FINAL PHASE I ENVIRONMENTAL SITE ASSESSMENT
PROPOSED CARRIAGE HILL ESTATES
515 PINEWOODS AVENUE
BRUNSWICK, NEW YORK 12180

Prepared for:

United Development Corp.
80 State Street, 9th Floor
Albany, New York 12207

Prepared by:

Lansing Engineering, P.C.
7 Hemphill Place, Suite 230
Malta, New York 12020

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SUMMARY

At the request of United Development Corp. (UDC), a development affiliate of the United Group of Companies, Inc., Lansing Engineering, PC (LE) has performed a Phase I ESA of one residential parcel located in the Town of Brunswick, New York 12180 (the "subject property"). Any exceptions to, or deletions from, the ASTM Practice are described in Chapter 1.1 of this report.

A junkyard was present along the southeastern portion of the subject property prior to 1952 and the debris/ "junk" was removed from the subject area before 1986. A debris field was observed north of the unnamed tributary to the Poesten Kill, east and south of an unimproved dirt surface trail, and west of partially collapsed structures noted in the southeastern portion of the subject property. The size and areal extent of the debris field /disturbed area varied greatly during the time period reviewed (prior to 1952 to mid 90's when it was removed).

LE contacted numerous sources to obtain hard copy documentation for the removal of debris (including tires) from the subject property, but with no success. However, based on the review of historical aerial photographs and topographic maps, it is clear that the subject debris and tires were removed from the subject property. In addition, the interview of the subject property owner and key governmental agency representatives supports the conclusion that the environmental hazard(s) were removed from the subject property. There are no outstanding code violations, state permit conditions, consent orders or incidents of an environmental nature concerning the subject property. No stressed vegetation, staining, odors, or evidence of spillage were observed along this portion of the subject property during numerous Site inspections. ***The performance of all tasks required for this Phase I ESA and numerous Site inspections did not reveal any impacts to soil or groundwater quality. No environmental concerns are present in this area.***

The standard professional practices that LE conducted to determine if any recognized environmental conditions existed in connection with the subject property included a property reconnaissance, interviews with individuals who might have knowledge of such recognized environmental conditions, a review of readily available historical aerial photographs and historical fire insurance maps that provide coverage of the subject property, a review of environmental records that were made available to LE, and a review of a computer search of Federal and State environmental databases for indications of the presence of hazardous substances or petroleum products on the subject property or on nearby parcels from which those substances might migrate to the subject property.

This report is intended for use only as the complete document. It is based upon the Scope of Services, and is subject to the Limitations and Exceptions and other restrictions, defined herein. It has been prepared for the exclusive use of UDC. No other person or organization is entitled to rely upon any part of it without the prior written consent of LE. UDC or its legal counsel may release or authorize the release of all or part(s) of this report to third parties. However, if any third party uses or relies on this report without the express written permission of LE, such third party agrees that it shall have no legal recourse against LE, and shall indemnify and defend them from and against all claims arising out of or in conjunction with such use or reliance.

1.0 INTRODUCTION

1.1 SCOPE OF SERVICES / PURPOSE

Lansing Engineering, PC (LE) prepared this Phase I Environmental Site Assessment (ESA) report for UDC on three parcels in the Town of Brunswick, New York (Appendix A). The subject property consists of three parcels [Town of Brunswick Tax Map I.D. No.: 102.-5-1.11 (83.91-acres); 102.-5-3.11 (92.80-acres); and 102.-1-18.11 (47.09 acres)] that are primarily vacant, undeveloped wooded areas and open fields (The Saratoga Associates, June 3, 2004). UDC intends to develop 19 estate homes (greater than 3 acres in size), 82 carriage homes (minimum size of a ¼-acre), and 7 apartment buildings with a total of 192 units on 217 of the 223.8 acres that constitute the subject property. LE prepared the ESA Report at the request of Ms. Kimberly A. Williams, Vice President of the United Group of Companies, Inc.

The format of this report generally follows the procedures outlined in ASTM Standard Practice E1527-00. The following two definitions from that Standard are important for understanding this report. Terms in italics are defined in that Standard Practice:

3.3.31 *recognized environmental conditions (REC)* – the presence or likely presence of any *hazardous substances* or *petroleum products* on a *property* under conditions that indicate an existing release, a past release, or a material threat of a release of any *hazardous substances* or *petroleum products* into a structure on the *property* or into the ground, groundwater, or surface water of the *property*. The term includes *hazardous substances* or *petroleum products* even under conditions in compliance with laws. The term is not intended to include de minimis conditions that generally do not represent a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be de minimis are not *recognized environmental conditions.*

3.3.16 *historical recognized environmental condition* – environmental condition which in the past would have been considered a *recognized environmental condition*, but which may or may not be considered a *recognized environmental condition* currently.

The professional services included a property reconnaissance, review of readily available aerial photographs and historical fire insurance maps, and a review of a computer search of selected Federal and State environmental databases for indications of the presence of hazardous substances on the subject property or on nearby parcels which those substances might migrate to the subject property. In general, the Scope of Services has been completed in accordance with the scope and limitations of ASTM Practice E1527-00 for a Phase I Environmental Site Assessment, with the exception that the historical usage of the subject property was not fully researched back to 1940 or the time of initial development. In particular:

- No Chain of Title or comparable record of historical ownership was obtained.
- The research was not required to extend farther back than the date when the subject property was known to have first been developed for other than agricultural use.

1.2 PREVIOUS ASSESSMENTS AND INVESTIGATIONS

UDC provided LE with a Full Environmental Assessment Form and Supplemental Information for the Carriage Hill Estates, which was prepared by The Saratoga Associates Landscape Architects, Architects, Engineers and Planners, P.C. (The Saratoga Associates) on June 3, 2004. This document did not provide any great details regarding the environmental condition of the subject property except for notations that

there may be an old farm debris area on the Project site. UDC indicated that it had no Phase I ESA Report, environmental evaluation or assessment on record in their files.

2.0 SUBJECT PROPERTY DESCRIPTION AND HISTORY

Pertinent environmentally related findings are described below, along with brief descriptions of the subject property and vicinity, so that the environmental information may be placed in the proper context.

2.1 GENERAL PROPERTY DESCRIPTION

The general location for the subject property is depicted on the maps in the database search report (i.e., pages 2, 3 and A-7) in Appendix B. The subject parcels [Town of Brunswick Tax Map I.D. No.: 102.-5-1.11 (83.91-acres); 102.-5-3.11 (92.80-acres); and 102.-1-18.11 (47.09 acres)] consist of vacant, undeveloped wooded areas and open fields. The irregularly-shaped tract of land totals 223.8 acres with no improvements except overhead electric to the two off-site private dwellings in the northwestern quadrant of the subject property. The subject property is traversed by a north-northwest to south-southeast Niagara-Mohawk Power Corporation (a National Grid Company) [NMPC] easement for overhead electric transmission and an underground natural gas pipeline. In the past, a portion of the subject property was utilized for farming hay. The subject property is vacant and undeveloped although it appears that the mid-southern portions were cleared at one time. Survey flags and stakes (noting physical boundary markings for subject property) were observed on the subject property. The subject property is topographically variable; ranging from flat to rolling (50%) to moderately steep/steep (25%) and is predominantly covered with native grasses, light to thick brush, and coniferous or deciduous trees. No area of the subject property was paved.

The proposed Carriage Hill Estates portion of the subject property is broken down into the following components:

Meadow or Brushland	52.0-acres (24%)
Woodland	162.0-acres (75%)
Wetland	1.5-acres (<1%)
Surface Water	0.5-acre (<0.5%)
Roads, buildings, and other paved surfaces	1.0-acres (<0.5%)

Reference: The Saratoga Associates

Appendix B contains tax parcel maps and other pertinent maps. Appendix C contains a report providing the review of existing federal and state environmental databases with relative proximity to the subject property. Most of the information provided in Section 4.0 has been extracted from the report in Appendix C, which describes the results of that search in accordance with ASTM Standards. The database information has been evaluated in conjunction with the results of the subject property inspection (Section 2.2), site ownership (Section 2.3), and geologic setting evaluation (Section 2.5). Following review of existing environmental databases, no adjacent parcel was judged to have the potential for a significant adverse impact on the environmental condition of the subject property. Appendix D contains select photographs of the subject property and the immediate adjacent properties. Property and environmental records concerning the subject property are provided in Appendices E and F, respectively.

Utilities The subject property is undeveloped. The entire parcel is located in the Town of Brunswick. No municipal or private utility connection are known to be on the subject property, with the exception of a NMPC overhead electric connection to the off-site private dwellings. An Owner's representative explained that there has never been any on-site septic system or water supply well/water service connection on the subject property.

2.2 ENVIRONMENTAL CHARACTERISTICS

Three visual inspections of the subject property revealed no evidence of surficial contamination, unusual odor, stressed vegetation, or other physical evidence of an adverse environmental impact.

An occasional waste tire, bulky white item, used automobile parts, and other metallic debris have been dispersed throughout the subject property and surrounding area along a dirt trail frequented by quads. Three additional areas of note include a small shed east of the off-site private dwelling in the northwestern portion of the subject property and an old farm debris area along a localized segment of the southern portion of the subject property, located along the top of a ridge and slope north of a tributary to the Poesten Kill and west of the NMPC utility easement. The third area consists of scattered debris dumped in a ditch along the mid-northern portion of the subject property, located south of NYS Route 2 and east of the unimproved private driveway. Although small amounts of junked debris were observed, no containers that are known or suspected to contain hazardous substances were identified.

Three partially collapsed large structures (50'x 20'; 50'x30'; and 30'x30') and one partially collapsed shed (35'x10') are noted approximately 500 to 650 feet north-northwest of Pinewoods Avenue, east of the NMPC utility easement, and north of the west-flowing tributary of the Poesten Kill. These structures were built in 1960, based on the review of property records. Some other former structures were noted to the east of these buildings of poor condition. The former structures were built in 1926, based on information provided by the Town of Brunswick. The surficial area southwest, west and northwest of these structures did not appear to be disturbed or represent an active disturbance. Although a few heavy duty tires were observed in the creek near the access road, no drum(s) or other large container known or suspected to contain a hazardous substance was observed and no unlabeled container that might have contained a hazardous liquid was observed in this area.

The cleared land north and northeast of these structures was located in the vicinity of the former junkyard, which measures approximately 400 feet wide (north to south) by 600 feet long (east to west). Remnants of two west to east-oriented lanes that are 400 feet in length and numerous north to south-oriented paths were identified. A partially collapsed dairy barn was observed in the woods near the northwestern corner of the subject property. No debris was observed at surface, with the exception of scattered pieces along the wooded periphery, especially along the northern and western edges. No stressed vegetation, staining, or evidence of spillage was observed in this suspect area.

In addition, no tire dump(s) was identified on the subject property. Review of various environmental records (Appendix E) and interview of key personnel revealed that a tire dump (source of tire fire(s)) had previously been located east of the NMPC utility easement and northeast of a creek in the southeastern portion of the subject property.

An off-site localized area of refuse/debris was noted along the northern third of the NMPC utility easement. Although small amounts of junked debris were observed in this area, no containers that are known or suspected to contain hazardous substances were identified. No drum(s) or other large container known or suspected to contain a hazardous substance was observed and no unlabeled container that might have contained a hazardous liquid was observed in this area.

Based upon EPA guidance documents, no materials were observed on the subject property that must be considered suspect asbestos- containing materials (ACM).

Stormwater runoff from the subject property apparently is via sheet flow to the Poesten Kill (tributary 236-4-1) or tributaries of the Poesten Kill (tributary 236-P406a-1). Standing (pooled) water was

occasionally observed along select low-lying areas of the subject property (i.e., midwestern, southern, and northeastern corner).

No oil-filled transformer was observed on the subject property.

There is no refuse generated on the subject property. Wetland delineation was conducted by LE for UDC to confirm the existence and relative footprint of habitat areas previously identified by others. The wetland delineation report is provided under separate cover.

Tanks Information gathered during the subject property reconnaissance and background research indicated that no stationary aboveground storage tank (AST) or underground storage tank (UST), excluding water tanks, is known to presently be or formerly have been on the subject property.

2.3 SUBJECT PROPERTY OWNERSHIP AND USAGE

According to property records, the subject property is currently owned by Country Club Properties, Inc. which is a subsidiary of UDC, portions of the subject property were acquired on March 23, 1987 (from Royal Dutch Enterprises), April 2, 1987 (Pinewyck Corporation), May 4, 1987 (Howard C. Ginsburg and Melvin Ginsburg), and September 26, 1991 (Joel W. Shippey & Frederick A. Shippey/Melba B. Shippey). The majority of wooded areas have not been used for any particular purpose. A 92.8-acre portion of the subject property was once owned and operated by the Ginsburgs as a farm. Documents relating to prior, historical property ownership were not reviewed by LE.

2.4 ADJACENT AND SURROUNDING PARCEL USAGE

The subject property is located in an area characterized by a mixture of residential and undeveloped parcels. The subject property is zoned residential (R-40, R-25, and R-15) in the northwestern, central, eastern, and southern parts, Agricultural (A-40) along the northernmost 20.91 acres, and Recreational (R) along the western portion of the subject property. The subject property is generally surrounded by single family homes to the east, south, and northwest while NYS Route 2 and the Poesten Kill border to the north. The Country Club of Troy is located to the west of the subject property.

Following initial reconnaissance of the subject property and adjacent parcels and the review of existing environmental databases, no adjacent parcel was judged to have the potential for a significant adverse impact on the environmental condition of the subject property. However, it should be noted that the refuse/debris noted off-site within the NMPC utility easement should be removed.

2.5 PHYSIOGRAPHIC SETTING

As shown on the Site Plan in Appendix B, the subject property lies at an elevation ranging from greater than 550 feet above mean sea level (amsl) in the central portion of the subject property to slightly less than 330 feet amsl in the northwestern corner of the subject property near the Poesten Kill. Based on USGS 7.5-minute quadrangle mapping and survey information, the topography primarily consists of rolling to moderately steep slopes.

According to maps from the Natural Resources Conservation Service (NRCS) of Rensselaer County, the on-site soils predominantly consist of the Bernardston gravelly silt loam, Bernardston-Nassau complex or Pittstown gravelly silt loam. These soils are primarily well drained (~80%) to moderately well drained (~15%) and are derived from kame deposits. The only poorly drained soils are located in the southeastern most portion of the subject property.

Review of surficial geologic mapping indicates the presence of kame deposits on the subject property. The thickness of the overburden is highly variable but is expected to range from 0 to 70 feet below grade. Bedrock underlying these soils consists of shales and slates of the Nassau Formation.

A southeast to northwest trending tributary of the Poesten Kill conveys water westward along the southern portion of the subject property while the east to west-trending Poesten Kill conveys surface waters southwestward along the northern perimeter of the subject property. Several on-site swales direct drainage to these surface water bodies.

Shallow groundwater would be expected to move at a moderate rate through these soils. There is no mapped unconsolidated aquifer systems underlying or in close proximity to the subject property. The inferred direction of groundwater flow in the area, based upon local experience and an examination of the topographic map, is to the west.

The database search report (in Appendix C) contains a summary of the results of tests for the presence of radon gas at 85 locations within Rensselaer County. That information was extracted from the EPA's National Radon Database, which contains the results of tests conducted between 1986 and 1992. The average reported activity (concentration) for first floor living areas in Rensselaer County was 1.570 picocuries per liter of air (pCi/L), with 87% of the results below the guidance value established by the EPA of 4.0 pCi/L for a living space. Radon activity within buildings is known to vary greatly depending upon the geology of the particular parcels on which testing is conducted, as well as the design and construction of the particular buildings, so it is not possible to predict the likely radon activity within a specific building from summary data. There are no existing buildings on the subject property.

2.6 AERIAL PHOTOGRAPHS

Environmental Data Resources (EDR) did not have historical aerial photograph coverage for the Rensselaer County area. Eight historical aerial photographs were reviewed from New York State's Office of Cyber Security & Critical Infrastructure Coordination (CSCIC). To respond to these limitations, LE selected and reviewed an aerial photograph from the TerraServer web site (http://www.terraserver.com) from the United States Geological Survey (USGS) and an aerial photograph from the NYS GIS Clearinghouse website (http://www.nysgis.state.ny.us). An emphasis was placed on identifying features that may have been potentially associated with past waste disposal or other practices that may have impacted soil or groundwater quality. The subject photographs were used to aid in the evaluation of the:

- location for the purported junkyard and tire dump(s);
- removal of debris from the junkyard;
- removal of tires from the subject property; and
- soil and groundwater quality in these suspect areas

A documentation of physical and environmental conditions of the subject property and surrounding area is provided below.

2001 (Scale 1"=300'); NYS GIS photo) The photograph appears to have been taken during the early spring. The subject property is primarily undeveloped and vacant although segments of the central, mid-southern, and southeastern of the site appear to have been cleared meadows.

Three partially collapsed large structures (50'x 20'; 50'x30'; and 30'x30') and one partially collapsed shed (35'x10') are noted approximately 500 to 650 feet north-northwest of Pinewoods Avenue, east of the NMPC utility easement, and north of the west-flowing tributary of the

Poesten Kill. The surficial area southwest, west and northwest of these structures did not appear to be disturbed or represent an active disturbance. This area represents the oval-shaped landform, referenced in topographic maps from 1980 (photo revised) and 1995 (see Section 2.8), and did not appear to be more stressed than other areas and revealed no staining, or evidence of spillage. No stressed vegetation, staining, or evidence of spillage was observed in these areas.

The cleared land north and northeast of these structures was located in the vicinity of the former junkyard, which measures approximately 400 feet wide (north to south) by 600 feet long (east to west). Remnants of two west to east-oriented lanes that are 400 feet in length and numerous north to south-oriented paths, ranging from 50 to 150 feet in length, were identified. No evidence of asphaltic pavement or gravel was used to improve these former pathways. No debris was observed at surface, with the exception of scattered pieces along the wooded periphery, especially along the northern and western edges. No stressed vegetation, staining, or evidence of spillage was observed in this suspect area.

The purported disturbed area west of the NMPC utility easement and north of the tributary of the Poesten Kill was not evident. No stressed vegetation, staining, or evidence of spillage was observed in this suspect area.

A disjointed network of dirt trails was noted throughout the southwestern, mid-southern, southeastern, and eastern portion of the subject property. Although the subject property is vacant and primarily undeveloped, remnant dirt trails appear to connect Pinewoods Avenue to the existing private dwelling northwest of the subject property and the eastern/southeastern portion of the subject property. These trails were not overgrown with vegetation at the time the photograph was collected. No stressed vegetation, staining, or evidence of spillage was observed on the subject property.

The southeastern portion of the subject property was re-inspected to ensure that soil or groundwater quality was not impacted.

May 3, 2000 (Scale 1:10,000; NYSCSIC color photo) The subject property is primarily undeveloped and vacant although an on-site shed-like structure is evident between the two off-site private dwellings in the northwest corner of the subject property. No structure was observed south of NYS Route 2 and east of the driveway. No barn was observed northeast of the 5th green at the Country Club of Troy. No debris is observed in the southeastern portion of the subject property.

A network of unimproved, dirt surface trails was noted throughout the southwestern, mid-southern, southeastern, and eastern portion of the subject property. Although the subject property is vacant and primarily undeveloped, remnant dirt trails appear to connect Pinewoods Avenue to the existing private dwelling northwest of the subject property and the eastern/southeastern portion of the subject property. These trails did show disturbance at the time the photograph was collected. No stressed vegetation, staining, or evidence of spillage was observed on the subject property.

April 24, 1999 (Scale 1:40,000; NYSCSIC photo) Due to the scale of this aerial photograph, limited observations could be generated. Segments of the central, mid-southern, and southeastern appeared to have been cleared meadows. No barn was noted in the northwestern portion of the subject property. No debris is observed in the southeastern portion of the subject property.

February 1999 (Scale: Unknown; NYSCSIC photo) The subject property is primarily undeveloped and vacant. Snow is evident in open space areas (northwestern, eastern, mid-northern, and southeastern sections of subject property) and a forested wetland area (central and midwestern portion of subject property). A network of unimproved, dirt surface trails was noted throughout the southwestern, mid-southern, southeastern, and eastern portion of the subject property. Although the subject property is vacant and primarily undeveloped, the dirt trails appear to connect Pinewoods Avenue to the existing private dwelling northwest of the subject property and the eastern/southeastern portion of the subject property. A disturbed area is observed in the vicinity of the NMPC utility easement and creek in the southeastern portion of the subject property. No debris was observed in the vicinity of this suspect area. No stressed vegetation, staining, or evidence of spillage was observed on the subject property.

April 23, 1994 (Scale 1"=325'; USGS photo) The subject property is primarily undeveloped and vacant although a shed-like structure is evident south of NYS Route 2 and east of the driveway for the two off-site private dwellings in the northwest corner of the subject property. Segments of the mid-northern, central, mid-southern, and southeastern appeared to have been cleared meadows.

Three partially collapsed large structures and one partially collapsed shed are noted approximately 500 feet north-northwest of Pinewoods Avenue, east of the NMPC utility easement, and north of the west-flowing tributary of the Poesten Kill. The surficial area southwest and northwest of these structures appeared to be slightly disturbed. The cleared land north and northeast of these structures was located in the vicinity of the former junkyard. No stressed vegetation, staining, or evidence of spillage was observed in these suspect areas.

The area west and northwest of the large structures did not appear to represent an active disturbance. This area represents the oval-shaped landform, referenced in topographic maps from 1980 and 1995 (see Section 2.8), and did not appear to be more stressed than other areas and revealed no staining, or evidence of spillage. The purported disturbed area west of the NMPC utility easement and north of the tributary of the Poesten Kill was not evident.

A network of dirt trails was noted throughout the southwestern, mid-southern, southeastern, and eastern portion of the subject property. Although the subject property is vacant and primarily undeveloped, remnant dirt trails appear to connect Pinewoods Avenue to the existing private dwelling northwest of the subject property and the eastern/southeastern portion of the subject property. These trails did show disturbance at the time the photograph was collected. No stressed vegetation, staining, or evidence of spillage was observed on the subject property.

The adjacent parcels to the south and east primarily consist of single family residences. The golf course for the Country Club of Troy was also observed.

November 27, 1991 (Scale 1:24,000; NYSCSIC photo) The subject property is primarily undeveloped and vacant; two off-site private dwellings were evident adjacent to the northwest portion of the subject property. Segments of the central, mid-southern, and southeastern portions of the subject property appeared to be cleared, open space.

Three structures are evident approximately 500 feet north-northwest of Pinewoods Avenue, east of the NMPC utility easement, and north of the west-flowing tributary of the Poesten Kill. An active unimproved road was noted along the entrance to the barn. The surficial area southwest, west and northwest of these structures appeared to be disturbed and contained some debris. The

cleared land north and northeast of these structures was located in the vicinity of the former junkyard. No staining or evidence of spillage was observed in this suspect area.

The purported disturbed area west of the NMPC utility easement and north of the tributary of the Poesten Kill was not evident.

A network of unimproved dirt trails was noted throughout the mid-southern, southeastern, and eastern portion of the subject property. Although most of the subject property is primarily undeveloped and vacant, a dirt trail connects Pinewoods Avenue to the existing private dwelling northwest of the subject property and the eastern/southeastern portion of the subject property. These trails did show disturbance at the time the photograph was collected.

The southeastern portion of the subject property was re-inspected to ensure that soil or groundwater quality was not impacted.

1986 (Scale 1:58,000; NYSCSIC photo) The subject property is primarily undeveloped and vacant; two off-site private dwellings were evident adjacent to the northwest portion of the subject property. Segments of the mid-northern, central, eastern, mid-southern, and southeastern portions of the subject property appeared to be cleared, open space.

Three structures are evident north of Pinewoods Avenue, east of the NMPC utility easement, and north of the west-flowing tributary of the Poesten Kill. The cleared land north and northeast of these structures was located in the vicinity of the former junkyard. An unimproved road was noted along the entrance to the barn. The surficial area southwest, west and northwest of these structures appeared to be disturbed and contained some debris. No staining or evidence of spillage was observed in this suspect area.

The purported disturbed area west of the NMPC utility easement and north of the tributary of the Poesten Kill was not evident.

A network of unimproved dirt trails was noted throughout the mid-southern, southeastern, and eastern portion of the subject property. Although most of the subject property is primarily undeveloped and vacant, a dirt trail connects Pinewoods Avenue to the existing private dwelling northwest of the subject property and the eastern/southeastern portion of the subject property.

The southeastern portion of the subject property was re-inspected to ensure that soil or groundwater quality was not impacted.

April 21, 1974 (Scale 1:27,120; NYS CSCIC photo) The photograph appears to have been taken during the early spring. The subject property is primarily undeveloped and vacant; two off-site private dwellings and a small barn were evident in the northwestern corner of the subject property. Segments of the central, mid-northern, mid-southern, eastern, and southeastern portions of the subject property were cleared, open space. The linear overhead electrical transmission system was evident bisecting the subject property.

The debris /disturbed areas occupied more land but the density of debris was not as great as noted in the 1970 photo. The debris was mostly north of the on-site creek in the vicinity of the on-site structures or in an open space area to the west or north-northeast. The western debris field is approximately 775 feet along an east to west direction and 565 feet along a north to south direction. The junkyard or debris field is approximately 250 feet along an east to west direction

and 600 feet along a north to south direction. The center of the former junkyard is located approximately 1,375 feet north-northeast of the intersection of dirt road and Pinewoods Avenue. The debris was also evident along the unimproved, dirt road entrance to Pinewoods Avenue.

A remnant of an unimproved, dirt surface racetrack-like feature is observed approximately 400 to 700 feet east of the 7th green at the Country Club of Troy. A structure is noted approximately 600 feet east-northeast of the 5th green. No stressed vegetation, staining, or evidence of spillage was observed in these suspect areas.

The purported disturbed area west of the NMPC utility easement and north of the tributary of the Poesten Kill was not evident. No stressed vegetation, staining, or evidence of spillage was observed in this suspect area.

A network of unimproved, dirt surface trails was noted throughout the southwestern, mid-southern, southeastern, and eastern portion of the subject property. These trails were not overgrown with vegetation at the time the photograph was collected. No stressed vegetation, staining, or evidence of spillage was observed on the subject property.

The southeastern portion of the subject property was re-inspected to ensure that soil or groundwater quality was not impacted due to debris noted in the photograph.

April 17, 1970 (Scale 1:24,000; NYS CSCIC photo) The photograph appears to have been taken during the early spring. The subject property is primarily undeveloped and vacant; two off-site private dwellings, a small barn, and a few structures were evident in the northwestern corner, midwestern perimeter, and southeastern portion of the subject property, respectively. Segments of the mid-northern, central, eastern, mid-southern, and southeastern portions of the subject property were cleared, open space. The linear overhead electrical transmission system was not evident bisecting the subject property.

The debris /disturbed areas were larger than those noted in the 1952 photo and densest for any photo reviewed. The debris was mostly north of the on-site creek in the vicinity of the on-site structures or in an open space area to the west or north-northeast. The western debris field is approximately 800 feet along an east to west direction and 575 feet along a north to south direction. The junkyard or debris field is approximately 300 feet along an east to west direction and 600 to 650 feet along a north to south direction. The debris was mostly north of the on-site creek but was also evident along the unimproved, dirt road entrance to Pinewoods Avenue. The northernmost portion of the former junkyard is located approximately 1,375 feet north-northeast of the intersection of dirt road and Pinewoods Avenue.

A remnant of an unimproved, dirt surface racetrack-like feature is observed approximately 400 to 700 feet east of the 7th green at the Country Club of Troy. A structure is noted approximately 600 feet east-northeast of the 5th green. No stressed vegetation, staining, or evidence of spillage was observed in these suspect areas.

A network of unimproved, dirt surface trails was noted throughout the southwestern, mid-southern, southeastern, and eastern portion of the subject property. These trails were not overgrown with vegetation at the time the photograph was collected. No stressed vegetation, staining, or evidence of spillage was observed on the subject property.

The southeastern portion of the subject property was re-inspected to ensure that soil or groundwater quality was not impacted due to debris noted in the photograph.

April 16, 1952 (Scale 1:24,000; NYS CSCIC photo) The photograph appears to have been taken during the early spring. The subject property is primarily undeveloped and vacant; two off-site private dwellings, a small barn, and a few structures were evident in the northwestern corner, midwestern perimeter, and southeastern portion of the subject property, respectively. Segments of the central, mid-southern, and southeastern portions of the subject property were cleared, open space. The linear overhead electrical transmission system was not evident bisecting the subject property. Debris is evident along several areas of the southeastern portion of the subject property:

- Junkyard is northeast of noted structures approximately 1,000 to 1,300 feet north-northeast of the intersection of access road and Pinewoods Avenue (Dimensions: 400 to 500 feet along an east to west direction and a maximum of 450 feet along a north to south direction; 9 rows were noted)
- A smaller debris field is noted to the west of the noted structures, approximately 200 to 300 feet north of creek, and between 500 to 600 feet north-northwest of the intersection of access road and Pinewoods Avenue (Dimensions: 300 to 400 feet long along east to west direction and a maximum of 125 feet wide in a north to south direction)

The purported disturbed area west of the NMPC utility easement and north of the tributary of the Poesten Kill was not evident. No stressed vegetation, staining, or evidence of spillage was observed in this suspect area.

An unimproved, dirt surface racetrack-like feature is observed approximately 400 to 700 feet east of the 7th green at the Country Club of Troy. A structure is noted approximately 600 feet east-northeast of the 5th green. No stressed vegetation, staining, or evidence of spillage was observed in these suspect areas.

A network of unimproved, dirt surface trails was noted throughout the southwestern, mid-southern, southeastern, and eastern portion of the subject property. These trails were not overgrown with vegetation at the time the photograph was collected. No stressed vegetation, staining, or evidence of spillage was observed on the subject property.

The southeastern portion of the subject property was re-inspected to ensure that soil or groundwater quality was not impacted due to debris noted in the photograph.

2.7 HISTORICAL FIRE INSURANCE MAPS

After reviewing its files, EDR certified that no historical fire insurance map coverage exists for the subject property (confirmation provided in Appendix C).

2.8 ADDITIONAL HISTORICAL RECORDS

LE reviewed available historical topographic maps to assess historical development of the subject property. An emphasis was placed on identifying features that may be associated with past waste disposal or other practices that may have impacted soil or groundwater quality.

LE reviewed historical United States Geological Survey (USGS) topographic maps of the site for the years 1898, 1928, 1950, 1953, 1980 (Photo revised), and 1995 (Photo revised). The 1995, 1980 and 1953

topographic maps had a scale of 1 inch = 2,000 feet (1:24,000) while the 1898, 1928, and 1950 topographic maps exhibited a scale of 1 inch = 5,205 feet (1:62,500).

The 1995 photo revised topographic map displayed the subject property in excellent detail. This map was similar to others except that a few additional homes were noted to northeast and southeast. Other observations were similar to those summarized in the review of the 1953-1980 photo revised topographic map.

The 1980 photo revised topographic map displayed the subject property in excellent detail. This map was similar to others except that increased residential development was noted to the southwest and east of the subject property. The subject property was improved with the following:

- A building or other structure is mapped south of NYS Route 2 and east of the light duty road (driveway) for three buildings (two are currently known to be off-site dwellings) in the northwest corner of the subject property. The building down by NYS Route 2 and the middle of the three buildings are located on the subject property and were not evident during the site reconnaissance. The final disposition of the materials for these suspect structures is not known. The NMPC utility easement is approximately 150 feet wide. In addition, a photo revised light duty road is identified connecting Pinewoods Avenue to three structures in the southeastern corner of the subject property. The light duty road actually extends 500 feet north of these structures before being redirected to the west before terminating in an oval-shaped landform, which measured approximately 250 feet (north-south) and 150 feet wide (east-west). *This REC was re-inspected to ensure that soil or groundwater quality was not impacted.* An increase of single-family residential development was evident along Pinewoods Avenue across form Forest Hills Cemetery. A new light duty road was evident between the second tee and fourth green for the Country Club of Troy.

The 1953 topographic map displayed the subject property in excellent detail. This map was similar to others, except for the following:

- A building or other structure is mapped south of NYS Route 2 and east of the light duty road (driveway) for three buildings (two are currently known to be off-site dwellings) in the northwest corner of the subject property. Therefore, it is believed that this building or structure was built after 1950 and before 1953. The building down by NYS Route 2 and the middle of the three buildings are located on the subject property and were not evident during the site reconnaissance. The final disposition of the materials for these suspect structures is not known. Three structures and an oval-shaped landform are evident in the southeastern portion of the subject property. The oval-shaped landform is believed to be located within and adjacent to the NMPC utility easement approximately 700 feet north of Pinewoods Avenue and approximately 200 feet north of the westward-flowing tributary of the Poesten Kill. *This REC was re-inspected to ensure that soil or groundwater quality was not impacted.* Single-family residences were evident along Pinewoods Avenue.

The 1950 topographic map displayed the subject property in sufficient detail. Although three structures were evident at or adjacent to the northwestern portion of the subject property (see mapping for 1953, 1980, and 1995), no building or structure was evident at the base of the subject property (south of NYS Route 2 and east of driveway, which is listed as a dirt road). In addition, the three structures, light duty road, and oval-shaped topographic feature noted in the 1953 map were not evident in the southeastern portion of the subject property. No environmental concerns are generated from review of this topographic map.

The 1928 topographic map displayed the subject property in sufficient detail. Two structures were evident at or adjacent to the northwestern portion of the subject property. The lowermost existing house was not evident; therefore was likely built after 1928 and before 1950. No building or structure was evident at the base of the subject property (south of NYS Route 2 and east of driveway, which is listed as a dirt road). In addition, the three structures, light duty road, and oval-shaped topographic feature noted in the 1953 map were not evident in the southeastern portion of the subject property. The overhead electrical transmission line was not mapped bisecting the subject property. Therefore, the overhead electrical transmission line was likely built between 1928 and 1950. No environmental concerns are generated from review of this topographic map.

The 1898 topographic map displayed the subject property in sufficient detail. Two structures were evident at or adjacent to the northwestern portion of the subject property. No building or structure was evident at the base of the subject property (south of NYS Route 2 and east of driveway) nor were the three structures, light duty road, or oval-shaped topographic feature (noted in the 1953 map) mapped as being in the southeastern portion of the subject property. The overhead electrical transmission line was not mapped bisecting the subject property. No environmental concerns are generated from review of this topographic map.

The Scope of Services that was agreed to by UDC and LE did not include attempting to locate or review any other additional historical / environmental record sources.

3.0 REVIEW OF STANDARD ENVIRONMENTAL RECORD SOURCES

3.1 ENVIRONMENTAL DATABASE REVIEWS

Government databases that identify sites of environmental concern were reviewed via a computerized search conducted by Environmental Data Resources (EDR), a commercial database service, to determine if the subject property was listed or if any listed site was nearby. EDR has represented that its procedures conform to, or exceed, the requirements of ASTM Standard Practice E1527-00. Most of the information in this section has been extracted from the report in Appendix C that describes the results of that search. That report includes information about sites close to the subject property, and also about Orphan sites that are in the vicinity but are not precisely locatable from the address information in the databases. *Except as specifically discussed, listed sites that were estimated not to be actually or potentially upgradient from the subject property were judged not to represent an environmental concern or Recognized Environmental Condition (REC) with respect to the subject property.*

Federal databases searched included, but were not limited to: NPL (National Priority list), Proposed NPL, CERCLIS (Comprehensive Environmental Response, Compensation, and Liability Information System), CERC-NFRAP (CERCLIS No Further Remedial Action Planned), CORRACTS (Corrective Action Reports under RCRA), RCRIS (Resource Conservation and Recovery Information System) – TSD (Treatment, Storage, and Disposal), RCRIS – LQG (Large Quantity Generator), RCRIS – SQG (Small Quantity Generator), ERNS (Emergency Response Notification System), CONSENT (Superfund/CERCLA Consent Decrees), ROD (Records of Decision for NPL sites), Delisted NPL, FINDS (Facility Index System), HMIRS (Hazardous Materials Information Reporting System for spill incidents reported to the DOT), MLTS (Material Licensing Tracking System), MINES (Mines Master Index File), NPL Liens, PADS (PCB Activity Database System), DOD (Department of Defense Sites), RAATS (RCRA Administrative Tracking System), TRIS (Toxic Chemical Release Inventory System), TSCA (Toxic Substances Control Act), SSTS Section 7 Tracking Systems), and FTTS (FIFRA (Federal Insecticide, Fungicide & Rodenticide Act/TSCA Tracking System).

New York State databases searched included, but were not limited to: SHWS (Inactive Hazardous Waste Disposal Sites in New York State), SWF/LF (Solid Waste Disposal Facilities Register), LTANKS (Spills Information Database), UST (Petroleum Bulk Storage (PBS) Database), CBS UST (Chemical Bulk Storage Database), MOSF UST (Major Oil Storage Facilities Database), VCP (Voluntary Cleanup Agreements), SWTIRE (Registered Waste Tire Storage & Facility List), SWRCY Registered Recycling Facility List), HSWDS (Hazardous Substance Waste Disposal Site Inventory), AST (Registered Aboveground Storage Tanks), CBS AST (Chemical Bulk Storage Database), MOSF AST (Major Oil Storage Facilities Database), NY Spills (Spills Information Database), Coal Gas (Former Manufactured Gas (Coal Gas) Sites), and Brownfields (Brownfields Site List).

In the following sections, the term "Orphan site" means a site that was not precisely locatable by EDR from the information in the database.

3.1.1 Federal ASTM Standard Databases

NPL, Proposed NPL, and CERCLIS Sites

The subject property is not indicated as being an NPL, Proposed NPL, Delisted NPL, CONSENT, or CERCLIS site. No site or Orphan site currently on the NPL or CONSENT list is indicated as being located within one mile of the subject property and no site formerly on the NPL is indicated as being located within one-fourth mile of the subject property or an Orphan site.

CERC-NFRAP Sites

The database search report does not indicate that the subject property, or any site located within one-fourth mile of it, or any Orphan site, was originally on the CERCLIS list but has been removed from it and transferred to the CERC-NFRAP list because of a decision of No Further Remedial Action Planned by the EPA.

RCRA Corrective Action Sites

The subject property is not indicated as being a CORRACTS site. The database search report does not contain information about any CORRACTS site that is located within one mile of the subject property. In addition, no Orphan site was listed in the CORRACTS database.

RCRIS Hazardous Waste TSD Facility Sites

No site located within one mile of the subject property is identified as being a RCRA Treatment, Storage, or Disposal (TSD) Facility. In addition, no Orphan site is listed under the RCRIS - TSD database.

RCRIS Hazardous Waste Generator Sites

The subject property is not identified as having filed a RCRA notification as a hazardous waste Generator.

No site located within one-fourth mile is identified as having filed a RCRA notification as a Large Quantity Generator (LQG) and no site located within one-fourth mile is identified as having filed a RCRA notification as a Small Quantity Generator (SQG). One of two Orphan sites (NYSDOT BIN 1000190) listed under the RCRIS - LQG database was identified as being within one-fourth mile of the subject property but was judged to be of no environmental concern to the subject property. None of the Orphan sites listed under the RCRIS – SQG database are located within one-fourth mile of the subject property.

ERNS Site

The subject property is not identified as having filed an emergency response notification due to reported releases of oil and hazardous substances. In addition, no Orphan site is listed under the ERNS database.

3.1.2 Federal ASTM Supplemental Databases

The subject property is not listed by any of the Federal ASTM Supplemental databases. In addition, no Orphan site is listed under any of the Federal ASTM Supplemental databases.

3.1.3 State ASTM Standard Databases

State Hazardous Waste Sites

The subject property is not identified as being listed on the Inactive Hazardous Waste Disposal Site Registry in New York State. No site listed as a state hazardous waste site or inactive hazardous waste site is located within one mile of the subject property. Two Orphan sites are listed under the SHWS database; both were determined to be greater than one mile from the subject property.

State Facility Register for Solid Waste Facilities / Landfill Sites

The subject property is not identified as being listed on the New York State (NYS) inventory of solid waste disposal facilities or landfills. No site, listed as a state solid waste management facility or landfill, is located within one-half mile of the subject property. No Orphan sites are listed under the SWF/LF database.

Leaking UST (LTANKS) Sites

No site that has filed a leaking storage tank incident report (LTANKS) is indicated as being located on the subject property. One site (Scheider 379 Brunswick Road) reported a LTANKS site as being within one-half mile of the subject property. A review of the information in the database search report suggests that the LTANKS site is actually located approximately 1,900 feet east of the northeastern corner of the subject property along the northern portion of NYS Route 2. The assessor determined that this LTANKS site was due to a line failure by a semi-trailer. The potential for this LTANKS site to have adversely impacted soil or groundwater on the subject property is considered to be very low since the spill was small and contained.

Registered UST Sites

No site with a registered UST is indicated as being on the subject property or located within one-fourth mile from the subject property. No Orphan site listed under the UST database was found to be greater than one-fourth mile from the subject property.

Registered CBS UST Sites

No site with a registered UST storing regulated hazardous substances is indicated as being on the subject property, located within one-fourth mile from the subject property, or is listed as an Orphan site.

Registered MOSF UST Sites

No registered UST with a petroleum storage capacity of 400,000 gallons or greater is indicated as being on the subject property, located within one-half mile from the subject property, or is listed as an Orphan site.

VCP/BCP Sites

No site with voluntary cleanup/brownfield cleanup agreements with New York State is indicated as being on the subject property, located within one-half mile from the subject property, or is listed as an Orphan site.

SWTIRE Sites

No site with a NYSDEC-registered waste tire storage and facility is indicated as being on the subject property, located within one-half mile from the subject property, or is listed as an Orphan site.

SWRCY Sites

No site with a NYSDEC-registered recycling facility is indicated as being on the subject property, located within one-half mile from the subject property, or is listed as an Orphan site.

3.1.4 State ASTM Supplemental Databases

The subject property is not listed by any of the State ASTM Supplemental databases. Eight Orphan sites listed in the NY Spills database and seven were identified in the FINDS database. All of these Orphan sites were determined to be greater than one-fourth mile from the subject property except a tire fire that was reported in the NY Spills database. This Orphan site was actually determined to be located north-northeast of the purported junkyard in the southeastern portion of the subject property. Further review of this site indicated the following:

The actual location for the tire fire was not provided but a spill number of 9012362 was listed. The spill site was reported on February 23, 1991 at 12:00 Noon. NYSDEC Spill Investigator Bill Blain visited the site on February 25, 1991, and no particular petroleum-related constituents were noted in the runoff. No further action was requested by Investigator Blain. The NYSDEC closed the spill site on March 5, 1991: noting that the cleanup concluded on February 27, 1991. New NYSDEC remarks were added to the spill file by Environmental Conservation Officer (ECO) McLean due to a tire fire (a brown smoke was observed due to burning of tire byproducts) on September 28, 1995. At this juncture, the location of the tire fire and further details regarding the tire fire could not be confirmed through the further review of computer database files or NYSDEC files.

3.2 OTHER LISTS OF SITES OF CONCERN

No additional concern was identified by review of the database search report. The subject property is not on any of the other lists searched (i.e., Coal Gas). No other located site is indicated as being near the subject property and in a location that is, or might be, upgradient from it, and represents a realistic potential concern with respect to its environmental condition. Also, no other Orphan site was determined to actually be located within an applicable search radius of the subject property and potentially upgradient of it.

4.0 DOCUMENT REVIEWS

4.1 PROPERTY RECORDS

According to Property records, the subject property is currently owned by Country Club Properties, a subsidiary of UDC, which solely acquired the subject property between April 2, 1987 and September 26, 1991.

UDC provided title records, or comparable legal records of current and/or historical ownership. The Title search was performed by Sneeringer Monahan Provost Redgrave Title Agency, Inc. of Albany, New York (Appendix E). The subject property consisted of the acquisition of four plots, which consisted of: 1) lands north of Pinewoods Avenue Extension and former lands of Dutch Enterprises, Inc., south and west of lands owned by Louis H. Quinlan and Harriet H. Coffey, and lands south and east of Troy Country Club, south and north of NYS Route 2, and west of lands owned by Niagara-Mohawk Power Corporation (NMPC), and east of lands owned by NMPC.

A review of subject property ownership records maintained by the Town of Brunswick's office, Country Club Properties, Inc. currently owns the subject property. Identified owners have been:

April 2, 1987	Country Club Properties, Inc. acquired Section 102.00, Block 5, Lot 3.11
May 11, 1987	Country Club Properties, Inc. acquired Section 102.00, Block 5, Lot 1.11
May 5, 1987	Country Club Properties, Inc. acquired Section 102.00, Block 1, Lot 18.1

The subject property has remained vacant since UDC's acquisition. Mr. Uccellini stated that no environmental operating or discharge permit/registration, hazardous waste manifest or other hazardous waste document, release report, cleanup record, oil SPCC plan, or SARA Title III report pertaining to the subject property existed. The subject property did not appear to be subject to any air emissions or wastewater discharge, or hazardous waste permitting requirements. Mr. Uccellini also did not have any other type of environmental record. No notice of violation or other indication was found that the subject property might not be in compliance with an applicable Federal or State environmental law or regulation.

4.2 AGENCY RECORDS

Under the Freedom of Information act LE reviewed all available files pertaining to a NYSDEC spill file (Spill Number 9012363) and Consent Order (R4-1033-91-02) issued by Richard E. Ostrov, Assistant Regional Attorney (NYSDEC Region IV). These NYSDEC files were associated with the referenced 1991 tire fire on the subject property. A copy of the two files is provided in Appendix E and is summarized below.

Spill Number 9012363

The actual location for the tire fire was not provided but a NYSDEC Spill Number of 9012362 was listed. The Spill site was reported on February 23, 1991 at 2:00 P.M. Environmental Conservation Officer (ECO) John T. McLean was the first NYSDEC representative on-site. NYSDEC Spill Investigator William E. Blain and Division of Water technicians visited the site on February 25, 1991, and no particular petroleum-related constituents were noted in the runoff. No further action was recommended by Investigator Blain. The NYSDEC closed the Spill site on March 5, 1991 noting that the cleanup concluded on February 27, 1991.

An interview of Eagle Mills Fire Chief Richard Wright (Albany Times Union (TU), dated February 24, 1991) indicated that the pile of tires sat in an abandoned cellar at an old dump site, located in the woods and brush approximately 2,500 feet from the nearest fire hydrant. The February 24, 1991, TU clipping stated "observers estimated between 200 to 600 tires" were present at the site. An additional TU article, dated February 25, 2005, the tire dump was located approximately ½-mile off Pinewoods Avenue, and contained, according to Eagle Mills Fire Chief Richard Wright, approximately 1,000 to 2,000 tires. The NYSDEC indicated that the "dump" appeared to be illegal (any facility containing more than 1,000 tires requires a state permit). ECO McLean indicated that the cold weather helped stem any environmental hazard due to the burning rubber. Oil released as the rubber melted immediately solidified due to the cold temperatures (TU, February 25, 1991).

Consent Order R4-1033-91-02

The following documents were provided by the NYSDEC:

- NYSDEC Letter to Mr. Louis H. Quinlan, Esq. RE: Country Club Properties (R4-1033-91-02), prepared by Richard E. Ostrov, NYSDEC Region IV Assistant Regional Attorney, dated February 28, 1991;
- Affidavit provided by Peter Sciocchetti, March 22, 1991;
- NYSDEC Letter to Mr. Louis H. Quinlan, Esq. RE: R4-1033-91-02, prepared by Richard E. Ostrov, NYSDEC Region IV Assistant Regional Attorney, dated March 29, 1991;
- NYSDEC Letter to Mr. Louis H. Quinlan, Esq. RE: R4-1033-91-02, prepared by Richard E. Ostrov, NYSDEC Region IV Assistant Regional Attorney, dated July 9, 1991; and
- Affidavit provided by Louis H. Quinlan, Esq., February 19, 1992 and Notice of Motion RE: NYSDEC against Country Club Properties, Inc.

Significant findings relative to the environmental condition of the subject property are provided below.

- Initial correspondence between the NYSDEC and Mr. Quinlan revealed that a tire fire, fueled by the presence of waste tires, occurred on February 23, 1991, near Damascus Road in the Town of Brunswick, New York. On February 28, 1991, the NYSDEC, citing the violation of 6 NYCRR Part 360-1.7, 360-13.2 and 360-13.3, issued a Consent Order to Mr. Quinlan. The Order alleged that the owner had more than 1,000 waste tires on the subject property without a valid state-issued permit for the storage of waste tires.
- A United Realty Management Corp. (URMC) property manager (Mr. Peter Sciocchetti) stated that a fire had occurred in an area where tires were piled up amidst the remnants of what appeared to be an old foundation. Various tires were strewn about the surrounding area including steel belts from tires that had completely burned or were partially burnt. Mr. Sciocchetti stated that there were about 700 to 800 tires on the subject property.
- A re-issue of the Order on Consent was mailed by the NYSDEC on March 29, 1991. The Consent Order required the removal of all tires from the site; disposal off-site at a permitted solid waste facility; provision of manifests documenting this process; and a direction to the property owner not to store more than 1,000 tires without a valid permit. The schedule for compliance was June 15, 1991. The NYSDEC correspondence also stated that the tires could not be buried on-site.
- The responding affidavit of Louis H. Quinlan indicates that the debris located on the property (formerly owned and operated by the Ginsburgs) was discarded from the farming operation. Furthermore, depositions made by ECO John T. McLean and George Elston (NYSDEC Region IV) do not indicate that there were more than 1,000 tires on the premises owned by Country Club

Properties, Inc. Mr. Quinlan requested dismissal of pending charges and appearance ticket be granted due to the inapplicability of the Consent Order that was issued.

The databases review (Chapter 3.0) and interviews with knowledgeable individuals (Chapter 5.0), including Mr. Blain and Mr. Ostrov, were performed to address environmental concerns associated with the junkyard area or tire dump site. Mr. Elston and former ECO McLean were not interviewed.

5.0 INTERVIEWS

5.1 CURRENT OWNERS AND OCCUPANTS

Mr. Michael Uccellini [(518) 434-2801], President of UDC, described current and historical uses of the subject property. He was not aware of any significant environmental concern on or near it. According to Mr. Uccellini, no hazardous materials were known to have been stored or used on the subject property.

Mr. Uccellini recalled a February 1991 tire fire in the southeastern corner of the subject property. He also made note of an old farm debris area along the mid-southern and southeastern portion of the subject property, just north of the creek. To the best of his knowledge, items of environmental concern were removed from the subject property by North American Tire Recycling Corporation (NATRC) in the summer of 1991. Mr. Uccellini recalled that they were delivered to NATRC's state-permitted facility near the Port of Rensselaer. The only files UDC staff could provide regarding this historical REC were some inter-office memorandums and a March 5, 1991, proposal from Mr. Bruce F. Battaglia, President of North American Tire Recycling Corporation's Rensselaer, New York, tire recycling facility, regarding the loading, removal, and disposalof approximately 40 tons of waste tires. No accounting records, manifests, or other information was made available to LE. It should be noted that other files pertaining to the Country Club Properties, Inc. site were damaged or lost during a corporate move from 540 Broadway Plaza to 80 State Street. NATRC, a defunct division of North American Recycling Systems, Inc. of Fort Edward, New York, operated a NYSDEC-permitted tire recycling facility in Rensselaer, New York, between 1989 and January 1996.

Mr. Uccellini said he was not aware of any environmental lien or comparable encumbrance upon the subject property, or any unresolved notice of violation (or comparable document) pertaining to an environmental matter. No previous Phase I ESA or Phase II Investigation has been performed on the subject property.

Mr. Peter Sciocchetti [(518)762-8700], Executive Vice-President of the Crossroads Incubator Corporation of Johnstown, New York, was a regional property manager for United Realty Management Corp. (URMC) between 1985 and 1992. He confirmed that he was an URMC employee at the time of the 1991 tire fire. Although he could not remember much about the subject property he did state that he inspected the property at one time to assess physical and environmental impacts to the subject property. Mr. Sciocchetti stated that he gave information to Louis Quinlan, legal counsel for the project, regarding the number of tires at the project site.

Ms. Donna Bolognino, Manager for FEMA, was a regional property manager for United Realty Management Corp. (URMC) between 1983 and 1994. She confirmed that she was an URMC employee at the time of the 1991 tire fire but went by the name of Donna Cullen (prior to marriage). Ms. Bolognino was involved in some initial correspondence RE: Country Club Properties' response to the NYSDEC and contractor response to a tire fire incident. Ms. Bolognino stated that she could not remember much about the subject property but she did recall that she went on maternity leave soon thereafter.

5.2 GOVERNMENT AGENCY PERSONNEL

Mr. William E. Blain [(518) 357-2046], NYSDEC Region 4 Spill Responder, indicated that he was familiar with the subject property and surrounding area. Mr. Blain remembered that the tire fire was north of a creek and somewhat closer to Pinewoods Avenue. Review of his personal notes revealed that a NYSDEC Spill number of 9012362 was listed. The Spill site was reported on February 23, 199, at 12:00 Noon. Mr. Blain visited the site on February 25, 1991, and indicated that no particular petroleum-related constituents were noted in the runoff or were impacting groundwater quality. No further action was

requested by Mr. Blain requested that no further action was required. The NYSDEC closed the Spill site on March 5, 1991 noting that the cleanup concluded on February 27, 1991. Mr. Blain was not aware of the NYSDEC Consent Order (R4-1033-91-02) or a 1995 fire. Mr. Blain indicated that ECO McLean, the respondent to the 1995 fire is currently retired or no longer employed within the NYSDEC.

Richard E. Ostrov, Assistant Regional Attorney, NYSDEC Region IV [(518) 357-2046], was interviewed to determine the actual location of the tire dump and tire fires (February 23/24, 1991 and purportedly September 28, 1995), further details regarding the tire fire/disposition of suspect tires, and status of Consent Order R4-1033-91-02. Mr. Ostrov has been with NYSDEC for approximately twenty years. Following his review of the file he stated that the Consent Order-in-question was not open. Although Mr. Ostrov could not provide any hard copy documentation to demonstrate that the subject tires were removed from the subject property (file was over ten years old), the fact that the Department does not have an active Consent Order leads him to believe that the environmental hazards associated with the junkyard/tire dump was removed to the Department's satisfaction. Mr. Ostrov noted that the NYSDEC's compilation of the locations of known tire fires that burned in New York State since 1989 to the present does not include either of the fires at the subject property (http://www.dec.state.ny.us/website/dshm/redrecy/wstires.htm#fires).

Mark L. Kestner, P.E. [(518) 273-7446], Town Engineer and President of Kestner Engineers, PC of Troy, New York, indicated that he was familiar with the subject property, the proposed Carriage Hill Estates project, and surrounding area. Mr. Kestner stated that he has served the Town of Brunswick for over 30 years. Mr. Kestner indicated that he has not reviewed the potential environmental impact on the project site but was aware that the project site contained a junkyard and a former tire dump that caught fire in February of 1991. Mr. Kestner suggested that LE review several comment letters received by the Brunswick Town Board concerning the proposed Scoping Document submitted by the Applicant on the project. He also provided LE with contact information for Mr. William Austin because he thought Mr. Austin would have the best recollection of the junkyard and tire dump/tire fire. Although currently retired, Mr. Austin was the Town of Brunswick Building Inspector for over twenty years and served in that capacity during the 1990's.

Numerous attempts to interview Mr. Austin have been unsuccessful to this point.

Sylvia Rooney [(518) 279-3461, Ext. 106], Assessor, provided property ownership card and tax map information for LE personnel. She had no recollection of any incident of an environmental nature on or near the subject property that may have adversely impacted it. However, there was no detailed environmental information immediately available to her at the time of the interview.

Mr. John Krieger [(518) 279-3461, Ext. 111], Superintendent of Utilities and Site Inspections for the Town of Brunswick, indicated that he was familiar with the subject property and surrounding area. Mr. Krieger indicated that the parcel was zoned as Residential, Agricultural or Recreational and was not aware of any code violations or incidents of an environmental nature (besides a tire fire in the early 90's) on or near the subject property or surrounding area.

Mr. Jason Kiefer [(518) 279-3332], Firefighter for the Eagle Mills Fire District No. 1 (Volunteer), indicated that he was familiar with the subject property and surrounding area. Mr. Kiefer has only worked for the fire department for one year and was aware of a response due to a tire fire in the southern portion of the subject property. It was his understanding that the tire fire was contained. Mr. Keifer indicated that there have been no recent problems or complaints concerning the subject property.

David Beaudoin [(518) 279-1802], Chief of the Eagle Mills Fire District for the last four years, noted that he was very familiar with the subject property and surrounding area. Mr. Beaudoin, who has served in

the Eagle Mills Fire Department for eighteen years, indicated that there was one large fire in late February 1991 that took several days to contain. Chief Beaudoin noted that the dump had been there for several years and the first fire broke out into three separate blazes that required firefighters from five districts several hours to contain. The fire was limited to a small corner of a wooded area. Review of Fire Department records indicates that Robert Welch was the Commissioner of the Eagle Mills Fire District and Richard Wright was the Chief of the Eagle Mills Fire District at the time. Chief Beaudoin indicated that the fire was fueled by tires and was extinguished using water and foam. He also indicated that cold temperatures helped reduce the environmental hazard posed. Chief Beaudoin indicated that the NYSDEC inspected the subject property several times in February and March of 1991. The cause(s) of the fire was considered suspicious. Mr. Beaudoin does not remember much about the September 1995 fire but believed it was minor in character. He also believed that the subject waste tires were removed from the subject property. Chief Beaudoin indicated that there have been no recent problems or complaints concerning the subject property.

6.0 CONCLUSIONS

At the request of UDC, LE has performed a Phase I ESA in accordance with the Scope of Services and in partial conformance with the scope and limitations of ASTM Practice E1527-00 of a vacant parcel on the south side of NYS Route 2, east of the Country Club of Troy, north of Pinewoods Avenue, and west of low density residential homes in the hamlet of Eagle Mills in the Town of Brunswick, New York 121801 (the "subject property"). Any exceptions to, or deletions from, the ASTM Practice are described in Section 1.1 of this report.

A junkyard was present along the southeastern portion of the subject property prior to 1952 and the debris/ "junk" was removed from the subject area before 1986. A debris field was observed north of the unnamed tributary to the Poesten Kill, east and south of an unimproved dirt surface trail, and west of partially collapsed structures noted in the southeastern portion of the subject property. The size and areal extent of the debris field /disturbed area varied greatly during the time period reviewed (prior to 1952 to mid 90's when it was removed).

LE contacted numerous sources to obtain hard copy documentation for the removal of debris (including tires which were the source for one or more fires) from the subject property, but with no success. However, based on the review of historical aerial photographs and topographic maps, it is clear that the subject debris and tires were removed from the subject property. In addition, the interview of the subject property owner and key governmental agency representatives supported the conclusion that the environmental hazard(s) were removed from the subject property. There are no outstanding code violations, state permit conditions, consent orders or incidents of an environmental nature concerning the subject property. No stressed vegetation, staining, odors, or evidence of spillage were observed along this portion of the subject property during numerous Site inspections. ***The performance of all tasks required for this Phase I ESA and numerous Site inspections did not reveal any impacts to soil or groundwater quality. No environmental concerns are present in this area.***

7.0 LIMITATIONS AND RESTRICTIONS

This assessment was restricted to the Scope of Services as defined herein. No representations or warranties are made concerning the nature or quality of the air, soil, water, or any other substance on the subject property, other than the observations as stated in this report.

In preparing this report, LE has relied upon verbal information and representations provided by government and subject property owners, documents provided by the property owner and/or operator, and upon a computer search of government databases by a firm that provides that service. Except as discussed, LE did not attempt to independently verify the accuracy or completeness of that information, but did not detect any inconsistency or omission of a nature that might call into question the validity of any of the data/information. To the extent that the conclusions in this report are based in whole or in part on such information, they are contingent on its validity. LE assumes no responsib ility for any consequence arising from any information or condition that was concealed, withheld, misrepresented, or otherwise not fully disclosed or available to LE.

Within the limitations of the agreed upon Scope of Services, this assessment has been undertaken and performed in a professional manner, in accordance with generally accepted practices, using the degree of skill and care ordinarily exercised by reputable environmental consultants under similar circumstances. No other warranty, express or implied, is made.

This report is based upon the Scope of Services, and is subject to the Limitations and Restrictions, defined herein. It has been prepared for the exclusive use of UDC. No other person or organization is entitled to rely upon any part of it without the prior written consent of LE. UDC may release or authorize the release of all or part(s) of this report to third parties; however, such third party in using or relying on this report agrees that it shall have no legal recourse against LE or its parent or subsidiaries, and shall indemnify and defend them from and against all claims arising out of or in conjunction with such use or reliance.

SCOPE OF SERVICES

Activities Included in Scope of Services

The following activities will be included in the Scope of Services for the Phase I Environmental Site Assessment (ESA) of the Property identified in the Agreement:

- Inspect accessible portions of the Property and observe the portions of adjacent parcels that are visible from the Property and public roads for obvious and apparent causes for concern, such as the improper storage or use of petroleum products, chemicals or wastes, and the presence of tanks, oil-filled electrical equipment, stains, unusual odors, stressed vegetation, filled areas, and other indications of the potential presence of hazardous substances of regulatory concern.

- Identify hazardous substances used (raw materials, operating supplies, oil-containing equipment, etc.), generated, and/or released (air emissions, wastewater discharges, etc.) on the Property in large quantities.

- Describe or list each identified large aboveground storage tank (AST) or underground storage tank (UST) that is on the Property (except water tanks), and identify exterior tanks on adjacent parcels which may present a significant environmental risk if a release were to occur.

- Briefly describe the nature and location of any observed interior construction materials on the Property which, based upon EPA and OSHA guidance documents, typically may be friable asbestos-containing materials (ACM).

- Interview an occupant(s) reportedly familiar with past uses of and hazardous substance incidents on the Property and adjacent parcels.

- Identify the suppliers of water, fuels, electricity, and sewerage disposal, and any on-site source of water or waste disposal.

- Review any Property records provided to the assessor(s) for indications of significant prior uses or releases of hazardous substances on the Property.

- Evaluate a topographic map to ascertain the relative location of the Property with respect to adjacent parcels and regional drainage features.

- Summarize information from available Sanborn historical fire insurance maps that depict the Property about prior uses of it and adjacent parcels, which may indicate potential concerns.

- Examine aerial photographs that depict the Property, and are readily available for viewing in the vicinity of the Property at the time of the Property visit, for indications of potential concerns on or near the Property.

- Review any maps, surveys, records of ownership (e.g., Chain of Title) and use, release cleanup records, and other written materials provided to the assessor(s), to identify relevant information and to compare them to existing conditions.

- Interview appropriate government personnel familiar with past utilization of the Property and/or adjacent parcels, to the extent that such interviews are authorized by The United Group of Companies, Inc. and can be conducted at the time of the Property visit and in the same vicinity, or by telephone.

- Obtain a computer search of existing public record environmental databases, including those specified in ASTM Standard Practice E1527 that routinely are readily available in a searchable format, using search radii no less than those specified in that Standard, then review the search report for indications of potential environmental concerns.

The significance of each identified potential concern will be assessed using professional judgment, considering such factors as its nature, magnitude, and known or potential impact upon the Property, and if associated with an off-site source the location of that source with respect to the Property.

Research into the history of the Property's uses will include consulting only those standard historical sources that are reasonably ascertainable given the time, access, and other constraints on the project, and that in the professional opinion of the assessor are judged likely to yield additional useful information about such uses.

Activities Excluded from Scope of Services

The following activities are excluded from the Scope of Services:

- Performing or acquiring a Chain of Title/record of historical ownership search, or extending the research into the history of the Property farther back than when it was known to have first been developed for a commercial purpose other than agriculture.

- Visiting governmental agencies or inspecting their records.

- Certifying the validity of information obtained from other persons or entities.

- Conducting a formal assessment for mold or asbestos-containing materials (ACM).

- Collecting or analyzing any sample of air, water, soil, flora, fauna, a building material, or any other substance, or making any representation or certification regarding its nature or quality.

- Identifying or listing materials suspected to be lead-based paint, biologically active, radioactive, or otherwise hazardous.

- Evaluating compliance by any present or former owner or operator with laws, regulations, ordinances, or codes.

- Evaluating factors that might affect the suitability of the Property for any particular purpose or use, such as zoning and other land-use restrictions, geotechnical considerations, or the presence on or near it of wetlands or other environmentally sensitive areas, endangered species, or locations which are culturally or historically important.

- Evaluating potential liabilities associated with products or other substances distributed in commerce.

Lansing Hisert Group will provide recommendations that will address any identified concern or any additional investigative procedure(s) to more accurately characterize any potential concern.

Terms and Conditions for Compensation

The fee described in this Agreement for conducting the activities described in Attachment 1 is dependent upon the following conditions:

(a) The size, nature, and age of the Property are substantially as have been represented to Lansing Hisert Group.

(b) The United Group of Companies, Inc. or its representative will promptly provide Lansing Hisert Group with the following information pertaining to the Property, to the extent available: a complete address, the name and telephone number of a contact, a legal description or survey of the Property, a copy of the relevant portion of a local map on which the location of the Property has been accurately marked, all available information pertaining to the Property's historical uses and environmental condition, and a Chain of Title report or other records which indicate the historical ownership or use(s) of the Property.

(c) The assessor(s) will have ready and unrestricted access to all parts of the Property, to its owners and/or occupants, and to its environmental records, on a date convenient to the assessor(s), and a knowledgeable representative of the owner or operator will be available at the Property during the assessment visit.

Any costs that are incurred to undertake an activity that is not included within the Scope of Services as defined in Attachment 1 but that Lansing Hisert Group is subsequently authorized to undertake, or that result from conditions substantially different from those described in the Request for Proposal or set forth in the preceding assumptions, will be invoiced on a time-and-expenses basis in addition to any fee limitation in the Agreement.

All fees and expenses will be invoiced at the rates shown in the attached Fee Schedule.

Fee Schedule

Lansing Hisert Group will be compensated for professional services in accordance with the following hourly billing rates:

BILLING CLASSIFICATION	HOURLY BILLING RATE
Principal	$110.00
Manager of Environmental Services	$ 80.00
Senior Engineering Technician	$ 65.00

The above rates include ***all*** employee wages, payroll burdens, overhead, and profit.

The United Group of Companies, Inc. will be charged for time actually spent on a project. All timesheets are available for inspection at any time.

Expenses

In addition to the hourly billing rates listed above, The United Group of Companies, Inc. will also pay for:

1. All reproductions on behalf of the assignment.

2. All field expenses.

3. Cost for the use of field equipment, safety equipment, and field sampling equipment in accordance with the Equipment Fee Schedule.

4. Cost for courier and shipping services.

5. Cost for travel. The mileage rate for the use of personal cars will be the then-current rate approved by the IRS.

6. Cost of outside consulting and/or professional services, such as analytical, drilling, legal, accounting, engineering, and other specialized services. Lansing Hisert Group will obtain The United Group of Companies, Inc. approval before authorizing such services.

7. Cost for individuals performing services under the direction, supervision, and control of Lansing Hisert Group, but who are actually employees of a third party with whom Lansing Hisert Group has an agreement for such services. Lansing Hisert Group will obtain The United Group of Companies, Inc. approval before authorizing such services.

8. Expert witness testimony at rates equal to 2 times the hourly billing rates shown.

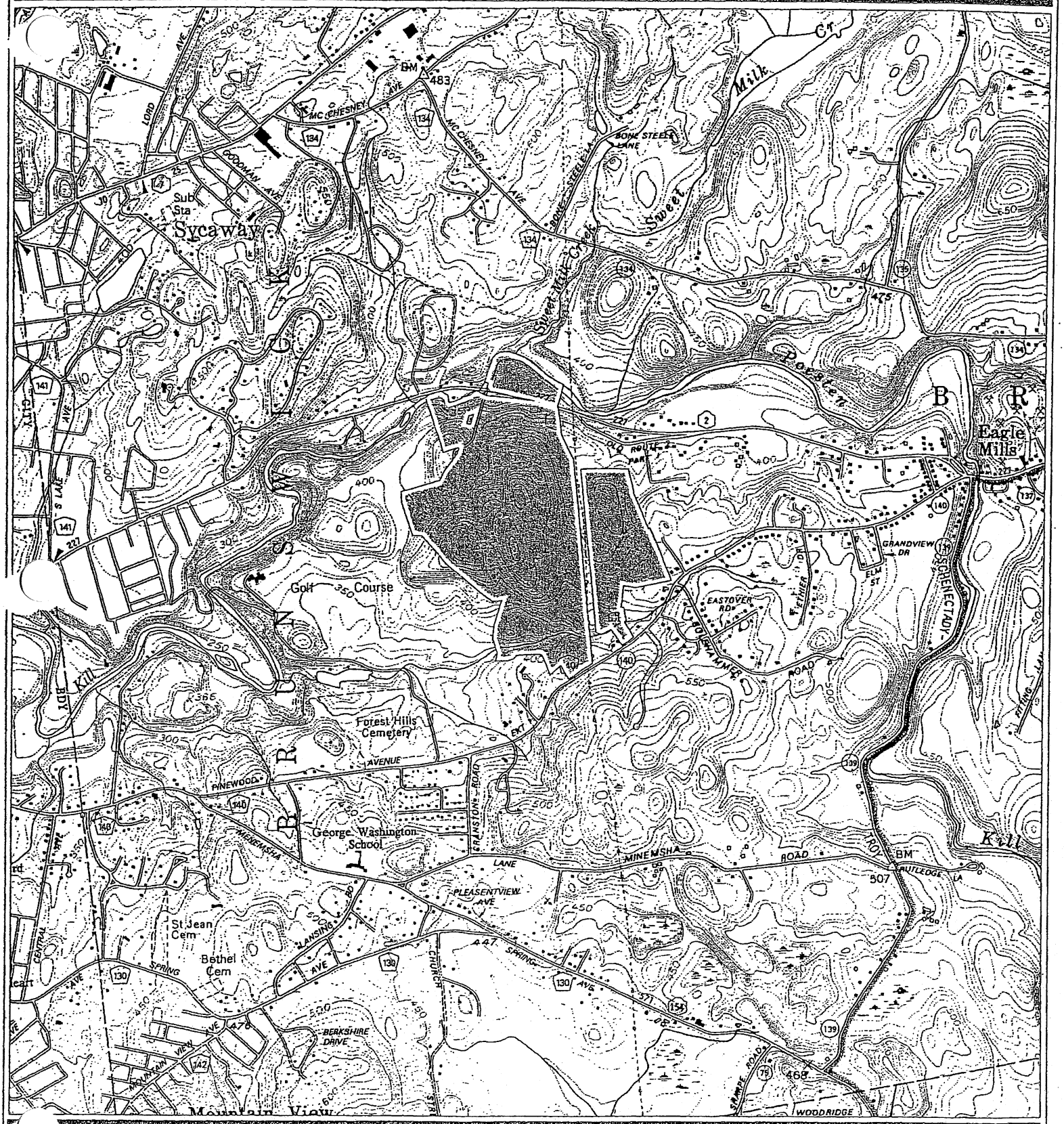
APPENDIX B

Figures & Maps

Site Location Maps

United Group of Companies

Country Club Properties – Town of Brunswick, NY



PROJECT LOCATION MAP

Project Location

N

1000 0 1000 Feet

May 2004

THE SARATOGA ASSOCIATES

LANDSCAPE ARCHITECTS, ARCHITECTS, ENGINEERS, AND PLANNERS, P.C.

NEW YORK CITY • SARATOGA SPRINGS • BOSTON

This map is computer generated using data acquired by The Saratoga Associates from various sources and is intended only for reference, conceptual planning, and presentation purposes. This map is not intended for and should not be used to establish boundaries, property lines, location of objects, or to provide any other information typically needed for construction or any other purposes when engineered plans or land surveys are required.

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USGS Troy, New York, United States 01 July 1995

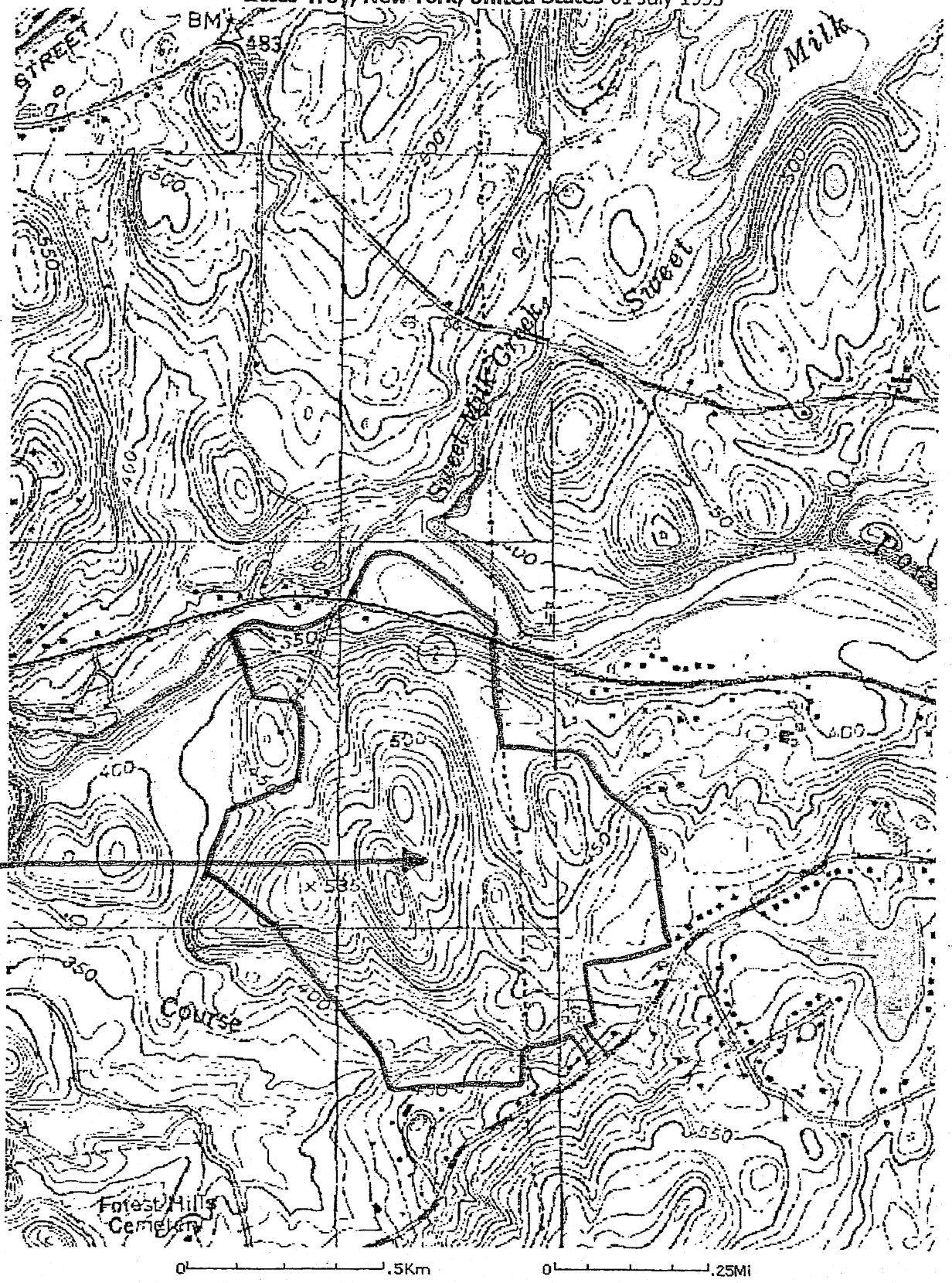

Image courtesy of the U.S. Geological Survey

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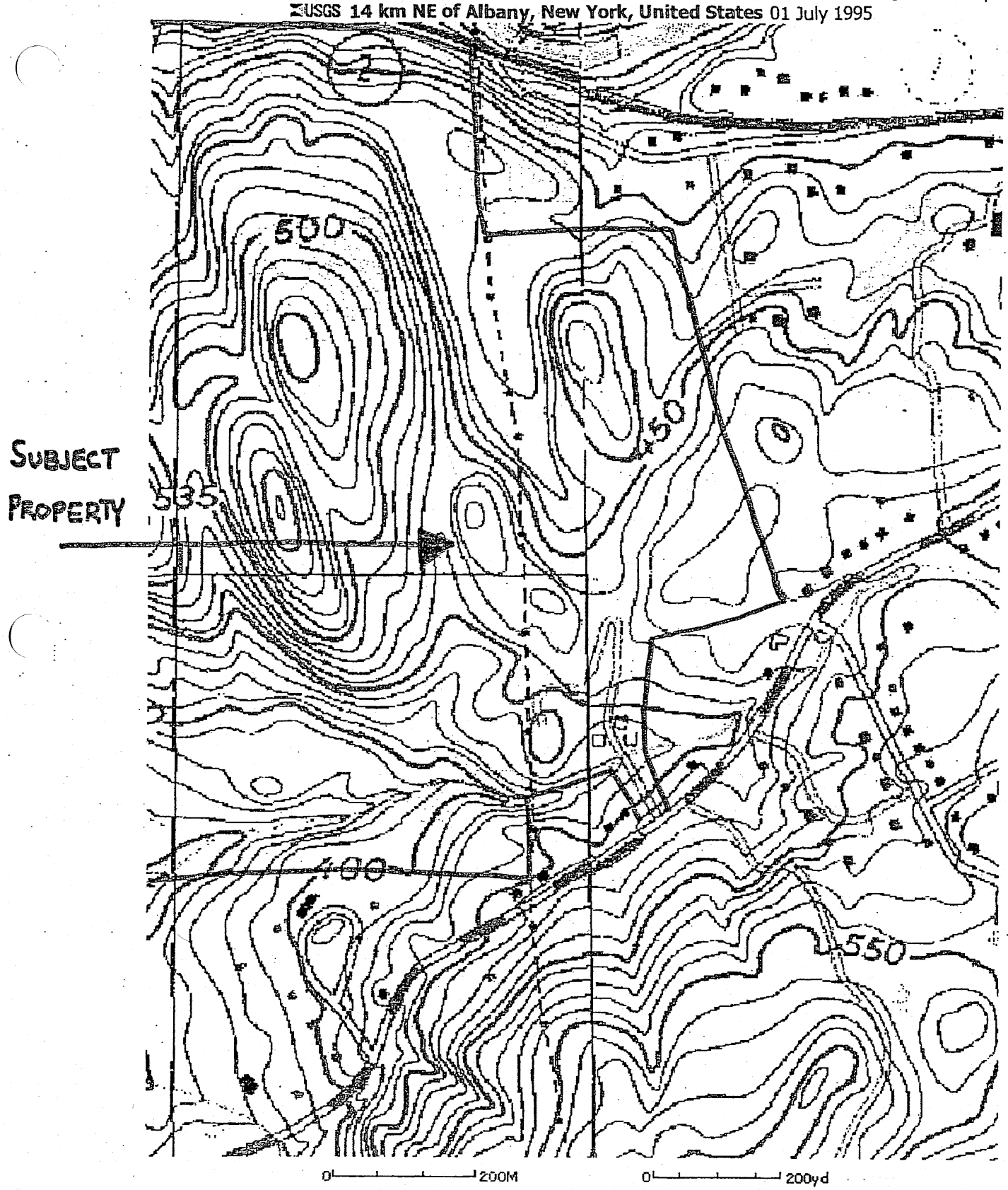
USGS 14 km NE of Albany, New York, United States 01 July 1995



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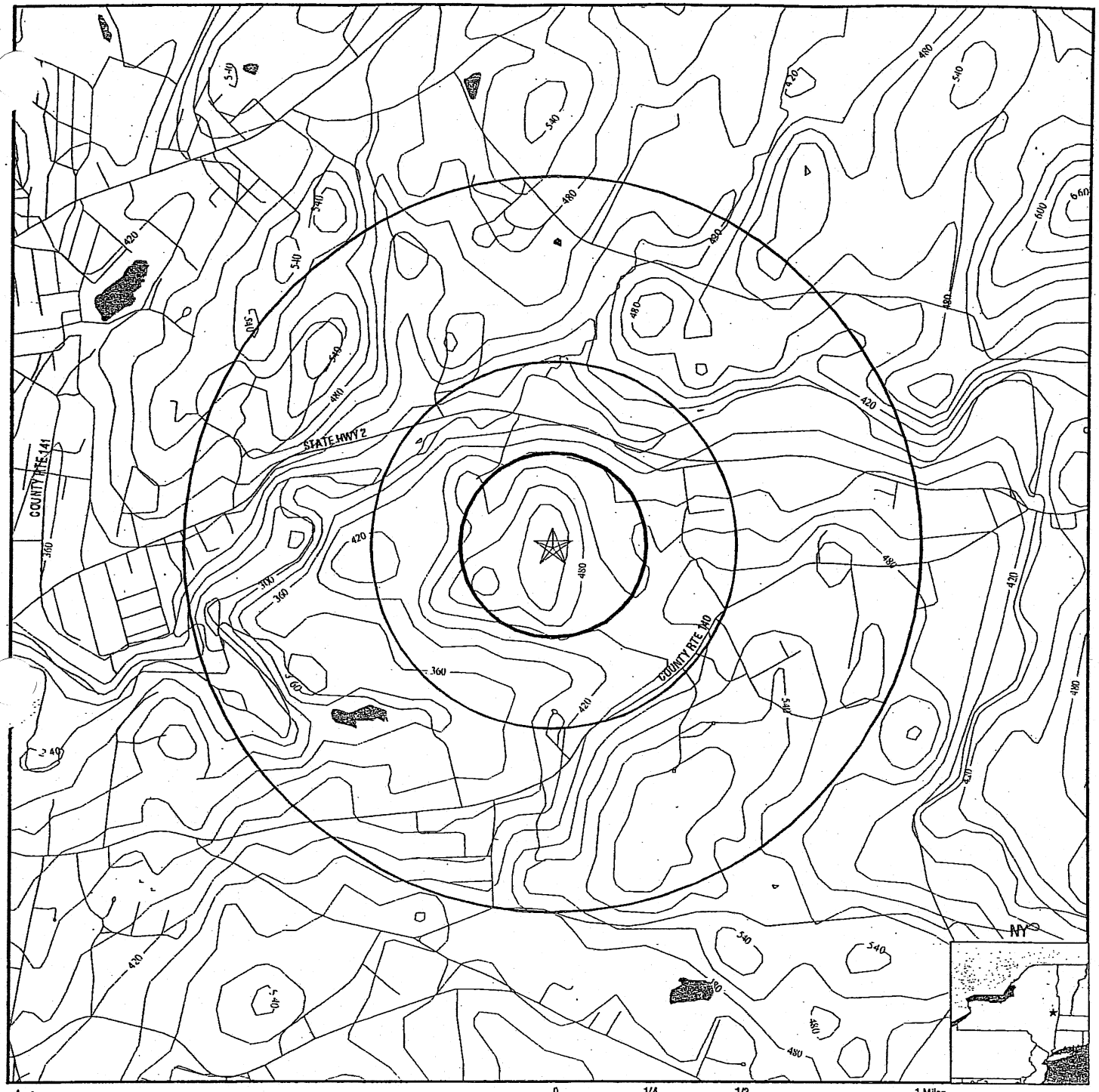
PHYSICAL SETTING SOURCE MAP - 1285210.2s



- County Boundary
- Major Roads
- Contour Lines
- Earthquake epicenter, Richter 5 or greater
- Water Wells
- Public Water Supply Wells
- Cluster of Multiple Icons

0 1/4 1/2 1 Miles

- Groundwater Flow Direction
- GI Indeterminate Groundwater Flow at Location
- GV Groundwater Flow Varies at Location
- HD Closest Hydrogeological Data

TARGET PROPERTY:	UGC - Carriage Hills Estates	CUSTOMER:	Lansing Hisert Group
ADDRESS:	Route 2 and Pinewoods Avenue	CONTACT:	Mark A. Williams, PG
CITY/STATE/ZIP:	Brunswick NY 12180	INQUIRY #:	1285210.2s
LAT/LONG:	42.7276 / 73.6293	DATE:	October 11, 2004 10:09 am

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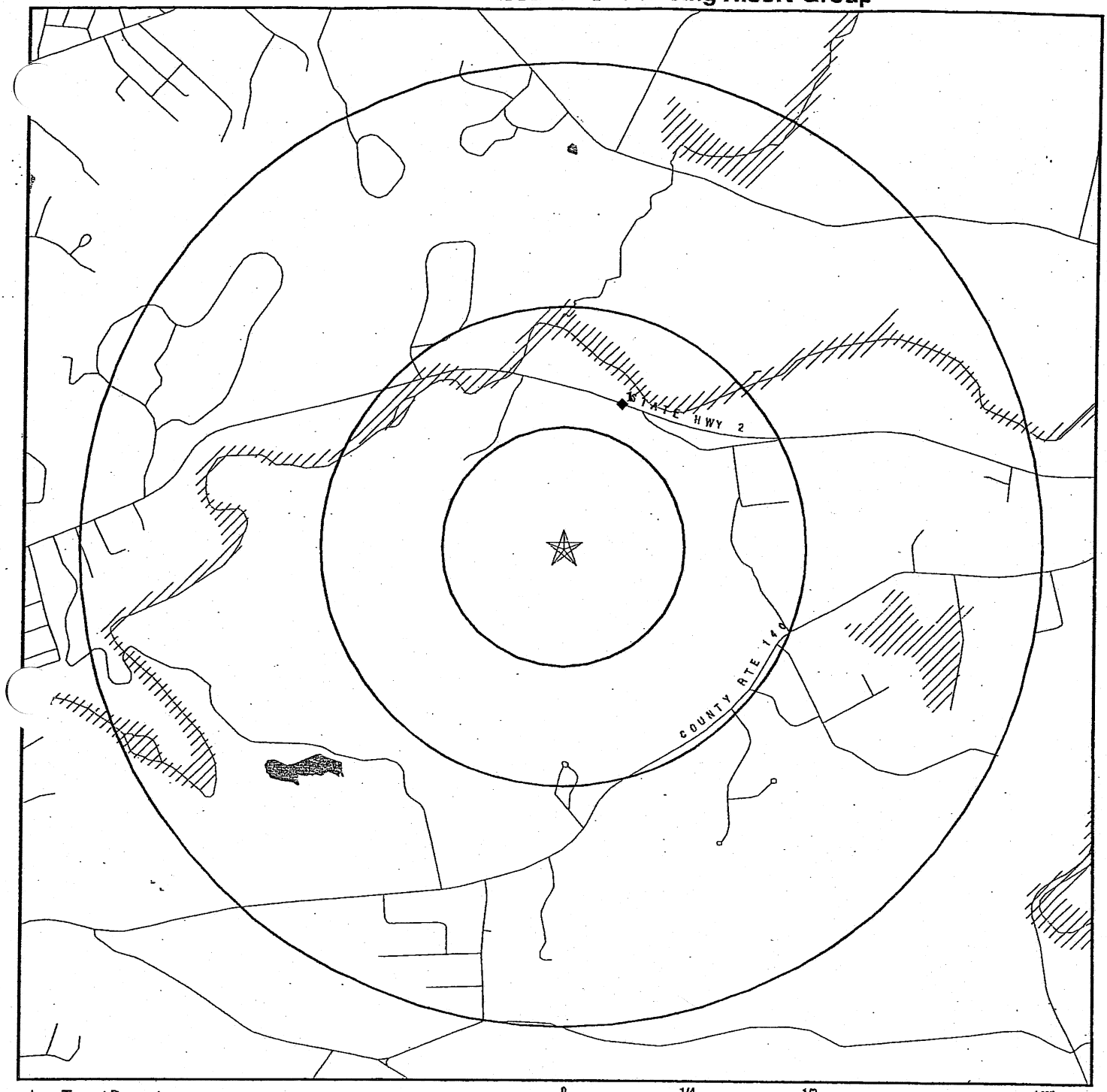
OVERVIEW MAP - 1285210.2s - Lansing Hisert Group



★ Target Property

▲ Sites at elevations higher than or equal to the target property

◆ Sites at elevations lower than the target property

Coal Gasification Sites

National Priority List Sites

Landfill Sites

Dept. Defense Sites

0 1/4 1/2 1 Miles

Indian Reservations BIA

Oil & Gas pipelines

100-year flood zone

500-year flood zone

Federal Wetlands

State Wetlands

N

TARGET PROPERTY:	UGC - Carriage Hills Estates	CUSTOMER:	Lansing Hisert Group
ADDRESS:	Route 2 and Pinewoods Avenue	CONTACT:	Mark A. Williams, PG
CITY/STATE/ZIP:	Brunswick NY 12180	INQUIRY #:	1285210.2s
LAT/LONG:	42.7276 / 73.6293	DATE:	October 11, 2004 10:08 am

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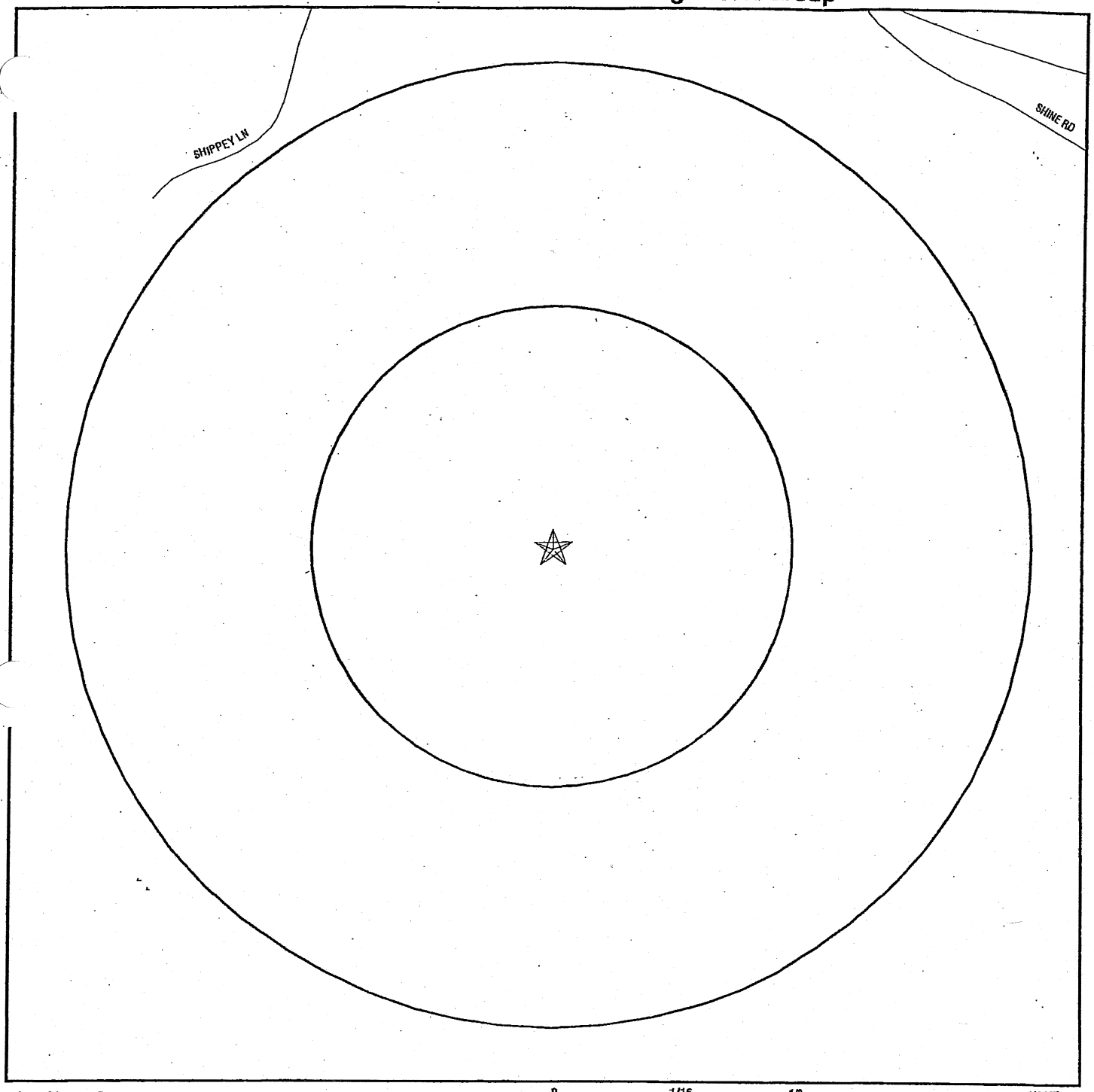
DETAIL MAP - 1285210.2s - Lansing Hisert Group



- ★ Target Property
- ▲ Sites at elevations higher than or equal to the target property
- ◆ Sites at elevations lower than the target property
- Coal Gasification Sites
- Sensitive Receptors
- National Priority List Sites
- Landfill Sites
- Dept. Defense Sites

0 1/16 1/8 1/4 Miles

- Indian Reservations BIA
- Oil & Gas pipelines
- 100-year flood zone
- 500-year flood zone

N

TARGET PROPERTY:	UGC - Carriage Hills Estates	CUSTOMER:	Lansing Hisert Group
ADDRESS:	Route 2 and Pinewoods Avenue	CONTACT:	Mark A. Williams, PG
CITY/STATE/ZIP:	Brunswick NY 12180	INQUIRY #:	1285210.2s
LAT/LONG:	42.7276 / 73.6293	DATE:	October 11, 2004 10:08 am

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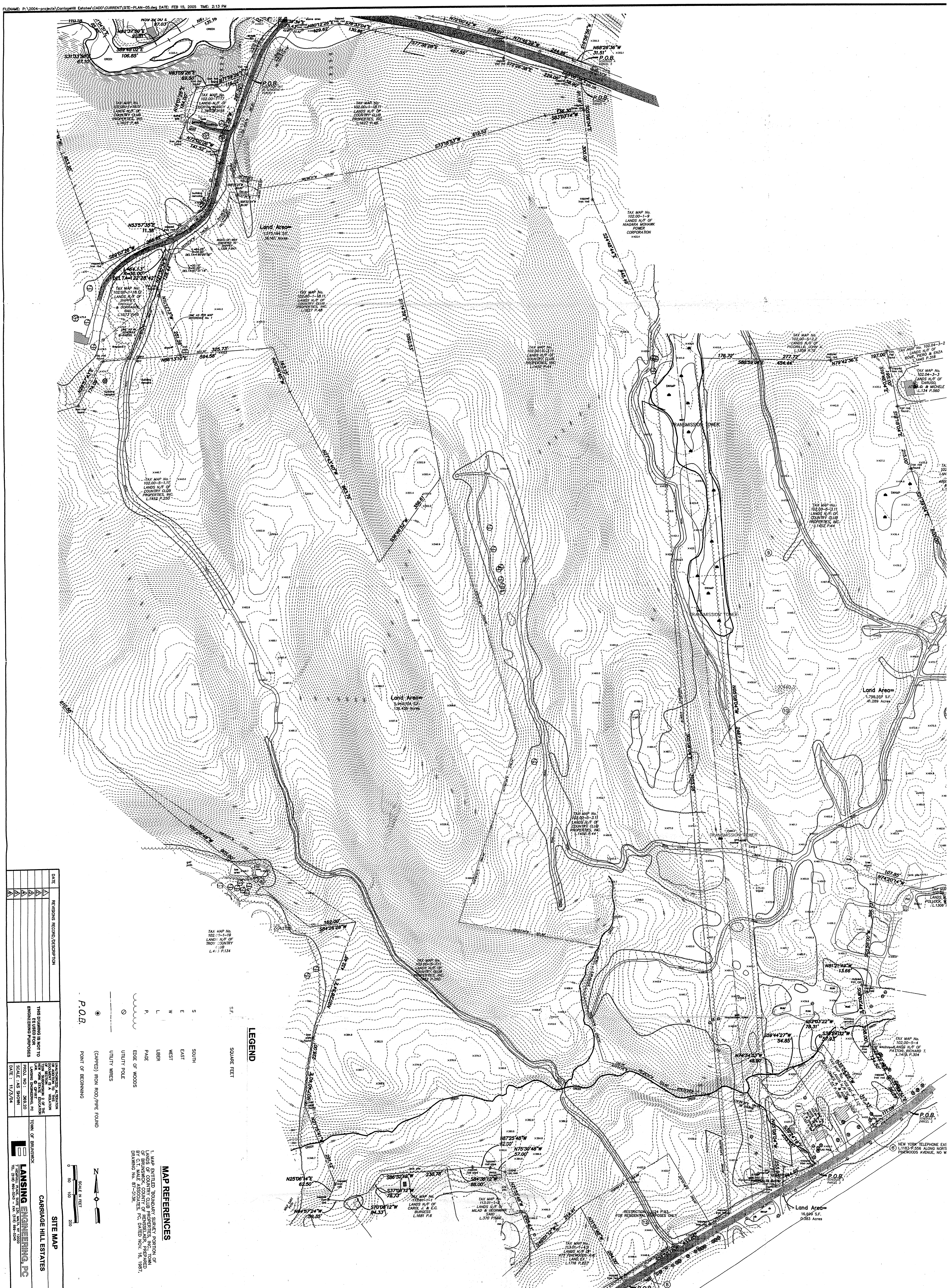
FILENAME: P:\2004-projects\CarriageHill Estates\CADD\CURRENT\SITE-PLAN-05.dwg DATE: FEB 15, 2005 TIME: 2:13 PM



The EDR-Historical Topographic Map Report

The EDR-Historical Topographic Map Report

UGC - Carriage Hills Estates
Route 2 and Pinewoods Avenue
Brunswick, NY 12180

October 12, 2004

Inquiry Number: 1285210-4

EDR™ Environmental Data Resources Inc

The Standard In Environmental Risk Management Information

440 Wheelers Farms Road
Milford, Connecticut 06460

Nationwide Customer Service

Telephone: 1-800-352-0050
Fax: 1-800-231-6802

Environmental Data Resources, Inc.
Historical Topographic Map Report

Environmental Data Resources, Inc.'s (EDR) Historical Topographic Map Report is designed to assist professionals in evaluating potential liability on a target property, and its surrounding area, resulting from past activities. ASTM E 1527-00, Section 7.3 on Historical Use Information, identifies the prior use requirements for a Phase I environmental site assessment. The ASTM standard requires a review of *reasonably ascertainable standard historical sources. Reasonably ascertainable is defined as information that is publicly available, obtainable from a source with reasonable time and cost constraints, and practically reviewable.*

To meet the prior use requirements of ASTM E 1527-00, Section 7.3.4, the following *standard historical sources* may be used: aerial photographs, city directories, fire insurance maps, topographic maps, property tax files, land title records (although these cannot be the sole historical source consulted), building department records, or zoning/and use records. ASTM E 1527-00 requires *"All obvious uses of the property shall be identified from the present, back to the property's obvious first developed use, or back to 1940, whichever is earlier. This task requires reviewing only as many of the standard historical sources as are necessary, and that are reasonably ascertainable and likely to be useful."* (ASTM E 1527-00, Section 7.3.2 page 12.)

EDR's Historical Topographic Map Report includes a search of available public and private color historical topographic map collections.

Topographic Maps

A topographic map (topo) is a color coded line-and-symbol representation of natural and selected artificial features plotted to a scale. Topos show the shape, elevation, and development of the terrain in precise detail by using contour lines and color coded symbols. Many features are shown by lines that may be straight, curved, solid, dashed, dotted, or in any combination. The colors of the lines usually indicate similar classes of information. For example, topographic contours (brown); lakes, streams, irrigation ditches, etc. (blue); land grids and important roads (red); secondary roads and trails, railroads, boundaries, etc. (black); and features that have been updated using aerial photography, but not field verified, such as disturbed land areas (e.g., gravel pits) and newly developed water bodies (purple).

For more than a century, the USGS has been creating and revising topographic maps for the entire country at a variety of scales. There are about 60,000 U.S. Geological Survey (USGS) produced topo maps covering the United States. Each map covers a specific quadrangle (quad) defined as a four-sided area bounded by latitude and longitude. Historical topographic maps are a valuable historical resource for documenting the prior use of a property and its surrounding area, and due to their frequent availability can be particularly helpful when other standard historical sources (such as city directories, fire insurance maps, or aerial photographs) are not reasonably ascertainable.

Please call EDR Nationwide Customer Service at
1-800-352-0050 (8am-8pm ET)
with questions or comments about your report.
Thank you for your business!

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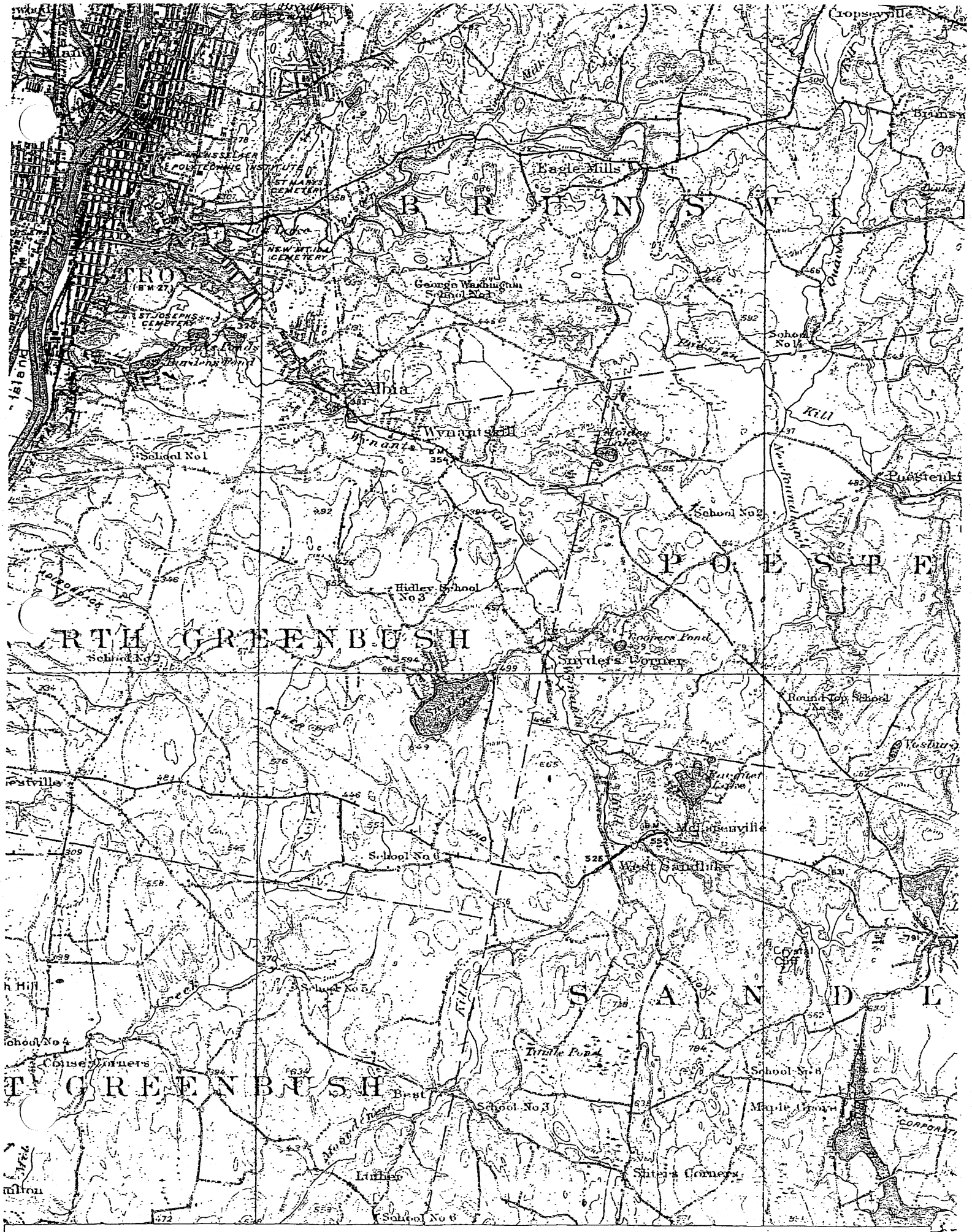
N ^ EDR INQUIRY# 1285210.4 TARGET QUAD: TROY YEAR: 1898 Series: 15' Scale: 1:62,500



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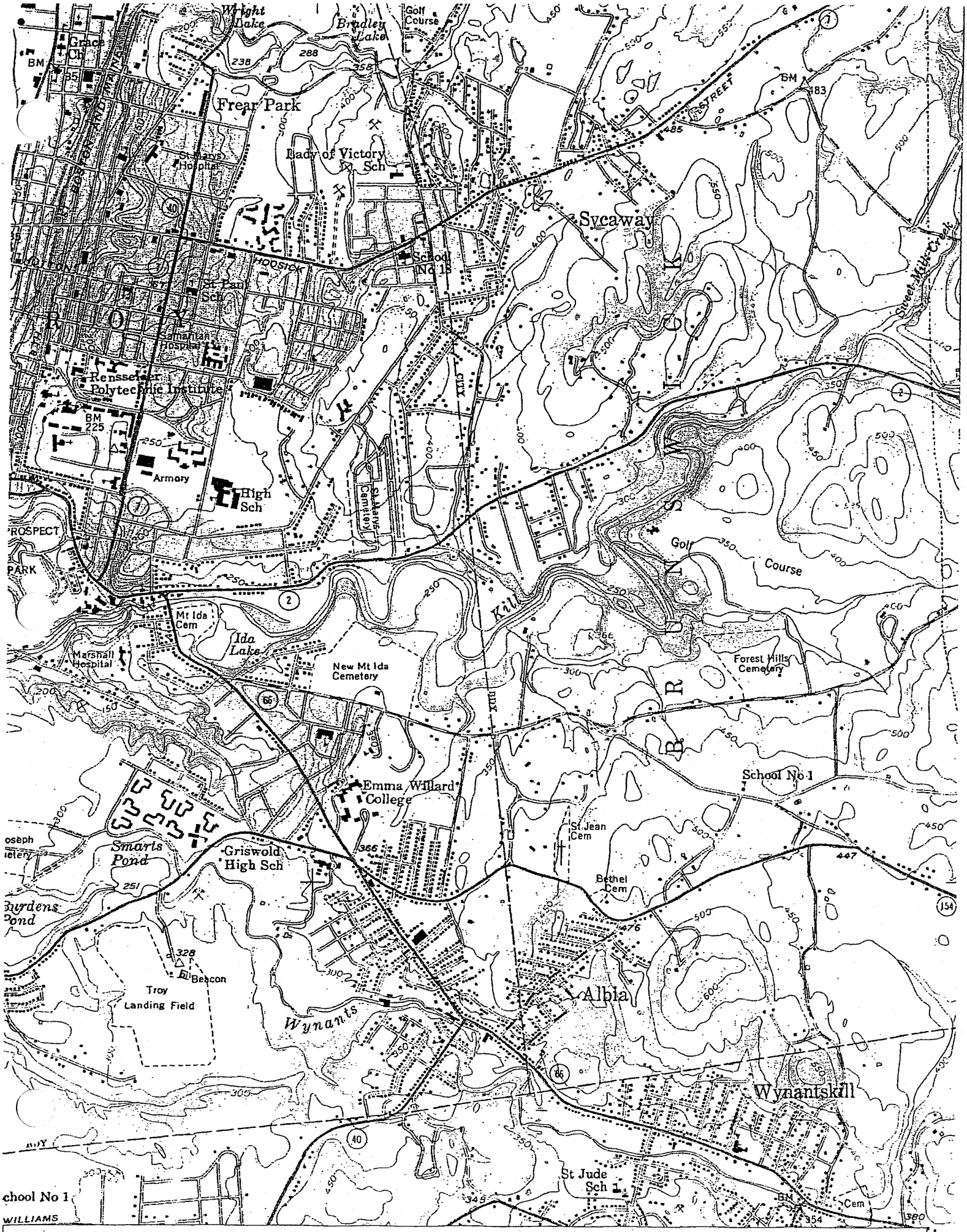

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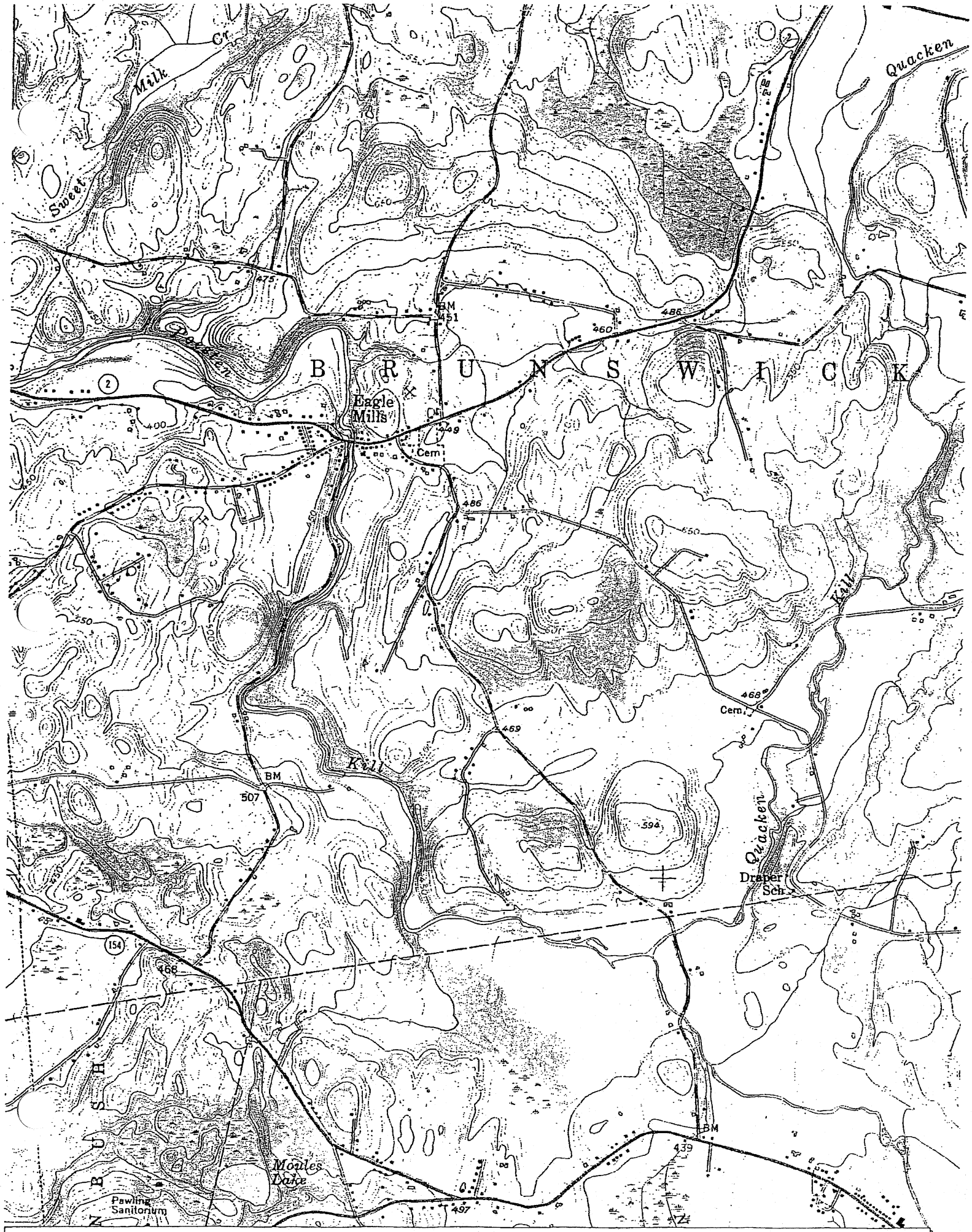

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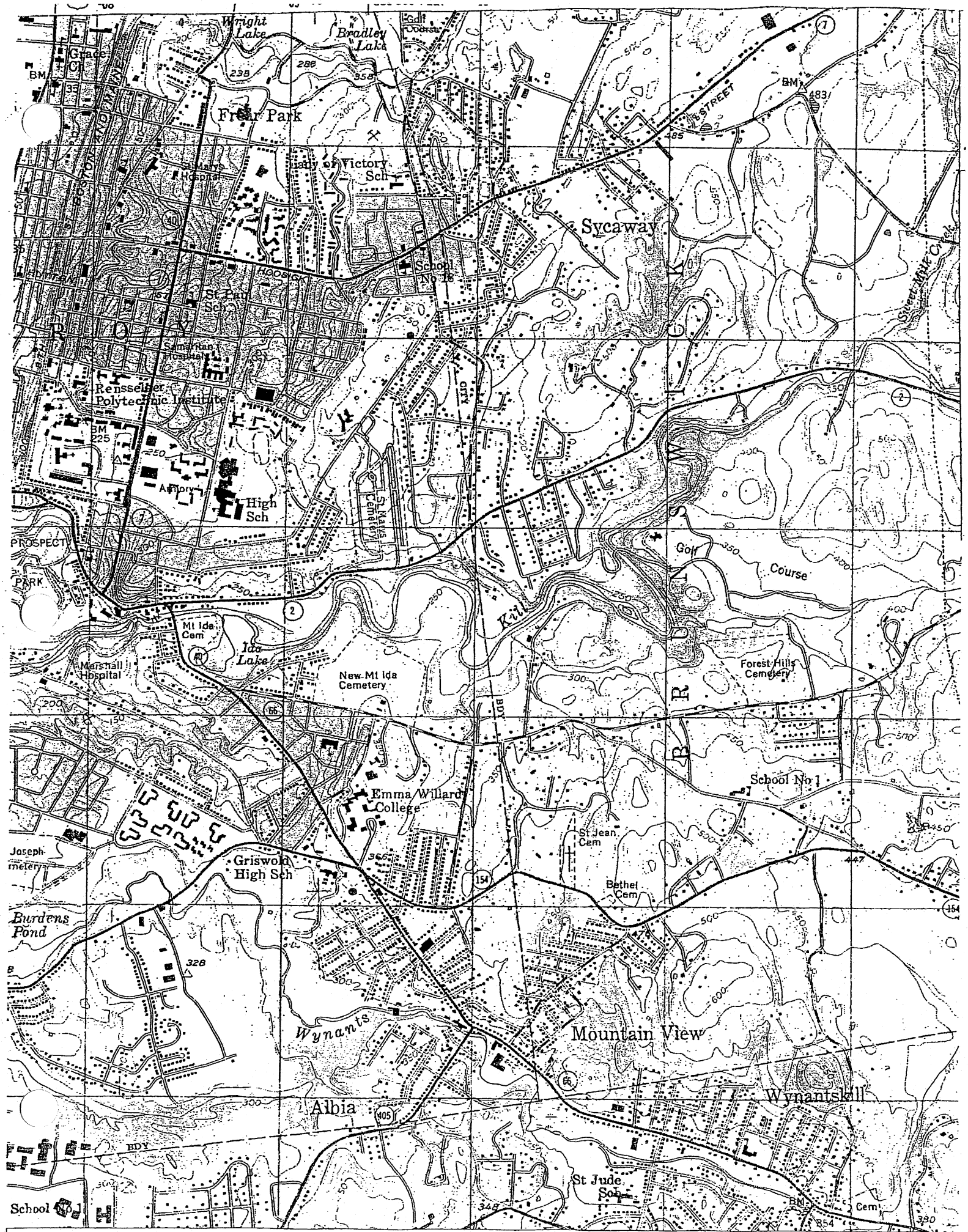

N ^ EDR INQUIRY# 1285210.4 TARGET QUAD: TROYSOUTH PHOTOREVISED: 1953-1980 Series: 7.5' Scale: 1:24,000

N ^ EDR INQUIRY# 1285210.4 ADJOINING QUAD: AVERILLPARK PHOTOREVISED: 1953-1980 Series: 7.5' Scale: 1:24,000

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USGS Troy, New York, United States 01 July 1995

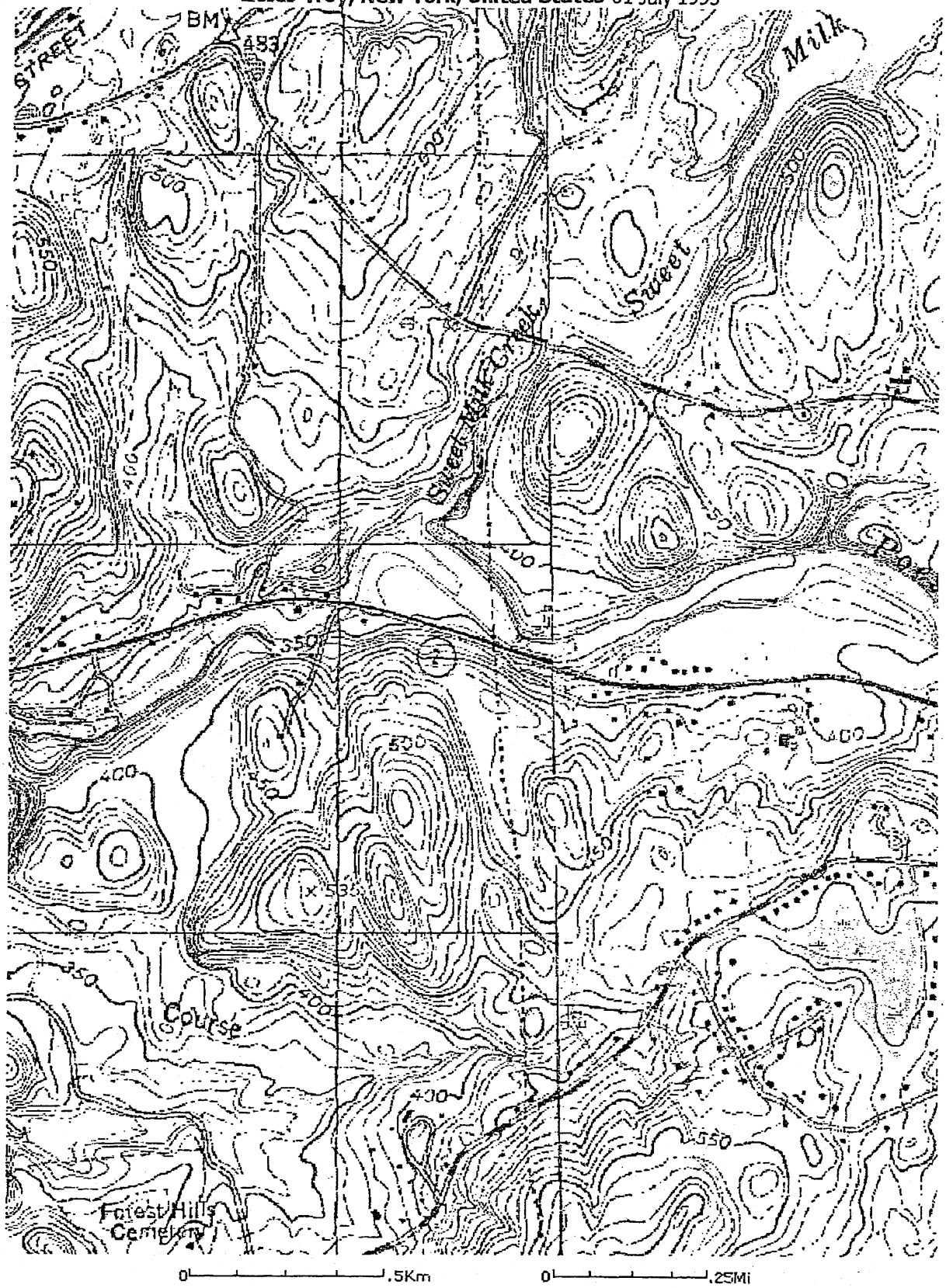

Image courtesy of the U.S. Geological Survey

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Aerial Photographs

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USGS **Troy, New York, United States** 23 April 1994

SUBJECT PROPERTY

0 .5Km 0 .25Mi

Image courtesy of the U.S. Geological Survey

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2001
1" = 300'

Historical Fire Insurance Maps

EDR™ Environmental Data Resources Inc

"Linking Technology with Tradition"®

Sanborn® Map Report

Ship To: Mark A. Williams, PG
Lansing Hisert Group
7 Hemphill Place
Malta, NY 12020

Order Date: 10/11/2004 **Completion Date:** 10/11/2004
Inquiry #: 1285210.3s
P.O. #: NA
Site Name: UGC - Carriage Hills Estates
Address: Route 2 and Pinewoods Avenue
City/State: Brunswick, NY 12180
Cross Streets:

Customer Project: LHG/UGoC
5014855ERK 518-899-5243

This document reports that the largest and most complete collection of Sanborn fire insurance maps has been reviewed based on client supplied information, and fire insurance maps depicting the target property at the specified address were not identified.

NO COVERAGE

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APPENDIX C

ASTM Standard Database Search – The EDR Radius Map with Geocheck®

The EDR Radius Map
with GeoCheck®

UGC - Carriage Hills Estates
Route 2 and Pinewoods Avenue
Brunswick, NY 12180

Inquiry Number: 1285210.2s

October 11, 2004

EDR™ Environmental
Data Resources Inc

The Standard in Environmental Risk Management Information

440 Wheelers Farms Road
Milford, Connecticut 06460

Nationwide Customer Service

Telephone: 1-800-352-0050
Fax: 1-800-231-6802
Internet: www.edrnet.com

FORM-ERK

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Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

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EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc. (EDR). The report meets the government records search requirements of ASTM Standard Practice for Environmental Site Assessments, E 1527-00. Search distances are per ASTM standard or custom distances requested by the user.

TARGET PROPERTY INFORMATION

ADDRESS

ROUTE 2 AND PINEWOODS AVENUE
BRUNSWICK, NY 12180

COORDINATES

Latitude (North):	42.727600 - 42' 43' 39.4"
Longitude (West):	73.629300 - 73' 37' 45.5"
Universal Tranverse Mercator:	Zone 18
UTM X (Meters):	612219.8
UTM Y (Meters):	4731262.0
Elevation:	542 ft. above sea level

USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property:	42073-F6 TROY SOUTH, NY
Source:	USGS 7.5 min quad index

TARGET PROPERTY SEARCH RESULTS

The target property was not listed in any of the databases searched by EDR.

DATABASES WITH NO MAPPED SITES

No mapped sites were found in EDR's search of available ("reasonably ascertainable ") government records either on the target property or within the ASTM E 1527-00 search radius around the target property for the following databases:

FEDERAL ASTM STANDARD

NPL_____ National Priority List
Proposed NPL_____ Proposed National Priority List Sites
CERCLIS_____ Comprehensive Environmental Response, Compensation, and Liability Information System
CERC-NFRAP_____ CERCLIS No Further Remedial Action Planned
CORRACTS_____ Corrective Action Report
RCRIS-TSD_____ Resource Conservation and Recovery Information System
RCRIS-LQG_____ Resource Conservation and Recovery Information System
RCRIS-SQG_____ Resource Conservation and Recovery Information System
ERNS_____ Emergency Response Notification System

STATE ASTM STANDARD

SHWS_____ Inactive Hazardous Waste Disposal Sites in New York State

SWF/LF	Facility Register
UST	Petroleum Bulk Storage (PBS) Database
CBS UST	Chemical Bulk Storage Database
MOSF UST	Major Oil Storage Facilities Database
VCP	Voluntary Cleanup Agreements
SWTIRE	Registered Waste Tire Storage & Facility List
SWRCY	Registered Recycling Facility List

FEDERAL ASTM SUPPLEMENTAL

CONSENT	Superfund (CERCLA) Consent Decrees
ROD	Records Of Decision
Delisted NPL	National Priority List Deletions
FINDS	Facility Index System/Facility Identification Initiative Program Summary Report
HMIRS	Hazardous Materials Information Reporting System
MLTS	Material Licensing Tracking System
MINES	Mines Master Index File
NPL Liens	Federal Superfund Liens
PADS	PCB Activity Database System
INDIAN RESERV	Indian Reservations
FUDS	Formerly Used Defense Sites
UMTRA	Uranium Mill Tailings Sites
ODI	Open Dump Inventory
DOD	Department of Defense Sites
RAATS	RCRA Administrative Action Tracking System
TRIS	Toxic Chemical Release Inventory System
TSCA	Toxic Substances Control Act
SSTS	Section 7 Tracking Systems
FTTS INSP	FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)

STATE OR LOCAL ASTM SUPPLEMENTAL

HSWDS	Hazardous Substance Waste Disposal Site Inventory
AST	Petroleum Bulk Storage
CBS AST	Chemical Bulk Storage Database
MOSF AST	Major Oil Storage Facilities Database
NY Spills	Spills Information Database
DEL SHWS	Delisted Registry Sites
DRYCLEANERS	Registered Drycleaners
SPDES	State Pollutant Discharge Elimination System

EDR PROPRIETARY HISTORICAL DATABASES

Coal Gas	Former Manufactured Gas (Coal Gas) Sites

BROWNFIELDS DATABASES

US BROWNFIELDS	A Listing of Brownfields Sites
Brownfields	Brownfields Site List
VCP	Voluntary Cleanup Agreements

SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified.

Elevations have been determined from the USGS Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property.
Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in ***bold italics*** are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.

STATE ASTM STANDARD

LTANKS: Leaking Storage Tank Incident Reports. These records contain an inventory of reported leaking storage tank incidents reported from 4/1/86 through the most recent update. They can be either leaking underground storage tanks or leaking aboveground storage tanks. The causes of the incidents are tank test failures, tank failures or tank overfills

A review of the LTANKS list, as provided by EDR, and dated 07/26/2004 has revealed that there is 1 LTANKS site within approximately 0.5 miles of the target property.

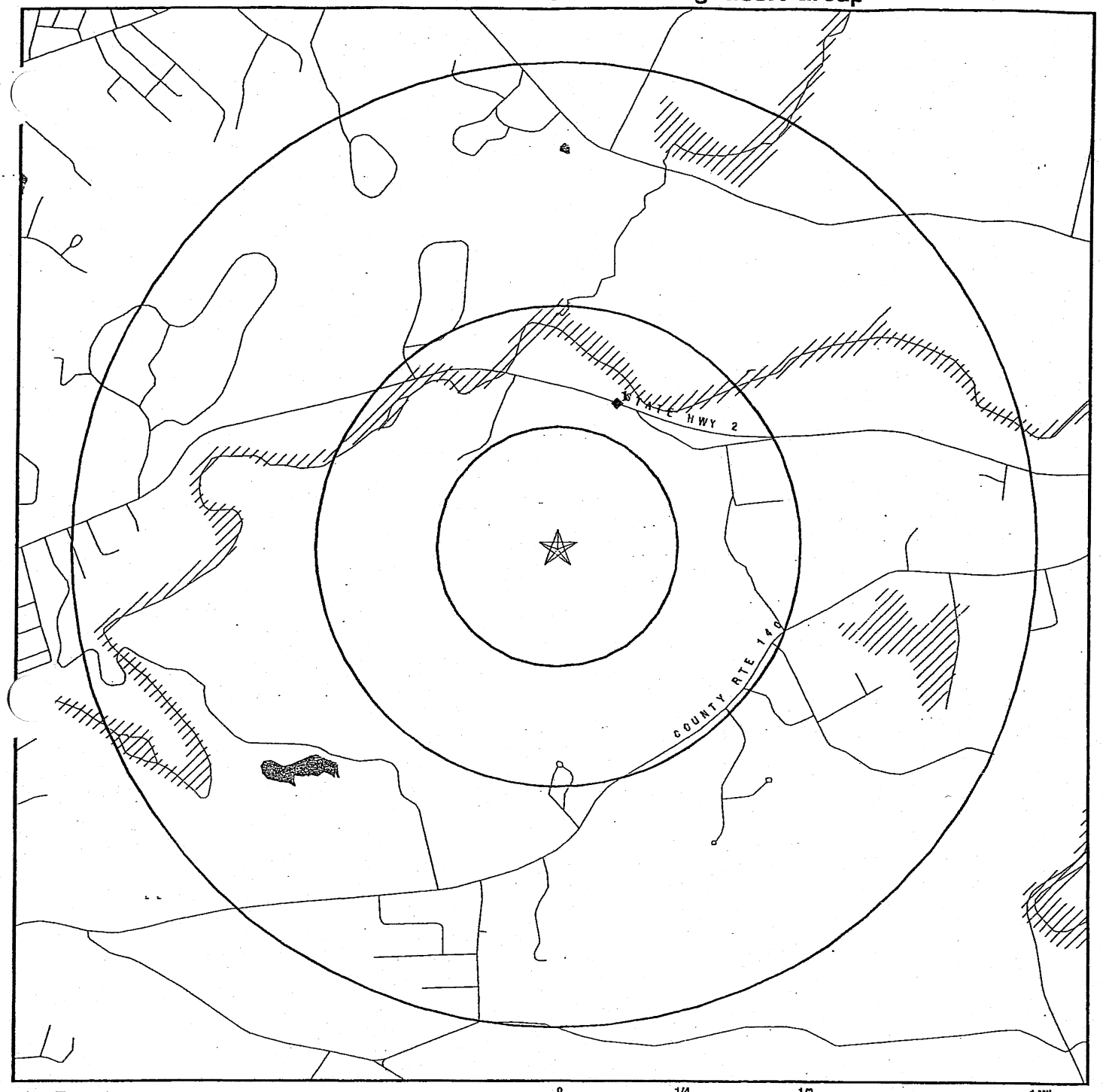
Lower Elevation	Address	Dist / Dir	Map ID	Page
SCHNEIDER 379 BRUNSWICKRD	379 BRUNSWICK RD RT 2	1/4 - 1/2 NNE	1	6

EXECUTIVE SUMMARY

Due to poor or inadequate address information, the following sites were not mapped:

Site Name	Database(s)
NIMO - TROY - WATER STREET MGP - A	SHWS
BRITTONKILL CENTRAL SCHOOL	UST, AST
NYSDOT BIN 1000210	RCRIS-SQG, FINDS
NYSDOT BIN 1000230	RCRIS-SQG, FINDS
NYSDOT BIN 1000220	RCRIS-SQG, FINDS
NYSDOT BIN 1000240	RCRIS-SQG, FINDS
PACAMOR BEARING INC	RCRIS-SQG, FINDS
DICK HUDSON SERVICES INC	RCRIS-SQG, FINDS
NYSDOT BIN 1000190	RCRIS-LQG, FINDS
NMPC - TROY AREA 2 SIR	RCRIS-LQG, FINDS
BRUNSWICK TIRE FIRE RT 2	NY Spills
VACANT LOT OPPOSITE TAMAR	NY Spills
DUMAC FORESTRY RT 2	NY Spills
MOYER RES LEGENBAUER 351	NY Spills
PROBST RES BRUNSWICK RD	NY Spills
FITZGERALD	NY Spills
BRUNSWICK TOWN GARAGE	NY Spills
POLE 161 NYTEL ? NIMO	NY Spills
POESTENKILL CREEK RT 2	NY Spills
OLD TROY MUNICIPAL INCINERATOR	HSWDS

OVERVIEW MAP - 1285210.2s - Lansing Hisert Group



- ★ Target Property
- ▲ Sites at elevations higher than or equal to the target property
- ◆ Sites at elevations lower than the target property
- Coal Gasification Sites
- National Priority List Sites
- Landfill Sites
- Dept. Defense Sites
- Indian Reservations BIA
- Oil & Gas pipelines
- 100-year flood zone
- 500-year flood zone
- Federal Wetlands
- State Wetlands

0 1/4 1/2 1 Miles

N

TARGET PROPERTY:	UGC - Carriage Hills Estates	CUSTOMER:	Lansing Hisert Group
ADDRESS:	Route 2 and Pinewoods Avenue	CONTACT:	Mark A. Williams, PG
CITY/STATE/ZIP:	Brunswick NY 12180	INQUIRY #:	1285210.2s
LAT/LONG:	42.7276 / 73.6293	DATE:	October 11, 2004 10:08 am

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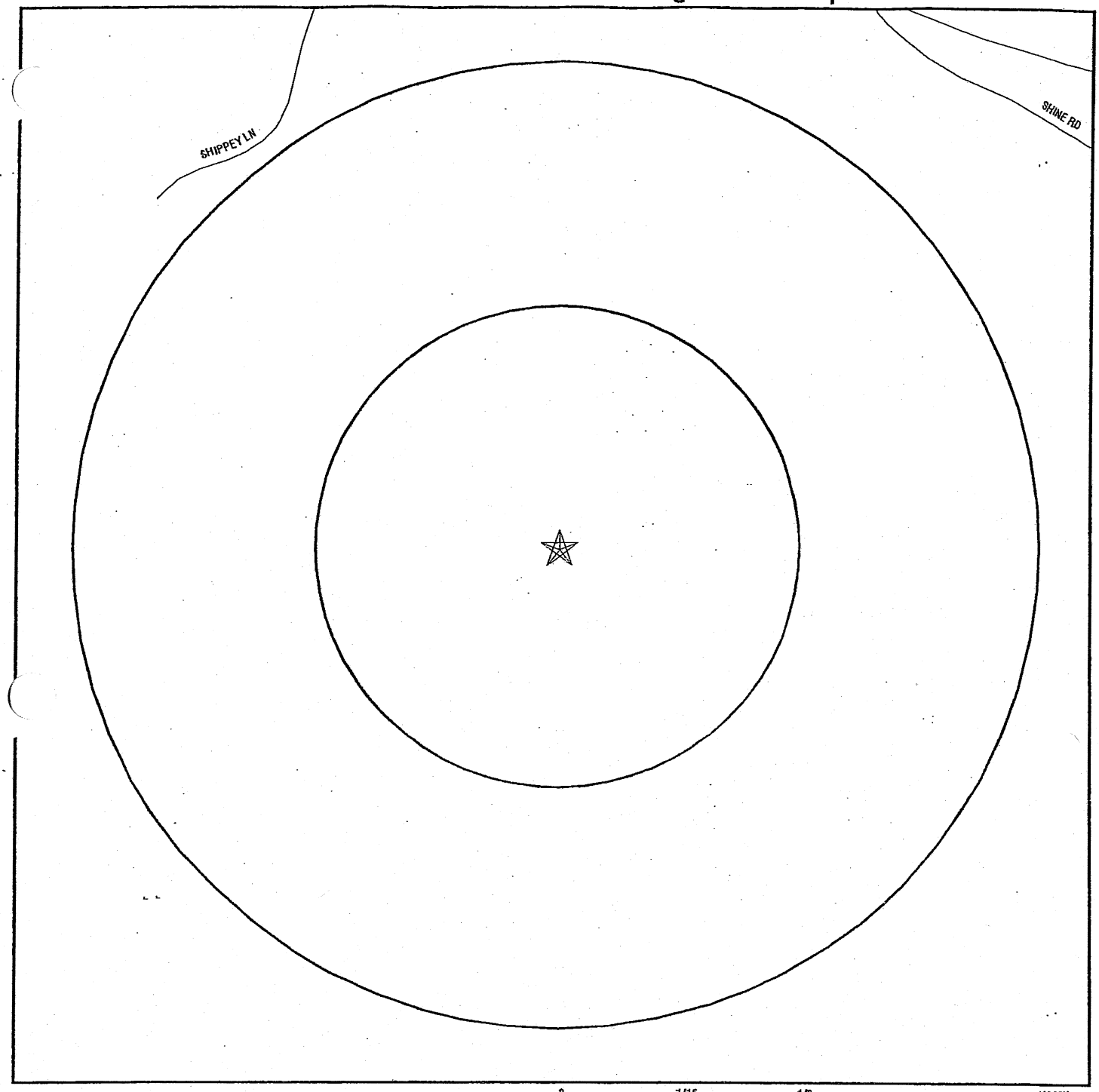
DETAIL MAP - 1285210.2s - Lansing Hisert Group



- ☆ Target Property
- ▲ Sites at elevations higher than or equal to the target property
- ◆ Sites at elevations lower than the target property
- Coal Gasification Sites
- Sensitive Receptors
- National Priority List Sites
- Landfill Sites
- Dept. Defense Sites

0 1/16 1/8 1/4 Miles

- Indian Reservations BIA
- Oil & Gas pipelines
- 100-year flood zone
- 500-year flood zone

N

TARGET PROPERTY:	UGC - Carriage Hills Estates	CUSTOMER:	Lansing Hisert Group
ADDRESS:	Route 2 and Pinewoods Avenue	CONTACT:	Mark A. Williams, PG
CITY/STATE/ZIP:	Brunswick NY 12180	INQUIRY #:	1285210.2s
LAT/LONG:	42.7276 / 73.6293	DATE:	October 11, 2004 10:08 am

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MAP FINDINGS SUMMARY

Database	Target Property	Search Distance (Miles)	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
FEDERAL ASTM STANDARD								
NPL		1.000	0	0	0	0	NR	0
Proposed NPL		1.000	0	0	0	0	NR	0
CERCLIS		0.500	0	0	0	NR	NR	0
CERC-NFRAP		0.250	0	0	NR	NR	NR	0
CORRACTS		1.000	0	0	0	0	NR	0
RCRIS-TSD		0.500	0	0	0	NR	NR	0
RCRIS Lg. Quan. Gen.		0.250	0	0	NR	NR	NR	0
RCRIS Sm. Quan. Gen.		0.250	0	0	NR	NR	NR	0
ERNS		TP	NR	NR	NR	NR	NR	0
STATE ASTM STANDARD								
State Haz. Waste		1.000	0	0	0	0	NR	0
State Landfill		0.500	0	0	0	NR	NR	0
LTANKS		0.500	0	0	1	NR	NR	1
UST		0.250	0	0	NR	NR	NR	0
CBS UST		0.250	0	0	NR	NR	NR	0
MOSF UST		0.500	0	0	0	NR	NR	0
VCP		0.500	0	0	0	NR	NR	0
SWTIRE		0.500	0	0	0	NR	NR	0
SWRCY		0.500	0	0	0	NR	NR	0
FEDERAL ASTM SUPPLEMENTAL								
CONSENT		1.000	0	0	0	0	NR	0
ROD		1.000	0	0	0	0	NR	0
Delisted NPL		1.000	0	0	0	0	NR	0
FINDS		TP	NR	NR	NR	NR	NR	0
HMIRS		TP	NR	NR	NR	NR	NR	0
MLTS		TP	NR	NR	NR	NR	NR	0
MINES		0.250	0	0	NR	NR	NR	0
NPL Liens		TP	NR	NR	NR	NR	NR	0
PADS		TP	NR	NR	NR	NR	NR	0
INDIAN RESERV		1.000	0	0	0	0	NR	0
FUDS		1.000	0	0	0	0	NR	0
UMTRA		0.500	0	0	0	NR	NR	0
ODI		0.500	0	0	0	NR	NR	0
DOD		1.000	0	0	0	0	NR	0
RAATS		TP	NR	NR	NR	NR	NR	0
TRIS		TP	NR	NR	NR	NR	NR	0
TSCA		TP	NR	NR	NR	NR	NR	0
SSTS		TP	NR	NR	NR	NR	NR	0
FTTS		TP	NR	NR	NR	NR	NR	0
STATE OR LOCAL ASTM SUPPLEMENTAL								
HSWDS		0.500	0	0	0	NR	NR	0

MAP FINDINGS SUMMARY

Database	Target Property	Search Distance (Miles)	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
AST		TP	NR	NR	NR	NR	NR	0
CBS AST		0.250	0	0	NR	NR	NR	0
MOSF AST		0.500	0	0	0	NR	NR	0
NY Spills		0.125	0	NR	NR	NR	NR	0
DEL SHWS		1.000	0	0	0	0	NR	0
DRYCLEANERS		0.250	0	0	NR	NR	NR	0
SPDES		TP	NR	NR	NR	NR	NR	0
EDR PROPRIETARY HISTORICAL DATABASES								
Coal Gas		1.000	0	0	0	0	NR	0
BROWNFIELDS DATABASES								
US BROWNFIELDS		0.500	0	0	0	NR	NR	0
Brownfields		0.500	0	0	0	NR	NR	0
VCP		0.500	0	0	0	NR	NR	0

NOTES:

AQUIFLOW - see EDR Physical Setting Source Addendum

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

Coal Gas Site Search: No site was found in a search of Real Property Scan's ENVIROHAZ database.

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1 NNE 1/4-1/2 1699 ft. | **SCHNEIDER 379 BRUNSWICKRD**
379 BRUNSWICK RD RT 2?
BRUNSWICK, NY | **LTANKS** | **S101658789**
N/A

Relative: Lower

Actual: 364 ft.

LTANKS:

Spill Number:	9504744	Region of Spill:	4
Spill Date:	01/01/1995 12:00	Reported to Dept:	07/19/95 11:53
ID:	Not reported	Date Call Received:	Not reported
Material Spilled 1 :	Not reported	Amount Spilled 1 :	Not reported
Region Close Dt :	Not reported		
Resource Affectd:	On Land		
Spill Cause:	Tank Failure		
Water Affected:	Not reported	Spill Source:	Private Dwelling
Facility Contact:	Not reported	Facility Tele:	Not reported
Investigator:	BLAIN	SWIS:	38
Caller Name:	Not reported	Caller Agency:	Not reported
Caller Phone:	Not reported	Caller Extension:	Not reported
Notifier Name:	Not reported	Notifier Agency:	Not reported
Notifier Phone:	Not reported	Notifier Extension:	Not reported
PBS :	Not reported		
Spiller Contact:	Not reported	Spiller Phone:	Not reported
Spiller:	SCHNEIDER (ESTATE)		
Spiller Address:	379 BRUNSWICK RD BRUNSWICK		
Spill Class:	Known release that creates potential for fire or hazard. DEC Response. Willing Responsible Party. Corrective action taken.		
Spill Closed Dt:	08/22/95		
Spill Notifier:	Citizen	PBS Number:	Not reported
Cleanup Ceased:	07/25/95		
Last Inspection:	07/25/95		

Cleanup Meets Standard: True
Recommended Penalty: Penalty Not Recommended
Spiller Cleanup Date: / /
Enforcement Date: / /
Investigation Complete: / /
UST Involvement: False
Spill Record Last Update: 04/23/01
Is Updated: False
Corrective Action Plan Submitted: / /
True Date : Not reported
Date Spill Entered In Computer Data File: 07/21/95
Date Region Sent Summary to Central Office: / /

Tank Test:
- PBS Number: Not reported
- Tank Number: Not reported
- Test Method: Not reported
- Capacity of Failed Tank: Not reported
- Leak Rate Failed Tank: Not reported
- Gross Leak Rate: Not reported

Material:
- Material Class Type: 1
- Quantity Spilled: 0
- Units: Pounds
- Unknown Qty Spilled: No

SCHNEIDER 379 BRUNSWICKRD (Continued) **S101658789**

Quantity Recovered: 0
Unknown Qty Recovered: True
Material: #2 FUEL OIL
Class Type: Petroleum
Chem Abstract Service Number: #2 FUEL OIL
Last Date: 12/07/1994
Num Times Material Entry In File: 24464
DEC Remarks: 0100785?
Spill Cause: TANK LEAKING FOR LONG TIME, REMOVED 1/95, NO CLEAN-UP, ODOR IN HOUSE, CA LLER DECLINED TO BUY HOUSE. 7/25-BLAIN MET REALTOR DEVANE @ SITE, NO PRO BLEMS NOTED, SOME SPEEDIDRY USED.

ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
BRUNSWICK	S103561026	BRUNSWICK TIRE FIRE RT 2	RT 2 PINEWOODS AVE		NY Spills
BRUNSWICK	S103570225	VACANT LOT OPPOSITE TAMAR	RT 2 ACROSS FROM SCHOOL	12180	NY Spills
BRUNSWICK	S102113571	DUMAC FORESTRY RT 2	RT 2 / WHITE CHURCH RD	12180	NY Spills
BRUNSWICK	1001968804	NYSDOT BIN 1000190	RTE 2 & POESTEN KILL	12180	RCRIS-LQG, FINDS
BRUNSWICK	1000457467	NYSDOT BIN 1000210	RTE 2 OVER QUACKENKILL #4	12180	RCRIS-SQG, FINDS
BRUNSWICK	1000457466	NYSDOT BIN 1000230	RTE 2 OVER QUACKENKILL #3	12180	RCRIS-SQG, FINDS
BRUNSWICK	1000457465	NYSDOT BIN 1000220	RTE 2 OVER QUACKENKILL #2	12180	RCRIS-SQG, FINDS
BRUNSWICK	1000457464	NYSDOT BIN 1000240	RTE 2 OVER QUACKENKILL #1	12180	RCRIS-SQG, FINDS
BRUNSWICK	S104496719	MOYER RES LEGENBAUER 351	RT 351 BX 121	12180	NY Spills
BRUNSWICK	S105212138	OLD TROY MUNICIPAL INCINERATOR	ROUTE 40 (OAKWOOD AVENUE)	12180	HSWDS
BRUNSWICK	S104496277	PROBST RES BRUNSWICK RD	BRUNSWICK RD RT 2	12180	NY Spills
BRUNSWICK	S102112614	FITZGERALD	BRUNSWICK HILLS	12180	NY Spills
BRUNSWICK	S102113259	BRUNSWICK TOWN GARAGE	EAGLE MILLS RD	12180	NY Spills
BRUNSWICK	S104194495	POLE 161 NYTEL ? NIMO	NYS RT 2 POLE 161	12180	NY Spills
BRUNSWICK	S102158017	POESTENKILL CREEK RT 2	POESTENKILL CREEK RT 2		NY Spills
BRUNSWICK	U001845026	BRITTONKILL CENTRAL SCHOOL	3992 NY RT. 2	12180	UST, AST
TROY	1001215500	NMPC - TROY AREA 2 SIR	FOOT OF MAIN ST INTERSECTION	12180	RCRIS-LQG, FINDS
TROY	1000149908	PACAMOR BEARING INC	RPI TECHNOLOGY PARK RTE 4	12180	RCRIS-SQG, FINDS
TROY	1001233274	DICK HUDSON SERVICES INC	4027 NY RTE 2	12180	RCRIS-SQG, FINDS
TROY	S103350641	NIMO - TROY - WATER STREET MGP - A	WATER STREET	12180	SHWS

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

To maintain currency of the following federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required.

Elapsed ASTM days: Provides confirmation that this EDR report meets or exceeds the 90-day updating requirement of the ASTM standard.

FEDERAL ASTM STANDARD RECORDS

NPL: National Priority List
Source: EPA
Telephone: N/A
National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA's Environmental Photographic Interpretation Center (EPIC) and regional EPA offices.

Date of Government Version: 07/30/04
Date Made Active at EDR: 09/09/04
Database Release Frequency: Semi-Annually
Date of Data Arrival at EDR: 08/03/04
Elapsed ASTM days: 37
Date of Last EDR Contact: 08/03/04

NPL Site Boundaries

Sources:

EPA's Environmental Photographic Interpretation Center (EPIC)
Telephone: 202-564-7333

EPA Region 1
Telephone 617-918-1143

EPA Region 3
Telephone 215-814-5418

EPA Region 4
Telephone 404-562-8033

EPA Region 6
Telephone: 214-655-6659

EPA Region 8
Telephone: 303-312-6774

Proposed NPL: Proposed National Priority List Sites
Source: EPA
Telephone: N/A

Date of Government Version: 07/22/04
Date Made Active at EDR: 09/09/04
Database Release Frequency: Semi-Annually
Date of Data Arrival at EDR: 08/03/04
Elapsed ASTM days: 37
Date of Last EDR Contact: 08/03/04

CERCLIS: Comprehensive Environmental Response, Compensation, and Liability Information System
Source: EPA
Telephone: 703-413-0223
CERCLIS contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). CERCLIS contains sites which are either proposed to or on the National Priorities List (NPL) and sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 05/17/04
Date Made Active at EDR: 08/10/04
Database Release Frequency: Quarterly
Date of Data Arrival at EDR: 06/23/04
Elapsed ASTM days: 48
Date of Last EDR Contact: 09/21/04

CERCLIS-NFRAP: CERCLIS No Further Remedial Action Planned
Source: EPA
Telephone: 703-413-0223
As of February 1995, CERCLIS sites designated "No Further Remedial Action Planned" (NFRAP) have been removed from CERCLIS. NFRAP sites may be sites where, following an initial investigation, no contamination was found, contamination was removed quickly without the need for the site to be placed on the NPL, or the contamination was not serious enough to require Federal Superfund action or NPL consideration. EPA has removed approximately 25,000 NFRAP sites to lift the unintended barriers to the redevelopment of these properties and has archived them as historical records so EPA does not needlessly repeat the investigations in the future. This policy change is part of the EPA's Brownfields Redevelopment Program to help cities, states, private investors and affected citizens to promote economic redevelopment of unproductive urban sites.

Date of Government Version: 05/17/04
Date Made Active at EDR: 08/10/04
Database Release Frequency: Quarterly

Date of Data Arrival at EDR: 06/23/04
Elapsed ASTM days: 48
Date of Last EDR Contact: 09/21/04

CORRACTS: Corrective Action Report
Source: EPA
Telephone: 800-424-9346
CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Date of Government Version: 06/15/04
Date Made Active at EDR: 08/10/04
Database Release Frequency: Semi-Annually

Date of Data Arrival at EDR: 06/25/04
Elapsed ASTM days: 46
Date of Last EDR Contact: 09/07/04

RCRIS: Resource Conservation and Recovery Information System
Source: EPA
Telephone: 800-424-9346
Resource Conservation and Recovery Information System. RCRIS includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs): generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month. Small quantity generators (SQGs): generate between 100 kg and 1,000 kg of hazardous waste per month. Large quantity generators (LQGs): generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month. Transporters are individuals or entities that move hazardous waste from the generator off-site to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

Date of Government Version: 06/15/04
Date Made Active at EDR: 07/20/04
Database Release Frequency: Varies

Date of Data Arrival at EDR: 06/23/04
Elapsed ASTM days: 27
Date of Last EDR Contact: 08/24/04

ERNS: Emergency Response Notification System
Source: National Response Center, United States Coast Guard
Telephone: 202-260-2342
Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances.

Date of Government Version: 12/31/03
Date Made Active at EDR: 03/12/04
Database Release Frequency: Annually

Date of Data Arrival at EDR: 01/26/04
Elapsed ASTM days: 46
Date of Last EDR Contact: 07/26/04

FEDERAL ASTM SUPPLEMENTAL RECORDS

BRS: Biennial Reporting System
Source: EPA/NTIS
Telephone: 800-424-9346
The Biennial Reporting System is a national system administered by the EPA that collects data on the generation and management of hazardous waste. BRS captures detailed data from two groups: Large Quantity Generators (LQG) and Treatment, Storage, and Disposal Facilities.

Date of Government Version: 12/01/01
Database Release Frequency: Biennially

Date of Last EDR Contact: 09/20/04
Date of Next Scheduled EDR Contact: 12/13/04

CONSENT: Superfund (CERCLA) Consent Decrees
Source: Department of Justice, Consent Decree Library
Telephone: Varies
Major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. Released periodically by United States District Courts after settlement by parties to litigation matters.

Date of Government Version: 03/05/04
Database Release Frequency: Varies

Date of Last EDR Contact: 07/30/04
Date of Next Scheduled EDR Contact: 10/25/04

ROD: Records Of Decision
Source: EPA
Telephone: 703-416-0223
Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid in the cleanup.

Date of Government Version: 06/07/04
Database Release Frequency: Annually
Date of Last EDR Contact: 07/07/04
Date of Next Scheduled EDR Contact: 10/04/04

DELISTED NPL: National Priority List Deletions
Source: EPA
Telephone: N/A
The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

Date of Government Version: 07/30/04
Database Release Frequency: Quarterly
Date of Last EDR Contact: 08/03/04
Date of Next Scheduled EDR Contact: 11/01/04

FINDS: Facility Index System/Facility Identification Initiative Program Summary Report
Source: EPA
Telephone: N/A
Facility Index System. FINDS contains both facility information and 'pointers' to other sources that contain more detail. EDR includes the following FINDS databases in this report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

Date of Government Version: 04/08/04
Database Release Frequency: Quarterly
Date of Last EDR Contact: 07/06/04
Date of Next Scheduled EDR Contact: 10/04/04

HMIRS: Hazardous Materials Information Reporting System
Source: U.S. Department of Transportation
Telephone: 202-366-4555
Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT.

Date of Government Version: 02/17/04
Database Release Frequency: Annually
Date of Last EDR Contact: 04/20/04
Date of Next Scheduled EDR Contact: 07/19/04

MLTS: Material Licensing Tracking System
Source: Nuclear Regulatory Commission
Telephone: 301-415-7169
MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 07/15/04
Database Release Frequency: Quarterly
Date of Last EDR Contact: 07/06/04
Date of Next Scheduled EDR Contact: 10/04/04

MINES: Mines Master Index File
Source: Department of Labor, Mine Safety and Health Administration
Telephone: 303-231-5959

Date of Government Version: 06/04/04
Database Release Frequency: Semi-Annually
Date of Last EDR Contact: 09/28/04
Date of Next Scheduled EDR Contact: 12/27/04

NPL LIENS: Federal Superfund Liens
Source: EPA
Telephone: 202-564-4267
Federal Superfund Liens. Under the authority granted the USEPA by the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner receives notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

Date of Government Version: 10/15/91
Database Release Frequency: No Update Planned
Date of Last EDR Contact: 08/23/04
Date of Next Scheduled EDR Contact: 11/22/04

PADS: PCB Activity Database System
Source: EPA
Telephone: 202-564-3887
PCB Activity Database. PADS Identifies generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

Date of Government Version: 06/29/04
Database Release Frequency: Annually
Date of Last EDR Contact: 08/10/04
Date of Next Scheduled EDR Contact: 11/08/04

DOD: Department of Defense Sites
Source: USGS
Telephone: 703-692-8801
This data set consists of federally owned or administered lands, administered by the Department of Defense, that have any area equal to or greater than 640 acres of the United States, Puerto Rico, and the U.S. Virgin Islands.

Date of Government Version: 10/01/03
Database Release Frequency: Semi-Annually
Date of Last EDR Contact: 08/12/04
Date of Next Scheduled EDR Contact: 11/08/04

INDIAN RESERV: Indian Reservations
Source: USGS
Telephone: 202-208-3710
This map layer portrays Indian administered lands of the United States that have any area equal to or greater than 640 acres.

Date of Government Version: 10/01/03
Database Release Frequency: Semi-Annually
Date of Last EDR Contact: 08/12/04
Date of Next Scheduled EDR Contact: 11/08/04

FUDS: Formerly Used Defense Sites
Source: U.S. Army Corps of Engineers
Telephone: 202-528-4285
The listing includes locations of Formerly Used Defense Sites properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions.

Date of Government Version: 12/31/03
Database Release Frequency: Varies
Date of Last EDR Contact: 07/06/04
Date of Next Scheduled EDR Contact: 10/04/04

STORMWATER: Storm Water General Permits
Source: Environmental Protection Agency
Telephone: 202-564-0746
A listing of all facilities with Storm Water General Permits.

Date of Government Version: 02/04/04
Database Release Frequency: Quarterly
Date of Last EDR Contact: 07/06/04
Date of Next Scheduled EDR Contact: 10/04/04

RMP: Risk Management Plans
Source: Environmental Protection Agency
Telephone: 202-564-8600
When Congress passed the Clean Air Act Amendments of 1990, it required EPA to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances. The Risk Management Program Rule (RMP Rule) was written to implement Section 112(r) of these amendments. The rule, which built upon existing industry codes and standards, requires companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program, which includes a(n): Hazard assessment that details the potential effects of an accidental release, an accident history of the last five years, and an evaluation of worst-case and alternative accidental releases; Prevention program that includes safety precautions and maintenance, monitoring, and employee training measures; and Emergency response program that spells out emergency health care, employee training measures and procedures for informing the public and response agencies (e.g the fire department) should an accident occur.

Date of Government Version: 05/27/04
Database Release Frequency: Varies

Date of Last EDR Contact: 08/23/04
Date of Next Scheduled EDR Contact: 11/22/04

UMTRA: Uranium Mill Tailings Sites
Source: Department of Energy
Telephone: 505-845-0011
Uranium ore was mined by private companies for federal government use in national defense programs. When the mills shut down, large piles of the sand-like material (mill tailings) remain after uranium has been extracted from the ore. Levels of human exposure to radioactive materials from the piles are low; however, in some cases tailings were used as construction materials before the potential health hazards of the tailings were recognized. In 1978, 24 inactive uranium mill tailings sites in Oregon, Idaho, Wyoming, Utah, Colorado, New Mexico, Texas, North Dakota, South Dakota, Pennsylvania, and on Navajo and Hopi tribal lands, were targeted for cleanup by the Department of Energy.

Date of Government Version: 04/22/04
Database Release Frequency: Varies

Date of Last EDR Contact: 09/20/04
Date of Next Scheduled EDR Contact: 12/20/04

ODI: Open Dump Inventory
Source: Environmental Protection Agency
Telephone: 800-424-9346
An open dump is defined as a disposal facility that does not comply with one or more of the Part 257 or Part 258 Subtitle D Criteria.

Date of Government Version: 06/30/85
Database Release Frequency: No Update Planned

Date of Last EDR Contact: 05/23/95
Date of Next Scheduled EDR Contact: N/A

RAATS: RCRA Administrative Action Tracking System
Source: EPA
Telephone: 202-564-4104
RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA. For administration actions after September 30, 1995, data entry in the RAATS database was discontinued. EPA will retain a copy of the database for historical records. It was necessary to terminate RAATS because a decrease in agency resources made it impossible to continue to update the information contained in the database.

Date of Government Version: 04/17/95
Database Release Frequency: No Update Planned

Date of Last EDR Contact: 09/07/04
Date of Next Scheduled EDR Contact: 12/06/04

TRIS: Toxic Chemical Release Inventory System
Source: EPA
Telephone: 202-566-0250
Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

Date of Government Version: 12/31/02
Database Release Frequency: Annually

Date of Last EDR Contact: 09/20/04
Date of Next Scheduled EDR Contact: 12/20/04

TSCA: Toxic Substances Control Act
Source: EPA
Telephone: 202-260-5521
Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant site.

Date of Government Version: 12/31/02
Database Release Frequency: Every 4 Years

Date of Last EDR Contact: 09/07/04
Date of Next Scheduled EDR Contact: 12/06/04

FTTS INSP: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
Source: EPA
Telephone: 202-564-2501

Date of Government Version: 04/13/04
Database Release Frequency: Quarterly

Date of Last EDR Contact: 09/07/04
Date of Next Scheduled EDR Contact: 12/20/04

SSTS: Section 7 Tracking Systems
Source: EPA
Telephone: 202-564-5008
Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (92 Stat. 829) requires all registered pesticide-producing establishments to submit a report to the Environmental Protection Agency by March 1st each year. Each establishment must report the types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed in the past year.

Date of Government Version: 12/31/01
Database Release Frequency: Annually

Date of Last EDR Contact: 07/20/04
Date of Next Scheduled EDR Contact: 10/18/04

FTTS: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
Source: EPA/Office of Prevention, Pesticides and Toxic Substances
Telephone: 202-564-2501
FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 04/13/04
Database Release Frequency: Quarterly

Date of Last EDR Contact: 09/07/04
Date of Next Scheduled EDR Contact: 12/20/04

STATE OF NEW YORK ASTM STANDARD RECORDS

SHWS: Inactive Hazardous Waste Disposal Sites in New York State
Source: Department of Environmental Conservation
Telephone: 518-402-9553
State Hazardous Waste Sites. State hazardous waste site records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. Available information varies by state.

Date of Government Version: 04/01/03
Date Made Active at EDR: 03/12/04
Database Release Frequency: Annually

Date of Data Arrival at EDR: 02/27/04
Elapsed ASTM days: 14
Date of Last EDR Contact: 08/23/04

SWF/LF: Facility Register
Source: Department of Environmental Conservation
Telephone: 518-457-2051
Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 08/01/04
Date Made Active at EDR: 09/24/04
Database Release Frequency: Semi-Annually

Date of Data Arrival at EDR: 08/06/04
Elapsed ASTM days: 49
Date of Last EDR Contact: 08/05/04

LTANKS: Spills Information Database
Source: Department of Environmental Conservation
Telephone: 518-402-9549
Leaking Storage Tank Incident Reports. These records contain an inventory of reported leaking storage tank incidents reported from 4/1/86 through the most recent update. They can be either leaking underground storage tanks or leaking aboveground storage tanks. The causes of the incidents are tank test failures, tank failures or tank overfills.

Date of Government Version: 07/26/04
Date Made Active at EDR: 08/26/04
Database Release Frequency: Varies

Date of Data Arrival at EDR: 08/04/04
Elapsed ASTM days: 22
Date of Last EDR Contact: 07/26/04

UST: Petroleum Bulk Storage (PBS) Database
Source: Department of Environmental Conservation
Telephone: 518-402-9549
Facilities that have petroleum storage capacities in excess of 1,100 gallons and less than 400,000 gallons.

Date of Government Version: 01/01/02
Date Made Active at EDR: 03/22/02
Database Release Frequency: No Update Planned

Date of Data Arrival at EDR: 02/20/02
Elapsed ASTM days: 30
Date of Last EDR Contact: 07/26/04

CBS UST: Chemical Bulk Storage Database
Source: NYSDEC
Telephone: 518-402-9549
Facilities that store regulated hazardous substances in underground tanks of any size

Date of Government Version: 01/01/02
Date Made Active at EDR: 03/22/02
Database Release Frequency: No Update Planned

Date of Data Arrival at EDR: 02/20/02
Elapsed ASTM days: 30
Date of Last EDR Contact: 07/26/04

MOSF UST: Major Oil Storage Facilities Database
Source: NYSDEC
Telephone: 518-402-9549
Facilities that may be onshore facilities or vessels, with petroleum storage capacities of 400,000 gallons or greater.

Date of Government Version: 01/01/02
Date Made Active at EDR: 03/22/02
Database Release Frequency: Varies

Date of Data Arrival at EDR: 02/20/02
Elapsed ASTM days: 30
Date of Last EDR Contact: 07/26/04

VCP: Voluntary Cleanup Agreements
Source: Department of Environmental Conservation
Telephone: 518-402-9711
The voluntary remedial program uses private monies to get contaminated sites r emediated to levels allowing for the sites' productive use. The program covers virtually any kind of site and contamination.

Date of Government Version: 06/29/04
Date Made Active at EDR: 08/16/04
Database Release Frequency: Semi-Annually

Date of Data Arrival at EDR: 06/29/04
Elapsed ASTM days: 48
Date of Last EDR Contact: 09/27/04

SWRCY: Registered Recycling Facility List
Source: Department of Environmental Conservation
Telephone: 518-402-8705
A listing of recycling facilities.

Date of Government Version: 09/10/04
Date Made Active at EDR: 10/07/04
Database Release Frequency: Semi-Annually

Date of Data Arrival at EDR: 09/10/04
Elapsed ASTM days: 27
Date of Last EDR Contact: 08/30/04

SWTIRE: Registered Waste Tire Storage & Facility List
Source: Department of Environmental Conservation
Telephone: 518-402-8694

Date of Government Version: 04/01/04
Date Made Active at EDR: 06/25/04
Database Release Frequency: Annually

Date of Data Arrival at EDR: 05/19/04
Elapsed ASTM days: 37
Date of Last EDR Contact: 08/19/04

STATE OF NEW YORK ASTM SUPPLEMENTAL RECORDS

HSWDS: Hazardous Substance Waste Disposal Site Inventory
Source: Department of Environmental Conservation
Telephone: 518-402-9564
The list includes any known or suspected hazardous substance waste disposal sites. Also included are sites delisted from the Registry of Inactive Hazardous Waste Disposal Sites and non-Registry sites that U.S. EPA Preliminary Assessment (PA) reports or Site Investigation (SI) reports were prepared. Hazardous Substance Waste Disposal Sites are eligible to be Superfund sites now that the New York State Superfund has been refinanced and changed. This means that the study inventory has served its purpose and will no longer be maintained as a separate entity. The last version of the study inventory is frozen in time. The sites on the study will not automatically be made Superfund sites, rather each site will be further evaluated for listing on the Registry. So overtime they will be added to the registry or not.

Date of Government Version: 09/01/02
Database Release Frequency: No Update Planned

Date of Last EDR Contact: 09/03/04
Date of Next Scheduled EDR Contact: 11/29/04

AST: Petroleum Bulk Storage
Source: Department of Environmental Conservation
Telephone: 518-402-9549
Registered Aboveground Storage Tanks.

Date of Government Version: 01/01/02
Database Release Frequency: No Update Planned

Date of Last EDR Contact: 07/26/04
Date of Next Scheduled EDR Contact: 10/25/04

CBS AST: Chemical Bulk Storage Database
Source: NYSDEC
Telephone: 518-402-9549
Facilities that store regulated hazardous substances in aboveground tanks with capacities of 185 gallons or greater, and/or in underground tanks of any size.

Date of Government Version: 01/01/02
Database Release Frequency: No Update Planned

Date of Last EDR Contact: 07/26/04
Date of Next Scheduled EDR Contact: 10/25/04

MOSF AST: Major Oil Storage Facilities Database
Source: NYSDEC
Telephone: 518-402-9549
Facilities that may be onshore facilities or vessels, with petroleum storage capacities of 400,000 gallons or greater.

Date of Government Version: 01/01/02
Database Release Frequency: No Update Planned

Date of Last EDR Contact: 07/26/04
Date of Next Scheduled EDR Contact: 10/25/04

SPILLS: Spills Information Database
Source: Department of Environmental Conservation
Telephone: 518-402-9549
Data collected on spills reported to NYSDEC as required by one or more of the following: Article 12 of the Navigation Law, 6 NYCRR Section 613.8 (from PBS regs), or 6 NYCRR Section 595.2 (from CBS regs). It includes spills active as of April 1, 1986, as well as spills occurring since this date.

Date of Government Version: 07/26/04
Database Release Frequency: Varies

Date of Last EDR Contact: 07/26/04
Date of Next Scheduled EDR Contact: 10/25/04

DEL SHWS: Delisted Registry Sites
Source: Department of Environmental Conservation
Telephone: 518-402-9553
A database listing of sites delisted from the Registry of Inactive Hazardous Waste Disposal Sites.

Date of Government Version: 04/01/04
Database Release Frequency: Annually

Date of Last EDR Contact: 08/23/04
Date of Next Scheduled EDR Contact: 11/22/04

DRYCLEANERS: Registered Drycleaners
Source: Department of Environmental Conservation
Telephone: 518-402-8403
A listing of all registered drycleaning facilities.

Date of Government Version: 06/15/04
Database Release Frequency: Varies

Date of Last EDR Contact: 05/21/04
Date of Next Scheduled EDR Contact: N/A

SPDES: State Pollutant Discharge Elimination System
Source: Department of Environmental Conservation
Telephone: 518-402-8233
New York State has a state program which has been approved by the United States Environmental Protection Agency for the control of wastewater and stormwater discharges in accordance with the Clean Water Act. Under New York State law the program is known as the State Pollutant Discharge Elimination System (SPDES) and is broader in scope than that required by the Clean Water Act in that it controls point source discharges to groundwaters as well as surface waters.

Date of Government Version: 06/24/04
Database Release Frequency: No Update Planned

Date of Last EDR Contact: 08/09/04
Date of Next Scheduled EDR Contact: 11/08/04

MANIFEST: Facility and Manifest Data
Source: Department of Environmental Conservation
Telephone: 518-402-8651
Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD facility.

Date of Government Version: 06/14/04
Database Release Frequency: Annually

Date of Last EDR Contact: 08/30/04
Date of Next Scheduled EDR Contact: 11/29/04

LOCAL RECORDS

CORTLAND COUNTY:

Cortland County Storage Tank Listing
Source: Cortland County Health Department
Telephone: 607-753-5035

Date of Government Version: 07/15/04
Database Release Frequency: Quarterly

Date of Last EDR Contact: 09/02/04
Date of Next Scheduled EDR Contact: 11/29/04

Cortland County Storage Tank Listing
Source: Cortland County Health Department
Telephone: 607-753-5035

Date of Government Version: 07/15/04
Database Release Frequency: Quarterly

Date of Last EDR Contact: 09/02/04
Date of Next Scheduled EDR Contact: 11/29/04

NASSAU COUNTY:

Registered Tank Database
Source: Nassau County Health Department
Telephone: 516-571-3314

Date of Government Version: 05/21/03
Database Release Frequency: No Update Planned

Date of Last EDR Contact: 08/03/04
Date of Next Scheduled EDR Contact: 11/01/04

Registered Tank Database
Source: Nassau County Health Department
Telephone: 516-571-3314

Date of Government Version: 05/21/03
Database Release Frequency: No Update Planned

Date of Last EDR Contact: 08/03/04
Date of Next Scheduled EDR Contact: 11/01/04

Storage Tank Database
Source: Nassau County Office of the Fire Marshal
Telephone: 516-572-1000

Date of Government Version: 05/25/04
Database Release Frequency: Varies

Date of Last EDR Contact: 08/09/04
Date of Next Scheduled EDR Contact: 11/08/04

Storage Tank Database
Source: Nassau County Office of the Fire Marshal
Telephone: 516-572-1000

Date of Government Version: 05/25/04
Database Release Frequency: Varies

Date of Last EDR Contact: 08/09/04
Date of Next Scheduled EDR Contact: 11/08/04

ROCKLAND COUNTY:

Petroleum Bulk Storage Database
Source: Rockland County Health Department
Telephone: 914-364-2605

Date of Government Version: 07/30/04
Database Release Frequency: Quarterly

Date of Last EDR Contact: 07/06/04
Date of Next Scheduled EDR Contact: 10/04/04

Petroleum Bulk Storage Database
Source: Rockland County Health Department
Telephone: 914-364-2605

Date of Government Version: 07/30/04
Database Release Frequency: Quarterly

Date of Last EDR Contact: 07/06/04
Date of Next Scheduled EDR Contact: 10/04/04

SUFFOLK COUNTY:

Storage Tank Database
Source: Suffolk County Department of Health Services
Telephone: 631-854-2521

Date of Government Version: 04/16/04
Database Release Frequency: Annually

Date of Last EDR Contact: 08/30/04
Date of Next Scheduled EDR Contact: 11/29/04

Storage Tank Database
Source: Suffolk County Department of Health Services
Telephone: 631-854-2521

Date of Government Version: 04/16/04
Database Release Frequency: Annually

Date of Last EDR Contact: 08/30/04
Date of Next Scheduled EDR Contact: 11/29/04

WESTCHESTER COUNTY:

Listing of Storage Tanks
Source: Westchester County Department of Health
Telephone: 914-813-5161
Listing of underground storage tanks in Westchester County.

Date of Government Version: 06/16/04
Database Release Frequency: Varies

Date of Last EDR Contact: 08/30/04
Date of Next Scheduled EDR Contact: 11/29/04

Listing of Storage Tanks
Source: Westchester County Department of Health
Telephone: 914-813-5161
Listing of aboveground storage tanks in Westchester County.

Date of Government Version: 06/16/04
Database Release Frequency: Varies

Date of Last EDR Contact: 08/30/04
Date of Next Scheduled EDR Contact: 11/29/04

EDR PROPRIETARY HISTORICAL DATABASES

Former Manufactured Gas (Coal Gas) Sites: The existence and location of Coal Gas sites is provided exclusively to EDR by Real Property Scan, Inc. ©Copyright 1993 Real Property Scan, Inc. For a technical description of the types of hazards which may be found at such sites, contact your EDR customer service representative.

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The information contained in this report has predominantly been obtained from publicly available sources produced by entities other than Real Property Scan. While reasonable steps have been taken to insure the accuracy of this report, Real Property Scan does not guarantee the accuracy of this report. Any liability on the part of Real Property Scan is strictly limited to a refund of the amount paid. No claim is made for the actual existence of toxins at any site. This report does not constitute a legal opinion.

BROWNFIELDS DATABASES

Brownfields: Brownfields Site List
Source: Department of Environmental Conservation
Telephone: 518-402-9764

Date of Government Version: 06/29/04
Database Release Frequency: Semi-Annually

Date of Last EDR Contact: 09/27/04
Date of Next Scheduled EDR Contact: 12/13/04

VCP: Voluntary Cleanup Agreements
Source: Department of Environmental Conservation
Telephone: 518-402-9711
The voluntary remedial program uses private monies to get contaminated sites r emediated to levels allowing for the sites' productive use. The program covers virtually any kind of site and contamination.

Date of Government Version: 06/29/04
Database Release Frequency: Semi-Annually

Date of Last EDR Contact: 09/27/04
Date of Next Scheduled EDR Contact: 12/13/04

US BROWNFIELDS: A Listing of Brownfields Sites
Source: Environmental Protection Agency
Telephone: 202-566-2777
Included in the listing are brownfields properties addresses by Cooperative Agreement Recipients and brownfields properties addressed by Targeted Brownfields Assessments. Targeted Brownfields Assessments-EPA's Targeted Brownfields Assessments (TBA) program is designed to help states, tribes, and municipalities--especially those without EPA Brownfields Assessment Demonstration Pilots--minimize the uncertainties of contamination often associated with brownfields. Under the TBA program, EPA provides funding and/or technical assistance for environmental assessments at brownfields sites throughout the country. Targeted Brownfields Assessments supplement and work with other efforts under EPA's Brownfields Initiative to promote cleanup and redevelopment of brownfields. Cooperative Agreement Recipients-States, political subdivisions, territories, and Indian tribes become BCRLF cooperative agreement recipients when they enter into BCRLF cooperative agreements with the U.S. EPA. EPA selects BCRLF cooperative agreement recipients based on a proposal and application process. BCRLF cooperative agreement recipients must use EPA funds provided through BCRLF cooperative agreement for specified brownfields-related cleanup activities.

Date of Government Version: N/A
Database Release Frequency: Semi-Annually

Date of Last EDR Contact: N/A
Date of Next Scheduled EDR Contact: N/A

OTHER DATABASE(S)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

Oil/Gas Pipelines: This data was obtained by EDR from the USGS in 1994. It is referred to by USGS as GeoData Digital Line Graphs from 1:100,000-Scale Maps. It was extracted from the transportation category including some oil, but primarily gas pipelines.

Electric Power Transmission Line Data
Source: PennWell Corporation
Telephone: (800) 823-6277
This map includes information copyrighted by PennWell Corporation. This information is provided on a best effort basis and PennWell Corporation does not guarantee its accuracy nor warrant its fitness for any particular purpose. Such information has been reprinted with the permission of PennWell.

Sensitive Receptors: There are individuals deemed sensitive receptors due to their fragile immune systems and special sensitivity to environmental discharges. These sensitive receptors typically include the elderly, the sick, and children. While the location of all sensitive receptors cannot be determined, EDR indicates those buildings and facilities - schools, daycares, hospitals, medical centers, and nursing homes - where individuals who are sensitive receptors are likely to be located.

AHA Hospitals:
Source: American Hospital Association, Inc.
Telephone: 312-280-5991
The database includes a listing of hospitals based on the American Hospital Association's annual survey of hospitals.

Medical Centers: Provider of Services Listing
Source: Centers for Medicare & Medicaid Services
Telephone: 410-786-3000
A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services, a federal agency within the U.S. Department of Health and Human Services.

Nursing Homes
Source: National Institutes of Health
Telephone: 301-594-6248
Information on Medicare and Medicaid certified nursing homes in the United States.

Public Schools
Source: National Center for Education Statistics
Telephone: 202-502-7300
The National Center for Education Statistics' primary database on elementary and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are comparable across all states.

Private Schools
Source: National Center for Education Statistics
Telephone: 202-502-7300
The National Center for Education Statistics' primary database on private school locations in the United States.

Daycare Centers: Day Care Providers
Source: Department of Health
Telephone: 212-676-2444

Flood Zone Data: This data, available in select counties across the country, was obtained by EDR in 1999 from the Federal Emergency Management Agency (FEMA). Data depicts 100-year and 500-year flood zones as defined by FEMA.

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002 from the U.S. Fish and Wildlife Service.

New York State Wetlands
Source: Department of Environmental Conservation
Telephone: 518-402-8961
Coverages are based on official New York State Freshwater Wetlands Maps as described in Article 24-0301 of the Environmental Conservation Law.

STREET AND ADDRESS INFORMATION

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GEOCHECK®- PHYSICAL SETTING SOURCE ADDENDUM

TARGET PROPERTY ADDRESS

UGC - CARRIAGE HILLS ESTATES
ROUTE 2 AND PINEWOODS AVENUE
BRUNSWICK, NY 12180

TARGET PROPERTY COORDINATES

Latitude (North):	42.727600 - 42' 43' 39.4"
Longitude (West):	73.629303 - 73' 37' 45.5"
Universal Tranverse Mercator:	Zone 18
UTM X (Meters):	612219.8
UTM Y (Meters):	4731262.0
Elevation:	542 ft. above sea level

EDR's GeoCheck Physical Setting Source Addendum has been developed to assist the environmental professional with the collection of physical setting source information in accordance with ASTM 1527-00, Section 7.2.3. Section 7.2.3 requires that a current USGS 7.5 Minute Topographic Map (or equivalent, such as the USGS Digital Elevation Model) be reviewed. It also requires that one or more additional physical setting sources be sought when (1) conditions have been identified in which hazardous substances or petroleum products are likely to migrate to or from the property, and (2) more information than is provided in the current USGS 7.5 Minute Topographic Map (or equivalent) is generally obtained, pursuant to local good commercial or customary practice, to assess the impact of migration of recognized environmental conditions in connection with the property. Such additional physical setting sources generally include information about the topographic, hydrologic, hydrogeologic, and geologic characteristics of a site, and wells in the area.

Assessment of the impact of contaminant migration generally has two principle investigative components:

1. Groundwater flow direction, and
2. Groundwater flow velocity.

Groundwater flow direction may be impacted by surface topography, hydrology, hydrogeology, characteristics of the soil, and nearby wells. Groundwater flow velocity is generally impacted by the nature of the geologic strata. EDR's GeoCheck Physical Setting Source Addendum is provided to assist the environmental professional in forming an opinion about the impact of potential contaminant migration.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

GROUNDWATER FLOW DIRECTION INFORMATION

Groundwater flow direction for a particular site is best determined by a qualified environmental professional using site-specific well data. If such data is not reasonably ascertainable, it may be necessary to rely on other sources of information, such as surface topographic information, hydrologic information, hydrogeologic data collected on nearby properties, and regional groundwater flow information (from deep aquifers).

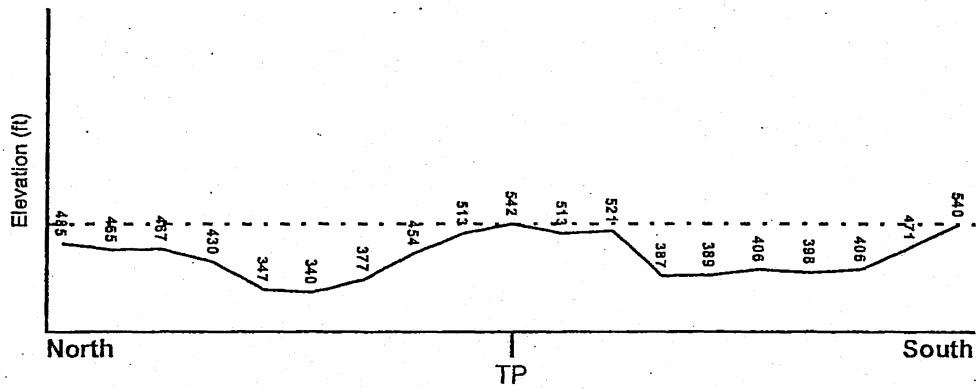
TOPOGRAPHIC INFORMATION

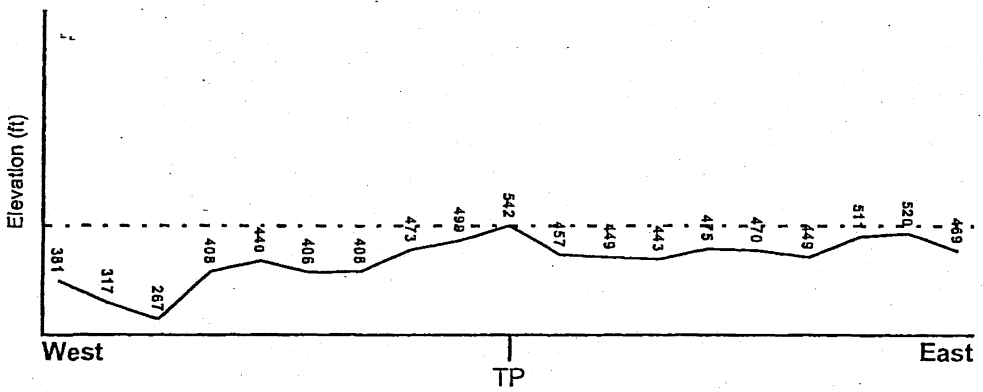
Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

TARGET PROPERTY TOPOGRAPHY

USGS Topographic Map:	42073-F6 TROY SOUTH, NY
General Topographic Gradient:	General North
Source:	USGS 7.5 min quad index

SURROUNDING TOPOGRAPHY: ELEVATION PROFILES





Target Property Elevation: 542 ft.

0 1/2 1 Miles

Source: Topography has been determined from the USGS 7.5' Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

HYDROLOGIC INFORMATION

Surface water can act as a hydrologic barrier to groundwater flow. Such hydrologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Refer to the Physical Setting Source Map following this summary for hydrologic information (major waterways and bodies of water).

FEMA FLOOD ZONE

Target Property County	FEMA Flood Electronic Data
RENSSELAER, NY	YES - refer to the Overview Map and Detail Map

Flood Plain Panel at Target Property:	3611300011B
Additional Panels in search area:	3611300012B 3611300014B 3611300013B

NATIONAL WETLAND INVENTORY

NWI Quad at Target Property	NWI Electronic Data Coverage
TROY SOUTH	Not Available

HYDROGEOLOGIC INFORMATION

Hydrogeologic information obtained by installation of wells on a specific site can often be an indicator of groundwater flow direction in the immediate area. Such hydrogeologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Site-Specific Hydrogeological Data*:

Search Radius:	1.25 miles
Status:	Not found

AQUIFLOW®

Search Radius: 1.000 Mile.

EDR has developed the AQUIFLOW Information System to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted by environmental professionals to regulatory authorities at select sites and has extracted the date of the report, groundwater flow direction as determined hydrogeologically, and the depth to water table.

MAP ID	LOCATION FROM TP	GENERAL DIRECTION GROUNDWATER FLOW
Not Reported		

* ©1996 Site-specific hydrogeological data gathered by CERCLIS Alerts, Inc., Bainbridge Island, WA. All rights reserved. All of the information and opinions presented are those of the cited EPA report(s), which were completed under a Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) investigation.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

GROUNDWATER FLOW VELOCITY INFORMATION

Groundwater flow velocity information for a particular site is best determined by a qualified environmental professional using site specific geologic and soil strata data. If such data are not reasonably ascertainable, it may be necessary to rely on other sources of information, including geologic age identification, rock stratigraphic unit and soil characteristics data collected on nearby properties and regional soil information. In general, contaminant plumes move more quickly through sandy-gravelly types of soils than silty-clayey types of soils.

GEOLOGIC INFORMATION IN GENERAL AREA OF TARGET PROPERTY

Geologic information can be used by the environmental professional in forming an opinion about the relative speed at which contaminant migration may be occurring.

ROCK STRATIGRAPHIC UNIT

Era:	Paleozoic
System:	Cambrian
Series:	Cambrian
Code:	Ce *(decoded above as Era, System & Series)*

GEOLOGIC AGE IDENTIFICATION

Category: Eugeosynclinal Deposits

Geologic Age and Rock Stratigraphic Unit Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - a digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

DOMINANT SOIL COMPOSITION IN GENERAL AREA OF TARGET PROPERTY

The U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) leads the National Cooperative Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps. The following information is based on Soil Conservation Service STATSGO data.

Soil Component Name:	BERNARDSTON
Soil Surface Texture:	gravelly - silt loam
Hydrologic Group:	Class C - Slow infiltration rates. Soils with layers impeding downward movement of water, or soils with moderately fine or fine textures.
Soil Drainage Class:	Well drained. Soils have intermediate water holding capacity. Depth to water table is more than 6 feet.

Hydric Status: Soil does not meet the requirements for a hydric soil.

Corrosion Potential - Uncoated Steel:	LOW
Depth to Bedrock Min:	> 60 inches
Depth to Bedrock Max:	> 60 inches

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
	Boundary			Classification			
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil	Permeability Rate (in/hr)	Soil Reaction (pH)
1	0 inches	6 inches	gravelly - silt loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), silt.	Max: 2.00 Min: 0.60	Max: 6.00 Min: 4.50
2	6 inches	20 inches	channery - silt loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), silt.	Max: 2.00 Min: 0.60	Max: 6.00 Min: 4.50
3	20 inches	65 inches	channery - silt loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), silt.	Max: 0.20 Min: 0.06	Max: 6.00 Min: 4.50

OTHER SOIL TYPES IN AREA

Based on Soil Conservation Service STATSGO data, the following additional subordinant soil types may appear within the general area of target property.

Soil Surface Textures: channery - silt loam
very stony - silt loam
silt loam
unweathered bedrock

Surficial Soil Types: channery - silt loam
very stony - silt loam
silt loam
unweathered bedrock

Shallow Soil Types: very channery - silt loam
channery - fine sandy loam

Deeper Soil Types: channery - loam
unweathered bedrock
loam

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

ADDITIONAL ENVIRONMENTAL RECORD SOURCES

According to ASTM E 1527-00, Section 7.2.2, "one or more additional state or local sources of environmental records may be checked, in the discretion of the environmental professional, to enhance and supplement federal and state sources... Factors to consider in determining which local or additional state records, if any, should be checked include (1) whether they are reasonably ascertainable, (2) whether they are sufficiently useful, accurate, and complete in light of the objective of the records review (see 7.1.1), and (3) whether they are obtained, pursuant to local, good commercial or customary practice." One of the record sources listed in Section 7.2.2 is water well information. Water well information can be used to assist the environmental professional in assessing sources that may impact groundwater flow direction, and in forming an opinion about the impact of contaminant migration on nearby drinking water wells.

WELL SEARCH DISTANCE INFORMATION

DATABASE	SEARCH DISTANCE (miles)
Federal USGS	1.000
Federal FRDS PWS	Nearest PWS within 1 mile
State Database	1.000

FEDERAL USGS WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
No Wells Found		

FEDERAL FRDS PUBLIC WATER SUPPLY SYSTEM INFORMATION

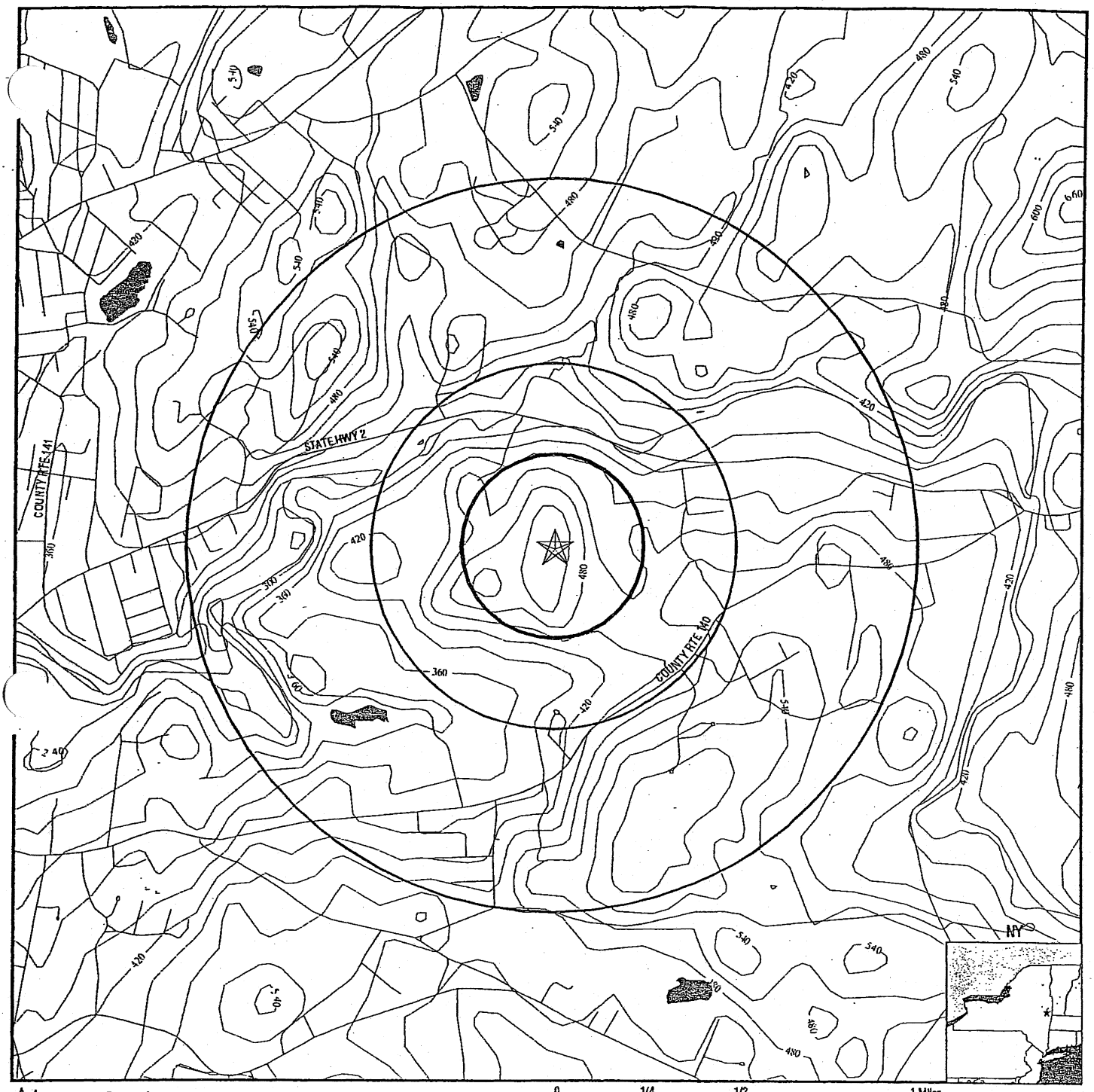
MAP ID	WELL ID	LOCATION FROM TP
No PWS System Found		

Note: PWS System location is not always the same as well location.

STATE DATABASE WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
No Wells Found		

PHYSICAL SETTING SOURCE MAP - 1285210.2s



County Boundary
Major Roads
Contour Lines
Earthquake epicenter, Richter 5 or greater
Water Wells
Public Water Supply Wells
Cluster of Multiple Icons

0 1/4 1/2 1 Miles

Groundwater Flow Direction
GI Indeterminate Groundwater Flow at Location
GV Groundwater Flow Varies at Location
HD Closest Hydrogeological Data

TARGET PROPERTY:	UGC - Carriage Hills Estates	CUSTOMER:	Lansing Hisert Group
ADDRESS:	Route 2 and Pinewoods Avenue	CONTACT:	Mark A. Williams, PG
CITY/STATE/ZIP:	Brunswick NY 12180	INQUIRY #:	1285210.2s
LAT/LONG:	42.7276 / 73.6293	DATE:	October 11, 2004 10:09 am

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GEOCHECK®- PHYSICAL SETTING SOURCE MAP FINDINGS
RADON

AREA RADON INFORMATION

State Database: NY Radon

Radon Test Results

Zip	Num Sites	< 4 Pci/L	>= 4 Pci/L	>= 20 Pci/L	Avg > 4 Pci/L	Max Pci/L
12180	333	183 (55%)	139 (41.7%)	11 (3.3%)	6.30	134.7
12180	1	1 (100%)	0 (0%)	0 (0%)	0.50	0.5
12180	1	0 (0%)	1 (100%)	0 (0%)	4.10	4.1
12180	1	1 (100%)	0 (0%)	0 (0%)	0.90	0.9
12180	1	1 (100%)	0 (0%)	0 (0%)	3.60	3.6
12180	1	0 (0%)	0 (0%)	1 (100%)	32.60	32.6
12180	1	1 (100%)	0 (0%)	0 (0%)	2.90	2.9
12180	1	0 (0%)	1 (100%)	0 (0%)	7.70	7.7
12180	1	1 (100%)	0 (0%)	0 (0%)	1.40	1.4

Federal EPA Radon Zone for RENSSELAER County: 1

Note: Zone 1 indoor average level > 4 pCi/L.
: Zone 2 indoor average level >= 2 pCi/L and <= 4 pCi/L.
: Zone 3 indoor average level < 2 pCi/L.

Federal Area Radon Information for RENSSELAER COUNTY, NY

Number of sites tested: 85

Area	Average Activity	% <4 pCi/L	% 4-20 pCi/L	% >20 pCi/L
Living Area	1.570 pCi/L	87%	13%	0%
Basement	2.890 pCi/L	66%	31%	4%

PHYSICAL SETTING SOURCE RECORDS SEARCHED

TOPOGRAPHIC INFORMATION

USGS 7.5' Digital Elevation Model (DEM)
Source: United States Geologic Survey
EDR acquired the USGS 7.5' Digital Elevation Model in 2002. 7.5-Minute DEMs correspond to the USGS 1:24,000- and 1:25,000-scale topographic quadrangle maps.

HYDROLOGIC INFORMATION

Flood Zone Data: This data, available in select counties across the country, was obtained by EDR in 1999 from the Federal Emergency Management Agency (FEMA). Data depicts 100-year and 500-year flood zones as defined by FEMA.

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002 from the U.S. Fish and Wildlife Service.

New York State Wetlands
Source: Department of Environmental Conservation
Telephone: 518-402-8961
Coverages are based on official New York State Freshwater Wetlands Maps as described in Article 24-0301 of the Environmental Conservation Law.

HYDROGEOLOGIC INFORMATION

AQUIFLOW[R] Information System
Source: EDR proprietary database of groundwater flow information
EDR has developed the AQUIFLOW Information System (AIS) to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted to regulatory authorities at select sites and has extracted the date of the report, hydrogeologically determined groundwater flow direction and depth to water table information.

GEOLOGIC INFORMATION

Geologic Age and Rock Stratigraphic Unit
Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - A digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

STATSGO: State Soil Geographic Database
Source: Department of Agriculture, Natural Resources Conservation Services
The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) leads the national Conservation Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps.

ADDITIONAL ENVIRONMENTAL RECORD SOURCES

FEDERAL WATER WELLS

PWS: Public Water Systems
Source: EPA/Office of Drinking Water
Telephone: 202-564-3750
Public Water System data from the Federal Reporting Data System. A PWS is any water system which provides water to at least 25 people for at least 60 days annually. PWSs provide water from wells, rivers and other sources.

PWS ENF: Public Water Systems Violation and Enforcement Data
Source: EPA/Office of Drinking Water
Telephone: 202-564-3750
Violation and Enforcement data for Public Water Systems from the Safe Drinking Water Information System (SDWIS) after August 1995. Prior to August 1995, the data came from the Federal Reporting Data System (FRDS).

USGS Water Wells: USGS National Water Inventory System (NWIS)
This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on wells, springs, and other sources of groundwater.

PHYSICAL SETTING SOURCE RECORDS SEARCHED

STATE RECORDS

New York Public Water Wells
Source: New York Department of Health
Telephone: 518-458-6731

New York Facility and Manifest Data
Source: NYSDEC
Telephone: 518-457-6585
Facility and manifest data. Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a tsd facility.

RADON

State Database: NY Radon
Source: Department of Health
Telephone: 518-402-7556
Radon Test Results

Area Radon Information
Source: USGS
Telephone: 703-356-4020
The National Radon Database has been developed by the U.S. Environmental Protection Agency (USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at private sources such as universities and research institutions.

EPA Radon Zones
Source: EPA
Telephone: 703-356-4020
Sections 307 & 309 of IRAA directed EPA to list and identify areas of U.S. with the potential for elevated indoor radon levels.

OTHER

Airport Landing Facilities: Private and public use landing facilities
Source: Federal Aviation Administration, 800-457-6656

Epicenters: World earthquake epicenters, Richter 5 or greater
Source: Department of Commerce, National Oceanic and Atmospheric Administration

EDR Site Report™

BRUNSWICK TIRE FIRE RT 2
RT 2 PINEWOODS AVE
BRUNSWICK EAGLE MILLS, NY

Inquiry Number:

October 16, 2004

EDR® Environmental
Data Resources Inc

The Standard in Environmental Risk Management Information

440 Wheelers Farms Road
Milford, Connecticut 06460

Nationwide Customer Service

Telephone: 1-800-352-0050
Fax: 1-800-231-6802
Internet: www.edrnet.com

TABLE OF CONTENTS

The EDR-Site Report™ is a comprehensive presentation of government filings on a facility identified in a search of over 4 million government records from more than 600 federal, state and local environmental databases. The report is divided into three sections:

Section 1: Facility Summary ..... **Page 3**

Summary of facility filings including a review of the following areas: waste management, waste disposal, multi-media issues, and Superfund liability.

Section 2: Facility Detail Reports ..... **Page 4**

All available detailed information from databases where sites are identified.

Section 3: Databases Searched and Update Information ..... **Page 5**

Name, source, update dates, contact phone number and description of each of the databases searched for this report.

Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

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SECTION 1: FACILITY SUMMARY

FACILITY AREA	FACILITY 1 BRUNSWICK TIRE FIRE RT 2 RT 2 PINEWOODS AVE BRUNSWICK EAGLE MILLS, NY EDR ID #S103561026
WASTE MANAGEMENT Facility generates hazardous waste (RCRIS)	NO
Facility treats, stores, or disposes of hazardous waste on-site (RCRIS/TSDF)	NO
Facility has received Notices of Violations (RCRIS/VIOL)	NO
Facility has been subject to RCRA administrative actions (RAATS)	NO
Facility has been subject to corrective actions (CORRACTS)	NO
Facility handles PCBs (PADS)	NO
Facility uses radioactive materials (MLTS)	NO
Facility manages registered aboveground storage tanks (AST)	NO
Facility manages registered underground storage tanks (UST)	NO
Facility has reported leaking underground storage tank incidents (LUST)	NO
Facility has reported emergency releases to the soil (ERNS)	NO
Facility has reported hazardous material incidents to DOT (HMIRS)	NO
WASTE DISPOSAL Facility is a Superfund Site (NPL)	NO
Facility has a known or suspect abandoned, inactive or uncontrolled hazardous waste site (CERCLIS)	NO
Facility has a reported Superfund Lien on it (LIENS)	NO
Facility is listed as a state hazardous waste site (SHWS)	NO
Facility has disposed of solid waste on-site (SWF/LF)	NO
MULTIMEDIA Facility uses toxic chemicals and has notified EPA under SARA Title III, Section 313 (TRIS)	NO
Facility produces pesticides and has notified EPA under Section 7 of FIFRA (SSTS)	NO
Facility manufactures or imports toxic chemicals on the TSCA list (TSCA)	NO
Facility has inspections under FIFRA, TSCA or EPCRA (FTTS)	NO
Facility is listed in EPA's index system (FINDS)	NO
Facility is listed in a county/local unique database (LOCAL)	YES - p4
POTENTIAL SUPERFUND LIABILITY Facility has a list of potentially responsible parties PRP	NO
TOTAL (YES)	1

MULTIMEDIA

Facility is listed in a county/local unique database

DATABASE: State/County (LOCAL)

BRUNSWICK TIRE FIRE RT 2
RT 2 PINEWOODS AVE
BRUNSWICK EAGLE MILLS, NY
EDR ID #S103561026

Database: NY SPILLS

SPILLS:

Spill Number:	9012362	Region of Spill:	4
Spill Date:	02/23/1991 12:00	Reported to Dept:	02/23/91 14:00
ID:	Not reported		
Dt Call Received:	Not reported	Region Close Date	Not reported
Material Spilled 1 :	Not reported	Amount Spilled 1 :	Not reported
Spill Cause:	Other	Resource Affected:	On Land
Water Affected:	Not reported	Spill Source:	Other Commercial/Industrial
Facility Contact:	Not reported	Facility Tele:	Not reported
Investigator:	BLAIN/Etc	SWIS:	38
Caller Name:	Not reported	Caller Agency:	Not reported
Caller Phone:	Not reported	Caller Extension:	Not reported
Notifier Name:	Not reported	Notifier Agency:	Not reported
Notifier Phone:	Not reported	Notifier Extension:	Not reported
PBS :	Not reported		
Spiller Contact:	Not reported	Spiller Phone:	Not reported
Spiller:	Not reported		
Spiller Address:	Not reported		

DEC Remarks : 09/28/95: This is additional information about material spilled from the translation of the old spill file: BURNING TIRE BY-PROD

Remark: TK SAW SMOKE OF FIRE, ECO MCLEAN ON SITE. 02/25-BLAIN WATER TECHS INSPECTED, NO PARTICULAR PETRO RUN-OFF. NO FURTHER ACTION AT THIS TIME.

Spill Class: Possible release with minimal potential for fire or hazard or Known release with no damage. No DEC Response. No corrective action required.

Tank Test:

PBS Number:	Not reported
Tank Number:	Not reported
Test Method:	Not reported
Capacity of Failed Tank:	Not reported
Leak Rate Failed Tank:	Not reported
Gross Leak Rate:	Not reported

Material:

Material Class Type:	Not reported
Quantity Spilled:	Not reported
Units:	Not reported
Unknown Qty Spilled:	Not reported
Quantity Recovered:	Not reported
Unknown Qty Recovered:	Not reported
Material:	Not reported
Class Type:	Not reported
Chem Abstract Service Number:	Not reported
Last Date:	Not reported
Num Times Material Entry In File:	Not reported

Spill Closed Dt:	03/05/91		
Spill Notifier:	Other	PBS Number:	Not reported
Cleanup Ceased:	02/27/91		
Last Inspection:	/ /	Cleanup Meets Std:	True
Recommended Penalty:	Penalty Not Recommended		
Spiller Cleanup Dt:	/ /	Enforcement Date:	/ /
Invstgn Complete:	/ /	UST Involvement:	False
Spill Record Last Update:	10/21/96		
Is Updated:	False		

Corrective Action Plan Submitted: / /
Date Spill Entered In Computer Data File: 03/05/91
Date Region Sent Summary to Central Office: / /
True Date : Not reported

SECTION 3: DATABASES SEARCHED AND UPDATE DATES

To maintain currency of the following federal, state and local databases, EDR contacts the appropriate government agency on a monthly or quarterly basis as required.

Elapsed ASTM days: Provides confirmation that this report meets or exceeds the 90-day updating requirement of the ASTM standard.

WASTE MANAGEMENT

RCRIS: Resource Conservation and Recovery Information System
Source: EPA
Telephone: 800-424-9346
Resource Conservation and Recovery Information System. RCRIS includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs): generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month. Small quantity generators (SQGs): generate between 100 kg and 1,000 kg of hazardous waste per month. Large quantity generators (LQGs): generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month. Transporters are individuals or entities that move hazardous waste from the generator off-site to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

Date of Government Version: 08/10/2004
Database Release Frequency: Varies
Date of Last EDR Contact: 08/24/2004
Date of Next Scheduled Update: 11/25/2004

BRS: Biennial Reporting System
Source: EPA/NTIS
Telephone: 800-424-9346
The Biennial Reporting System is a national system administered by the EPA that collects data on the generation and management of hazardous waste. BRS captures detailed data from two groups: Large Quantity Generators (LQG) and Treatment, Storage, and Disposal Facilities.

Date of Government Version: 12/01/2001
Database Release Frequency: Biennially
Date of Last EDR Contact: 09/20/2004
Date of Next Scheduled Update: 12/13/2004

RAATS: RCRA Administrative Action Tracking System
Source: EPA
Telephone: 202-564-4104
RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA. For administration actions after September 30, 1995, data entry in the RAATS database was discontinued. EPA will retain a copy of the database for historical records. It was necessary to terminate RAATS because a decrease in agency resources made it impossible to continue to update the information contained in the database.

Date of Government Version: 04/17/1995
Database Release Frequency: No Update Planned
Date of Last EDR Contact: 09/07/2004
Date of Next Scheduled Update: 12/06/2004

CORRACTS: Corrective Action Report
Source: EPA
Telephone: 800-424-9346
CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Date of Government Version: 06/15/2004
Database Release Frequency: Semi-Annually
Date of Last EDR Contact: 09/07/2004
Date of Next Scheduled Update: 12/06/2004

PADS: PCB Activity Database System
Source: EPA
Telephone: 202-564-3887
PCB Activity Database. PADS Identifies generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

Date of Government Version: 06/29/2004
Database Release Frequency: Annually
Date of Last EDR Contact: 08/10/2004
Date of Next Scheduled Update: 11/08/2004

MLTS: Material Licensing Tracking System
Source: Nuclear Regulatory Commission
Telephone: 301-415-7169
MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 07/15/2004
Database Release Frequency: Quarterly
Date of Last EDR Contact: 07/06/2004
Date of Next Scheduled Update: 10/04/2004

NY AST: Petroleum Bulk Storage
Source: Department of Environmental Conservation
Telephone: 518-402-9549
Registered Aboveground Storage Tanks.

Date of Government Version: 01/01/2002
Database Release Frequency: No Update Planned
Date of Last EDR Contact: 07/26/2004
Date of Next Scheduled Update: 10/25/2004

NY UST: Petroleum Bulk Storage (PBS) Database
Source: Department of Environmental Conservation
Telephone: 518-402-9549
Facilities that have petroleum storage capacities in excess of 1,100 gallons and less than 400,000 gallons.

Date of Government Version: 01/01/2002
Database Release Frequency: No Update Planned
Date of Last EDR Contact: 07/26/2004
Date of Next Scheduled Update: 10/25/2004

ERNS: Emergency Response Notification System
Source: National Response Center, United States Coast Guard
Telephone: 202-260-2342
Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances.

Date of Government Version: 12/31/2003
Database Release Frequency: Annually
Date of Last EDR Contact: 07/26/2004
Date of Next Scheduled Update: 10/25/2004

HMIRS: Hazardous Materials Information Reporting System
Source: U.S. Department of Transportation
Telephone: 202-366-4555
Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT.

Date of Government Version: 02/17/2004
Database Release Frequency: Annually
Date of Last EDR Contact: 04/20/2004
Date of Next Scheduled Update: 07/19/2004

WASTE DISPOSAL

NPL: National Priority List
Source: EPA
Telephone: Not reported
National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA's Environmental Photographic Interpretation Center (EPIC) and regional EPA offices.

Date of Government Version: 07/30/2004
Date Made Active at EDR: 09/09/2004
Database Release Frequency: Semi-Annually
Date of Data Arrival at EDR: 08/03/2004
Elapsed ASTM Days: 37
Date of Last EDR Contact: 08/03/2004

PROPOSED NPL: Proposed National Priority List Sites
Source: EPA
Telephone: Not reported

Date of Government Version: 07/22/2004
Date Made Active at EDR: 09/09/2004
Database Release Frequency: Semi-Annually
Date of Data Arrival at EDR: 08/03/2004
Elapsed ASTM Days: 37
Date of Last EDR Contact: 08/03/2004

DELISTED NPL: National Priority List Deletions
Source: EPA
Telephone: Not reported
The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

Date of Government Version: 07/30/2004
Date Made Active at EDR: 09/09/2004
Database Release Frequency: Quarterly
Date of Data Arrival at EDR: 08/03/2004
Elapsed ASTM Days: 37
Date of Last EDR Contact: 08/03/2004

CERCLIS: Comprehensive Environmental Response, Compensation, and Liability Information System
Source: EPA
Telephone: 703-413-0223
CERCLIS contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). CERCLIS contains sites which are either proposed to or on the National Priorities List (NPL) and sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 05/17/2004
Date Made Active at EDR: 08/10/2004
Database Release Frequency: Quarterly
Date of Data Arrival at EDR: 06/23/2004
Elapsed ASTM Days: 48
Date of Last EDR Contact: 09/21/2004

CERCLIS-NFRAP: CERCLIS No Further Remedial Action Planned
Source: EPA
Telephone: 703-413-0223
As of February 1995, CERCLIS sites designated "No Further Remedial Action Planned" (NFRAP) have been removed from CERCLIS. NFRAP sites may be sites where, following an initial investigation, no contamination was found, contamination was removed quickly without the need for the site to be placed on the NPL, or the contamination was not serious enough to require Federal Superfund action or NPL consideration. EPA has removed approximately 25,000 NFRAP sites to lift the unintended barriers to the redevelopment of these properties and has archived them as historical records so EPA does not needlessly repeat the investigations in the future. This policy change is part of the EPA's Brownfields Redevelopment Program to help cities, states, private investors and affected citizens to promote economic redevelopment of unproductive urban sites.

Date of Government Version: 05/17/2004
Database Release Frequency: Quarterly
Date of Last EDR Contact: 09/21/2004
Date of Next Scheduled Update: 12/20/2004

NPL LIENS: Federal Superfund Liens
Source: EPA
Telephone: 202-564-4267
Federal Superfund Liens. Under the authority granted the USEPA by the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner receives notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

Date of Government Version: 10/15/1991
Date Made Active at EDR: 03/30/1994
Database Release Frequency: No Update Planned
Date of Data Arrival at EDR: 02/02/1994
Elapsed ASTM Days: 56
Date of Last EDR Contact: 08/23/2004

NY SHWS: Inactive Hazardous Waste Disposal Sites in New York State
Source: Department of Environmental Conservation
Telephone: 518-402-9553
State Hazardous Waste Sites. State hazardous waste site records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. Available information varies by state.

Date of Government Version: 04/01/2003
Database Release Frequency: Annually
Date of Last EDR Contact: 08/23/2004
Date of Next Scheduled Update: 11/22/2004

NY SWF/LF: Facility Register
Source: Department of Environmental Conservation
Telephone: 518-457-2051
Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 08/01/2004
Database Release Frequency: Semi-Annually
Date of Last EDR Contact: 08/05/2004
Date of Next Scheduled Update: 11/01/2004

MULTIMEDIA

TRIS: Toxic Chemical Release Inventory System
Source: EPA
Telephone: 202-566-0250
Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

Date of Government Version: 12/31/2002
Database Release Frequency: Annually
Date of Last EDR Contact: 09/20/2004
Date of Next Scheduled Update: 12/20/2004

SSTS: Section 7 Tracking Systems
Source: EPA
Telephone: 202-564-5008
Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (92 Stat. 829) requires all registered pesticide-producing establishments to submit a report to the Environmental Protection Agency by March 1st each year. Each establishment must report the types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed in the past year.

Date of Government Version: 12/31/2001
Database Release Frequency: Annually
Date of Last EDR Contact: 07/20/2004
Date of Next Scheduled Update: 10/18/2004

TSCA: Toxic Substances Control Act
Source: EPA
Telephone: 202-260-5521
Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant site.

Date of Government Version: 12/31/2002
Database Release Frequency: N/A
Date of Last EDR Contact: 09/07/2004
Date of Next Scheduled Update: 12/06/2004

FTTS: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
Source: EPA/Office of Prevention, Pesticides and Toxic Substances
Telephone: 202-564-2501
FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 04/13/2004
Database Release Frequency: Quarterly
Date of Last EDR Contact: 09/07/2004
Date of Next Scheduled Update: 12/20/2004

FTTS INSP: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
Source: EPA
Telephone: 202-564-2501

Date of Government Version: 04/13/2004
Database Release Frequency: Quarterly
Date of Last EDR Contact: 09/07/2004
Date of Next Scheduled Update: 12/20/2004

FINDS: Facility Index System/Facility Identification Initiative Program Summary Report
Source: EPA
Telephone: Not reported
Facility Index System. FINDS contains both facility information and 'pointers' to other sources that contain more detail. EDR includes the following FINDS databases in this report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

Date of Government Version: 04/08/2004
Database Release Frequency: Quarterly
Date of Last EDR Contact: 07/06/2004
Date of Next Scheduled Update: 10/04/2004

SECTION 3: DATABASES SEARCHED AND UPDATE DATES

...Continued...

NY SPDES: State Pollutant Discharge Elimination System
Source: Department of Environmental Conservation
Telephone: 518-402-8233
New York State has a state program which has been approved by the United States Environmental Protection Agency for the control of wastewater and stormwater discharges in accordance with the Clean Water Act. Under New York State law the program is known as the State Pollutant Discharge Elimination System (SPDES) and is broader in scope than that required by the Clean Water Act in that it controls point source discharges to groundwaters as well as surface waters.

Date of Government Version: 06/24/2004
Database Release Frequency: No Update Planned
Date of Last EDR Contact: 08/09/2004
Date of Next Scheduled Update: 11/08/2004

NY DRY CLEAN: Registered Drycleaners
Source: Department of Environmental Conservation
Telephone: 518-402-8403
A listing of all registered drycleaning facilities.

Date of Government Version: 06/15/2004
Database Release Frequency: Varies
Date of Last EDR Contact: 05/21/2004
Date of Next Scheduled Update:

NY DELISTED HWS: Delisted Registry Sites
Source: Department of Environmental Conservation
Telephone: 518-402-9553
A database listing of sites delisted from the Registry of Inactive Hazardous Waste Disposal Sites.

Date of Government Version: 04/01/2004
Database Release Frequency: Annually
Date of Last EDR Contact: 08/23/2004
Date of Next Scheduled Update: 11/22/2004

NY LTANKS: Spills Information Database
Source: Department of Environmental Conservation
Telephone: 518-402-9549
Leaking Storage Tank Incident Reports. These records contain an inventory of reported leaking storage tank incidents reported from 4/1/86 through the most recent update. They can be either leaking underground storage tanks or leaking aboveground storage tanks. The causes of the incidents are tank test failures, tank failures or tank overfills.

Date of Government Version: 07/26/2004
Database Release Frequency: Varies
Date of Last EDR Contact: 07/26/2004
Date of Next Scheduled Update: 10/25/2004

NY BROWNFIELDS: Brownfields Site List
Source: Department of Environmental Conservation
Telephone: 518-402-9764

Date of Government Version: 06/29/2004
Database Release Frequency: Semi-Annually
Date of Last EDR Contact: 09/27/2004
Date of Next Scheduled Update: 12/13/2004

NY SPILLS: Spills Information Database
Source: Department of Environmental Conservation
Telephone: 518-402-9549
Data collected on spills reported to NYSDEC as required by one or more of the following: Article 12 of the Navigation Law, 6 NYCRR Section 613.8 (from PBS regs), or 6 NYCRR Section 595.2 (from CBS regs). It includes spills active as of April 1, 1986, as well as spills occurring since this date.

Date of Government Version: 07/26/2004
Database Release Frequency: Varies
Date of Last EDR Contact: 07/26/2004
Date of Next Scheduled Update: 10/25/2004

NY CORTLAND AST: Cortland County Storage Tank Listing
Source: Cortland County Health Department
Telephone: 607-753-5035

Date of Government Version: 07/15/2004
Database Release Frequency: Quarterly
Date of Last EDR Contact: 09/02/2004
Date of Next Scheduled Update: 11/29/2004

SECTION 3: DATABASES SEARCHED AND UPDATE DATES

...Continued...

NY CORTLAND UST: Cortland County Storage Tank Listing
Source: Cortland County Health Department
Telephone: 607-753-5035

Date of Government Version: 07/15/2004
Database Release Frequency: Quarterly

Date of Last EDR Contact: 09/02/2004
Date of Next Scheduled Update: 11/29/2004

NY NASSAU AST: Registered Tank Database
Source: Nassau County Health Department
Telephone: 516-571-3314

Date of Government Version: 05/21/2003
Database Release Frequency: No Update Planned

Date of Last EDR Contact: 08/03/2004
Date of Next Scheduled Update: 11/01/2004

NY NASSAU UST: Registered Tank Database
Source: Nassau County Health Department
Telephone: 516-571-3314

Date of Government Version: 05/21/2003
Database Release Frequency: No Update Planned

Date of Last EDR Contact: 08/03/2004
Date of Next Scheduled Update: 11/01/2004

NY ROCKLAND AST: Petroleum Bulk Storage Database
Source: Rockland County Health Department
Telephone: 914-364-2605

Date of Government Version: 07/30/2004
Database Release Frequency: Quarterly

Date of Last EDR Contact: 07/06/2004
Date of Next Scheduled Update: 10/04/2004

NY ROCKLAND UST: Petroleum Bulk Storage Database
Source: Rockland County Health Department
Telephone: 914-364-2605

Date of Government Version: 07/30/2004
Database Release Frequency: Quarterly

Date of Last EDR Contact: 07/06/2004
Date of Next Scheduled Update: 10/04/2004

NY SUFFOLK AST: Storage Tank Database
Source: Suffolk County Department of Health Services
Telephone: 631-854-2521

Date of Government Version: 04/16/2004
Database Release Frequency: Annually

Date of Last EDR Contact: 08/30/2004
Date of Next Scheduled Update: 11/29/2004

NY SUFFOLK UST: Storage Tank Database
Source: Suffolk County Department of Health Services
Telephone: 631-854-2521

Date of Government Version: 04/16/2004
Database Release Frequency: Annually

Date of Last EDR Contact: 08/30/2004
Date of Next Scheduled Update: 11/29/2004

NY CBS UST: Chemical Bulk Storage Database
Source: NYSDEC
Telephone: 518-402-9549
Facilities that store regulated hazardous substances in underground tanks of any size

Date of Government Version: 01/01/2002
Database Release Frequency: No Update Planned

Date of Last EDR Contact: 07/26/2004
Date of Next Scheduled Update: 10/25/2004

NY CBS AST: Chemical Bulk Storage Database
Source: NYSDEC
Telephone: 518-402-9549
Facilities that store regulated hazardous substances in aboveground tanks with capacities of 185 gallons or greater, and/or in underground tanks of any size.

Date of Government Version: 01/01/2002
Database Release Frequency: No Update Planned

Date of Last EDR Contact: 07/26/2004
Date of Next Scheduled Update: 10/25/2004

NY MOSF UST: Major Oil Storage Facilities Database
Source: NYSDEC
Telephone: 518-402-9549
Facilities that may be onshore facilities or vessels, with petroleum storage capacities of 400,000 gallons or greater.

Date of Government Version: 01/01/2002
Database Release Frequency: Varies

Date of Last EDR Contact: 07/26/2004
Date of Next Scheduled Update: 10/25/2004

NY MOSF AST: Major Oil Storage Facilities Database
Source: NYSDEC
Telephone: 518-402-9549
Facilities that may be onshore facilities or vessels, with petroleum storage capacities of 400,000 gallons or greater.

Date of Government Version: 01/01/2002
Database Release Frequency: No Update Planned

Date of Last EDR Contact: 07/26/2004
Date of Next Scheduled Update: 10/25/2004

NY HSWDS: Hazardous Substance Waste Disposal Site Inventory
Source: Department of Environmental Conservation
Telephone: 518-402-9564
The list includes any known or suspected hazardous substance waste disposal sites. Also included are sites delisted from the Registry of Inactive Hazardous Waste Disposal Sites and non-Registry sites that U.S. EPA Preliminary Assessment (PA) reports or Site Investigation (SI) reports were prepared. Hazardous Substance Waste Disposal Sites are eligible to be Superfund sites now that the New York State Superfund has been refinanced and changed. This means that the study inventory has served its purpose and will no longer be maintained as a separate entity. The last version of the study inventory is frozen in time. The sites on the study will not automatically be made Superfund sites, rather each site will be further evaluated for listing on the Registry. So overtime they will be added to the registry or not.

Date of Government Version: 09/01/2002
Database Release Frequency: No Update Planned

Date of Last EDR Contact: 09/03/2004
Date of Next Scheduled Update: 11/29/2004

NY MANIFEST: Facility and Manifest Data
Source: Department of Environmental Conservation
Telephone: 518-402-8651
Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD facility.

Date of Government Version: 06/14/2004
Database Release Frequency: Annually

Date of Last EDR Contact: 08/30/2004
Date of Next Scheduled Update: 11/29/2004

NY MANIFEST: Facility and Manifest Data
Source: NYSDEC
Telephone: 518-457-6585
Facility and manifest data. Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a tsd facility.

Former Manufactured Gas (Coal Gas) Sites: The existence and location of Coal Gas sites is provided exclusively to EDR by Real Property Scan, Inc. (C) Copyright 1993 Real Property Scan, Inc. For a technical description of the types of hazards which may be found at such sites, contact your EDR customer service representative.

Disclaimer Provided by Real Property Scan, Inc.

The information contained in this report has predominantly been obtained from publicly available sources produced by entities other than Real Property Scan. While reasonable steps have been taken to insure the accuracy of this report, Real Property Scan does not guarantee the accuracy of this report. Any liability on the part of Real Property Scan is strictly limited to a refund of the amount paid. No claim is made for the actual existence of toxins at any site. This report does not constitute a legal opinion.

POTENTIAL SUPERFUND LIABILITY

PRP: Potentially Responsible Parties
Source: EPA
Telephone: 202-564-6064
A listing of verified Potentially Responsible Parties

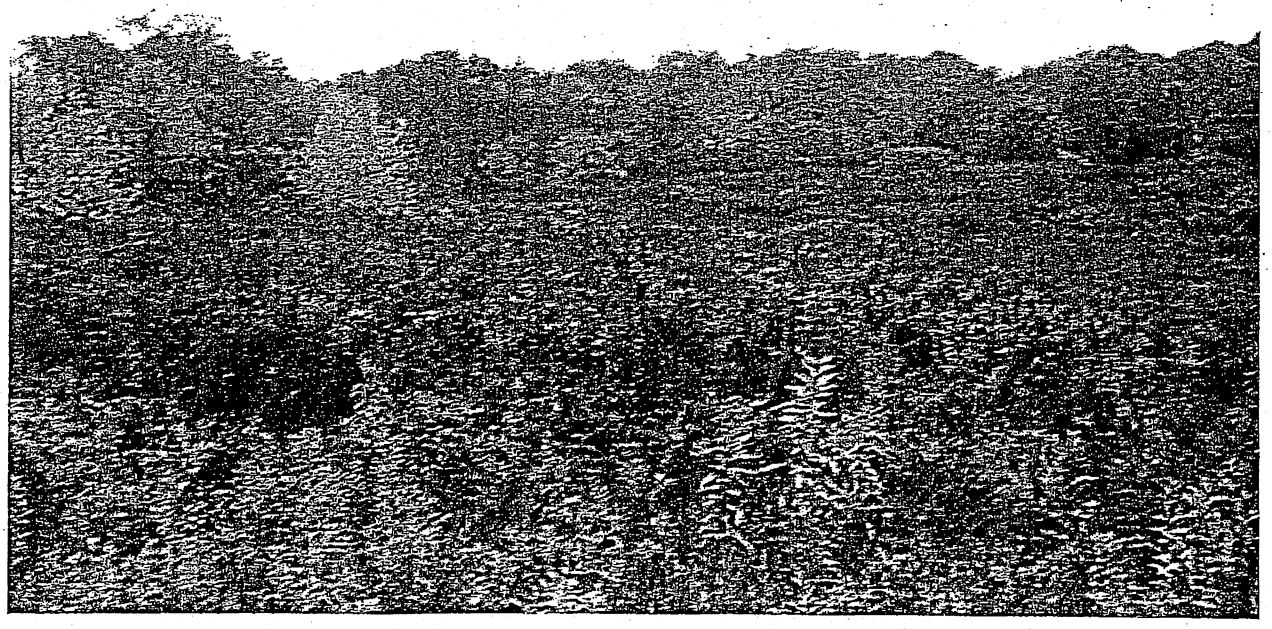
Date of Government Version: 06/07/2004
Database Release Frequency: Quarterly

Date of Last EDR Contact: 10/04/2004
Date of Next Scheduled Update: 01/03/2005

APPENDIX D

Photographs

1. View of junked automobile shell along ridge near creek in mid-southern portion of subject property. Orientation: southwest to northeast



2. View of overgrown meadow located west of NMPC utility easement. Orientation: east to west

3. View of a few waste tires discarded along ridge near creek in mid-southern portion of subject property. Orientation: southwest to northeast

4. View of a junked automobile part along ridge near creek in mid-southern portion of subject property. Orientation: west to east

5. View of farmer's debris along ridge near creek in mid-southern portion of subject property. Orientation: northeast to southwest

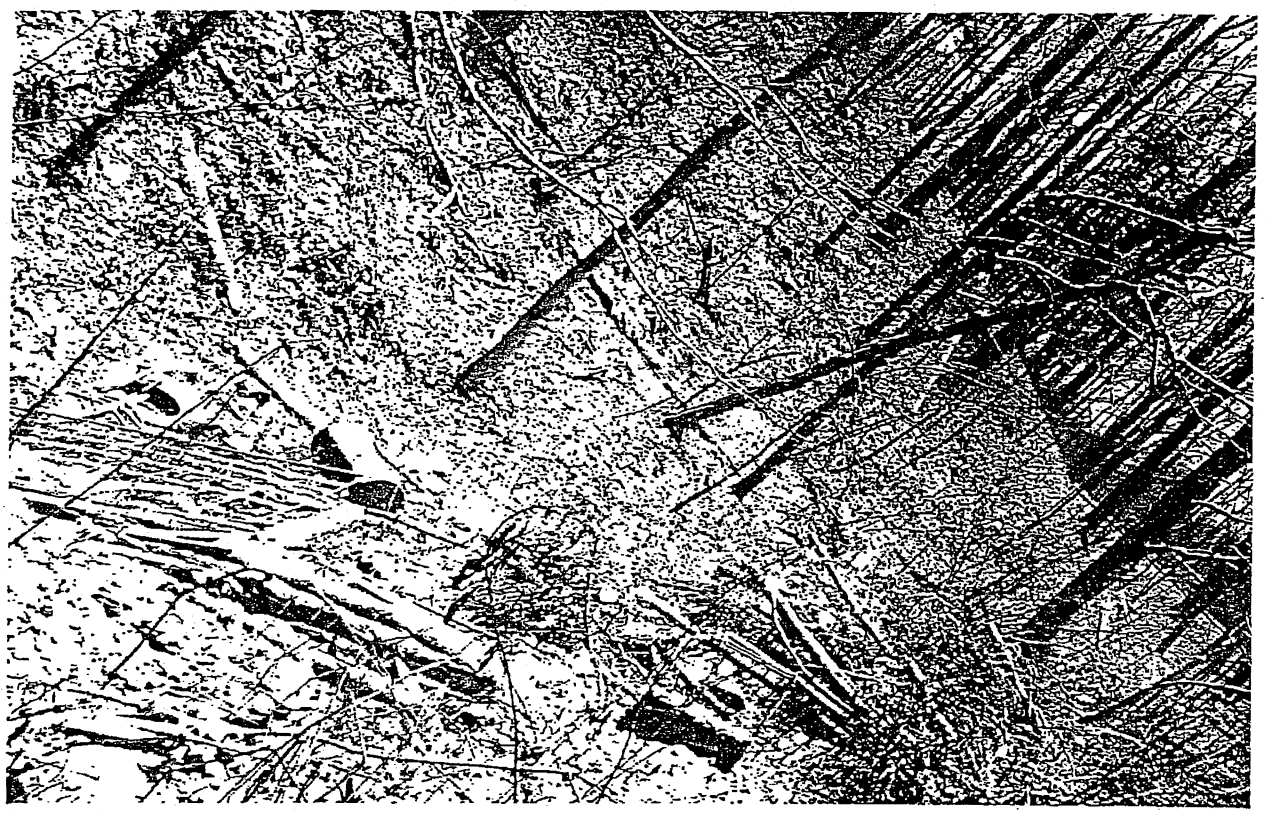
6. View of Pinewoods Avenue entrance to inactive farm/ former junkyard in southeastern corner of subject property. Orientation: southeast to northwest

7. View of junked heavy duty flat bed truck along northern edge of creek in southeastern corner of subject property. Orientation: southwest to northeast

8. View of junked heavy duty tire and steel container in creek along southeastern corner of subject property. Orientation: west to east

9. View of collapsed wooden barn in southeastern corner of subject property. Former junkyard located in open space in background of photograph. Orientation: west-southwest to east-northeast

10. View of open space southwest of structures in southeastern portion of subject property. Orientation: southwest to northeast



11. View of debris in ditch along mid-northern property boundary, south of NYS Route 2. Orientation: northeast to southwest

12. View of debris in ditch along mid-northern property boundary, south of NYS Route 2. Orientation: west to east

13. View of cleared area between two residences in northwestern quadrant of subject property. Orientation: east-southeast to west-northwest

APPENDIX E

Property Records

Town of Brunswick Property Card Information

File View Toolbar Help

102.-5-1.11 | 382200 Brunswick | Active | R/S 1 | School: Averill Park Cent
Country Club Properties | Roll Year: 2005 Curr Yr | Vacant rural | Land AV: 32,400
P... ...ods Ave Ext | Land Size: 83.91 acres | Non-Homestead | Total AV: 32,400

Total: 2
Name: Country Club Properties
Addl Addr:
Street:
PO Box: 799
City: Albany, NY Zip: 12201-0799

Taxable Value
County: 32,400
Muni: 32,400
School: 32,400
Schl after Star: 32,400

Miscellaneous
Book: 1452
Page: 00250
Mortg: 1448-0171
Bank:
Acct No: 215J157725S

Sale Total: 0

Book	Page	Sale Date	Sale Price	Owner

Site 1 of 1
Prpcls: Res vac land
Nbhd Cd: 30
Sewer: None
Water: Comm/public
Utilities: Electric

Land 1 of 2
Type: Residual
FF: 0
Depth: 0
Acres: 30.51
Sqft: 0

Exemption Total: 0

Code	Amount	Term Year	Own Pct

Building Total: 0

Special District Total: 4

Code		Units	Pct	Type	Value / Move	Tax
FD002	Eagle Mills Fi	.00	.00			.00
SD001	County Sewer	.00	.00			.00

Improvement Total: 0

Type	Name	Dim1	Dim2	SQFT	Yr Built

...e screen 2-14-05 13:15:3

File View Toolbar Help

102.-5-3.11 | 382200 Brunswick | Active | R/S 1 | School: Averill Park Cent
Country Club Properties | Roll Year: 2005 Curr Yr | Rural vac>10 | Land AV: 37,100
51 Knewoods Ave Ext | Land Size: 92.80 acres | Non-Homestead | Total AV: 40,000

Total: 2
Name: Country Club Properties
Addl Addr:
Street:
PO Box: 799
City: Albany, NY Zip: 12201-0799

Taxable Value
County: 40,000
Muni: 40,000
School: 40,000
Schl after Star: 40,000

Miscellaneous
Book: 1452
Page: 00044
Mortg:
Bank:
Acct No: 215J151550C

Sale Total: 0

Book	Page	Sale Date	Sale Price	Owner

Site 1 of 1
Prpcls: Vac farmland
Nbhd Cd: 30
Sewer: None
Water: Comm/public
Utilities: Gas

Land 1 of 3
Type: Residual
FF: 0
Depth: 0
Acres: 22.23
Sqft: 0

Exemption Total: 0

Code	Amount	Term Year	Own Pct

Building Total: 0

Special District Total: 4

Code		Units	Pct	Type	Value / Move	Tax
FD002	Eagle Mills Fi	.00	.00			.00
SD001	County Sewer	.00	.00			.00

Improvement Total: 8

Type	Name	Dim1	Dim2	SQFT	Yr Built
FB1	Barn-1.0 dry	12.00	38.00	0	1926
FB2	Barn-1.5 dry	15.00	40.00	0	1926

e screen 2-14-05 13:16:1

File View Toolbar Help

102.-1-18.11 | 382200 Brunswick | Active | R/S: 1 | School: Brunswick Centra

Country Club Properties | Roll Year: 2005 Curr Yr | Rural vac>10 | Land AV: 47,000

30[illegible] Brunswick Rd | Land Size: 47.09 acres | Non-Homestead | Total AV: 47,000

Total: 2

Name: Country Club Properties
Addl Addr:
Street:
PO Box: 799
City: Albany, NY Zip: 12201-0799

Taxable Value
County: 47,000
Muni: 47,000
School: 47,000
Schl after Star: 47,000

Miscellaneous
Book: 1627
Page: 48
Mortg:
Bank:
Acct No: 215J159725

Sale Total: 0

Book	Page	Sale Date	Sale Price	Owner

Site 1 of 1
Prpcls: Rural vac<10
Nbhd Cd: 25
Sewer: None
Water: None
Utilities: Electric

Land 1 of 1
Type: Residual
FF: 0
Depth: 0
Acres: 47.09
Sqft: 0

Exemption Total: 0

Code	Amount	Term Year	Own Pct

Building Total: 0

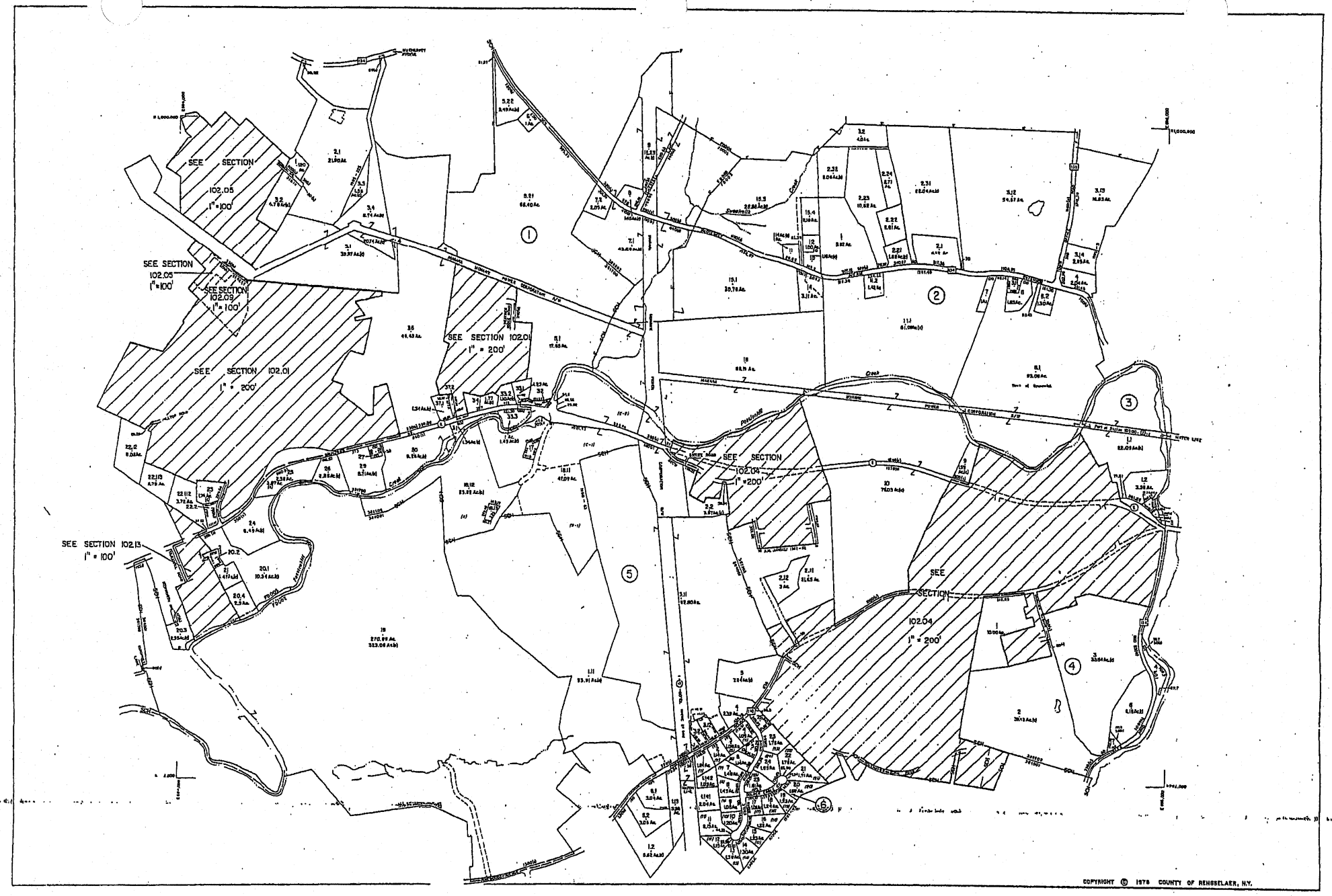
Special District Total: 3

Code		Units	Pct	Type	Move	Value / Tax
FD002	Eagle Mills Fi	.00	.00			.00
SD001	County Sewer	.00	.00			.00

Improvement Total: 0

Type	Name	Dim1	Dim2	SQFT	Yr Built

[illegible]e screen 2-14-05 13:14:5



REAL PROPERTY MAP
THE USE OF THIS MAP IS FOR REAL PROPERTY TAX ADMINISTRATION PURPOSES ONLY

SPECIAL DISTRICTS

LEGEND

TOWN OF BRUNSWICK
RENSSELAER COUNTY, NEW YORK

E 684,000-N 922,000

102.00

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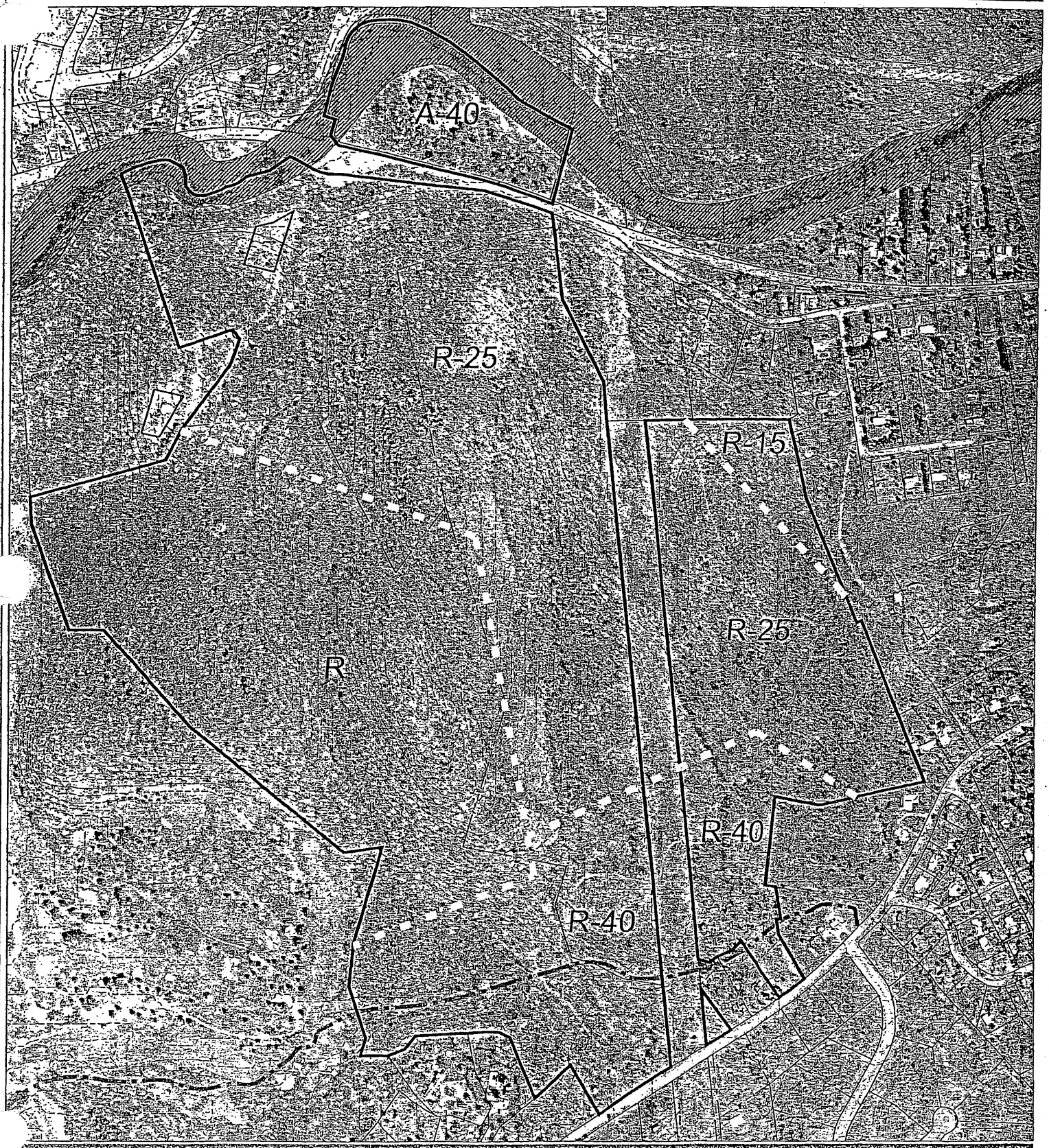
United Development Corporation
Carriage Hill Estates – Town of Brunswick, NY



EXISTING ZONING MAP

R	RECREATIONAL
R-15	RESIDENTIAL (15,000 min. lot size)
R-25	RESIDENTIAL (25,000 min. lot size)
R-40	RESIDENTIAL (40,000 min. lot size)
A-40	AGRICULTURAL (40,000 min. lot size)

NORTH

0 150 300 600

THE SARATOGA ASSOCIATES

LANDSCAPE ARCHITECTS, ARCHITECTS, ENGINEERS AND PLANNERS, P.C.

SARATOGA SPRINGS • NEW YORK CITY • BOSTON, MA.

Town of Brunswick Zoning Information

Title Search for Subject Property

First American Title Insurance Company of New York

Issued by

SNEERINGER MONAHAN PROVOST REDGRAVE TITLE AGENCY, INC.

SCHEDULE A

1. Effective Date: 10/26/04
   Redated:

2. Policy or Policies to be issued:

   (a) ALTA Owner's Policy - 1992 Amount

   Proposed Insured:

   The following endorsements will be a part of the policy:
   New York Endorsement

   (b) ALTA Loans Policy - 1992 Amount

   Proposed Insured:

   The following endorsements will be a part of the policy:
   New York Endorsement

3. Title to the FEE SIMPLE estate or interest in the land described or referred to in this Commitment is at the effective date hereof vested in:

Country Club Properties Inc. acquired title by the following deeds:

a) Dated September 26, 1991 recorded September 30, 1991 in Liber 1627 cp 48;
b) Dated April 2, 1987 recorded April 2, 1987 in Liber 1448 cp 171;
c) Dated March 23, 1987 recorded May 11, 1987 in Liber 1452 cp 250 and
d) Dated May 4, 1987 recorded May 5, 1987 in Liber 1452 cp 44.

4. The land referred to in this Commitment is described as follows:

"SEE SHEET ATTACHED"

For Information Only:
Address: 515 Pinewoods Avenue, Town of Brunswick, Rensselaer County
306 Brunswick Road, Town of Brunswick, Rensselaer County

District:	Section: 102.00	Block: 1	Lot: 18.1
District:	Section: 102.00	Block: 5	Lot: 3.11
District:	Section: 102.00	Block: 5	Lot: 1.11

Sneeringer Monahan Provost Redgrave Title Agency, Inc. – First American Title Insurance Company of New York – Sneeringer Monahan Provost Redgrave Title Agency, Inc.

SCHEDULE A

All that certain tract, piece or parcel of land situate in the Town of Brunswick, Rensselaer County, New York, lying generally Northerly of Pinewoods Avenue Extension and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the division line between the lands now or formerly of Royal Dutch Enterprises, Inc. as described in Book 1152 of Deeds at Page 6 on the Northeast and the lands now or formerly of Harriet H. Coffey as described in Book 1211 of Deeds at Page 788 on the Southwest with the Northwesterly margin of Pinewoods Avenue Extension; thence from said point of beginning along said division line, North 31 deg. 01 min. 48 sec. West 284.00 feet to its intersection with the division line between the lands now or formerly of Royal Dutch Enterprises, Inc. as described in Book 1179 of Deeds at Page 483 on the Northwest and the lands of said Coffey on the Southeast; thence along said division line, South 46 deg. 01 min. 12 sec. West 214.41 feet to its intersection with the division line between the lands of said Royal Dutch Enterprises, Inc. on the East and the lands now or formerly of Louis H. Quinlan as described in Book 1278 of Deeds at Page 156 on the West; thence along said division line, North 21 deg. 55 min. 48 sec. West 295.63 feet to the point of intersection of the division line between the lands of said Royal Dutch Enterprises, Inc. on the North and the lands of said Quinlan on the South; thence along said division line the following three (3) courses: 1) North 75 deg. 30 min. 48 sec. West 57.00 feet to a point; 2) North 87 deg.

25 min. 48 sec. West 62.00 feet to a point; and 3) South 84 deg. 36 min. 12 sec. West 88.00 feet to its intersection with the division line between the lands of said Royal Dutch Enterprises, Inc. on the North and the lands now or formerly of Marvin L. Wulf and Sandra P. Wulf as described in Book 1063 of Deeds at Page 481 on the South; thence along said division line the following three (3) courses: 1) South 86 deg. 32 min. 12 sec. West 230.78 feet to a point; 2) South 37 deg. 08 min. 12 sec. West 78.73 feet to a point; and 3) South 70 deg. 08 min. 12 sec. West 84.33 feet to its point of intersection with the division line between the lands of said Royal Dutch Enterprises, Inc. on the North and the lands now or formerly of the Troy Country Club on the South; thence along said division line, North 84 deg. 57 min. 24 sec. West 59.35 feet to a point; thence continuing along the division line, between the lands of said Royal Dutch Enterprises, Inc. generally on the East and the lands of said Troy Country Club generally on the West the following ten (10) courses: 1) North 25 deg. 06 min. 14 sec. East 62.50 feet to a point; 2) North 21 deg. 15 min. 41 sec. West 291.12 feet to a point; 3) North 07 deg. 40 min. 40 sec. East 228.00 feet to a point; 4) North 20 deg. 28 min. 54 sec. East 432.48 feet to a point; 5) South 84 deg. 26 min. 28 sec. West 162.00 feet to a point; 6) North 50 deg. 28 min. 48 sec. West 905.00 feet to a point; 7) North 41 deg. 11 min. 20 sec. West 610.55 feet to a point; 8) South 89 deg. 40 min. 57 sec. West 143.99 feet to a point; (9) North 18 deg. 44 min. 10 sec. West 504.53 feet to a point; and 10) North 04 deg. 11 min. 13 sec. West 121.51 feet to its intersection with the division line between the lands of said Royal Dutch Enterprises,

Inc. on the South and the lands now or formerly of Joel W. Shippey as described in Book 1329 of Deeds at Page 479 on the North; thence along said division line the following two (2) courses: 1) North 75 deg. 02 min. 25 sec. East 638.87 feet to a point; and 2) North 29 deg. 57 min. 43 sec. East 174.09 feet to its point of intersection with the common division line between the lands of said Royal Dutch Enterprises, Inc. on the South and the lands of said Joel W. Shippey in part, and the lands now or formerly of Frederick A. Shippey and Helda B. Shippey as described in Liber 1339 of Deeds at Page 738 in part, on the North; thence along said common division line, North 86 deg. 13 min. 10 sec. East 594.58 feet to its point of intersection with the division line between the lands of said Royal Dutch Enterprises, Inc. on the West and the lands of said Frederick and Helda Shippey on the East; thence along said division line the following two (2) courses: 1) South 20 deg. 39 min. 45 sec. East 163.15 feet to a point and 2) South 27 deg. 43 min. 40 sec. East 663.76 feet to the point of intersection with the division line between the lands of said Royal Dutch Enterprises, Inc. on the Southeast and lands of said Frederick and Helda Shippey on the Northwest; thence along said division line, North 36 deg. 48 min. 52 sec. East 356.61 feet to its point of intersection with the division line between the lands now or formerly of Howard C. Ginsburg and Marvin Ginsburg as described in Book 1334 of Deeds at Page 125 on the East and the lands of said Shippey on the West; thence along said division line, North 11 deg. 14 min. 59 sec. West 1,092.53 feet to its intersection with the lands of said Ginsburg on the South and the lands now or formerly of Jean

Shippey Taylor as described in Book 1329 of Deeds at Page 476 on the North; thence along said division line the following two (2) courses: 1) North 73 deg. 18 min. 53 sec. East 612.52 feet to a point; and 2) North 83 deg. 03 min. 14 sec. East 136.30 feet to its intersection with the division line between the lands of said Ginsburg on the West and the lands now or formerly of Niagara Mohawk Power Corporation on the East; thence along said division line the following three (3) courses: 1) South 05 deg. 08 min. 04 sec. East 300.00 feet to a point; 2) South 24 deg. 48 min. 44 sec. East 445.49 feet to a point; and 3) South 05 deg. 08 min. 04 sec. East 2,709.19 feet to its intersection with the division line between the lands of said Ginsburg on the North and the lands of said Royal Dutch Enterprises, Inc. on the South; thence along the division line between the lands of said Royal Dutch Enterprises, Inc. on the West and the lands of said Niagara Mohawk Power Corporation on the East, South 05 deg. 08 min. 04 sec. East 394.09 feet to a point on the above mentioned Northwesterly margin of Pinewoods Avenue Extension; thence along said above Northwesterly margin, South 58 deg. 58 min. 12 sec. West 433.67 feet to the point or place of beginning, containing 130.297± acres of land.

Subject to rights to drain swimming pool and filtering system located on lands now or formerly of Quinlan, over and upon the above described parcel.

Together with crossing rights over lands of Niagara Mohawk Power Corporation and subject to cutting and trimming rights over adjacent lands of Niagara Mohawk Power Corporation as described in Book 474 of Deeds at Page 417.

Also, all that certain tract, piece or parcel of land lying generally Northerly of Pinewoods Avenue Extension and Easterly of lands of Niagara Mohawk Power Corp. being more particularlly bounded and described as follows:

BEGINNING at the point of intersection of the division line between the lands now or formerly of Howard C. Ginsburg and Marvin Ginsburg as described in Book 1334 of Deeds at Page 125 on the Southwest and the lands now or formerly of Richard T. and Lynne M. Patton as described in Book 1419 of Deeds at Page 304 on the Northeast with the Northwesterly margin of Pinewoods Avenue Extension; thence from said point of beginning, along said Northwesterly margin, South 56 deg. 37 min. 21 sec. West 111.09 feet to its intersection with the division line between the lands of said Ginsburg on the Northeast and the lands now or formerly of Gary W. and Melanie B. Woods as described in Liber 1329 of Deeds at Page 931 on the Southwest; thence along said division line, North 35 deg. 54 min. 28 sec. West 317.33 feet to its intersection with the common divison line between the lands of said Ginsburg on the North and the lands of said Woods in part, and the lands now or formerly of Peter D. and Donna L. Hilks as described in Book 1323 of Deeds at Page 184 in part, on the

South; thence along said common division line the following four (4) courses: 1) South 38 deg. 24 min. 32 sec. West 57.93 feet to a point; 2) South 62 deg. 03 min. 22 sec. West 78.31 feet to a point; 3) South 59 deg. 44 min. 27 sec. West 54.85 feet to a point and 4) North 74 deg. 34 min. 03 sec. West 48.90 feet to its intersection with the division line between the lands of said Ginsburg on the East and the lands now or formerly of Niagara Mohawk Power Corporation on the West; thence along said division line, North 05 deg. 08 min. 04 sec. West 2,467.13 feet to its intersection with the common division line between the lands of said Ginsburg on the South and the lands of said Niagara Mohawk Power Corporation in part, and the lands now or formerly of John A. Piccarrillo as described in Book 1308 of Deeds at Page 72 in part, on the North; thence along said common division line the following two (2) courses: 1) South 88 deg. 59 min. 04 sec. East 454.44 feet to a point; and 2) North 79 deg. 42 min. 36 sec. East 197.00 feet to its intersection with the common division line between the lands of said Ginsburg on the West and lands now or formerly of Pierro and Enza Bove as described in Book 1445 of Deeds at Page 318 in part, and the lands now or formerly of Robert A. Higgins and Frederick L. Fowler as described in Book 1458 of Deeds at Page 138 in part, and the lands now or formerly of A. Halek and Karen Jandali as described in Book 1337 of Deeds at Page 23 in part, and the lands now or formerly of Charles and Janet Somsky as described in Book 1327 of Deeds at Page 512 in part, on the East; thence along said common division line the following seven (7) courses: 1) South 10 deg. 46 min. 04 sec. East 195.00 feet to a point; 2) South 12 deg.18 min. 04 sec. East

215.00 feet to a point; 3) South 21 deg. 39 min. 04 sec. East 600.00 feet to a point; 4) North 68 deg. 20 min. 56 sec. East 20.00 feet to a point; 5) South 21 deg. 39 min. 04 sec. East 102.00 feet to a point; 6) South 19 deg. 49 min. 04 sec. East 298.80 feet to a point; and 7) South 21 deg. 16 min. 04 sec. East 418.50 feet to its point of intersection with the division line between the lands of said Ginsburg on the North and the lands now or formerly of Charles A. and Ethel G. Wager as described in Book 380 of Deeds at Page 407 on the South; thence along said division line the following two (2) courses; 1) South 79 deg. 56 min. 36 sec. West 557.74 feet to a point; and 2) North 74 deg. 20 min. 14 sec. West 107.85 feet to its intersection with the division line of said Ginsburg on the West and the lands of said Wager on the East; thence along said division line, South 05 deg. 58 min. 00 sec. West 396.73 feet to its intersection with the division line between the lands of said Ginsburg on the North and the lands of said Patton on the South; thence along said division line, North 81 deg. 21 min. 49 min. West 13.66 feet to its intersection with the division line between the lands of said Ginsburg on the West and the lands of said Patton on the East, thence along said division line South 08 deg. 07 min. 44 sec. East 208.00 feet to the above first mentioned divison line; thence along said above first mentioned division line the following two (2) courses: 1) South 28 deg. 29 min. 44 sec. East 134.50 feet to a point; and 2) South 32 deg. 57 min. 51 sec. East 96.29 feet to the point or place of beginning containing 41.29± acres of land.

Together with crossing rights over lands of Niagara Mohawk Power Corporation and subject to cutting and trimming rights along the adjacent lands of Niagara Mohawk Power Corporation.

Also, all that certain tract, piece or parcel of land lying generally Northerly of Pinewoods Avenue Extension and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the division line between the lands now or formerly of Royal Dutch Enterprises, Inc. as described in Book 1179 of Deeds at Page 483 on the Southwest and the lands now or formerly of Peter D. and Donna L. Milks as described in Book 1323 of Deeds at Page 184 on the Northeast with the Northwesterly margin of Pinewoods Avenue Extension; thence along said Northwesterly margin, South 60 deg. 00 min. 04 sec. West 144.95 feet to its intersection with the division line between the lands of said Royal Dutch Enterprises, Inc. on the East and the lands of Niagara Mohawk Power Corporation on the West; thence along said division line, North 05 deg. 08 min. 04 sec. West 253.95 feet to its intersection with the above first mentioned division line; thence along said above first mentioned division line, South 39 deg. 24 min. 19 sec. East 233.55 feet to the point or place of beginning containing 0.383± acres of land.

Subject to cutting and trimming rights along adjacent lands of Niagara Mohawk Power Corporation.

ALSO All that certain tract, piece or parcel of land situate in the Town of Brunswick, Rensselaer County, New York, lying generally Southerly of New York State Route No. 2 and Westerly of lands of Niagara Mohawk Power Corporation and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the common division line between the lands now or formerly of Jean Shippey Taylor as described in Liber 1329 of Deeds at Page 476, in part and lands of Country Club Properties, Inc. as described in Liber 1452 of Deeds at Page 44 in part, on the West and the lands now or formerly of Niagara Mohawk Power Corporation on the East with the Southerly 1931 highway boundary of New York State Route No. 2; thence from said point of beginning along said common division line South 05 deg. 08 min. 04 sec. East 91.18 feet to its point of intersection with the division line between the lands of said Jean Shippey Taylor on the North and the lands of said Country Club Properties, Inc. on the South; thence along said division line the following two (2) courses: 1) South 81 deg. 03 min. 14 sec. West 136.30 feet to a point; and 2) South 73 deg. 18 min. 53 sec. West 612.52 feet to its point of intersection with the division line between the lands now or formerly of Frederick A. and Helda B. Shippey as described in Liber 1339 of Deeds at Page 738 on the West and the lands of

said Country Club Properties, Inc. on the East; thence along said division line, South 11 deg. 14 min. 59 sec. East 1,092.53 feet to its point of intersection with the division line between the lands of said Frederick A. and Melda B. Shippey on the Northwest and lands now or formerly of Country Club Properties, Inc. as described in Liber 1448 of Deeds at Page 171 on the Southeast; thence along said division line, South 36 deg. 48 min. 52 sec. West 356.61 feet to its point of intersection with the division line between the lands of said Shippey on the Northeast and the lands of said Country Club Properties, Inc. on the Southwest; thence along said division line the following two (2) courses: 1) North 27 deg. 43 min. 41 sec. West 663.76 feet to a point; and 2) North 20 deg. 39 min. 45 sec. West 163.15 feet to its point of intersection with the common division line between the lands of said Frederick and Melda Shippey in part, and lands now or formerly of Joel W. Shippey as described in Liber 1329 of Deeds at Page 479 in part, on the North; and lands of said Country Club Properties, Inc. on the South; thence along said common division line, South 86 deg. 13 min. 10 sec. West 503.30 feet to a point; thence through the lands of said Joel W. Shippey North 21 deg. 30 min. 34 sec. East 269.16 feet to a point on the division line between the lands of said Joel W. Shippey on the West and the lands now or formerly of Frederick A. Shippey and Melda B. Shippey as described in Liber 1339 of

Deeds at Page 738 on the East; thence along said division line North 21 deg. 30 min. 34 sec. East 126.44 feet to a point on the Southwesterly terminus of a proposed right-of-way conveyed to Joel W. Shippey, Frederick A. Shippey and Jean Shippey Taylor as described in Liber 1329 of Deeds at Page 847; thence along the Southwesterly terminus of said proposed right-of-way the following two (2) courses: 1) Northerly along a curve to the right of radius 30.00 feet, an arc length of 64.13 feet (chord North 07 deg. 16 min. 42 sec. West 52.60 feet) to a point; and 2) North 53 deg. 57 min. 35 sec. East 11. 38 feet to a point on the division line between the lands of said Frederick A. Shippey and Malda B. Shippey on the North and the lands of said Joel W. Shippey on the South; thence along said division line South 69 deg. 07 min. 26 sec. West 256. 92 feet to a point on the division line between the lands of said Frederick A. Shippey and Malda B. Shippey on the East and the lands of said Joel W. Shippey on the West; thence along said division line North 20 deg. 52 min. 34 sec. West 853. 25 feet to a point on the division line between the lands of said Frederick A. and Malda B. Shippey on the South and the lands now or formerly of George L. and Elizabeth Benoit as described in Liber 1155 of Deeds at Page 197 on the North; said point also being in the centerline of the Postenkill; thence along said division line and said centerline the following three (3) courses: 1) North 62 deg. 20

min. 17 sec. East 47.71 feet to a point; 2) North 74 deg. 49 min. 16 sec. East 118.48 feet to a point; and 3) North 89 deg. 40 min. 02 sec. East 110.18 feet to a point in the division line between the lands of said Frederick A. Shippey and Melda B. Shippey on the Southwest and the lands now or formerly of Gerald Kornatowski and Virginia L. Goggins as described in Liber 1362 of Deeds at Page 609 on the Northeast; thence along said division line and continuing along said centerline the following two (2) courses: 1) South 31 deg. 04 min. 51 sec. East 85. 85 feet to a point; and 2) South 31 deg. 33 min. 58 sec. East 67.10 feet to a point; said point being in the division line between the lands of said Frederick A. Shippey and Melda B. Shippey on the South and the lands of said Kornatowski and Goggins on the North; thence along said division line and said centerline South 89 deg. 48 min. 02 sec. East 106 . 85 feet to a point in the division line between the lands of said Shippey on the Southeast and the lands of said Kornatowski and Goggins on the Northwest; thence along said division line and said centerline the following four (4) courses: 1) North 62 deg. 37 min. 50 sec. East 91. 81 feet to a point; 2) North 59 deg. 32 min. 50 sec. East 97.03 feet to a point; 3) North 61 deg. 03 min. 26 sec. East 131.16 feet to a point; and 4) North 79 deg. 38 min. 03 sec. East 53. 61 feet to a point on the Northerly line of a parcel deeded to Joel W. Shippey, Frederick A. Shippey and Jean

Shippey Taylor by the Town of Brunswick as described in Liber 1321 of Deeds at Page 1012 being a portion of premises abandoned to the Town of Brunswick by the State of New York by official order dated April 9, 1934; thence along said Northerly line the following five (5) courses: 1) South 59 deg. 55 min. 28 sec. East 141.02 feet to a point said point hereinafter referred to as point "A"; 2) South 59 deg. 56 min. 10 sec. East 24.21 feet to a point; 3) South 03 deg. 39 min. 34 sec. East 75. 43 feet to a point 4) North 80 deg. 12 min. 26 sec. East 129.62 feet to a point; and 5) South 76 deg. 33 min. 04 sec. East 130. 96 feet to its intersection with the Southerly 1931 highway boundary of N. Y. S . Route No. 2; thence along said Southerly highway boundary the following three (3) courses: 1) South 77 deg. 38 min. 28 sec. East 457. 55 feet to a point; 2) South 72 deg. 26 min. 38 sec. East 229.05 feet to a point; and 3) South 68 deg. 06 min. 39 sec. East 58. 90 feet to the point or place of beginning, containing 36. 658± acres of land.

Excepting from the above described parcel all that certain tract, piece or parcel of land beginning at the above mentioned point "A", said point being the point of intersection of the division line between the lands of said Frederick A. Shippey and Helda B. Shippey on the Northwest and the lands now or formerly of Joel K. Shippey, Frederick A. Shippey, and Jean Shippey

Taylor as described in Liber 1329 of Deeds at Page 547 on the Southeast with the Northerly line of a previously mentioned parcel of land deeded to said Joel W. Shippey et al by the Town of Brunswick as described in Liber 1321 of Deeds at Page 1012; thence along said division line Southwesterly along a curve to the left of radius 678.12 feet, an arc distance of 200.39 feet (chord South 29 deg. 27 min. 22 sec. West 199.66 feet) to the point of beginning of the herein described parcel, said point being the point of intersection of the division line between the lands of said Frederick and Melda Shippey on the North and the lands now or formerly of Alexander and Dorothy Chuhta as described in Liber 987 of Deeds at Page 31 on the South; thence along said division line the following two (2) courses: 1) South 71 deg. 59 min. 26 sec. West 115.02 feet to a point; and 2) South 83 deg. 09 min. 26 sec. West 69.50 feet to a point on a division line between the lands of said Frederick and Melda Shippey on the West and the lands of said Chuhta on the East; thence along said division line South 18 deg. 01 min. 26 sec. West 184.00 feet to a point on the division line between the lands of said Frederick and Melda Shippey on the South and the lands of said Chuhta on the North; thence along said division line South 72 deg. 00 min. 06 sec. East 141.52 feet to its intersection with the division line between the lands of said Chuhta on the West and the lands of said Joel W. Shippey et al

on the East; thence along said division line North 20 deg. 59 min. 26 sec. East 281.20 feet to the point or place of beginning containing 0.768± acres of land.

Together with crossing rights over lands of Niagara Mohawk Power Corporation and subject to cutting and trimming rights over adjacent lands of Niagara Mohawk Power Corporation as described in Liber 474 of Deeds at Page 417.

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Also, all that certain tract, piece or parcel of land lying generally Northerly of N.Y.S. Route No. 2 and Westerly of lands of Niagara Mohawk Power Corporation and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the division line between the lands now or formerly of Jean Shippey Taylor as described in Liber 1328 of Deeds at Page 476 on the West and the lands now or formerly of Niagara Mohawk Power Corporation on the East with the Northerly margin of N.Y.S. Route No. 2; thence Westerly along said Northerly margin the following two (2) courses: 1) North 68 deg. 26 min. 36 sec. West 31.51 feet to a point; and 2) North 71 deg. 46 min. 59 sec. West 244.96 feet to a point on the Northerly 1931 highway boundary of N.Y. S. Route No. 2; thence in a generally westerly direction along said Northerly highway boundary the following five (5) courses: 1)

North 72 deg. 00 min. 42 sec. West 228.91 feet to a point; 2) North 77 deg. 25 min. 12 sec. West 506.01 feet to a point; 3) North 34 deg. 13 min. 43 sec. West 27.59 feet to a point; 4) North 10 deg. 56 min. 18 sec. East 88.02 feet to a point; and 5) North 77 deg. 45 min. 35 sec. West 44.00 feet to a point in the centerline of the existing Poestenkill; thence in a generally Northerly, Easterly, and Southeasterly direction along the centerline of said Poestenkill as it winds and turns the following ten (10) courses: 1) North 15 deg. 48 min. 53 sec. East 84.27 feet to a point; 2) North 12 deg. 00 min. 36 sec. East 206.29 feet to a point; 3) North 32 deg. 37 min. 12 sec. East 95.91 feet to a point; 4) North 45 deg. 07 min. 08 sec. East 66.42 feet to a point; 5) North 87 deg. 05 min. 46 sec. East 89.48 feet to a point; 6) South 74 deg. 26 min. 14 sec. East 213.87 feet to a point; 7) South 58 deg. 20 min. 30 sec. East 122.67 feet to a point; 8) South 47 deg. 21 min. 13 sec. East 286.05 feet to a point; 9) South 56 deg. 58 min. 02 sec. East 252.87 feet to a point; and 10) South 56 deg. 18 min. 03 sec. East 134.81 feet to its intersection with the above first mentioned division line; thence along said above first mentioned division line South 16 deg. 56 min. 56 sec. West 286.93 feet to the point or place of beginning containing 11.213± acres of land.

FOR MORTGAGE ONLY AND NOT INSURED

TOGETHER WITH the appurtenances and all the estate and rights of Country Club Properties, Inc. and its successors and assigns in and to the premises hereinabove described, including, without limitation, all rights of Country Club Properties, Inc. and its successors and assigns to cross upon and over the lands of New York Power and Light Corporation and/or of Niagara Mohawk Power Corporation, and all rights of Country Club Properties, Inc. and its successors and assigns to compel New York Power and Light Corporation and/or Niagara Mohawk Power Corporation and their respective successors and assigns to join in deeds dedicating public streets (such crossing rights and such rights to compel the joining in deeds of dedication including, but not necessarily being limited to, those reserved in the deed from Eugene Dollard and Queena Dollard, his wife, to New York Power and Light Corporation dated June 19, 1930 and recorded in the Rensselaer County Clerk's office on June 19, 1930 in Book 474 of Deeds at Page 417).

First American Title Insurance Company of New York

Issued by

SNEERINGER MONAHAN PROVOST REDGRAVE TITLE AGENCY, INC.

SCHEDULE B - SECTION 1

REQUIREMENTS

The following are the requirements to be complied with:

1. *Fee policy will except purchase money mortgage.*

2. *Closing instrument(s) to contain the same description set forth in Schedule A, Item 4 herein.*

3 *Resolution of certified owner to be provided.*

4. *Mortgage in Liber 1406 mp 271, Liber 1420 mp 219, and Liber 1564 mp 333 as consolidated by Liber 1564 mp 310 held of record by CCP, LLC must be satisfied and discharged of record at or prior to closing.*

5. *Mortgage in Liber 1958 mp 25 held of record by CCP, LLC must be satisfied and discharged of record at or prior to closing.*

6. *Assignment of Rents Country Club Properties, Inc. to Troy Savings Bank recorded June 16, 1988 in Liber 1498 cp 65 and recorded October 1, 1991 in Liber 1627 cp 1 and re-recorded in Liber 1958 mp 1 must be terminated. Said assignments were assigned to CCP, LLC by The Troy Savings bank by an assignment recorded October 1, 1996 in Roll 41 Frame 1885.*

7. *Corporation franchise tax search against certified owner ordered but not yet received.*

EFFECTIVE SEPTEMBER 1, 2003 FOR ALL CONVEYANCES
REVISED FORM TP-584(10/03) IS REQUIRED. NON RESIDENT INDIVIDUALS, ESTATES OR TRUSTS MAY BE REQUIRED TO SUBMIT FORM IT-2663 TO THE COUNTY CLERK WITH ESTIMATED INCOME TAX PAYABLE TO "NYS INCOME TAX" AT THE TIME OF RECORDING OF THE DEED.

Attention is called to Statutory Form of Certificate of Acknowledgment - Real Property Law Section 309-a

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First American Title Insurance Company of New York

Issued by

SNEERINGER MONAHAN PROVOST REDGRAVE TITLE AGENCY, INC.

SCHEDULE B - SECTION 2

This policy or policies to be issued will contain exceptions to the following unless the same are disposed to the satisfaction of the Company:

1 *Persons in possession and lessees.*

2. *The amount of acreage or square footage is not insured.*

3. *Water and Sewer Rents, if any. Municipal departmental charges, if any, not returned to county tax enforcing officer for collection.*

4. *Rights and easements, if any, of public utility companies to maintain and operate installations on the premises herein and streets adjacent thereto.*

5. *Any state of facts that an accurate current survey would show.*

6. *Exact location, courses and distances of premises described in Schedule "A" cannot be guaranteed without an accurate survey.*

7. *No title is insured to any land lying in the bed of any street, road or avenue abutting, adjoining, passing through or crossing the premises herein.*

8. *Utility Easement(s): Liber 462 cp 313, Liber 465 cp 216, Liber 1187 cp 556 and Liber 1255 cp 226.*

9. *Utility Brush Cutting Rights - Liber 473 cp 437, Liber 474 cp 417, Liber 474 cp 396, Book 20 of Lis Pendens pages 330 and 334, Liber 477 cp 407, Liber 543 cp 499.*

10. *Easement for access to Utility Line – Liber 473 cp 437, Liber 474 cp 417, Liber 474 cp 396, Liber 543 cp 223, Liber 543 cp 227, Liber 543 cp 499 and Liber 544 cp 1.*

11. *Ingress-Egress Easement: Liber 1573 cp 10 and Liber 1627 cp 52.*

12. *Drainage Easement: Liber 1114 cp 105.*

13. *Restrictions Liber 1063 cp 478 and Liber 1124 cp 93.*

14. *No title is insured to any land now or formerly in the bed of Poestenkill Creek, its arms, branches or tributaries by whatever name called.*

15. *Riparian rights and easements of others over Poestenkill Creek, but the policy does not insure any riparian rights or easements in favor of the owner of the premises herein.*

Sneeringer Monahan Provost Redgrave Title Agency, Inc. – First American Title Insurance Company of New York – Sneeringer Monahan Provost Redgrave Title Agency, Inc.

First American Title Insurance Company of New York

Issued by

SNEERINGER MONAHAN PROVOST REDGRAVE TITLE AGENCY, INC.

16. *Map 63 Drawer 1980 indicates that NYS may have retained easement rights encompassing old highway.*

17. *The exact location and dimensions of the crossing rights over lands of Niagara Mohawk Power Corporation described in Schedule A herein not insured and said crossing rights are subject to the terms and conditions in Liber 473 cp 437, Liber 474 cp 417, Liber 474 cp 396, Book 20 of Lis Pendens pages 330 and 334, Liber 477 cp 407, Liber 543 cp 499 and Liber 544 cp 1.*

First American Title Insurance Company of New York

Issued by

SNEERINGER MONAHAN PROVOST REDGRAVE TITLE AGENCY, INC.

MORTGAGE

MORTGAGOR	*Country Club Properties, Inc.,*	
MORTGAGEE	*The Pinewyck Corporation*	
AMOUNT	*$134,800.00*	DATED *April 2, 1987*
RECORDED	*April 2, 1987*	LIBER *1406 mp 271*

ASSIGNMENT OF MORTGAGE

ASSIGNOR	*The Pinewyck Corporation*	
ASSIGNEE	*The Troy Savings Bank*	
DATED	*April 2, 1987*	
RECORDED	*June 16, 1988*	LIBER *1564 mp 307*

Instrument assigns mortgage recorded in Liber 1406 mp 271.

MORTGAGE

MORTGAGOR	*Country Club Properties, Inc.,*	
MORTGAGEE	*Marvin Ginsburg and Howard Ginsburg*	
AMOUNT	*$225,000.00*	DATED *May 4, 1987*
RECORDED	*May 5, 1987*	LIBER *1420 mp 219*

ASSIGNMENT OF MORTGAGE

ASSIGNOR	*Marvin Ginsburg and Howard Ginsburg*	
ASSIGNEE	*The Troy Savings Bank*	
DATED	*June 15, 1988*	
RECORDED	*June 16, 1988*	LIBER *1564 mp 309*

Instrument assigns mortgage recorded in Liber 1420 mp 219.

MORTGAGE

MORTGAGOR	*Country Club Properties, Inc.,*	
MORTGAGEE	*The Troy Savings Bank*	
AMOUNT	*$580,781.38*	DATED *June 15, 1988*
RECORDED	*June 16, 1988*	LIBER *1564 mp 333*

First American Title Insurance Company of New York

Issued by

SNEERINGER MONAHAN PROVOST REDGRAVE TITLE AGENCY, INC.

CONSOLIDATION AGREEMENT

BETWEEN	*The Troy Savings Bank (Mortgagor)*	
AND	*Country Club Properties, Inc. (Mortgagee)*	
DATED	*June 15, 1988*	
RECORDED	*June 16, 1988*	LIBER *1564 mp 310*

Consolidates Liber 1406 mp 271, Liber 1420 mp 219 and Liber 1564 mp 333 to form one lien of $970,000.00.

SPREADER AGREEMENT

BETWEEN	*The Troy Savings Bank (Mortgagor)*	
AND	*Country Club Properties, Inc. (Mortgagee)*	
DATED	*September 26, 1991*	
RECORDED	*October 1, 1991*	LIBER *1957 mp 315*

Spreads the mortgages in Liber 1406 mp 271, Liber 1420 mp 219 and Liber 1564 mp 333 over the premises described in Schedule A.

MORTGAGE

MORTGAGOR	*Country Club Properties, Inc.*	
MORTGAGEE	*The Troy Savings Bank*	
AMOUNT	*$230,000.00*	DATED *September 26, 1991*
RECORDED	*October 1, 1991*	LIBER *1958 mp 25*

ASSIGNMENT OF MORTGAGE

ASSIGNOR	*The Troy Savings Bank*	
ASSIGNEE	*CCP, LLC*	
DATED	*September 18, 1996*	
RECORDED	*October 1, 1996*	ROLL *41 Frame 1882*

Assigns all the aforesaid mortgages.

Satisfaction of mortgage not provided at closing, $50.00 plus cost of recordings.

MORTGAGE PAYOUT LETTER MUST BE PROVIDED AT CLOSING. IF MORE THAN ONE MORTGAGE, SEPARATE PAYOFF LETTERS MUST BE PROVIDED FOR EACH. TWO (2) BUSINESS DAYS PLUS WEEKENDS AND HOLIDAYS INTEREST MUST BE ADDED. PAYOUT LETTER MUST SPECIFY CHECK REQUIREMENTS.

THE CREDIT LINE MUST BE TERMINATED PRIOR TO CLOSING FOR ANY OF THE ABOVE MORTGAGES WHICH ARE HOME EQUITY/REVOLVING CREDIT MORTGAGES AND THE PAYOFF LETTER MUST INDICATE THAT THE PRINCIPAL BALANCE IS FIXED. AN ESCROW IN THE FACE AMOUNT OF THE MORTGAGE IS REQUIRED FOR ANY CREDIT LINE NOT TERMINATED PRIOR TO CLOSING.

SUPERIOR DATA SERVICES, INC.

44 Court Street Suite 300
Brooklyn, NY 11201
718-625-9949 Fax: 718-625-9609

3 West Main Street Suite 208
Elmsford, NY 10523
914-347-1636 Fax: 914-347-3163

COUNTY: RENSSELAER TITLE: SMPR A111106B

The unpaid taxes, water rates, assessments and other matters relating to taxes which are properly filed and indexed liens at the date of this search are set forth below. Our policy does not insure against such items which have not become a lien up tothe date of the policy or installments due after the date of the policy. Neither our tax search nor our policy covers any part of streets on which the premises to be insured abut. If the tax lots reported cover more or less than the premises under examination, this fact will be noted herein. In such cases, the interested parties should take the necessary steps to make the tax map conform to the description to be insured.

Ass'd To: COUNTRY CLUB PROPERTIES INC Search Date: 11/5/2004
Premises: PINEWOOD AVENUE EXT
Tax Class: 323 School Dis: AVERILL PARK CENT
Town/City: TOWN OF BRUNSWICK Village:

District:		Acct. No.:	215J157725S	District:	
Section:	102	Acreage:	83.91	Section:	
Block:	5	Land:	$32,400.00	Block:	Land:
Lot(s):	1.11	Total:	$32,400.00	Lot(s):	Total:
Exemp:				Exemp:	

004 Town TAX	$1,035.66 Paid	Year: 1/1-12/31 Lien: 1/1 Due: 1/1
2004/2005 School TAX	$1,791.96 Paid	Year: 7/1-6/30 Lien: 9/1 Due: 9/1

NO WATER ACCOUNT ON UNIMPROVED PROPERTY. IF IMPROVED, WATER CHARGES BECOME LIEN ON PROPERTY.

TAX CLASSIFICATION: 323 - OTHER RURAL VACANT LANDS

AXES SUBJECT TO CONTINUATION PRIOR TO CLOSING
cent payments of any open items returned on this tax search may not be reflected on the public records. Therefore please request the seller or ower to have the receipted bills available at closing.

SUPERIOR DATA SERVICES, INC.

44 Court Street Suite 300
Brooklyn, NY 11201
718-625-9949 Fax: 718-625-9509

3 West Main Street Suite 208
Elmsford, NY 10523
914-347-1636 Fax: 914-347-3163

COUNTY: RENSSELAER TITLE: SMPR A111106

The unpaid taxes, water rates, assessments and other matters relating to taxes which are properly filed and indexed liens at the date of this search are set forth below. Our policy does not insure against such items which have not become a lien up tothe date of the policy or installments due after the date of the policy. Neither our tax search nor our policy covers any part of streets on which the premises to be insured abut. If the tax lots reported cover more or less than the premises under examination, this fact will be noted herein. In such cases, the interested parties should take the necessary steps to make the tax map conform to the description to be insured.

Ass'd To: COUNTRY CLUB PROPERTIES INC

Search Date: 11/5/2004

Premises: 515 PINEWOODS AVE EXT

Tax Class: 322

School Dis: AVERILL PARK CENT

Town/City: TOWN OF BRUNSWICK

Village:

District:		Acct. No.:	215J151550C	District:	
Section:	102	Acreage:	92.80	Section:	
Block:	5	Land:	$37,100.00	Block:	Land:
Lot(s):	3.11	Total:	$40,000.00	Lot(s):	Total:
Exemp:				Exemp:	

2004 Town TAX	$1,278.60 Paid	Year: 1/1-12/31 Lien: 1/1 Due: 1/1
2004/2005 School TAX	$2,212.29 Paid	Year: 7/1-6/30 Lien: 9/1 Due: 9/1

NO WATER ACCOUNT ON UNIMPROVED PROPERTY. IF IMPROVED, WATER CHARGES BECOME LIEN ON PROPERTY.

TAX CLASSIFICATION: 322 - RESIDENTIAL VACANT LAND OVER 10 ACRES

TAXES SUBJECT TO CONTINUATION PRIOR TO CLOSING

Recent payments of any open items returned on this tax search may not be reflected on the public records. Therefore please request the seller or buyer to have the receipted bills available at closing.

SUPERIOR DATA SERVICES, INC.

44 Court Street Suite 300
Brooklyn, NY 11201
718-625-9949 Fax: 718-625-9609

3 West Main Street Suite 208
Elmsford, NY 10523
914-347-1636 Fax: 914-347-3163

COUNTY: RENSSELAER TITLE: SMPR A111106A

The unpaid taxes, water rates, assessments and other matters relating to taxes which are properly filed and indexed liens at the date of this search are set forth below. Our policy does not insure against such items which have not become a lien up tothe date of the policy or installments due after the date of the policy. Neither our tax search nor our policy covers any part of streets on which the premises to be insured abut. If the tax lots reported cover more or less than the premises under examination, this fact will be noted herein. In such cases, the interested parties should take the necessary steps to make the tax map conform to the description to be insured.

Ass'd To: COUNTRY CLUB PROPERTIES INC — Search Date: 11/5/2004

Premises: 306 BRUNSWICK RD

Tax Class: 322 — School Dis: BRUNSWICK CENTRAL

Town/City: TOWN OF BRUNSWICK — Village:

District:		Acct. No.:	215J159725	District:		
Section:	102	Acreage:	47.09	Section:		
Block:	1	Land:	$47,000.00	Block:		Land:
Lot(s):	18.11	Total:	$47,000.00	Lot(s):		Total:
Exemp:				Exemp:		

2004 Town TAX w/o Exemp	$1,409.43 Paid	Year: 1/1-12/31 Lien: 1/1 Due: 1/1
2004/2005 School TAX w/o Exemp	$2,974.73 Paid	Year: 7/1-6/30 Lien: 9/1 Due: 9/1

NO WATER ACCOUNT ON UNIMPROVED PROPERTY. IF IMPROVED, WATER CHARGES BECOME LIEN ON PROPERTY.

TAX CLASSIFICATION: 322 - RESIDENTIAL VACANT LAND OVER 10 ACRES

TAXES SUBJECT TO CONTINUATION PRIOR TO CLOSING

Recent payments of any open items returned on this tax search may not be reflected on the public records. Therefore please request the seller or borrower to have the receipted bills available at closing.

APPENDIX F

Environmental Records

Local Comments to Proposed Scope for the Carriage Hill Estates EIS

with the NYS Historic Preservation Officer to assess current conditions and any potential for impacts on archeological resources.

Initial Identification of Mitigation Measures: Mitigation measures in coordination with the NYS Historic Preservation Officer, could include avoidance of construction activities in the vicinity of any identified sensitive resources or removal of any identified artifacts prior to construction.

4.2.6 Environmental Contaminants

Existing Information: There may be an old farm debris area on the Project site.

Potential Impact: It is anticipated that there are no contaminants on site that may pose a risk to public health.

Required New Information and Methodology for Obtaining: A Phase 1 Environmental Site Assessment will be performed, and if necessary, a Phase II Assessment to further evaluate any identified contaminants. Coordination will be made with appropriate regulatory agencies (NYSDEC & NYSDOH) regarding the Project sites' existing environmental issues.

Initial Identification of Mitigation Measures: A strategy for mitigation and redevelopment, if necessary, will be developed and coordinated with the appropriate regulatory agencies (NYSDEC & NYSDOH) concerning the Project sites' existing environmental issues.

4.2.7 Visual Impacts

Existing Information: (Include reference to previous visual analysis)

Potential Impact: Potential views of the project from neighboring public areas

Required New Information and Methodology for Obtaining: Provide line of site analysis from three (3) viewpoints, including the Eagle Ridge and Brunswick Hills developments and NYS Route 2. In addition, a landscape master plan will be prepared, identifying proposed screening.

Initial Identification of Mitigation Measures: Visual impacts will be mitigated by utilizing cut-off light fixtures and landscape buffering.

4.2.8 Community Services (School Districts, Police and Fire Department)

TUCZINSKI, CAVALIER, BURSTEIN & COLLURA, P.C.

Attorneys At Law
54 State Street, Suite 803, Albany, New York 12207

Telephone: (518) 463-3990 x328
Facsimile: (518) 426-5067
agilchrist@tcbclegal.com

Richard L. Burstein
Roland M. Cavalier
Thomas J. Collura
David A. Engel
Andrew W. Gilchrist
Daniel J. Tuczinski

Jennifer M. Boll
Alison M. Coan
Andrew C. Mauldenesch
Daniel G. Vincelette

Barbara J. Samel
Of Counsel

October 22, 2004

RECEIVED
NOV 23 2004
SUPERVISOR'S
TOWN ...

George M. O'Connor
36 Shippey Lane
Troy, New York 12180

Re: Carriage Hill Estates Application
Notice of Submission of Draft Scope by Applicant

Dear Mr. O'Connor:

Please be advised that United Development Group has made an application to the Town of Brunswick for Carriage Hill Estates, a proposed mixed residential use on 217 acres located on State Route 2 and County Route 140 (Pinewoods Avenue), consisting of 101 subdivided residential lots and 192 independent living senior apartments within seven (7) three-story apartment buildings.

As part of the application review process, the Town Board of the Town of Brunswick has been designated as the Lead Agency for purposes of compliance with the State Environmental Quality Review Act. In its role as Lead Agency, the Town of Brunswick Town Board has determined that a Environmental Impact Statement needs to be prepared by the Applicant for this project.

The Applicant has submitted to the Brunswick Town Board a proposed Scope for the content of the Environmental Impact Statement for this project. The proposed Scoping Document is on file at the Town Office, as well as the Brunswick Community Library. The document is available for public review and inspection.

As part of its duties as Lead Agency, the Brunswick Town Board will be accepting written comment on the proposed Scope for the Carriage Hill Estates Environmental Impact Statement through November 26, 2004. If you would like to provide your comment on the Scope of the Environmental Impact Statement, please forward your written comments directly to Honorable Philip Herrington, Supervisor, Town of Brunswick, 308 Town Office Road Place, Troy, New York 12180.

Respectfully yours,

TUCZINSKI, CAVALIER, BURSTEIN & COLLURA, P.C.

By: _____
Andrew W. Gilchrist

AWG/mmp

cc: Brunswick Town Board
Susan Quest-Sherman, Town Clerk
Thomas Cioffi, Esq.
United Development Group
Whiteman, Osterman & Hanna

TUCZINSKI, CAVALIER, BURSTEIN & COLLURA, P.C.

COPY

Attorneys At Law
54 State Street, Suite 803, Albany, New York 12207

Telephone: (518) 463-3990 x328
Facsimile: (518) 426-5067
agilchrist@tcbclegal.com

Richard L. Burstein
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Andrew W. Gilchrist
Daniel J. Tuczinski

Jennifer M. Boll
Alison M. Coan
Andrew C. Maulbetsch
Daniel G. Vinceletre

Barbara J. Samel
Of Counsel

December 1, 2004

Hon. Philip Herrington
Supervisor, Town of Brunswick
308 Town Office Road Place
Troy, New York 12180

Re: **Carriage Hill Estates**

Dear Supervisor Herrington:

It has come to our attention that two additional comment letters had been received by the Brunswick Town Board concerning the proposed Scoping document submitted by the Applicant on the Carriage Hill Estates project. Copies of the comment letters are enclosed.

I likewise am sending the enclosed letters to the Town Board Members, Town Attorney, Town Clerk, Consulting Engineer, as well as the Applicant and its counsel.

Respectfully yours,

TUCZINSKI, CAVALIER, BURSTEIN & COLLURA, P.C.

By: _____
Andrew W. Gilchrist

AWG/mmp
Enclosures
cc: Caroline Abrams
Carl Clemente
Patrick Poleto
Sam Salvi
Thomas Cioffi, Esq.
Mark Kestner, P.E. (*via facsimile and mail*)
Susan Quest-Sherman, Town Clerk
Philip Dixon, Esq. (*via facsimile and mail*)
Michael J. Uccellini (*via facsimile and mail*)

F:\CLIENTS\Brunswick United Dev\Correspondence\Herrington 12-1-04.wpd

November 22, 2004

G. M. O'Connor
36 Shippey Lane
Troy, New York 12180

RECEIVED
NOV 23 2004
SUPERVISOR'S OFFICE
TOWN OF BRUNSWICK

Honorable Phillip Herrington
Supervisor, Town of Brunswick
308 Town Office Road Place
Troy, New York 12180

Dear Phil:

I received the enclosed notice from the attorneys for United Development Group. As suggested, I have reviewed the environmental impact statement at the Garfield Library.

I will state at the outset that I am not opposed to Proposed Development Districts (PDD's) in principle. They provide a perfect opportunity to develop suburban areas for residential housing. Several towns in the Capital District have used these PDD's to their betterment. The towns of Colonie and Clifton Park come to mind.

I am adamantly opposed to a PDD of this size and scope in the scenic rural area of our beautiful town. A 200+ area development of this size and scope would destroy the scenic and rural characteristics of this section of the town. New York Route 2 is supposedly the scenic route through the town.

The planned "Orchard Village at Carriage Hill" is the most egregious insult to 200 acres of woodland and wildlife habitats. Legal zoning definitions aside, this has all the appearances of a commercial enterprise. Seven 3-story apartment buildings on the Brunswick Road, along the Poestenkill? A clubhouse? A village green? To my mind, this is a commercial undertaking and should not be allowed.

I would encourage the Board members to walk through the property to better understand woodlands and the amount of flora and fauna that would be sacrificed. Some of the features are not indicated in the survey. For example, there is a wetland I would characterize as a swamp that extends from the top of Shippey Lane almost to the unnamed Class C stream. Near Pine Woods Avenue the wet area extends NE to SW and drains down the gully near Nancy Chuta's house, under Shippey Lane and into the Poestenkill. The NE section drains into the "unnamed Class C" stream near Pinewoods Avenue. In the spring, substantial amounts of water drain from this wetland. Doug has had his crews clearing the drains at the foot of Shippey Lane several times.

If a PDD of this size is allowed into the scenic area of the town, it would be the first not the last. Any other ensuing planned development districts could not be denied.

There are other options for the use of this land that the town could pursue. I have enclosed an article from the Times Union describing what Clifton Park is considering for just such an area.

In conclusion, I am opposed to the development, as such, of 200 acres of woodland in the scenic ad rural areas of our town. I encourage the Town Board to reject this development as proposed.

Thank you,

George M. O'Connor

BARBARA J. RUSSO
ATTORNEY AT LAW
52 Colehamer Avenue
Troy, New York 12180
(518) 279-0088

RECEIVED
NOV 29 2004
SUPERVISOR'S OFFICE
TOWN OF BRUNSWICK

November 24, 2004

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED
Town of Brunswick Town Board
308 Town Office Road
Troy, New York 12180

Re: Carriage Hill Estates -
Comments on Draft Scoping Document

Dear Sir or Madam:

The following are comments pursuant to 6 NYCRR 617.8(e) on the Draft Scoping Document of the proposed Carriage Hill Estates Planned Development District ("Draft Scope"). As a resident of the Town of Brunswick, and a property owner near the proposed development, I am a member of the public who will be directly affected by the project.

Additionally, this correspondence shall serve as written notice pursuant to 6 NYCRR 617.8(f) of my interest in receiving the final written scope of the project. Further, pursuant to 6 NYCRR 617.12(b)(1)(iv) I hereby request copies of the documents prepared or to be prepared regarding this project pursuant to the State Environmental Quality Review Act ("SEQRA"), including the positive declaration, notice of completion of an Environmental Impact Statement ("EIS"), the EIS, notice of hearing, and findings. Please advise me of the cost of copying any such documents before providing them.

Regarding the Draft Scope, please be advised of the following comments:

- The Draft Scope fails to consider the potential impact on groundwater. The Draft Scope indicates that "[d]uring construction, controlling erosion will be an important factor. There is potential for certain locations to have problems with a seasonally high groundwater and construction of structures will need to take this potential impact into consideration." The impact on groundwater quality from soil erosion and associated runoff must be addressed in the EIS. Moreover, the Environmental Assessment Form (EAF) indicates that the project will use herbicides and pesticides on lawns and landscaping. The proposal includes 41 acres of lawns. The use of herbicides and pesticides on the proposed lawn and landscaping areas will have a negative impact on groundwater quality. Several neighboring residents in the area of the proposed projects use wells as their water source, and will be adversely impacted by any effects the project will have on groundwater quality. As such, the EIS must include a groundwater survey to

determine the potential negative impact. The depth of the water table must be determined (the EAF merely states that the depth is "variable"). The EIS should evaluate the possible installation of monitoring wells to monitor the impact from the proposed project on the groundwater.

- The Draft Scope does not adequately address the proposed project's impact on wetlands and the 100 – Year Floodplain. The Draft Scope states that no disturbance is proposed within the 100-Year Floodplain, however the Floodplain will be significantly impacted by erosion and runoff during the construction phase, as well as runoff after construction from the increase in impervious areas. The EIS must address the impact on the Floodplain from runoff and increase in impervious areas. The EIS must address the subsequent potential for increased flooding and associated danger of backup of raw sewage. The EIS must also address the impact of non-point source pollution of the wetlands, Poestenkill and Class C stream from runoff of pesticide, herbicide and/or fertilizer applications on the lawn areas and landscaping of the proposed project, as well as the impact from other non-point sources of pollution caused by residential discharges from the increased population, including but not limited to discharge of oil, gasoline and anti-freeze from the increased motor vehicles, and increased discharge from other household products.

- The EIS must consider all wetlands present on the site, including the federally regulated wetlands in the northwest corner of the project site, regardless of the applicant's statement that no development is proposed in this section of the project. See, Purchase Environmental Protective Ass'n, Inc. v. Strati, 163 AD2d 596, 559 NYS2d 356 (2d Dept. 1990).

- The EIS must further consider the impact on wildlife habitat caused by the potential degradation of the wetlands. The Draft Scope merely states that potential impacts of stormwater quality on fish in the un-named Class C stream immediately downstream of the project will be addressed. However, degradation of the stream and nearby wetlands would impact the entire ecosystem and associated wildlife, not merely fish. As such, the potential habitat destruction and effect on wildlife must be addressed.

- The Draft Scope does not adequately address the impact on Air Resources. In addition to the dust, Carbon Monoxide and other emissions associated with the construction, the EIS must address the impact on Air Quality after construction from the increased motor vehicles at the site, additional emissions from furnaces, emissions from fireplaces and/or wood stoves.

- The Draft Scope does not adequately address the impact on terrestrial and aquatic ecology. Although the letter from the NYSDEC Natural Heritage Program dated May 25, 2004, states that "We have no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats" (emphasis in original), the letter further stresses that "the absence of data

does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain any information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. For these reasons, we cannot provide a definitive statement on the presence or absence of rare or state-listed species, or of significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental assessment" (emphasis added). As such, a complete on-site survey should be conducted to determine the presence or absence of rare or state-listed species, or of significant natural communities. A prior survey conducted in 1988 is insufficient. See, Honess 52 Corp. v. Widholt, 176 Misc.2d 57, 672 NYS2d 237 (1988). Additionally, the EIS must address the impact on wildlife habitat of non-listed species, and identify mitigation measures.

- The Draft Scope does not adequately address the impact on traffic from the proposed project. The Draft Scope unreasonably compares the estimated traffic volumes for the current project with those estimated in a traffic study prepared in 1990. Moreover, the Draft Scope unreasonable assumes the same traffic distribution between Route 2 and Pinewoods Avenue as was used in the 1990 traffic study, without taking into consideration recent housing developments which have occurred in the vicinity of Pinewoods Avenue which would have a cumulative impact on traffic volumes for Pinewoods Avenue. An updated traffic study must be conducted, and the EIS must address the impact on traffic based on accurate current levels. Moreover, the Draft Scope does not explain how it determined the amount of "new" peak hour traffic that would be created from the proposed development. The estimates of 41 and 49 for Route 2 and Pinewoods, respectively, for A.M. peak hour traffic, and 56 and 68 for Route 2 and Pinewoods, respectively, for P.M. peak hour traffic appears unreasonably low given that the project proposed 82 "Carriage Homes", 19 "Estate Homes", and 192 Senior Units.

- The mitigation measures suggested in the Draft Scope for the increased traffic, including "roadway improvements, new turning lanes and/or traffic signals" would be at the expense of the Town, and the costs would fall onto the taxpayers. Moreover, in order to add turning lanes, it would be necessary to the Town to take private property by Eminent Domain. Such taking would include agricultural areas located within an Agricultural District. As such, in order to consider the applicant's proposed mitigation measures, the EIS must also address the environmental impacts of such measures.

- The Draft Scope further fails to consider the increased traffic during the construction of the project. The EIS must address the impact on traffic during the construction phase of the proposed project, including the impact on Pinewoods Avenue from the construction of the water and sewer lines.

- Land Use and Zoning – The EIS must address whether rezoning applications by adjacent owners are pending or are reasonably predictable. See, Strathmore Hills Civic Ass'n v. Town of Huntington, 146 AD2d 783, 537 NYS2d 264 (2d Dept. 1989) appeal denied 74 NY2d 614, 547 NYS2d 848; 6 NYCRR 617.9(b)(5)(iii). If such applications are pending, the EIS must consider the cumulative impact. Moreover, residents may have relied on current zoning in contemplation of purchasing property in the surrounding area. The EIS must address impact and changes on the community character

- Cultural Resources – Attachment D to the EAF, letter from NYS Office of Parks Recreation and Historic Preservation dated June 14, 2004 states that there is an archeological site in or adjacent to the project area, and recommends a Phase 1 archeological survey for all portions of the project, to be conducted by a 36 SFR 61 qualified archeologist. The 1989 DEIS discussed in the Draft Scope is insufficient. Honess 52 Corp. v. Widholt, supra. A current Phase 1 survey must be conducted, and the EIS must consider any archeological impact.

- Environmental Conditions – The Draft Scope states that there may be an old junk yard area on the project site. As such a Phase 1 Environmental Site Assessment, and if necessary a Phase II Assessment, as mentioned in the Draft Scope, must be conducted prior to the EIS. The EIS cannot adequately evaluate the impact on environmental conditions until the Assessments are performed. If contaminants are discovered on the site, the EIS must consider the impact of the project including the potential disbursement of contaminants by movement and stockpiling of subsoils, and associated runoff therefrom. The EIS must also consider the impact on groundwater quality.

- Community Service - The Draft Scope incorrectly states that the increase in the school-aged population is anticipated to be minimal "due to the fact that a significant portion of the development will consist of senior housing". In fact, more than one third of the project consists of homes other than the senior housing, and will be likely to have school aged children. As such, the EIS must consider the impact on the student population.

- Reasonable Alternatives To Be Considered – The Draft Scope discusses only the No Action Alternative. The EIS must include a description and evaluation of the range of reasonable alternatives to the action that are feasible. The description and evaluation of each alternative must be at a level of detail sufficient to permit a comparative assessment of the alternatives discussed. In addition to the no action alternative, the range of alternatives should also include alternative sites, and alternative scale or magnitude of the project. Moreover, it is inappropriate to compare the current proposed project with a project previously approved in 1991, as discussed in the Draft Scope, in light of the change in circumstances over thirteen years, including loss of open space and increased population.

- Economic Impact – The Draft Scope discusses only alleged economic benefits of the proposed project. The EIS must also consider the potential negative economic impact, including the increased costs of infrastructure from the extensions of sewer and water lines, and the increased costs from growing demands on community services. Additional considerations should be given to where the necessary funds would come from in order to facilitate the immediate necessary measures as far as new infrastructure and maintenance of new and existing infrastructure until the project is completed and at full occupancy. It is unreasonable to assume that there will be sufficient additional tax revenue from the project until full occupancy. It is further unreasonable to assume full occupancy within five years as proposed in the Draft Scope, as evidenced by other nearby developments such as Eagle Ridge and others. Therefore the EIS must address where the Town will raise the additional revenue required for infrastructure and maintenance.

Thus, in addition to the considerations mentioned in the Draft Scope, the EIS must evaluate the above mentioned impacts as well.

Thank you for your attention to this matter.

Very truly yours,

Barbara J. Russo

BARBARA J. RUSSO, ESQ.

Richard & Lynne Patton
529 Pinewoods Avenue
Troy, New York 12180

RECEIVED
NOV 29 2004
SUPERVISOR'S OFFICE
TOWN OF BRUNSWICK

November 24, 2004

Honorable Philip Herrington, Supervisor
Town of Brunswick
308 Town Office Road
Troy, New York 12180

Re: Carriage Hill Project
Pinewoods Avenue & Route 2

Dear Mr. Herrington and the Brunswick Town Board:

We would like to express our concern regarding the proposed Carriage Hill housing project to be constructed on property between County Route 140 (Pinewoods Avenue) and State Route 2. Much of our concern is focused on the following items:

- **Increased amount of traffic in the Pinewoods Avenue area and noise level:** The proposed access road from Pinewoods Avenue is to be constructed in between our property and the property of our neighbor, Mr. Robert Smith. Our driveway is directly across the street from the entrance to a much smaller housing development (Eagle Ridge) and we feel that with the addition of the proposed access road for the Carriage Hill Project, which is a short distance away, that this will create a significant amount of congested traffic in the area and a possible traffic safety hazard. As stated in the Narrative/ Project Description, the anticipated impact on traffic in the area is a total of 672 cars (124 cars during peak PM hours). We believe that this will have a significant impact on the noise level surrounding our home with having an estimated 672 cars coming and going throughout the day.

- **Size of the Carriage Hill Project:** We have concern that this project is simply too large and will forever affect the country atmosphere that residents in the Pinewoods Avenue and Route 2 area have become accustomed to. The proposed 101 new homes to be built on ¼ acre lots, in our opinion, will create a housing development that is too dense. We equate it to the density of homes that have been built in Colonie. Do we really want to become another Colonie? We sincerely hope not. We are, however, amenable to the idea of the Estate Homes to be built on 3 to 4 acres.

- **Impact on school system:** We feel that the Carriage Hill Project will have a significant impact on the Averill Park School District since most of this project is within the boundaries of that school district. According to Michael Uccellini, a United Group Development spokesperson, this project is being marketed to seniors and "baby

boomers." The developers *expect* that "baby boomers" with 0-1 children will be buying the 101 single-family homes that begin at about $250,000. Since there is no guarantee that any of these homes will be sold to only people with 0-1 children, then we would assume that there could be a significant impact on the school system. We think that this project needs some serious thought in terms of actual numbers of children who *could* enter into the Averill Park School System because of this project and whether or not the schools can accommodate more students. It is our understanding that George Washington School (GWS), part of the Averill Park School District, cannot accommodate all of the elementary school children in the GWS area and that it buses some children to another elementary school in the Poestenkill area. The magnitude of the Carriage Hill Project could have a serious ripple effect, i.e., more busing, more teachers needed, and the possibility of having to add on to existing school structures, which would ultimately increase school taxes.

Another consideration is that if the senior citizens in the area are selling their current homes to go into the proposed senior housing apartment units, then chances are that the buyers of their homes will be those with children. Again, we see a possible ripple effect with even more children coming into the school district.

- **Proposed project as senior housing:** Even though the senior apartment project is being portrayed as "senior housing," to date we have seen no evidence of this portion of the project as being a federally-mandated senior housing project. Therefore, there is no guarantee that the developers will hold true to this project being for residents who are 62 years of age and older. Michael Uccellini indicated (at a recent informal presentation to the Town Board) that marketing research suggests there are approximately 6,400 senior citizens in the area that could possibly utilize the type of senior housing units being proposed. He also indicated that the developers have not decided on how much these housing units will cost seniors. It appears that since the senior housing units are not federally mandated, then one would assume that these units would have a higher price tag attached to them. How many of our seniors can really afford this type of high-end housing? We would also like to point out that there is already senior housing in Brunswick, Rouse Senior Housing, which is federally mandated and has a sliding scale fee attached. So is there really a market for this type of housing right now? Most of the seniors we know want to stay in their current homes.

- **Impact on Fire Department:** Again, with the size of the proposed number of single-family homes and senior housing units to be built, we have some concern over whether there would be adequate water and adequate fire personnel coverage by the local volunteer fire department in the event of a fire emergency.

- **Installation of sewer:** It is our understanding that the project includes installation of a sewer system, which will mean ripping up portions of Pinewoods Avenue. Most of us who live on Pinewoods Avenue will not have any benefit to our own properties as a result of this project.

- **Impact on aesthetics/environment:** We feel that the size of the Carriage Hill Project will have a negative affect on the wildlife that habitats the wooded acreage between Pinewoods Avenue and Route 2. There are numerous deer, fox, and other wildlife that live within those boundaries. In fact, the proposed access road from Pinewoods Avenue is a well-known deer run and crossing. Even though the proposed type of homes may look nice, we feel that aesthetically they will look more like row houses since so many of them will be in each project area. Again, the density issue prevails. Larger, wooded home sites would certainly be more pleasing to keep in line with the current aesthetics of the area.

  We also have some concern about any environmental toxins that may result from movement of earth during the various construction phases. A portion of this project site was formerly a junkyard (Fox Hollow) where there are still remnants of old batteries, car parts, and tires. In fact, a number of years ago, there was a huge tire fire that emitted large amounts of black smoke into the air. We are not aware of any clean up of those toxic items. So we have some concern about how this project might affect the environment.

- **Timeframe of the project:** The Carriage Hill Project is estimated to take about 5 years to complete. There will be significant traffic and noise due to the number of trucks coming and going and a significant increase in the noise level to the Pinewoods Avenue area once construction begins on the housing. The Eagle Ridge Project, which is in the same vicinity (off of Pinewoods Avenue) has been ongoing for over 5 years and has current construction going on. We certainly do not relish the idea of another 5 or more years of construction noise occurring in our neighborhood. We will directly be affected by this noise and the continuous truck traffic since the access road from Pinewoods Avenue borders our property.

Overall, we are not in favor of the proposed project as submitted. We respectfully submit this letter to the Town Board and request that you notify us of any public meetings that relate to the Carriage Hill Project.

Sincerely,

Richard T. Patton

Lynne M. Patton

William & Donna Shanahan
500 Pinewoods Ave
Troy, NY 121280
(518) 272-8090
shanaw@att.net

RECEIVED
NOV 19 2004
SUPERVISOR'S OFFICE
TOWN OF BRUNSWICK

November 17, 2004

Honorable Philip Herrington
Supervisor, Town of Brunswick
308 Town Office Road Place
Troy, NY 12180

Dear Mr. Herrington

As a 30 year resident of the Town of Brunswick I was disappointed to read the notice of application for Carriage Hill Estates, a mixed residential use site that includes a proposed seven three story buildings.

This type of development seems to me, to be totally out of character with the surrounding single family residential area. My own house is a fairly large, single family colonial style home, situated on approximately three acres of land. My neighbors, directly east and west of my home, are also located on multi-acre lots. Someone will have to explain to me how it is possible that this development can positively impact the value of my property, or indeed, how it could make this a more desirable part of the community to live in. A three story apartment complex just does not blend in with the prevalent architecture in this region of Brunswick.

I also have concerns regarding the numerous 'carriage homes' proposed for this development. Here my issue is with the proposed lot size of .25 acres that, as with the proposed multi-story apartment complex, does not blend well with the prevailing residential lot sizes. Despite the developer's protestations to the contrary, I feel that this type of concentrated development will lead to a dramatically increased burden on our school districts and require a significant expansion of the districts physical capacity. I am sure that you are already well aware of the current significant tax burden that all residents of Brunswick are facing in order to sufficiently fund our school budgets.

I should make clear that I am certainly not opposed to any development whatsoever in this area. While I would certainly miss the forest and it's habitat as it exists now, I would welcome a well planned residential community with substantial home and lot requirements and a thoughtful use of green space. The proposed lot sizes of three acres for the 'luxury' single family homes for instance would be perfectly acceptable. I would also consider acceptable a mix of smaller lot sizes (but not down to .25 acres) to house a reduced number of 'carriage homes' and that would also create a 'mixed residential use community' as specified by the developer.

I certainly hope you will take these comments under careful consideration before allowing this development project to proceed in its current configuration.

Sincerely,

Bill Shanahan
Donna Shanahan

Bill & Donna Shanahan

RECEIVED
NOV 18 2004
SUPERVISOR'S OFFICE
TOWN OF BRUNSWICK

John T. Mack
4 Checkerberry Lane
Troy, New York 12180
Phone: 279-1795
e-mail : jmack@nycap.rr.com

November 14,2004

The Honorable Philip Herrington
Supervisor, Town of Brunswick
308 Town office Road Place
Troy, New York 12180

Dear Supervisor Herrington,

I am writing to you with concerns about the proposed project entitled "Carriage Hill Estates". You may remember me from a past visit to your farm, late last winter, with a falconer. We asked permission to fly a falcon on your land. I recall that we had a most enjoyable conversation with you about the local wildlife and birds of prey. After talking to you, I think you will probably understand my concerns with this proposed project.

The Carriage Hill Estates proposed project is very close to my home, as well as many others. It is an area with incredible views that include beautiful sunsets, dynamic fall foliage, and sprawling green woodlands. The surroundings are quiet, with frequent wildlife sightings, and wonderful hiking terrain. These are all reasons why I chose to live in my beautiful home on Checkerberry Lane, a home that I recently spent a large sum of money remodeling with the intent to live in permanently. The proposed project will greatly impact what I have enjoyed so much about living in this area.

The proposed project is on a parcel of land which contains diverse habitat. That habitat consists of mixed hardwoods, pine groves, small streams and swamps, as well as dense thickets. I am very concerned about the many species that breed in this area. I am a member of the Hudson Mohawk Bird club, an avid bird watcher, and an avid hiker. I have observed pairs of Barred owls and red-tailed hawks during breeding season. I have also observed species which have expanded their range in recent years. These include the red-bellied woodpecker and the Northern raven. A project of this magnitude would certainly drive these creatures out of the area. I am one of many people that spend time hiking in the area and observing it's surroundings, including the vast wildlife. This project would decimate the natural beauty of this land, as well as it's wildlife.

I have discussed this project with several of my neighbors. They also pointed out the obvious issues with increased traffic, noise, and the impact on our elementary schools.

I have studied the document which sites the scope of the proposed project, and I cannot believe the amount of residences that are being proposed for this land. Is greed really worth what would have to be sacrificed for this project? If it must happen, can it be scaled down to fit better into the surroundings? Do we want to put this huge development in the midst of our farmlands in the area?

I would appreciate your evaluation of this proposed project. I, as well as most others, are extremely concerned about it's impact on the area. Thank you for your time and consideration.

Sincerely,

John T. Mack

RECEIVED
NOV 8 2004
SUPERVISOR'S OFFICE
TOWN OF BRUNSWICK

25 October 2004

Hon. Philip Herrington
Supervisor, Town of Brunswick
308 Town Office Road Place
Troy, NY 12180

Dear Mr. Herrington:

I am in receipt of a letter from Andrew W. Gilchrist of Tuczinski, Cavalier, Burstein & Collura, P.C., representing United Development Group, with regard to their application for the use of 217 acres in the Town of Brunswick for "mixed residential use" consisting of 101 subdivided residential lots and 192 independent living senior apartments within 7 three-story apartment buildings.

The development of this plot of land should be a welcome addition to our Town, of which I have been a resident for over 44 years. I believe that location is a very beautiful part of Brunswick and the 101 residential lots for Carriage Houses will be in keeping with the Town's plan for maintaining the quality of life.

However, the 7 three-story apartment buildings could present a problem for the present or in the future. The letter from Mr. Gilchrist labels those as "independent living senior apartments" and I can appreciate the need for those. My concern is for the amount of increased traffic that number of units could add to both Route 2 and to Pinewoods Avenue. Also, is there to be a permanent description of the minimum age required to live in these apartments? I would like some assurance that these would not some day be made available to students or other transients.

I have enjoyed the beauty and quiet of Brunswick for these many years and look forward to be able to continue this pleasure.

Sincerely,

Elsie Mardigian

Mrs. Elsie Mardigian
461 Pinewoods Avenue
Troy, NY 12180

FOIL File Review

LANSING ENGINEERING, P.C.
7 Hemphill Place, Suite 230 Malta, NY 12020 Telephone: (518) 899-5243 Fax: (518) 899-5245

December 2, 2004

Toni Mauceri
NYSDEC Region 4 FOIL Coordinator
1150 North Westcott Road
Schenectady (Rotterdam), NY 12306

via Facsimile (518) 357-2593

RE: FOIL Request (Revised)
Former Country Club Properties Site
R4-1033-91-02
Town of Brunswick, Rensselaer County, New York

Dear Ms. Mauceri:

Under the Freedom of Information act a representative from Lansing Engineering, PC would like to review all of the files associated with the referenced tire fire site in Rensselaer County. **Please contact me via facsimile at 518.899.5245 or at the address above to confirm receipt of this request and to schedule a time for us to review the information.**

We have been retained to perform a Phase I ESA of the subject property where the tire fire occurred. At this juncture, the location of the spill site and further details from the Spill file are not known.

Here is information provided from a recent computer database search of federal and state databases. The actual location for the tire fire was not provided but a spill number of **9012362** was listed. The spill site was reported on February 23, 1991 at 12:00 Noon. NYSDEC Spill Investigator Bill Blain visited the site on February 25 and no particular petroleum-related constituents were noted in the runoff. No further action was requested by Investigator Blain. The NYSDEC closed the spill site on March 5, 1991 noting that the cleanup ceased on February 27, 1991. **On February 28, 1991, the NYSDEC Region 4 issued a Consent Order (R4-1033-91-02) to remove all waste tires and residue to a permitted waste disposal facility as well as requiring payment of a $200 enforcement action.**

New NYSDEC remarks were added to the spill file by Environmental Conservation Officer McLean due to a tire fire (a brown smoke was observed due to burning of tire byproducts) on September 28, 1995.

If you have any questions regarding this request please contact me at 518.899.5243, Extension 106.

Sincerely,

LANSING ENGINEERING, P.C.

Mark A. Williams, PG, CEM
Manager, Environmental Services

Spill File Information

LANSING ENGINEERING, P.C.
7 Hemphill Place, Suite 230 Malta, NY 12020 Telephone: (518) 899-5243 Fax: (518) 899-5245

04/466

December 2, 2004

Toni Mauceri
NYSDEC Region 4 FOIL Coordinator
1150 North Westcott Road
Schenectady (Rotterdam), NY 12306

via Facsimile (518) 357-2593

Consent Hold

RE: FOIL Request (Revised)
~~Former Country~~ Club Properties Site
R4-1033-91-02
Town of Brunswick, Rensselaer County, New York

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Sincerely,

LANSING ENGINEERING, P.C.

Mark A. Williams

Mark A. Williams, PG, CEM
Manager, Environmental Services

NYSDEC SPILL REPORT FORM

DEC REGION:	4	SPILL NUMBER:	9012362
SPILL NAME:	BRUNSWICK TIRE FIRE RT 2	DEC LEAD:	WEBLAIN
SPILL DATE:	02/23/1991	SPILL TIME:	12:00 pm
CALL RECEIVED DATE:	02/23/1991	RECEIVED TIME:	2:00 pm

SPILL LOCATION

PLACE:	BRUNSWICK TIRE FIRE RT 2	COUNTY:	Rensselaer
STREET:	RT 2 PINEWOODS TIRE FIRE	TOWN/CITY:	***** Unknown *****
		COMMUNITY:	BRUNSWICK EAGLE MILLS
CONTACT:		CONTACT PHONE:	

SPILL CAUSE:	Other	SPILL REPORTED BY:	Other
SPILL SOURCE:	Commercial/Industrial	WATERBODY:	

CALLER REMARKS:

TK SAW SMOKE OF FIRE, ECO MCLEAN ON SITE. 02/25-BLAIN & WATER TECHS INSPECTED, NO PARTICULAR PETRO RUN-OFF. NO FURTHER ACTION AT THIS TIME.

MATERIAL	CLASS	SPILLED	RECOVERED	RECOURCES AFFECTED

POTENTIAL SPILLERS

COMPANY	ADDRESS	CONTACT
TIRE FIRE	ZZ	

Tank Number	Tank Size	Test Method	Leak Rate	Gross Failure

DEC REMARKS:

Prior to Sept, 2004 data translation this spill Lead_DEC Field was "BLAIN/Etc"
09/28/95: This is additional information about material spilled from the translation of the old spill file: BURNING TIRE BY-PROD

PIN:	T & A:	COST CENTER:	
CLASS: D5	CLOSE DATE: 03/05/1991	MEETS STANDARDS:	True

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
SPILL RESPONSE FORM

ON: _____ SPILL NO. 90/236[redacted]2

SPILL NAME: _____ CALLER NAME: _____

SPILL DATE: 2/23/91 TIME: 12:00 AGENCY: _____

RUN DATE: 3/5/91 INITIALS: PNB TELEPHONE: _____

CENT.OFF.NOTIFIED - DATE: 3/1/91 TIME: 13:59 NOTIFIER: newspaper

REGIONAL OFFICE NOTIFIED - DATE: 2/23/91 TIME: 14:00

ANSWERING SERVICE - DATE: / / TIME: _____

FIRST CALL: (A, C, (R)) REGIONAL OFFICE CALL RECEIVED BY: PNB (to Brett)

PETROLEUM SPILLED

1) Gasoline
2) #2 Fuel
3) #4 Fuel
4) #6 Fuel
5) Diesel
6) Jet Fuel
7) Waste Oil
8) Non-PCB Oil
9) PCB Oil
10) Kerosene
11) Unknown

CLASS OF MATERIALS

(1) Petroleum
2) Non Pet/Non Haz
3) Hazardous Material
4) Raw Sewage
5) Unknown

QUANTITY SPILLED (UNITS, (G) OR P): _____
OTHER MATERIAL: _____

SPILL LOCATION: Rt. 2 Pine Woods Ave.
MUNICIPALITY: Brunswick
OUNTY (CODE): Rensselaer

SPILLER NAME: _____
ADDRESS: _____
CITY, ST., ZIP: _____
TELEPHONE: _____
CONTACT PERSON: _____

SPILL CAUSE

1) Human Error
2) Traf.Acc.
3) Eqpt Fail.
4) Vandalism
5) Test Fail.
6) Housekpg
7) Deliberate
8) Ab. Drums
9) Tank Fail.
10) Overfill
11) Other
12) Unknown

SPILL SOURCE

1) Comm/Ind.
2) Non-Comm.
3) Maj. Fac.
4) Non-Maj.Fac.
5) Gas Sta.
6) Pass. Veh.
7) Comm. Veh.
8) Tank Truck
9) Pvt. Dwelling
10) Vessel
11) Other
12) Unknown

RESOURCE AFFECTED

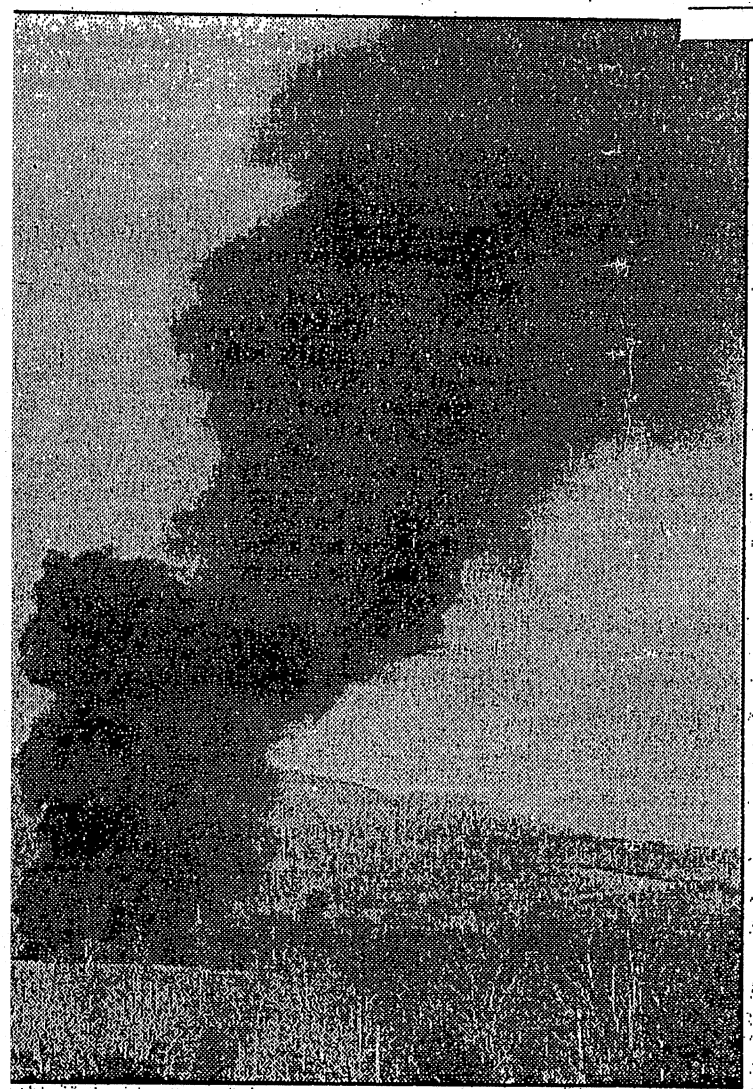
1) On Land
2) In Sewer
3) Groundwater
4) Surface Water
5) Air

NOTIFIER

1) Resp.Party
2) Aff. Person
3) Police Dept
4) Fire Dept.
5) Tank Tester
6) DEC
7) Citizen
8) Health Dept.
9) Loc.Agency
10) Fed. Gov't
11) Other

AFFECTED WATER BODY: _____
DRAIN BASIN/SUB BASIN: _____
PROJECT I.D. NO. (PIN): _____ CLOSED DATE: / /
TIME & ACTIVITY CODE: _____ LAST INSPECTION DATE: / /
STATUS (A, C): _____ INSPECTOR: _____
COST CENTER CODE: _____ PBS REG. # _____
ENVIRON.COMPLETE DATE: / / CLEANER: _____
DATE ISR SENT TO C.O.: / / 1) PIN 2) SPILLER 3) LOC.AG 4) NO ACT.

ARKS: See clippings site inspected by Blam, Streeter +



Times Union photo by Paul D. Knickern, Sr.

UE SIGNAL — A coal-black scar of smoke slashes across uary sky from a small but stubborn tire-dump fire near ood Avenue in the town of Brunswick on Saturday.

Stubborn tire-dump fire darkens Brunswick sky

By Bill Eager
Staff writer

BRUNSWICK — A fire in a small tire dump covered parts of the town in a haze of smoke Saturday afternoon and took firefighters from five districts two hours to contain.

No one was injured.

The blaze was limited to a small corner of a wooded area, but the environmental threat caused by burning rubber had fire officials scrambling to extinguish it quickly. The threat also prompted them to summon the state Department of Environmental Conservation.

"We wanted to make sure nothing hazardous was affecting the environment. We don't think it is," said Robert Welch, a commissioner with the Eagle Mills Fire District.

The fire was reported at 1:20 p.m., and spewed dense black and gray smoke for nearly two hours before fire officials declared it under control. Welch said the cause was not known Saturday, but county officials will be called in to determine if it was set.

"It's still fairly stubborn," Welch said at about 3:15. "We're attempting to get a bulldozer to knock down some of the rubble to get at it better."

Burning tires can be tricky, because of their tendency to smolder and to emit potentially hazardous smoke and oil. A 1989 tire dump fire in Catskill burned for six days and soaked the ground in oil.

> *"We wanted to make sure nothing hazardous was affecting the environment"*
>
> — Robert Welch

Welch said Saturday's pile of tires was much smaller, however. He did not know how many tires burned, but observers estimated between 200 to 600.

Firefighters had to work almost as hard to reach the fire as they did to extinguish it. The pile of tires sat in an abandoned cellar at an old dump site, located in woods and brush between Route 2 and Pine Woods Avenue.

Only a few fire trucks could reach the site over muddy, narrow roads, and about 2,500 feet of hose was laid through the woods from the nearest hydrant.

Water and foam were laid on the blaze, which at times produced smoke so heavy it turned a sunny afternoon dusklike in some spots. Firefighters were occasionally moved from their positions when light winds shifted and covered them with smoke.

Wright said it was difficult to get firefighting equipment to the dump. Trucks had to travel over narrow, muddy roads and about 2,500 feet of hose had t laid through the woods from arest hydrant, fire officials sai

"Burning tires are difficult to put out because they generate tremendous heat and "just keep smoldering and burning," Wright said. He added that he could not afford to keep many trucks and firefighters tied up for hours at the dump.

Monday TU 2/25/91

Brunswick dump fire still burns

By Karen Nelis
Staff writer

BRUNSWICK — Town fire and state Environmental Conservation Department officials Sunday were searching for the owