New York USGS 7.5 Minute Topographical Map (photoinspected 2013) was used in evaluating the physical setting of the Site. The map shows that the Site consists of generally level land. The Site elevation is approximately 320 feet (USGS datum). No wetlands or surface waterways were identified in the vicinity of the Site, and stormwater enters a closed system that likely discharges to a tributary of the nearby Mohawk River/Erie Canal system.

5.4.1 Geology and Hydrogeology

Soil information was obtained from the Natural Resource Conservation Service (NRCS) website.

Soils present on the Site are composed of urban land-Colonie complex, including Urban Land (approximately 40%), Colonie and similar soils (approximately 30%) and minor components (approximately 30%). The Colonie series consists of very deep, well drained to excessively drained soils formed in glaciolacustrine, glaciofluvial, or eolian deposits dominated by fine sand and very fine sand.

Urban soil is material that has been manipulated, disturbed or transported by man's activities in the urban environment and is used as a medium for plant growth. Characteristics of Urban soil also include restricted aeration and water drainage due to modified soil structure leading to compaction.

5.5 Historical Use Information

To establish a continuous past history of the Site to its first developed use or to 1940 (whichever is earlier) and the surrounding area's usage, Lu Engineers reviewed the following reasonably ascertainable standard historical sources:

- Aerial Photographs (1942, 1952, 1968, 1994, 2001, 2004, 2007, 2011, and 2014. Source: Schenectady Internet Mapping System[SIMS])
- Sanborn® Maps (1889, 1894, 1900, 1914, 1930, 1951, 1988, 1989, 1990, 1992, 1993, 1994, 1995, and 1999. Source: EDR®)
- Property Tax Files (Schenectady Tax Assessor's Office)
- Recorded Land Title Records (Not available for review)
- Local Street Directories (1938 – 2013. Source: Cole Information Services and Manning's City Directory)
- Building Department Records (Not available for review)
- Zoning/Land Use Records (Source: City of Schenectady and Schenectady County FOIL requests)

5.5.1 Past Use of the Property

Using a combination of the historical records listed above, and an interview with the Site's owner, Lu Engineers has determined that the Site's history is as follows.

Property Address	1894-1914	1930	1951	1988-1992	1993-1999
770 Albany Street	Dwelling	Portable Oven Shop/Vacant Shop space	Portable Oven Shop/Vacant Shop space	Shop/retail space/ warehouse	Shop/retail space/ warehouse
774 Albany Street	Dwelling/Cobbler	Barber Shop	Shop/retail space	Shop/retail space	Shop/retail space
776 Albany Street	Dwelling	Movie Theatre	Movie Theatre	Shop/retail space	Shop/retail space
778 Albany Street	Dwelling	Shop/retail space	Shop/retail space	Shop/retail space/storage	Shop/retail space/storage
780 Albany Street	Dwelling	Shop/retail space	Shop/retail space	Shop/retail space	Shop/retail space
782 Albany Street	Grocer/Meat	Bank	Bank	Bank	Bank
312 Hulett Street	Dwelling	Dwelling	Vacant – no structures	Parking	Parking
314 Hulett Street	Dwelling	Dwelling	Apartments	Parking	Parking
316 Hulett Street	Dwelling	Mattress Factory	Mattress Factory	Parking	Parking

5.5.2 Data Failure

A Data Failure occurs when all of the standard historical sources that are reasonably ascertainable and likely to be useful have been reviewed and yet, the objectives have not been met.

A Data Failure has not been encountered as part of this report.

5.5.3 Historical Uses of Adjoining Properties

The past uses of the properties adjoining the Site are primarily residential, commercial, churches, and vacant parcels. These past uses have not revealed any RECs associated with the Site at this time.

North of Site: Residential, commercial, electric supply shop/retail space
South of Site: Residential, church, commercial/retail space
East of Site: Residential, commercial, vacant parcels
West of Site: Residential

The above stated review of available historical information has not revealed a REC.

6. SITE RECONNAISSANCE

6.1 Methodology and Limiting Conditions

On May 26, 2015, Ariadna Cheremeteff and Laura Gregor of Lu Engineers visited the Site to identify uses and conditions relating to RECs.

The periphery of the Site and all structures on the property were observed during the Site visit. Certain areas of the Site as well as specific inaccessible areas within several of the buildings were not observed. Limiting Conditions, deviations, and exceptions are discussed in Section 2.4.

Site Reconnaissance Notes and Observations are included in Appendix D.

6.2 Site Observations

Condition	Yes	No	REC	Notes:
Hazardous Substances and/or petroleum products	X		Yes	Refer to Section 6.2.1.
Unidentified Substances		X		NA

Condition	Yes	No	REC	Notes:
Above or Underground Storage Tanks, vent pipes, fill pipes and/or access ways	X		Yes	Refer to Section 6.2.2.
Strong, Pungent or noxious odors		X	No	NA
Pools of liquid		X	No	NA
Drums/containers of known or unidentified chemicals		X	No	NA
PCBs- electrical or hydraulic equipment known to contain PCBS	X		Un-known	Refer to Section 6.2.3.

6.2.1 Hazardous Substances, Petroleum Products, and Unidentified Substance Containers

The basement of a building on the 770 Albany Street property had various petroleum products stored in an apparent mechanical/storage shop space. The following containers were observed during the Site visit:

- Compressed gas cylinders;
- Waste oil;
- Gasoline containers;
- Paint cans;
- 5-gallon buckets of sealing and caulking materials; and
- Spray paint canisters.

The majority of the containers were noted to be stored appropriately, in fair physical condition and appeared to be free from leaks. The presence of these containers does not represent a REC at the Site at this time.

6.2.2 Storage Tanks

ASTs, vent pipes, fill pipes, or access ways indicating ASTs were observed at the Site. In addition, ASTs have existed at the Site in the past. FOIL request documents do not have registration records of the ASTs on file.

Information relative to storage tanks at the Site is summarized below:

- 780 Albany Street: AST encased in concrete block and filled in place with sand/concrete material. Fill port was cut off at the street level, however, existing lines still run into the basement block. Owner was not certain if the contents of the tank were removed prior to enclosure. The AST is estimated to be a 250-gallon no. 2 fuel oil tank.

- 770 (772) Albany Street: 250-gallon AST observed and operational in the basement of 772 Albany Street (part of 770 Albany Street tax parcel). AST still used to heat the building with no. 2 fuel oil. The operator stated that an

approximately 5-gallon spill occurred during the past winter. Visible speedi-dry or similar material was observed during the Site walk through consistent with a spill.

- 774 Albany Street: Vent piping and fill port consistent with a fuel storage tank were observed in the back of the garage located on this property. Access into the garage and visible confirmation of the AST were not feasible at the time of the Site walk through. Site employee operator did confirm that a 250-gallon AST is located in the back of the garage, however, is not operational. Operator did not have knowledge of whether or not the AST contained fuel or had been emptied.

The presence of these storage tanks represents a REC at the Site at this time.

6.2.3 Indications of PCBs

Historic electrical equipment or other related potentially PCB-containing articles were observed at the Site at the time of the Site visit. The presence of these components does represent a REC at the Site at this time.

6.3 Interior Observations

Condition	Yes	No	REC	Notes:
Heating and cooling systems	X		Yes	Refer to Section 6.3.1
Stains or corrosion on floors, walls, or ceilings by substances other than water		X		
Floor drains and sumps		X		

6.3.1 Heating and Cooling

One property on the Site is heated with no. 2 fuel oil. The furnace is located in the basement of the building. The furnace appeared to be in good condition at the time of the Site visit; however, a visible spill had occurred in the vicinity of the tank representing a REC at the Site at this time.

6.4 Exterior Observations

Condition	Yes	No	REC	Notes:
Pits, ponds or lagoons in connection with waste treatment, storage or disposal		X	No	NA
Spills/Stained soil or pavement		X	No	NA

Condition	Yes	No	REC	Notes:
Stressed Vegetation		X	No	NA
Solid Waste- Areas of filling or grading by non-natural causes, mounds or depressions suggesting solid waste suggesting solid waste disposal or fill by an unknown origin	X		Yes	Refer to Section 6.4.1
Wastewater or other liquid discharge into a drain, ditch underground injection system, or a stream on or adjacent to the property		X	No	NA
Septic System or Cesspools		X	No	NA
Wells-dry wells, irrigation wells, injection wells, abandoned wells, groundwater monitoring wells		X	No	NA

6.4.1 Solid Waste

Areas containing broken light bulbs were noted on the 312, 314, and 316 Hulett Street properties. Spent fluorescent bulbs are discarded in a dumpster located on the Hulett Street parking lot properties. During the Site walkthrough a large amount of broken bulb debris was observed in the area surrounding the dumpsters in addition to other miscellaneous debris. The presence of this solid waste does represent a REC at the Site at this time.

7. INTERVIEWS

7.1 Interview with Owner

On May 26, 2015, Ari Cheremeteff of Lu Engineers interviewed Totaram Dharamdeo, the owner, to obtain information regarding RECs in connection with the 780 Albany Street parcel. The interview was conducted in person at the Site and is included in Appendix D.

7.2 Interview with Key Site Manager

On May 26, 2015, Ari Cheremeteff of Lu Engineers interviewed Bob Parslow, an employee representative of the American Electric Company, to obtain information regarding RECs in connection with the 778, 776, 774, 772, 770 Albany Street and 312, 314, 314 Hulett Street parcels. The interview was conducted in person at the Site and is included in Appendix D.

7.3 Interview with Occupant(s)

On May 26, 2015, Ari Cheremeteff of Lu Engineers interviewed Gregory Davenport, a representative of the Duryee Memorial AME Zion church, to obtain information

regarding RECs in connection with the 782 Albany Street parcel. The interview was conducted in person at the Site and is included in Appendix D.

7.4 Interviews with State and/or Local Officials

A reasonable attempt was made to interview staff members from the following agencies:

- Local Fire Department
- State or Local Health Agency
- Local, State, or Regional Agency having jurisdiction over hazardous waste disposal or other environmental matters in the area of the Site
- Local Building Department
- Local department responsible for the issuance of groundwater use permits that document the presence of AULs

FOIL Information and records obtained are included in Appendix C. State and Health Department Records are discussed in Section 5.3.

7.4.1 Local Records

Information obtained from the City of Schenectady include property use, zoning, valuation, structures and associated square footage, and improvements to the property.

Information obtained from Schenectady County include parcel history information, sales records, utilities, inventory of structures on each property, improvements, land types, and exemptions.

Assessment records obtained from Schenectady County Assessment office indicate the Site ownership history to be consistent with the table listed in Section 3.2.1.

Detailed utilization of the properties associated with the Site are listed in Section 5.5.1.

8. EVALUATION

8.1 Findings

Based on the information collected as a part of this assessment, the following was found regarding potential RECs:

- Three existing ASTs;
- Broken mercury-containing light bulb debris in parking lots; and
- Potential PCBs in existing old electrical components.

8.2 Opinion

It is Lu Engineers professional opinion that based on the information obtained during this assessment; the findings listed above do represent a REC at the Site. Therefore, additional environmental investigation is recommended at the Site.

Based on these conclusions, it is Lu Engineers' opinion that further investigation be conducted to determine:

1. whether soil and/or groundwater has been impacted by the existing three (3) ASTs that remain on Site;
2. whether surface soil has been impacted by broken mercury light bulbs and past operations of the Electric Company;
3. whether potential PCB impacts have occurred due to historic electrical component use on Site;

A Phase II proposal has been prepared to investigate these RECs and will be provided to DePaul Properties under a separate cover.

8.3 Data Gaps

No data gaps were identified as part of this assessment.

8.4 Conclusions

Lu Engineers has performed a Phase I ESA in conformance with the scope and limitations of ASTM Standard Practice E1527-13 at 770, 774, 776, 778, 780, 782 Albany Street and 312, 314, 316 Hulett Street in the City of Schenectady, New York, collectively the "Site". Any exceptions to, or deletions from, this practice are described in Section 11 of this report. This assessment has revealed evidence of RECs in connection with the Site as detailed in Section 8.1.

9. NON-SCOPE SERVICES

No additional services were conducted as part of this Phase I ESA.

9.1 Asbestos Containing Materials (ACM)

Due to the date of construction of the buildings associated with the Site, there is a potential for friable asbestos to be present.

The actual presence of ACM can only be determined through an asbestos survey of the building, including sampling and analysis by licensed professionals. An asbestos and lead survey will be conducted as a separate service and subsequent separate report submittal.

10. REFERENCES

EDR Radius Map with Geo Check – EDR

EDR Certified Sanborn® Report – EDR

Aerial Photographs – Schenectady Internet Mapping System (simsgis.org)

Local Street Directories, Plat Maps, Atlases, and Sanborn® Maps – EDR

Tax maps of the Site – Schenectady Internet Mapping System (simsgis.org)

Spill/LTANK information: New York State Department of Environmental Conservation

Soil classification, floodplain, bedrock, wetland descriptions: Natural Resources Conservation Service.

11. CERTIFICATION

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in 312.10 of 40 CFR 312. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312. A statement of credentials is attached as Appendix E.

Lu Engineers certifies the accuracy of this report, to the best of our knowledge, based on the information collected as described in the Scope of Work of this assessment. A copy of information collected during this assessment, including photographs, maps, notes, and other material will be kept on file at the offices of Lu Engineers. This information is available at your request.

Respectfully submitted,
Lu Engineers

Ariadna Cheremeteff
Environmental Scientist

Gregory L. Andrus, CHMM
Group Leader, Investigation/Remediation

Lu Engineers
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PASSION
EXPERIENCE
RESULTS

luengineers.com

August 12, 2015

Gillian Conde
Vice-President
DePaul Properties
150 Mount Hope Avenue
Rochester, New York 14620

RE: Limited Phase II Site Investigation Report
Albany Street Block
Schenectady, New York
Lu Project: 50225-11

Dear Ms. Conde,

Lu Engineers is pleased to submit this summary report detailing the recent investigative activities conducted at the Albany Street Block Site (the Site) located at the following properties in Schenectady, New York (please refer to Figure 1 – Site Location Map):

- 770 Albany Street
- 774 Albany Street
- 776 Albany Street
- 778 Albany Street
- 780 Albany Street
- 782 Albany Street
- 312 Hulett Street
- 314 Hulett Street
- 316 Hulett Street

This report provides a brief description of the surface soil sampling, PCB surface wipe sampling, soil boring and micro-well installation and associated sampling events completed on July 10, 2015 and July 21, 2015. The investigation was conducted in an effort to characterize environmental conditions in the surface and subsurface soils, and groundwater at the Site. All work was conducted in accordance with Lu Engineers' proposal dated June 19, 2015. The following is a summary of Lu Engineers' activities and findings.

Surface Soil and PCB-Wipe Sampling

On July 10, 2015, Lu Engineers collected three (3) surface soil samples from the Hulett Street parking lot area containing an open top dumpster currently used for disposal of broken light bulbs and miscellaneous debris. Each sample was collected from a discrete depth for third-party laboratory

analysis. A summary of soil sample depths and associated analytical analysis performed per sample location is provided in the table below. Field sampling logs are included as Attachment B. A complete summary of surface soil sample analytical results are located on Table 1 of the attachments.

Per applicable regulatory protocols, all soil samples were stored on ice immediately following collection until they were relinquished for laboratory analysis at Paradigm Environmental Services, Inc.

SURFACE SOIL SAMPLE DEPTH AND ANALYTICAL ANALYSIS SUMMARY TABLE

SOIL BORING	SAMPLE DEPTH INTERVAL (inches bgs)	ANALYTICAL ANALYSIS
SS0-2	0 to 2	RCRA Metals by EPA Method 6010
SS2-4	2 to 4	RCRA Metals by EPA Method 6010
SS4-6	4 to 6	RCRA Metals by EPA Method 6010

PCB surface wipe samples were collected on July 10, 2015 at four (4) locations, each covering an area of 100cm², within several buildings on-Site. Three (3) of the wipe sample results were reported as non-detect, however, one (1) surface sample (sample ID: 770ALB-071015) location did detect PCB-1262 at a level of 4.82 µg/100cm². This detection level is lower than the Environmental Protection Agency's (EPA) Guidance value of 10 µg/100cm² and therefore is not considered to be an exceedance. For a complete summary of surface wipe sample results please refer to Table 2 of the attachments.

Soil Boring Installations and Sampling

On July 21, 2015, a series of six (6) soil borings (772ALB-01, 772ALB-02, 774ALB-01, 774-ALB-02, 780ALB-01, and 780ALB-02) were advanced at the Site. SJB Services, Inc. (SJB) mobilized a CME550 truck-mounted Geoprobe® to perform the direct-push drilling for two (2) of the borings located outside 774 Albany Street. It is noted that the area immediately adjacent to the AST located in the garage of 774 Albany Street was not investigated via subsurface soil borings due to a newly discovered underground vault/void space located directly beneath the AST. Therefore soil borings for 774 Albany Street were installed outside of the garage building as depicted on Figure 2.

Based on a previous geological survey and field observations made during the geotechnical investigation performed by SJB, the exterior two (2) soil borings were advanced to a predetermined depth of sixteen (16) feet below ground surface (bgs). Subsurface soils were continuously sampled in four (4) foot intervals using a Macro-core® sampler and clear PVC liners at each boring location. Soils were logged by qualified Lu Engineers personnel and screened for volatile organic compounds (VOCs) with a MiniRAE 3000 Photoionization device (PID). Bedrock was not encountered in any of the borings.

For the installation of the remaining four (4) soil borings, located within the building basements of 772 and 780 Albany Street, SJB used a core drill to access subsurface soils beneath the basement slab, and a hand auger to advance borings into the soil.

The interior basement soil borings were advanced to varying depths according to hand auger refusal. Specific depths and soil descriptions are detailed in the soil boring logs which are included as Attachment B and sample locations are illustrated on Figure 2.

Soils encountered at the Site generally consisted of intermixed organic matter and sand in the first few feet, underlain by densely-packed sand and silt with some gravel of varying densities throughout the remaining boring depths. The final few feet in soil borings 774ALB-01 and 774ALB-02 consisted of densely-packed silty clay with high levels of moisture.

Several screening methods were utilized to detect contamination during drilling and soil sampling. These methods included visual observations for soil staining/discoloration, olfactory indications, PID screening of sampled soil, and VOC headspace analysis by PID. An elevated PID reading (27.9 ppm) was observed in one soil boring (772ALB-SB-01) at a depth of approximately 4.5-5' bgs. A faint odor was detected at this soil boring location as well, however, no discoloration to the soil was observed. The remaining soil borings did not exhibit any odors, staining or discoloration, and had negligible to non-detect PID readings.

It is noted that the ambient outdoor temperature on the day the field activities were conducted was consistent at approximately 80°F. No evidence of free phase petroleum (floating liquid or sheen) was observed on the soils in the zone of saturation (ranging from approximately ten (10) to sixteen (16) feet bgs).

Immediately following retrieval by SJB, representative soil samples were collected from all six (6) boring locations at discrete depths for third-party laboratory analysis. A summary of soil sample depths and associated analytical analysis performed per sample location is provided in the table below. A complete summary of sample analytical results are located on Tables 3 and 4 of the attachments.

Per applicable regulatory protocols, all soil samples were stored on ice immediately following collection until they were relinquished for laboratory analysis at Paradigm Environmental Services, Inc.

SOIL SAMPLE DEPTH AND ANALYTICAL ANALYSIS SUMMARY TABLE

SOIL BORING	SAMPLE DEPTH INTERVAL (feet bgs)	ANALYTICAL ANALYSIS
772ALB-SB-01	4 to 5	TCL VOCs by EPA Method 8260
		TCL SVOCs by EPA Method 8270
		PCBs by EPA Method 8082A
		RCRA Metals by EPA Methods 6010
772ALB-SB-02	5 to 5.5	TCL VOCs by EPA Method 8260
		TCL SVOCs by EPA Method 8270
		PCBs by EPA Method 8082A
		RCRA Metals by EPA Methods 6010
774ALB-SB-01	7 to 8	TCL VOCs by EPA Method 8260
		TCL SVOCs by EPA Method 8270
		PCBs by EPA Method 8082A
		RCRA Metals by EPA Methods 6010
774ALB-SB-02	10	TCL VOCs by EPA Method 8260
		TCL SVOCs by EPA Method 8270
		PCBs by EPA Method 8082A
		RCRA Metals by EPA Methods 6010
780ALB-SB-01	2 to 2.5	TCL VOCs by EPA Method 8260
		TCL SVOCs by EPA Method 8270
		PCBs by EPA Method 8082A
		RCRA Metals by EPA Methods 6010
780ALB-SB-02	2 to 2.5	TCL VOCs by EPA Method 8260
		TCL SVOCs by EPA Method 8270
		PCBs by EPA Method 8082A
		RCRA Metals by EPA Methods 6010

Micro-well Installations

On July 21, 2015, two (2), 1-inch temporary micro-wells were installed by SJB at the Site. Based on the observed high moisture content one (1) micro-well was installed in the location of 772ALB-SB-02 and one (1) in the location of 774ALB-SB-01. The 772ALB micro-well was installed with a five (5) foot screen interval at a total depth of approximately 8.5 feet bgs. The 774ALB micro-well was installed with a ten (10) foot screen interval at a total depth of approximately 16.00 feet bgs. The remaining boreholes were backfilled to grade with native soils and subsequently sealed with a bentonite grout. The micro-wells were allowed to sit for a minimum of one hour prior to attempted well development activities. Neither micro-well produced water; therefore no groundwater samples were collected. It is reasonable to conclude that due to the densely-packed soils at the Site, groundwater could not infiltrate the

micro-well screens. The micro-wells were subsequently removed by SJB and the bore holes were backfilled to grade with native soils.

Soil Sample Results

The Site is currently being considered for residential use; therefore soil sample analytical results were compared to the applicable regulatory criteria as set forth by the New York State Department of Environmental Conservation (NYSDEC). Surface soil sample results from SS0-2, SS2-4, and SS4-6 were compared against NYSDEC 6 NYCRR Part 375-6.8(a) Unrestricted Use Soil Cleanup Objectives (SCOs) and NYSDEC 6 NYCRR Part 375-6.8(b) Residential Use SCOs as indicated in Table 1, included as an attachment to this report. All three (3) surface soil samples indicate exceedances of Unrestricted Use SCOs for RCRA Metals, specifically for lead and mercury; however, these three (3) samples do not exceed Residential Use SCOs.

Subsurface soil analytical results depict slight exceedances above Unrestricted Use SCOs for acetone (in samples 772ALB-SB-01, 772ALB-SB-02, 774ALB-SB-02, and 774ALB-SB-02) and chromium (all sample locations) as detailed in Tables 3 and 4 of the attachments. These sample locations do not exceed Residential Use SCOs for acetone and chromium.

Copies of the analytical reports are included as Attachment C.

Conclusions & Recommendations

Based on drilling and surface sampling activities and subsequent laboratory analytical test results, the soils at the Site are shown to be below the applicable NYSDEC Residential Use SCOs. Analytical results do indicate the presence of several RCRA metals and acetone in the surface and subsurface soils above the Unrestricted Use SCO levels. Due to these analytical results, Lu Engineers recommends the following options:

1. Installation of a sub-slab depressurization system beneath any newly constructed living space or buildings.
2. Soil sample location areas with exceedances above Unrestricted Use SCOs are not used as in-situ gardening beds without further delineation and/or remediation effort.
3. Soil in contaminant concentration exceedance areas may be excavated and backfilled with clean soil or fill in order to achieve Unrestricted Use SCO objectives.
4. Removal and disposal of three (3) ASTs as outlined in *Removal of Aboveground Storage Tanks and Petroleum Contaminated Soil/Groundwater Specification* enclosed as Attachment D.
5. Further investigation to be conducted in the subterranean vault area beneath the AST located in the garage of 774 Albany Street once the current occupant has vacated the

property and the AST has been removed. It is noted that limited observations at the time of vault discovery yielded no odors, and no visible staining or standing water from within the vault.

If impacted groundwater and/or soils are encountered during future development, it is recommended that they be handled and/or tested by a qualified environmental professional in accordance with applicable regulatory criteria. It is also recommended that any future development on the Site utilize the local municipal water system, restricting any use of groundwater directly from the Site. It is noted that the surrounding area is served by the local municipal water system and no known groundwater use is occurring on-Site or in the surrounding areas.

If you have any questions, please contact us at 585-385-7417.

Sincerely,

Ariadna Cheremeteff
Environmental Scientist

Enclosure(s): <u>Figures:</u>
Figure 1: Site Location Map
Figure 2: Sample Location Map
<u>Tables:</u>
Table 1: Surface Soil Sample Analytical Results
Table 2: Surface PCB Wipe Sample Analytical Results
Table 3: Subsurface Soil VOC and SVOC Analytical Results
Table 4: Subsurface Soil Metals Analytical Results
<u>Attachments:</u>
Attachment A: Site Photographs
Attachment B: Soil Boring and Sampling Field Logs
Attachment C: Laboratory Analytical Data
Attachment D: Removal of Aboveground Storage Tanks and Petroleum Contaminated Soil/Groundwater Specification

ASBESTOS, LEAD PAINT AND PCB CAULK PRE-DEMOLITION SURVEY REPORT

770 Albany Street
Schenectady, New York

Prepared For:

DePaul Properties
150 Mt. Hope Avenue
Rochester, New York

Prepared By:

Lu Engineers
ENVIRONMENTAL • TRANSPORTATION • CIVIL

175 Sully's Trail, Suite 202
Corporate Crossings Office Park
Pittsford, New York 14534

August 2015

Project No. 50225-09

ASBESTOS, LEAD PAINT AND PCB CAULK PRE-DEMOLITION SURVEY REPORT

770 Albany Street
Schenectady, New York

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ATTACHMENT B Field Data Sheet and Roof Core Profiles

ATTACHMENT C Sample Location Plans, Analytical Reports, and Chain of Custody Forms

ATTACHMENT D Asbestos Location Plans

1.0 INTRODUCTION

Lu Engineers was retained by DePaul Properties to provide an asbestos, lead paint and PCB caulk survey of the commercial building located at 770 Albany Street, in Schenectady, New York. Representative bulk samples of suspect asbestos containing materials were collected by NYSDOL certified inspectors from Lu Engineers. A copy of Lu Engineers' license and the inspectors' certifications can be found in Attachment A.

2.0 PROJECT OVERVIEW

The asbestos, lead paint and PCB caulk pre-demolition survey was conducted on June 23, 2015 July 15, 2015, July 16, 2015 and July 17, 2015. The intent of this survey was to determine the presence and quantity of asbestos containing materials for abatement purposes prior to building demolition. The asbestos survey was conducted in accordance with New York State Department of Labor (NYSDOL) Industrial Code Rule (ICR) 56.

2.1 Records Review

The original record drawings of the building were not available for review prior to conducting the pre-demolition survey.

3.0 SITE INSPECTION

3.1 Asbestos

One of the purposes of the visual inspection was to identify homogeneous areas of suspect asbestos containing materials that exist throughout the area of demolition. The Asbestos Hazard Emergency Response Act (AHERA) regulations define a homogeneous area as, "… an area of surfacing material, thermal insulation material, or miscellaneous material that is uniform in color and texture." Furthermore, homogeneous areas should consist of the same age and application.

The inspectors identified homogeneous areas that were present within the building. The suspect asbestos materials were given a homogeneous identification number based on color and texture of the material. A list of homogeneous area numbers of the materials encountered is included with the Asbestos Result Table in Section 4.0. Each room was given an identification (ID) number. The room ID number correlates with the ID number found on the Field Data Sheet in Attachment B. Roof core profiles are also included in Attachment B.

Occupational Safety and Health Administration (OSHA) and 40 CFR 763 Subpart E - Asbestos Hazard Emergency Response Act (AHERA) bulk sampling protocols were followed.

- Three (3) samples of a homogenous surfacing material in quantities of 1,000 Square Feet (SF) or less were collected.
- Five (5) samples of a homogenous surfacing material in quantities greater than 1,000 SF but less than 5,000 SF were collected.
- Seven (7) samples of a homogenous surfacing material in quantities greater than 5,000 SF were collected.
- Three (3) samples of Thermal System Insulation (TSI) material were collected.
- Two (2) samples of each miscellaneous material were collected.

All Samples were analyzed via stop positive protocols.

Friable samples were analyzed using NYS ELAP Method 198.1 Polarized Light Microscopy (PLM). Non-friable organically bound (NOB) samples were analyzed using NYS ELAP Method 198.6 (PLM) and, if found to be negative, NYS ELAP Method 198.4 Transmission Electron Microscopy (TEM). Paradigm Environmental Services was the New York State Department of Health (NYSDOH) approved laboratory used for analysis. A copy of Paradigm's credentials is located in Attachment A.

Fifty one (51) bulk samples were collected from the commercial building as part of this project. The sample identification number indicated on the Bulk Sample Location Plan corresponds to the homogeneous ID numbers which are also located on the laboratory analytical report, the bulk sample log, and the chain of custody forms. The Bulk Sample Location Plan, laboratory analytical report and the chain of custody forms are included in Attachment C.

3.2 PCB Caulks

Two (2) suspect PCB caulks were sampled during Lu Engineer's July 15, 2015 site investigation. The sample location is indicated on the Sample Location Plans included in Attachment B. The sample number indicated on the plans correspond to the sample numbers on the laboratory analytical report and the chain of custody which are included in Attachment B,

The samples were submitted to Paradigm Environmental services, Inc, an NYSDOH certified laboratory. Bulk PCB samples were analyzed using EPA Method 8082. Paradigm's laboratory credentials are included in Attachment A

3.3 Lead Paint

Based on the age of the building, all painted surfaces are assumed to be lead containing.

4.0 ANALYTICAL RESULTS

4.1 Asbestos Results

As defined by the New York State Department of Labor (NYSDOL) 12 NYCRR 56, a sample is considered to be asbestos containing if it contains greater than 1% asbestos by weight based on laboratory analysis.

A list of Homogeneous Areas (HA) identified for each building area surveyed is included below. The **bold** and ***italicized*** HA description indicates that the material is positive, based on the sample results.

Homogeneous Area No. (HA)	Description	Condition	Results
1	***Grey Air Cell Pipe Insulation***	***Fair/Poor***	***Chrysotile 100% – PLM***
2	***Grey Mudded Fitting***	***Fair/Poor***	***Chrysotile 80% – PLM***
3	Grey Cloth Electric Wire Cover	Fair	NAD – TEM
4	White Window Glaze	Fair	NAD – NOB/TEM
5	White Finish Coat Plaster	Fair	NAD – PLM
6	Grey Rough Coat Plaster	Fair	NAD – PLM
7	Grey Metal Tile Adhesive	Fair	NAD – NOB/TEM
8	Grey Wallpaper	Fair	NAD – NOB/TEM
9	Peach Wall Board	Good	NAD – NOB/TEM
10	White Drywall	Good	NAD – PLM
11	***Brown Linoleum with Paper Backing***	***Fair***	***Chrysotile 25% – NOB/PLM***
12	***Black Mastic under Brown Linoleum with Paper Backing***	***Fair***	***Chrysotile 11% – NOB/PLM***
13	***Tan 9" x 9" Floor Tile***	***Fair***	***Chrysotile 17% – NOB/PLM***
14	***Black Mastic under Tan 9" x 9" Floor Tile***	***Fair***	***Chrysotile 14% – NOB/PLM***
15	***Black Flashing on Parapet***	***Good***	***Chrysotile 12% – NOB/PLM***
16	***Grey Caulk above Awning***	***Good***	***Chrysotile 2.7% – NOB/TEM***
17	***Off-White Caulk on Edge of Building***	***Good***	***Chrysotile 3.9% – NOB/PLM***
18	Black Tar	Good	NAD – NOB/TEM
19	***Black Roof Shingle***	***Good***	***Chrysotile 4.5% – NOB/PLM***

Homogeneous Area No. (HA)	Description	Condition	Results
20	***Black Tar***	***Good***	***Chrysotile 1.9% – NOB/TEM***
21	***Black Roof Shingle***	***Good***	***Chrysotile 2.7% – NOB/TEM***
22	***Black Roof Shingle***	***Good***	***Chrysotile 1.2% – NOB/PLM***
23	Black Tar	Good	Trace Chrysotile <1.0% – NOB/TEM
24	Brown Fiberboard	Good	NAD – PLM
25	***Black Tar Paper***	***Good***	***Chrysotile 21% – NOB/PLM***
26	***Black Tar***	***Good***	***Chrysotile 11% – NOB/PLM***
27	Brown Fiberboard	Good	NAD – PLM
28	Black Tar	Good	NAD – NOB/TEM
29	Brown Fiberboard	Good	NAD – PLM
30	***Black Tar***	***Good***	***Chrysotile 1.6% – NOB/TEM***

NAD – No Asbestos Detected
PLM- Polarized Light Microscopy NYS ELAP Method 198.1
NOB/TEM- Transmission Electron Microscopy NYS ELAP Method 198.4 and/or 198.6

4.2 PCB Caulk Results

EPA defines PCB bulk waste, "as waste derived from manufactured products containing PCBs in a non-liquid state, at any concentration where the concentration at the time of designation for disposal was > 50 ppm PCBs". Solid wastes containing 50 ppm by weight or greater are listed hazardous wastes in New York State (6 NYCRR Part 371.4 (e)).

The following table summarizes the PCB sampling results:

Sample No.	Description	PCB Content (ppm)	Asbestos Containing
PCB-16	***Grey Caulk above Awning***	***3,350***	***Yes***
PCB-17	Off-White Caulk on Edge of Building	5.08	**Yes**

A ***bold and italicized*** Sample number indicates that the building material has a PCB concentration that is equal to or greater than 50 ppm based on analytical results.

4.3 Lead Paint Results

Based on the age of the building, all painted surfaces are assumed to be lead containing.

5.0 ASBESTOS MATERIALS AND APPROXIMATE QUANTITIES

Asbestos exists throughout the inspected areas. Based on the analytical results, the following table identifies the Homogeneous Areas that contain asbestos along with the material description and approximate quantity.

Homogeneous Area No. (HA)	Description	Approximate Quantity
1	Grey Air Cell Pipe Insulation	110 LF
2	Grey Mudded Fitting	11 LF
11	Brown Linoleum with Paper Backing	600 SF
12	Black Mastic	600 SF
13	Tan 9”x9” Floor Tile	400 SF
14	Black Mastic	400 SF
15	Black Flashing	242 LF
16	Grey Caulk	22 LF
17	Off-White Caulk	10 LF
19	Black Roof Shingle	1,715 SF
20	Black Tar	2,178 SF
21	Black Roof Shingle	2,178 SF
22	Black Roof Shingle	2,178 SF
25	Black Tar Paper	2,178 SF
26	Black Tar	2,178 SF
30	Black Tar	2,178 SF

SF = Square Feet
LF = Linear Feet

6.0 LIMITATIONS OF THE INVESTIGATION

- Inaccessible areas were not inspected (i.e., behind chase walls and above plaster ceilings).
- The condition of the suspect material is based on the actual inspection date.
- The building was an occupied, functioning building at the time of the survey.
- Quantities indicated on the inspection forms are based on the visual inspection and are only estimates of the material present. Additional quantities may exist, i.e. above ceilings and behind walls.
- This document does not represent an abatement design.

7.0 RECOMMENDATIONS

7.1 Asbestos Containing Materials

Asbestos containing materials have been identified as part of this assessment as shown in Section 5.0. In accordance with 12 NYCRR 56, no demolition work shall be commenced by any owner or agent prior to completion of asbestos abatement performed by a licensed asbestos abatement contractor. NYSDOL regulations require that the asbestos containing material that will be disturbed by the demolition be removed prior to any demolition.

If suspect asbestos containing materials not identified in this pre-demolition asbestos survey report are discovered during the demolition process; it is required that the presence, location and quantity of newly discovered material, be conveyed within twenty-four (24) hours of discovery to the building owner or their representative. All activities must cease in the area where the presumed asbestos containing material or suspect miscellaneous ACM is found, until a licensed asbestos contractor appropriately assesses and manages the discovered materials.

7.2 PCB Caulk

Caulks containing 50 parts per million (ppm) by weight (on a dry weight basis for other than liquid wastes) or greater of PCBs may be listed as hazardous waste in accordance with New York State Department of Conservation regulations (6 NYCRR Part 371). PCB wastes are also regulated by EPA in the 40 CFR Part 761 regulations.

7.3 Lead Paint

According to the United States Environmental Protection Agency (USEPA), paint is considered lead based if the concentration is equal to or greater than 0.5% by weight. The Occupational Safety and Health Administration (OSHA) Regulation in 29 CFR 1926.62 considers any amount of lead in paint to be of concern. The regulation states that the employer shall assure that no employee is exposed to lead concentrations greater than fifty micrograms per cubic meter (50 mg/m^3) of air averaged over an eight hour period. A lead worker protection specification is recommended for the abatement and demolition project.

ASBESTOS, LEAD PAINT AND PCB CAULK PRE-DEMOLITION SURVEY REPORT

772 Albany Street
Schenectady, New York

Prepared For:

DePaul Properties
150 Mt. Hope Avenue
Rochester, New York

Prepared By:

Lu Engineers
ENVIRONMENTAL • TRANSPORTATION • CIVIL

175 Sully's Trail, Suite 202
Corporate Crossings Office Park
Pittsford, New York 14534

August 2015

Project No. 50225-09

ASBESTOS, LEAD PAINT AND PCB CAULK PRE-DEMOLITION SURVEY REPORT

772 Albany Street
Schenectady, New York

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ATTACHMENT D Asbestos Location Plans

1.0 INTRODUCTION

Lu Engineers was retained by DePaul Properties to provide an asbestos, lead paint and PCB caulk survey of the commercial building located at 772 Albany Street, Schenectady, New York. Representative bulk samples of suspect asbestos containing materials were collected by NYSDOL certified inspectors from Lu Engineers. A copy of Lu Engineers' license and the inspectors' certifications can be found in Attachment A.

2.0 PROJECT OVERVIEW

The asbestos, lead paint and PCB caulk pre-demolition survey was conducted on June 23, 2015 July 15, 2015, July 16, 2015 and July 17, 2015. The intent of this survey was to determine the presence and quantity of asbestos containing materials for abatement purposes prior to building demolition. The asbestos survey was conducted in accordance with New York State Department of Labor (NYSDOL) Industrial Code Rule (ICR) 56.

2.1 Records Review

The original record drawings of the building were not available for review prior to conducting the pre-demolition survey.

3.0 SITE INSPECTION

3.1 Asbestos

One of the purposes of the visual inspection was to identify homogeneous areas of suspect asbestos containing materials that exist throughout the area of demolition. The Asbestos Hazard Emergency Response Act (AHERA) regulations define a homogeneous area as, "… an area of surfacing material, thermal insulation material, or miscellaneous material that is uniform in color and texture." Furthermore, homogeneous areas should consist of the same age and application.

The inspectors identified homogeneous areas that were present within the building. The suspect asbestos materials were given a homogeneous identification number based on color and texture of the material. A list of homogeneous area numbers of the materials encountered is included with the Asbestos Result Table in Section 4.0. Each room was given an identification (ID) number. The room ID number correlates with the ID number found on the Field Data Sheet in Attachment B. Roof core profiles are also included in Attachment B.

Occupational Safety and Health Administration (OSHA) and 40 CFR 763 Subpart E - Asbestos Hazard Emergency Response Act (AHERA) bulk sampling protocols were followed.

- Three (3) samples of a homogenous surfacing material in quantities of 1,000 Square Feet (SF) or less were collected.
- Five (5) samples of a homogenous surfacing material in quantities greater than 1,000 SF but less than 5,000 SF were collected.
- Seven (7) samples of a homogenous surfacing material in quantities greater than 5,000 SF were collected.
- Three (3) samples of Thermal System Insulation (TSI) material were collected.
- Two (2) samples of each miscellaneous material were collected.

All Samples were analyzed via stop positive protocols.

Friable samples were analyzed using NYS ELAP Method 198.1 Polarized Light Microscopy (PLM). Non-friable organically bound (NOB) samples were analyzed using NYS ELAP Method 198.6 (PLM) and, if found to be negative, NYS ELAP Method 198.4 Transmission Electron Microscopy (TEM). Paradigm Environmental Services was the New York State Department of Health (NYSDOH) approved laboratory used for analysis. A copy of Paradigm's credentials is located in Attachment A.

Eighty-three (83) bulk samples were collected from the commercial building as part of this project. The sample identification number indicated on the Bulk Sample Location Plan corresponds to the homogeneous ID numbers which are also located on the laboratory analytical report, the bulk sample log, and the chain of custody forms. The Bulk Sample Location Plan, laboratory analytical report and the chain of custody forms are included in Attachment C.

3.2 PCB Caulks

One (1) suspect PCB caulk was sampled during Lu Engineers' July 15, 2015 site investigation. The sample location is indicated on the Sample Location Plans included in Attachment B. The sample number indicated on the plans correspond to the sample numbers on the laboratory analytical report and the chain of custody which are included in Attachment B,

The samples were submitted to Paradigm Environmental services, Inc, an NYSDOH certified laboratory. Bulk PCB samples were analyzed using EPA Method 8082. Paradigm's laboratory credentials are included in Attachment A

3.3 Lead Paint

Based on the age of the building, all painted surfaces are assumed to be lead containing.

4.0 ANALYTICAL RESULTS

4.1 Asbestos Results

As defined by the New York State Department of Labor (NYSDOL) 12 NYCRR 56, a sample is considered to be asbestos containing if it contains greater than 1% asbestos by weight based on laboratory analysis.

A list of Homogeneous Areas (HA) identified for each building area surveyed is included below. The **bold** and ***italicized*** HA description indicates that the material is positive, based on the sample results.

Homogeneous Area No. (HA)	Description	Condition	Results
1	Black Cloth Electric Wire Cover	Good	NAD – PLM
2	White Drywall	Good	NAD – PLM
3	White Insulation – 50lb Bag	Good	NAD – PLM
4	Grey Plaster	Good	NAD – PLM
5	***Brown Insulation on Furnace***	***Good***	***Chrysotile 44% – PLM***
6	Brown Refractory	Good	NAD – PLM
7	Brown Gasket	Good	NAD – PLM
8	White Plaster	Good	NAD – PLM
9	Brown Stair Tread	Good	NAD – NOB/TEM
10	Black Mastic under Brown Stair Tread	Good	NAD – NOB/TEM
11	Black Tar Paper on Wood Floor	Good	NAD – NOB/TEM
12	***Brown 9”x 9” Floor Tile***	***Damaged***	***Chrysotile 11% –NOB/PLM***
13	***Black Mastic under Brown 9”x 9” Floor Tile***	***Damaged***	***Chrysotile 2.6% –NOB/PLM***
14	White Finish Coat Plaster	Good	NAD – PLM
15	Grey Rough Coat Plaster	Good	NAD – PLM
16	Brown 1’ x 1’ Ceiling Tile	Good	NAD – NOB/TEM
17	Black Paper	Good	Note 1
18	***Grey Transite Board***	***Good***	***Chrysotile 36% – PLM***
19	Brown Fiberboard Tile on Wall	Good	NAD – PLM
20	Blue Flooring	Good	NAD – NOB/TEM
21	Blue Fibrous Underlayment under Blue Flooring	Good	Trace Chrysotile <1.0% – PLM
22	Grey Adhesive	Good	NAD – NOB/TEM
23	***Black Glue Dot***	***Good***	***Chrysotile 16% – PLM***
24	Dark Grey Caulk	Good	Trace Chrysotile <1.0% – NOB/TEM

Homogeneous Area No. (HA)	Description	Condition	Results
25	***Grey/Black Flashing***	***Good***	***Chrysotile 18% – NOB/PLM***
26	Black Flashing	Good	NAD – NOB/TEM
27	***Silver Coated Black Roofing***	***Good***	***Chrysotile 3.9% – NOB/PLM***
28	Black Underlayment	Good	Note 1
29	***Black Flashing***	***Good***	***Chrysotile 21% – NOB/PLM***
30	***Black Flashing***	***Good***	***Chrysotile 20% – NOB/PLM***
31	Black Roof Shingle	Good	NAD – NOB/TEM
32	Grey/Red Stone Roof Shingle	Good	NAD – NOB/TEM
33	***Black Tar***	***Good***	***Chrysotile 3.2% – NOB/PLM***
34	Red Stone Roof Shingle	Good	NAD – NOB/TEM
35	Black Tar	Good	NAD – NOB/TEM
36	Brown Fiberboard	Good	NAD – PLM
37	Black Tar Paper	Good	Trace Chrysotile <1.0% – NOB/TEM
38	***Black Tar***	***Good***	***Chrysotile 1.6% – NOB/PLM***
39	***Black Tar Paper***	***Good***	***Chrysotile 1.5% – NOB/PLM***

NAD – No Asbestos Detected
PLM- Polarized Light Microscopy NYS ELAP Method 198.1
NOB/TEM- Transmission Electron Microscopy NYS ELAP Method 198.4 and/or 198.6
Note 1 - <1.0% Residue Remaining, PLM and TEM not required.

4.2 PCB Caulk Results

EPA defines PCB bulk waste, "as waste derived from manufactured products containing PCBs in a non-liquid state, at any concentration where the concentration at the time of designation for disposal was > 50 ppm PCBs". Solid wastes containing 50 ppm by weight or greater are listed hazardous wastes in New York State (6 NYCRR Part 371.4 (e)).

The following table summarizes the PCB sampling results:

Sample No.	Description	PCB Content (ppm)	Asbestos Containing
PCB-24	Dark Grey Caulk	<4.44	No

A ***bold and italicized*** Sample number indicates that the building material has a PCB concentration that is equal to or greater than 50 ppm based on analytical results.

4.3 Lead Paint Results

Based on the age of the building, all painted surfaces are assumed to be lead containing.

5.0 ASBESTOS MATERIALS AND APPROXIMATE QUANTITIES

Asbestos exists throughout the inspected areas. Based on the analytical results, the following table identifies the Homogeneous Areas that contain asbestos along with the material description and approximate quantity.

Homogeneous Area No. (HA)	Description	Approximate Quantity
5	Brown Insulation	2 SF
12	Brown 9”x9” Floor Tile	2,010 SF
13	Black Mastic	2,010 SF
18	Grey Transite Board	11 SF
23	Black Glue Dot	30 SF
25	Grey/Black Flashing	174 LF
27	Silver Coated Black Roofing	620 SF
29	Black Flashing Cement	6 LF
30	Black Flashing Cement	14 LF
33	Black Tar	3,345 SF
38	Black Tar	1,710 SF
39	Black Tar Paper	1,710 SF

6.0 LIMITATIONS OF THE INVESTIGATION

- Inaccessible areas were not inspected (i.e., behind chase walls and above plaster ceilings).
- The condition of the suspect material is based on the actual inspection date.
- The building was an occupied, functioning building at the time of the survey.
- Quantities indicated on the inspection forms are based on the visual inspection and are only estimates of the material present. Additional quantities may exist, i.e. above ceilings and behind walls.
- Additional quantities may exist, i.e. above ceilings and behind walls.
- This document does not represent an abatement design.
- Access to the Second Floor was limited by the existing building Owner. Lu Engineers entered for a preliminary inspection and when we returned it had been secured with no access.

7.0 RECOMMENDATIONS

7.1 Asbestos Containing Materials

Asbestos containing materials have not been identified as part of this assessment as shown in Section 5.0. In accordance with 12 NYCRR 56, no demolition work shall be commenced by any owner or agent prior to completion of asbestos abatement performed by a licensed asbestos abatement contractor. NYSDOL regulations require that the asbestos containing material that will be disturbed by the demolition be removed prior to any demolition.

If suspect asbestos containing materials not identified in this pre-demolition asbestos survey report are discovered during the demolition process; it is required that the presence, location and quantity of newly discovered material, be conveyed within twenty-four (24) hours of discovery to the building owner or their representative. All activities must cease in the area where the presumed asbestos containing material or suspect miscellaneous ACM is found, until a licensed asbestos contractor appropriately assesses and manages the discovered materials.

7.2 PCB Caulk

Caulks containing 50 parts per million (ppm) by weight (on a dry weight basis for other than liquid wastes) or greater of PCBs may be listed as hazardous waste in accordance with New York State Department of Conservation regulations (6 NYCRR Part 371). PCB wastes are also regulated by EPA in the 40 CFR Part 761 regulations. There were no PCB's identified as part of this survey. Therefore, no further action is necessary with regards to PCB's in Caulk.

7.3 Lead Paint

According to the United States Environmental Protection Agency (USEPA), paint is considered lead based if the concentration is equal to or greater than 0.5% by weight. The Occupational Safety and Health Administration (OSHA) Regulation in 29 CFR 1926.62 considers any amount of lead in paint to be of concern. The regulation states that the employer shall assure that no employee is exposed to lead concentrations greater than fifty micrograms per cubic meter (50 mg/m^3) of air averaged over an eight hour period. A lead worker protection specification is recommended for the abatement and demolition project.

ASBESTOS, LEAD PAINT AND PCB CAULK PRE-DEMOLITION SURVEY REPORT

774 Albany Street
Schenectady, New York

Prepared For:

DePaul Properties
150 Mt. Hope Avenue
Rochester, New York

Prepared By:

Lu Engineers
ENVIRONMENTAL • TRANSPORTATION • CIVIL

175 Sully's Trail, Suite 202
Corporate Crossings Office Park
Pittsford, New York 14534

August 2015

Project No. 50225-09

ASBESTOS, LEAD PAINT AND PCB CAULK PRE-DEMOLITION SURVEY REPORT

774 Albany Street
Schenectady, New York

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ATTACHMENT D Asbestos Location Plan

1.0 INTRODUCTION

Lu Engineers was retained by DePaul Properties to provide an asbestos, lead paint and PCB caulk survey of the commercial building located at 774 Albany Street, Schenectady, New York. Representative bulk samples of suspect asbestos containing materials were collected by NYSDOL certified inspectors from Lu Engineers. A copy of Lu Engineers' license and the inspectors' certifications can be found in Attachment A.

2.0 PROJECT OVERVIEW

The asbestos, lead paint and PCB caulk pre-demolition survey was conducted on June 24, 2015, June 25, 2015, July 15, 2015, July 16, 2015 and July 17, 2015. The intent of this survey was to determine the presence and quantity of asbestos containing materials for abatement purposes prior to building demolition. The asbestos survey was conducted in accordance with New York State Department of Labor (NYSDOL) Industrial Code Rule (ICR) 56.

2.1 Records Review

The original record drawings of the building were not available for review prior to conducting the pre-demolition survey.

3.0 SITE INSPECTION

3.1 Asbestos

One of the purposes of the visual inspection was to identify homogeneous areas of suspect asbestos containing materials that exist throughout the area of demolition. The Asbestos Hazard Emergency Response Act (AHERA) regulations define a homogeneous area as, "… an area of surfacing material, thermal insulation material, or miscellaneous material that is uniform in color and texture." Furthermore, homogeneous areas should consist of the same age and application.

The inspectors identified homogeneous areas that were present within the building. The suspect asbestos materials were given a homogeneous identification number based on color and texture of the material. A list of homogeneous area numbers of the materials encountered is included with the Asbestos Result Table in Section 4.0. Each room was given an identification (ID) number. The room ID number correlates with the ID number found on the Field Data Sheet in Attachment B. Roof core profiles are also included in Attachment B.

Occupational Safety and Health Administration (OSHA) and 40 CFR 763 Subpart E - Asbestos Hazard Emergency Response Act (AHERA) bulk sampling protocols were followed.

- Three (3) samples of a homogenous surfacing material in quantities of 1,000 Square Feet (SF) or less were collected.
- Five (5) samples of a homogenous surfacing material in quantities greater than 1,000 SF but less than 5,000 SF were collected.
- Seven (7) samples of a homogenous surfacing material in quantities greater than 5,000 SF were collected.
- Three (3) samples of Thermal System Insulation (TSI) material were collected.
- Two (2) samples of each miscellaneous material were collected.

All Samples were analyzed via stop positive protocols.

Friable samples were analyzed using NYS ELAP Method 198.1 Polarized Light Microscopy (PLM). Non-friable organically bound (NOB) samples were analyzed using NYS ELAP Method 198.6 (PLM) and, if found to be negative, NYS ELAP Method 198.4 Transmission Electron Microscopy (TEM). Paradigm Environmental Services was the New York State Department of Health (NYSDOH) approved laboratory used for analysis. A copy of Paradigm's credentials is located in Attachment A.

One hundred thirty-six (136) bulk samples were collected from the vacant commercial building as part of this project. The sample identification number indicated on the Bulk Sample Location Plan corresponds to the homogeneous ID numbers which are also located on the laboratory analytical report, the bulk sample log, and the chain of custody forms. The Bulk Sample Location Plan, laboratory analytical report and the chain of custody forms are included in Attachment C.

3.2 PCB Caulks

Three (3) suspect PCB caulks were sampled during Lu Engineer's July 16, 2015 site investigation. The sample location is indicated on the Sample Location Plans included in Attachment B. The sample number indicated on the plans corresponds to the sample numbers on the laboratory analytical report and the chain of custody which are included in Attachment B.

The samples were submitted to Paradigm Environmental services, Inc, an NYSDOH certified laboratory. Bulk PCB samples were analyzed using EPA Method 8082. Paradigm's laboratory credentials are included in Attachment A

3.3 Lead Paint

Based on the age of the building, all painted surfaces are assumed to be lead containing.

4.0 ANALYTICAL RESULTS

4.1 Asbestos Results

As defined by the New York State Department of Labor (NYSDOL) 12 NYCRR 56, a sample is considered to be asbestos containing if it contains greater than 1% asbestos by weight based on laboratory analysis.

A list of Homogeneous Areas (HA) identified for each building area surveyed is included below. The **bold** and ***italicized*** HA description indicates that the material is positive, based on the sample results.

Homogeneous Area No. (HA)	Description	Condition	Results
1	***Grey Mudded Fitting***	***Damaged***	***Chrysotile 67% - PLM***
2	***Grey Air Cell Pipe Insulation***	***Damaged***	***Chrysotile 44% - PLM***
3	Cloth Electric Wire Cover	Good	NAD - NOB/TEM
4	White Plaster	Good	NAD - PLM
5	Grey Plaster	Good	Trace Chrysotile <1.0%-PLM
6	Grey Pebble Linoleum	Good	NAD - NOB/TEM
7	Grey Backing	Good	NAD - PLM
8	Brown Pattern Linoleum	Good	NAD - NOB/TEM
9	Grey Backing	Good	NAD - PLM
10	Brown Cove Molding	Good	NAD - NOB/TEM
11	Tan Cove Molding Adhesive	Good	NAD - NOB/TEM
12	Brown Linoleum	Good	NAD - NOB/TEM
13	Green Wall Board	Good	NAD - NOB/TEM
14	Grey Backing under Green Wall Board	Good	NAD - PLM
15	White Glazing	Good	NAD - NOB/TEM
16	Tan Glazing	Good	NAD - NOB/TEM
17	Brown Carpet Pad	Good	NAD - PLM
18	Green Wallpaper	Good	NAD - NOB/TEM
19	Tan Window Glaze	Good	NAD - NOB/TEM
20	***Grey Window Caulk***	***Good***	***Chrysotile 17% - PLM***
21	Tan Linoleum	Good	NAD - NOB/TEM
22	Tan Wallpaper	Good	NAD - NOB/TEM
23	Pattern Wallpaper	Good	NAD - NOB/TEM
24	***Brown Pebble Linoleum***	***Good***	***Chrysotile 24% - NOB/PLM***
25	Tan Adhesive under Brown Pebble Linoleum	Good	NAD - NOB/TEM

Homogeneous Area No. (HA)	Description	Condition	Results
26	White Drywall	Good	NAD - PLM
27	***Beige Joint Compound***	***Good***	***Chrysotile 4.5% - PLM***
28	Cream Tape	Good	NAD - PLM
29	Brown Pattern Linoleum	Good	NAD - NOB/TEM
30	Carmel Adhesive behind Plastic Tile	Good	NAD - NOB/TEM
31	Brown Fiberboard	Good	NAD - PLM
32	White 9”x9” Floor Tile	Good	NAD - NOB/TEM
33	Black Mastic/Tar Paper	Good	NAD - NOB/TEM
34	Yellow Vinyl Wallboard	Good	NAD - NOB/TEM
35	White 1’x1’ Ceiling Tile	Good	Note 1
36	Multicolor Linoleum	Good	NAD - NOB/TEM
37	Black Tar Paper	Good	NAD - NOB/TEM
38	Red Linoleum	Good	NAD - NOB/TEM
39	Brown Panel Adhesive	Good	NAD - NOB/TEM
40	1’x1’ Gold Speckle Ceiling Tile	Good	NAD - NOB/TEM
41	Tan Cove Molding	Good	NAD - NOB/TEM
42	1’x1’ Blue Pattern Ceiling Tile	Good	Note 1
43	Blue and White Sheet Vinyl	Good	NAD - NOB/TEM
44	Blue Block Sheet Vinyl	Good	NAD - NOB/TEM
45	Blue Flower Sheet Vinyl	Good	NAD - NOB/TEM
46	Blue and Orange Sheet Vinyl	Good	NAD - NOB/TEM
47	Brown Paper	Good	NAD - PLM
48	Brown Pattern Sheet Vinyl	Good	NAD - NOB/TEM
49	Tan Sheet Vinyl	Good	NAD - NOB/TEM
50	Tan and Pink Sheet Vinyl	Good	NAD - NOB/TEM
51	Blue and Tan Sheet Vinyl	Good	NAD - NOB/TEM
52	Brown and Green Sheet Vinyl	Good	NAD - NOB/TEM
53	Black and Tan Sheet Vinyl	Good	NAD - NOB/TEM
54	Black Roof Shingle	Good	NAD - NOB/TEM
55	Black Underlayment	Good	NAD - NOB/TEM
56	Pink Caulk	Good	NAD - NOB/TEM
57	***Black Flashing***	***Good***	***Chrysotile 20% - NOB/PLM***
58	***Grey Window Caulk***	***Good***	***Chrysotile 19% - NOB/PLM***
59	Black Tar	Good	Trace Chrysotile <1.0%-NOB/TEM
60	***Black Roof Shingle***	***Good***	***Chrysotile 5.3% - NOB/TEM***
61	***Black Tar/Tar Paper***	***Good***	***Chrysotile 14% - NOB/PLM***

Homogeneous Area No. (HA)	Description	Condition	Results
62	***Black Shiny Tar***	***Good***	***Chrysotile 2.2% - NOB/PLM***
63	***Black Tar***	***Good***	***Chrysotile 2.8% - NOB/PLM***
64	Black Tar Paper	Good	NAD – NOB/TEM
65	***Window Glazing***	***-***	***Note 2***
66	***Ironing Board***	***Good***	***Assumed ACM***
67	***Light Fixture Wire***	***Good***	***Assumed ACM***

*NAD – No Asbe*stos Detected
PLM- Polarized Light Microscopy NYS ELAP Method 198.1
NOB/TEM- Transmission Electron Microscopy NYS ELAP Method 198.4 and/or 198.6
Note 1: <1% Residue Remaining. PLM and TEM not required.
Note 2: Material was not accessible for testing. Too much equipment/supplies in the way.

4.2 PCB Caulk Results

EPA defines PCB bulk waste, "as waste derived from manufactured products containing PCBs in a non-liquid state, at any concentration where the concentration at the time of designation for disposal was > 50 ppm PCBs". Solid wastes containing 50 ppm by weight or greater are listed hazardous wastes in New York State (6 NYCRR Part 371.4 (e)).

Sample No.	Description	PCB Content (ppm)	Asbestos Containing
PCB-20	Grey Window Caulk	<4.81	Yes
PCB-56	Pink Caulk	<4.55	No
PCB-58	Grey Window Caulk	<4.72	Yes

A ***bold and italicized*** Sample number indicates that the building material has a PCB concentration that is equal to or greater than 50 ppm based on analytical results.

4.3 Lead Paint Results

Based on the age of the building, all painted surfaces; all paint is assumed to be lead containing.

5.0 ASBESTOS MATERIALS AND APPROXIMATE QUANTITIES

Asbestos exists throughout the inspected areas. Based on the analytical results, the following table identifies the Homogeneous Areas that contain asbestos along with the material description and approximate quantity.

Homogeneous Area No. (HA)	Description	Approximate Quantity
1	Grey Mudded Fitting	51 LF
2	Grey Air Cell Pipe Insulation	202 LF
20	Grey Window Caulk	474 LF
24	Brown Pebble Linoleum	300 SF
27	Beige Joint Compound	1,753 SF
57	Black Flashing	6 LF
58	Grey Window Caulk	Included in HA#20
60	Black Roof Shingle	1,922 SF
61	Black Tar/Tar Paper	1,922 SF
62	Black Shiny Tar	1,922 SF
63	Black Tar	1,922 SF
65	Window Glazing – Assumed	10 LF
66	Ironing Board – Assumed	12 SF
67	Light Fixture Wire - Assumed	5 LF

SF = Square Feet
LF = Linear Feet

6.0 LIMITATIONS OF THE INVESTIGATION

- Inaccessible areas were not inspected (i.e., behind chase walls and above plaster ceilings).
- The condition of the suspect material is based on the actual inspection date.
- The building was an occupied, functioning building at the time of the survey.
- Quantities indicated on the inspection forms are based on the visual inspection and are only estimates of the material present. Additional quantities may exist, i.e. above ceilings and behind walls.
- This document does not represent an abatement design.
- The 2nd story porch roof was structurally unsound and therefore not inspected.

7.0 RECOMMENDATIONS

7.1 Asbestos Containing Materials

Asbestos containing materials have not been identified as part of this assessment as shown in Section 5.0. In accordance with 12 NYCRR 56, no demolition work shall be commenced by any owner or agent prior to completion of asbestos abatement performed by a licensed asbestos abatement contractor. NYSDOL regulations require that the asbestos containing material that will be disturbed by the demolition be removed prior to any demolition.

If suspect asbestos containing materials not identified in this pre-demolition asbestos survey report are discovered during the demolition process; it is required that the presence, location and quantity of newly discovered material, be conveyed within twenty-four (24) hours of discovery to the building owner or their representative. All activities must cease in the area where the presumed asbestos containing material or suspect miscellaneous ACM is found, until a licensed asbestos contractor appropriately assesses and manages the discovered materials.

7.2 PCB Caulk

Caulks containing 50 parts per million (ppm) by weight (on a dry weight basis for other than liquid wastes) or greater of PCBs may be listed as hazardous waste in accordance with New York State Department of Conservation regulations (6 NYCRR Part 371). PCB wastes are also regulated by EPA in the 40 CFR Part 761 regulations. There were no PCB's identified as part of this survey. Therefore, no further action is necessary with regards to PCB's in Caulk.

7.3 Lead Paint

According to the United States Environmental Protection Agency (USEPA), paint is considered lead based if the concentration is equal to or greater than 0.5% by weight. The Occupational Safety and Health Administration (OSHA) Regulation in 29 CFR 1926.62 considers any amount of lead in paint to be of concern. The regulation states that the employer shall assure that no employee is exposed to lead concentrations greater than fifty micrograms per cubic meter (50 mg/m^3) of air averaged over an eight hour period. A lead worker protection specification is recommended for the abatement and demolition project.

ASBESTOS, LEAD PAINT AND PCB CAULK PRE-DEMOLITION SURVEY REPORT

776 Albany Street
Schenectady, New York

Prepared For:

DePaul Properties
150 Mt. Hope Avenue
Rochester, New York

Prepared By:

Lu Engineers
ENVIRONMENTAL • TRANSPORTATION • CIVIL

175 Sully's Trail, Suite 202
Corporate Crossings Office Park
Pittsford, New York 14534

August 2015

Project No. 50225-09

ASBESTOS, LEAD PAINT AND PCB CAULK PRE-DEMOLITION SURVEY REPORT

776 Albany Street
Schenectady, New York

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1.0 INTRODUCTION

Lu Engineers was retained by DePaul Properties to provide an asbestos, lead paint and PCB caulk survey of the commercial building located at 776 Albany Street, in Schenectady, New York. Representative bulk samples of suspect asbestos containing materials were collected by NYSDOL certified inspectors from Lu Engineers. A copy of Lu Engineers' license and the inspectors' certifications can be found in Attachment A.

2.0 PROJECT OVERVIEW

The asbestos, lead paint and PCB caulk pre-demolition survey was conducted on June 24, 2015, June 25, 2015 and July 16, 2015. The intent of this survey was to determine the presence and quantity of asbestos containing materials for abatement purposes prior to building demolition. The asbestos survey was conducted in accordance with New York State Department of Labor (NYSDOL) Industrial Code Rule (ICR) 56.

2.1 Records Review

The original record drawings of the building were not available for review prior to conducting the pre-demolition survey.

3.0 SITE INSPECTION

3.1 Asbestos

One of the purposes of the visual inspection was to identify homogeneous areas of suspect asbestos containing materials that exist throughout the area of demolition. The Asbestos Hazard Emergency Response Act (AHERA) regulations define a homogeneous area as, "… an area of surfacing material, thermal insulation material, or miscellaneous material that is uniform in color and texture." Furthermore, homogeneous areas should consist of the same age and application.

The inspectors identified homogeneous areas that were present within the building. The suspect asbestos materials were given a homogeneous identification number based on color and texture of the material. A list of homogeneous area numbers of the materials encountered is included with the Asbestos Result Table in Section 4.0. Each room was given an identification (ID) number. The room ID number correlates with the ID number found on the Field Data Sheet in Attachment B. Roof core profiles are also included in Attachment B.

Occupational Safety and Health Administration (OSHA) and 40 CFR 763 Subpart E – Asbestos Hazard Emergency Response Act (AHERA) bulk sampling protocols were followed.

- Three (3) samples of a homogenous surfacing material in quantities of 1,000 Square Feet (SF) or less were collected.
- Five (5) samples of a homogenous surfacing material in quantities greater than 1,000 SF but less than 5,000 SF were collected.
- Seven (7) samples of a homogenous surfacing material in quantities greater than 5,000 SF were collected.
- Three (3) samples of Thermal System Insulation (TSI) material were collected.
- Two (2) samples of each miscellaneous material were collected.

All Samples were analyzed via stop positive protocols.

Friable samples were analyzed using NYS ELAP Method 198.1 Polarized Light Microscopy (PLM). Non-friable organically bound (NOB) samples were analyzed using NYS ELAP Method 198.6 (PLM) and, if found to be negative, NYS ELAP Method 198.4 Transmission Electron Microscopy (TEM). Paradigm Environmental Services was the New York State Department of Health (NYSDOH) approved laboratory used for analysis. A copy of Paradigm's credentials is located in Attachment A.

Seventy (70) bulk samples were collected from the commercial building as part of this project. The sample identification number indicated on the Bulk Sample Location Plan corresponds to the homogeneous ID numbers which are also located on the laboratory analytical report, the bulk sample log, and the chain of custody forms. The Bulk Sample Location Plan, laboratory analytical report and the chain of custody forms are included in Attachment C.

3.2 PCB Caulks

One (1) suspect PCB caulks were sampled during Lu Engineer's July 16, 2015 site investigation. The sample location is indicated on the Sample Location Plans included in Attachment B. The sample number indicated on the plans correspond to the sample numbers on the laboratory analytical report and the chain of custody which are included in Attachment B,

The samples were submitted to Paradigm Environmental services, Inc, an NYSDOH certified laboratory. Bulk PCB samples were analyzed using EPA Method 8082. Paradigm's laboratory credentials are included in Attachment A

3.3 Lead Paint

Based on the age of the building, all painted surfaces are assumed to be lead containing.

4.0 ANALYTICAL RESULTS

4.1 Asbestos Results

As defined by the New York State Department of Labor (NYSDOL) 12 NYCRR 56, a sample is considered to be asbestos containing if it contains greater than 1% asbestos by weight based on laboratory analysis.

A list of Homogeneous Areas (HA) identified for each building area surveyed is included below. The **bold** and ***italicized*** HA description indicates that the material is positive, based on the sample results.

Homogeneous Area No. (HA)	Description	Condition	Results
1	***Grey Air Cell Pipe Insulation***	***Damaged***	***Chrysotile 67% - PLM***
2	***Grey Mudded Fitting***	***Damaged***	***Chrysotile 25% - PLM***
3	Tan Cloth Covered Electrical Wire	Good	NAD – PLM
4	Red Sheet Vinyl Flooring	Good	NAD – NOB/TEM
5	Black Tar Paper	Good	NAD – NOB/TEM
6	White Plaster	Damaged	NAD – PLM
7	Grey Plaster	Damaged	NAD – PLM
8	Brown Fiberboard	Good	NAD – PLM
9	2’x 2’ White Ceiling Tile	Good	NAD – NOB/TEM
10	Grey Window Glazing	Good	NAD – NOB/TEM
11	***Sliver / Black Flashing***	***Good***	***Chrysotile 8.5% - NOB/PLM***
12	***Black Flashing***	***Good***	***Chrysotile 6.8% - NOB/PLM***
13	***Black Shiny Flashing***	***Good***	***Chrysotile 21% - NOB/PLM***
14	***Black Tar***	***Good***	***Chrysotile 2.4% - NOB/TEM***
15	Black Tar Paper	Good	Trace Chrysotile <1 % - NOB/TEM
16	Brown Fiber Board	Good	NAD – PLM
17	***Black Tar***	***Good***	***Chrysotile 1.3% - NOB/PLM***
18	***Black Roofing***	***Good***	***Chrysotile 5.3% - NOB/PLM***
19	***Black Roofing with Green Stone***	***Good***	***Chrysotile 5.1% - NOB/PLM***

Homogeneous Area No. (HA)	Description	Condition	Results
20	***Black Roofing with Red Stone***	***Good***	***Chrysotile 6.4% - NOB/PLM***
21	***Black Tar Paper***	***Good***	***Chrysotile 14% - NOB/PLM***
22	***Black Shiny Tar***	***Good***	***Chrysotile 1.3% - NOB/PLM***
23	***Black Tar Paper***	***Good***	***Chrysotile 8.6% - NOB/PLM***
24	Black Tar/Tar Paper	Good	NAD – NOB/TEM
25	Black Tar	Good	Trace Chrysotile-<1% - NOB/TEM
26	***Black Tar/Tar Paper***	***Good***	***Chrysotile 11% - NOB/PLM***
27	Black Shiny Tar/Tar Paper	Good	Trace Chrysotile-<1% PLM/NOB/TEM
28	Black Tar	Good	NAD – NOB/TEM
29	***Black Roofing with White Stone***	***Good***	***Chrysotile 11% - NOB/PLM***
30	***Black Roofing with Black Stone***	***Good***	***Chrysotile 2.2% - NOB/PLM***
31	***Black Roofing with Green Stone***	***Good***	***Chrysotile 1.7% - NOB/PLM***
32	***Black Roofing with Red Coating***	***Good***	***Chrysotile 14% - NOB/PLM***
33	***Red Coating***	***Good***	***Chrysotile 8.0% - NOB/PLM***
34	***Black Shiny Tar***	***Good***	***Chrysotile 3.4% - NOB/TEM***
35	Black Tar/Tar Paper	Good	Trace Chrysotile-<1% NOB/TEM

NAD – No Asbestos Detected
PLM- Polarized Light Microscopy NYS ELAP Method 198.1
NOB/TEM- Transmission Electron Microscopy NYS ELAP Method 198.4 and/or 198.6

4.2 PCB Caulk Results

EPA defines PCB bulk waste, "as waste derived from manufactured products containing PCBs in a non-liquid state, at any concentration where the concentration at the time of designation for disposal was > 50 ppm PCBs". Solid wastes containing 50 ppm by weight or greater are listed hazardous wastes in New York State (6 NYCRR Part 371.4C).

The following table summarizes the PCB sampling results:

Sample No.	Description	PCB Content (ppm)	Asbestos Containing
PCB-10	Grey Caulk	<4.74	No

A ***bold and italicized*** Sample number indicates that the building material has a PCB concentration that is equal to or greater than 50 ppm based on analytical results.

4.3 Lead Paint Results

Based on the age of the building, all painted surfaces are assumed to be lead containing.

5.0 ASBESTOS MATERIALS AND APPROXIMATE QUANTITIES

Asbestos exists throughout the inspected areas. Based on the analytical results, the following table identifies the Homogeneous Areas that contain asbestos along with the material description and approximate quantity.

Homogeneous Area No. (HA)	Description	Approximate Quantity
1	Air Cell Pipe Insulation	250 LF
2	Grey Mudded Fitting	16 LF
11	Sliver/ Black Flashing	204 SF
12	Black Flashing	225 LF
13	Black Shiny Flashing	13 LF
14	Black Tar	1,209 SF
17	Black Tar	216 SF
18	Black Roofing	216 SF
19	Black Roofing with Green Stone	216 SF
20	Black Roofing with Red Stone	216 SF
21	Black Tar Paper	216 SF
22	Black Shiny Tar	216 SF
23	Black Tar Paper	216 SF
26	Black Tar/Tar Paper	156 SF
29	Black Roofing with White Stone	2,263 SF
30	Black Roofing with Black Stone	2,263 SF
31	Black Roofing with Green Stone	2,263 SF
32	Black Roofing with Red Coating	2,263 SF
33	Red Coating	2,263 SF
34	Black Shiny Tar	2,263 SF

Homogeneous Area No. (HA)	Description	Approximate Quantity
36	Black Tar under Roof Shingle (Same material as HA#33 From 772 Albany Street)	196 SF

SF = Square Feet
LF = Linear Feet

6.0 LIMITATIONS OF THE INVESTIGATION

- Inaccessible areas were not inspected (i.e., behind chase walls and above plaster ceilings).
- The condition of the suspect material is based on the actual inspection date.
- The building was an occupied, functioning building at the time of the survey.
- Quantities indicated on the inspection forms are based on the visual inspection and are only estimates of the material present. Additional quantities may exist, i.e. above ceilings and behind walls.
- This document does not represent an abatement design.
- The former projection booth was not accessible and this area was not surveyed.

7.0 RECOMMENDATIONS

7.1 Asbestos Containing Materials

Asbestos containing materials have been identified as part of this assessment as shown in Section 5.0. In accordance with 12 NYCRR 56, no demolition work shall be commenced by any owner or agent prior to completion of asbestos abatement performed by a licensed asbestos abatement contractor. NYSDOL regulations require that the asbestos containing material that will be disturbed by the demolition be removed prior to any demolition.

If suspect asbestos containing materials not identified in this pre-demolition asbestos survey report are discovered during the demolition process; it is required that the presence, location and quantity of newly discovered material, be conveyed within twenty-four (24) hours of discovery to the building owner or their representative. All activities must cease in the area where the presumed asbestos containing material or suspect miscellaneous ACM is found, until a licensed asbestos contractor appropriately assesses and manages the discovered materials.

7.2 PCB Caulk

Caulks containing 50 parts per million (ppm) by weight (on a dry weight basis for other than liquid wastes) or greater of PCBs may be listed as hazardous waste in accordance with New York State Department of Conservation regulations (6 NYCRR Part 371). PCB wastes are also regulated by EPA in the 40 CFR Part 761 regulations.

7.3 Lead Paint

According to the United States Environmental Protection Agency (USEPA), paint is considered lead based if the concentration is equal to or greater than 0.5% by weight. The Occupational Safety and Health Administration (OSHA) Regulation in 29 CFR 1926.62 considers any amount of lead in paint to be of concern. The regulation states that the employer shall assure that no employee is exposed to lead concentrations greater than fifty micrograms per cubic meter (50 mg/m^3) of air averaged over an eight hour period. A lead worker protection specification is recommended for the abatement and demolition project.

ASBESTOS, LEAD PAINT AND PCB CAULK PRE-DEMOLITION SURVEY REPORT

778 Albany Street
Schenectady, New York

Prepared For:

DePaul Properties
150 Mt. Hope Avenue
Rochester, New York

Prepared By:

Lu Engineers
ENVIRONMENTAL • TRANSPORTATION • CIVIL

175 Sully's Trail, Suite 202
Corporate Crossings Office Park
Pittsford, New York 14534

August 2015

Project No. 50225-09

ASBESTOS, LEAD PAINT AND PCB CAULK PRE-DEMOLITION SURVEY REPORT

778 Albany Street
Schenectady, New York

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1.0 INTRODUCTION

Lu Engineers was retained by DePaul Properties to provide an asbestos, lead paint and PCB caulk survey of the commercial building located at 778 Albany Street, Schenectady, New York. Representative bulk samples of suspect asbestos containing materials were collected by NYSDOL certified inspectors from Lu Engineers. A copy of Lu Engineers' license and the inspectors' certifications can be found in Attachment A.

2.0 PROJECT OVERVIEW

The asbestos, lead paint and PCB caulk pre-demolition survey was conducted on June 25, 2015 June 26, 2015, and July 16, 2015. The intent of this survey was to determine the presence and quantity of asbestos containing materials for abatement purposes prior to building demolition. The asbestos survey was conducted in accordance with New York State Department of Labor (NYSDOL) Industrial Code Rule (ICR) 56.

2.1 Records Review

The original record drawings of the building were not available for review prior to conducting the pre-demolition survey.

3.0 SITE INSPECTION

3.1 Asbestos

One of the purposes of the visual inspection was to identify homogeneous areas of suspect asbestos containing materials that exist throughout the area of demolition. The Asbestos Hazard Emergency Response Act (AHERA) regulations define a homogeneous area as, "… an area of surfacing material, thermal insulation material, or miscellaneous material that is uniform in color and texture." Furthermore, homogeneous areas should consist of the same age and application.

The inspectors identified homogeneous areas that were present within the building. The suspect asbestos materials were given a homogeneous identification number based on color and texture of the material. A list of homogeneous area numbers of the materials encountered is included with the Asbestos Result Table in Section 4.0. Each room was given an identification (ID) number. The room ID number correlates with the ID number found on the Field Data Sheet in Attachment B. Roof Core profiles are also included in Attachment B.

Occupational Safety and Health Administration (OSHA) and 40 CFR 763 Subpart E - Asbestos Hazard Emergency Response Act (AHERA) bulk sampling protocols were followed.

- Three (3) samples of a homogenous surfacing material in quantities of 1,000 Square Feet (SF) or less were collected.
- Five (5) samples of a homogenous surfacing material in quantities greater than 1,000 SF but less than 5,000 SF were collected.
- Seven (7) samples of a homogenous surfacing material in quantities greater than 5,000 SF were collected.
- Three (3) samples of Thermal System Insulation (TSI) material were collected.
- Two (2) samples of each miscellaneous material were collected.

All Samples were analyzed via stop positive protocols.

Friable samples were analyzed using NYS ELAP Method 198.1 Polarized Light Microscopy (PLM). Non-friable organically bound (NOB) samples were analyzed using NYS ELAP Method 198.6 (PLM) and, if found to be negative, NYS ELAP Method 198.4 Transmission Electron Microscopy (TEM). Paradigm Environmental Services was the New York State Department of Health (NYSDOH) approved laboratory used for analysis. A copy of Paradigm's credentials is located in Attachment A.

One-Hundred eight (108) bulk samples were collected from the commercial building as part of this project. The sample identification number indicated on the Bulk Sample Location Plan corresponds to the homogeneous ID numbers which are also located on the laboratory analytical report, the bulk sample log, and the chain of custody forms. The Bulk Sample Location Plan, laboratory analytical report and the chain of custody forms are included in Attachment C.

3.2 PCB Caulks

Two (2) suspect PCB caulks were sampled during Lu Engineer's July 16, 2015 site investigation. The sample location is indicated on the Sample Location Plans included in Attachment B. The sample number indicated on the plans corresponds to the sample numbers on the laboratory analytical report and the chain of custody which are included in Attachment B.

The samples were submitted to Paradigm Environmental services, Inc, an NYSDOH certified laboratory. Bulk PCB samples were analyzed using EPA Method 8082. Paradigm's laboratory credentials are included in Attachment

3.3 Lead Paint

Based on the age of the building, all painted surfaces are assumed to be lead containing.

4.0 ANALYTICAL RESULTS

4.1 Asbestos Results

As defined by the New York State Department of Labor (NYSDOL) 12 NYCRR 56, a sample is considered to be asbestos containing if it contains greater than 1% asbestos by weight based on laboratory analysis.

A list of Homogeneous Areas (HA) identified for each building area surveyed is included below. The **bold** and ***italicized*** HA description indicates that the material is positive, based on the sample results.

Homogeneous Area No. (HA)	Description	Condition	Results
1	***Grey Air Cell Pipe Insulation***	***Damaged***	***Chrysotile 40% - PLM***
2	***Grey Mudded Fitting***	***Damaged***	***Chrysotile 13% - PLM***
3	Black Cloth Electric Wire	Good	NAD - NOB/TEM
4	***Grey Boiler Insulation***	***Damaged***	***Chrysotile 44% - PLM***
5	White Drywall	Damaged	NAD - PLM
6	White Plaster	Good	NAD - PLM
7	Grey Plaster	Good	NAD - PLM
8	2’ x 4’ White Suspended Ceiling Tile	Good	NAD - NOB/TEM
9	Grey Cove Molding	Good	Note 1
10	Tan Cove Molding Adhesive	Good	NAD - NOB/TEM
11	Yellow Carpet Adhesive	Good	NAD - NOB/TEM
12	White Floor Leveler	Good	NAD - PLM
13	***Grey Floor Tile***	***Good***	***Chrysotile 5.1% - NOB/PLM***
14	Black Mastic under Grey Floor Tile	Good	Trace Chrysotile <1.0%-NOB/TEM
15	White Drywall	Good	NAD - PLM
16	***Tan Joint Compound***	***Good***	***Chrysotile 4.6% - PLM***
17	Tan Tape	Good	NAD - PLM
18	White Door Insulation	Good	NAD - PLM
19	Tan Pebble Linoleum	Good	NAD - NOB/TEM
20	***Tan Linoleum with Large Pebbles***	***Good***	***Chrysotile 30% - NOB/PLM***
21	***Brown Adhesive under Tan Linoleum with Large Pebbles***	***Good***	***Chrysotile 3.6% - NOB/PLM***
22	***Yellow Panel Adhesive***	***Good***	***Chrysotile 12% - NOB/PLM***

Homogeneous Area No. (HA)	Description	Condition	Results
23	Brown Board	Good	Trace <1.0% Chrysotile - PLM
24	***Brown Pattern Linoleum***	***Good***	***Chrysotile 31% - NOB/PLM***
25	***Brown Adhesive under Brown Pattern Linoleum***	***Good***	***Chrysotile 2.4% - NOB/PLM***
26	Grey Flooring	Good	Trace <1% Chrysotile - PLM
27	Grey Adhesive under Grey Flooring	Good	NAD - NOB/TEM
28	Grey Terazzo Flooring	Good	NAD - PLM
29	Tan Material	Good	NAD - PLM
30	***Tan Stair Tread***	***Good***	***Chrysotile-5.2% - NOB/PLM***
31	Yellow Adhesive under Tan Stair Tread	Good	Note 1
32	Tan Window Glazing	Good	NAD - NOB/TEM
33	Tan Stucco	Good	NAD - PLM
34	Blue Textured Paint	Good	NAD - NOB/TEM
35	White Textured Wall	Good	NAD - PLM
36	Grey 12” x 12” Floor Tile	Good	NAD-NOB/TEM
37	Yellow Adhesive under Grey 12” x 12” Floor Tile	Good	Note 1
38	Brown Cove Molding	Good	Note 1
39	Grey Window Glaze	Good	NAD - NOB/TEM
40	***Black Tar***	***Good***	***Chrysotile 3.2% - NOB/PLM***
41	Black Shiny Tar	Good	Trace Chrysotile <1.0%- NOB/TEM
42	Black Tar Paper	Good	NAD - NOB/TEM
43	***Black Flashing***	***Good***	***Chrysotile 12% - NOB/PLM***
44	***Off-White Window Glaze***	***Good***	***Chrysotile 5.3% - PLM***
45	***Black Roof Coating***	***Good***	***Chrysotile 6.1% - NOB/PLM***
46	***Black Tar***	***Good***	***Chrysotile 1.9% - NOB/PLM***
47	***Black Tar Paper***	***Good***	***Chrysotile 4.6% - NOB/PLM***
48	***Black Built-Up Roofing***	***Good***	***Chrysotile 12% - NOB/PLM***

Homogeneous Area No. (HA)	Description	Condition	Results
49	Black Tar/Tar Paper	Good	Trace Chrysotile <1.0% - NOB/TEM
50	Brown Fiber Board	Good	NAD - PLM
51	Black Tar Paper	Good	Note 1

NAD – No Asbestos Detected
PLM- Polarized Light Microscopy NYS ELAP Method 198.1
NOB/TEM- Transmission Electron Microscopy NYS ELAP Method 198.4 and/or 198.6
Note 1: <1% Residue Remaining. PLM and TEM not required.

4.2 PCB Caulk Results

EPA defines PCB bulk waste, "as waste derived from manufactured products containing PCBs in a non-liquid state, at any concentration where the concentration at the time of designation for disposal was > 50 ppm PCBs". Solid wastes containing 50 ppm by weight or greater are listed hazardous wastes in New York State (6 NYCRR Part 371.4 (e)).

Sample No.	Description	PCB Content (ppm)	Asbestos Containing
PCB-39	Grey Window Glaze	<4.90	No
PCB-44	Off White Window Glaze	<4.55	No

A ***bold and italicized*** Sample number indicates that the building material has a PCB concentration that is equal to or greater than 50 ppm based on analytical results.

4.3 Lead Paint Results

Based on the age of the building, all painted surfaces are assumed to be lead containing.

5.0 ASBESTOS MATERIALS AND APPROXIMATE QUANTITIES

Asbestos exists throughout the inspected areas. Based on the analytical results, the following table identifies the Homogeneous Areas that contain asbestos along with the material description and approximate quantity.

Homogeneous Area No. (HA)	Description	Approximate Quantity
1	Grey Air Cell Pipe Insulation	186 LF
2	Grey Mudded Fitting	46 LF
4	Grey Boiler Insulation	110 SF
13	Grey Floor Tile	560 SF
16	Tan Joint Compound	594 SF

Homogeneous Area No. (HA)	Description	Approximate Quantity
20	Tan Linoleum with Large Pebbles	48 SF
21	Brown Adhesive under Tan Linoleum with Large Pebbles	48 SF
22	Yellow Panel Adhesive	252 SF
24	Brown Pattern Linoleum	120 SF
25	Brown Adhesive	120 SF
30	Tan Stair Tread	50 SF
40	Black Tar	176 SF
43	Black Flashing	54 SF
44	Off-White Window Glaze	92 LF
45	Black Roof Coating	120 SF
46	Black Tar	2,970 SF
47	Black Tar Paper	2,970 SF
48	Black Built-Up Roofing	2,970 SF

SF = Square Feet
LF = Linear Feet

6.0 LIMITATIONS OF THE INVESTIGATION

- Inaccessible areas were not inspected (i.e., behind chase walls and above plaster ceilings).
- The condition of the suspect material is based on the actual inspection date.
- The building was an occupied, functioning building at the time of the survey.
- Quantities indicated on the inspection forms are based on the visual inspection and are only estimates of the material present. Additional quantities may exist, i.e. above ceilings and behind walls.
- This document does not represent an abatement design.

7.0 RECOMMENDATIONS

7.1 Asbestos Containing Materials

Asbestos containing materials have not been identified as part of this assessment as shown in Section 5.0. In accordance with 12 NYCRR 56, no demolition work shall be commenced by any owner or agent prior to completion of asbestos abatement performed by a licensed asbestos abatement contractor. NYSDOL regulations require that the asbestos containing material that will be disturbed by the demolition be removed prior to any demolition.

If suspect asbestos containing materials not identified in this pre-demolition asbestos survey report are discovered during the demolition process; it is required that the presence, location and quantity of newly discovered material, be conveyed within twenty-four (24) hours of discovery to the building owner or their representative. All activities must cease in the area where the presumed asbestos containing material or suspect miscellaneous ACM is found, until a licensed asbestos contractor appropriately assesses and manages the discovered materials.

7.2 PCB Caulk

Caulks containing 50 parts per million (ppm) by weight (on a dry weight basis for other than liquid wastes) or greater of PCBs may be listed as hazardous waste in accordance with New York State Department of Conservation regulations (6 NYCRR Part 371). PCB wastes are also regulated by EPA in the 40 CFR Part 761 regulations. There were no PCB's identified as part of this survey. Therefore, no further action is necessary with regards to PCB's in Caulk.

7.3 Lead Paint

According to the United States Environmental Protection Agency (USEPA), paint is considered lead based if the concentration is equal to or greater than 0.5% by weight. The Occupational Safety and Health Administration (OSHA) Regulation in 29 CFR 1926.62 considers any amount of lead in paint to be of concern. The regulation states that the employer shall assure that no employee is exposed to lead concentrations greater than fifty micrograms per cubic meter (50 mg/m^3) of air averaged over an eight hour period. A lead worker protection specification is recommended for the abatement and demolition project.

ASBESTOS, LEAD PAINT AND PCB CAULK PRE-DEMOLITION SURVEY REPORT

780 Albany Street
Schenectady, New York

Prepared For:

DePaul Properties
150 Mt. Hope Avenue
Rochester, New York

Prepared By:

Lu Engineers
ENVIRONMENTAL • TRANSPORTATION • CIVIL

175 Sully's Trail, Suite 202
Corporate Crossings Office Park
Pittsford, New York 14534

August 2015

Project No. 50225-09

ASBESTOS, LEAD PAINT AND PCB CAULK PRE-DEMOLITION SURVEY REPORT

780 Albany Street
Schenectady, New York

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1.0 INTRODUCTION

Lu Engineers was retained by DePaul Properties to provide an asbestos, lead paint and PCB caulk survey of the commercial building at 780 Albany Street, Schenectady, New York. Representative bulk samples of suspect asbestos containing materials were collected by NYSDOL certified inspectors from Lu Engineers. A copy of Lu Engineers' license and the inspectors' certifications can be found in Attachment A.

2.0 PROJECT OVERVIEW

The asbestos, lead paint and PCB caulk pre-demolition survey was conducted on June 25, 2015 and July 16, 2015. The intent of this survey was to determine the presence and quantity of asbestos containing materials for abatement purposes prior to building demolition. The asbestos survey was conducted in accordance with New York State Department of Labor (NYSDOL) Industrial Code Rule (ICR) 56.

2.1 Records Review

The original record drawings of the building were not available for review prior to conducting the pre-demolition survey.

3.0 SITE INSPECTION

3.1 Asbestos

One of the purposes of the visual inspection was to identify homogeneous areas of suspect asbestos containing materials that exist throughout the area of demolition. The Asbestos Hazard Emergency Response Act (AHERA) regulations define a homogeneous area as, "… an area of surfacing material, thermal insulation material, or miscellaneous material that is uniform in color and texture." Furthermore, homogeneous areas should consist of the same age and application.

The inspectors identified homogeneous areas that were present within the building. The suspect asbestos materials were given a homogeneous identification number based on color and texture of the material. A list of homogeneous area numbers of the materials encountered is included with the Asbestos Result Table in Section 4.0. Each room was given an identification (ID) number. The room ID number correlates with the ID number found on the Field Data Sheet in Attachment B. Roof Core profiles are also included in Attachment B.

Occupational Safety and Health Administration (OSHA) and 40 CFR 763 Subpart E - Asbestos Hazard Emergency Response Act (AHERA) bulk sampling protocols were followed.

- Three (3) samples of a homogenous surfacing material in quantities of 1,000 Square Feet (SF) or less were collected.
- Five (5) samples of a homogenous surfacing material in quantities greater than 1,000 SF but less than 5,000 SF were collected.
- Seven (7) samples of a homogenous surfacing material in quantities greater than 5,000 SF were collected.
- Three (3) samples of Thermal System Insulation (TSI) material were collected.
- Two (2) samples of each miscellaneous material were collected.

All Samples were analyzed via stop positive protocols.

Friable samples were analyzed using NYS ELAP Method 198.1 Polarized Light Microscopy (PLM). Non-friable organically bound (NOB) samples were analyzed using NYS ELAP Method 198.6 (PLM) and, if found to be negative, NYS ELAP Method 198.4 Transmission Electron Microscopy (TEM). Paradigm Environmental Services was the New York State Department of Health (NYSDOH) approved laboratory used for analysis. A copy of Paradigm's credentials is located in Attachment A.

One-hundred twenty one (121) bulk samples were collected from the building as part of this project. The sample identification number indicated on the Bulk Sample Location Plan corresponds to the homogeneous ID numbers which are also located on the laboratory analytical report, the bulk sample log, and the chain of custody forms. The Bulk Sample Location Plan, laboratory analytical report and the chain of custody forms are included in Attachment C.

3.2 PCB Caulks

Three (3) suspect PCB caulks were sampled during Lu Engineer's July 16, 2015 site investigation. The sample location is indicated on the Sample Location Plans included in Attachment B. The sample number indicated on the plans corresponds to the sample numbers on the laboratory analytical report and the chain of custody which are included in Attachment B.

The samples were submitted to Paradigm Environmental services, Inc, an NYSDOH certified laboratory. Bulk PCB samples were analyzed using EPA Method 8082. Paradigm's laboratory credentials are included in Attachment A

3.3 Lead Paint

Based on the age of the building, all painted surfaces are assumed to be lead containing.

4.0 ANALYTICAL RESULTS

4.1 Asbestos Results

As defined by the New York State Department of Labor (NYSDOL) 12 NYCRR 56, a sample is considered to be asbestos containing if it contains greater than 1% asbestos by weight based on laboratory analysis.

A list of Homogeneous Areas (HA) identified for each building area surveyed is included below. The **bold** and ***italicized*** HA description indicates that the material is positive, based on the sample results.

Homogeneous Area No. (HA)	Description	Condition	Results
1	White Cloth on Electric Wire	Good	NAD - NOB/TEM
2	***Grey Air Cell Pipe Insulation***	***Damaged***	***Chrysotile 57% - PLM***
3	***Grey Mudded Fitting***	***Damaged***	***Chrysotile 7.8% - PLM***
4	12”x12” Tan Floor Tile with Brown Streaks	Minor Damage	NAD - NOB/TEM
5	Tan Adhesive on Wood	Good	NAD - NOB/TEM
6	White Floor Leveler on Wood	Good	NAD - PLM
7	Black Mastic on Wood under 12”x12” Tan Floor Tile with Brown Streaks	Good	Trace Chrysotile <1.0% - NOB/TEM
8	White Plaster	Good	NAD - PLM
9	Grey Plaster	Good	NAD - PLM
10	Tan Ceramic Tile	Good	NAD - PLM
11	Tan Grout	Good	NAD - PLM
12	White Mastic	Good	NAD - NOB/TEM
13	White Drywall	Good	NAD - PLM
14	White Joint Compound	Good	NAD - PLM
15	Cream Tape	Good	NAD - PLM
16	2’x4’ White SAT Ceiling	Good	NAD - NOB/TEM
17	Tan Ceramic Tile	Good	NAD - PLM
18	Tan Grout	Good	NAD - PLM
19	Grey Set Bed	Good	NAD - PLM
20	White Caulk	Good	NAD - NOB/TEM
21	Tan Caulk on Countertop	Good	NAD - NOB/TEM
22	Tan Panel Adhesive	Good	NAD - NOB/TEM
23	2’x2’ Grey Textured Ceiling Tile	Good	NAD - NOB/TEM
24	Grey Window Glazing	Good	NAD - NOB/TEM
25	12”x12” Tan Floor Tile	Good	NAD - NOB/TEM

Homogeneous Area No. (HA)	Description	Condition	Results
26	4”x4” White Ceramic Tile	Good	NAD - PLM
27	White Grout	Good	NAD - PLM
28	Tan Adhesive	Good	NAD - NOB/TEM
29	Black and White Sheet Vinyl	Good	NAD - NOB/TEM
30	Tan 12”x12” Floor Tile with Blue Streaks	Good	NAD - NOB/TEM
31	White Door Glaze	Good	NAD - NOB/TEM
32	12”x12” Tan Floor Tile with Specks	Good	NAD - NOB/TEM
33	***Black Flashing***	***Good***	***Chrysotile 14% - NOB/PLM***
34	***Silver/Black Flashing***	***Good***	***Chrysotile 19% - NOB/PLM***
35	Black Shiny Curb Flashing	Good	NAD - NOB/TEM
36	Black Curb Flashing	Good	NAD - NOB/TEM
37	Black Shiny Tar	Good	NAD - NOB/TEM
38	Black Shiny Flashing	Good	NAD - NOB/TEM
39	***Tan Window Caulk***	***Good***	***Chrysotile 7.1% - PLM***
40	Grey Window Caulk	Good	NAD - NOB/TEM
41	Black Roofing	Good	Trace Chrysotile <1.0% - NOB/TEM
42	Grey Window Caulk	Good	Trace Chrysotile <1.0% - NOB/TEM
43	Black Flashing	Good	NAD - NOB/TEM
44	Silver/Black Tar	Good	Trace Chrysotile <1.0% - NOB/TEM
45	***Black Tar***	***Good***	***Chrysotile 2.8% - NOB/PLM***
46	***Black Tar/Tar Paper***	***Good***	***Chrysotile 9.4% - NOB/PLM***
47	***Black Tar***	***Good***	***Chrysotile 14% - NOB/PLM***
48	Black Tar Paper	Good	NAD - NOB/TEM
49	Black Tar	Good	NAD - NOB/TEM
50	Black Tar Paper	Good	NAD - NOB/TEM
51	Black Tar/Tar Paper	Good	Trace Chrysotile <1.0% - NOB/TEM
52	Shiny Black Tar/Tar Paper	Good	Trace Chrysotile <1.0% - NOB/TEM
53	Black Tar Paper	Good	NAD - NOB/TEM
54	Grey Plaster Ceiling	Good	NAD - PLM
55	Tan Ceramic Tile	Good	NAD - PLM
56	Grey Set Bed	Good	NAD - PLM

NAD – No Asbestos Detected
PLM- Polarized Light Microscopy NYS ELAP Method 198.1
NOB/TEM- Transmission Electron Microscopy NYS ELAP Method 198.4 and/or 198.6

4.2 PCB Caulk Results

EPA defines PCB bulk waste, "as waste derived from manufactured products containing PCBs in a non-liquid state, at any concentration where the concentration at the time of designation for disposal was > 50 ppm PCBs". Solid wastes containing 50 ppm by weight or greater are listed hazardous wastes in New York State (6 NYCRR Part 371.4 (e)).

The following table summarizes the PCB sampling results:

Sample No.	Description	PCB Content (ppm)	Asbestos Containing
PCB-39	Tan Window Caulk	<4.55	Yes
PCB-40	Grey Window Caulk	<4.81	No
PCB-42	Grey Window Caulk	<4.85	No

A ***bold and italicized*** Sample number indicates that the building material has a PCB concentration that is equal to or greater than 50 ppm based on analytical results.

4.3 Lead Paint Results

Based on the age of the building, all painted surfaces are assumed to be lead containing.

5.0 ASBESTOS MATERIALS AND APPROXIMATE QUANTITIES

Asbestos exists throughout the inspected areas. Based on the analytical results, the following table identifies the Homogeneous Areas that contain asbestos along with the material description and approximate quantity.

Homogeneous Area No. (HA)	Description	Approximate Quantity
2	Grey Air Cell Pipe Insulation	168 LF
3	Grey Mudded Fitting	31 LF
33	Black Flashing	136 LF
34	Silver/Black Flashing	68 LF
39	Tan Window Caulk	100 LF
45	Black Tar	1,920 SF
46	Black Tar/Tar Paper	1,920 SF
47	Black Tar	1,920 SF

SF = Square Feet
LF = Linear Feet

6.0 LIMITATIONS OF THE INVESTIGATION

- Inaccessible areas were not inspected (i.e., behind chase walls and above plaster ceilings).
- The condition of the suspect material is based on the actual inspection date.
- The building was an occupied, functioning building at the time of the survey.
- Quantities indicated on the inspection forms are based on the visual inspection and are only estimates of the material present. Additional quantities may exist, i.e. above ceilings and behind walls.
- This document does not represent an abatement design.

7.0 RECOMMENDATIONS

7.1 Asbestos Containing Materials

Asbestos containing materials have not been identified as part of this assessment as shown in Section 5.0. In accordance with 12 NYCRR 56, no demolition work shall be commenced by any owner or agent prior to completion of asbestos abatement performed by a licensed asbestos abatement contractor. NYSDOL regulations require that the asbestos containing material that will be disturbed by the demolition be removed prior to any demolition.

If suspect asbestos containing materials not identified in this pre-demolition asbestos survey report are discovered during the demolition process; it is required that the presence, location and quantity of newly discovered material, be conveyed within twenty-four (24) hours of discovery to the building owner or their representative. All activities must cease in the area where the presumed asbestos containing material or suspect miscellaneous ACM is found, until a licensed asbestos contractor appropriately assesses and manages the discovered materials.

7.2 PCB Caulk

Caulks containing 50 parts per million (ppm) by weight (on a dry weight basis for other than liquid wastes) or greater of PCBs may be listed as hazardous waste in accordance with New York State Department of Conservation regulations (6 NYCRR Part 371). PCB wastes are also regulated by EPA in the 40 CFR Part 761 regulations. There were no PCB's identified as part of this survey. Therefore, no further action is necessary with regards to PCB's in Caulk.

7.3 Lead Paint

According to the United States Environmental Protection Agency (USEPA), paint is considered lead based if the concentration is equal to or greater than 0.5% by weight. The Occupational Safety and Health Administration (OSHA) Regulation in 29 CFR 1926.62 considers any amount of lead in paint to be of concern. The regulation states that the employer shall assure that no employee is exposed to lead concentrations greater than fifty micrograms per cubic meter (50 mg/m^3) of air averaged over an eight hour period. A lead worker protection specification is recommended for the abatement and demolition project.

ASBESTOS, LEAD PAINT AND PCB CAULK PRE-DEMOLITION SURVEY REPORT

782 Albany Street
Schenectady, New York

Prepared For:

DePaul Properties
150 Mt. Hope Avenue
Rochester, New York

Prepared By:

Lu Engineers
ENVIRONMENTAL • TRANSPORTATION • CIVIL

175 Sully's Trail, Suite 202
Corporate Crossings Office Park
Pittsford, New York 14534

August 2015

Project No. 50225-09

ASBESTOS, LEAD PAINT AND PCB CAULK PRE-DEMOLITION SURVEY REPORT

782 Albany Street
Schenectady, New York

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ATTACHMENT C Sample Location Plans, Analytical Reports, and Chain of Custody Forms

ATTACHMENT D Asbestos Location Plans

1.0 INTRODUCTION

Lu Engineers was retained by DePaul Properties to provide an asbestos, lead paint and PCB caulk survey of the former bank located at 782 Albany Street, Schenectady, New York. Representative bulk samples of suspect asbestos containing materials were collected by NYSDOL certified inspectors from Lu Engineers. A copy of Lu Engineers' license and the inspectors' certifications can be found in Attachment A.

2.0 PROJECT OVERVIEW

The asbestos, lead paint and PCB caulk pre-demolition survey was conducted on June 25, 2015 June 26, 2015, and July 15, 2015. The intent of this survey was to determine the presence and quantity of asbestos containing materials for abatement purposes prior to building demolition. The asbestos survey was conducted in accordance with New York State Department of Labor (NYSDOL) Industrial Code Rule (ICR) 56.

2.1 Records Review

The original record drawings of the building were not available for review prior to conducting the pre-demolition survey.

3.0 SITE INSPECTION

3.1 Asbestos

One of the purposes of the visual inspection was to identify homogeneous areas of suspect asbestos containing materials that exist throughout the area of demolition. The Asbestos Hazard Emergency Response Act (AHERA) regulations define a homogeneous area as, "… an area of surfacing material, thermal insulation material, or miscellaneous material that is uniform in color and texture." Furthermore, homogeneous areas should consist of the same age and application.

The inspectors identified homogeneous areas that were present within the building. The suspect asbestos materials were given a homogeneous identification number based on color and texture of the material. A list of homogeneous area numbers of the materials encountered is included with the Asbestos Result Table in Section 4.0. Each room was given an identification (ID) number. The room ID number correlates with the ID number found on the Field Data Sheet in Attachment B. Roof core profiles are also included in Attachment B.

Occupational Safety and Health Administration (OSHA) and 40 CFR 763 Subpart E - Asbestos Hazard Emergency Response Act (AHERA) bulk sampling protocols were followed.

- Three (3) samples of a homogenous surfacing material in quantities of 1,000 Square Feet (SF) or less were collected.
- Five (5) samples of a homogenous surfacing material in quantities greater than 1,000 SF but less than 5,000 SF were collected.
- Seven (7) samples of a homogenous surfacing material in quantities greater than 5,000 SF were collected.
- Three (3) samples of Thermal System Insulation (TSI) material were collected.
- Two (2) samples of each miscellaneous material were collected.

All Samples were analyzed via stop positive protocols.

Friable samples were analyzed using NYS ELAP Method 198.1 Polarized Light Microscopy (PLM). Non-friable organically bound (NOB) samples were analyzed using NYS ELAP Method 198.6 (PLM) and, if found to be negative, NYS ELAP Method 198.4 Transmission Electron Microscopy (TEM). Paradigm Environmental Services was the New York State Department of Health (NYSDOH) approved laboratory used for analysis. A copy of Paradigm's credentials is located in Attachment A.

Ninety (90) bulk samples were collected from the vacant commercial building as part of this project. The sample identification number indicated on the Bulk Sample Location Plan corresponds to the homogeneous ID numbers which are also located on the laboratory analytical report, the bulk sample log, and the chain of custody forms. The Bulk Sample Location Plan, laboratory analytical report and the chain of custody forms are included in Attachment C.

3.2 PCB Caulks

One (1) suspect PCB caulk was sampled during Lu Engineer's June 25, 2015, site investigation. The sample location is indicated on the Sample Location Plans included in Attachment B. The sample number indicated on the plans correspond to the sample numbers on the laboratory analytical report and the chain of custody which are included in Attachment B,

The samples were submitted to Paradigm Environmental services, Inc, an NYSDOH certified laboratory. Bulk PCB samples were analyzed using EPA Method 8082. Paradigm's laboratory credentials are included in Attachment A

3.3 Lead Paint

Based on the age of the building, all painted surfaces are assumed to be lead containing.

4.0 ANALYTICAL RESULTS

4.1 Asbestos Results

As defined by the New York State Department of Labor (NYSDOL) 12 NYCRR 56, a sample is considered to be asbestos containing if it contains greater than 1% asbestos by weight based on laboratory analysis.

A list of Homogeneous Areas (HA) identified for each building area surveyed is included below. The **bold** and ***italicized*** HA description indicates that the material is positive, based on the sample results.

Homogeneous Area No. (HA)	Description	Condition	Results
1	White Plaster	Good	NAD - PLM
2	Grey Plaster	Good	NAD - PLM
3	Tan Carpet Adhesive	Good	NAD - NOB/TEM
4	Grey Drywall	Good	NAD - PLM
5	White Joint Compound	Good	NAD - PLM
6	Cream Tape	Good	NAD - PLM
7	Cream Cove Molding	Good	NAD - NOB/TEM
8	Tan Adhesive under Cream Cove Molding	Good	NAD - NOB/TEM
9	2'x2' White Textured Ceiling Tile	Good	NAD - PLM
10	Grey Floor Leveler	Good	NAD - PLM
11	White Floor Leveler	Good	NAD - PLM
12	White Sheet Vinyl	Good	NAD - NOB/TEM
13	Tan Adhesive under White Sheet Vinyl	Good	NAD - NOB/TEM
14	Tan Cloth Wire	Good	NAD - PLM
15	Yellow Adhesive under Stair Tread	Good	NAD - NOB/TEM
16	***Grey Air Cell Pipe Insulation***	***Damaged***	***Chrysotile 44% - PLM***
17	***Grey Mudded Fitting***	***Damaged***	***Chrysotile 67% - PLM***
18	Brown Wall Board	Good	NAD - PLM
19	Black Adhesive under Brown Wall Board	Good	NAD - NOB/TEM
20	Tan Sheet Flooring	Good	NAD - NOB/TEM
21	Tan Adhesive under Tan Sheet Flooring	Good	NAD - NOB/TEM
22	Grey Ceramic Tile	Good	NAD - PLM
23	Grey Set Bed	Good	NAD - PLM
24	White Caulk	Good	NAD - NOB/TEM

Homogeneous Area No. (HA)	Description	Condition	Results
25	Brown Pattern Linoleum	Good	NAD - NOB/TEM
26	Brown Adhesive under Brown Pattern Linoleum	Good	NAD - NOB/TEM
27	Tan Window Glaze	Damaged	Trace Chrysotile <1.0%-NOB/TEM
28	***Tan Window Caulk***	***Damaged***	***Chrysotile 10% - PLM***
29	1'x1' White Ceiling Tile	Good	NAD - NOB/TEM
30	Brown Glue Pucks	Good	NAD - NOB/TEM
31	White Drywall	Good	NAD - PLM
32	White Mortar	Good	NAD - PLM
33	***Black Tar Perimeter Flashing***	***Good***	***Chrysotile 5.4% - NOB/PLM***
34	Silver Coating	Good	NAD - NOB/TEM
35	***Black Flashing***	***Good***	***Chrysotile 16% - NOB/PLM***
36	***Black Tar***	***Good***	***Chrysotile 8.7% - NOB/PLM***
37	Brown Fiberboard	Good	NAD - PLM
38	***Black Tar***	***Good***	***Chrysotile 7.9% - NOB/PLM***
39	Black Tar Paper	Good	NAD - NOB/TEM
40	Silver/Black Tar	Good	NAD - NOB/TEM
41	Shiny Black Tar	Good	NAD - NOB/TEM
42	Black Tar Paper	Good	NAD - NOB/TEM
43	***Black Curb Flashing***	***Good***	***Chrysotile 4.3% - NOB/PLM***

NAD – No Asbestos Detected
PLM- Polarized Light Microscopy NYS ELAP Method 198.1
NOB/TEM- Transmission Electron Microscopy NYS ELAP Method 198.4 and/or 198.6

4.2 PCB Caulk Results

EPA defines PCB bulk waste, "as waste derived from manufactured products containing PCBs in a non-liquid state, at any concentration where the concentration at the time of designation for disposal was > 50 ppm PCBs". Solid wastes containing 50 ppm by weight or greater are listed hazardous wastes in New York State (6 NYCRR Part 371.4 (e)).

The following table summarizes the PCB sampling results:

Sample No.	Description	PCB Content (ppm)	Asbestos Containing
PCB-28	Tan Window Caulk	<4.55	Yes

A ***bold and italicized*** Sample number indicates that the building material has a PCB concentration that is equal to or greater than 50 ppm based on analytical results.

4.3 Lead Paint Results

Based on the age of the building, all painted surfaces are assumed to be lead containing.

5.0 ASBESTOS MATERIALS AND APPROXIMATE QUANTITIES

Asbestos exists throughout the inspected areas. Based on the analytical results, the following table identifies the Homogeneous Areas that contain asbestos along with the material description and approximate quantity.

Homogeneous Area No. (HA)	Description	Approximate Quantity
16	Grey Air Cell Pipe Insulation	268 LF
17	Grey Mudded Fitting	35 LF
28	Tan Window Caulk	490 LF
33	Black Tar Perimeter Flashing	76 LF
35	Black Flashing	8 LF
36	Black Tar	184 LF
38	Black Tar	1,792 SF
43	Black Curb Flashing	11 LF

6.0 LIMITATIONS OF THE INVESTIGATION

- Inaccessible areas were not inspected (i.e., behind chase walls and above plaster ceilings).
- The condition of the suspect material is based on the actual inspection date.
- The building was an occupied, functioning building at the time of the survey.
- Quantities indicated on the inspection forms are based on the visual inspection and are only estimates of the material present. Additional quantities may exist, i.e. above ceilings and behind walls.
- This document does not represent as an abatement design.
- The vault was locked and inaccessible during the survey.

7.0 RECOMMENDATIONS

7.1 Asbestos Containing Materials

Asbestos containing materials have not been identified as part of this assessment as shown in Section 5.0. In accordance with 12 NYCRR 56, no demolition work shall be commenced by any owner or agent prior to completion of asbestos abatement performed by a licensed asbestos abatement contractor. NYSDOL regulations require that the asbestos containing material that will be disturbed by the demolition be removed prior to any demolition.

If suspect asbestos containing materials not identified in this pre-demolition asbestos survey report are discovered during the DEMOLITION process; it is required that the presence, location and quantity of newly discovered material, be conveyed within twenty-four (24) hours of discovery to the building owner or their representative. All activities must cease in the area where the presumed asbestos containing material or suspect miscellaneous ACM is found, until a licensed asbestos contractor appropriately assesses and manages the discovered materials.

7.2 PCB Caulk

Caulks containing 50 parts per million (ppm) by weight (on a dry weight basis for other than liquid wastes) or greater of PCBs may be listed as hazardous waste in accordance with New York State Department of Conservation regulations (6 NYCRR Part 371). PCB wastes are also regulated by EPA in the 40 CFR Part 761 regulations. There were no PCB's identified as part of this survey. Therefore, no further action is necessary with regards to PCB's in Caulk.

7.3 Lead Paint

According to the United States Environmental Protection Agency (USEPA), paint is considered lead based if the concentration is equal to or greater than 0.5% by weight. The Occupational Safety and Health Administration (OSHA) Regulation in 29 CFR 1926.62 considers any amount of lead in paint to be of concern. The regulation states that the employer shall assure that no employee is exposed to lead concentrations greater than fifty micrograms per cubic meter (50 mg/m^3) of air averaged over an eight hour period. A lead worker protection specification is recommended for the abatement and demolition project.

PART 1 GENERAL

1.01 SCOPE OF WORK

A. The Asbestos Abatement Contractor, Herein referred to as the Contractor will be responsible for performing all work in strict accordance with the Project Documents and all governing codes, rules, and regulations. Where conflicts occur between the Project Documents and applicable codes, rules, and regulations, the more stringent shall apply. Unless otherwise expressly indicated, the requirements of this specification are solely the Contractor's responsibility.

B. This asbestos abatement Project will consist of the removal and disposal of asbestos containing materials and associated asbestos contaminated materials at the following addresses:

- 770 Albany Street, Schenectady, New York
- 772 Albany Street, Schenectady, New York
- 774 Albany Street, Schenectady, New York
- 776 Albany Street, Schenectady, New York
- 778 Albany Street, Schenectady, New York
- 780 Albany Street, Schenectady, New York
- 782 Albany Street, Schenectady, New York

C. The work shall include but not be limited to the removal of asbestos containing materials indicated in the Asbestos, Lead Paint and PCB Caulk Survey reports prepared by Lu Engineers dated August 2015.

D. The Contractor shall be aware of all conditions of the Project and is responsible for verifying quantities and locations of all Work to be performed. Failure to do so shall not relieve the Contractor of its obligation to furnish all labor and materials necessary to perform the Work.

E. The Contractor shall coordinate all work with the work of other trades.

1.02 SPECIAL JOB CONDITIONS

A. None Specified.

1.03 PERMITS AND COMPLIANCE

A. The Contractor shall assume full responsibility and liability for compliance with all applicable Federal, State, and local laws, rules, and regulations pertaining to Work practices, protection of Workers, authorized visitors to the site, persons, and property adjacent to the Work.

B. Perform asbestos related Work in accordance with New York State Industrial Code Rule 56, 40 CFR 61, and 29 CFR 1926, as specified herein.

C. The Contractor must maintain current licenses pursuant to New York State Department of Labor and Department of Environmental Conservation for all Work related to this Project, including the removal, handling, transport, and disposal of asbestos containing materials.

D. The Contractor must have and submit proof upon request that any persons employed by the Contractor to engage in or supervise Work on any asbestos Project have a valid NYS asbestos handling certificate pursuant to Industrial Code Rule 56.

E. The Contractor shall comply fully with any variances secured from regulatory agencies. Should the Contractor choose to apply for any variance, approval of the Owner's Representative is first required.

F. It is the sole responsibility of the Contractor to determine what, if any, patents are applicable to the Project. The Contractor shall pay all royalties and/or license fees. The Contractor shall defend all suits or claims for infringement of any patent rights and save the Owner, Architect, Engineer, Owner's Representative, and Construction Manager harmless from loss, including attorney's fees, on account thereof.

G. Failure to adhere to the Project Documents shall constitute a breach of the Contract and the Owner shall have the right to and may terminate the Contract provided, however, the failure of the Owner to so terminate shall not relieve the Contractor from future compliance.

1.04 SUBMITTALS

A. Pre-Abatement Submittals: No work shall begin until these submittals are returned with the Owner Representative's approved action stamp. The Contractor shall submit electronic copies of the documents listed below:

1. Permits, Licenses, Notifications, and Certifications:
   A. New York State Department of Labor (NYSDOL) Asbestos Contractor License.
   B. NYSDOL Asbestos Handler or Supervisor Certificate for each employee who works on the project.
   C. Copy of DOH-2832 form or equivalent proof of training for each handler or supervisor who works on the project.
   D. NESHAPS Notification (include proof of transmittal i.e. certified mail return receipt), if applicable.
   E. NYSDOL Notification (include proof of transmittal i.e. certified mail return receipt) including amendments.
   F. Copies of all variances, amendments and re-openings being used for the project, if applicable.
   G. Any other Notifications: As required by Federal, State, and local regulatory agencies together with proof of transmittal (i.e. certified mail return receipt).
   H. NYSDEC Part 364 Waste Haulers Permit
   I. NYSDEC Part 360 Solid Waste Disposal Permit (or out of state equivalent)
   J. New York State Department of Health (NYSDOH) Approved Laboratory Certification for required OSHA air sampling.

2. Equipment: The Contractor shall submit the Manufacturer's information on all of the following equipment:
   A. HEPA Vacuums
   B. Negative Air Pressure Equipment
   C. Manometers. (Note: if magnahelic manometers are used, submit calibration certification required semi-annually).
   D. Respirators (including filter cartridges)
   E. Protective Clothing
   F. Polyethylene Sheeting
   G. Duct Tape
   H. Disposal Bags

3. Material Safety Data Sheets (MSDS): The Contractor shall submit copies of MSDS for each chemical or material used for projects including but not limited to:
   A. Encapsulants
   B. Remover/Solvents
   C. Cleaner/Disinfectants
   D. Surfactants

4. Preliminary Schedule: provide an estimate of manpower to be utilized and the time required for completion of each major work area. Include estimated size and number of crews and work shifts.

B. On-Site Information: Refer to Code Rule 56, Subpart 7.3, Asbestos Abatement Contractor Daily Project Logs and Subpart 3.4(a)(2) Project Record.

C. Post Abatement Submittals: The Contractor shall submit electronic copies of the documents listed below:
   1. The name, address, NYS Department of Motor Vehicle Photo Identification Card number, last four digits of social security number and asbestos certificate number of the person who supervised the asbestos project.
   2. The location and description of the asbestos project.
   3. The amount of asbestos or asbestos material (including asbestos contaminated elements) that was abated.
   4. The commencement and completion dates of the project.
   5. The name, asbestos handling license number, and address of the air sampling asbestos contractor that was used on the project.
   6. The name, address and current NYS ELAP registration number of the laboratory that was used for air sample analysis on the project.
   7. The name, asbestos handling license number, and address of the project monitoring asbestos contractor that was used on the project.
   8. The name and address of the deposit or waste disposal site or sites where the asbestos waste material was deposited or disposed.
   9. The name and address of any sites that were used for the interim storage of asbestos or asbestos waste materials prior to final deposit or disposal.
   10. The name and address of any transporter(s) that were used to transport asbestos or asbestos material.
   11. The name, addresses, NYS Department of Motor Vehicle Photo Identification Card number, last four digits of social security number and asbestos license or certificate number of all persons who were engaged on that portion of the asbestos project for which the asbestos contractor has responsibility.
   12. Copy of the asbestos abatement supervisor's daily project log specified in 56-7.3.
   13. Copy of all waste disposal manifests, and disposal logs.

1.05 APPLICABLE STANDARDS AND REGULATIONS

A. The Contractor shall comply with the codes and standards referenced in section 1.05 of this specification, except where more stringent requirements are shown or specified:

B. Federal Regulations:
   1. 29 CFR 1910.1001, "Asbestos" (OSHA)
   2. 29 CFR 1910.1200, "Hazard Communication" (OSHA)
   3. 29 CFR 1910.134, "Respiratory Protection" (OSHA)
   4. 29 CFR 1910.145, "Specification For Accident Prevention Signs and Tags" (OSHA)
   5. 29 CFR 1910.146 “Permit Required Confined Space” (OSHA)
   6. 29 CFR 1926, "Safety And Health Regulations For Construction" (OSHA)
   7. 29 CFR 1926.1101, "Asbestos " (OSHA)
   8. 29 CFR 1926.500 "Guardrails" (OSHA)
   9. 40 CFR 61, Subpart A, "General Provisions" (EPA)
   10. 40 CFR 61, Subpart M, "National Emission Standard for Asbestos" (EPA)
   11. 49 CFR 171-172, Transportation Standards (DOT)

C. New York State Regulations:
   1. 12 NYCRR, Part 56, "Asbestos", Industrial Code Rule 56 (DOL)
   2. 6 NYCRR, Parts 360, 364, Disposal and Transportation (DEC)
   3. 10 NYCRR, Part 73, "Asbestos Safety Program Requirements" (DOH)

D. Local Regulations:
   None Specified.

E. Standards and Guidance Documents:
   1. American National Standard Institute (ANSI) Z88.2-80, Practices for Respiratory Protection
   2. ANSI Z9.2-79, Fundamentals Governing the Design and Operation of Local Exhaust Systems
   3. EPA 560/585-024, Guidance for Controlling Asbestos Containing Materials in Buildings (Purple Book)
   4. EPA 530-SW-85-007, Asbestos Waste Management Guidance

1.06 NOTICES

A. The Contractor shall provide notification for a Large Scale Project of intent to commence asbestos abatement activities as indicated below. In cases where a project is in multiple buildings, notices shall be completed for each building.
   1. At least ten (10) Working days prior to beginning abatement activities, send written notification to:

      U.S. Environmental Protection Agency – Region 2
      National Emissions Standards for Hazardous Air Pollutants (NESHAPS) Coordinator
      290 Broadway
      New York, NY 10007-1866

   2. At least ten (10) days prior to beginning abatement activities send written notification to:

      New York State Department of Labor
      Worker Protection Central Processing
      Asbestos Project Notification- Room 290B
      State Campus – Bldg.12
      Albany, NY 12240

B. The Contractor shall post and/or provide Building Occupant Notification at least 10 days prior to beginning abatement activities as required by NYS Industrial Code Rule 56. The posting shall include the following information:
   1. The locations of the abatement Project.
   2. The amounts and types of asbestos containing materials being abated.
   3. The commencement and completion dates of the Project.
   4. The name and asbestos license number of the abatement Contractor.
   5. The name and address of the Air Monitoring Firm and laboratory.

1.07 PROJECT MONITORING AND AIR SAMPLING

A. The Owner shall engage the services of an independent Air Monitoring Firm.

B. The Owner shall engage the services of a Project Monitoring Firm who shall serve as the Owner's Representative in regard to the performance of the asbestos abatement Project and provide direction as required throughout the entire abatement period.

C. The Contractor is required to ensure cooperation of its personnel with the Air and Project Monitoring Firms for the Air and Project monitoring functions. The Contractor shall comply with all direction given by the Project Monitor during the course of the Project.

D. The Project Monitoring Firm shall staff the Project with a trained and certified person(s) to act on the Owner's behalf at the job site. This individual shall be designated as the Abatement Project Monitor.
   1. The Project Monitor shall have the authority to direct the actions of the Contractor verbally and in writing to ensure compliance with the Project documents and all regulations. The Project Monitor shall have the authority to Stop Work when gross Work practice deficiencies or unsafe practices are observed, or when ambient fiber concentrations outside the removal area exceed 0.01f/cc or the background level.
      a. Such Stop Work order shall be effective immediately and remain in effect until corrective measures have been taken and the situation has been corrected.
      b. Standby time required to resolve the situation shall be at the Contractor's expense.

E. The Independent Air Monitoring Firm hired by the Owner shall provide abatement air sampling and analysis as required by applicable regulations. Sampling will include background, work area preparation, during-abatement, and clearance sampling per Code Rule 56 requirements. In addition, for tent removals, a minimum of at least one clearance sample inside and outside shall be collected in each tent. Additional samples shall be collected in accordance with small or large Project requirements if cumulative Project quantities exceed those of a minor Project.
   1. If the air sampling during abatement reveals airborne fiber levels at or above 0.01 fibers/cc or the background level (whichever is greater) outside the Work Area, then an immediate Stop Work order shall be issued. The Contractor shall then inspect the barriers for leakage and HEPA vacuum and/or wet clean the surface outside the Work Area. The Contractor shall bear the burden of any and all costs incurred by this delay.
   2. Should air sampling results fail for a work area, the cost associated with the additional air monitoring and technician time shall be borne by the Contractor.

1.08 CONTRACTOR AIR SAMPLING

A. The Contractor shall conduct air sampling that is representative of both the 8-hour time weighted average and 30-minute short-term exposures to indicate compliance with the permissible exposure and excursion limits. A negative exposure assessment will not relieve the Contractor from wearing respiratory protection.

B. The Contractor's laboratory analysis of air samples shall be conducted by an NYSDOH ELAP approved laboratory, subject to approval of the Owner’s Representative.

C. Results of personnel air sample analyses shall be available, verbally, within twenty-four (24) hours of sampling and shall be posted upon receipt. Written laboratory reports shall be delivered and posted at the Work site within five (5) days.

1.09 PROJECT SUPERVISOR

A. The Contractor shall designate a full-time Project Supervisor who shall meet the following qualifications:
   1. The Project Supervisor shall hold New York State certification as an Asbestos Supervisor.
   2. The Project Supervisor shall meet the requirements of a "Competent Person" as defined by OSHA 1926.1101 and shall have a minimum of one year experience as a supervisor.

B. If the Project Supervisor is not on-site at any time whatsoever, all Work shall be stopped. The Project Supervisor cannot be removed from the Project without the written consent of the Owner and the Owner’s Representative. The Project Supervisor shall be removed from the Project if so requested by the Owner.

C. The Project Supervisor shall be responsible for the performance of the Work and shall represent the Contractor in all respects at the Project site. The Supervisor shall be the primary point of contact for the Asbestos Project Monitor.

1.10 DELIVERY AND STORAGE

A. The Contractor shall deliver all materials to the job site in original packages with containers bearing manufacturer's name and label.

B. The Contractor shall store all materials at the job site in a suitable and designated area.
   1. Store materials subject to deterioration or damage away from wet or damp surfaces and under cover.
   2. Protect materials from unintended contamination.

C. The Contractor shall remove damaged or deteriorated materials from the job site. Materials contaminated with asbestos shall be disposed of as asbestos debris as herein specified.

1.11 TEMPORARY UTILITIES

A. The Contractor shall provide sufficient temporary electric power to complete the abatement project in a timely manner. The Contractor shall provide Ground Fault Circuit Interrupters (GFCI) located at the source for all electric requirements within the asbestos Work Area.
   1. Where available, the Contractor can obtain temporary electric power from Owner's existing system. Otherwise provide power from other sources (i.e. generator).
   2. The Contractor shall provide temporary wiring and "weatherproof" receptacles in sufficient quantity and location to serve all HEPA equipment and tools.
   3. The Contractor shall provide wiring and receptacles as required by the Air Sampling Technician for air sampling equipment.
   4. All power to the Work Area shall be brought in from outside the area through GFCI's at the source.

B. The Contractor shall provide temporary lighting with "weatherproof" fixtures for all Work Areas including decontamination chambers.
   1. The entire Work Area shall be kept illuminated at all times.
   2. The Contractor shall provide lighting as required by the Project Monitor for the purposes of performing required inspections.

C. All temporary devices and wiring used in the Work Area shall be capable of decontamination procedures including HEPA vacuuming and wet-wiping.

D. Utilize domestic water service, if available, from Owner's existing system. The Contractor shall provide hot water heaters with sufficient capacity to meet Project demands.

PART 2 PRODUCTS

2.01 PROTECTIVE CLOTHING

A. The Contractor shall provide personnel utilized during the Project with disposable protective whole body clothing, head coverings, gloves and foot coverings as well as provide disposable plastic or rubber gloves to protect hands. Cloth gloves may be worn inside the plastic or rubber for comfort, but shall not be used alone. Make sleeves secure at the wrists and make foot coverings secure at the ankles by the use of tape, or provide disposable coverings with elastic wrists or tops.

B. The Contractor shall provide sufficient quantities of protective clothing to assure a minimum of four (4) complete disposable outfits per day for each individual performing abatement Work including the air/project monitor.

C. Eye protection and hard hats shall be provided by the Contractor and made available for all personnel entering any Work Area.

D. The Contractor shall provide Authorized visitors with suitable protective clothing, headgear, eye protection, and footwear whenever they enter the Work Area.

2.02 SIGNS AND LABELS

A. Generator identification information shall be affixed to each waste container indicating the following printed in indelible ink:

Generator Name: DePaul Properties Inc.
Facility Name: Former Commercial Building
Facility Address: (Address) Albany Street, Schenectady, NY

2.03 PROJECT LOG BOOK

A. The Project Supervisor shall document all Work performed daily and note all inspections required by NYS Industrial Code Rule 56, i.e. testing and inspection of barriers and enclosures.

2.04 SCAFFOLDING AND LADDERS

A. The Contractor shall provide all scaffolding and/or staging as necessary to accomplish the Work of this Contract. Scaffolding may be of suspension type or standing type such as metal tube and coupler, tubular welded frame, pole or outrigger type or cantilever type. The type, erection and use of all scaffolding and ladders shall comply with all applicable OSHA construction industry standards.

B. The Contractor shall provide scaffolding and ladders as required by the Owner's Representative for the purposes of performing required inspections.

2.05 DISPOSAL BAGS, DRUMS, AND CONTAINERS

A. Provide 6-mil polyethylene disposal bags printed with asbestos danger labels. Bags shall also be imprinted with U.S. Department of Transportation required markings.

B. Provide 30- or 55-gallon capacity fiber or metal drums capable of being sealed air and water tight if asbestos waste has the potential to damage or puncture disposal bags. Affix asbestos danger labels on lids and at one-third points around drum circumference to assure ready identification.

C. Containers and bags must be labeled with the names of the waste generator and the location at which the waste was generated in accordance with 40 CFR Part 61 NESHAPS.

D. Labeled ACM waste containers or bags shall not be used for non-ACM waste or trash. Any material placed in labeled containers or bags, whether turned inside out or not shall be handled and disposed of as ACM waste.

2.06 HEPA VACUUM EQUIPMENT

A. All vacuuming performed under this contract shall be performed with High Efficiency Particulate Absolute (HEPA) filter equipped industrial vacuums conforming to ANSI Z9.2.

B. Provide tools and specialized equipment including scraping nozzles with integral vacuum hoods connected to a HEPA vacuum with flexible hose.

C. Each HEPA equipped vacuum shall be equipped with a HEPA filter that has never been used or each HEPA equipped vacuum must be inspected and tested prior to being brought on site for the proper operation and performance of the HEPA filter. Inspection and testing shall be in accordance with the manufacturer's recommendations. Proof of inspection and testing for each HEPA equipped vacuum must be made available to the Owner or Owner's Representative upon request. Each HEPA equipped vacuum must be tagged with the date of the last HEPA filter change.

2.07 POWER TOOLS

A. Power tools used to drill, cut into, or otherwise disturb asbestos material shall be equipped with HEPA filtered local exhaust ventilation.

B. Each HEPA equipped power tool shall be equipped with a HEPA filter that has never been used or each HEPA equipped power tool must be inspected and tested prior to being brought on site for the proper operation and performance of the HEPA filter. Inspection and testing shall be in accordance with the manufacturer's recommendations. Proof of inspection and testing for each HEPA equipped power tool must be made available to the Owner or Owner's Representative upon request. Each HEPA equipped power tool must be tagged with the date of the last HEPA filter change.

2.08 HEPA EQUIPPED NEGATIVE AIR UNITS

A. Each HEPA equipped negative air unit shall be equipped with a HEPA filter that has never been used or each HEPA equipped negative air unit must be inspected and tested prior to being brought on site for the proper operation and performance of the HEPA filter. Inspection and testing shall be in accordance with the manufacturer's recommendations. Proof of inspection and testing for each HEPA negative air unit must be made available to the Owner or Owner's Representative upon request. Each HEPA equipped negative air unit must be tagged with the date of the last HEPA filter change. At a minimum the Primary HEPA filter must be replaced every 600 hours.

B. Each negative air unit must be capable of fitting through a standard door or access hatch where required.

2.09 POLYETHYLENE SHEETING

A. All polyethylene (plastic) sheeting used on the Project (including but not limited to sheeting used for critical and isolation barriers, fixed objects, walls, floors, ceilings, waste container) shall be at least 6-mil fire retardant sheeting.

B. Decontamination enclosure systems shall utilize at least 6-mil opaque fire retardant plastic sheeting. At least two (2) layers of 6-mil reinforced fire retardant plastic sheeting shall be used for the decontamination enclosure flooring.

PART 3 EXECUTION

3.01 GENERAL REQUIREMENTS

A. Should the area beyond the Work Area(s) become contaminated with asbestos containing materials or elevated fiber levels, immediately stop Work and institute emergency procedures. Contaminated non-Work Areas shall be isolated and decontaminated in accordance with procedures established for asbestos removal. All costs incurred in decontaminating such non-Work Areas and the contents thereof shall be borne by the Contractor, at no additional cost to the Owner. Abatement work shall not continue in the work area until satisfactory clearance air samples prove the non-work areas are properly decontaminated.

B. Prior to decontamination enclosure construction and Work Area preparation the Work Area must be vacated by non-certified persons and building occupants.

C. All demolition necessary to access asbestos containing materials for removal must be conducted within negative pressure enclosures by licensed asbestos workers. Demolition debris may be disposed of as construction and demolition debris provided the Asbestos Project Monitor determines that it is not contaminated with asbestos. Demolition debris contaminated with asbestos must be disposed of as asbestos waste.

D. Alterations to the abatement procedures outlined in this specification shall be allowed if approval is obtained from the Owner’s Representative and a variance from ICR 56 is granted by the NYSDOL. The Contractor must follow the owner’s representative’s conditions as well as all variance conditions if alterations to abatement procedures are approved.

E. Comply with the rules and regulations referenced in Part 1 of this Section.

3.02 REMOVAL OF ASBESTOS CONTAINING MATERIALS

A. The Contractor shall remove asbestos containing materials in accordance with the Contract Documents and the approved Asbestos Work Plan.

3.03 ROOF and WINDOW REMOVALS (IF APPLICABLE)

A. The Contractor is required to provide temporary protection of the roof and window openings at the end of each Work shift so as to maintain the area in a watertight condition. – Not Applicable.

3.04 RESTORATION OF UTILITIES, FIRE STOPPING, AND FINISHES

A. After final clearance remove locks and restore electrical and HVAC systems. All temporary power shall be disconnected, power lockouts removed and power restored. All temporary plumbing shall be removed.

B. Finishes damaged by asbestos abatement activities including, but not limited to, plaster/paint damage due to duct tape and spray adhesives, and floor tile lifted due to wet or humid conditions, shall be restored prior to final payment.
   1. Finishes unable to be restored shall be replaced under this Contract.
   2. All foam and expandable foam products and materials used to seal Work Area openings shall be completely removed upon completion of abatement activities.

C. All penetrations (including, but not limited to, pipes, ducts, etc.) through fire rated construction shall be fire stopped using materials and systems tested in accordance with ASTM E814 on projects where re-insulation is part of the required work.

PART 4 DISPOSAL OF ASBESTOS WASTE

4.01 APPLICABLE REGULATIONS

A. All asbestos waste shall be stored, transported and disposed of in accordance with the following regulations as a minimum:
   1. NYS DEC 6 NYCRR Part 360 and 364
   2. US EPA NESHAPS 40 CFR 61
   3. US EPA Asbestos Waste Management Guidance EPA/530-SW85

4.02 TRANSPORTATION AND DISPOSAL SITE

A. The Contractor's Hauler and Disposal Site shall be approved by the Owner.

B. The Hauler, with the Contractor and the Owner's Representative, shall inspect all material in the transport container prior to taking possession and signing the Asbestos Waste Manifests.

C. Unless specifically approved by the Owner, the Contractor shall not permit any off-site transfers of the waste or allow the waste to be transported or combined with any other off-site asbestos material. The Hauler must travel directly to the disposal site with no unauthorized stops.

4.03 WASTE STORAGE CONTAINERS

A. All waste containers shall be fully enclosed and lockable (i.e. enclosed dumpster, trailer, etc.). No open containers will be permitted on-site (i.e. open dumpster with canvas cover, etc.) unless specifically permitted by a site specific variance.

B. The Owner's Representative shall verify that the waste storage container tags (license plates) match that listed on the New York State Department of Environmental Conservation Part 364 permit. Any container not listed on the permit shall be removed from the site immediately.

C. The container shall be plasticized and sealed with a minimum of two (2) layer of 6 mil polyethylene on the sides and two (2) layers of 6 mil polyethylene on the floor. Once on site, it shall be kept locked at all times, except during loading.

D. While on-site, all four sides of the container shall be labeled with EPA Danger signage:

DANGER
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
CANCER AND LUNG DISEASE HAZARD

E. The New York State Department of Environmental Conservation Asbestos Hauler's Permit number shall be stenciled on both sides and back of the container.

F. The container is not permitted to be loaded unless it is properly plasticized, has the appropriate danger signage affixed, and has the permit number appropriately stenciled on the container.

G. The waste container(s) shall be located on site in such a location that the waste can be directly carried by hand or covered cart from the waste decontamination enclosure to the waste container(s).

H. The waste shall be removed from site no later than 10 calendar days from project completion. Delay in removing waste from site may prevent the Contractor from obtaining the retainage withheld.

APPENDIX A

VARIANCES

(None Specified)

PART 1 - GENERAL

1.01 SCOPE

A. Drawings and general provisions of the Contract, including General and Supplementary Conditions and other Division 01 Specification Sections, apply to this Section.

B. Contractors are alerted to the fact that the paint coating on surfaces in this project contains lead. Lead is a toxic metal capable of causing damage to the nervous system, kidneys, bones, heart and reproductive system.

C. Any surface coated with paint is considered to contain some percentage of lead, based on the age of the building. Any alteration and/or repair, including painting and decorating shall meet the requirements of OSHA CFR 29 1926.62 Construction Lead Standard.

1.02 SUBMITTALS

A. Contractors of each trade shall submit their written Lead Program prior to the start of work. The plan must identify potential sources of lead exposure and propose specific procedures to protect workers from those exposures.

1.03 DEFINITIONS

A. **Action Level** means employee exposure, without regard to the use of respirators, to an airborne concentration of lead of 30 micrograms per cubic meter of air (30 ug/m^3) calculated as an 8-hour time weighted average (TWA).

B. **Exposure Assessment** means a Contractor's requirement to determine if any Contractor's employees may be exposed to lead at or above the action level.

C. **Lead** means metallic lead, all inorganic lead compounds and organic lead soaps. Excluded from this definition are all other organic lead compounds.

D. **Permissible Exposure Limit** means employee exposure, without the use of respirators, to an airborne concentration of lead of 50 ug/m^3 averaged over an 8-hour period.

PART 2 - PRODUCTS

None Specified.

PART 3 - EXECUTION

3.01 PROTECTION OF WORKERS

A. All Contractors shall be responsible to conduct an exposure assessment and shall initially determine if any Contractor's employee may be exposed to lead at or above the action level. Until the Contractor performs a Contractor's employee exposure assessment, the Contractor shall provide to Contractor's employees interim protection as specified in 29 CFR 1926.62, as follows:
   1. Appropriate respiratory protection
   2. Appropriate personal protective clothing and equipment
   3. Change areas
   4. Hand Washing Facilities
   5. Biological Monitoring to consist of blood sampling and analysis for lead and zinc protoporphyrin levels
   6. Training

3.02 EXPOSURE ASSESSMENT

A. The Contractor shall collect personal samples representative of a full shift including at least one sample for each job classification in each work area either for each shift or for the shift with the highest exposure.
   1. **Below the Action Level** - should the initial personal air monitoring results be less than 30 ug/m^3 the Contractor shall make a written record of such determination. Further exposure determination need not be repeated except as follows:

a. Whenever there has been a change of equipment, process, control, personnel or a new task has been initiated that may result in additional employees being exposed to lead at or above the action level or may result in employees already exposed at or above the action level being exposed above the PEL, the employer shall conduct additional monitoring.

2. **At or Above the Action Level but At or Below the PEL** - the Contractor shall perform monitoring until at least two consecutive measurements taken at least 7 days apart, are below the action level at which time the Contractor may discontinue monitoring for that employee except as otherwise provided in paragraph 3.02.A.1.a.

3. **Above the PEL** - the Contractor shall perform monitoring until at least two consecutive measurements taken at least 7 days apart, are at or below the PEL but at or above the action level at which time the Contractor shall repeat monitoring for that Contractor's employee as specified in 3.02.A.2.

3.03 METHODS OF COMPLIANCE

A. To the extent feasible, Contractors must reduce worker lead exposure to the Permissible Exposure Limit (PEL) of 50 ug/m^3 by a combination of engineering controls, work practice, and administrative controls.

B. Respiratory protection and other protective equipment must be provided and used to the extent that the engineering and work practice controls cannot reduce exposure to the PEL as specified within 29 CFR 1926.62.

3.04 HOUSEKEEPING (required whenever lead is disturbed)

A. All surfaces shall be maintained as free as practical of accumulations of lead.

B. Clean up of floors and other surfaces where lead accumulates shall wherever possible be cleaned by vacuuming or other methods that minimize the likelihood of lead becoming airborne.

C. Shoveling, dry or wet sweeping and brushing may be used only where vacuuming or other equally effective methods have been tried and found not to be effective.

D. Where vacuuming methods are selected, the vacuums shall be equipped with HEPA filters and used and emptied in a manner which minimizes the reentry of lead into the workplace.

E. Compressed air shall not be used to remove lead from any surface unless the compressed air is used in conjunction with a ventilation system designed to capture the airborne dust created by the compressed air.

3.05 HYGIENE FACILITIES AND PRACTICES (required above the PEL)

A. The Contractor shall assure that in areas where Contractor's employees are exposed to lead above the PEL without regard to the use of respirators, food or beverage is not present or consumed, tobacco products are not present or used, and cosmetics are not applied.

B. Change Areas (required above the PEL and during exposure assessment)
   1. The Contractor shall provide clean change areas for employees whose airborne exposure to lead is above the PEL, and as interim protection for employees.
   2. The Contractor shall assure that change areas are equipped with separate storage facilities for protective work clothing and equipment and for street clothes which prevent cross-contamination.
   3. The Contractor shall assure that Contractor's employees do not leave the workplace wearing any protective clothing or equipment that is required to be worn during the work shift.

C. Showers (required above the PEL)
   1. The Contractor shall provide shower facilities, where feasible, for use by Contractor's employees whose airborne exposure to lead is above the PEL.

   2. The Contractor shall assure where shower facilities are available, that Contractor's employees shower at the end of the work shift and shall provide an adequate supply of cleansing agents and towels for use by affected Contractor's employees.

D. Eating Facilities (required above the PEL)
   1. The Contractor shall provide lunchroom facilities or eating areas for Contractor's employees whose airborne exposure to lead is above the PEL, without regard to the use of respirators.
   2. The Contractor shall assure that lunchroom facilities or eating areas are as free as practicable from lead contamination and are readily accessible to Contractor's employees.
   3. The Contractor shall assure that Contractor's employees whose airborne exposure to lead is above the PEL, without regard to the use of a respirator, wash their hands and face prior to eating, drinking, smoking or applying cosmetics.
   4. The Contractor shall assure that Contractor's employees do not enter lunchroom facilities or eating areas with protective work clothing or equipment unless surface lead dust has been removed by vacuuming, downdraft booth, or other cleaning method that limits dispersion of lead dust.

E. Handwashing Facilities (required whenever lead is disturbed)
   1. The Contractor shall provide adequate handwashing facilities for use by Contractor's employees exposed to lead.
   2. Where showers are not provided the Contractor shall assure that Contractor's employees wash their hands and face at the end of the work shift.

3.06 MEDICAL SURVEILLANCE (required whenever lead is disturbed)

A. The Contractor is responsible for providing medical examinations and maintaining medical records of personnel as required by 29 CFR 1926.62 (j) Medical Surveillance.

3.07 TRAINING (required whenever lead is disturbed)

A. For all Contractor's employees who are subject to exposure to lead at or above the action level on any day or who are subject to exposure to lead compounds which may cause skin or eye irritation, the Contractor shall provide a training program in accordance with 29 CFR 1926.62 (l)(2).

3.08 SIGNS (required above the PEL)

A. The Contractor shall post the following warning signs in each work area where Contractor's employees exposure to lead is above the PEL.

WARNING
LEAD WORK AREA
POISON
NO SMOKING OR EATING

B. The Contractor shall assure that signs are illuminated and cleaned as necessary so that the legend is readily visible.

3.09 RECORDKEEPING (required whenever lead is disturbed)

A. The Contractor is responsible to establish and maintain an accurate record of all monitoring and other data used in conducting Contractor's employee exposure assessments and for each Contractor's employee subject to medical surveillance as required per 29 CFR 1926.62 (n).

3.10 OBSERVATION OF MONITORING (required whenever lead is disturbed)

A. The Contractor shall provide affected Contractor's employees or their designated representatives an opportunity to observe any monitoring of employee exposure to lead.

B. Whenever observation of the monitoring of employee exposure to lead requires entry into an area where the use of respirators, protective clothing or equipment is required, the Contractor shall provide the observer with and assure the use of such respirators, clothing and equipment.

C. Without interfering with the monitoring, observers shall be entitled to:
1. Receive an explanation of the measurement procedures;
2. Observe all steps related to the monitoring of lead performed at the place of exposure; and
3. Record the results obtained or receive copies of the results when returned by the laboratory.

END OF SECTION 02 83 14

APPENDIX C
CERTIFICATION LETTERS

SWBR ARCHITECTS

ROCHESTER NY
387 East Main Street
Rochester NY 14604
Voice: 585.232.8300
SYRACUSE NY
309 South Franklin Street
Syracuse NY 13202
Voice: 315.488.5635
www.swbr.com

June 10, 2015

Mr. Mark Fuller
DePaul
1931 Buffalo Ave.
Rochester, NY 14624

Re: Environmental Review – Item #5
NYS Smart Growth Policy Act of 2010
DePaul Schenectady Apartments
762-782 Albany Street
Schenectady, NY 12304
SWBR Project No. 15255.00

Dear Mark:

This letter is to confirm that the 50 unit apartment project to be located at 762-782 Albany Street in Schenectady, NY will involve the reconstruction of two City of Schenectady public sidewalks located on both Albany Street and Hulett Street immediately adjacent to the new building and property. The sidewalks will be reconstructed due to their current deteriorated nature and will be designed according to the current City of Schenectady sidewalk construction standards. These sidewalks are currently, and will remain after the completion of the project, accessible to the general public.

The project will also be tying into the City of Schenectady sewer system for both sanitary and storm sewer. We do not anticipate at this time any reconstruction of these public sewers as part of the project.

Sincerely,

E. Joseph Gibbons II, AIA
Principal

DEPAUL SCHENECTADY PROJECT
As of 8/13/15

1. Project Description

DePaul of Rochester is developing a new construction apartment building in Schenectady. The building will contain 51 apartments, including 25 units as part of the New York State's Medicaid Redesign Team financing program. The other 26 units will be affordable to households earning up to 60% of area median income. Currently the property is comprised of several parcels that include vacant land and buildings in poor and fair condition. Zoning and other approvals are in place and the developer has received support from The City of Schenectady.

The building will have three levels and approximately 52,000 square feet. There will be one studio unit, 46 one bedroom units and 4 two bedroom units. Each unit will have a kitchen and bath. There will also be community rooms, staff offices, lounges, laundry, storage and other community space for the residents. There will be ample parking on site for residents, staff and visitors.

The building will be an elongated "L" shape building of wood frame construction. In the rear will be green space and parking. The building will include energy star features, target resiliency standards, and achieve significant efficiencies with green building measures.

Additional Phases

There are no other phases of this project that are currently planned.

Government Funding Sources

1. Community Development Block Grant Disaster Relief funds. These are federal funds. None of our other funding is federal.
2. New York State Office of Mental Health construction period funds
3. New York State Office of Mental Health operating, social service and debt service funds during project operations
4. New York State Office Program Development Grant

Green Building or Energy Efficiency Plans

Please see attached information from the project architect.

2. Grading Site/Site Plan

Please see attached DRAFT Site Plan set dated 8/13/15.

3. SEQR Documents

The City of Schenectady is conducting a SEQR coordinated review. GOSR is included as an involved agency. We will send the Negative Declaration as soon as it is received, which we expect to be very soon.

We plan to start construction this Fall, probably December 2015.

4. NEPA Review

We have not performed any Choice Limiting Actions during the NEPA environmental review process.

5. NYS Smart Growth
Please see attached documentation from the project architect.

6. Zoning, Site Plan and Other Local Approvals
Zoning has been approved as of the first week of August. Site Plan and Planning Board approval is expected at the August 19 meeting. Evidence of approval will be submitted as soon as it is received.

7. Solid Waste Disposal/Recycling

i. Please see attached letters for the location of construction and ongoing waste

ii. Please see attached letters regarding capacity for construction waste disposal and for ongoing use disposal.

iii. Please see attached letters regarding recycling opportunities.

8. Educational Facilities
Please see attached documentation on schools

9. Public Safety Services
Please see attached.

10. Historic and Cultural Resources
Please see attached SHPO letter

11. THPO
Please see attached THPO information

12. Endangered Species
Please see attached information from the NY Natural Heritage Program and from USFWS.

13. Invasive Species
Please see attached documentation from Ingalls & Associates, LLP dated 6/25/15.

14. Sole Source Aquifer
Please see attached documentation

15. Water Quality
a.i. & a.ii: letter on sewage and water service to follow
a.ii: please see letter from the project architect on measures that will be taken to conserve water.
b. Please see attached Stormwater letter

16. Noise
Please see completed Railway Noise Worksheet D and Aircraft Noise Worksheet B.

17. Thermal Explosive Hazards
Please see attached information from Ingalls & Associates, LLP.

18. Contamination
Please see attached Phase 1 and Phase 2 reports. Also, the project specs for Construction Waste Management & Disposal. Remaining items for this section are forthcoming.

19. Asbestos Containing Materials
Items for this section are forthcoming

20. Lead Based Paint
The Phase 2 report above provides lead in soil test results. The remaining items in this section are forthcoming.

21. Mold
No action needed at this time

22. Radon
A passive sub-slab vent system will be installed in the project. Radon testing will be conducted *prior to occupancy*.

Additional:
Oil Tanks: Oil tanks and any of their contents mentioned in the Phase 1 and Phase 2 report will be removed and disposed of following all applicable rules and regulations. Specifications for this work are forthcoming.
Mercury: The mercury mentioned in the Phase 1 and Phase 2 will be removed and disposed of following all applicable rules and regulations. Specifications for this work are forthcoming.
PCBs: The PCBs mentioned in the Phase 1 and Phase 2 will be removed and disposed of following all applicable rules and regulations. Specifications for this work are forthcoming.

RE4ORM ARCHITECTURE

323 Clinton Street
Schenectady, NY 12305

t: 518.399.4174
f: 518.399.4105

November 3, 2014

Chris Betts
Betts Housing Partners LLC
54 State Street, Suite 201
Albany, NY 12207
518-527-0181

Re: Albany Street Housing

Dear Mr. Betts,

To the best of our knowledge and belief, with the exception of site plan approval, we have zoning and all other necessary approvals in place for the above mentioned project. We have met with Christine Primiano –principal planner for the City of Schenectady and she believes the Planning Board will be in full support of the project.

Regards,.

James T. Pollard,
Re4orm Architecture

www.re4ormarchitecture.com

APPENDIX D
ENDANGERED SPECIES CONSULTATION LETTERS

ingalls

2603 Guilderland Avenue
Schenectady, NY 12306

T 518 393 7725
F 518 393 2324
E info@ingallsllp.com

www.ingallsllp.com

June 17, 2015

NY Natural Heritage Program
Information Services
NYS DEC
625 Broadway, 5th Floor
Albany, NY 12233

Re: NY Natural Heritage Program Consultation
SWBR DePaul Housing, Albany Street at Hulett Street
City of Schenectady, Schenectady County, New York

Dear Sir or Madam:

I am writing in regard to the proposed SWBR DePaul housing project located on the corner of Albany Street and Hulett Street in the City of Schenectady, Schenectady County, New York. This office is requesting a determination from the NY Natural Heritage Program to determine if the project area is known to contain any listed rare, threatened or endangered species, or associated critical habitat. This request is being made as part of environmental review by the New York State Homes and Community Renewal (HCR) program in support of project funding.

The project site is approximately 1.4 acres and encompasses nine (9) tax map parcels: Tax Map 49.33, Block 1, Parcels 9.1, 11, 12, 13, 14, 15.1, 15.2, 16, and 17. The site is located in the Mixed-Use Commercial (C-2) and Two-Family Residential (R-2) zoning districts of the City of Schenectady. The proposed project involves the redevelopment of the site and the existing buildings into a 3-story multi-family residential complex with approximately 50 units. The residential complex will include 41± parking spaces and will be serviced by municipal water and sewer systems. Additionally, the project includes improvements to the site such as a concrete patio and gazebo area along with associated landscaping features.

Currently, the site exists as five (5) mixed-use commercial buildings including an electrical supply company with associated warehouse and manufacturing buildings, a mixed-use office/commercial business building, and a vacant bank. Additionally, there are small parking areas, gravel and paved driveways, and miscellaneous storage areas currently onsite. Vegetation is limited to the perimeter of the site and is comprised primarily of small shrubs. There are no wildlife habitats onsite as the area is a developed commercial site within a high density urban area of the City of Schenectady.

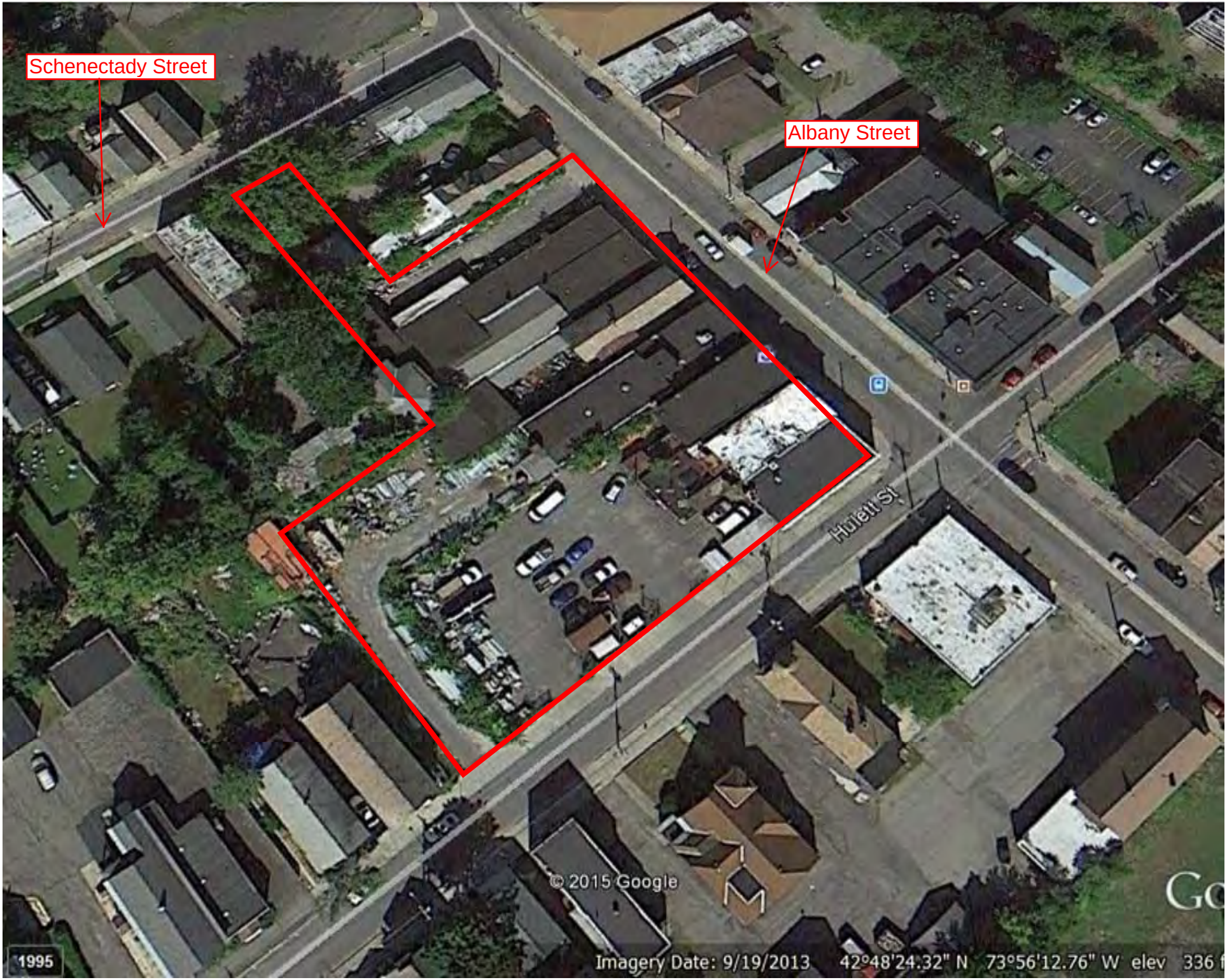
Enclosed with this project description is a Google Earth aerial image showing the boundaries of the proposed project site. If you require additional information or have any questions, please contact me at (518) 393-7725 ext. 111. Thank you in advance for your review of this project.

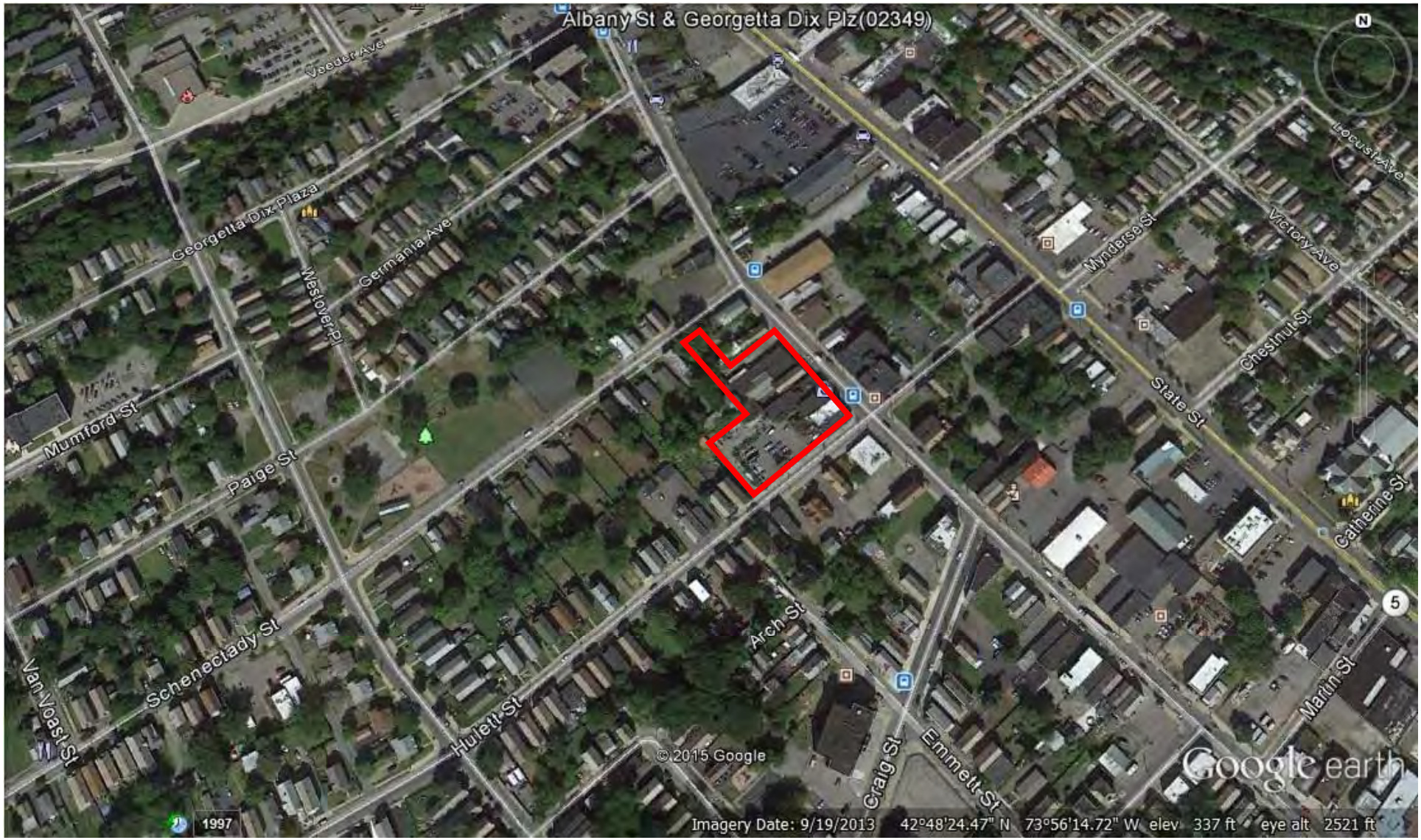
Respectfully,
Ingalls & Associates, LLP

Danielle Birmingham

Danielle Birmingham
Environmental Specialist

cc: HTFC Environmental Analysis Unit via scan


Schenectady Street
Albany Street
Hulett St
© 2015 Google
1995
Imagery Date: 9/19/2013 42°48'24.32" N 73°56'12.76" W elev 336 f


Albany St & Georgetta Dix Plz(02349)
Voeuer Ave
Georgetta Dix Plaza
Germania Ave
Westover Pl
Mumford St
Paige St
Schenectady St
Van Voast St
Hulett St
Arch St
Craig St
Emmett St
Myndersa St
State St
Victory Ave
Chestnut St
Catherine St
Martin St
Locust Ave
5
© 2015 Google
Google earth
1997
Imagery Date: 9/19/2013 42°48'24.47" N 73°56'14.72" W elev 337 ft eye alt 2521 ft

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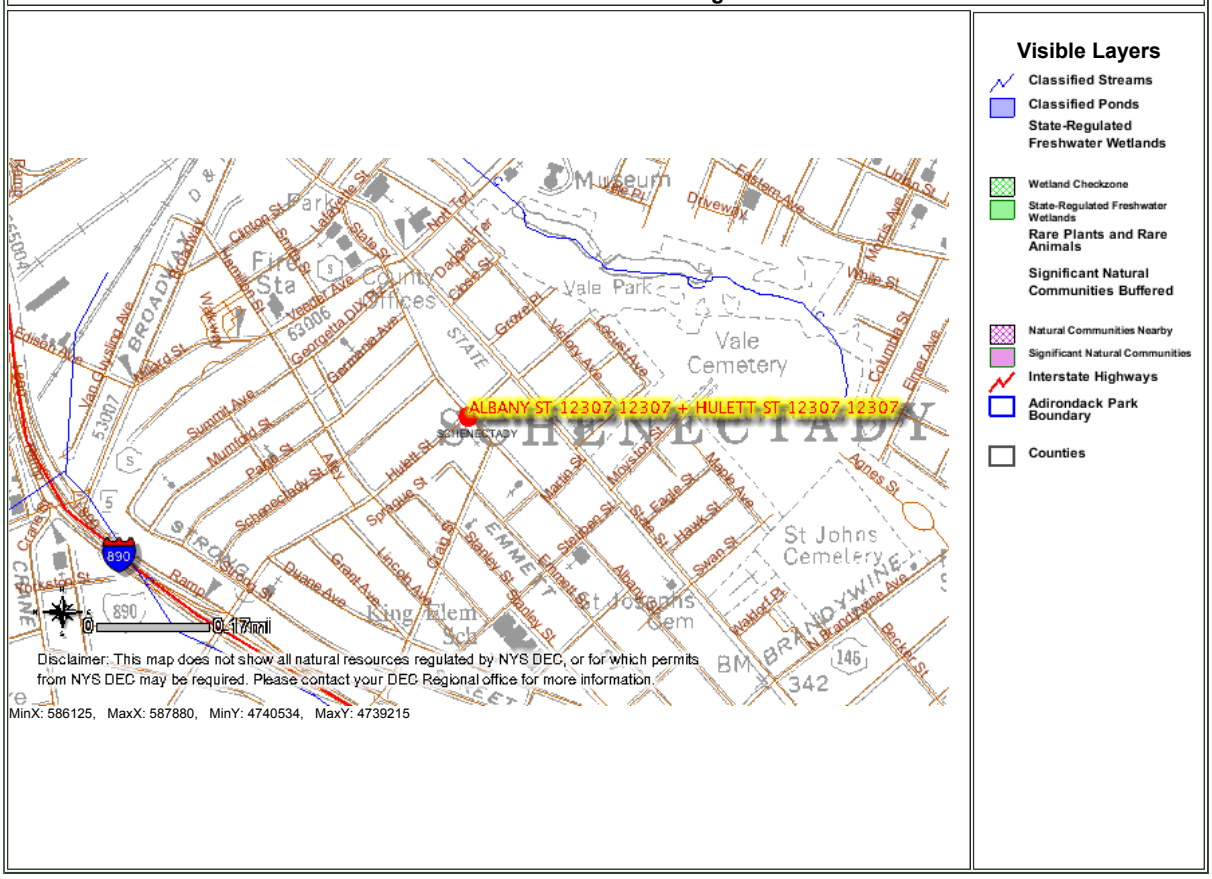
Please set your printer orientation to "Landscape".

SWBR DePaul Housing



MinX: 586125, MaxX: 587880, MinY: 4740534, MaxY: 4739215

Disclaimer:This map was prepared by the New York State Department of Environmental Conservation using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data.

Photo 1 – 782 Albany Street; vacant bank facing southwest

Photo 2 – 782 Albany Street; vacant bank facing northwest

Photo 3 – 780 Albany Street; Lakshmi Associates facing southwest

Photo 4 – 778 Albany Street; American Electric Supply Co. facing southwest

Photo 5 – 776 Albany Street; American Electric Supply Co. facing southwest

Photo 6 – View between 776 & 774 Albany Street, facing southwest

Photo 7 – 774 & 770 Albany Street (one building); American Electric Supply Co. facing southwest

Photo 8 – 770 Albany Street; American Electric Supply Co. facing southeast

Photo 9 – 780 & 782 Albany Street; rear view facing northeast

Photo 10 – 782 Albany Street; parking area in rear facing northwest

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • **Fax:** (518) 402-8925
Website: www.dec.ny.gov

Joe Martens
Commissioner

July 17, 2015

Danielle Birmingham
Ingalls & Associates, LLP
2603 Guilderland Avenue
Schenectady, NY 12306

Re: SWBR DePaul Housing, Albany Street at Hulett Street
Town/City: City Of Schenectady. County: Schenectady.

Dear Danielle Birmingham :

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

We have no records of rare or state-listed animals or plants, or significant natural communities, at your site or in its immediate vicinity.

The absence of data does not necessarily mean that rare or state-listed species, significant natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information that indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities and other significant habitats maintained in the Natural Heritage database. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Andrea Chaloux

Andrea Chaloux
Environmental Review Specialist
New York Natural Heritage Program

705

United States Department of the Interior

FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 LUKER ROAD
CORTLAND, NY 13045
PHONE: (607)753-9334 FAX: (607)753-9699
URL: www.fws.gov/northeast/nyfo/es/section7.htm

Consultation Code: 05E1NY00-2015-SLI-1305 August 12, 2015
Event Code: 05E1NY00-2015-E-03669
Project Name: SWBR DePaul Housing

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: http://www.fws.gov/northeast/nyfo/es/section7.htm

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (

http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the Services wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment

United States Department of Interior
Fish and Wildlife Service

Project name: SWBR DePaul Housing

Official Species List

Provided by:

New York Ecological Services Field Office
3817 LUKER ROAD
CORTLAND, NY 13045
(607) 753-9334
http://www.fws.gov/northeast/nyfo/es/section7.htm

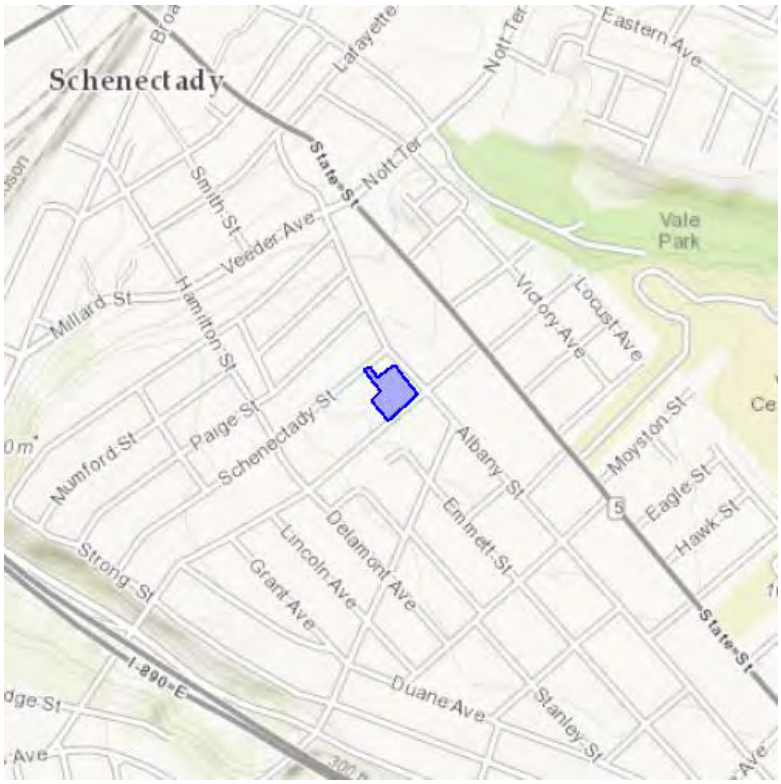
Consultation Code: 05E1NY00-2015-SLI-1305
Event Code: 05E1NY00-2015-E-03669

Project Type: DEVELOPMENT

Project Name: SWBR DePaul Housing
Project Description: The proposed project is located on the corner of Albany Street and Hulett Street in the City of Schenectady on a project site of approximately 1.4 acres. The project involves the demolition and redevelopment of the site into a 3-story multi-family residential complex with approximately 50 units. The project sponsors propose to begin construction on the project in Fall 2015.

Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-73.93641114234924 42.80682675318698, -73.9371407032013 42.806354479454974, -73.93754839897156 42.806696878270124, -73.93729895353316 42.80685823797425, -73.93771469593048 42.80724786089049, -73.93759667873383 42.80731083002033, -73.93738746643066 42.807117986857754, -73.93699586391449 42.8073462501277, -73.93641114234924 42.80682675318698)))

Project Counties: Schenectady, NY

United States Department of Interior
Fish and Wildlife Service

Project name: SWBR DePaul Housing

Endangered Species Act Species List

There are a total of 1 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Mammals	Status	Has Critical Habitat	Condition(s)
Northern long-eared Bat *(Myotis septentrionalis)*	Threatened		

Critical habitats that lie within your project area

There are no critical habitats within your project area.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
New York Field Office
3817 Luker Road
Cortland, NY 13045
Phone: (607) 753-9334 Fax: (607) 753-9699
http://www.fws.gov/northeast/nyfo

To: Danielle Birmingham Date: Jul 30, 2015

USFWS File No: 151168

Regarding your: x Letter ___Fax ___Email Dated: Jul 22, 2015

For project: SWBR DePaul Housing

Located: Corner of Albany and Hulett Streets

In Town/County: City of Schenectady, Schenectady County

Pursuant to the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), the U.S. Fish and Wildlife Service:

___ Acknowledges receipt of your "no effect" and/or no impact determination. No further ESA coordination or consultation is required.

x Acknowledges receipt of your determination. Please provide a copy of your determination and supporting materials to any involved Federal agency for their final ESA determination.

___ Is taking no action pursuant to ESA or any legislation at this time, but would like to be kept informed of project developments.

As a reminder, until the proposed project is complete, we recommend that you check our website (http://www.fws.gov/northeast/nyfo/es/section7.htm) every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project is current. Should project plans change or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered.

USFWS Contact(s): Noelle Raymond

Supervisor: Robyn [illegible] Date: 7/30/15

APPENDIX E

THERMAL/EXPLOSIVE HAZARDS SURVEY

ingalls

2603 Guilderland Avenue
Schenectady, NY 12306

T 518 393 7725
F 518 393 2324
E info@ingallsllp.com

www.ingallsllp.com

June 19, 2015

NY Homes and Community Renewal
Hampton Plaza
38-40 State Street
Albany, New York 12207

Attn: Lori Shirley, Community Developer – Environmental Services

Re: Thermal Explosive Hazards
SWBR DePaul Housing, Albany Street at Hulett Street
City of Schenectady, Schenectady County, New York

Dear Ms. Shirley:

I am writing in regard to the proposed SWBR DePaul housing project located on the corner of Albany Street and Hulett Street in the City of Schenectady, Schenectady County, New York. This office was provided a copy of your letter to Mark H. Fuller, CEO of DePaul, dated June 4, 2015, in which you requested an independent evaluation of thermal explosive hazards as they relate to the proposed redevelopment project. In your comment letter, you indicated the following:

"An independent field survey must be conducted to identify:

a. Any above-ground (outdoor) tanks which store flammable or explosive gasses (i.e. propane) within 1,000-foot radius of the site;
b. Any above-ground (outdoor) tanks exceeding 100 gallons which store flammable or explosive liquids within 1,000-foot radius of the site; or
c. Any above-ground (outdoor) tanks that exceed 20,000 gallons and are within 1 mile of the site."

This office researched the New York State Department of Environmental Conservation (NYSDEC) Bulk Storage Program Database, which maintains the registrations of over 60,000 active and inactive bulk storage sites statewide, including Petroleum Bulk Storage (PBS) Facilities, Major Oil Storage Facilities (MOSF) and Chemical Bulk Storage (CBS). The database was queried to locate facilities registered as PBS, MOSF, or CBS facilities within the City of Schenectady. That list was then reviewed to determine which of those facilities had above ground storage tanks (ASTs) versus only underground storage tanks (USTs). Google Earth was then consulted to evaluate which streets (or portions of streets) in the City of Schenectady fell within a 1000' radius of the site (see attached aerial image). The following streets fall within a 1000' radius of the site.

Street Names within 1000' Radius of Subject Site	
Albany Street	Close Street
Hulett Street	Barney Street
Schenectady Street	Armory Alley
Paige Street	Grove Place
Germania Avenue	Victory Avenue
Georgette Dix Plaza	Mynderse Street
Veeder Avenue	State Street

The list of facilities with ASTs in the City of Schenectady was then cross referenced with the list of streets within a 1000' radius of the site. Then each address was reviewed to determine whether the AST sites fell within the 1000' radius. Please refer to the table below for a list of facilities with ASTs on the NYSDEC Bulk Storage Database that are within the City of Schenectady and located on a Street potentially within a 1000' radius of the site, and an evaluation of whether each site actually falls within that radius.

Facilities on NYSDEC PBS Registry with Above Ground Storage Tanks (ASTs)		
Facility Name	**Site Address**	**Within 1000' Radius?**
Metro Ford Sales, Inc.	3601 State Street	No
Mohawk Auto Sales, Inc.	**756 State Street**	**Yes**
State Street Mobil	934 State Street	No
Route 9 Realty, LLC	1573 State Street	No
Adirondack Tire	1020 State Street	No
Midas Auto Service Experts	1597 State Street	No
Franks Auto Repair	1429 State Street	No
AVI Autobody & Repair Center, Inc.	1301 Albany Street	No
NYSDOT Region One Office	328 State Street	No
Mavis Discount Tire	3434 State Street	No
Mavis Discount Tire	1598 State Street	No
Goodyear	3713 State Street	No
Warren Tire Service Center	**712 State Street**	**Yes**

Only two facilities with registered ASTs are within the 1000' radius of the subject site. These sites are Mohawk Auto Sales, Inc., located at 756 State Street and Warren Tire Service Center, located at 712 State Street. As evidenced on the attached aerial photo, there are several buildings that lie between both AST sites and the subject site. Therefore, these buildings would act as a blast barrier in the event of a thermal explosion and thermal data does not need to be collected.

Additionally, a field review was conducted by a qualified environmental professional of this office on June 18, 2015 to review the site for above ground tanks storing flammable or explosive gasses or tanks exceeding 100 gallons which store flammable or explosive liquids within a 1,000-foot radius of the site. With the exception of minor propane tanks associated with residential gas grills, there were no tanks identified in clear view of the site perimeter (see attached photographs). The site is located in a heavily populated urban area, which is primarily residential with mixed commercial uses. Any potential tanks not listed on the NYSDEC database within a 1,000-foot radius that were not visible from the site perimeter are considered to be behind a blast barrier and not a threat to the proposed project.

The NYSDEC database was also reviewed for any above-ground (outdoor) tanks that exceed 20,000 gallons within 1 mile of the site. According to the database, there are no facilities with ASTs that exceed 20,000 gallons within a 1 mile radius of the subject site. However, there are three facilities within a 1 mile radius of the site that are listed as "Tank Information Withheld (not releasable under Freedom of Information Law) in accordance with Public Officers Law Sections 86.5, 87.2(f), 89.5(a)(1)(1-a)". Therefore we are unable to confirm that all ASTs on these three sites are less than 20,000 gallons; however, no large outdoor storage tanks are visible at any of these sites on aerial imagery. The three sites with tank information withheld are as follows: General Electric (main plant), located at 1 River Road, 0.86 miles from the site; Mariam Petroleum, Inc., located at 585 Broadway, 0.52 miles from the subject site; and Schenectady Service Center, located at 734 Broadway, 0.65 miles from the subject site. In all three cases, several buildings exist between the subject site and the sites with information withheld. In the unlikely event any of these three

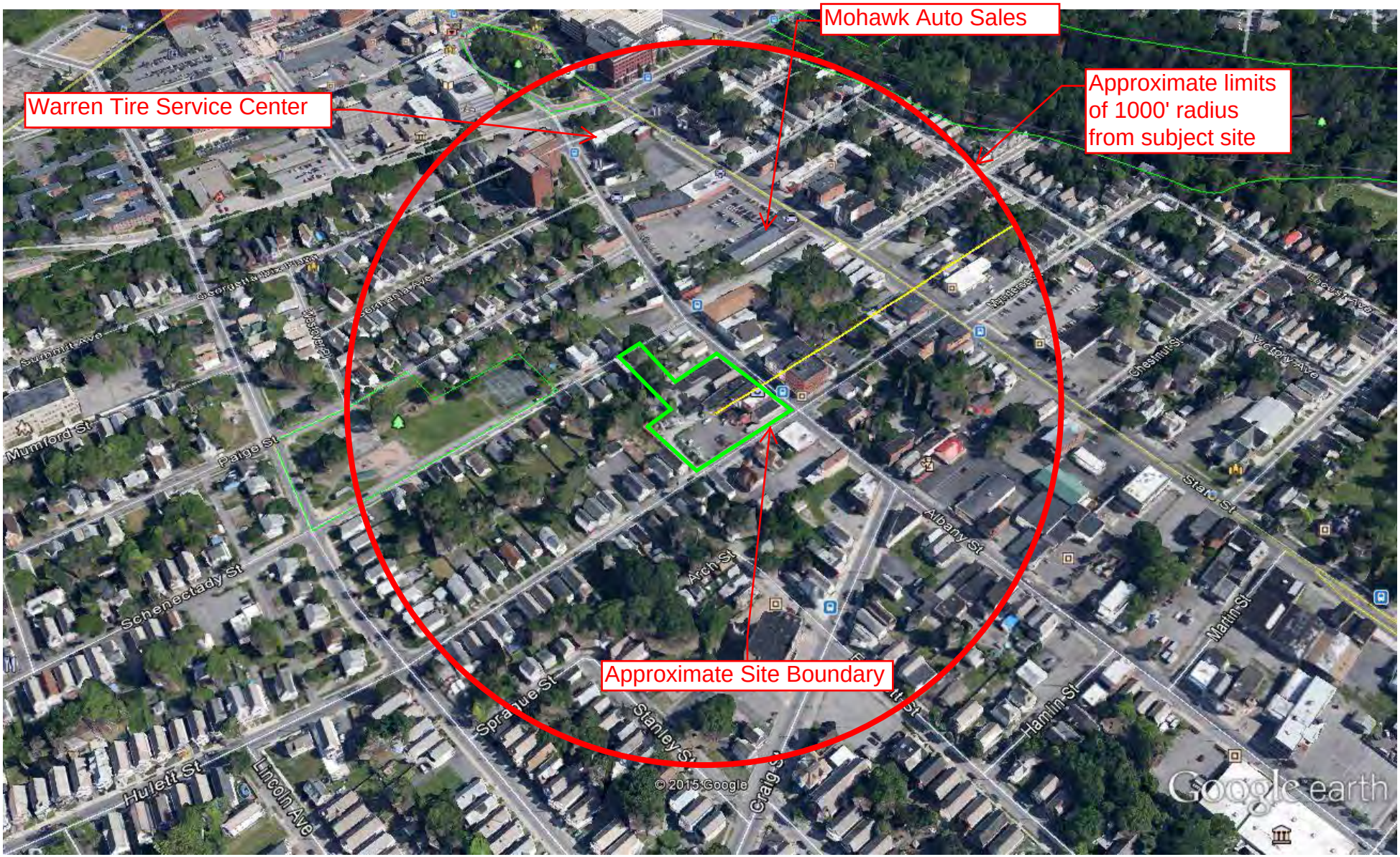
sites has an AST that exceeds 20,000 gallons, several structures within the heavily developed urban area would act as a blast barrier.

Enclosed with this evaluation is a Google Earth aerial image showing the boundaries of the proposed project site and a 1000-foot radius with listed occurrences. I have also enclosed photographs taken from the perimeter of the site for your review. If you require additional information or have any questions, please contact me at (518) 393-7725 ext. 109.

Respectfully,
Ingalls & Associates, LLP

Amelia Leonard
Environmental Specialist

cc: Joseph Gibbons, SWBR Architects



Thermal Explosive Hazard Evaluation for SWBR DePaul Housing
Albany and Hulett Streets, City of Schenectady, NY

Photo 1

Photo 2

Photo 3

Photo 4

Photo 5

Photo 6

Photo 7

Photo 8

Environmental Review Main (/programs/environmental-review/)

Acceptable Separation Distance (ASD) Electronic Assessment Tool

The Environmental Planning Division (EPD) has developed an electronic-based assessment tool that calculates the Acceptable Separation Distance (ASD) from stationary hazards. The ASD is the distance from above ground stationary containerized hazards of an explosive or fire prone nature, to where a HUD assisted project can be located. The ASD is consistent with the Department's standards of blast overpressure (0.5 psi-buildings) and thermal radiation (450 BTU/ft^2 - hr - people and 10,000 BTU/ft^2 - hr - buildings). Calculation of the ASD is the first step to assess site suitability for proposed HUD-assisted projects near stationary hazards. Additional guidance on ASDs is available in the Department's guidebook "Siting of HUD- Assisted Projects Near Hazardous Facilities" and the regulation 24 CFR Part 51, Subpart C, Sitting of HUD-Assisted Projects Near Hazardous Operations Handling Conventional Fuels or Chemicals of an Explosive or Flammable Nature.

Note: Tool tips, containing field specific information, have been added in this tool and may be accessed by hovering over the ASD result fields with the mouse.

Acceptable Separation Distance Assessment Tool

Is the container above ground?	**Yes:** ☑ **No:** ☐
Is the container under pressure?	**Yes:** ☐ **No:** ☑
Does the container hold a cryogenic liquified gas?	**Yes:** ☐ **No:** ☐
Is the container diked?	**Yes:** ☐ **No:** ☑
What is the volume (gal) of the container?	20000
What is the Diked Area Length (ft)?	
What is the Diked Area Width (ft)?	
Calculate Acceptable Separation Distance	
Diked Area (sqft)	
ASD for Blast Over Pressure (ASDBOP)	
ASD for Thermal Radiation for People (ASDPPU)	963.41
ASD for Thermal Radiation for Buildings (ASDBPU)	200.85

ASD for Thermal Radiation for People (ASDPNPD)	
ASD for Thermal Radiation for Buildings (ASDBNPD)	

For mitigation options, please click on the following link: Mitigation Options (https://onecpd.info/resource/3846/acceptable-separation-distance-asd-hazard-mitigation-options/)

Providing Feedback & Corrections

After using the ASD Assessment Tool following the directions in this User Guide, users are encouraged to provide feedback on how the ASD Assessment Tool may be improved. Users are also encouraged to send comments or corrections for the improvement of the tool.

Please send comments or other input using Ask A Question (https://www.onecpd.info/ask-a-question/my-question/). Enter "Environmental Review" in the "My question is related to" field.

Related Information

- ASD User Guide (https://onecpd.info/resource/3839/acceptable-separation-distance-asd-assessment-tool-user-guide/)
- ASD Flow Chart (https://onecpd.info/resource/3840/acceptable-separation-distance-asd-flowchart/)

APPENDIX F

SOILS

Soil Map—Schenectady County, New York
(depaul_schenectady_site_utm18nad83)

Map Scale: 1:902 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 10 20 40 60

Feet: 0 40 80 160 240

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Map Unit Polygons

Soil Map Unit Lines

Soil Map Unit Points

Special Point Features

Blowout

Borrow Pit

Clay Spot

Closed Depression

Gravel Pit

Gravelly Spot

Landfill

Lava Flow

Marsh or swamp

Mine or Quarry

Miscellaneous Water

Perennial Water

Rock Outcrop

Saline Spot

Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

Spoil Area

Stony Spot

Very Stony Spot

Wet Spot

Other

Special Line Features

Water Features

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Schenectady County, New York
Survey Area Data: Version 12, Sep 16, 2014

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Data not available.

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Schenectady County, New York (NY093)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
UR	Urban land-Colonie complex	1.3	100.0%
Totals for Area of Interest		**1.3**	**100.0%**

Map Unit Description

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions in this report, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. All the soils of a series have major horizons that are similar in composition, thickness, and arrangement. Soils of a given series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Additional information about the map units described in this report is available in other soil reports, which give properties of the soils and the limitations, capabilities, and potentials for many uses. Also, the narratives that accompany the soil reports define some of the properties included in the map unit descriptions.

Schenectady County, New York

UR—Urban land-Colonie complex

Map Unit Setting

National map unit symbol: bd70
Elevation: 150 to 1,000 feet
Mean annual precipitation: 38 to 44 inches
Mean annual air temperature: 45 to 48 degrees F
Frost-free period: 110 to 170 days
Farmland classification: Not prime farmland

Map Unit Composition

Urban land: 40 percent
Colonie and similar soils: 30 percent

Minor components: 30 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Colonie

Setting

Landform: Beach ridges, deltas
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Tread
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Sandy glaciofluvial or eolian deposits

Typical profile

H1 - 0 to 6 inches: loamy fine sand
H2 - 6 to 70 inches: fine sand
H3 - 70 to 110 inches: fine sand

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): High to very high (1.98 to 19.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: Low (about 4.9 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2s
Hydrologic Soil Group: A

Minor Components

Granby

Percent of map unit: 5 percent
Landform: Depressions

Plainfield

Percent of map unit: 5 percent

Hudson

Percent of map unit: 5 percent

Junius

Percent of map unit: 5 percent

Howard

Percent of map unit: 5 percent

Cheektowaga

Percent of map unit: 5 percent

Landform: Depressions

Data Source Information

Soil Survey Area: Schenectady County, New York
Survey Area Data: Version 12, Sep 16, 2014

APPENDIX G
TRIBAL CORRESPONDENCE

Saint Regis Mohawk Tribe

FAX COVER SHEET

TO: Danielle Birmingham

COMPANY: Ingalls & Associates, LLP

FAX NUMBER: 518 393-2324

FROM: Arnold Z Printup

DATE: 7-23-2015

PROGRAM TO BE BILLED: THPO

PAGES (including cover sheet): 2 **TIME:** 8:45 Am

****

Message:

****

If you do not receive all pages of this fax,
please call 518-358-2272, ext 203.
Niawen - Thank you

412 State Route 37
Akwesasne, New York 13655
Phone: 518-358-2272
Fax: 518-358-3203

ingalls

June 16, 2015

2603 Guilderland Avenue
Schenectady, NY 12306

T 518 393 7726
F 518 393 2324
E info@ingallsllp.com

www.ingallsllp.com

Saint Regis Mohawk Tribe
412 State Route 37
Akwesasne, NY 13655

Attn: Chief Mark Garrow & Mr. Arnold Printup

Re: 36 CFR Part 800 2c Consulting Party
SWBR DePaul Housing Schenectady, NY

Dear Chief Garrow & Mr. Printup:

The Saint Regis Mohawk Tribe has been identified as a possible consulting party under 36 CFR Part 800 2c. We are providing you with the attached information regarding our proposed project and respectfully request a reply regarding your interest in this specific project.

Specifically, we would appreciate any comments you have on the following issues:

(1) The described project,
(2) The described area of potential effect,
(3) The potential effects of the undertaking on any historic property we have thus far identified,
(4) Information on other historic property which might be present and could be effected by the proposed project, including property which has religious or cultural significance to one or more Indian Tribes or Native Hawaiian organizations,
(5) Any Additional parties we should consider consulting,
(6) Any other comments or information related to historic preservation that you believe is relevant to the section 106 review.

Please check the YES box if you wish to be consulted as part of the Section 106 process. Please check the NO box if you do not wish to be part of the Section 106 consultation process. Checking the NO box for this undertaking will NOT compromise your status as a consulting part for future projects in New York.

☐ Yes, we are interested in being a consulting party.

☒ No, we are not interested in participating in the above-mentioned undertaking.

Consulting Party (please print) Saint Regis Mohawk Tribe

Signature: [signature]

Printed Name: Arnold L Printup

Title: THPO

Date: 7-23-2015

ingalls

Since your response is time sensitive, we would appreciate it if you fax this reply to our offices at 518-393-2324. Thank you.

Respectfully,
Ingalls & Associates, LLP

Danielle Birmingham

Danielle Birmingham
Environmental Specialist

cc: HTFC Environmental Analysis Unit via scan

ingalls

June 16, 2015

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Attn: Chief Mark Garrow & Mr. Arnold Printup

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SWBR DePaul Housing Schenectady, NY

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(6) Any other comments or information related to historic preservation that you believe is relevant to the section 106 review.

Please check the YES box if you wish to be consulted as part of the Section 106 process. Please check the NO box if you do not wish to be part of the Section 106 consultation process. Checking the NO box for this undertaking will NOT compromise your status as a consulting part for future projects in New York.

☐ Yes, we are interested in being a consulting party.

☐ No, we are not interested in participating in the above-mentioned undertaking.

Consulting Party (please print) _____

Signature: _____

Printed Name: _____

Title: _____

Date: _____

ingalls

Since your response is time sensitive, we would appreciate it if you fax this reply to our offices at 518-393-2324. Thank you.

Respectfully,
Ingalls & Associates, LLP

Danielle Birmingham

Danielle Birmingham
Environmental Specialist

cc: HTFC Environmental Analysis Unit via scan

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June 16, 2015

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Attn: Chief Mark Garrow & Mr. Arnold Printup

Re: 36 CFR Part 800 2c Consulting Party
SWBR DePaul Housing Schenectady, NY

Dear Chief Garrow & Mr. Printup:

The proposed project known as SWBR DePaul Housing is located at the corner of Albany Street and Hulett Street in the City of Schenectady, Schenectady County, New York. The project site is approximately 1.4 acres and encompasses nine (9) tax map parcels; Tax Map 49.33, Block 1, Parcels 9.1, 11, 12, 13, 14, 15.1, 15.2, 16, and 17. Currently, the site exists as five (5) mixed-use commercial buildings including American Electric Supply Co., Lakshmi Associates, and a vacant bank. Additionally, there are small parking areas and areas of miscellaneous storage currently onsite.

The proposed project involves the redevelopment of the site and the existing buildings into a 3-story multi-family residential complex with approximately 50 units. Redevelopment will require demolition of all existing structures and minor excavation for new building foundations and grading. It is assumed that the site has been previously graded and/or excavated during construction of the existing buildings and parking areas that occupy almost the entirety of the project site.

The proposed residential complex will include 41± parking spaces and will be serviced by municipal water and sewer systems. The site plan includes a concrete patio and gazebo area along with associated landscaping features. The proposed project is in keeping with surrounding uses as the majority of the surrounding areas are typified by urban residential and commercial businesses.

Enclosed with this project description are site photos, a site plan, and a Google Earth aerial image. If you require additional information or have any questions, please contact me at (518) 393-7725 ext. 111. Thank you for your review of this project.

Respectfully,
Ingalls & Associates, LLP

Danielle Birmingham

Danielle Birmingham
Environmental Specialist

cc: HTFC Environmental Analysis Unit via scan

Photo 1 – 782 Albany Street; vacant bank facing southwest

Photo 2 – 782 Albany Street; vacant bank facing northwest

Photo 3 – 780 Albany Street; Lakshmi Associates facing southwest

Photo 4 – 778 Albany Street; American Electric Supply Co. facing southwest

Photo 5 – 776 Albany Street; American Electric Supply Co. facing southwest

Photo 6 – View between 776 & 774 Albany Street, facing southwest

Photo 7 – 774 & 770 Albany Street (one building); American Electric Supply Co. facing southwest

Photo 8 – 770 Albany Street; American Electric Supply Co. facing southeast

Photo 9 – 780 & 782 Albany Street; rear view facing northeast

Photo 10 – 782 Albany Street; parking area in rear facing northwest

SITE LOCATION MAP
SCALE: N.T.S.

MAP REFERENCES:

1) MAP ENTITLED "MAP OF LOTS BELONGING TO ELIZA HULETT, IN THE FIFTH WARD" (ELEVENTH 1901), SCHENECTADY, N.Y." AS PREPARED BY J.D. FEATHERSTONHAUGH ON JULY 4, 1863 AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE IN PLAT CABINET B AS MAP 301 AND 302.

2) MAP ENTITLED "MAP OF PROPERTY BELONGING TO E.C. KANNALLEY, 7th WARD, CITY OF SCHENECTADY, N.Y." AS PREPARED BY W.W. CHADSEY, C.E. ON MAY 27, 1927 AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE ON SEPTEMBER 1, 1927 IN PLAT CABINET D AS MAP 357.

3) MAP ENTITLED "MAP OF LANDS OF WILLIAM FENN" AS PREPARED BY HENRY RAMSEY, L.S., DATED 1864 AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE JANUARY 28, 1869.

4) MAP ENTITLED "SUBDIVISION OF THE LANDS OF THE SCHENECTADY URBAN RENEWAL AGENCY ON SCHENECTADY, HAMILTON & HULETT STREETS" AS PREPARED BY RAYMOND H. KOCH, P.L.S. ON APRIL 20, 1988 AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE ON MAY 10, 1988 IN PLAT CABINET D AS MAP 377.

5) CITY OF SCHENECTADY, N.Y. DEPARTMENT OF ENGINEERING & PUBLIC WORKS UTILITY RECORD MAPS, ALBANY ST.–GERMANIA TO SCHENECTADY, SHEET S-720-2 AND ALBANY ST.–HULETT TO CRAIG ST., SHEET S-720-3.

DEED REFERENCES:

1) CONVEYED BY SHEILA SPRARAGEN AS EXECUTOR OF THE ESTATE OF LAWRENCE H. SPRARAGEN TO SHEILA SPRARAGEN BY DEED DATED SEPTEMBER 1, 2011 AND RECORDED IN THE SCHENECTADY COUNTY CLERK'S OFFICE ON DECEMBER 1, 2011 IN LIBER 1847 OF DEEDS AT PAGE 721, INCLUDES PARCELS #49.33-1-9.1, 11, 12 AND 13.

2) CONVEYED BY RAMDASS GOOLCHARRAN TO DHARAMDEO TOTARAN BY DEED DATED MARCH 8, 2013 AND RECORDED IN THE SCHENECTADY COUNTY CLERK'S OFFICE ON JANUARY 17, 2014 IN LIBER 1888 OF DEEDS AT PAGE 664, FOR PARCEL #49.33-1-14.

3) CONVEYED BY FREDERICK DOUGLASS COMMUNITY DEVELOPMENT CORP. TO DURYEE MEMORIAL AFRICAN METHODIST EPISCOPAL ZION CHURCH BY DEED DATED FEBRUARY 28, 2002 AND RECORDED IN THE SCHENECTADY COUNTY CLERK'S OFFICE ON AUGUST 15, 2002 IN LIBER 1630 OF DEEDS AT PAGE 922, FOR PARCEL #49.33-1-15.2.

4) CONVEYED BY FIRST NATIONAL BANK OF SCOTIA TO L & S REALTY CORP. BY DEED DATED DECEMBER 24, 1997 AND RECORDED IN THE SCHENECTADY COUNTY CLERK'S OFFICE ON IN LIBER 1847 OF DEEDS AT PAGE 721, INCLUDES PARCELS #49.33-1-15.1, 16 AND 17.

NOTES:

1) SURVEYED PARCELS: CITY OF SCHENECTADY – TAX MAP 49.33, BLOCK 1, PARCELS 9.1, 11, 12, 13, 14, 15.1, 15.2, 16 AND 17.

2) SURVEY PREPARED BY INGALLS & ASSOCIATES, LLP FROM A MAY 2015 FIELD SURVEY.

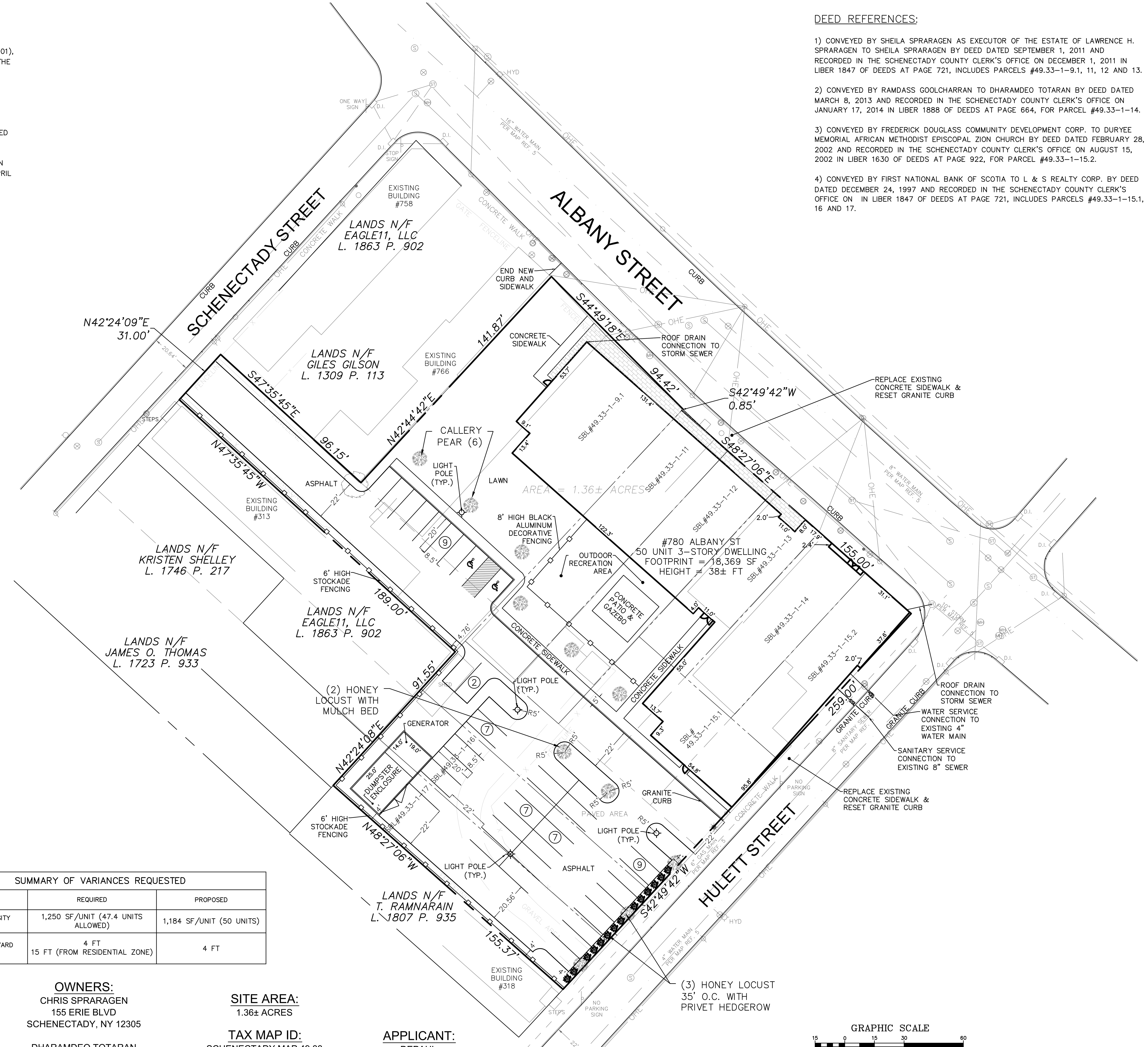
3) NORTH IS REFERENCED TO NAD 83 NEW YORK STATE PLANES, EAST ZONE.

4) SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS OR RESTRICTION; RECORDED OR UNRECORDED.

5) SUBJECT TO ANY STATEMENT OF FACT AN UP-TO-DATE ABSTRACT OF TITLE WOULD DISCLOSE.

6) UNDERGROUND UTILITIES IF SHOWN HEREON ARE BASED ON VISIBLE PHYSICAL EVIDENCE. THEY SHOULD BE CONSIDERED SCHEMATIC ONLY AND ARE SHOWN TO DEPICT GENERAL UTILITY LOCATIONS AND CONNECTIONS RATHER THAN EXACT UNDERGROUND LOCATIONS. INGALLS & ASSOCIATES, LLP MAKES NO CERTIFICATION AS TO THE ACCURACY OF THE UNDERGROUND UTILITY LOCATIONS AND OTHER UTILITIES MAY EXIST THAT ARE NOT SHOWN ON THIS MAP.

7) SURVEY IS PREPARED IN ACCORDANCE WITH THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS CODE OF PRACTICE FOR LAND SURVEYS AS ADOPTED IN OCTOBER OF 1966 AND LAST REVISED ON JULY 18, 1997.



LEGEND

EXISTING PROPERTY LINE	
PROPOSED PROPERTY LINE	
PROPOSED SETBACK	
ADJACENT PROPERTY LINE	
PROPOSED EASEMENT	
EXISTING CONTOUR	200
EXISTING TREELINE	
EXISTING HYDRANT	HYD
EXISTING UTILITY POLE	NG 19
EXISTING SIGN	S1
EXISTING CATCH BASIN	CB
EXISTING SANITARY MANHOLE	S
EXISTING SANITARY SEWER	S
EXISTING STORM SEWER	ST
EXISTING WATERMAIN	W
EXISTING OVERHEAD WIRE	OH
WETLAND BOUNDARY	
PROPOSED TREELINE	
PROPOSED CONTOUR	200
PROPOSED SANITARY SEWER	S
PROPOSED SANITARY MANHOLE	S
PROPOSED SANITARY MAIN	S
PROPOSED SANITARY LATERAL	SL
PROPOSED GRINDER PUMP	G
PROPOSED LPSS FORCEMAIN	FM
PROPOSED HYDRANT	
PROPOSED WATER MAIN	W
PROPOSED WATER SERVICE	WS
PROPOSED STORM SEWER	
PROPOSED CATCH BASIN	
PROPOSED DRY WELL	D

SITE STATISTICS:

ZONING CLASSIFICATION: MIXED-USE COMMERCIAL (C-2)
TWO-FAMILY RESIDENTIAL (R-2)

PROPOSED USES:
MULTI-FAMILY RESIDENTIAL
PARKING AREA FOR GREATER THAN 5 VEHICLES

TOTAL SITE AREA: 1.36± AC

DENSITY:
LOT AREA MINIMUM: 1,250 SF/UNIT
1.36 AC *43,560 SF/AC / 1,250 SF = 47.4 UNITS
PROPOSED DENSITY: 50 UNITS

BUILDING & LOT REQUIREMENTS:
BUILDING HEIGHT: 45 FT MAXIMUM
PROPOSED: 38± FT

LOT COVERAGE: 70% MAXIMUM (PRINCIPAL)
15% MAXIMUM (ACCESSORY)
PROPOSED: 31%

IMPERVIOUS SURFACE: 80% MAXIMUM
PROPOSED: 67%

LOT FRONTAGE: 40 FT MINIMUM
PROPOSED: 508± FT

YARD REQUIREMENTS (SETBACK):
FRONT 0 FT MIN – 10 FT MAX
SIDE 0 FT
REAR 5 FT

PARKING REQUIREMENTS:
MULTI-FAMILY DWELLING – 1.5 SPACES PER UNIT
SUPERVISED RESIDENTIAL – .25 SPACES PER UNIT
ON-STREET PARKING CREDIT – 1 SPACE PER 20 FT
(155 FT ON ALBANY STREET)

REQUIRED: 1.5*25 UNITS + .25*25 UNITS – 155FT/20FT
= 37.5 + 6.25 – 7
= 37 SPACES

PROPOSED: 41 SPACES (INCL. 2 H.C.)

LANDSCAPING:
REQUIRED: 5% MIN LANDSCAPED AREA WITHIN PARKING LOT
PROPOSED: 5%

PARKING SETBACKS:
FRONT
REQUIRED: 4 FT MIN (SIDEWALK)
4 FT MIN (LOT LINE)

SUMMARY OF VARIANCES REQUESTED

CODE ITEM	REQUIRED	PROPOSED
DWELLING DENSITY MAXIMUM	1,250 SF/UNIT (47.4 UNITS ALLOWED)	1,184 SF/UNIT (50 UNITS)
PARKING SIDE YARD MINIMUM	4 FT 15 FT (FROM RESIDENTIAL ZONE)	4 FT

OWNERS:
CHRIS SPRARAGEN
155 ERIE BLVD
SCHENECTADY, NY 12305

DHARAMDEO TOTARAN
909 FRANCIS AVENUE
SCHENECTADY, NY 12309

DURYEE MEMORIAL AME ZION
311 HULETT STREET
SCHENECTADY, NY 12309

SHELIA SPRARAGEN
212 AGOSTINO AVE
NISKAYUNA, NY 12309

SITE AREA:
1.36± ACRES

TAX MAP ID:
SCHENECTADY MAP 49.33
BLOCK 1
PARCELS 9.1, 11-14, 15.1, 15.2, 16 & 17

APPLICANT:
DEPAUL
1931 BUFFALO ROAD
ROCHESTER, NY 14624

NOTE: 48 HOURS PRIOR TO ANY CONSTRUCTION ACTIVITIES, THE CONTRACTOR SHALL CONTACT DIG SAFELY NEW YORK TO LOCATE ALL UNDERGROUND UTILITIES. 1-800-962-7962 OR 811

FOR INFORMATION ONLY
NOT FOR CONSTRUCTION

NO.	DATE:	REVISIONS	BY:

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DAVID F. INGALLS JR., P.E.
N.Y.S. LIC. NO. 064993

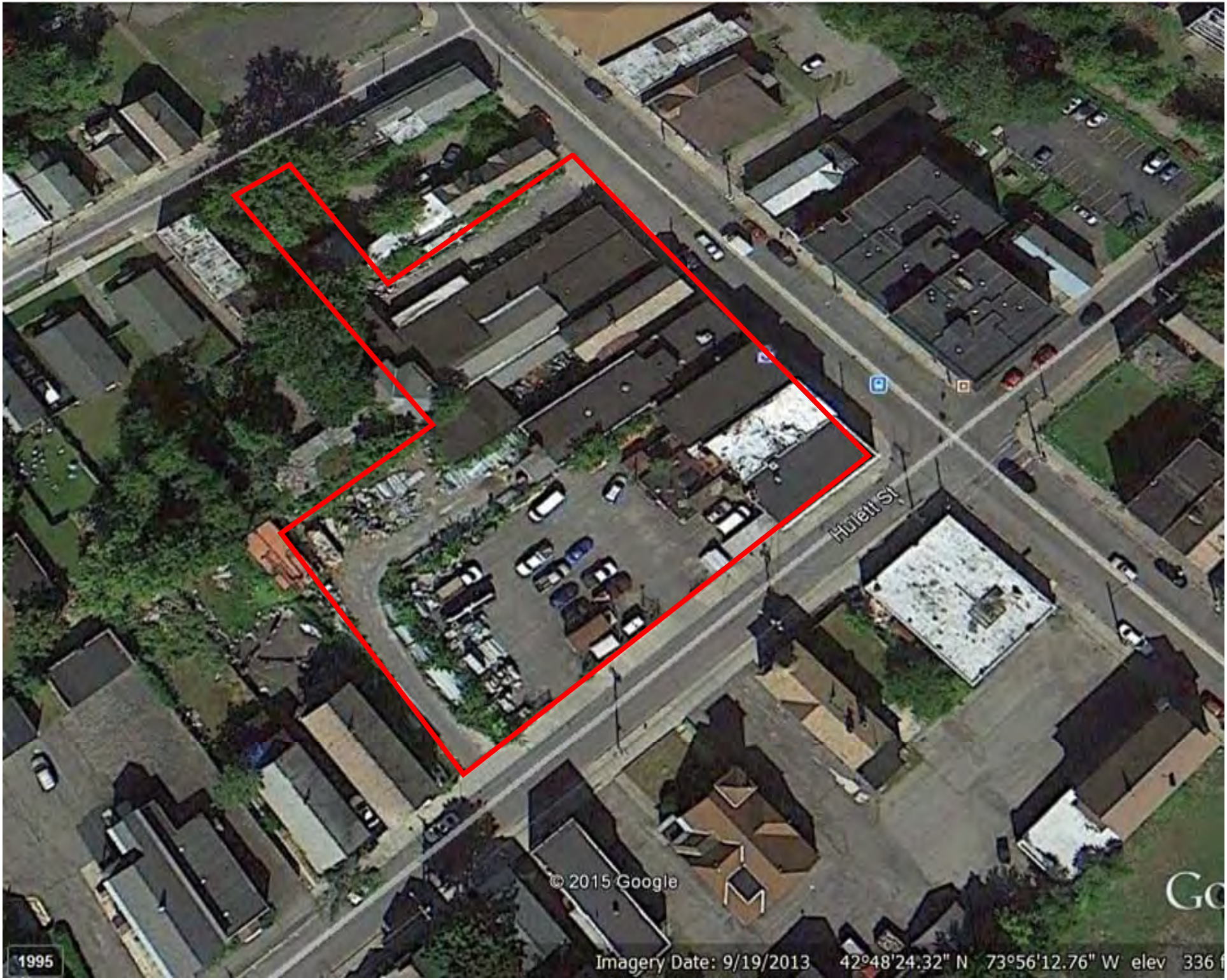
ingalls
ingalls & associates, LLP
engineering, environmental, surveying
2603 GUILDERLAND AVENUE
SCHENECTADY, N.Y. 12306
PHONE: (518) 393-7725
FAX: (518) 393-2324

SITE PLAN
DEPAUL SCHENECTADY APARTMENTS
ALBANY STREET

CITY OF SCHENECTADY
SCHENECTADY COUNTY STATE OF NEW YORK

DATE: MAY 27, 2015	CHECKED BY: D.F.I. JOB NO. 15-033
	SCALE: 1"=30'
DRAWN BY: C.D.L. CADD FILE: 15-033 Layout.dwg	SHEET 1 OF 1

INGALLS & ASSOCIATES;27/05/2015 F:\2015 dwg\15-033 SWBR Depaul Housing\15-033 Layout.dwg


Hulett St
© 2015 Google
1995
Imagery Date: 9/19/2013 42°48'24.32" N 73°56'12.76" W elev 336 f

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September 10, 2015

2603 Guilderland Avenue
Schenectady, NY 12306

T 518 393 7725
F 518 393 2324
E info@ingallsllp.com

www.ingallsllp.com

Stockbridge-Munsee Community Band of Mohicans
New York Office
P.O. Box 718
Troy, NY 12181

Attn: Ms. Bonney Hartley, Historic Preservation Assistant

Re: 36 CFR Part 800 2c Consulting Party
SWBR DePaul Housing Schenectady, NY

Dear Ms. Hartley:

The Stockbridge-Munsee Community Band of Mohican Indians has been identified as a possible consulting party under 36 CFR Part 800 2c. We are providing you with the attached information regarding our proposed project and respectfully request a reply regarding your interest in this specific project.

Specifically, we would appreciate any comments you have on the following issues:

(1) The described project,
(2) The described area of potential effect,
(3) The potential effects of the undertaking on any historic property we have thus far identified,
(4) Information on other historic property which might be present and could be effected by the proposed project, including property which has religious or cultural significance to one or more Indian Tribes or Native Hawaiian organizations,
(5) Any Additional parties we should consider consulting,
(6) Any other comments or information related to historic preservation that you believe is relevant to the section 106 review.

Please check the YES box if you wish to be consulted as part of the Section 106 process. Please check the NO box if you do not wish to be part of the Section 106 consultation process. Checking the NO box for this undertaking will NOT compromise your status as a consulting part for future projects in New York.

☒ Yes, we are interested in being a consulting party.

☐ No, we are not interested in participating in the above-mentioned undertaking.

Consulting Party (please print) Stockbridge-Munsee Tribe

Signature: Sherry White

Printed Name: Sherry White

Title: Tribal Historic Preservation Manager

Date: 9/10/15

From: Danielle Birmingham
Sent: Thursday, September 17, 2015 3:53 PM
To: 'Sherry White'
Subject: RE: 36 CFR Part 800 2c Consulting Party

Thank you for your response, Sherry. Although we do not anticipate it, we will let you know if the APE changes.

Thanks,
Danielle

From: Sherry White [mailto:sherry.white@mohican-nsn.gov]
Sent: Thursday, September 17, 2015 10:46 AM
To: Danielle Birmingham
Subject: RE: 36 CFR Part 800 2c Consulting Party

Good Morning Danielle
Thank you for sending the CHRIS number of the project. I did go on line and review this project. Based on the information in CHRIS we have no issues with this project as long as the APE stays with in the foot print of the current buildings. Should your plans change and the APE expands please contact us with the updated information.
Sherry

From: Danielle Birmingham [mailto:dbirmingham@ingallsllp.com]
Sent: Tuesday, September 15, 2015 10:21 AM
To: Sherry White
Subject: RE: 36 CFR Part 800 2c Consulting Party

The ID number assigned to the project is 15PR02503, but I'm not sure if that will allow you to look at it on the CRIS system. Let me know.

Thanks,
Danielle

From: Sherry White [mailto:sherry.white@mohican-nsn.gov]
Sent: Tuesday, September 15, 2015 11:06 AM
To: Danielle Birmingham
Subject: RE: 36 CFR Part 800 2c Consulting Party

Do you have the id number in CHRIS so we can look at it, if not I will call the NYSHPO and get it.

From: Danielle Birmingham [mailto:dbirmingham@ingallsllp.com]
Sent: Tuesday, September 15, 2015 8:16 AM
To: Sherry White
Subject: RE: 36 CFR Part 800 2c Consulting Party

Hi Sherry,

I have attached a project description, site plan, and photos of the existing site to this email. I've also attached a presentation plan, which shows the project against an aerial. We did the Section 106 review through the New York State CRIS online system, which included all of the attached items. Please let me know if you require any additional materials and I will get them over to you ASAP.

Thank you,
Danielle

From: Sherry White [mailto:sherry.white@mohican-nsn.gov]
Sent: Monday, September 14, 2015 3:53 PM
To: Danielle Birmingham
Subject: RE: 36 CFR Part 800 2c Consulting Party

Danielle
Thank you for sending the SHPO letter, however this is not enough information for us to make and determinations on the project. What we need is the site plan, if you have completed a Section 106 review which should include maps and picture of the APE. Once we get this information we can review the project and provide you with our comments .
Sherry

From: Danielle Birmingham [mailto:dbirmingham@ingallsllp.com]
Sent: Thursday, September 10, 2015 1:25 PM
To: Sherry White
Cc: Amelia Leonard
Subject: RE: 36 CFR Part 800 2c Consulting Party

Hello again Sherry,

Attached is the New York State Historic Preservation Office (SHPO) letter of determination for the said project site. As an interested consulting party, we ask you to review the attached letter and provided us an answer on whether you agree with SHPO's determination, and whether you have any comments or conditions. Thank you for your interest.

Feel free to contact me at (518) 393-7725 ext. 111 if you have any additional questions or comments.

Thank you,
Danielle

From: Sherry White [mailto:sherry.white@mohican-nsn.gov]
Sent: Thursday, September 10, 2015 12:31 PM
To: Danielle Birmingham
Subject: RE: 36 CFR Part 800 2c Consulting Party

Here is our signed document requesting to be a consulting party.
Sherry

From: Danielle Birmingham [mailto:dbirmingham@ingallsllp.com]
Sent: Thursday, September 10, 2015 11:19 AM
To: Sherry White

Cc: Amelia Leonard; Christopher Longo
Subject: 36 CFR Part 800 2c Consulting Party

Dear Ms. White,

I am emailing you because I recently sent an email to Bonney Hartley and received a kickback message from her that she is on maternity leave until October. Since a response is time sensitive, I hope you can help me out.

The Stockbridge-Munsee Community Band of Mohican Indians has been identified as a possible consulting party under 36 CFR Part 200 2c for a proposed project in the City of Schenectady. Please find the attached letter requesting a reply regarding your interest in this proposed project along with project description. Please contact me if you would like a hardcopy sent/faxed to you or if you have any other questions or comments.

Thank you for your review of this letter,
Danielle

Danielle Birmingham | Environmental Specialist | Ingalls & Associates, LLP
2603 Guilderland Avenue | Schenectady | New York | 12306
| o | 518.393.7725 ext. 111 | f | 518.393.2324 | c | 518.598.2862
| e | dbirmingham@ingallsllp.com

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September 10, 2015

2603 Guilderland Avenue
Schenectady, NY 12306

T 518 393 7725
F 518 393 2324
E info@ingallsllp.com

www.ingallsllp.com

Mohawk Nation Council of Chiefs of Haudenosaunee
Six Nations Confederacy
Akwesasne Mohawk Territory
P.O. Box 366
Via Rooseveltown, NY 13683

Re: 36 CFR Part 800 2c Consulting Party
SWBR DePaul Housing Schenectady, NY

Dear Mr. or Ms.:

The Mohawk Nation Akwesasne Territory has been identified as a possible consulting party under 36 CFR Part 800 2c. We are providing you with the attached information regarding our proposed project and respectfully request a reply regarding your interest in this specific project.

Specifically, we would appreciate any comments you have on the following issues:

(1) The described project,
(2) The described area of potential effect,
(3) The potential effects of the undertaking on any historic property we have thus far identified,
(4) Information on other historic property which might be present and could be effected by the proposed project, including property which has religious or cultural significance to one or more Indian Tribes or Native Hawaiian organizations,
(5) Any Additional parties we should consider consulting,
(6) Any other comments or information related to historic preservation that you believe is relevant to the section 106 review.

Please check the YES box if you wish to be consulted as part of the Section 106 process. Please check the NO box if you do not wish to be part of the Section 106 consultation process. Checking the NO box for this undertaking will NOT compromise your status as a consulting part for future projects in New York.

☐ Yes, we are interested in being a consulting party.

☐ No, we are not interested in participating in the above-mentioned undertaking.

Consulting Party (please print) _____

Signature: _____

Printed Name: _____

Title: _____

Date: _____

ingalls

Since your response is time sensitive, we would appreciate it if you fax this reply to our offices at 518-393-2324. Thank you.

Respectfully,
Ingalls & Associates, LLP

Danielle Birmingham

Danielle Birmingham
Environmental Specialist

cc: HTFC Environmental Analysis Unit via scan

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September 10, 2015

2603 Guilderland Avenue
Schenectady, NY 12306

T 518 393 7725
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E info@ingallsllp.com

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Mohawk Nation Council of Chiefs of Haudenosaunee
Six Nations Confederacy
Akwesasne Mohawk Territory
P.O. Box 366
Via Rooseveltown, NY 13683

Re: 36 CFR Part 800 2c Consulting Party
SWBR DePaul Housing Schenectady, NY

Dear Mr. or Ms.:

The proposed project known as SWBR DePaul Housing is located at the corner of Albany Street and Hulett Street in the City of Schenectady, Schenectady County, New York. The project site is approximately 1.4 acres and encompasses nine (9) tax map parcels; Tax Map 49.33, Block 1, Parcels 9.1, 11, 12, 13, 14, 15.1, 15.2, 16, and 17. Currently, the site exists as five (5) mixed-use commercial buildings including American Electric Supply Co., Lakshmi Associates, and a vacant bank. Additionally, there are small parking areas and areas of miscellaneous storage currently onsite.

The proposed project involves the redevelopment of the site and the existing buildings into a 3-story multi-family residential complex with approximately 50 units. Redevelopment will require demolition of all existing structures and minor excavation for new building foundations and grading. It is assumed that the site has been previously graded and/or excavated during construction of the existing buildings and parking areas that occupy almost the entirety of the project site.

The proposed residential complex will include 41± parking spaces and will be serviced by municipal water and sewer systems. The site plan includes a concrete patio and gazebo area along with associated landscaping features. The proposed project is in keeping with surrounding uses as the majority of the surrounding areas are typified by urban residential and commercial businesses.

Enclosed with this project description are site photos, a site plan, and a Google Earth aerial image. If you require additional information or have any questions, please contact me at (518) 393-7725 ext. 111. Thank you for your review of this project.

Respectfully,
Ingalls & Associates, LLP

Danielle Birmingham

Danielle Birmingham
Environmental Specialist

cc: HTFC Environmental Analysis Unit via scan

2603 Guilderland Avenue
Schenectady, NY 12306

T 518 393 7725
F 518 393 2324
E info@ingallsllp.com

www.ingallsllp.com

September 10, 2015

Delaware Tribe of Indians Historic Preservation
Department of Anthropology
Gladfelter Hall
Temple University
1115 W. Polett Walk
Philadelphia, PA 19122

Attn: Ms. Blair Fink, Historic Preservation Representative

Re: 36 CFR Part 800 2c Consulting Party
SWBR DePaul Housing Schenectady, NY

Dear Ms. Fink:

The Delaware Tribe of Indians has been identified as a possible consulting party under 36 CFR Part 800 2c. We are providing you with the attached information regarding our proposed project and respectfully request a reply regarding your interest in this specific project.

Specifically, we would appreciate any comments you have on the following issues:

(1) The described project,
(2) The described area of potential effect,
(3) The potential effects of the undertaking on any historic property we have thus far identified,
(4) Information on other historic property which might be present and could be effected by the proposed project, including property which has religious or cultural significance to one or more Indian Tribes or Native Hawaiian organizations,
(5) Any Additional parties we should consider consulting,
(6) Any other comments or information related to historic preservation that you believe is relevant to the section 106 review.

Please check the YES box if you wish to be consulted as part of the Section 106 process. Please check the NO box if you do not wish to be part of the Section 106 consultation process. Checking the NO box for this undertaking will NOT compromise your status as a consulting part for future projects in New York.

☐ Yes, we are interested in being a consulting party.

☐ No, we are not interested in participating in the above-mentioned undertaking.

Consulting Party (please print) _____

Signature: _____

Printed Name: _____

Title: _____

Date: _____

ingalls

Since your response is time sensitive, we would appreciate it if you fax this reply to our offices at 518-393-2324. Thank you.

Respectfully,
Ingalls & Associates, LLP

Danielle Birmingham

Danielle Birmingham
Environmental Specialist

cc: HTFC Environmental Analysis Unit via scan

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September 10, 2015

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Schenectady, NY 12306

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Delaware Tribe of Indians Historic Preservation
Department of Anthropology
Gladfelter Hall
Temple University
1115 W. Polett Walk
Philadelphia, PA 19122

Attn: Ms. Blair Fink, Historic Preservation Representative

Re: 36 CFR Part 800 2c Consulting Party
SWBR DePaul Housing Schenectady, NY

Dear Ms. Fink:

The proposed project known as SWBR DePaul Housing is located at the corner of Albany Street and Hulett Street in the City of Schenectady, Schenectady County, New York. The project site is approximately 1.4 acres and encompasses nine (9) tax map parcels; Tax Map 49.33, Block 1, Parcels 9.1, 11, 12, 13, 14, 15.1, 15.2, 16, and 17. Currently, the site exists as five (5) mixed-use commercial buildings including American Electric Supply Co., Lakshmi Associates, and a vacant bank. Additionally, there are small parking areas and areas of miscellaneous storage currently onsite.

The proposed project involves the redevelopment of the site and the existing buildings into a 3-story multi-family residential complex with approximately 50 units. Redevelopment will require demolition of all existing structures and minor excavation for new building foundations and grading. It is assumed that the site has been previously graded and/or excavated during construction of the existing buildings and parking areas that occupy almost the entirety of the project site.

The proposed residential complex will include 41± parking spaces and will be serviced by municipal water and sewer systems. The site plan includes a concrete patio and gazebo area along with associated landscaping features. The proposed project is in keeping with surrounding uses as the majority of the surrounding areas are typified by urban residential and commercial businesses.

Enclosed with this project description are site photos, a site plan, and a Google Earth aerial image. If you require additional information or have any questions, please contact me at (518) 393-7725 ext. 111. Thank you for your review of this project.

Respectfully,
Ingalls & Associates, LLP

Danielle Birmingham

Danielle Birmingham
Environmental Specialist

cc: HTFC Environmental Analysis Unit via scan

ingalls

September 10, 2015

2603 Guilderland Avenue
Schenectady, NY 12306

T 518 393 7725
F 518 393 2324
E info@ingallsllp.com

www.ingallsllp.com

Delaware Tribal Headquarters
5100 Tuxedo Blvd
Bartlesville, OK 74006

Attn: Chief Chester Brooks

Re: 36 CFR Part 800 2c Consulting Party
SWBR DePaul Housing Schenectady, NY

Dear Chief Brooks:

The Delaware Tribe of Indians has been identified as a possible consulting party under 36 CFR Part 800 2c. We are providing you with the attached information regarding our proposed project and respectfully request a reply regarding your interest in this specific project.

Specifically, we would appreciate any comments you have on the following issues:

(1) The described project,
(2) The described area of potential effect,
(3) The potential effects of the undertaking on any historic property we have thus far identified,
(4) Information on other historic property which might be present and could be effected by the proposed project, including property which has religious or cultural significance to one or more Indian Tribes or Native Hawaiian organizations,
(5) Any Additional parties we should consider consulting,
(6) Any other comments or information related to historic preservation that you believe is relevant to the section 106 review.

Please check the YES box if you wish to be consulted as part of the Section 106 process. Please check the NO box if you do not wish to be part of the Section 106 consultation process. Checking the NO box for this undertaking will NOT compromise your status as a consulting part for future projects in New York.

☐ Yes, we are interested in being a consulting party.

☐ No, we are not interested in participating in the above-mentioned undertaking.

Consulting Party (please print) _____

Signature: _____

Printed Name: _____

Title: _____

Date: _____

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Since your response is time sensitive, we would appreciate it if you fax this reply to our offices at 518-393-2324. Thank you.

Respectfully,
Ingalls & Associates, LLP

Danielle Birmingham

Danielle Birmingham
Environmental Specialist

cc: HTFC Environmental Analysis Unit via scan

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2603 Guilderland Avenue
Schenectady, NY 12306

T 518 393 7725
F 518 393 2324
E info@ingallsllp.com

www.ingallsllp.com

September 10, 2015

Delaware Tribal Headquarters
5100 Tuxedo Blvd
Bartlesville, OK 74006

Attn: Chief Chester Brooks

Re: 36 CFR Part 800 2c Consulting Party
SWBR DePaul Housing Schenectady, NY

Dear Chief Brooks:

The proposed project known as SWBR DePaul Housing is located at the corner of Albany Street and Hulett Street in the City of Schenectady, Schenectady County, New York. The project site is approximately 1.4 acres and encompasses nine (9) tax map parcels; Tax Map 49.33, Block 1, Parcels 9.1, 11, 12, 13, 14, 15.1, 15.2, 16, and 17. Currently, the site exists as five (5) mixed-use commercial buildings including American Electric Supply Co., Lakshmi Associates, and a vacant bank. Additionally, there are small parking areas and areas of miscellaneous storage currently onsite.

The proposed project involves the redevelopment of the site and the existing buildings into a 3-story multi-family residential complex with approximately 50 units. Redevelopment will require demolition of all existing structures and minor excavation for new building foundations and grading. It is assumed that the site has been previously graded and/or excavated during construction of the existing buildings and parking areas that occupy almost the entirety of the project site.

The proposed residential complex will include 41± parking spaces and will be serviced by municipal water and sewer systems. The site plan includes a concrete patio and gazebo area along with associated landscaping features. The proposed project is in keeping with surrounding uses as the majority of the surrounding areas are typified by urban residential and commercial businesses.

Enclosed with this project description are site photos, a site plan, and a Google Earth aerial image. If you require additional information or have any questions, please contact me at (518) 393-7725 ext. 111. Thank you for your review of this project.

Respectfully,
Ingalls & Associates, LLP

Danielle Birmingham

Danielle Birmingham
Environmental Specialist

cc: HTFC Environmental Analysis Unit via scan

ingalls

September 10, 2015

2603 Guilderland Avenue
Schenectady, NY 12306

T 518 393 7725
F 518 393 2324
E info@ingallsllp.com

www.ingallsllp.com

Delaware Tribe Historic Preservation Office
Roosevelt Hall, Room 212
1200 Commercial Street
Emporia, KS 66801

Attn: Dr. Brice Obermeyer, Director

Re: 36 CFR Part 800 2c Consulting Party
SWBR DePaul Housing Schenectady, NY

Dear Dr. Obermeyer:

The Delaware Tribe of Indians has been identified as a possible consulting party under 36 CFR Part 800 2c. We are providing you with the attached information regarding our proposed project and respectfully request a reply regarding your interest in this specific project.

Specifically, we would appreciate any comments you have on the following issues:

(1) The described project,
(2) The described area of potential effect,
(3) The potential effects of the undertaking on any historic property we have thus far identified,
(4) Information on other historic property which might be present and could be effected by the proposed project, including property which has religious or cultural significance to one or more Indian Tribes or Native Hawaiian organizations,
(5) Any Additional parties we should consider consulting,
(6) Any other comments or information related to historic preservation that you believe is relevant to the section 106 review.

Please check the YES box if you wish to be consulted as part of the Section 106 process. Please check the NO box if you do not wish to be part of the Section 106 consultation process. Checking the NO box for this undertaking will NOT compromise your status as a consulting part for future projects in New York.

☐ Yes, we are interested in being a consulting party.

☐ No, we are not interested in participating in the above-mentioned undertaking.

Consulting Party (please print) _____

Signature: _____

Printed Name: _____

Title: _____

Date: _____

ingalls

Since your response is time sensitive, we would appreciate it if you fax this reply to our offices at 518-393-2324. Thank you.

Respectfully,
Ingalls & Associates, LLP

Danielle Birmingham

Danielle Birmingham
Environmental Specialist

cc: HTFC Environmental Analysis Unit via scan

ingalls

September 10, 2015

2603 Guilderland Avenue
Schenectady, NY 12306

T 518 393 7725
F 518 393 2324
E info@ingallsllp.com

www.ingallsllp.com

Delaware Tribe Historic Preservation Office
Roosevelt Hall, Room 212
1200 Commercial Street
Emporia, KS 66801

Attn: Dr. Brice Obermeyer, Director

Re: 36 CFR Part 800 2c Consulting Party
SWBR DePaul Housing Schenectady, NY

Dear Dr. Obermeyer:

The proposed project known as SWBR DePaul Housing is located at the corner of Albany Street and Hulett Street in the City of Schenectady, Schenectady County, New York. The project site is approximately 1.4 acres and encompasses nine (9) tax map parcels; Tax Map 49.33, Block 1, Parcels 9.1, 11, 12, 13, 14, 15.1, 15.2, 16, and 17. Currently, the site exists as five (5) mixed-use commercial buildings including American Electric Supply Co., Lakshmi Associates, and a vacant bank. Additionally, there are small parking areas and areas of miscellaneous storage currently onsite.

The proposed project involves the redevelopment of the site and the existing buildings into a 3-story multi-family residential complex with approximately 50 units. Redevelopment will require demolition of all existing structures and minor excavation for new building foundations and grading. It is assumed that the site has been previously graded and/or excavated during construction of the existing buildings and parking areas that occupy almost the entirety of the project site.

The proposed residential complex will include 41± parking spaces and will be serviced by municipal water and sewer systems. The site plan includes a concrete patio and gazebo area along with associated landscaping features. The proposed project is in keeping with surrounding uses as the majority of the surrounding areas are typified by urban residential and commercial businesses.

Enclosed with this project description are site photos, a site plan, and a Google Earth aerial image. If you require additional information or have any questions, please contact me at (518) 393-7725 ext. 111. Thank you for your review of this project.

Respectfully,
Ingalls & Associates, LLP

Danielle Birmingham

Danielle Birmingham
Environmental Specialist

cc: HTFC Environmental Analysis Unit via scan

APPENDIX H
SHPO CORRESPONDENCE

NEW YORK STATE OF OPPORTUNITY.
Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

July 13, 2015

Ms. Danielle Birmingham
Environmental Specialist
Ingalls & Associates, LLP
2603 Guilderland Ave
Schenectady, NY 12306

Re: NYSHCR
SWBR DePaul Housing
Albany Street at Hulett Street, Schenectady, NY
15PR02503

Dear Ms. Birmingham:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon this review, the New York SHPO has determined that no historic properties will be affected by this undertaking.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont

Ruth L. Pierpont

Deputy Commissioner for Historic Preservation

Submission Status

Close

View and/or Address a Response

Project 15PR02503: SWBR DePaul Housing (VWEQ189WSM7U)

Please accept the following information below as the consolidated response from NYS SHPO for the above referenced submission.

Review Responses

Reviewer	Review Type	Response
Linda Mackey	Survey and Evaluation	In order for SHPO to complete our evaluation of the historic significance of all buildings/structures/districts within or adjacent to your project area, we need further information. Please review the specific information request(s) below and click the Process button to respond to each request.

Information Requests

Status	Reviewer	Review Type	Request Type	Request Entity	Request Item	Request Description
Information Requested	Linda Mackey	Survey and Evaluation	Request a New Attachment or Photo for an Existing USN	782 Albany Street (09340.001459)	Photo	Please provide clear, original photographs of the exterior/front of the building. The photographs provided in the previous submission do not show the entire building. Please upload the photographs as separate jpeg files.
Information Requested	Linda Mackey	Survey and Evaluation	Request a New Attachment or Photo for an Existing USN	780 Albany Street (09340.001460)	Photo	Please provide clear, original photographs of the exterior/front of the building. The photographs provided in the previous submission do not show the entire building. Please

Submission Status

Close

Information Requested	Linda Mackey	Survey and Evaluation	Request a New Attachment or Photo for an Existing USN	778 Albany Street (09340.001461)	Photo	Please provide clear, original photographs of the exterior/front of the building. The photographs provided in the previous submission do not show the entire building. Please upload the photographs as separate jpeg files.
Information Requested	Linda Mackey	Survey and Evaluation	Request a New Attachment or Photo for an Existing USN	776 Albany Street (09340.001462)	Photo	Please provide clear, original photographs of the exterior/front of the building. The photographs provided in the previous submission do not show the entire building. Please upload the photographs as separate jpeg files.
Information Requested	Linda Mackey	Survey and Evaluation	Request a New Attachment or Photo for an Existing USN	774 Albany Street (09340.001463)	Photo	Please provide clear, original photographs of the exterior/front of the building. The photographs provided in the previous submission do not show the entire building. Please upload the photographs as separate jpeg files.
Information Requested	Linda Mackey	Survey and Evaluation	Request a New Attachment or Photo for an Existing USN	770 Albany Street (09340.001464)	Photo	Please provide clear, original photographs of the exterior/front of the building. The photographs provided in the previous

Submission Status

Close

						photographs as separate jpeg files.
Information Requested	Linda Mackey	Survey and Evaluation	Request a New Attachment or Photo for an Existing USN	774 Albany Street (09340.001463)	Photo	Please provide clear, original photographs of the exterior/front of the building. The photographs provided in the previous submission do not show the entire building. Please upload the photographs as separate jpeg files.
Information Requested	Linda Mackey	Survey and Evaluation	Request a New Attachment or Photo for an Existing USN	770 Albany Street (09340.001464)	Photo	Please provide clear, original photographs of the exterior/front of the building. The photographs provided in the previous submission do not show the entire building. Please upload the photographs as separate jpeg files.
Information Requested	Linda Mackey	Survey and Evaluation	Request a New Attachment, Photo, or Survey for this Consultation Project		Attachment	Please provide dates of construction for all buildings identified within the project area. Please provide/upload renderings (elevation plans), if available. Thank you.

Attachments

Attachment	Reviewer	Review Type	Type	Name	Description
No Attachment Records					

View and/or Address a Response

Project 15PR02503: SWBR DePaul Housing (ILNUL9AOLBAA) View P

Please accept the following information below as the consolidated response from NYS SHPO for the above referenced submission.

Review Responses

Reviewer	Review Type	Response
Linda Mackey	Survey and Evaluation	In order for SHPO to complete our evaluatio of the historic significance of all buildings/structures/districts within or adjace to your project area, we need further information. Please review the specific information request(s) below and click the Process button to respond to each request.

Information Requests

Process	Status	Reviewer	Review Type	Request Type	Request Entity	Request Item	Request Description
	Information Requested	Linda Mackey	Survey and Evaluation	Request a New Attachment, Photo, or Survey for this Consultation Project		Photo	Please provide interior photographs o the building (former theater addressed as 7 Albany Street. Interior photographs should depict overall spaces i

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APPENDIX I
NOISE

ERRATA SHEET

The Noise Guidebook

Railway Noise Guidance and Calculation Corrections

February 2009

The following should replace the paragraph entitled "Horns and Whistles" on page 63 (also marked 15) in the Noise Assessment Guidelines, Chapter 5, of *The Noise Guidebook* (September 1991).

> If the Noise Assessment Location (NAL) is perpendicular to any point on along a railroad track between the whistle posts for a road crossing, a factor to account for the noise of warning horns or whistles must be included in the calculation. There are 2 factors to be used based on the type of locomotive. If the locomotive is diesel-powered, enter the number 10 in column 11 of Worksheet D. If the locomotive is electric-powered, enter the number 100 in column 18 of Worksheet D. If the NAL is not between the whistle posts for a road crossing, enter the number 1 in each column.
>
> *Note: Whichever horn factor is appropriate, it must only be applied once. If a factor is applied for diesel locomotives in the first section of the worksheet, it must not be applied to the railcar noise calculation in the second part. In that instance, enter the number 10 in column 11 and the number 1 in column 18.*

A revised Worksheet D also accompanies this correction. It is easily distinguished from the original. The new Worksheet D has an additional column in the second section of page 2 for a total of 27 columns. The original version, with 26 columns, is hereby void.

Railway Noise Data Sheet | **Noise Assessment Guidelines**

List All Railways within 3000 feet of the site: | **Notes**

1. Delaware & Hudson Railway Company NEUS Freight Freight line
2. Amtrak Albany Hudson Hudson Sub line — *Greater than 3000'
3.

Necessary Information	**Railway No. 1**	**Railway No. 2**	**Railway No. 3**	
1. Effective distance:	2800'	N/A (>3000')		Measured in feet from NAL to center of track
2. Number of Trains in 24 hours:				
a. diesel	12			
b. electrifie	0			
3. Fraction of operations occuring at night:	33%			10 p.m. - 7a.m.
4. Number of diesel locomotives per train:	3			
5. Number of rail cars per train:				
a. diesel trains	100			
b. electrifie trains	N/A			Include locomotive for electrifie trains
6. Average train speed:	25 mph			
7. Is track welded or bolted?	Welded			
8. Is the site opposite a section of tracks between whistle stops?	No			

U. S. DOT CROSSING INVENTORY FORM

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION

OMB No. 2130-0017

Instructions for the initial reporting of the following types of new or previously unreported crossings: For public highway-rail grade crossings, complete the entire inventory Form. For private highway-rail grade crossings, complete the Header, Parts I and II, and the Submission Information section. For public pathway grade crossings (including pedestrian station grade crossings), complete the Header, Parts I and II, and the Submission Information section. For Private pathway grade crossings, complete the Header, Parts I and II, and the Submission Information section. For grade-separated highway-rail or pathway crossings (including pedestrian station crossings), complete the Header, Part I, and the Submission Information section. For changes to existing data, complete the Header, Part I Items 1-3, and the Submission Information section, in addition to the updated data fields. Note: For private crossings only, Part I Item 20 and Part III Item 2.K. are required unless otherwise noted. An asterisk * denotes an optional field.

A. Revision Date *(MM/DD/YYYY)* 09 / 09 / 2011

B. Reporting Agency ☒ Railroad ☐ Transit ☐ State ☐ Other

C. Reason for Update *(Select only one)* ☒ Change in Data ☐ New Crossing ☐ Closed ☐ No Train Traffic ☐ Quiet Zone Update ☐ Re-Open ☐ Date Change Only ☐ Change in Primary Operating RR ☐ Admin. Correction

D. DOT Crossing Inventory Number 250213Y

Part I: Location and Classification Information

1. Primary Operating Railroad Delaware & Hudson Railway Company [DH]

2. State NEW YORK

3. County SCHENECTADY

4. City / Municipality ☒ In ☐ Near SCHENECTADY

5. Street/Road Name & Block Number EDISON AVENUE | *(Street/Road Name)* | * *(Block Number)*

6. Highway Type & No. LOCAL

7. Do Other Railroads Operate a Separate Track at Crossing? ☐ Yes ☒ No
If Yes, Specify RR _____, _____, _____, _____

8. Do Other Railroads Operate Over Your Track at Crossing? ☒ Yes ☐ No
If Yes, Specify RR NS, _____, _____, _____

9. Railroad Division or Region ☐ None NEUS

10. Railroad Subdivision or District ☐ None FREIGHT

11. Branch or Line Name ☐ None FREIGHT

12. RR Milepost _____ | 0485.52 | _____
(prefix) | *(nnnn.nnn)* | *(suffix)*

13. Line Segment * BRS40.80

14. Nearest RR Timetable Station * SCHENECTADY

15. Parent RR *(if applicable)* ☐ N/A CP

16. Crossing Owner *(if applicable)* ☐ N/A

17. Crossing Type ☒ Public ☐ Private

18. Crossing Purpose ☒ Highway ☐ Pathway, Ped. ☐ Station, Ped.

19. Crossing Position ☐ At Grade ☐ RR Under ☒ RR Over

20. Public Access *(if Private Crossing)* ☐ Yes ☐ No

21. Type of Train ☐ Freight ☐ Transit ☐ Intercity Passenger ☐ Shared Use Transit ☐ Commuter ☐ Tourist/Other

22. Average Passenger Train Count Per Day ☐ Less Than One Per Day ☐ Number Per Day 0

23. Type of Land Use ☐ Open Space ☐ Farm ☐ Residential ☐ Commercial ☐ Industrial ☐ Institutional ☐ Recreational ☐ RR Yard

24. Is there an Adjacent Crossing with a Separate Number? ☐ Yes ☒ No If Yes, Provide Crossing Number _____

25. Quiet Zone *(FRA provided)* ☒ No ☐ 24 Hr ☐ Partial ☐ Chicago Excused Date Established _____

26. HSR Corridor ID _____ ☐ N/A

27. Latitude in decimal degrees *(WGS84 std: nn.nnnnnnn)* 42.8082028

28. Longitude in decimal degrees *(WGS84 std: -nnn.nnnnnnn)* -73.9481514

29. Lat/Long Source ☒ Actual ☐ Estimated

30.A. Railroad Use *

31.A. State Use *

30.B. Railroad Use * FM485-52

31.B. State Use * 7203170

30.C. Railroad Use *

31.C. State Use *

30.D. Railroad Use *

31.D. State Use *

32.A. Narrative *(Railroad Use)* *

32.B. Narrative *(State Use)* *

33. Emergency Notification Telephone No. *(posted)* 800-716-9132

34. Railroad Contact *(Telephone No.)* 800-766-4357

35. State Contact *(Telephone No.)* 518-457-5521

Part II: Railroad Information

1. Estimated Number of Daily Train Movements

1.A. Total Day Thru Trains *(6 AM to 6 PM)* 8

1.B. Total Night Thru Trains *(6 PM to 6 AM)* 4

1.C. Total Switching Trains 2

1.D. Total Transit Trains _____

1.E. Check if Less Than One Movement Per Day ☐
How many trains per week? _____

2. Year of Train Count Data *(YYYY)* _____

3. Speed of Train at Crossing
3.A. Maximum Timetable Speed *(mph)* 30
3.B. Typical Speed Range Over Crossing *(mph)* From 20 to 30

4. Type and Count of Tracks
Main 1 Siding _____ Yard _____ Transit _____ Industry _____

5. Train Detection *(Main Track only)*
☐ Constant Warning Time ☐ Motion Detection ☐AFO ☐ PTC ☐ DC ☐ Other ☐ None

6. Is Track Signaled? ☐ Yes ☐ No

7.A. Event Recorder ☐ Yes ☐ No

7.B. Remote Health Monitoring ☐ Yes ☐ No

U. S. DOT CROSSING INVENTORY FORM

A. Revision Date *(MM/DD/YYYY)* 09/09/2011	PAGE 2	D. Crossing Inventory Number *(7 char.)* 250213Y

Part III: Highway or Pathway Traffic Control Device Information

1. Are there Signs or Signals? ☐ Yes ☒ No

2. Types of Passive Traffic Control Devices associated with the Crossing

2.A. Crossbuck Assemblies *(count)* 0

2.B. STOP Signs *(R1-1) (count)* 0

2.C. YIELD Signs *(R1-2) (count)*

2.D. Advance Warning Signs *(Check all that apply; include count)* ☐ None
☐ W10-1 _____ ☐ W10-3 _____ ☐ W10-11 _____
☐ W10-2 _____ ☐ W10-4 _____ ☐ W10-12 _____

2.E. Low Ground Clearance Sign *(W10-5)*
☐ Yes *(count_____)*
☐ No

2.F. Pavement Markings
☐ Stop Lines ☐Dynamic Envelope
☐ RR Xing Symbols ☐ None

2.G. Channelization Devices/Medians
☐ All Approaches ☐ Median
☐ One Approach ☐ None

2.H. EXEMPT Sign *(R15-3)*
☐ Yes
☐ No

2.I. ENS Sign *(I-13)* Displayed
☐ Yes
☒ No

2.J. Other MUTCD Signs ☐ Yes ☒ No
Specify Type _____ Count _____
Specify Type _____ Count _____
Specify Type _____ Count _____

2.K. Private Crossing Signs *(if private)*
☐ Yes ☐ No

2.L. LED Enhanced Signs *(List types)*

3. Types of Train Activated Warning Devices at the Grade Crossing *(specify count of each device for all that apply)*

3.A. Gate Arms *(count)*
Roadway 0
Pedestrian _____

3.B. Gate Configuration
☐ 2 Quad ☐ Full *(Barrier)* Resistance
☐ 3 Quad
☐ 4 Quad ☐ Median Gates

3.C. Cantilevered *(or Bridged)* Flashing Light Structures *(count)*
Over Traffic Lane 0 ☐ Incandescent
Not Over Traffic Lane 0 ☐ LED

3.D. Mast Mounted Flashing Lights *(count of masts)* 0
☐ Incandescent ☐ LED
☐ Back Lights Included ☐ Side Lights Included

3.E. Total Count of Flashing Light Pairs 0

3.F. Installation Date of Current Active Warning Devices: *(MM/YYYY)*
_____/_____ ☐ Not Required

3.G. Wayside Horn
☐ Yes Installed on *(MM/YYYY)* _____/_____
☐ No

3.H. Highway Traffic Signals Controlling Crossing
☐ Yes ☒ No

3.I. Bells *(count)* 0

3.J. Non-Train Active Warning
☐ Flagging/Flagman ☐Manually Operated Signals ☐ Watchman ☐ Floodlighting ☐ None

3.K. Other Flashing Lights or Warning Devices
Count 0 Specify type _____

4.A. Does nearby Hwy Intersection have Traffic Signals?
☐ Yes ☐ No

4.B. Hwy Traffic Signal Interconnection
☐ Not Interconnected
☐ For Traffic Signals
☐ For Warning Signs

4.C. Hwy Traffic Signal Preemption
☐ Simultaneous
☐ Advance

5. Highway Traffic Pre-Signals
☐ Yes ☐ No
Storage Distance * _____
Stop Line Distance * _____

6. Highway Monitoring Devices *(Check all that apply)*
☐ Yes - Photo/Video Recording
☐ Yes – Vehicle Presence Detection
☐ None

Part IV: Physical Characteristics

1. Traffic Lanes Crossing Railroad ☐ One-way Traffic ☐ Two-way Traffic ☐ Divided Traffic
Number of Lanes _____

2. Is Roadway/Pathway Paved? ☐ Yes ☐ No

3. Does Track Run Down a Street? ☐ Yes ☒ No

4. Is Crossing Illuminated? *(Street lights within approx. 50 feet from nearest rail)* ☐ Yes ☒ No

5. Crossing Surface *(on Main Track, multiple types allowed)* Installation Date * *(MM/YYYY)* _____/_____ Width * _____ Length * _____
☐ 1 Timber ☐ 2 Asphalt ☐ 3 Asphalt and Timber ☐ 4 Concrete ☐ 5 Concrete and Rubber ☐ 6 Rubber ☐ 7 Metal
☐ 8 Unconsolidated ☐ 9 Composite ☐ 10 Other *(specify)* _____

6. Intersecting Roadway within 500 feet?
☐ Yes ☐ No If Yes, Approximate Distance *(feet)* _____

7. Smallest Crossing Angle
☐ 0° – 29° ☐ 30° – 59° ☐ 60° - 90°

8. Is Commercial Power Available? *
☐ Yes ☐ No

Part V: Public Highway Information

1. Highway System
☐ (01) Interstate Highway System
☐ (02) Other Nat Hwy System (NHS)
☐ (03) Federal AID, Not NHS
☐ (08) Non-Federal Aid

2. Functional Classification of Road at Crossing
☐ (0) Rural ☐ (1) Urban
☐ (1) Interstate ☐ (5) Major Collector
☐ (2) Other Freeways and Expressways
☐ (3) Other Principal Arterial ☐ (6) Minor Collector
☐ (4) Minor Arterial ☐ (7) Local

3. Is Crossing on State Highway System?
☐ Yes ☒ No

4. Highway Speed Limit
_____ MPH
☐ Posted ☐ Statutory

5. Linear Referencing System *(LRS Route ID)* *

6. LRS Milepost *

7. Annual Average Daily Traffic *(AADT)*
Year 1970 AADT _____

8. Estimated Percent Trucks
_____ %

9. Regularly Used by School Buses?
☐ Yes ☒ No Average Number per Day 0

10. Emergency Services Route
☐ Yes ☐ No

Submission Information - *This information is used for administrative purposes and is not available on the public website.*

Submitted by _____ Organization _____ Phone _____ Date _____

Public reporting burden for this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. According to the Paperwork Reduction Act of 1995, a federal agency may not conduct or sponsor, and a person is not required to, nor shall a person be subject to a penalty for failure to comply with, a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for information collection is 2130-0017. Send comments regarding this burden estimate or any other aspect of this collection, including for reducing this burden to: Information Collection Officer, Federal Railroad Administration, 1200 New Jersey Ave. SE, MS-25 Washington, DC 20590.

U. S. DOT CROSSING INVENTORY FORM

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION

OMB No. 2130-0017

Instructions for the initial reporting of the following types of new or previously unreported crossings: For public highway-rail grade crossings, complete the entire inventory Form. For private highway-rail grade crossings, complete the Header, Parts I and II, and the Submission Information section. For public pathway grade crossings (including pedestrian station grade crossings), complete the Header, Parts I and II, and the Submission Information section. For Private pathway grade crossings, complete the Header, Parts I and II, and the Submission Information section. For grade-separated highway-rail or pathway crossings (including pedestrian station crossings), complete the Header, Part I, and the Submission Information section. For changes to existing data, complete the Header, Part I Items 1-3, and the Submission Information section, in addition to the updated data fields. Note: For private crossings only, Part I Item 20 and Part III Item 2.K. are required unless otherwise noted. An asterisk * denotes an optional field.

A. Revision Date *(MM/DD/YYYY)* 04 / 30 / 2014

B. Reporting Agency ☒ Railroad ☐ Transit ☐ State ☐ Other

C. Reason for Update *(Select only one)* ☒ Change in Data ☐ New Crossing ☐ Closed ☐ No Train Traffic ☐ Quiet Zone Update ☐ Re-Open ☐ Date Change Only ☐ Change in Primary Operating RR ☐ Admin. Correction

D. DOT Crossing Inventory Number 508835V

Part I: Location and Classification Information

1. Primary Operating Railroad Amtrak (National Railroad Passenger Corporation) [ATK]

2. State NEW YORK

3. County SCHENECTADY

4. City / Municipality ☒ In ☐ Near SCHENECTADY

5. Street/Road Name & Block Number EDISON AVENUE | *(Street/Road Name)* | * *(Block Number)*

6. Highway Type & No. L

7. Do Other Railroads Operate a Separate Track at Crossing? ☐ Yes ☒ No
If Yes, Specify RR _____, _____, _____, _____

8. Do Other Railroads Operate Over Your Track at Crossing? ☐ Yes ☒ No
If Yes, Specify RR _____, _____, _____, _____

9. Railroad Division or Region ☐ None ALBANY

10. Railroad Subdivision or District ☐ None HUDSON

11. Branch or Line Name ☐ None HUDSON SUB

12. RR Milepost _____ | 0159.26 | _____
(prefix) | *(nnnn.nnn)* | *(suffix)*

13. Line Segment * QC

14. Nearest RR Timetable Station * SCHENECTADY

15. Parent RR *(if applicable)* ☐ N/A

16. Crossing Owner *(if applicable)* ☐ N/A CSX

17. Crossing Type ☒ Public ☐ Private

18. Crossing Purpose ☒ Highway ☐ Pathway, Ped. ☐ Station, Ped.

19. Crossing Position ☐ At Grade ☐ RR Under ☒ RR Over

20. Public Access *(if Private Crossing)* ☐ Yes ☐ No

21. Type of Train ☐ Freight ☐ Transit ☐ Intercity Passenger ☐ Shared Use Transit ☐ Commuter ☐ Tourist/Other

22. Average Passenger Train Count Per Day ☐ Less Than One Per Day ☐ Number Per Day 0

23. Type of Land Use ☐ Open Space ☐ Farm ☐ Residential ☐ Commercial ☐ Industrial ☒ Institutional ☐ Recreational ☐ RR Yard

24. Is there an Adjacent Crossing with a Separate Number? ☐ Yes ☐ No If Yes, Provide Crossing Number _____

25. Quiet Zone *(FRA provided)* ☒ No ☐ 24 Hr ☐ Partial ☐ Chicago Excused Date Established _____

26. HSR Corridor ID _____ ☐ N/A

27. Latitude in decimal degrees *(WGS84 std: nn.nnnnnnn)* 42.8090280

28. Longitude in decimal degrees *(WGS84 std: -nnn.nnnnnnn)* -73.9504474

29. Lat/Long Source ☒ Actual ☐ Estimated

30.A. Railroad Use *

31.A. State Use *

30.B. Railroad Use * 159-26

31.B. State Use * 7203240

30.C. Railroad Use *

31.C. State Use *

30.D. Railroad Use *

31.D. State Use *

32.A. Narrative *(Railroad Use)* *

32.B. Narrative *(State Use)* *

33. Emergency Notification Telephone No. *(posted)* 800-232-0144

34. Railroad Contact *(Telephone No.)* _____

35. State Contact *(Telephone No.)* 518-457-5521

Part II: Railroad Information

1. Estimated Number of Daily Train Movements

1.A. Total Day Thru Trains *(6 AM to 6 PM)* 9

1.B. Total Night Thru Trains *(6 PM to 6 AM)* 3

1.C. Total Switching Trains 0

1.D. Total Transit Trains _____

1.E. Check if Less Than One Movement Per Day ☐
How many trains per week? _____

2. Year of Train Count Data *(YYYY)* _____

3. Speed of Train at Crossing
3.A. Maximum Timetable Speed *(mph)* 55
3.B. Typical Speed Range Over Crossing *(mph)* From 50 to 55

4. Type and Count of Tracks
Main 0 Siding _____ Yard _____ Transit _____ Industry _____

5. Train Detection *(Main Track only)*
☐ Constant Warning Time ☐ Motion Detection ☐AFO ☐ PTC ☐ DC ☐ Other ☒ None

6. Is Track Signaled? ☐ Yes ☒ No

7.A. Event Recorder ☐ Yes ☐ No

7.B. Remote Health Monitoring ☐ Yes ☐ No

U. S. DOT CROSSING INVENTORY FORM

A. Revision Date *(MM/DD/YYYY)* 04/30/2014	PAGE 2	D. Crossing Inventory Number *(7 char.)* 508835V

Part III: Highway or Pathway Traffic Control Device Information

1. Are there Signs or Signals? ☐ Yes ☒ No

2. Types of Passive Traffic Control Devices associated with the Crossing

2.A. Crossbuck Assemblies *(count)* 0

2.B. STOP Signs *(R1-1) (count)* 0

2.C. YIELD Signs *(R1-2) (count)*

2.D. Advance Warning Signs *(Check all that apply; include count)* ☐ None
☐ W10-1 _____ ☐ W10-3 _____ ☐ W10-11 _____
☐ W10-2 _____ ☐ W10-4 _____ ☐ W10-12 _____

2.E. Low Ground Clearance Sign *(W10-5)*
☐ Yes *(count_____)*
☐ No

2.F. Pavement Markings
☐ Stop Lines ☐Dynamic Envelope
☐ RR Xing Symbols ☒ None

2.G. Channelization Devices/Medians
☐ All Approaches ☐ Median
☐ One Approach ☐ None

2.H. EXEMPT Sign *(R15-3)*
☐ Yes
☐ No

2.I. ENS Sign *(I-13)* Displayed
☐ Yes
☒ No

2.J. Other MUTCD Signs ☐ Yes ☒ No
Specify Type _____ Count _____
Specify Type _____ Count _____
Specify Type _____ Count _____

2.K. Private Crossing Signs *(if private)*
☐ Yes ☐ No

2.L. LED Enhanced Signs *(List types)*

3. Types of Train Activated Warning Devices at the Grade Crossing *(specify count of each device for all that apply)*

3.A. Gate Arms *(count)*
Roadway 0
Pedestrian _____

3.B. Gate Configuration
☐ 2 Quad ☐ Full *(Barrier)* Resistance
☐ 3 Quad
☐ 4 Quad ☐ Median Gates

3.C. Cantilevered *(or Bridged)* Flashing Light Structures *(count)*
Over Traffic Lane 0 ☐ Incandescent
Not Over Traffic Lane 0 ☐ LED

3.D. Mast Mounted Flashing Lights *(count of masts)* 0
☐ Incandescent ☐ LED
☐ Back Lights Included ☐ Side Lights Included

3.E. Total Count of Flashing Light Pairs 0

3.F. Installation Date of Current Active Warning Devices: *(MM/YYYY)*
_____/_____ ☐ Not Required

3.G. Wayside Horn
☐ Yes Installed on *(MM/YYYY)* _____/_____
☐ No

3.H. Highway Traffic Signals Controlling Crossing
☐ Yes ☒ No

3.I. Bells *(count)* 0

3.J. Non-Train Active Warning
☐ Flagging/Flagman ☐Manually Operated Signals ☐ Watchman ☐ Floodlighting ☐ None

3.K. Other Flashing Lights or Warning Devices
Count 0 Specify type _____

4.A. Does nearby Hwy Intersection have Traffic Signals?
☐ Yes ☐ No

4.B. Hwy Traffic Signal Interconnection
☐ Not Interconnected
☐ For Traffic Signals
☐ For Warning Signs

4.C. Hwy Traffic Signal Preemption
☐ Simultaneous
☐ Advance

5. Highway Traffic Pre-Signals
☐ Yes ☐ No
Storage Distance * _____
Stop Line Distance * _____

6. Highway Monitoring Devices *(Check all that apply)*
☐ Yes - Photo/Video Recording
☐ Yes – Vehicle Presence Detection
☐ None

Part IV: Physical Characteristics

1. Traffic Lanes Crossing Railroad ☐ One-way Traffic ☐ Two-way Traffic ☐ Divided Traffic
Number of Lanes _____

2. Is Roadway/Pathway Paved? ☐ Yes ☒ No

3. Does Track Run Down a Street? ☐ Yes ☒ No

4. Is Crossing Illuminated? *(Street lights within approx. 50 feet from nearest rail)* ☐ Yes ☐ No

5. Crossing Surface *(on Main Track, multiple types allowed)* Installation Date * *(MM/YYYY)* _____/_____ Width * _____ Length * _____
☐ 1 Timber ☐ 2 Asphalt ☐ 3 Asphalt and Timber ☐ 4 Concrete ☐ 5 Concrete and Rubber ☐ 6 Rubber ☐ 7 Metal
☐ 8 Unconsolidated ☐ 9 Composite ☒ 10 Other *(specify)* _____

6. Intersecting Roadway within 500 feet?
☐ Yes ☒ No If Yes, Approximate Distance *(feet)* _____

7. Smallest Crossing Angle
☒ 0° – 29° ☐ 30° – 59° ☐ 60° - 90°

8. Is Commercial Power Available? *
☐ Yes ☒ No

Part V: Public Highway Information

1. Highway System
☐ (01) Interstate Highway System
☐ (02) Other Nat Hwy System (NHS)
☐ (03) Federal AID, Not NHS
☐ (08) Non-Federal Aid

2. Functional Classification of Road at Crossing
☐ (0) Rural ☐ (1) Urban
☐ (1) Interstate ☐ (5) Major Collector
☐ (2) Other Freeways and Expressways
☐ (3) Other Principal Arterial ☐ (6) Minor Collector
☐ (4) Minor Arterial ☐ (7) Local

3. Is Crossing on State Highway System?
☐ Yes ☐ No

4. Highway Speed Limit
_____ MPH
☐ Posted ☐ Statutory

5. Linear Referencing System *(LRS Route ID)* *

6. LRS Milepost *

7. Annual Average Daily Traffic *(AADT)*
Year 1986 AADT _____

8. Estimated Percent Trucks
_____ %

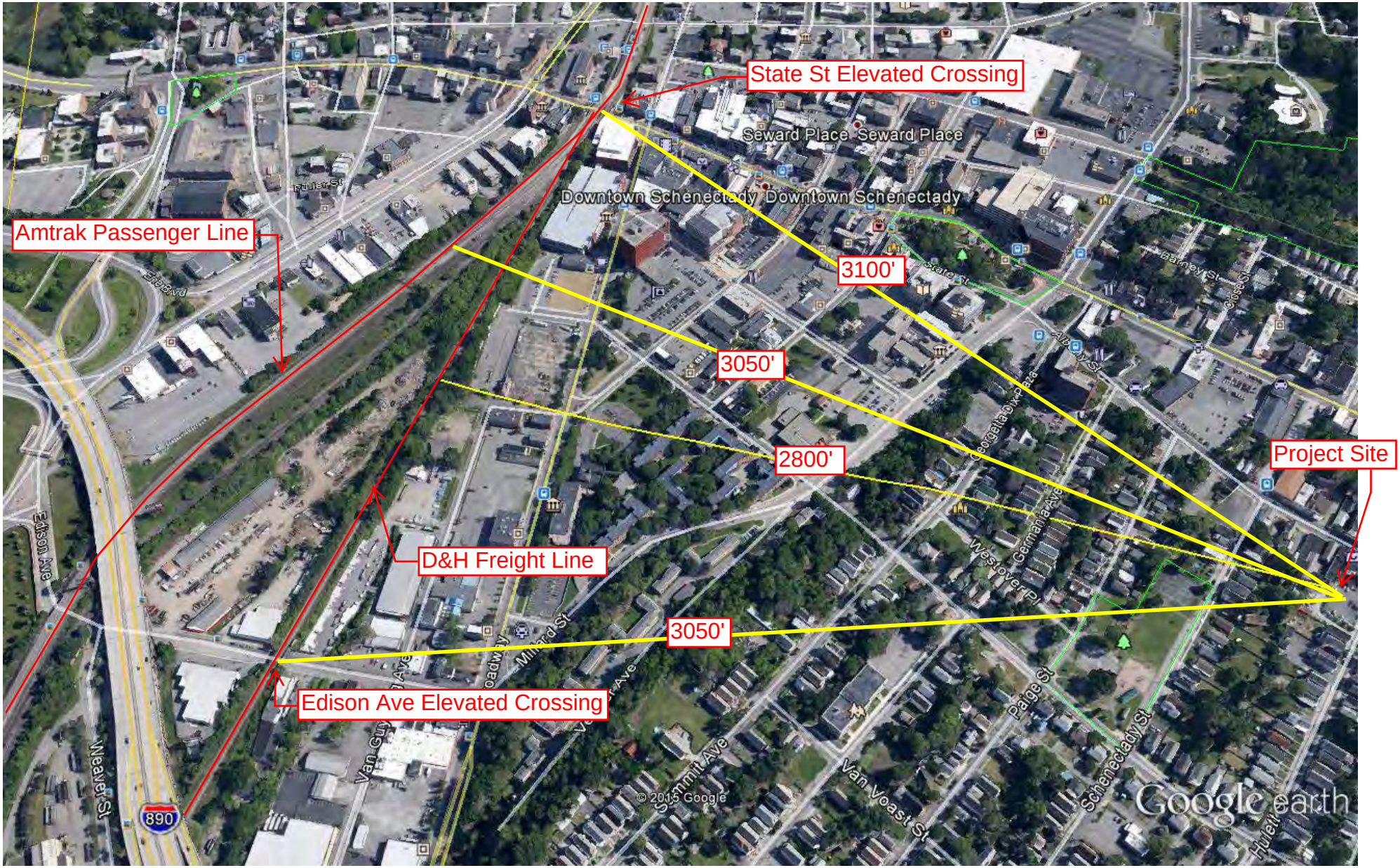
9. Regularly Used by School Buses?
☐ Yes ☒ No Average Number per Day 0

10. Emergency Services Route
☐ Yes ☐ No

Submission Information - *This information is used for administrative purposes and is not available on the public website.*

Submitted by _____ Organization _____ Phone _____ Date _____

Public reporting burden for this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. According to the Paperwork Reduction Act of 1995, a federal agency may not conduct or sponsor, and a person is not required to, nor shall a person be subject to a penalty for failure to comply with, a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for information collection is 2130-0017. Send comments regarding this burden estimate or any other aspect of this collection, including for reducing this burden to: Information Collection Officer, Federal Railroad Administration, 1200 New Jersey Ave. SE, MS-25 Washington, DC 20590.


State St Elevated Crossing
Amtrak Passenger Line
3100'
3050'
2800'
Project Site
D&H Freight Line
3050'
Edison Ave Elevated Crossing
Seward Place Seward Place
Downtown Schenectady Downtown Schenectady
Edison Ave
Weaver St
890
Van Guy
Summit Ave
Van Voast St
Schenectady St
Paige St
Westover Pl
Germania Ave
Albany St
Barney St
Cross St
Fuller St
Erie Blvd
Broadway
Mildred St
© 2015 Google
Google earth

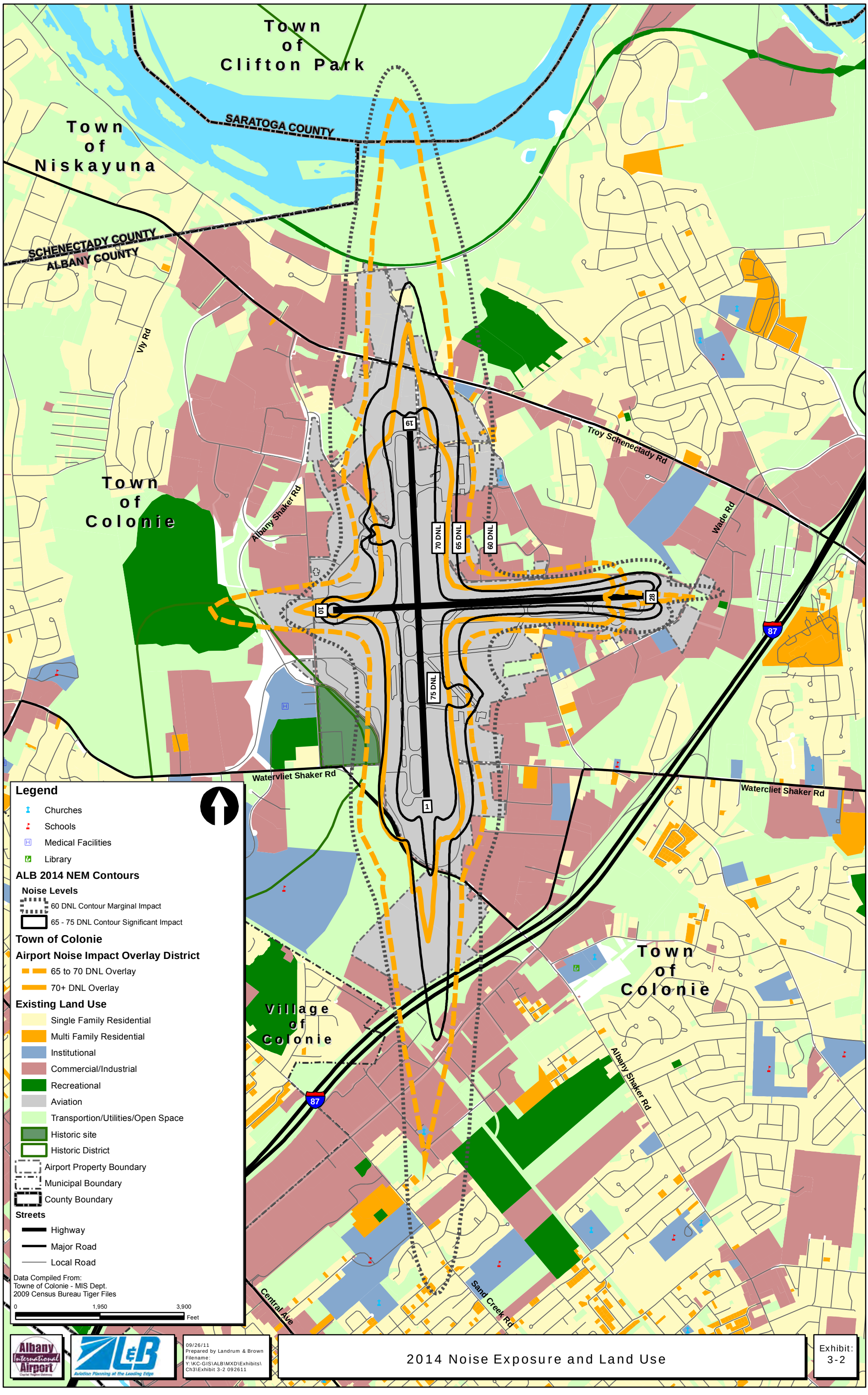
Worksheet B
Aircraft Noise

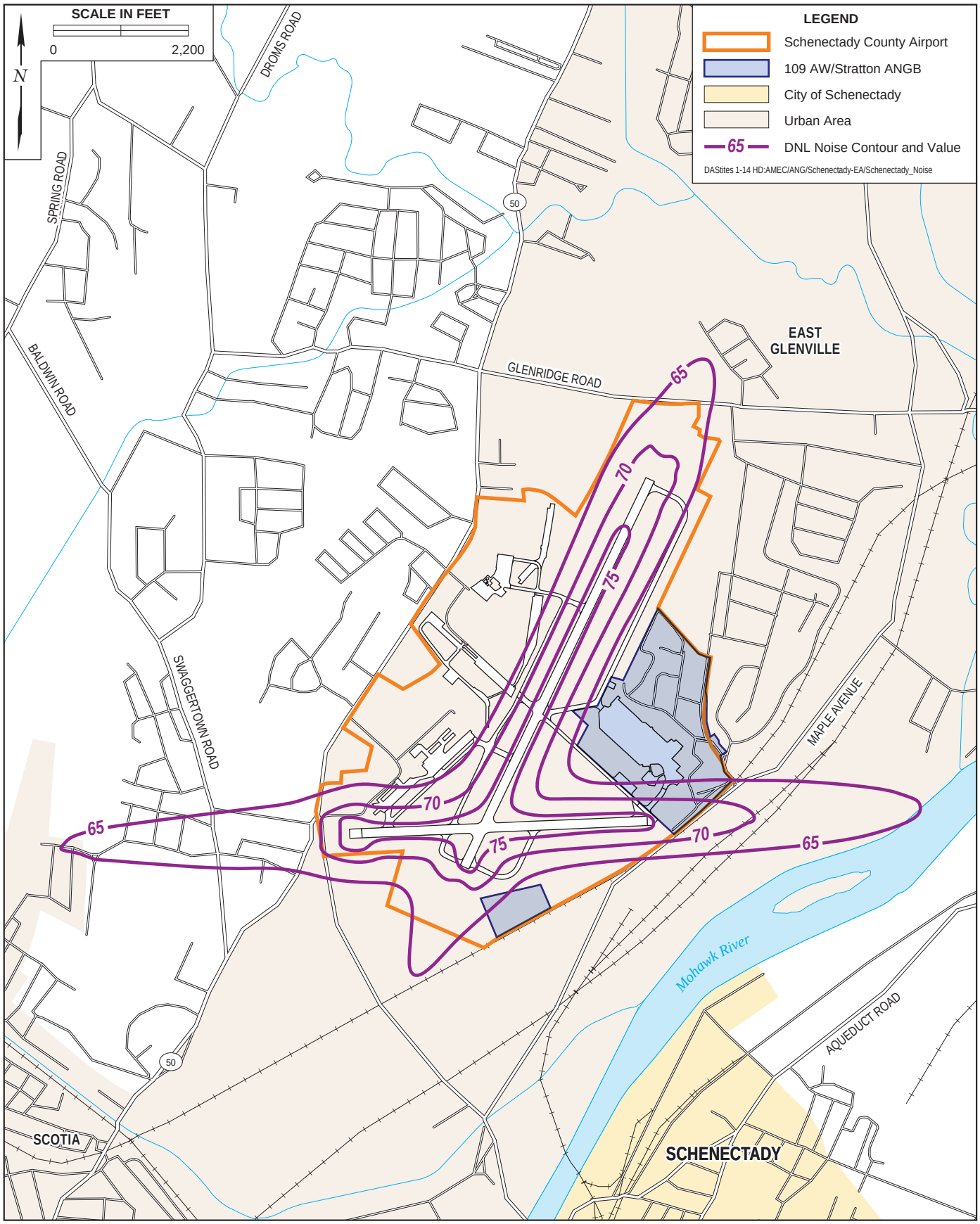
List all airports within 15 miles of the site:

1. Albany International Airport
2. Schenectady County Airport & 109 AW/Stratton ANGB
3. _____

Necessary Information:	Airport 1	Airport 2	Airport 3
1. Are DNL, NEF or CNR contours available? (yes/no)	Yes	Yes	
2. Any supersonic aircraft operations? (yes/no)			
3. Estimating approximate contours from Figure 3:			
a. number of nighttime jet operations			
b. number of daytime jet operations			
c. effective number of operations (10 times a + b)			
d. distance A for 65 dB			
70dB			
75 dB			
e. distance B for 65 dB			
70 dB			
75 dB			
4. Estimating DNL from Table 2:			
a. distance from 65 dB contour to flight path, D^1			
b. distance from NAL to flight path, D^2			
c. D^2 divided by D^1			
d. DNL			
5. Operations projected for what year?			
6. Total DNL from all airports			

Signed _____ Date 6/29/15


Town of Clifton Park
SARATOGA COUNTY
Town of Niskayuna
SCHENECTADY COUNTY
ALBANY COUNTY
Vly Rd
Town of Colonie
Albany Shaker Rd
Troy Schenectady Rd
Wade Rd
70 DNL
65 DNL
60 DNL
75 DNL
10
28
1
87
Watervliet Shaker Rd
Watercliet Shaker Rd
Village of Colonie
Town of Colonie
Albany Shaker Rd
Central Ave
Sand Creek Rd
Legend
Churches
Schools
Medical Facilities
Library
ALB 2014 NEM Contours
Noise Levels
60 DNL Contour Marginal Impact
65 - 75 DNL Contour Significant Impact
Town of Colonie
Airport Noise Impact Overlay District
65 to 70 DNL Overlay
70+ DNL Overlay
Existing Land Use
Single Family Residential
Multi Family Residential
Institutional
Commercial/Industrial
Recreational
Aviation
Transportion/Utilities/Open Space
Historic site
Historic District
Airport Property Boundary
Municipal Boundary
County Boundary
Streets
Highway
Major Road
Local Road
Data Compiled From:
Towne of Colonie - MIS Dept.
2009 Census Bureau Tiger Files
0
1,950
3,900
Feet
Albany International Airport
L&B
Aviation Planning at the Leading Edge
09/26/11
Prepared by Landrum & Brown
Filename:
Y:\KC-GIS\ALB\MXD\Exhibits\
Ch3\Exhibit 3-2 092611
2014 Noise Exposure and Land Use
Exhibit:
3-2



EA

Existing DNL Noise Contours in the Vicinity of the 109 AW/Stratton ANGB

FIGURE 3-1

No warranty is made by the State/Territory/National Guard Bureau as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. This map is a "living document," in that it is intended to change as new data become available and are incorporated into the Enterprise GIS database.

Environmental Review Main (/programs/environmental-review/)

DNL Calculator

The Day/Night Noise Level Calculator is an electronic assessment tool that calculates the Day/Night Noise Level (DNL) from roadway and railway traffic. For more information on using the DNL calculator, view the Day/Night Noise Level Calculator Electronic Assessment Tool Overview (https://onecpd.info/programs/environmental-review/daynight-noise-level-electronic-assessment-tool/).

Guidelines

- To display the Road and/or Rail DNL calculator(s), click on the "Add Road Source" and/or "Add Rail Source" button(s) below.
- All Road and Rail input values must be positive non-decimal numbers.
- All Road and/or Rail DNL value(s) must be calculated separately before calculating the Site DNL.
- All checkboxes that apply must be checked for vehicles and trains in the tables' headers.
- **Note #1:** Tooltips, containing field specific information, have been added in this tool and may be accessed by hovering over all the respective data fields (site identification, roadway and railway assessment, DNL calculation results, roadway and railway input variables) with the mouse.
- **Note #2:** DNL Calculator assumes roadway data is always entered.

DNL Calculator

Environmental Review Main (/programs/environmental-review/)

DNL Calculator

The Day/Night Noise Level Calculator is an electronic assessment tool that calculates the Day/Night Noise Level (DNL) from roadway and railway traffic. For more information on using the DNL calculator, view the Day/Night Noise Level Calculator Electronic Assessment Tool Overview (https://onecpd.info/programs/environmental-review/daynight-noise-level-electronic-assessment-tool/).

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- **Note #2:** DNL Calculator assumes roadway data is always entered.

DNL Calculator

Site ID	SWBR DePaul Hc
Record Date	09/07/2015
User's Name	Genevieve Kaiser

Railroad #1 Track Identifier:

Rail # 1

Train Type	**Electric** ☐	**Diesel** ☑
Effective Distance		2800
Average Train Speed		25
Engines per Train		3
Railway cars per Train		100
Average Train Operations (ATO)		12
Night Fraction of ATO		33
Railway whistles or horns?	Yes: ☐ No: ☐	Yes: ☐ No: ☑
Bolted Tracks?	Yes: ☐ No: ☐	Yes: ☐ No: ☑
Train DNL		48.4

Calculate Rail #1 DNL 48.4 Reset

Add Road Source Add Rail Source

Airport Noise Level	less than 60
Loud Impulse Sounds?	○Yes ◉No
Combined DNL for all Road and Rail sources	**0**
Combined DNL including Airport	

Site DNL with Loud Impulse Sound

Calculate

Mitigation Options

If your site DNL is in Excess of 65 decibels, your options are:

- **No Action Alternative**: Cancel the project at this location
- **Other Reasonable Alternatives**: Choose an alternate site
- **Mitigation**
  - Contact your Field or Regional Environmental Officer (https://www.onecpd.info/programs/environmental-review/hud-environmental-staff-contacts/)
  - Increase mitigation in the building walls (only effective if no outdoor, noise sensitive areas)
  - Reconfigure the site plan to increase the distance between the noise source and noise-sensitive uses
  - Incorporate natural or man-made barriers. See *The Noise Guidebook (https://www.onecpd.info/resource/313/hud-noise-guidebook/)*
  - Construct noise barrier. See the Barrier Performance Module (https://onecpd.info/programs/environmental-review/bpm-calculator/)

Tools and Guidance

Day/Night Noise Level Assessment Tool User Guide (https://www.onecpd.info/resource/3822/day-night-noise-level-assessment-tool-user-guide/)

Day/Night Noise Level Assessment Tool Flowcharts (https://www.onecpd.info/resource/3823/day-night-noise-level-assessment-tool-flowcharts/)

Site ID	SWBR DePaul Hc
Record Date	09/07/2015
User's Name	Genevieve Kaiser

Railroad #1 Track Identifier:

Rail # 1

Train Type	**Electric** ☐	**Diesel** ☑
Effective Distance		2800
Average Train Speed		25
Engines per Train		3
Railway cars per Train		100
Average Train Operations (ATO)		12
Night Fraction of ATO		33
Railway whistles or horns?	Yes: ☐ No: ☐	Yes: ☐ No: ☑
Bolted Tracks?	Yes: ☐ No: ☐	Yes: ☐ No: ☑
Train DNL		48.4

Calculate Rail #1 DNL 48.4 Reset

Add Road Source Add Rail Source

Airport Noise Level	60
Loud Impulse Sounds?	○Yes ◉No
Combined DNL for all Road and Rail sources	**48.4**
Combined DNL including Airport	**60.3**

Site DNL with Loud Impulse Sound

Calculate

Mitigation Options

If your site DNL is in Excess of 65 decibels, your options are:

- **No Action Alternative**: Cancel the project at this location
- **Other Reasonable Alternatives**: Choose an alternate site
- **Mitigation**
  - Contact your Field or Regional Environmental Officer (https://www.onecpd.info/programs/environmental-review/hud-environmental-staff-contacts/)
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Day/Night Noise Level Assessment Tool Flowcharts (https://www.onecpd.info/resource/3823/day-night-noise-level-assessment-tool-flowcharts/)

APPENDIX J
SOLE SOURCE AQUIFER REVIEW

ATTACHMENT 2.B

HOUSING/PROJECT INITIAL SCREEN CRITERIA

The following list of criteria questions are to be used as an initial screen to determine which **housing** projects/activities should be forwarded to the Environmental Protection Agency (EPA) for Preliminary Sole Source Aquifer (SSA) Review. (For non-housing projects see Attachment 2.A). If any of the questions are answered affirmatively, Attachment 3, SSA Preliminary Review Requirements, should also be completed. The application/final statement, this Attachment, Attachment 3, and applicable project information than be forwarded to EPA at the address below.

Any project not meeting the criteria in this Attachment, but suspected of having a potential adverse effect on the Sole Source Aquifer should also be forwarded. Contact EPA if you have any questions.

Chief, Environmental Impacts Branch
USEPA Region II
26 Federal Plaza, Room 500
New York, New York 10278
(212) 264-1840

CRITERIA QUESTIONS:

	YES	NO	N/A
1. Is the project located within a currently designated or proposed ground water sensitive area such as a Special Ground Water Protection Area, Critical Supply Area, Wellhead Protection Area etc.? [This information can be obtained from the County or Regional planning board, the local health department, the State health department or the State environmental agency.]	___	X	___
2. Is the project located within a one half mile radius (2640 feet) of a current or proposed public water supply well or wellfield? [This information can be obtained from the local health department, the State health department or the State environmental agency.]	___	X	___
3. Is the total impervious surfaces greater than 75 percent?	___	X	___
4. Is the project site greater than 30 acres?	___	X	___

5.Will the project include or directly cause:
(check appropriate items)

- construction or expansion of water supply facilities greater than 1320 feet	___	X	___
- construction or expansion of on-site wastewater treatment plants	___	X	___
- construction or expansion of sewage trunk lines greater than 1320 feet	___	X	___
- construction or expansion of gas or petroleum trunk lines greater than 1320 feet	___	X	___
6. Will the project include storage or handling of any hazardous constituents as listed in Attachment 4, Hazardous Constituents? (Assurances on construction sites)	___	X	___
7. Will the project include bulk storage of petroleum in underground or above ground tanks in excess of 10,000 gallons or permit verification?	___	X	___
8.Will the project require a federal or state pollutant discharge elimination permit or modification of an existing permit?	___	X	___

This attachment was completed by:

Name: Amelia Leonard, Ingalls & Associates

Title: Environmental Specialist

Address: 2603 Guilderland Avenue

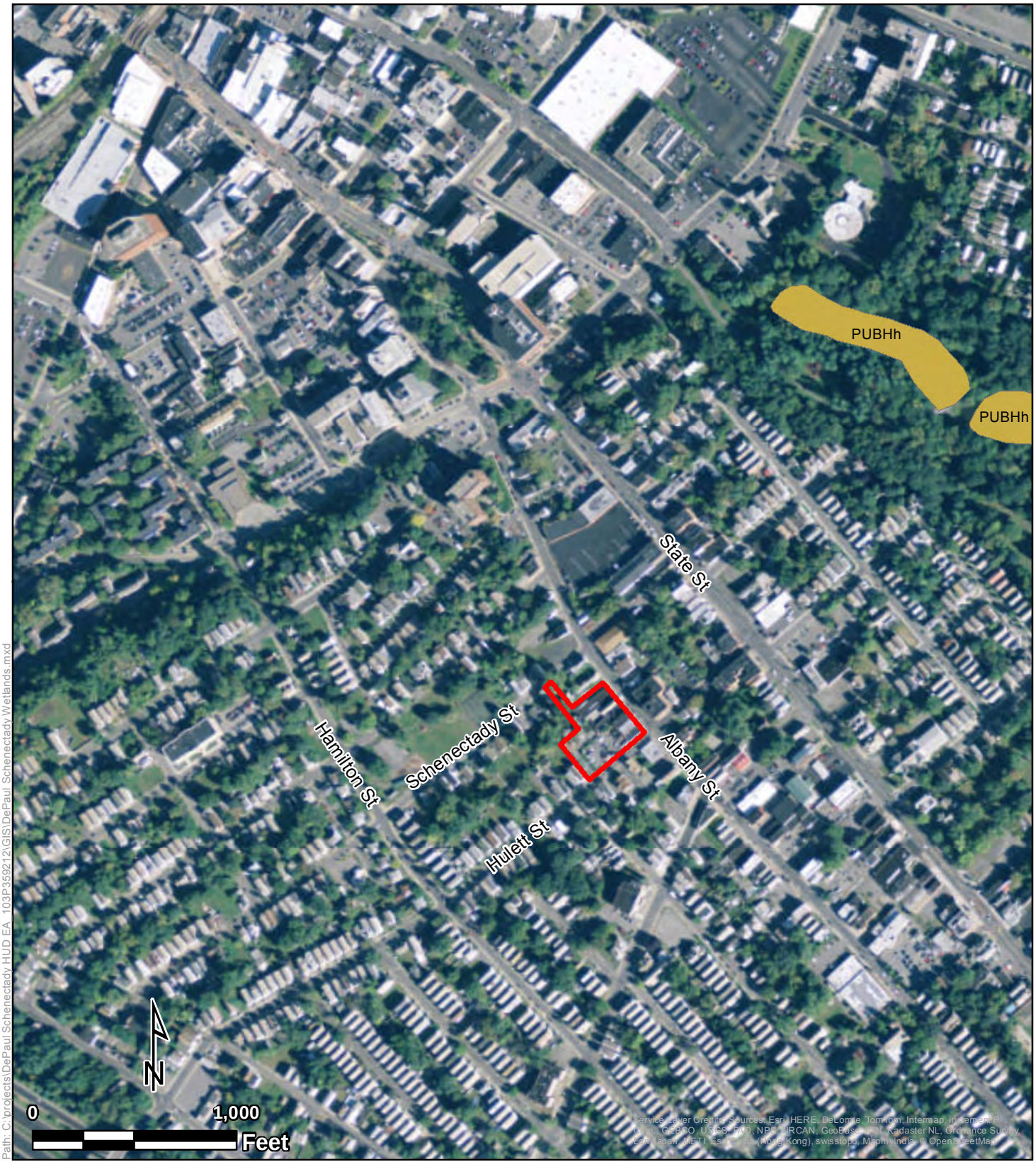
Schenectady, NY 12306

Telephone number: (518) 393-7725, ext. 109

Date: June 22, 2015

APPENDIX K

NWI WETLANDS MAP



Path: C:\projects\DePaul Schenectady HUD EA_103P365212\GIS\DePaul Schenectady Wetlands.mxd

NWI Wetlands

Legend

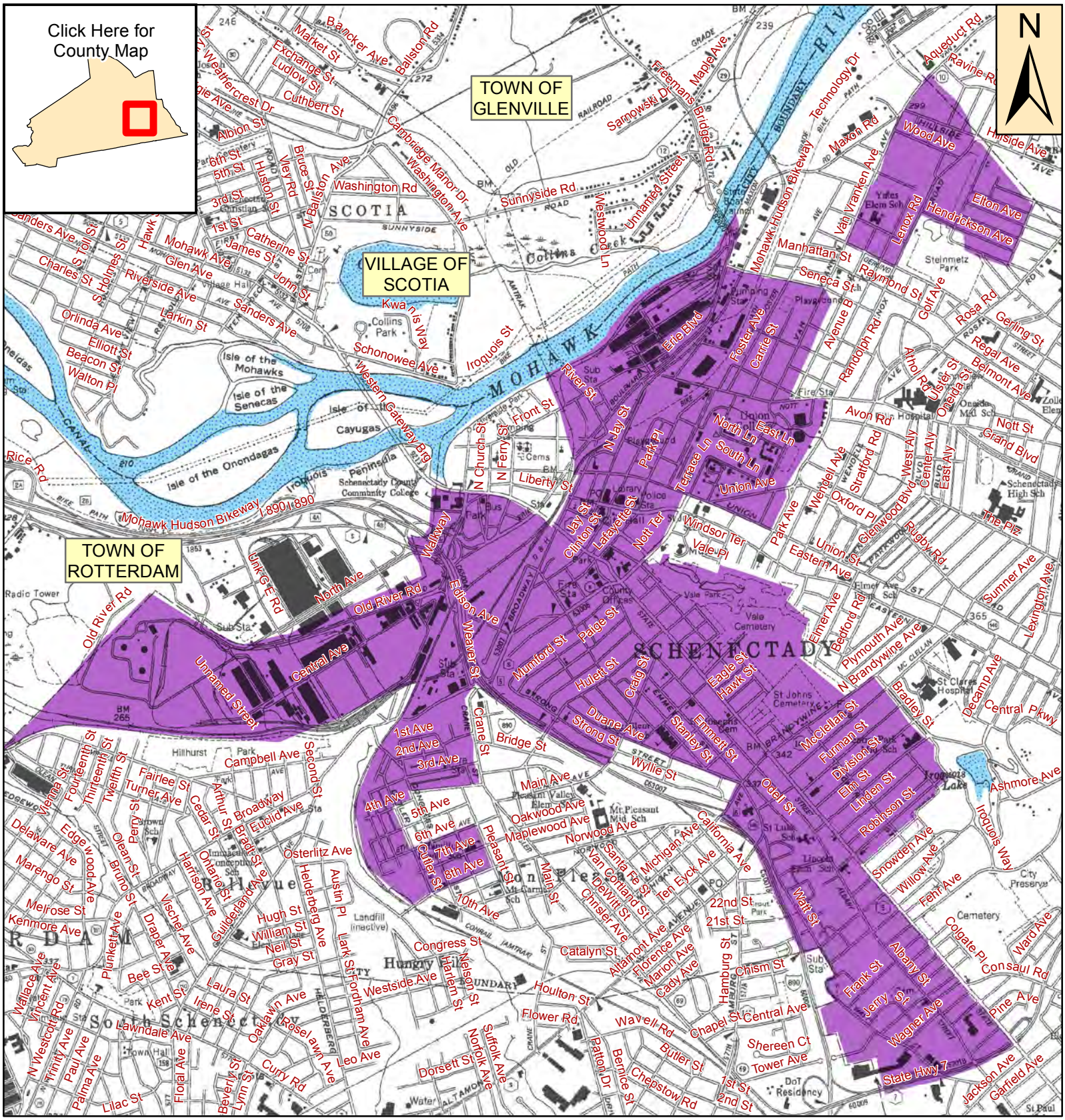
- Project Boundary
- Freshwater Pond

Joseph L. Allen Apartments Project
Hulett Street and Albany Street
Schenectady, Schenectady County, New York

Tetra Tech, Inc

APPENDIX L
POTENTIAL ENVIRONMENTAL JUSTICE AREAS

Potential Environmental Justice Areas in the City of Schenectady
Schenectady County, New York



This computer representation has been compiled from supplied data or information that has not been verified by EPA or NYSDEC. The data is offered here as a general representation only and is not to be used for commercial purposes without verification by an independent professional qualified to verify such data or information.

Neither EPA nor NYSDEC guarantee the accuracy, completeness, or timeliness of the information shown and shall not be liable for any loss or injury resulting from reliance.

Data Source for Potential Environmental Justice Areas:
U.S. Census Bureau, 2000 U.S. Census

Legend

- Potential EJ Area
- County Boundary
- Waterbodies

For questions about this map contact:
New York State Department of Environmental Conservation
Office of Environmental Justice
625 Broadway, 14th Floor
Albany, New York 12233-1500
(518) 402-8556
ej@gw.dec.state.ny.us

APPENDIX M
LOCAL APPROVALS

CITY OF SCHENECTADY
NEW YORK
CITY PLANNING COMMISSION

Room 14, City Hall, Jay Street
SCHENECTADY, NY 12305-1938

DECISION LETTER

August 26, 2015

Ms. Gillian Conde, Vice President
DePaul Schenectady Apartments
1931 Buffalo Road
Rochester, NY 14624

Dear Ms. Conde:

The City Planning Commission, at its **August 19, 2015** meeting, granted your request for site plan approval to construct a 3-story, 51 unit apartment building at **770-782 Albany Street.**

SITE PLAN APPROVAL
Motion by Commissioner Wallinger, seconded by Commissioner Rush, to accept the proposal with the following conditions:

1. The address must be displayed so that it is easily visible from Albany Street.
2. Metal roll gates and iron bars cannot be placed on any doors or windows at any time in the future.
3. Any future signage must be submitted to the City Planner for final approval prior to purchase and fabrication of the sign.
4. A final revised site plan showing lighting and landscaping plans as discussed at the meeting will be submitted to the City Planner for final review and approval.
5. Any changes to the proposal must be submitted to the City Planner for review and approval. If the changes are significant, they will require review and approval by the Planning Commission prior to construction.
6. A lot consolidation map must be approved by the City Engineer and filed with the County Clerk's Office prior to the issuance of building permits.

Motion carried unanimously.

Congratulations on the approval of your proposal. If you have any questions as you move forward with your project, please call me at 382-5147.

Sincerely,

Christine S. Primiano

Christine S. Primiano, Principal Planner

cc: Sharran A. Coppola, PC Chair
City Clerk's files
Code Enforcement Files
Planning Commission Office files
Planning Binder

City of Schenectady
NEW YORK

BOARD OF ZONING APPEALS
Room 14, City Hall, Jay Street
Schenectady, NY 12305-1938

August 12, 2015

Mr. Chris Spraragen
155 Erie Boulevard
Schenectady, NY 12305

Dear Mr. Spraragen:

The Board of Zoning Appeals, at its meeting of **August 5, 2015** heard your appeal as follows:

CHRIS SPRARAGEN & DEPAUL HOUSING requests an Area Variance for 770 thru 782 Albany Street and three Hulett Street Parcels (Section & Block 49.33-1, lots 15.1, 16 & 17) to construct a 51 unit multi-family apartment building where only 47.4 units are allowed.

The board adopted a Negative Declaration of Environmental Significance for this project.

The Board of Zoning Appeals granted your variance request based on the attached Findings of Fact.

Should you have any questions regarding the Board's actions, please feel free to call me at (518) 382-5049.

Very truly yours,

Steven Strichman - Zoning Officer

Attach.

cc: Chuck Thorne, City Clerk
Building Inspector files
Christine Primiano, Principal Planner
BZA Binder

City of Schenectady

NEW YORK

BOARD OF ZONING APPEALS
Room 14, City Hall, Jay Street
Schenectady, NY 12305-1938

Meeting of: August 5, 2015

Granted: Gleason; Clark; Connelly; D'Alessandro-Gilmore; Hurd; Yacob
Denied:
Abstain:
Absent: Keller
Tabled:

Motion: To Grant: Dave Connelly Second by: Jacqueline Hurd

The Board of Zoning Appeals granted the Area Variance based on the following findings of fact:

1. No undesirable change will be produced in the neighborhood.
2. The benefit sought by the applicant cannot be achieved by another method.
3. The variance is not substantial.
4. There will be no adverse effect on physical or environmental conditions in the neighborhood.

This Decision filed in the office of the Board of Zoning Appeals on August 12, 2015.

Steven Strichman - Zoning Officer

City of Schenectady

NEW YORK

BOARD OF ZONING APPEALS
Room 14, City Hall, Jay Street
Schenectady, NY 12305-1938

August 12, 2015

Mr. Chris Spraragen
155 Erie Boulevard
Schenectady, NY 12305

Dear Mr. Spraragen:

The Board of Zoning Appeals, at its meeting of **August 5, 2015** heard your appeal as follows:

CHRIS SPRARAGEN requests an Area Variance for 770 thru 782 Albany Street and three Hulett Street Parcels (Section & Block 49.33-1, lots 15.1, 16 & 17) to place parking spaces and driveways less than 15 feet from a residential property.

The Board of Zoning Appeals granted your variance request based on the attached Findings of Fact.

Should you have any questions regarding the Board's actions, please feel free to call me at (518) 382-5049.

Very truly yours,

Steven Strichman - Zoning Officer

Attach.

cc: Chuck Thorne, City Clerk
Building Inspector files
Christine Primiano, Principal Planner
BZA Binder

City of Schenectady

NEW YORK

BOARD OF ZONING APPEALS
Room 14, City Hall, Jay Street
Schenectady, NY 12305-1938

Meeting of: August 5, 2015

Granted: Gleason; Clark; Connelly; D'Alessandro-Gilmore; Hurd; Yacob
Denied:
Abstain:
Absent: Keller
Tabled:

Motion: To Grant: Dave Connelly Second by: Fred Clark

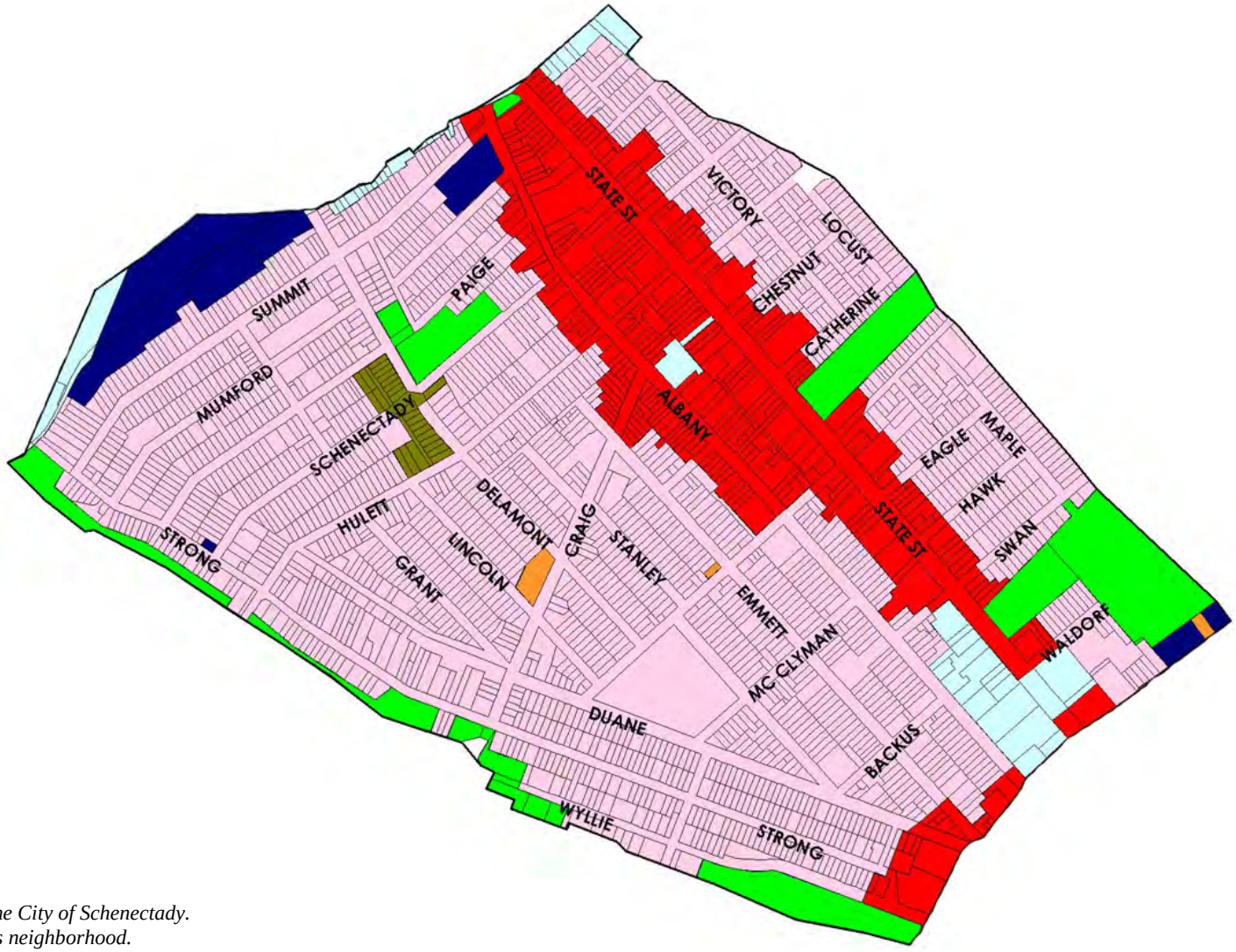
The Board of Zoning Appeals granted the Area Variance based on the following findings of fact:

1. No undesirable change will be produced in the neighborhood.
2. The benefit sought by the applicant cannot be achieved by another method.
3. The variance is not substantial.
4. There will be no adverse effect on physical or environmental conditions in the neighborhood.

This Decision filed in the office of the Board of Zoning Appeals on August 12, 2015.

Steven Strichman - Zoning Officer

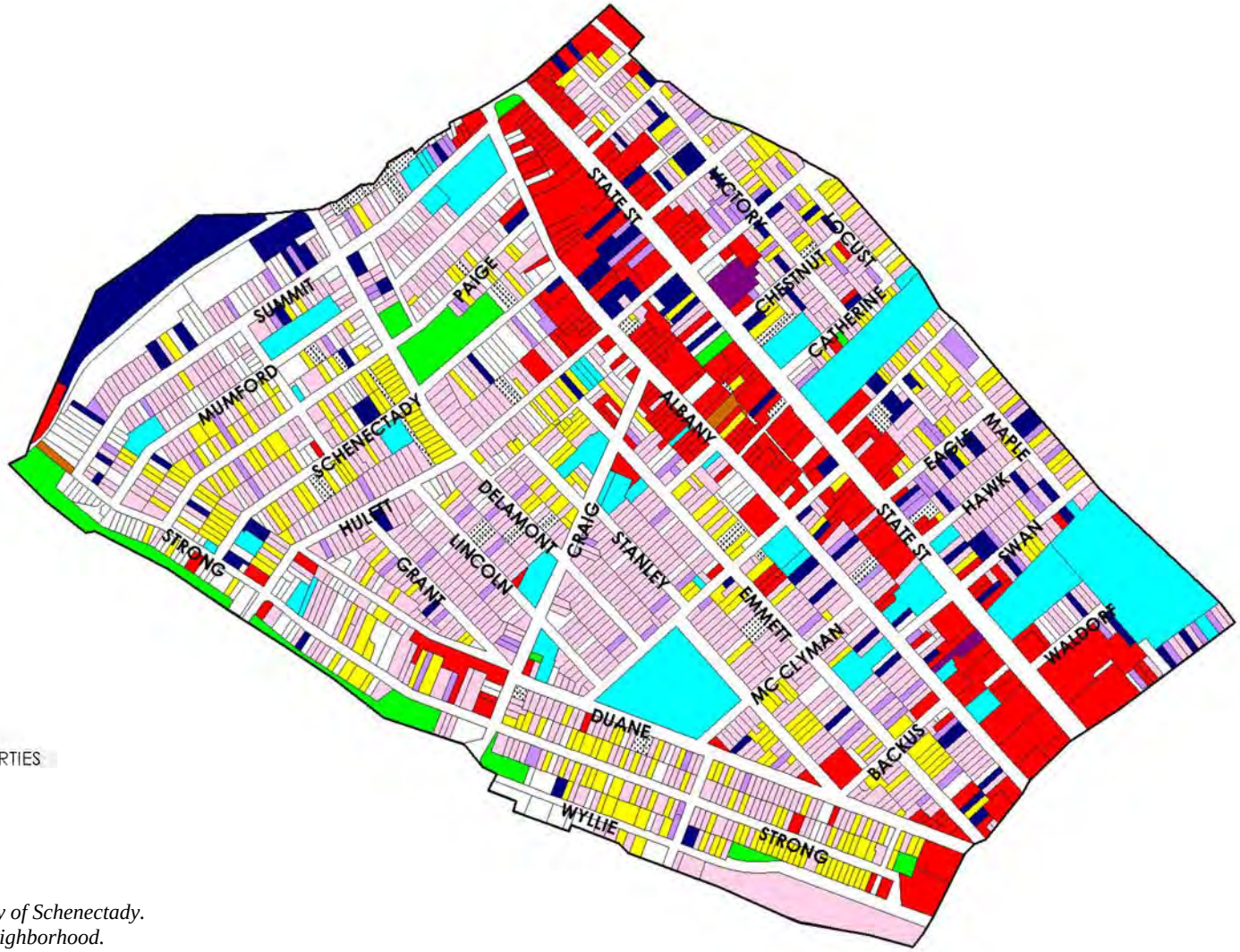
Zoning



- SINGLE FAMILY RESIDENTIAL
- TWO FAMILY RESIDENTIAL
- MULTI FAMILY RESIDENTIAL
- HISTORIC RESIDENTIAL
- STOCKADE HISTORIC RESIDENTIAL
- PLANNED RESIDENTIAL DEVELOPMENT
- OFFICE PARK
- BUSINESS
- COMMERCIAL
- NEIGHBORHOOD RETAIL BUSINESS
- RECREATION AND OPEN SPACE
- LIGHT INDUSTRIAL
- HEAVY INDUSTRIAL
- INDUSTRIAL PARK
- OVERLAY CENTRAL BUSINESS

Note: This legend includes all zoning districts in the City of Schenectady. Some districts may not be represented in this neighborhood.

Land Use



- SINGLE FAMILY RESIDENTIAL
- TWO FAMILY RESIDENTIAL
- THREE FAMILY RESIDENTIAL
- MULTI FAMILY RESIDENTIAL
- VACANT LAND
- COMMERCIAL PROPERTIES
- RECREATION AND ENTERTAINMENT PROPERTIES
- INSTITUTIONAL USES
- INDUSTRIAL PROPERTIES
- PUBLIC SERVICES PROPERTIES
- UNKNOWN

Note: This legend includes all land uses in the City of Schenectady. Some uses may not be represented in this neighborhood.

Schenectady City School District

108 Education Drive
Schenectady, NY 12303-1238

BOARD OF EDUCATION

Catherine A. Lewis, President **John Foley, Vice President**
Andy Chestnut • Dharam Hitlall • Tanya Hull • Cheryl Nechamen • Ann M. Reilly

June 30, 2015

Ms. Debra L. Schimpf
Schenectady Community Action Program, Inc.
913 Albany Street
Schenectady, NY 12305

Dear Ms. Schimpf:

The correspondence confirms our responsibility to provide a public K-12 education for all children living in the City of Schenectady and demonstrates our support for the 50 units of safe, affordable housing to be developed by DePaul of Rochester on Albany Street in Schenectady's Hamilton Hill Neighborhood. This project has the support of the City of Schenectady, Metroplex Development, the Neighborhood Association and residents and will be supported by Schenectady Community Action Program who will provide on-site services to residents to encourage housing stability.

The project is for households earning up to 60% of area median income. The building will have three levels and approximately 50,000 square feet. There will be 46 one bedroom units and 4 two bedroom units. Each unit will have a kitchen and bath. There will also be community rooms, staff offices, lounges, laundry, storage and other community space for the residents. There will be ample parking on site for residents, staff and visitors. The building will have on-site security personnel and property cameras that will enhance neighborhood safety.

The Schenectady City School District has a population of nearly 10,000 students in grades Pre-K through 12. 80% of our students receive free and reduced-price meals. Improving housing stock in the City that will encourage housing stability and support to our families is a positive step forward for the community. We are estimating that four school-age children will reside in this housing and will enroll in one of our K-12 schools. The District will provide the services to support the children's education and will continue to actively work with parents and the community.

Sincerely,

Laurence T. Spring
Superintendent

OFFICE OF
THE SUPERINTENDENT

Laurence T. Spring
Superintendent

Patricia Paser
Assistant to
the Superintendent

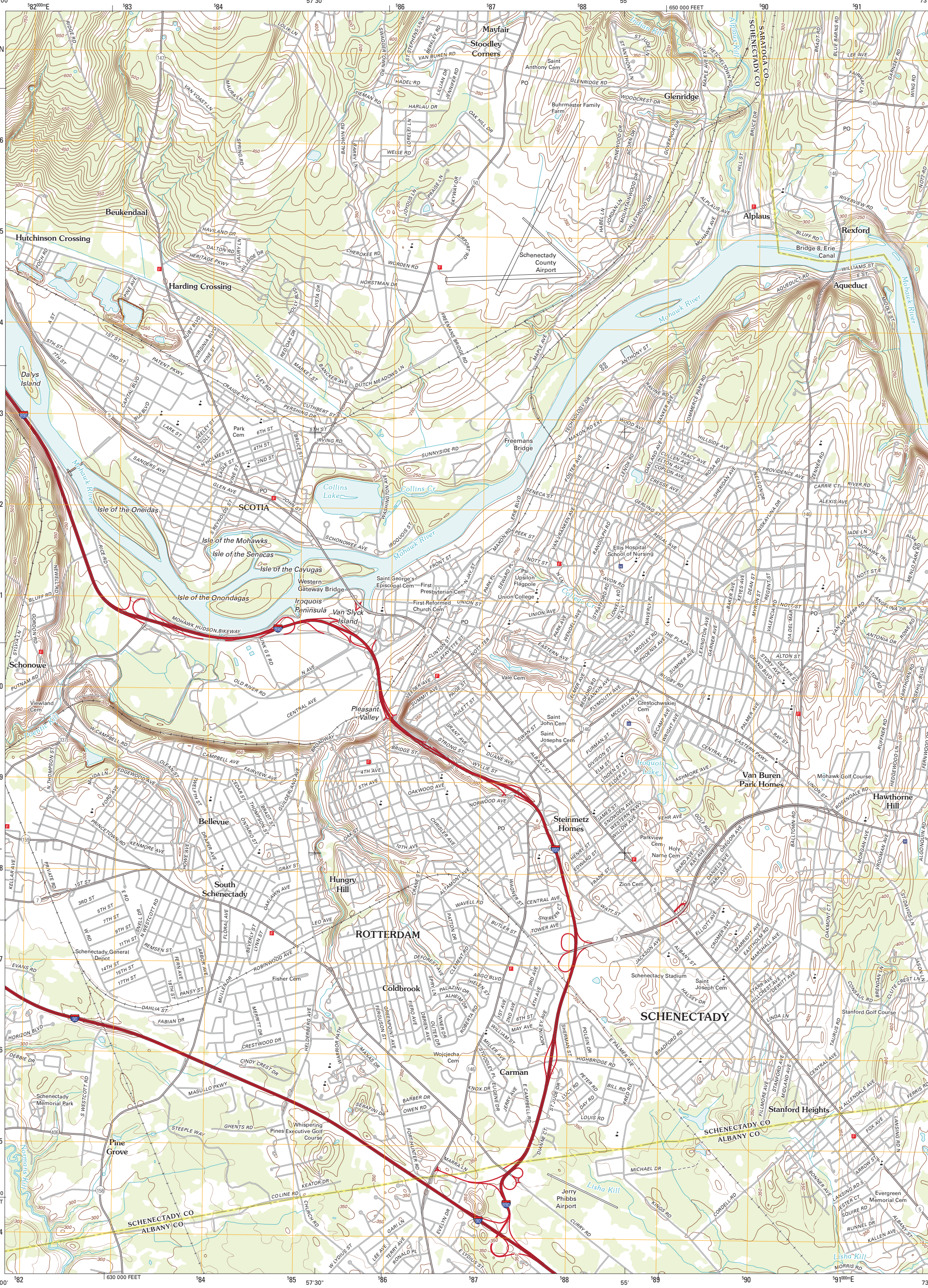
CENTRAL OFFICE
Tele: 518.370.8100
Fax: 518.370.8173
Web: www.schenectady.k12.ny.us

APPENDIX N
TOPOGRAPHIC MAP

U.S. DEPARTMENT OF THE INTERIOR
U. S. GEOLOGICAL SURVEY

The National Map
US Topo

SCHENECTADY QUADRANGLE
NEW YORK
7.5-MINUTE SERIES



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and 1 000-meter grid: Universal Transverse Mercator, Zone 18T
10 000-foot ticks: New York Coordinate System of 1983 (east zone)

Imagery .... NAIP, October 2011
Roads .... ©2006-2012 TomTom
Names .... GNIS, 2012
Hydrography .... National Hydrography Dataset, 2011
Contours .... National Elevation Dataset, 1998
Boundaries .... Census, IBWC, IBC, USGS, 1972 - 2012

UTM GRID AND 2013 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

U.S. National Grid
100,000-m Square ID
WN
Grid Zone Designation
18T

SCALE 1:24 000

CONTOUR INTERVAL 10 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988

This map was produced to conform with the National Geospatial Program US Topo Product Standard, 2011.
A metadata file associated with this product is draft version 0.6.7

QUADRANGLE LOCATION

Pattersonville	Burnt Hills	Round Lake
Rotterdam Junction	Schenectady	Niskayuna
Altamont	Voorheesville	Albany

ADJOINING 7.5' QUADRANGLES

ROAD CLASSIFICATION
Interstate Route
US Route
Ramp
State Route
Local Road
4WD
Interstate Route
US Route
State Route

SCHENECTADY, NY
2013

APPENDIX O

SOLID WASTE

KATHY M. SHEEHAN
MAYOR

CITY OF ALBANY
DEPARTMENT OF GENERAL SERVICES
ONE CONNERS BOULEVARD
ALBANY, NEW YORK 12204-2514
(518) 432-1144 FAX 427-7499
WWW.ALBANYNY.GOV

DANIEL C. MIRABILE
COMMISSIONER

July 14, 2015

Mr. Mike Capria
Empire Building Diagnostics
786 Terrace Blvd
Depew, NY 14043

RE: 2015 Permit

Dear Mr. Capria:

The purpose of this correspondence is to approve your request for a 2015 Landfill Permit Application. Please find and affix the _1__ truck permit to the vehicle that will be accessing the facility. If your firm is contracting transportation to a third party, please insure the third party has a current City of Albany Landfill Permit & NYSDEC Part 364 permit (if required). This correspondence authorizes your firm to dispose of Municipal Solid Waste, Industrial Waste, Petroleum Contaminated Soils and Construction & Demolition debris at the Rapp Road Solid Waste Management Facility in accordance with the terms and conditions found in the 2015 Landfill Permit Application.

Due to tonnage restrictions imposed on the City by the Department of Environmental Conservation, we ask that should the need arise for you to dispose of more waste than indicated in your disposal agreement, please contact my office prior to commencing hauling operations. A copy of this facility's Part 360 Permit can be found by on line at capitalregionlandfill.com. The facility's NYSDEC Permit Number is: #4-0101-00171/00011.

Thank you and if I may be of any other service, please feel free to contact my office at 518-869-3651.

Sincerely,

Joseph Giebelhaus
Solid Waste Manager

PERMIT NUMBER: 677

EMPIRE BUILDING DIAGNOSTICS
786 Terrace Blvd
Depew, New York 14043-0412

June 30, 2015

Attn: Joe Anello
Christa

RE: Schenectady Building Demolitions

Dear Joe:

Thank you for the opportunity to provide you with our services. Our intentions are to recycle materials such as metals, and hard fill, with the aid of the proper facilities so as to limit the amount of waste being left in a landfill.

All work will be done in strict accordance with all applicable rules and regulations.
If you have should have any questions, please do not hesitate to contact me at (716) 685-4588

Sincerely,

Michael Young
Estimator

Phone (716) 685-4588 Fax (716) 685-6055

EMPIRE BUILDING DIAGNOSTICS, INC.
786 Terrace Boulevard, Suite 1
Depew, New York 14043

August 24, 2015

Attn: Joe Anello
Christa Construction

RE: Schenectady

Dear Joe:

The Rapp Road landfill location is properly licensed in NYS to accept clean c&d waste and asbestos contaminated waste.

The landfill also has the capacity to service the projects needs and will just require an updated waste profile to inform them of how much waste will be generated from the project.

Please let me know if you have any questions.

Thank you.

Sincerely,

Eric Hurlburt
Estimator

Phone (716) 685-4588 Fax (716) 685-6055

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

DEC PERMIT NUMBER		EFFECTIVE DATE
See Description section below		June 25, 2009 Modified November 26, 2012*
FACILITY/PROGRAM NUMBER(S) See Description section below	**PERMIT** **Under the Environmental Conservation Law (ECL)**	EXPIRATION DATE(S) June 24, 2019

TYPE OF PERMIT (Check All Appropriate Boxes)

☐ NEW ☐ RENEWAL ☒ MODIFICATION ☒ PERMIT TO CONSTRUCT ☒ PERMIT TO OPERATE

	ARTICLE 15, TITLE 5: PROTECTION OF WATER		ARTICLE 17, TITLES 7, 8: SPDES		ARTICLE 27, TITLE 9; 6NYCRR 373: HAZARDOUS WASTE MGMT.
	ARTICLE 15, TITLE 15: WATER SUPPLY	X	ARTICLE 19: AIR POLLUTION CONTROL		ARTICLE 34: COASTAL EROSION MANAGEMENT
	ARTICLE 15, TITLE 15: WATER TRANSPORT		ARTICLE 23, TITLE 27: MINED LAND RECLAMATION		ARTICLE 36: FLOODPLAIN MANAGEMENT
	ARTICLE 15, TITLE 15: LONG ISLAND WELLS	X	ARTICLE 24: FRESHWATER WETLANDS		ARTICLES 1, 3, 17, 19, 27, 37; 6NYCRR 380: RADIATION CONTROL
	ARTICLE 15, TITLE 27: WILD, SCENIC & RECREATIONAL RIVERS		ARTICLE 25: TIDAL WETLANDS		ARTICLE 27, TITLE 3, 6NYCRR 364: WASTE TRANSPORTER
X	6NYCRR 608: WATER QUALITY CERTIFICATION	X	ARTICLE 27, TITLE 7: 6NYCRR 360: SOLID WASTE MANAGEMENT	X	ARTICLE 11-0535, 6NYCRR 182 ENDANGERED/THREATENED SPECIES LICENSE

PERMIT ISSUED TO City of Albany, Department of General Services	TELEPHONE NUMBER (518) 432-1144
ADDRESS OF PERMITTEE 1 Connors Boulevard, Albany, NY 12204	
CONTACT PERSON FOR PERMITTED WORK Nicholas J. D'Antonio, Commissioner, Department of General Services	TELEPHONE NUMBER 432-1144
NAME AND ADDRESS OF PROJECT/FACILITY Rapp Road Solid Waste Management Facility, 525 Rapp Road, Albany, NY 12205 (518) 869-3651	
LOCATION OF PROJECT/FACILITY West side of Rapp Road, north side of I-90 (NYS Thruway)	

COUNTY	CITY	WATERCOURSE/WETLAND NO.	NYTM COORDINATES
Albany	Albany	n/a	E: 603.9 N: 4740.3

DESCRIPTION OF AUTHORIZED ACTIVITY:

Permit Type/Permit Number:
Part 360 Solid Waste Management: DEC #4-0101-00171/00011 (Primary permit tracking number)
(Including Household Hazardous Waste Collection & Storage in accordance with requirements of Part 373-4)
Article 24 Freshwater Wetlands: DEC# 4-0101-00171/00015
Article 15 Section 401 Water Quality Certification: DEC# 4-0101-00171/00016
Air Title V (to be issued as a separate individual permit): DEC# 4-0101-00171/00013
Article 11-0535, 6 NYCRR 182, Endangered/Threatened Species License

Project Description:
Renewal of permit to operate existing landfill operations with an approved design capacity of 3,134,000 cubic yards. Modification of permit to authorize construction and operation of expanded landfill over approximately 23 acres of existing landfill, and a lateral, northeasterly expansion of approximately 15 acres of land, of which 7 acres are disturbed/developed and 8 acres are undeveloped city-owned lands. The "Eastern Expansion" will bring the total design capacity of the landfill to approximately 6,059,000 cubic yards.

* Modification of Special Conditions 26(b), 27 and 34 (deadline dates for required submissions, and funding for habitat restoration).

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified (see page 2) and any Special Conditions included as part of this permit.

DEPUTY REGIONAL PERMIT ADMINISTRATOR:	ADDRESS	
Angelo A. Marcuccio	NYS DEC, Region 4 Headquarters 1130 North Westcott Road, Schenectady, NY 12306	
AUTHORIZED SIGNATURE Angelo A. Marcuccio	DATE 11/26/12	Page 1 of 25

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification
The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits
The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights
This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

GENERAL CONDITIONS

1. Facility Inspection by the Department
The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3). The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department. A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations
Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications for Permit Renewals or Modifications
The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.
The permittee must submit a renewal application at least:

a) 180 days before expiration of permits for State Pollutant Discharge Elimination System (SPDES), Hazardous Waste Management Facilities (HWMF), major Air Pollution Control (APC) and Solid Waste Management Facilities (SWMF); and
b) 30 days before expiration of all other permit types.

Submission of applications for permit renewal or modification are to be submitted to:

NYSDEC Regional Permit Administrator, Region 4
1130 North Westcott Road, Schenectady, NY 12306
(for Albany, Columbia, Eastern Greene, Rensselaer, Montgomery, Schenectady & Schoharie Counties)

NYSDEC Deputy Regional Permit Administrator, Region 4
Stamford Field Office, Rte. 10, Stamford, NY 12167
(for Western Greene, Delaware, Otsego, & Schoharie Counties)

4. Permit Modifications, Suspensions and Revocations by the Department
The Department reserves the right to modify, suspend or revoke this permit in accordance with 6 NYCRR Part 621. The grounds for modification, suspension or revocation include:

a) materially false or inaccurate statements in the permit application or supporting papers;
b) failure by the permittee to comply with any terms or conditions of the permit;
c) exceeding the scope of the project as described in the permit application;
d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
e) non-compliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

ADDITIONAL GENERAL CONDITIONS
For ARTICLES 15 (TITLE 5), 24, 25, 34 and 6NYCRR PART 608

1. If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

2. The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

3. Granting of this permit does not relieve the applicant of the responsibility of obtaining any other permission, consent or approval from the U.S. Army Corps of Engineers, U.S. Coast Guard, New York State Office of General Services or local government which may be required.

4. All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

5. Any material dredged in the conduct of the work herein permitted shall be removed evenly, without leaving large refuse piles, ridges across the bed of a waterway or floodplain or deep holes that may have a tendency to cause damage to navigable channels or to the banks of a waterway.

6. There shall be no unreasonable interference with navigation by the work herein authorized.

7. If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

8. If granted under 6NYCRR Part 608, the NYS Department of Environmental Conservation hereby certifies that the subject project will not contravene effluent limitations or other limitations or standards under Sections 301, 302, 303, 306 and 307 of the Clean Water Act of 1977 (PL 95-217) provided that all of the conditions listed herein are met.

9. All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or his agent as part of the permit application, except when such plans differ from the Special Conditions of this permit; in which case, the Special Conditions take precedence over the plans and application materials. Such approved plans are referenced in Special Condition number 1 of this permit.

Special Conditions

Approved Project Documents

1. All work related to this permit shall be conducted in strict conformance with this permit and the documents identified in this permit condition. The conditions in this permit supersede any inconsistent provisions in the documents incorporated by reference.

   a) Part 360 Permit application including plans and specifications prepared by Clough, Harbour & Associates, July 2007, with subsequent updates; and as amended with Addendum No. 1, dated April, 2008; Addendum No. 2, dated June, 2008; Addendum No. 3 dated July 15, 2008; Plans updated February 2008, and Plan Drawing G-21 (Phase 1 Top of Liner/Landscape/Stormwater Control Plan), dated April 2009; Plan Drawing G-22 (Phase 2 Top of Liner/Landscape/ Stormwater Control Plan), dated April 2009; and Aquifer Variance Report, dated April 2009;

   b) The Contingency Plan prepared by Clough, Harbour & Associates, April 3, 2008;

   c) Operations & Maintenance Manual prepared by Clough, Harbour & Associates, April 3, 2008;

   d) Household Hazardous Waste Storage Facility Application for Permit Modification, dated March 19, 2004;

   e) Albany Rapp Road Landfill Ecosystem Mitigation, Restoration & Enhancement Plan, "Habitat Restoration Plan," (report and plans) prepared by Applied Ecological Services, Inc., dated June 2009;

   f) Integrated Pest and Invasive Species Management Plan prepared by Applied Ecological Services, Inc., dated June 2009;

   g) Storm Water Pollution Prevention Plan for Stormwater Discharges Associated with Industrial Activity, Rapp Road Solid Waste Management Facility, prepared by Clough Harbour and Associates, May 2009 and June 2009;

   h) Stormwater Pollution Prevention Plan, Rapp Road Solid Waste Management Facility Eastern Expansion, prepared by Clough Harbour and Associates, May 2009 and June 2009;

   i) Stormwater Pollution Prevention Plan, Rapp Road Solid Waste Management Facility Restoration Plan, prepared by Clough Harbour and Associates, May 2009 and June 2009;

   j) SPDES Multi-sector or General Stormwater Permit;

   k) Temporary Revocable Permits issued by the Department and the Albany Pine Bush Preserve Commission for any work that will take place on state lands and dedicated Albany Pine Bush Preserve Lands;

   l) Air Title V Permit Modification issued 6/25/09 and permit;

Special Conditions

m) The following sections of the Rapp Road Landfill Eastern Expansion Fourth Supplemental Draft Environmental Impact Statement (SDEIS), City of Albany, New York, Dated April 2009, including all tables, figures and photographs relevant to each referenced section;

3.0 Environmental Setting, Impacts & Mitigation
Subsection 3.1 Topography, Geology, Soils;
3.1.2 Potential Impacts & Mitigation: pages 3-10 through 3-11
3.2 Water Resources
3.3.2.1 Groundwater; pages 3-30 to 3-32
3.2.2.2 Surface Waters; pages 3-32 to 3-35
Proposed Mitigation Condition Watershed Analysis; pages 3-35 to 3-36
Stormwater Management Practices/Treatment Train; pages 3-36 to 3-39

3.3 Ecology
Potential Impacts & Mitigation; pages 3-61 through 3-69

3.6 Visual Resources - pages 3-76 through 3-83
The Eastern Expansion project shall conform to the following:
Viewshed depicted on the plan identified as Alternative 3 Viewshed Map (Figure 3.6-1);
The view locations depicted on the plans identified as Views From the Albany Pine Bush Preserve (Figure 3.6-2);
The key views for Alternative #3 as depicted in the following Key View figures: 3.6-9; 3.6-10; 3.6-18; 3.6-19; 3.6-28; 3.6-29; 3.6-37; 3.6-38; 3.6-46; 3.6-47; 3.6-55; 3.6-55; 3.6-59; 3.6-62; 3.6-653.6-68; 3.6-71; 3.6-72; 3.6-73; 3.6.74; 3.6-75.

3.7 Traffic; Section 3.7.1 Existing Conditions, page 3-84
3.7.2 Potential Impacts & Mitigation: pages 3-84 through 3-85

3.8 Air Quality & Odor Control, page 3-86
3.8.2.1 Air Quality Evaluation, page 3-91
Landfill Gas Collection and Control System – Mitigation
pages 3-100 through 3-101

3.8.2.2 Odor Evaluation
Odor Control – Mitigation; pages 3-104 through 3-105

3.8.2.3 Greenhouse Gases
Reducing GHG Emissions & Offsets; pages 3-109 through 3-110

Special Conditions

3.9 Noise
3.9.2 Potential Impacts & Mitigation; pages 3-119 through 3-144

3.10 Cultural Resources; pages 3-145 through 3-153
3.10.1.3 Alternative 3 – Eastern Expansion, page 3-151
3.10.1.4 Alternative 3 – Private Parcels, page 3-152
3.10.2 Potential Impacts and Mitigation, page 3-153
Figure 3.10.1 (Cultural Resources Site Avoidance)

4.0 Unavoidable Adverse Impacts
4.6 Visual Impacts, page 4-3
4.7 Traffic, page 4-3
4.8 Air Quality & Odor Control page 4-4
4.9 Noise, pages 4-5 through 4-7
4.10 Cultural Resources, page 4-7

8.0 Use & Conservation of Energy; pages 8-1 through 8-3
See also Greenhouse gases discussion, referenced in section 3.8.2.3 (pages 3-105 to 3-109)

The permittee shall acquire and use the most fuel efficient vehicles available for each vehicle type for use in landfill operations as such vehicles are replaced. This schedule for replacement shall be incorporated into the proposed energy usage BMP plan below.

The permittee shall develop an Energy Usage Best Management Practices Plan for reducing energy consumption, and submit such plan to the Department, Attention: Region 4, Regional Permit Administrator, within 90 days of the effective date of this permit for review and approval and implementation at the landfill facility.

Appendices
C. Solid Waste Data – Source Separation of Recyclables; pages 1-4
D. Restoration Plan Studies and Examples – Final Monitoring Program; pages 100 - 109
F. Stormwater Treatment Train; pages 1 – 10
G. Ecology Data – Wetland Boundary Verification; pages 1-16
H. Visual Impact Analysis; pages 1 – 92 (Alternative number 3) Key Views as per Visual Resources section 3.6 referenced above
I. Air Quality & Odor Study; pages 1-31
J. Cultural Resources Report; pages 1 – 11 (Alternative 3)

Special Conditions

n) Document titled: "FINAL Solid Waste Management Plan Modification for the Capital Region Solid Waste Management Partnership Planning Unit. *Prepared For:* City of Albany, Department of General Services, 1 Connors Boulevard, Albany, New York; CHA Project #: 17757; May, 2009; *Prepared by:* CHA, III Winners Circle, Albany, NY 12205"

o) The permittee shall abide all plans and documents approved by the State Historic Preservation Office (SHPO) Office of Parks, Recreation and Historic Preservation (OPRHP) with regard to avoidance and protection of the pre-contact site located on lands owned by the City of Albany (the permittee) at the facility. These plans/documents are identified and referenced as:

1. Avoidance Plan of the Pine Bush Precontact Site (USN 00140. 004748), Albany Landfill Expansion Restorative-Grading, City of Albany, Village of Colonie, and Town of Guilderland, Albany County, New York; May 2009, prepared by Hartgen Archeological Services, Inc.

2. Full size engineering drawing showing the protected area around Site AOOI40.004748, Sheet Number ES.3, dated 4 May 2009, prepared by Applied Ecological Services, Inc.

3. Letter from Amy Wilson, Hartgen Archeological Services, Inc., dated 18 May 2009.

Facility Construction – Hours of Operation

2. During the construction phase of the of the new landfill cell the construction work, and the delivery of construction materials shall be limited to the following days and hours:

   a) Monday through Friday, 6:00 a.m. to 6:00 p.m.
   b) Saturdays: 7:00 a.m. to 4:00 p.m.
   c) No construction activities on Sundays and Holidays

Habitat Restoration Activities – Hours of Operation

3. All habitat restoration activities involving the use of heavy equipment shall be subject to the days and hours of operation in Special Condition number 4a and 4b below. The use of any other hand operated power equipment such as chainsaws shall be governed by Temporary Revocable Permit(s) issued by the NYSDEC and/or the Albany Pine Bush Preserve Commission. In no case shall any equipment utilized for habitat restoration be operated outside the hours identified in Special Condition number 2 above, and such equipment shall not cause any exceedence of 62 dB(A), 1 hour Leq at the property line boundaries of the habitat restoration areas.

Special Conditions

Facility Operation – Hours of Operation

4. a) Except as noted below, the permittee shall receive waste, apply cover and conduct landfill related activities only between the hours of 7:00 a.m. and 4:30 p.m., Monday through Friday.

   b) Except as noted below, the permittee shall not receive waste, apply cover material or conduct landfill related activities on Saturdays, Sundays or the following holidays: New Years Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day and Christmas Day.

   c) The following are exceptions to the limited days and hours of waste receipt, application of cover material and heavy equipment operation as stated in Special Condition 4a and 4b above:

      1. The permittee may receive waste at the facility on no more than 5 Saturdays per year from 7:00 a.m. to 4:30 p.m. during the City of Albany's Spring Cleanup Days for those wastes generated only from within the City of Albany.

      2. The permittee may receive waste at the facility during the holidays listed in special condition 4 (b) only when such holidays fall on a Monday through Friday, and only under the following conditions:

         i) The landfill shall receive waste only between the hours of 8:00 a.m. and 12:00 p.m.;

         ii) The landfill shall receive only City of Albany generated residential solid waste transported in City of Albany packer trucks;

         iii) The contents of no more than 16 full packer trucks may be disposed of during the hours of waste receipt on that holiday;

         iv) Solid wastes received during a holiday shall be dumped and piled for temporary storage within the landfill containment system at a location which is the farthest point from existing residences along Rapp Road and Fox Run Estates;

         v) The solid waste pile shall be immediately covered with Posi-Shell;

         vi) Bulldozer and equipment operations shall be limited to the minimum necessary to only cover the solid waste pile; and

         vii) No shredding, spreading or compacting operations shall be conducted.

Special Conditions

Facility Operating Requirements

5. The following wastes shall not be disposed of at this facility:

   a. hazardous waste that is required to be managed at a facility subject to regulation under 6 NYCRR Part 373 or 374;

   b. radioactive materials, NARM waste or low-level radioactive waste as defined in 6 NYCRR Parts 380, 382 and 383;

   c. any drum or any container which has held hazardous waste and is not empty according to 6 NYCRR 371.1(h);

   d. regulated medical waste as defined by 6 NYCRR Part 360-17.2(h); except that regulated medical waste that has been treated or decontaminated by an authorized facility may be disposed provided it is not otherwise a hazardous waste and is accompanied by a certificate, in a form prescribed by the Commissioner of Health which evidences such treatment;

   e. liquid or slurry wastes;

   f. sludges that contain any free liquids or are less than 20 percent solids;

   g. yard waste and lawn clearing debris (leaves, grass, brush/branches and stump/tree sections);

   h. lead-acid batteries;

   i. tires (including portions of tires); except if chipped tires are used as part of the leachate collection system, as approved by the Department;

   j. source separated recyclable materials, as determined by the commissioner of the Department of General Services pursuant to Article II of Chapter 313 of the Albany City code;

   k. electronics wastes, including computer monitors and televisions, when visible in mixed solid waste;

   l. explosives; and

   m. septage.

Special Conditions

6. a) The permittee shall not accept more than 1,050 tons per day of solid waste based on a thirty day rolling average of landfill operating days. Beneficial Use Determination (BUD) material received at the landfill is excluded from this limit.

   b) The permittee shall not use more than 262 tons per day of materials as alternative daily cover or intermediate cover. Alternative cover material amounts will not count against the solid waste acceptance limit, except that any amount of alternative cover material used above the 262 tons per day annual average will count towards the solid waste acceptance limit, and is subject to all applicable assessments.

   c) Nothing in this permit condition shall limit the Department's authority to require additional mitigating cover materials as a means of odor control when the Department deems necessary.

   d) The Spring Cleanup Days and holiday operation days as defined and identified in Special Condition number 4 of this permit shall not be included in calculating the thirty-day rolling average of landfill operating days.

   e) Vehicles delivering waste or cover material to this facility must be covered to prevent spillage of contents.

7. a) The permittee shall submit all landfill reports required by 6 NYCRR Part 360 and this permit in duplicate to the attention of: Regional Solid Waste Engineer, Region 4, New York State Department of Environmental Conservation, 1130 North Westcott Road, Schenectady, New York 12306.

   b) Annual Reports

      1. The annual report required by 6 NYCRR Part 360 shall include closure, post-closure care and, if required, corrective measures cost estimate adjustments or revisions. The annual report shall specify the amount of funds in the Solid Waste Management Reserve Fund and in any other financial assurance mechanisms established by the permittee and the amounts that were deposited, removed and established during that calendar year.

      2. The permittee shall provide the information required by 6 NYCRR 360-2.17(t) as requested on forms prescribed by or acceptable to the Department. As indicated on such forms, the permittee shall report the type and amount of waste received from each solid waste management facility and county within the permittee's service area.

      3. The permittee shall submit an annual report to the NYSDEC Region 4, Regional Solid Waste Engineer and to the NYSDEC Director of Solid & Hazardous Materials, 625 Broadway, Albany, NY 12233, which describes the progress that has been made in meeting the long range solid waste management goals outlined in Special Conditions numbers 26 and 27.

Special Conditions

8. All structures, including the leachate collection and removal system, groundwater and gas monitoring wells, access roads, drainage structures, sedimentation basins, etc., shall be maintained in proper working order. In the event any structure becomes damaged or malfunctions and will not properly function, the permittee shall notify the Department verbally within 48-hours after discovery and follow-up in writing within 7 days, and shall promptly replace or repair the structure. If the permittee immediately repairs the damaged structure within 24-hours of discovering the damage or malfunction, the permittee shall not be required to notify the Department verbally or in writing. All monitoring wells (groundwater and gas) shall be fitted with locking caps and locked at all times other than during times of sampling or maintenance.

9. The permittee shall discharge landfill leachate only to the Albany County Sewer District sanitary sewer, unless otherwise approved by the Department in writing, and shall maintain an on-site leachate storage capacity of a minimum of five days on average for both primary and secondary leachate flows.

10. The permittee shall notify the Department no later than 10 calendar days prior to its conducting quarterly groundwater and/or leachate sample collection activities.

11. The permittee shall comply with the odor control program contained in section 12 of the Operation & Maintenance Manual contained in the 6 NYCRR Part 360 permit application as referenced in Special Condition number 1.

12. The permittee shall maintain a 24-hour telephone complaint network to allow facility users/neighbors to register comments/complaints related to the operation of the facility. A log of complaints shall be maintained and this log shall record the following information at a minimum: Caller's name (asked for, but not required), date, time, location where the problem is detected, nature and duration of the problem, the number of the telephone line which received the call, name and title of the person receiving the call, and actions taken in response to comment/complaints.

13. The permittee shall control odors from the landfill facility so they don't constitute an off-site nuisance or hazards to health, safety or property. This provision shall not limit the Department's summary abatement powers.

14. The permittee's maximum allowable waste disposal limit shall, upon written notice from the Department of non-compliance with 6 NYCRR 360-1.14(m) - Odor Control, be reduced as determined by the Department. The Department may order the reduction of waste receipt based on verification by two DEC staff engineers or technicians from the Region 4 Environmental Quality Divisions of off-site odors on four separate occasions within any three-day period. For the purposes of this condition, the Department may order the reduction of waste accepted in increments of 200 tons per day until the odors are abated. The Department will notify the permittee in writing when the permittee may resume accepting 1,050 tons per day, upon verification that off-site odors have been abated. Nothing contained herein shall limit the Department's summary abatement powers.

Special Conditions

15. The permittee shall operate the Household Hazardous Waste Storage Facility (HHWSF) in accordance with the March 19, 2004 revised Application for Permit Modification, prepared by Clough, Harbour and Associates, and the April 9, 2004 revised HHW Storage Facility Inspection Sheet, unless otherwise approved by the Department in writing.
16. The permittee shall inspect on a weekly basis, the properties which abut the landfill and which are either owned by the Department, or are dedicated to the Albany Pine Bush Preserve, or in private ownership, to ensure compliance with 6NYCRR360-1.14(j) [Confinement of Solid Waste]. These weekly inspections shall cover a 200 foot zone beyond the landfill facility perimeter. In addition to the weekly inspections, the permittee make 2 additional inspections per year - once in April and once in October and cover the land area up to 600 feet beyond the landfill facility perimeter. Any sensitive areas within these zones (e.g. lupine and nectar patches, endangered or threatened species brood sites) as identified in the Habitat Restoration Plan and project documents, or by the Department, shall require prior approval by the Department in order to implement inspection and cleanup procedures. A record of these inspections and cleanup actions shall be included in the solid waste annual report.

17. a) Once the landfill has received sufficient solid waste to achieve its approved "final design closure contours," as per the approved plans identified in Special Condition 1 of this permit, the permittee shall cease acceptance of all solid waste at the landfill and shall commence closure.

    b) The permittee, or any entity on behalf of the City of Albany or any assignee or transferee, are prohibited from submitting an application for authorization for any lateral or vertical expansion of this landfill.

18. The permittee shall not use any rodenticides at, in or around the landfill disposal cell area, or in or around any facilities/buildings located at the landfill facility. (as per CHA May 8, 2009 letter to A. Marcuccio, NYSDEC)

19. Methane Gas Flares:
    a) Within 30 days of the effective date of this permit, the permittee shall provide the Department, Attention: Region 4, Regional Permit Administrator, a schedule for installation and operation of new continuously operated flares as referenced in the May 8, 2009 letter from Christopher Einstein, Clough Harbour Associates to Angelo Marcuccio, NYSDEC and construction/design plans, for review and approval.
    b) The permittee shall verify that no birds are perched on the flare unit prior to manually relighting it after the flare unit has been down for service or for any other reason.
    c) The permittee shall implement any additional measures to retrofit the flare units that the Department deems necessary in the future to be protective of bird species.
    d) The permittee shall submit plans for any flare replacement or avian protection measures to the Department Attn. Region 4, Supervisor of Natural Resources for review and approval prior to implementation.

20. The permittee shall shut off landfill gas to the gas recovery facility and flare the gas whenever off-site landfill odors attributable to gas recovery facility cannot be controlled or abated. This provision shall not limit the Commissioner's summary abatement powers.

Special Conditions

Stormwater Management

21. a) The permittee shall submit to the department a written request for approval to disturb greater than 5 acres of soil associated with the restoration project, no later than 30 days prior to commencement of construction on each phase. Each request shall include the erosion and sediment control plan and proposed sampling location(s) for water quality monitoring that will be required as part of the authorization to exceed the 5 acre threshold. No work shall commence prior to receipt of written approval from the department. The request shall be submitted to: NYSDEC, Regional Water Engineer, Region 4, 1130 N. Westcott Rd., Schenectady, NY 12306.

    b) As per Special Conditions 1 (g), (h), (i), (j), all such work shall be carried out in strict conformance with the stormwater plans and specifications for Multi-sector General SPDES Stormwater Permits, as per Special Condition 1(l).

22. The permittee shall not commence Phase II of the Landfill Expansion until the stream relocation and improvement project is completed and in service in accordance with the Habitat Restoration Plan, to the satisfaction of the Department.

Recycling for Solid Waste Generated in New York State

23. a) For solid waste generated within New York State, the permittee shall only accept at the landfill solid waste generated from a municipality that has either completed a comprehensive recycling analysis (CRA) or is included in another municipality's CRA satisfying the requirements of 6NYCRR Part 360-1.9(f) and which has been approved by the Department. The municipality shall have also implemented the recyclables recovery program determined to be feasible by this analysis.

    b) For solid waste generated within New York State, the permittee shall only accept at the Landfill solid waste that was generated within a municipality that either has implemented a mandatory source separation law or ordinance or is included in another municipality's mandatory source separation law or ordinance consistent with New York State General Municipal Law Section 120-aa, as determined by the Department.

Capital Region Solid Waste Management Partnership

24. The permittee shall conduct semi-annual meetings of the Capital Region Solid Waste Management Partnership to discuss each member's recycling programs and progress in meeting tasks listed in Table 4, Revised Implementation Schedule contained in the May 2009 Final Solid Waste Management Plan Modification prepared for the City of Albany, Department of General Services by Clough Harbour & Associates ("semi-annual meetings"). Within 30 days of each meeting, the permittee shall submit a report to the NYSDEC Region 4, Regional Solid Waste Engineer and to the NYSDEC Director of Solid & Hazardous Materials, 625 Broadway, Albany, NY 12233, addressing: a summary of the meeting discussion; specific progress in meeting the tasks; needed modifications and/or updates to the tasks' schedule, and any tasks not met in a timely manner and a plan and an expeditious schedule to achieve all unmet tasks.

Special Conditions

25. The permittee shall include a condition in all its annual landfill disposal tip fee inter-municipal agreements requiring that a representative of each municipality attend the semi-annual meetings.

Long Range Solid Waste Management

26. Solid Waste Management Planning

a) The permittee shall undertake all actions necessary to ensure full implementation of the existing Local Solid Waste Management Plan (LSWMP), including Department approved modifications thereto, as described in the FINAL Solid Waste Management Plan Modification for the Capital Region Solid Waste Management Partnership Planning Unit, May 2009, Table 4 (SWMP Modification Revised Implementation Schedule). The necessary actions to implement the LSWMP include, but are not limited to the following:

1. Identify education and enforcement activities to increase reduction and recycling, particularly in the commercial sector;

2. Fund and staff a City of Albany Recycling Coordinator and a Planning Unit Recycling Coordinator;

3. Convene meetings of the source separated organic waste recycling task force and implement its recommendations, if reasonable and feasible, as approved by the Department of Environmental Conservation;

4. Require commercial haulers using the landfill to provide recycling collection services for all of their customers for recyclables designated pursuant to Article II of Chapter 313 of the Albany City code; and

5. Analyze the participation rate for the City of Albany and of planning unit members and specific areas for improvement.

b) The permittee shall undertake all actions necessary to ensure that a new Long-term Local Solid Waste Management Plan (LSWMP) is in effect for the Planning Unit no later than November 30, 2013 as described in the existing LSWMP. The Planning Unit members are described in LSWMP.

Special Conditions

27. By no later than 3 years from the date that the DEC provides the City with formal approval of a new Long Term Solid Waste Management Plan the permittee shall submit to the Region 4, Regional Permit Administrator; the Regional Solid Waste Engineer and the NYSDEC Director of Solid & Hazardous Materials, 625 Broadway, Albany, NY 12233, for review, a request for proposal ("RFP") for engineering designs and/or contracts for the selected long term solid waste management option and any permit applications and environmental assessment forms that may be required.

Solid Waste Variances

28. This permit incorporates the following Department approved 6 NYCRR Part 360 variances:

    a) Variance from 6 NYCRR Part 360-2.17 (d). The permittee may use Posi-Shell spray-on material as intermediate cover in lieu of the minimum 12 inches of compacted cover material, provided that the Posi-Shell continues to adequately control vectors, fires, odors, blowing litter and scavenging until the final cover is constructed.

    b) Variance from 6 NYCRR Part 360-2-12(c) (1). The permittee may expand the existing landfill over a principal aquifer.

    c) Variance from 360-2.13(i). The permittee may operate the Albany Rapp Road Landfill Eastern Expansion over the existing lined cells of the landfill without an additional leachate barrier. To ensure adequate operation and maintenance of the leachate collection and removal system, the permittee shall do the following:

        1. The permittee shall notify the Department, in writing, within twenty-four hours of a secondary leachate collection system in any double lined cell initially exceeding 40 gallons per acre per day ("GPAD") and provide a description of efforts to investigate and correct the cause of the elevated flows.

- continued -

Special Conditions

2. The permittee shall notify the NYSDEC Region 4, Regional Solid Waste Engineer in writing within three (3) calendar days of any occurrence which prevents the liner system and/or leachate collection and removal system (LCRS) in any cell from operating as required by 6 NYCRR Part 360. This notification shall include a description of the occurrence and of the measures being taken to remedy it. Additional notifications of the status of the occurrence and remedy shall be submitted to the Department in writing every ten (10) calendar days until the remedy is completed to the satisfaction of the Department or the notifications the frequency of notifications are modified by the Department. An occurrence shall include;

   i) the leakage rate measured in the secondary leachate collection and removal system (LCRS) of any double lined cell exceeding 20 gallons per acre per day (based on a 30-calendar day rolling average);

   ii) damage to or failure of any leachate pump, leachate piping, leachate meter or other appurtenance which prevents the removal of leachate from the primary LCRS or secondary LCRS of any cell or the accurate measurement of such leachate;

   iii) damage to the primary or secondary LCRS of any cell which prevents the removal of leachate from that cell; and

   iv) failure of the secondary LCRS to be maintained in a free-flowing condition which prevents excessive leachate head accumulation on the lower liner;

3. The permittee shall maintain sufficient spare pumps and other parts on-site to ensure expeditious replacement of faulty pumps and parts.

4. The permittee shall clean the primary LCRS for all cells on a semi-annual basis or more frequently if needed, to maintain unobstructed and free draining conditions, to prevent clogging of the system to ensure its optimal performance. The permittee shall provide the Department, Attention: Region 4, Regional Solid Waste Engineer, written notification at least 15 days prior to the scheduled cleaning. Should conditions at the landfill require the work to done on an emergency basis, the permittee shall notify the Department no later than the next business day after having completed the work.

Special Conditions

Facility Financial Assurance

29. Financial Assurance for Closure, Post-Closure Care and Corrective Measures

a) Continuity of Coverage.
The permittee shall provide and maintain financial assurance in accordance with the applicable requirements of 6 NYCRR 360-2.19. The permittee shall provide continuous coverage for closure and post-closure care of the permitted landfill, which includes the Greater Albany Landfill, the Interim Landfill, the Wedge, the P-4 Expansion and the Eastern Expansion, until released from this requirement by the department after demonstrating compliance with the closure and post-closure care requirements of 6 NYCRR 360-2.15. The permittee shall also maintain financial assurance for corrective measures in accordance with 6 NYCRR 360-2.19(d) if required to undertake corrective measures pursuant to 6 NYCRR 360-2.20.

b) Cost Estimates.
The permittee shall submit to the Region 4, Regional Solid Waste Engineer Department for its review and approval, revised closure and post-closure care cost estimates for the entire permitted landfill within 30 calendar days of the effective date of this permit. During the active life of the landfill, the permittee shall annually adjust or revise the closure cost estimates. During the active life of the landfill and during the post-closure care period, the permittee shall annually adjust or revise the post-closure care cost estimates. The permittee shall submit the updated cost estimates in its annual report to the Department. The cost estimates shall include a 20% contingency factor to account for potential cost overruns due to unforeseen circumstances.

c) Mechanisms.
The permittee has established a Solid Waste Management Reserve Fund pursuant to General Municipal Law. The permittee shall also establish additional financial assurance mechanisms. The financial assurance mechanisms used by the permittee shall provide funding sufficient to cover all remaining closure and post-closure care costs of the landfill. Such mechanisms shall be irrevocably assigned to the Department. The permittee shall report on the amount of funds in the Solid Waste Management Reserve Fund and in any other established financial assurance mechanisms within 30 calendar days of the effective date of this permit and annually thereafter in its annual report to the Department.

d) Maintenance of Post-Closure Coverage.
Financial assurance for post-closure care shall be maintained for a minimum period of thirty (30) years following final closure of the landfill. Such financial assurance shall continue to be maintained to cover a minimum period of thirty (30) years throughout the post-closure care period until the permittee demonstrates to the Department's satisfaction that the post-closure care period can be ended.

Special Conditions

Albany Pine Bush/Freshwater Wetlands/Habitat Restoration

30. The permittee shall complete all habitat restoration work in accordance with the "Habitat Restoration Plan" identified in Special Condition 1 (e).

31. By each December 1 the permittee shall provide the Department with a report documenting compliance with the approved final restoration plan. The report shall be submitted to the attention of the Region 4, Supervisor of Natural Resources at 1130 N. Westcott Rd., Schenectady, NY 12306.

32. a) In addition to the Restoration Plan, compliance with the Plan shall also be evaluated based upon the criteria contained in the letter from Neil A. Gifford, Conservation Director of the Albany Pine Bush Preserve Commission to Christopher Einstein of Clough Harbour Associates, dated March 24, 2009, which includes creating suitable Karner blue butterfly habitat on the upland portions of the restoration lands.

    b) Each January 30 the permittee shall provide to the Department, Attention: Region 4 Supervisor of Natural Resources, for review and written approval, a work plan for the restoration plan implementation activities for the coming year.

    c) The permittee shall form an Interagency Habitat Management Team (team) consisting of a minimum membership of one representative from NYSDEC Region 4 Bureau of Wildlife and the Albany Pine Bush Preserve Commission. The team shall provide advice to the permittee in the development of the coming year's workplan, and any revisions to the Habitat Restoration Plan. Any changes to the approved restoration plan shall require prior review and written approval by the Department and a Temporary Revocable Permit (TRP) approval from the Albany Pine Bush Preserve Commission for non-DEC lands in the Pine Bush Preserve and a TRP from the Department any DEC lands to be impacted.

33. Habitat restoration activities are subject to the same operational restrictions found in Special Conditions 3 and 4 above. All other habitat restoration activities shall be governed by any Temporary Revocable Permits that may be issued by the Department or the Albany Pine Bush Preserve Commission.

Special Conditions

34. a) The Permittee shall set aside a Habitat Restoration Plan implementation and maintenance fee in the amount of ten ($10.00) dollars per ton of solid waste accepted at the facility ("Habitat Restoration Plan Fees").

b) Within thirty (30) calendar days of the effective date of this permit, the permittee shall establish either a dedicated City of Albany account or a dedicated trust account with a designated trustee whose trust operations are regulated and examined by a federal or State agency for the Habitat Restoration Plan Fees ("Habitat Restoration Plan Account").

c) The permittee shall deposit the Habitat Restoration Plan Fees into the Habitat Restoration Plan Account in quarterly installments every year by the following dates: January 15, April 15, July 15, October 15.

d) The Permittee may, upon written notification to the Department, bond the remaining costs to complete the Habitat Restoration Plan in lieu of compliance with subparagraphs 34 (a)-(c) if in accordance with the following requirements:

(1) Permittee shall secure a bond to fund the Habitat Restoration Plan Account of at least $4.5 million and deposit the bond proceeds by no later than December 31, 2015;

(2) Permittee shall secure a bond in the Habitat Restoration Plan Account of at least $5 million and deposit the bond proceeds by no later than December 31, 2018;

(3) Permittee shall immediately deposit all funds from bond proceeds in the Habitat Restoration Plan Account; and

(4) Permittee shall immediately comply with subparagraphs 34(a) through (c) if it fails to timely secure a bond required in subparagraphs 34(d) and shall continue to fund the Habitat Restoration Plan Account under the provisions of subparagraphs 34(a) through (c) until the account is fully funded to complete the Habitat Restoration Plan as solely determined by the Department.

e) Upon written justification to the Department that the costs to fund the Habitat Restoration have decreased to an amount less than anticipated in subparagraphs 34(d)(1) and 34(d)(2), the Department may approve of Permittee depositing less funds in the Habitat Restoration Plan Account. Any decreased costs and any decreased funding approved by the Department shall be in writing and will require the Permittee to set aside an amount equal to the revised funds plus an additional twenty percent (20%) contingency. Permittee shall not be able to make such a request until at least January 1, 2015 and January 1, 2018 respectively.

- continued on next page -

Special Conditions

34. (continued)

f) Permittee is responsible for complying with the Habitat Restoration Plan notwithstanding: the cessation of the operations of the landfill prior to reaching its permitted capacity for any reason; any shortfall in the Habitat Restoration Plan Account; or any additional costs not anticipated by the Permittee in completing the Habitat Restoration Plan.

35. The Habitat Restoration Plan Fees shall only be used by the permittee and its agents for the implementation and maintenance of the Department-approved Habitat Restoration Plan requirements. Such fees shall be managed as per the special conditions found in this permit including, but not limited to, Special Condition 34.

36. The permittee shall provide the Department, Attention: Region 4 Supervisor of Natural Resources, with a Habitat Restoration Plan Quarterly Report within ten (10) days after the end of each calendar quarter that sets forth the Habitat Restoration Plan Fees collected for that quarter, the nature and amount of any expenditures for that quarter, and the balance of the Habitat Restoration Plan Account ("Habitat Restoration Plan Account Quarterly Report").

37. a) Within 18 months of the effective date of the permit, the permittee shall provide the Department, Attention: Region 4, Supervisor of Natural Resources, for review and approval, the survey maps, real property descriptions, and title abstracts for lands not encumbered by past or current landfill operations nor lands included in this permit of the following tax parcels: 41.00-1-6; 41.00-1-7; 41.00-1-8; 41.00-1-9; 41.00-2.118; 41.00-2-120; 41.00-2.121; 41.00-2.122; 41.00-2.112; 41.10-1.2.1 (Fox Run Estates, Colonie); and 41.00-2.123 (175 Karner Road), as well as a draft Environmental Conservation Law Article 49 conservation easement for these parcels. Within one year of the effective date of the permit, these lands identified shall have a Department approved Conservation Easement, including recreational rights, under Article 49 of ECL, conveyed to the Albany Pine Bush Preserve Commission. The conveyance shall also include the baseline documentation necessary for monitoring and enforcement of the easement.

b) Within 180 days of the effective date of the permit, the permittee shall provide to the Department, Attn. Region 4 Supervisor of Natural Resources survey maps, real property description(s), and title abstract(s) for lands to be conveyed within one year, in fee title (Parcel 1) and easement (Parcel 2) to the People of the State of New York. The specific land parcels must be specifically approved by the Department and are required to allow for the amendment and relocation of an existing Public Trail Easement, identified in Book 2681, page 1124 (UA Albany 16.38), to lands of equal or greater Albany Pine Bush ecological and recreational value. These parcels will consist of: 1) Parcel 1 which shall be approximately 2.4+/- acres in size to be acquired by the permittee and shall be currently owned by a private landowner in the Albany Pine Bush Project Review Area as well as not currently dedicated as Albany Pine Bush Preserve, 2) Parcel 2 which shall be a relocated Public Trail Easement that shall be congruent in establishing the same land parcel connections as occur with the existing Public Trail Easement. These lands shall be subject to all required Department approvals.

Special Conditions

37. Continued -

37. c) Within 18 months of the effective date of the permit, the permittee shall provide survey map(s), real property description(s), and title abstract(s) for land(s) to be acquired by the permittee for conveyance to the People of the State of New York within three years of the effective date of the permit. These land(s) shall, have equal or greater Albany Pine Bush ecological value as the landfill expansion footprint land, be privately owned, not be currently dedicated to the Albany Pine Bush Preserve, must be located within the Albany Pine Bush Project Review Area, must be approximately 10.6 +/- acres, and must be approved by the Department.

38. a) The permittee shall set aside for the first three years following the effective date of this permit, a fee in the amount of one dollar and fifty cents ($1.50) per ton of solid waste accepted at the landfill for the Albany Pine Bush Preserve Commission. Thereafter, the permittee shall set aside, a fee in the amount of two dollars ($2.00) per ton of solid waste accepted at the landfill for the Albany Pine Bush Preserve Commission. The permittee shall make payment of the fees to the Albany Pine Bush Preserve Commission in quarterly installments every year by the following dates: January 30, April 30, July 30, October 30.

b) The permittee shall include a status report on the Albany Pine Bush Preserve Commission Fees in the Habitat Restoration Plan Account Quarterly Report.

Endangered/Threatened Species License (Article 11-0535, 6 NYCRR 182)

39. The permittee is required and authorized to implement the Habitat Restoration Plan as referenced in Special Condition 1 (e), yearly work plans approved by Department and the conditions of this permit. The permittee is authorized an incidental take of individuals of the species Karner blue butterfly (*Lycaeides melissa samuelis*) and frosted elfin butterfly *(Callophrys irus)* during implementation of the Habitat Restoration Plan.

40. Prior to the commencement of any work related to the Habitat Restoration Plan, the permittee shall flag, or identify with fencing or other visible means, the lupine patch within the Albany Pine Bush Preserve closest to the habitat restoration activities as shown on aerial photograph labeled Blue Lupine Populations Map, Albany Landfill Eastern Expansion, prepared by CHA, which is part of Attachment 1 of the letter addressed to Robyn Niver or the US Fish & Wildlife Service, from Christopher Einstein of Clough Harbour Associates, dated March 20, 2009. These lands are further identified as being located south of Freshwater Mitigation Wetland P-4 and easterly of Freshwater Wetland mitigation pond A-33. The permittee shall protect this lupine patch from any disturbance.

Special Conditions

41. The permittee shall not mow lupine until all Karner blue butterfly activity has ceased for the year and the lupine has senesced. Mowing shall be done after first frost (mid-October). In situations where this is not possible, mowing may occur before October but not before August 15 subject to review and approval by the Department. The permittee shall submit such request for review and approval to the attention of the Supervisor of Natural Resources, Region 4, no less than 2 weeks prior to the mowing.

42. The blades of mowers and brushhog equipment shall be set at least 6-8 inches above ground level.

43. The mowing of occupied Karner blue butterfly areas shall not be done more than once a year (except according to special condition number 41 of this permit).

44. The use of fences shall be limited to the periphery of a habitat site except for herbivore exclosures or other barriers related to research studies. Fencing activities shall be done during non-flight periods and workers installing fences shall avoid damaging lupine plants as much as possible.

45. Tree removal activities shall not take place until after the second Karner blue butterfly flight period has ended (August 15). Removal shall be conducted to avoid damage to lupine as much as possible. Consistent with the approved Habitat Restoration Plan, trees/shrubs shall be left on at least 10% of the site to provide shade wherever possible, except when removing clonal species such as black locust or aspen, or heavy seeders such as white pine. When less than 10% of trees and shrubs are left at the site, preferred tree species (pitch pine, scrub oak) shall be planted at the site. Personnel shall be educated as to where lupine is located, and trees are to be dropped/felled in the opposite direction of the lupine. Should a tree accidentally fall on lupine, the tree is to be cut into sections for removal instead of being dragged.

46. The girdling or hand-pulling of individual shrubs/trees that do not uproot lupine plants may occur at any time of year.

47. The collection of lupine seeds shall occur as much as possible from non-occupied Karner blue butterfly stands. The collection of seeds shall be limited to collection from no more than 50% of lupine plants at an occupied site. The collection of seeds shall be phased among sites, when possible, to avoid potential long term degradation. All collectors shall be instructed to use care in stepping around lupine plants. Plant material shall be checked for Karner blue butterfly eggs or larvae and frosted elfin larvae; if found they shall be left on site on appropriately fresh lupine pods. The seeds of nectar species may be collected from occupied sites with care taken not to trample lupine or the grass stems next to plants where eggs may be laid.

48. The permittee shall only conduct prescribed burning on no more than one third of a site in any one year and adjacent burn units shall not be burned in consecutive years, unless otherwise approved by the Department in writing. Burning shall only occur as necessary. The burn plan shall be coordinated with the NYS Department of Environmental Conservation (NYSDEC), the US Fish & Wildlife (FWS) Service and the Albany Pine Bush Preserve Commission by no later than March 1, annually.

Special Conditions

49. The permittee shall only apply herbicides after lupine has senesced for the year. *Garlon 4* and *Roundup* shall not be used in close proximity to wetlands or water bodies. Instead, *Garlon 3a* or *Rodeo* is recommended. Herbicides shall be applied by pesticide-certified and experienced personnel trained to identify lupine and Karner blue butterfly. All applicators shall be instructed to take care in avoiding and stepping on lupine and/or accidentally spraying lupine.

50. Should pesticide spraying be necessary within or near Karner blue butterfly sites, the compounds to be used, dates of spraying, and areas to be treated shall require prior approval of the Department and the US Fish & Wildlife Service. The permittee shall submit pesticide application plans to the Department to the attention of Natural Resources Supervisor, Region 4, no less than 30 days prior to the proposed implementation, for Department review and approval. In occupied habitat, herbicides shall be applied using wick or spot application with hand-operated equipment.

51. If the permittee uses broad-scale ground application of herbicides adjacent to occupied habitat, the permittee shall take steps to avoid drift into occupied habitat if the spraying occurs within the time period from when lupine has sprouted to when it senescences at that location, or after the second flight of Karner blue butterflies has ended, whichever is later.

52. The permittee is authorized to monitor Karner blue butterfly and frosted elfin populations throughout the greater Albany landfill and areas proposed for restoration as part of the approved Habitat Restoration Plan, as conditioned below:

    a) Walk-through surveys, distance sampling, and presence and absence surveys are authorized. Surveyors shall avoid trampling lupine.

    b) Netting, only if needed (netting shall be kept to a minimum), of Karner blue butterflies and frosted elfin shall be conducted by individuals trained by the Department or the Albany Pine Bush Preserve Commission according to accepted methods; using only soft aerial bag nets and keeping handling to a minimum.

    c) Copies of proposed mark, release and recapture studies or other research studies shall be provided to the Department and the US Fish & Wildlife Service for review and approval at least 30 days prior to conducting the work. The study proposal shall include the following information: brief description of the study explaining the purpose, objective, and sampling design; applicant; researchers involved (including names of all individuals working on the project); start date; duration of the study; estimated level of take of Karner blue butterflies associated with the project; and measures taken to reduce injury and death of Karner blue butterflies. This project may proceed upon receipt of a letter from the US Fish & Wildlife Service. Trampling shall be avoided as much as possible.

Special Conditions

53. Any Karner blue butterflies killed or mortally damaged during surveys or found dead at any site are to be turned over to the New York State Museum Invertebrate Collection. Information regarding the collection location, collector, and date collected shall be included with any specimens. The New York State Department of Environmental Conservation, Endangered Species Unit, 625 Broadway, Albany, NY 12233-4754, and the Supervisor of Natural Resources, Region 4, shall be notified of any mortality from surveys.

54. The permittee must carry (or have otherwise readily available) a copy of this permit at all times when conducting the authorized activities. The Article 11 permit is limited to the above activities and identified species.

55. The Article 11 permit does not constitute permission to conduct these activities on other public or private lands; such permission must be obtained separately from the appropriate landowner or land manager before beginning these authorized activities.

56. The acceptance of the Article 11 permit serves as evidence that the permittee and its authorized agents understand and agree to abide by the terms of this permit.

57. By May 1 of each year, the permittee shall, during the term of the Article 11 permit, submit to the Department (Attention: Supervisor of Natural Resources, Region 4, 1130 N. Westcott Rd, Schenectady, NY 12306) an annual report on compact disk (CD) or jump/flash/thumb drive and in print form, summarizing the authorized activities of the previous calendar year. Each report shall include, at a minimum, the following information:

    a) location of Karner blue butterfly/frosted elfin sites affected. Locations can be noted using figures, and maps;

    b) activities conducted at each site;

    c) the results of habitat surveys (if completed that year);

    d) the results of any Karner blue butterfly/frosted elfin surveys;

    e) summary of management success at applicable sites;

    f) the number and sex of any dead Karner blue butterfly/frosted elfin individuals found;

    g) numbers of Karner blue butterfly/frosted elfin sent to the NYS Museum and when;

    h) list of agents of the city acting under this permit.

Special Conditions

58. Removal of any solid waste or debris as required by the Habitat Restoration Plan shall be conducted during the dormant egg period of the Karner blue butterfly after August 15, and lupine shall be avoided as much as possible.

59. For purposes of monitoring compliance and administration of the terms and conditions of this permit, the primary contact office of the NYSDEC is:

    Regional Supervisor of Natural Resources, Region 4
    New York State Department of Environmental Conservation
    Region 4 Headquarters
    1130 N. Westcott Rd.
    Schenectady , NY 12306

    Telephone: (518) 357-2355
    Fax: (518) 357-2460

    Copies of required reports regarding endangered species shall be submitted to:

    New York State Department of Environmental Conservation
    Attention: Endangered Species Unit
    625 Broadway
    Albany, NY 12233-4754

    Telephone: (518) 402-8864
    Fax: (518) 402-8925

60. All submittals to the Department required by this permit shall be directed to the attention of the specific person/title as per the condition and an electronic copy sent to the Region 4, Regional Permit Administrator at r4dep@gw.dec.state.ny.us or via mail on a USB flash drive.

SM Gallivan, L.L.C.

215 Oakwood Avenue
Troy, New York 12182

Phone: (518) 271-6100

Fax: (518) 271-7505

June 29, 2015

Empire Building Diagnostics
2 Main Street
Depew NY 14043

Mr. Mike Caprio

This letter is to confirm the intention of taking material for recycling from your project at 770 Albany Street Schenectady NY.

SM Gallivan Recycling located at River Road and Retreat House Road Albany NY, is a facility for the processing of uncontaminated concrete, asphalt pavement, brick and soil.

Sincerely,

Bob Smith
518.928.1741

SECTION 01 74 19 - CONSTRUCTION WASTE MANAGEMENT AND DISPOSAL

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

A. Drawings and general provisions of the Contract, including General and Supplementary Conditions and other Division 01 Specification Sections, apply to this Section.

1.2 SUMMARY

A. Section includes administrative and procedural requirements for the following:
   1. Recycling nonhazardous construction waste.

1.3 DEFINITIONS

A. Construction Waste: Building and site improvement materials and other solid waste resulting from construction, remodeling, renovation, or repair operations. Construction waste includes packaging.

B. Demolition Waste: Building and site improvement materials resulting from demolition or selective demolition operations.

C. Disposal: Removal off-site of demolition and construction waste and subsequent sale, recycling, reuse, or deposit in landfill or incinerator acceptable to authorities having jurisdiction.

D. Recycle: Recovery of demolition or construction waste for subsequent processing in preparation for reuse.

E. Salvage: Recovery of demolition or construction waste and subsequent sale or reuse in another facility.

F. Salvage and Reuse: Recovery of demolition or construction waste and subsequent incorporation into the Work.

1.4 PERFORMANCE REQUIREMENTS

A. General: Achieve end-of-Project rates for salvage/recycling of 35 percent by weight of total non-hazardous solid waste generated by the Work. Practice efficient waste management in the use of materials in the course of the Work. Use all reasonable means to divert construction waste from landfills and incinerators. Facilitate recycling of the following:
   1. Construction Waste:
      a. Masonry and CMU.
      b. Lumber.
      c. Wood sheet materials.
      d. Wood trim.
      e. Metals.

f. Roofing.
g. Insulation.
h. Carpet and pad.
i. Gypsum board.
j. Piping.
k. Electrical conduit.
l. Packaging: Regardless of salvage/recycle goal indicated in "General" Paragraph above, salvage or recycle 100 percent of the following uncontaminated packaging materials:
   1) Paper.
   2) Cardboard.
   3) Boxes.
   4) Plastic sheet and film.
   5) Polystyrene packaging.
   6) Wood crates.
   7) Plastic pails.

1.5 ACTION SUBMITTALS

A. Waste Management Plan: Submit plan within 7 days of date established for commencement of the Work.

1.6 INFORMATIONAL SUBMITTALS

A. Waste Reduction Progress Reports: Concurrent with each Application for Payment, submit report. Include the following information:
   1. Material category.
   2. Generation point of waste.
   3. Total quantity of waste in tons.
   4. Quantity of waste salvaged, both estimated and actual in tons.
   5. Quantity of waste recycled, both estimated and actual in tons.
   6. Total quantity of waste recovered (salvaged plus recycled) in tons.
   7. Total quantity of waste recovered (salvaged plus recycled) as a percentage of total waste.

B. Waste Reduction Calculations: Before request for Substantial Completion, submit calculated end-of-Project rates for salvage, recycling, and disposal as a percentage of total waste generated by the Work.

C. Records of Donations: Indicate receipt and acceptance of salvageable waste donated to individuals and organizations. Indicate whether organization is tax exempt.

D. Records of Sales: Indicate receipt and acceptance of salvageable waste sold to individuals and organizations. Indicate whether organization is tax exempt.

E. Recycling and Processing Facility Records: Indicate receipt and acceptance of recyclable waste by recycling and processing facilities licensed to accept them. Include manifests, weight tickets, receipts, and invoices.

F. Landfill and Incinerator Disposal Records: Indicate receipt and acceptance of waste by landfills and incinerator facilities licensed to accept them. Include manifests, weight tickets, receipts, and invoices.

G. Statement of Refrigerant Recovery: Signed by refrigerant recovery technician responsible for recovering refrigerant, stating that all refrigerant that was present was recovered and that recovery was performed according to EPA regulations. Include name and address of technician and date refrigerant was recovered.

1.7 QUALITY ASSURANCE

A. Refrigerant Recovery Technician Qualifications: Certified by EPA-approved certification program.

B. Regulatory Requirements: Comply with hauling and disposal regulations of authorities having jurisdiction.

C. Waste Management Conference: Conduct conference at Project site to comply with requirements and procedures related to waste management including, but not limited to, the following:
   1. Review and discuss waste management plan including responsibilities of waste management coordinator.
   2. Review requirements for documenting quantities of each type of waste and its disposition.
   3. Review and finalize procedures for materials separation and verify availability of containers and bins needed to avoid delays.
   4. Review procedures for periodic waste collection and transportation to recycling and disposal facilities.
   5. Review waste management requirements for each trade.

1.8 WASTE MANAGEMENT PLAN

A. General: Develop a waste management plan according to ASTM E 1609 and requirements in this Section. Plan shall consist of waste identification, waste reduction work plan, and cost/revenue analysis. Indicate quantities by weight or volume, but use same units of measure throughout waste management plan.

B. Waste Identification: Indicate anticipated types and quantities of site-clearing and construction waste generated by the Work. Include estimated quantities and assumptions for estimates.

C. Waste Reduction Work Plan: List each type of waste and whether it will be salvaged, recycled, or disposed of in landfill or incinerator. Include points of waste generation, total quantity of each type of waste, quantity for each means of recovery, and handling and transportation procedures.
   1. Salvaged Materials for Reuse: For materials that will be salvaged and reused in this Project, describe methods for preparing salvaged materials before incorporation into the Work.
   2. Salvaged Materials for Sale: For materials that will be sold to individuals and organizations, include list of their names, addresses, and telephone numbers.

3. Salvaged Materials for Donation: For materials that will be donated to individuals and organizations, include list of their names, addresses, and telephone numbers.
4. Recycled Materials: Include list of local receivers and processors and type of recycled materials each will accept. Include names, addresses, and telephone numbers.
5. Disposed Materials: Indicate how and where materials will be disposed of. Include name, address, and telephone number of each landfill and incinerator facility.
6. Handling and Transportation Procedures: Include method that will be used for separating recyclable waste including sizes of containers, container labeling, and designated location where materials separation will be performed.

D. Cost/Revenue Analysis: Indicate total cost of waste disposal as if there was no waste management plan and net additional cost or net savings resulting from implementing waste management plan. Include the following:
1. Total quantity of waste.
2. Estimated cost of disposal (cost per unit). Include hauling and tipping fees and cost of collection containers for each type of waste.
3. Total cost of disposal (with no waste management).
4. Revenue from salvaged materials.
5. Revenue from recycled materials.
6. Savings in hauling and tipping fees by donating materials.
7. Savings in hauling and tipping fees that are avoided.
8. Handling and transportation costs. Include cost of collection containers for each type of waste.
9. Net additional cost or net savings from waste management plan.

PART 2 - PRODUCTS (Not Used)

PART 3 - EXECUTION

3.1 PLAN IMPLEMENTATION

A. General: Implement approved waste management plan. Provide handling, containers, storage, signage, transportation, and other items as required to implement waste management plan during the entire duration of the Contract.
1. Comply with operation, termination, and removal requirements in Section 01 50 00 "Temporary Facilities and Controls."

B. Training: Train workers, subcontractors, and suppliers on proper waste management procedures, as appropriate for the Work.
1. Distribute waste management plan to everyone concerned within three days of submittal return.
2. Distribute waste management plan to entities when they first begin work on-site. Review plan procedures and locations established for salvage, recycling, and disposal.

C. Site Access and Temporary Controls: Conduct waste management operations to ensure minimum interference with roads, streets, walks, walkways, and other adjacent occupied and used facilities.
   1. Designate and label specific areas on Project site necessary for separating materials that are to be salvaged, recycled, reused, donated, and sold.
   2. Comply with Section 01 50 00 "Temporary Facilities and Controls" for controlling dust and dirt, environmental protection, and noise control.

3.2 RECYCLING CONSTRUCTION WASTE, GENERAL

A. General: Recycle paper and beverage containers used by on-site workers.

B. Preparation of Waste: Prepare and maintain recyclable waste materials according to recycling or reuse facility requirements. Maintain materials free of dirt, adhesives, solvents, petroleum contamination, and other substances deleterious to the recycling process.

C. Procedures: Separate recyclable waste from other waste materials, trash, and debris. Separate recyclable waste by type at Project site to the maximum extent practical according to approved construction waste management plan.
   1. Provide appropriately marked containers or bins for controlling recyclable waste until removed from Project site. Include list of acceptable and unacceptable materials at each container and bin.
      a. Inspect containers and bins for contamination and remove contaminated materials if found.
   2. Stockpile processed materials on-site without intermixing with other materials. Place, grade, and shape stockpiles to drain surface water. Cover to prevent windblown dust.
   3. Stockpile materials away from construction area. Do not store within drip line of remaining trees.
   4. Store components off the ground and protect from the weather.
   5. Remove recyclable waste from Owner's property and transport to recycling receiver or processor.

3.3 RECYCLING CONSTRUCTION WASTE

A. Packaging:
   1. Cardboard and Boxes: Break down packaging into flat sheets. Bundle and store in a dry location.
   2. Polystyrene Packaging: Separate and bag materials.
   3. Pallets: As much as possible, require deliveries using pallets to remove pallets from Project site. For pallets that remain on-site, break down pallets into component wood pieces and comply with requirements for recycling wood.
   4. Crates: Break down crates into component wood pieces and comply with requirements for recycling wood.

B. Wood Materials:
   1. Clean Cut-Offs of Lumber: Grind or chip into small pieces.
   2. Clean Sawdust: Bag sawdust that does not contain painted or treated wood.

C. Gypsum Board: Stack large clean pieces on wood pallets or in container and store in a dry location.
   1. Clean Gypsum Board: Grind scraps of clean gypsum board using small mobile chipper or hammer mill. Screen out paper after grinding.

3.4 DISPOSAL OF WASTE

A. General: Except for items or materials to be salvaged, recycled, or otherwise reused, remove waste materials from Project site and legally dispose of them in a landfill or incinerator acceptable to authorities having jurisdiction.
   1. Except as otherwise specified, do not allow waste materials that are to be disposed of accumulate on-site.
   2. Remove and transport debris in a manner that will prevent spillage on adjacent surfaces and areas.

B. Disposal: Remove waste materials from Owner's property and legally dispose of them.

END OF SECTION 01 74 19

APPENDIX P
SEWER AND WATER

DEPARTMENT OF WATER AND WASTEWATER
CITY OF SCHENECTADY
NEW YORK
ROOM 206, CITY HALL
105 Jay Street
Schenectady, New York 12305
(518) 382-5023
FAX (518) 382-5100

August 13, 2015

Mr. Christopher Longo, Project Engineer
Ingalls & Associates, LLP
2603 Guilderland Avenue
Schenectady, New York 12306

RE: DePaul Schenectady Apartments - Sanitary Sewer Request

Dear Mr. Longo:

The City of Schenectady has reviewed the Ingalls & Associates Engineering Report and request to accept approximately 6,050 gpd of sanitary sewage from the proposed DePaul Schenectady Apartment.

Based on the information provided, the proposed sewage flows will not adversely impact the operations or treatment process at the City of Schenectady's wastewater treatment plant. However, in accordance with Part II of the City's SPDES permit (6NYCRR Part 750) final acceptance will be based on regulatory approval from New York State Department of Environmental Conservation.

If you have any questions or concerns, please do not hesitate to contact me at 518-382-5199, ext 5403.

Sincerely,

Paul J. LaFond
Director of Water and Wastewater

Cc: William Winkler, P.E., Acting Commissioner of General Services
Carl Falotico, Esq., Corporation Counsel
Andrea Dzierwa, P.E., Regional Water Engineer NYSDEC Region 4
Jamie Malcolm, P.E., NYSDEC Region 4
WWTP File

ingalls

2603 Guilderland Avenue
Schenectady, NY 12306

T 518 393 7725
F 518 393 2324
E info@ingallsllp.com

www.ingallsllp.com

August 12, 2015

Homes & Community Renewal
Hampton Plaza
38-40 State Street
Albany, NY 12207

Attn: Lori Shirley

Re: DePaul Schenectady
762-782 Albany Street
Schenectady, NY

Dear Ms. Shirley:

The DePaul Schenectady apartment project located on Albany Street in Schenectady, NY incorporates approximately 1.5 Acres of disturbance area and will require compliance with the NYSDEC General Permit 0-15-002 for disturbance from construction activities. A Stormwater Pollution Prevention Plan (SWPPP) has been prepared in accordance with the NYS Stormwater Design Manual and Notice of Intent Prepared documenting such.

The SWPPP has also been submitted to the City of Schenectady Stormwater Officer for their review of the project relative to the City rules and regulations. Attached is the signed MS4 Acceptance form documenting that the project complies with both the City storm sewer rules & regulations and the NYS General Permit.

Please contact me at 393-7725 x.123 if you have any questions.

Respectfully,
Ingalls & Associates, LLP

Christopher Longo
Project Engineer

Encl: Notice of Intent (NOI)
MS4 Acceptance Form

Cc: DePaul
SWBR Architects

NOTICE OF INTENT

New York State Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505

NYR _____
(for DEC use only)

Stormwater Discharges Associated with Construction Activity Under State Pollutant Discharge Elimination System (SPDES) General Permit # GP-0-15-002

All sections must be completed unless otherwise noted. Failure to complete all items may result in this form being returned to you, thereby delaying your coverage under this General Permit. Applicants must read and understand the conditions of the permit and prepare a Stormwater Pollution Prevention Plan prior to submitting this NOI. Applicants are responsible for identifying and obtaining other DEC permits that may be required.

-IMPORTANT-
RETURN THIS FORM TO THE ADDRESS ABOVE
OWNER/OPERATOR MUST SIGN FORM

Owner/Operator Information

Owner/Operator (Company Name/Private Owner Name/Municipality Name)
DEPAUL

Owner/Operator Contact Person Last Name (NOT CONSULTANT)
CONDE

Owner/Operator Contact Person First Name
GILLIAN

Owner/Operator Mailing Address
1931 BUFFALO ROAD

City
ROCHESTER

State
NY

Zip
14624 -

Phone (Owner/Operator)
585 - 426 - 8000

Fax (Owner/Operator)
___ - ___ - ____

Email (Owner/Operator)
GCONDE@DEPAUL.ORG

FED TAX ID
__ - _____ (not required for individuals)

Project Site Information

Project/Site Name

DEPAUL SCHENECTADY APARTMENTS

Street Address (NOT P.O. BOX)

780 ALBANY STREET

Side of Street

○ **North** ○ **South** ○ **East** ● **West**

City/Town/Village (THAT ISSUES BUILDING PERMIT)

CITY OF SCHENECTADY

State: NY

Zip: 12307 -

County: SCHENECTADY

DEC Region: 4

Name of Nearest Cross Street

HULETT STREET

Distance to Nearest Cross Street (Feet)

0

Project In Relation to Cross Street

○ **North** ● **South** ○ **East** ○ **West**

Tax Map Numbers
Section-Block-Parcel

Tax Map Numbers

1. Provide the Geographic Coordinates for the project site in NYTM Units. To do this you **must** go to the NYSDEC Stormwater Interactive Map on the DEC website at:

www.dec.ny.gov/imsmaps/stormwater/viewer.htm

Zoom into your Project Location such that you can accurately click on the centroid of your site. Once you have located your project site, go to the tool boxes on the top and choose "i"(identify). Then click on the center of your site and a new window containing the X, Y coordinates in UTM will pop up. Transcribe these coordinates into the boxes below. For problems with the interactive map use the help function.

X Coordinates (Easting): 73937

Y Coordinates (Northing): 42807

2. What is the nature of this construction project?

○ **New Construction**

○ **Redevelopment with increase in impervious area**

● **Redevelopment with no increase in impervious area**

3. Select the predominant land use for both pre and post development conditions.
SELECT ONLY ONE CHOICE FOR EACH

Pre-Development Existing Land Use

- ○ FOREST
- ○ PASTURE/OPEN LAND
- ○ CULTIVATED LAND
- ○ SINGLE FAMILY HOME
- ○ SINGLE FAMILY SUBDIVISION
- ○ TOWN HOME RESIDENTIAL
- ○ MULTIFAMILY RESIDENTIAL
- ○ INSTITUTIONAL/SCHOOL
- ○ INDUSTRIAL
- ● COMMERCIAL
- ○ ROAD/HIGHWAY
- ○ RECREATIONAL/SPORTS FIELD
- ○ BIKE PATH/TRAIL
- ○ LINEAR UTILITY
- ○ PARKING LOT
- ○ OTHER

Post-Development Future Land Use

- ○ SINGLE FAMILY HOME
- ○ SINGLE FAMILY SUBDIVISION — Number of Lots
- ○ TOWN HOME RESIDENTIAL
- ● MULTIFAMILY RESIDENTIAL
- ○ INSTITUTIONAL/SCHOOL
- ○ INDUSTRIAL
- ○ COMMERCIAL
- ○ MUNICIPAL
- ○ ROAD/HIGHWAY
- ○ RECREATIONAL/SPORTS FIELD
- ○ BIKE PATH/TRAIL
- ○ LINEAR UTILITY (water, sewer, gas, etc.)
- ○ PARKING LOT
- ○ CLEARING/GRADING ONLY
- ○ DEMOLITION, NO REDEVELOPMENT
- ○ WELL DRILLING ACTIVITY *(Oil, Gas, etc.)
- ○ OTHER

***Note**: for gas well drilling, non-high volume hydraulic fractured wells only

4. In accordance with the larger common plan of development or sale, enter the total project site area; the total area to be disturbed; existing impervious area to be disturbed (for redevelopment activities); and the future impervious area constructed within the disturbed area. (Round to the nearest tenth of an acre.)

Total Site Area	Total Area To Be Disturbed	Existing Impervious Area To Be Disturbed	Future Impervious Area Within Disturbed Area
1.4	1.4	1.3	1.1

5. Do you plan to disturb more than 5 acres of soil at any one time? ○ **Yes** ● **No**

6. Indicate the percentage of each Hydrologic Soil Group(HSG) at the site.

A	B	C	D
100%	%	%	%

7. Is this a phased project? ○ **Yes** ○ **No**

8. Enter the planned start and end dates of the disturbance activities.

Start Date 11/01/2015 - **End Date** 09/01/2017

9. Identify the nearest surface waterbody(ies) to which construction site runoff will discharge.

Name

Mohawk River

9a. Type of waterbody identified in Question 9?

- ○ Wetland / State Jurisdiction On Site (Answer 9b)
- ○ Wetland / State Jurisdiction Off Site
- ○ Wetland / Federal Jurisdiction On Site (Answer 9b)
- ○ Wetland / Federal Jurisdiction Off Site
- ○ Stream / Creek On Site
- ○ Stream / Creek Off Site
- ○ River On Site
- ● River Off Site
- ○ Lake On Site
- ○ Lake Off Site
- ○ Other Type On Site
- ○ Other Type Off Site

9b. How was the wetland identified?

- ○ Regulatory Map
- ○ Delineated by Consultant
- ○ Delineated by Army Corps of Engineers
- ○ Other (identify)

10. Has the surface waterbody(ies) in question 9 been identified as a 303(d) segment in Appendix E of GP-0-15-002? ○ **Yes** ● **No**

11. Is this project located in one of the Watersheds identified in Appendix C of GP-0-15-002? ○ **Yes** ● **No**

12. Is the project located in one of the watershed areas associated with AA and AA-S classified waters? ○ **Yes** ● **No**
If no, skip question 13.

13. Does this construction activity disturb land with no existing impervious cover and where the Soil Slope Phase is identified as an E or F on the USDA Soil Survey? ○ **Yes** ○ **No**
If Yes, what is the acreage to be disturbed?

.

14. Will the project disturb soils within a State regulated wetland or the protected 100 foot adjacent area? ○ **Yes** ● **No**

15. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)? ● **Yes** ○ **No** ○ **Unknown**

16. What is the name of the municipality/entity that owns the separate storm sewer system?

CITY OF SCHENECTADY

17. Does any runoff from the site enter a sewer classified as a Combined Sewer? ○ **Yes** ● **No** ○ **Unknown**

18. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law? ○ **Yes** ● **No**

19. Is this property owned by a state authority, state agency, federal government or local government? ○ **Yes** ● **No**

20. Is this a remediation project being done under a Department approved work plan? (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.) ○ **Yes** ● **No**

21. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)? ● **Yes** ○ **No**

22. Does this construction activity require the development of a SWPPP that includes the post-construction stormwater management practice component (i.e. Runoff Reduction, Water Quality and Quantity Control practices/techniques)? ● **Yes** ○ **No**
If No, skip questions 23 and 27-39.

23. Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the current NYS Stormwater Management Design Manual? ● **Yes** ○ **No**

24. The Stormwater Pollution Prevention Plan (SWPPP) was prepared by:

- ● **Professional Engineer (P.E.)**
- ○ **Soil and Water Conservation District (SWCD)**
- ○ **Registered Landscape Architect (R.L.A)**
- ○ **Certified Professional in Erosion and Sediment Control (CPESC)**
- ○ **Owner/Operator**
- ○ **Other**

SWPPP Preparer
INGALLS & ASSOCIATES, LLP

Contact Name (Last, Space, First)
INGALLS, DAVID

Mailing Address
2603 GUILDERLAND AVE

City
SCHENECTADY

State Zip
NY 12306-

Phone
518-393-7725

Fax
518-393-2324

Email
DINGALLS@INGALLSLLP.COM

SWPPP Preparer Certification

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) for this project has been prepared in accordance with the terms and conditions of the GP-0-15-002. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of this permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

First Name
DAVID

MI
F

Last Name
INGALLS

Signature

Date
07/13/2015

25. Has a construction sequence schedule for the planned management practices been prepared? ○ Yes ○ No

26. Select **all** of the erosion and sediment control practices that will be employed on the project site:

Temporary Structural

- ○ Check Dams
- ○ Construction Road Stabilization
- ● Dust Control
- ○ Earth Dike
- ○ Level Spreader
- ○ Perimeter Dike/Swale
- ○ Pipe Slope Drain
- ○ Portable Sediment Tank
- ○ Rock Dam
- ○ Sediment Basin
- ● Sediment Traps
- ● Silt Fence
- ● Stabilized Construction Entrance
- ● Storm Drain Inlet Protection
- ○ Straw/Hay Bale Dike
- ○ Temporary Access Waterway Crossing
- ○ Temporary Stormdrain Diversion
- ○ Temporary Swale
- ○ Turbidity Curtain
- ○ Water bars

Biotechnical

- ○ Brush Matting
- ○ Wattling

Vegetative Measures

- ○ Brush Matting
- ○ Dune Stabilization
- ○ Grassed Waterway
- ● Mulching
- ○ Protecting Vegetation
- ○ Recreation Area Improvement
- ● Seeding
- ○ Sodding
- ○ Straw/Hay Bale Dike
- ○ Streambank Protection
- ○ Temporary Swale
- ○ Topsoiling
- ○ Vegetating Waterways

Permanent Structural

- ○ Debris Basin
- ○ Diversion
- ○ Grade Stabilization Structure
- ○ Land Grading
- ○ Lined Waterway (Rock)
- ○ Paved Channel (Concrete)
- ○ Paved Flume
- ○ Retaining Wall
- ○ Riprap Slope Protection
- ○ Rock Outlet Protection
- ○ Streambank Protection

Other

Post-construction Stormwater Management Practice (SMP) Requirements

Important: Completion of Questions 27-39 is not required if response to Question 22 is No.

27. Identify all site planning practices that were used to prepare the final site plan/layout for the project.

- ○ **Preservation of Undisturbed Areas**
- ○ **Preservation of Buffers**
- ○ **Reduction of Clearing and Grading**
- ● **Locating Development in Less Sensitive Areas**
- ○ **Roadway Reduction**
- ○ **Sidewalk Reduction**
- ● **Driveway Reduction**
- ○ **Cul-de-sac Reduction**
- ● **Building Footprint Reduction**
- ● **Parking Reduction**

27a. Indicate which of the following soil restoration criteria was used to address the requirements in Section 5.1.6("Soil Restoration") of the Design Manual (2010 version).

- ● All disturbed areas will be restored in accordance with the Soil Restoration requirements in Table 5.3 of the Design Manual (see page 5-22).
- ○ Compacted areas were considered as impervious cover when calculating the **WQv Required**, and the compacted areas were assigned a post-construction Hydrologic Soil Group (HSG) designation that is one level less permeable than existing conditions for the hydrology analysis.

28. Provide the total Water Quality Volume (WQv) required for this project (based on final site plan/layout).

Total WQv Required

0.009 **acre-feet**

29. Identify the RR techniques (Area Reduction), RR techniques(Volume Reduction) and Standard SMPs with RRv Capacity in Table 1 (See Page 9) that were used to reduce the Total WQv Required(#28).

Also, provide in Table 1 the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

Note: Redevelopment projects shall use Tables 1 and 2 to identify the SMPs used to treat and/or reduce the WQv required. If runoff reduction techniques will not be used to reduce the required WQv, skip to question 33a after identifying the SMPs.

Table 1 - Runoff Reduction (RR) Techniques and Standard Stormwater Management Practices (SMPs)

	Total Contributing Area (acres)		Total Contributing Impervious Area(acres)
RR Techniques (Area Reduction)			
○ Conservation of Natural Areas (RR-1) ...	___ . ___	and/or	___ . ___
○ Sheetflow to Riparian Buffers/Filters Strips (RR-2)	___ . ___	and/or	___ . ___
○ Tree Planting/Tree Pit (RR-3)	___ . ___	and/or	___ . ___
○ Disconnection of Rooftop Runoff (RR-4)..	___ . ___	and/or	___ . ___
RR Techniques (Volume Reduction)			
○ Vegetated Swale (RR-5)			___ . ___
○ Rain Garden (RR-6)			___ . ___
○ Stormwater Planter (RR-7)			___ . ___
○ Rain Barrel/Cistern (RR-8)			___ . ___
○ Porous Pavement (RR-9)			___ . ___
○ Green Roof (RR-10)			___ . ___
Standard SMPs with RRv Capacity			
○ Infiltration Trench (I-1)			___ . ___
○ Infiltration Basin (I-2)			___ . ___
○ Dry Well (I-3)			___ . ___
○ Underground Infiltration System (I-4)			___ . ___
○ Bioretention (F-5)			___ . ___
○ Dry Swale (O-1)			___ . ___
Standard SMPs			
○ Micropool Extended Detention (P-1)			___ . ___
○ Wet Pond (P-2)			___ . ___
○ Wet Extended Detention (P-3)			___ . ___
○ Multiple Pond System (P-4)			___ . ___
○ Pocket Pond (P-5)			___ . ___
○ Surface Sand Filter (F-1)			___ . ___
○ Underground Sand Filter (F-2)			___ . ___
○ Perimeter Sand Filter (F-3)			___ . ___
○ Organic Filter (F-4)			___ . ___
○ Shallow Wetland (W-1)			___ . ___
○ Extended Detention Wetland (W-2)			___ . ___
○ Pond/Wetland System (W-3)			___ . ___
○ Pocket Wetland (W-4)			___ . ___
○ Wet Swale (O-2)			___ . ___

Table 2 - Alternative SMPs (DO NOT INCLUDE PRACTICES BEING USED FOR PRETREATMENT ONLY)

Alternative SMP	Total Contributing Impervious Area(acres)
○ Hydrodynamic	
○ Wet Vault	
● Media Filter	0.28
○ Other	

Provide the name and manufacturer of the Alternative SMPs (i.e. proprietary practice(s)) being used for WQv treatment.

Name: Filterra

Manufacturer: Contech

Note: Redevelopment projects which do not use RR techniques, shall use questions 28, 29, 33 and 33a to provide SMPs used, total WQv required and total WQv provided for the project.

Questions 30-32a not answered as this is a redevelopment project.

30. Indicate the Total RRv provided by the RR techniques and Standard SMPs with RRv capacity identified in question 28.

Total RRv provided

___.___ **acre-feet**

31. Is the Total RRv provided (#30) greater than or equal to the total WQv required (#28).

○ **Yes** ○ **No**

If Yes, go to question 36.
If No, go to question 32.

32. Provide the Minimum RRv required based on HSG.
[Minimum RRv Required = (P)(0.95)(Ai)/12, Ai=(S)(Aic)]

Minimum RRv Required

___.___ **acre-feet**

32a. Is the Total RRv provided (#30) greater than or equal to the Minimum RRv Required (#32)?

○ **Yes** ○ **No**

If Yes, go to question 33.
Note: Use the space provided in question #39 to summarize the specific site limitations and justification for not reducing 100% of WQv required (#28). A detailed evaluation of the specific site limitations and justification for not reducing 100% of the WQv required (#28) must also be included in the SWPPP.
If No, sizing criteria has not been met, so NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

33. Identify the Standard SMPs in Table 1 and, if applicable, the Alternative SMPs in Table 2 that were used to treat the remaining total WQv(=Total WQv Required in 28 - Total RRv Provided in 30).

Also, provide in Table 1 and 2 the total impervious area that contributes runoff to each practice selected.

Note: Use Tables 1 and 2 to identify the SMPs used on Redevelopment projects.

33a. Indicate the Total WQv provided (i.e. WQv treated) by the SMPs identified in question #33 and Standard SMPs with RRv Capacity identified in question 29.

WQv Provided

0.024 **acre-feet**

Note: For the standard SMPs with RRv capacity, the WQv provided by each practice = the WQv calculated using the contributing drainage area to the practice - RRv provided by the practice. (See Table 3.5 in Design Manual)

34. Provide the sum of the Total RRv provided (#30) and the WQv provided (#33a). 0.024

35. Is the sum of the RRv provided (#30) and the WQv provided (#33a) greater than or equal to the total WQv required (#28)? ● **Yes** ○ **No**

If Yes, go to question 36.
If No, sizing criteria has not been met, so NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

36. Provide the total Channel Protection Storage Volume (CPv) required and provided or select waiver (36a), if applicable.

CPv Required ___.___ **acre-feet**

CPv Provided ___.___ **acre-feet**

36a. The need to provide channel protection has been waived because:

○ Site discharges directly to tidal waters or a fifth order or larger stream.

● Reduction of the total CPv is achieved on site through runoff reduction techniques or infiltration systems.

37. Provide the Overbank Flood (Qp) and Extreme Flood (Qf) control criteria or select waiver (37a), if applicable.

Total Overbank Flood Control Criteria (Qp)

Pre-Development ___.___ **CFS**

Post-development ___.___ **CFS**

Total Extreme Flood Control Criteria (Qf)

Pre-Development ___.___ **CFS**

Post-development ___.___ **CFS**

37a. The need to meet the Qp and Qf criteria has been waived because:

- ○ Site discharges directly to tidal waters or a fifth order or larger stream.
- ● Downstream analysis reveals that the Qp and Qf controls are not required

38. Has a long term Operation and Maintenance Plan for the post-construction stormwater management practice(s) been developed? ● **Yes** ○ **No**

If Yes, Identify the entity responsible for the long term Operation and Maintenance

PROPERTY OWNER

39. Use this space to summarize the specific site limitations and justification for not reducing 100% of WQv required(#28). (See question 32a) This space can also be used for other pertinent project information.

The water quality volume was not reduced 100% because this is a redevelopment project which meets the criteria of chapter 9 of the design manual. The site is an urban environment which existing condition near fully impervious. The site redevelopment achieves a decrease in total impervious as well treatment of WQv through an alternative practice due to site constraints. Additional practices could not be implemented due to the predominately impervious proposed conditions, proposed grades, and lack of usable space for runoff reduction techniques.

40. Identify other DEC permits, existing and new, that are required for this project/facility.

- ○ Air Pollution Control
- ○ Coastal Erosion
- ○ Hazardous Waste
- ○ Long Island Wells
- ○ Mined Land Reclamation
- ○ Solid Waste
- ○ Navigable Waters Protection / Article 15
- ○ Water Quality Certificate
- ○ Dam Safety
- ○ Water Supply
- ○ Freshwater Wetlands/Article 24
- ○ Tidal Wetlands
- ○ Wild, Scenic and Recreational Rivers
- ○ Stream Bed or Bank Protection / Article 15
- ○ Endangered or Threatened Species(Incidental Take Permit)
- ○ Individual SPDES
- ○ SPDES Multi-Sector GP N Y R
- ○ Other
- ● None

41. Does this project require a US Army Corps of Engineers Wetland Permit? ○ **Yes** ● **No**
If Yes, Indicate Size of Impact. .

42. Is this project subject to the requirements of a regulated, traditional land use control MS4? ● **Yes** ○ **No**
(If No, skip question 43)

43. Has the "MS4 SWPPP Acceptance" form been signed by the principal executive officer or ranking elected official and submitted along with this NOI? ○ **Yes** ○ **No**

44. If this NOI is being submitted for the purpose of continuing or transferring coverage under a general permit for stormwater runoff from construction activities, please indicate the former SPDES number assigned. N Y R

Owner/Operator Certification

I have read or been advised of the permit conditions and believe that I understand them. I also understand that, under the terms of the permit, there may be reporting requirements. I hereby certify that this document and the corresponding documents were prepared under my direction or supervision. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further understand that coverage under the general permit will be identified in the acknowledgment that I will receive as a result of submitting this NOI and can be as long as sixty (60) business days as provided for in the general permit. I also understand that, by submitting this NOI, I am acknowledging that the SWPPP has been developed and will be implemented as the first element of construction, and agreeing to comply with all the terms and conditions of the general permit for which this NOI is being submitted.

Print First Name: Mark

MI: H

Print Last Name: Fuller

Owner/Operator Signature:

Date: 7/13/15

New York State Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505

MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form

for

Construction Activities Seeking Authorization Under SPDES General Permit

*(NOTE: Attach Completed Form to Notice Of Intent and Submit to Address Above)

I. Project Owner/Operator Information
1. Owner/Operator Name: DePaul
2. Contact Person: Gillian Conde
3. Street Address: 1931 Buffalo Road
4. City/State/Zip: Rochester, NY 14624
II. Project Site Information
5. Project/Site Name: DePaul Schenectady Apartments
6. Street Address: 780 Albany Street
7. City/State/Zip: Schenectady, NY 12307
III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance Information
8. SWPPP Reviewed by: JOSEPH TROIANO
9. Title/Position: STORMWATER CONTROL OFFICER
10. Date Final SWPPP Reviewed and Accepted: 8/10/15
IV. Regulated MS4 Information
11. Name of MS4: City of Schenectady
12. MS4 SPDES Permit Identification Number: NYR20A 378
13. Contact Person: Joseph Troiano
14. Street Address: 105 Jay Street
15. City/State/Zip: Schenectady, NY 12305
16. Telephone Number: (518) 382-5095

(NYS DEC - MS4 SWPPP Acceptance Form - January 2010)

MS4 SWPPP Acceptance Form - continued

V. Certification Statement - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in question 5 has been reviewed and meets the substantive requirements in the SPDES General Permit For Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).
Note: The MS4, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name: JOSEPH TROIANO

Title/Position: STORMWATER CONTROL OFFICER

Signature:

Date: 8/10/15

VI. Additional Information

① WEEKLY INSPECTION REPORTS MUST BE EMAILED TO JTROIANO@SCHENECTADNY.GOV

DEPARTMENT OF WATER AND WASTEWATER
CITY OF SCHENECTADY
NEW YORK
ROOM 206, CITY HALL
105 Jay Street
Schenectady, New York 12305
(518) 382-5023
FAX (518) 382-5100

September 1, 2015

Mr. Christopher Longo, Project Engineer
Ingalls & Associates, LLP
2603 Guilderland Avenue
Schenectady, New York 12306

RE: DePaul Schenectady Apartments – Public Water Supply Request

Dear Mr. Longo:

The City of Schenectady has reviewed the Ingalls & Associates Engineering Report and request for public water for the proposed DePaul Schenectady Apartment project.

Based on the information provided, the City of Schenectady's public water supply can adequately provide the proposed water demand flows for the DePaul Schenectady Apartment Project.

If you have any questions or concerns, please do not hesitate to contact me at 518-382-5199, ext 5403.

Sincerely,

Paul J. LaFond
Director of Water and Wastewater

Cc: William Winkler, P.E., Acting Commissioner of General Services
Carl Falotico, Esq., Corporation Counsel
WTP File

SWBR ARCHITECTS

ROCHESTER NY
387 East Main Street
Rochester NY 14604
Voice: 585.232.8300
SYRACUSE NY
309 South Franklin Street
Syracuse NY 13202
Voice: 315.488.5635
www.swbr.com

August 11, 2015

Mr. Mark Fuller
DePaul
1931 Buffalo Ave.
Rochester, NY 14624

Re: Environmental Review – Item #15 ii
Water Conserving Fixtures
DePaul Schenectady Apartments
762-782 Albany Street
Schenectady, NY 12304
SWBR Project No. 15255.00

Dear Mark:

This letter is to address the measures that will be taken to conserve water use inside and outside of the proposed new building.

The project will be following the requirements of the Energy Star for Homes program, the NYSERDA Low Rise Residential New Construction Programs and the 2011 Enterprise Communities Criteria Program. Due to the requirements of these energy and sustainability programs, the project will be specifying low flow and water conserving plumbing fixtures in all resident units and common areas.

The specified water conserving fixtures will be:
Toilets: 1.28 GPF
Bathroom faucets: 0.5 GPM
Kitchen faucets: 1.50 GPM
Showerheads. 1.50 GPM

There will also be no exterior landscaping irrigation systems used in the project.

Sincerely,

E. Joseph Gibbons II, AIA
Principal

APPENDIX Q
EMERGENCY SERVICES

Schenectady Police Department

531 Liberty Street, Schenectady, NY 12305
Phone (518) 382-5201 Fax (518) 382-5299
www.schenectadypd.com

Wayne E. Bennett, Public Safety Commissioner

Brian A. Kilcullen, Chief of Police

Michael J. Seber
Assistant Chief of Police
Administrative Services Bureau

Jack Falvo, Jr.
Assistant Chief of Police
Field Services Bureau

Patrick Leguire
Assistant Chief of Police
Investigative Services Bureau

June 30, 2015

Ms. Debra L. Schimpf

Schenectady Community Action Program, Inc.

913 Albany Street

Schenectady, NY 12305

Dear Ms. Schimpf:

This correspondence confirms our jurisdiction for the provision of law enforcement for the City of Schenectady's Hamilton Hill neighborhood where DePaul of Rochester plans to build a 50 unit housing development project on Albany Street.

The project is 50 units of affordable housing for households earning up to 60% of area median income. The building will have three levels and approximately 50,000 square feet. There will be 46 one bedroom units and 4 two bedroom units. Each unit will have a kitchen and bath. There will also be community rooms, staff offices, lounges, laundry, storage and other community space for the residents. There will be ample parking on site for residents, staff and visitors.

The building will be an elongated "U" shape building of wood frame construction. In the rear will be green space and parking. The project will have on-site security personnel and property cameras that will enhance neighborhood safety.

The Schenectady Police Department is the local law enforcement agency for the entire City, including the Albany Street area where the property will be built. The Schenectady Police Department will continue to work with neighborhood associations, residents and businesses to improve safety and relations with the Department.

Sincerely,

Brian Kilcullen

Chief of Police

June 30, 2015

Ms. Debra L. Schimpf

Schenectady Community Action Program, Inc.

913 Albany Street

Schenectady, NY 12307

Dear Ms. Schimpf:

The correspondence confirms our responsibility to enhance the quality of living in our community by preventing or minimizing injury and loss of life or property resulting from fire or other emergencies, natural or human caused, that may occur within the jurisdictional boundaries of the City of Schenectady. This includes the Hamilton Hill neighborhood where DePaul of Rochester plans a 50 unit housing development project on Albany Street.

The project is 50 units of affordable housing for households earning up to 60% of area median income. The building will have three levels and approximately 50,000 square feet. There will be 46 one bedroom units and 4 two bedroom units. Each unit will have a kitchen and bath. There will also be community rooms, staff offices, lounges, laundry, storage and other community space for the residents. There will be ample parking on site for residents, staff and visitors.

The building will be an elongated "U" shape building of wood frame construction. In the rear will be green space and parking. The project will have on-site security personnel and property cameras that will enhance neighborhood safety. The building will include energy star features, target resiliency standards, and achieve significant efficiencies with green building measures.

The Schenectady Fire Department has local jurisdiction for fire and medical emergencies in the City of Schenectady that includes the Albany Street area the property will be built. The Schenectady Fire Department will continue to work with the community to educate the public about fire safety.

Sincerely,

Raymond Senecal

Fire Chief

APPENDIX R
INVASIVE SPECIES ASSURANCE LETTER

ingalls

2603 Guilderland Avenue
Schenectady, NY 12306

T 518 393 7725
F 518 393 2324
E info@ingallsllp.com

www.ingallsllp.com

June 25, 2015

NY Homes and Community Renewal
Hampton Plaza
38-40 State Street
Albany, New York 12207

Attn: Lori Shirley, Community Developer – Environmental Services

Re: Invasive Species
SWBR DePaul Housing, Albany Street at Hulett Street
City of Schenectady, Schenectady County, New York

Dear Ms. Shirley:

I am writing in regard to the proposed SWBR DePaul housing project located on the corner of Albany Street and Hulett Street in the City of Schenectady, Schenectady County, New York. This office was provided a copy of your letter to Mark H. Fuller, CEO of DePaul, dated June 4, 2015, in which you requested written verification from the licensed design professional that the project will not include any of the species listed on the NYS Department of Environmental Conservation's Prohibited and Regulated Invasive Species regulations at 6 NYCRR Part 575.3 & 575.4

I have attached the proposed "Lighting and Landscape Plan, DePaul Schenectady Apartments, Albany Street", prepared by Ingalls & Associates, LLP, dated May 27, 2015, revised June 24, 2015, which details the proposed planting plan for the project. The following species are proposed on-site:

Proposed Tree and Shrub Plantings	
Common Name	**Scientific Name**
Honey Locust	*Gleditsia triacanthos*
Callery Pear	*Pyrus calleryana*
Eastern Redbud	*Cercis canadensis*
Washington Hawthorn	*Crataegus phaenopyrum*
White Oak	*Quercus alba*
Privet	*Ligustrum*
Bayberry	*Morella pensylvanica*
Arrowwood	*Viburnum dentatum*
Yew	*Taxus baccata*
Summersweet	*Clethra alnifolia*
Boxwood	*Buxus sempervirens*

Proposed Commercial Conservation Seed Mix (Ernst Conservation Seeds, Inc.)	
Common Name	**Scientific Name**
Creeping Red Fescue	*Festuca rubra*
Annual Rye Grass	*Lolium multiflorum (L. perenne var. italicum)*
Perennial Ryegrass, 'Amazing GS' (turf type)	*Lolium perenne, 'Amazing GS'*
Perennial Ryegrass, 'Grandslam' (turf type)	*Lolium perenne, 'Grandslam'*

None of the proposed plant species are listed on the NYS Department of Environmental Conservation's Prohibited and Regulated Invasive Species regulations at 6 NYCRR Part 575.3 & 575.4, as evidenced by the attached table. Additionally, no algae, cyanobacteria, fish, aquatic invertebrates, terrestrial invertebrates, terrestrial or aquatic vertebrates, or fungi are proposed to be introduced in any part of the subject project.

Please note that the proposed planting plan is subject to change throughout the final review process with the City of Schenectady and other involved agencies. However, no invasive species prohibited or regulated by law shall be included in the planting plan at any time.

Should you have any questions, or require additional information, please contact Amelia Leonard of my staff at (518) 393-7725, ext. 109.

Respectfully,
Ingalls & Associates, LLP

David F. Ingalls, P.E., LEED AP BD+C
Principal

ingalls

Invasive Plant Species Prohibited by 6 NYCRR Part 575.3	
Sycamore Maple	Japanese Honeysuckle
Japanese Chaff Flower	Amur Honeysuckle
Garlic Mustard	Morrow's Honeysuckle
Porcelain Berry	Tartarian Honeysuckle
Wild Chervil	Fly Honeysuckle
Japanese Angelica Tree	Uruguayan Primrose Willow
Mugword	Floating Primrose Willow
Small Carpet Grass	Garden Loosestrife
Japanese Barberry	Purple Loosestrife
Slender False Brome	Japanese Stilt Grass
Fanwort	Marsh Dewflower
Narrowleaf Bittercress	Parrot-feather
Oriental Bittersweet	Broadleaf Water-milfoil
Spotted Knapweed	Broadleaf Water-milfoil hybrid
Canada Thistle	Eurasian Water-milfoil
Black Swallow-wort	Yellow Floating Heart
Pale Swallow-wort	Wavyleaf Basketgrass
Chinese Yam	Mile-a-minute Weed
Cut-leaf Teasel	Amur Cork Tree
Brazilian Waterweed	Common Reed Grass
Autumn Olive	Golden Bamboo
Cypress Spurge	Yellow Groove Bamboo
Leafy Spurge	Curly Pondweed
Lesser Celandine	Kudzu
Smooth Buckthorn	Japanese Knotweed
Reed Manna Grass	Giant Knotweed
Giant Hogweed	Bohemian Knotweed
Japanese Hops	Common Buckthorn
Hydrilla, Water Thyme	Multiflora Rose
European Frogbit	Wineberry
Cogon Grass	Gray Florist's Willow
Yellow Iris	Cup-plant
Broad-leaved Pepper-grass	Water Chestnut
Chinese Lespedeza	Beach Vitex
Border Privet	

Invasive Plant Species Regulated by 6 NYCRR Part 575.4	
Norway Maple	Winter Creeper
Japanese Virgin's Bower	Chinese Silver Grass
Burning Bush	Black Locust

APPENDIX S
SEQR DOCUMENTATION

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

Name of Action or Project:
DePaul Schenectady Apartments

Project Location (describe, and attach a location map):
780 Albany Street at the corner of Hulett Street, City of Schenectady, Schenectady County, New York

Brief Description of Proposed Action:
Redevelopment of an existing commercial property into a 50-unit 3-story multi-family residential complex with associated site improvements such as landscaping and parking.

Name of Applicant or Sponsor:	Telephone: (585) 719-3177
DePaul	E-Mail:

Address:
1931 Buffalo Road

City/PO:	State:	Zip Code:
Rochester	NY	14624

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Site Plan Review - City of Schenectady; Area Variance - City of Schenectady, Stormwater SPDES Permit - NYSDEC,	☐	☑

3.a. Total acreage of the site of the proposed action? 1.3± acres
b. Total acreage to be physically disturbed? 1.3± acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 1.3± acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☑ Urban ☐ Rural (non-agriculture) ☐ Industrial ☑ Commercial ☐ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify)
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	✓	☐
b. Consistent with the adopted comprehensive plan?	☐	✓	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	✓
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	✓	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	✓	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	✓
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	✓
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	☐	✓
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	✓
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☐	✓
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	✓	☐
b. Is the proposed action located in an archeological sensitive area?	☐	✓
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	✓	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	✓	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☑ Urban ☐ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	✓	☐
16. Is the project site located in the 100 year flood plain?	✓	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☑ NO ☐ YES	☐	✓
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? ☐ NO ☑ YES If Yes, briefly describe: Schenectady storm drains		

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:	✓	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	✓	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: This does not refer to the project site. Nearby site codes include 447040 and 447048 (the former Marlou Formal Wear and Mid-Town Laundry), both of which had associated dry cleaning wastes. Both sites are over 1/2 mile from the project		✓

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

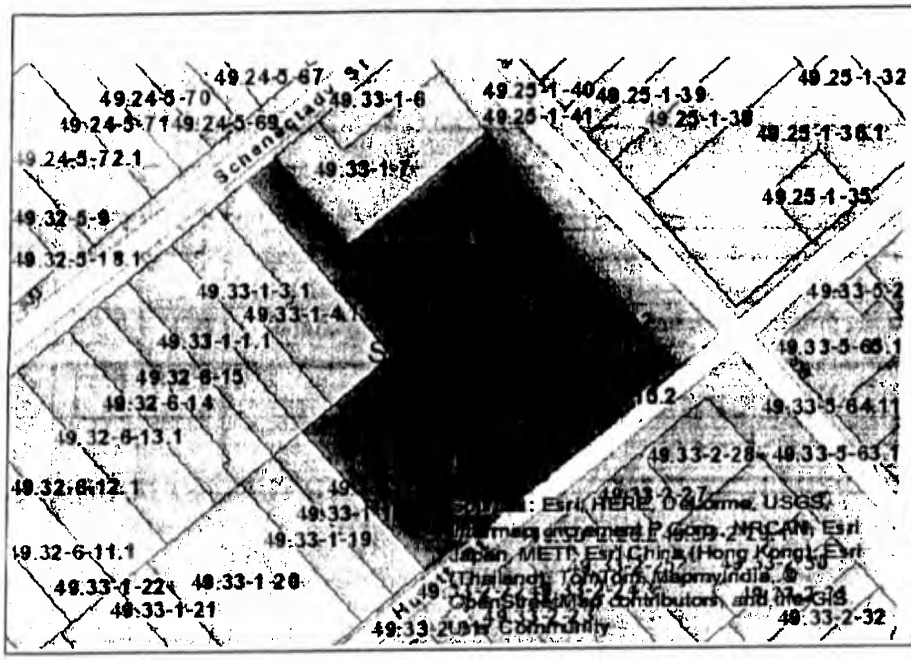
Applicant/sponsor name: Ingalls + Associates, LLP (for Applicant) Date: 5/27/15

Signature: [illegible]

PRINT FORM

EAF Mapper Summary Report

Monday, May 18, 2015 1:11 PM



Disclaimer: The EAF Mapper is a screening tool intended to ass project sponsors and reviewing agencies in preparing an environmen assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Althouc the EAF Mapper provides the most up-to-date digital data available tc DEC, you may also need to contact local or other data sources in ord to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

Agency Use Only [If applicable]

Project: Depaul Schenectady Apartments

Date: July 1, 2015

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	✔	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	✔	☐
3. Will the proposed action impair the character or quality of the existing community?	✔	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	✔	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	✔	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	✔	☐
7. Will the proposed action impact existing: a. public / private water supplies?	✔	☐
b. public / private wastewater treatment utilities?	✔	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	✔	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	✔	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	✔	☐
11. Will the proposed action create a hazard to environmental resources or human health?	✔	☐

PRINT FORM

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Schenectady Board of Zoning Appeals	~~July 1, 2015~~ 8/5/15
Name of Lead Agency	Date
James Gleason	Chairman
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
James Gleason	Steven Strichman, Zoning Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM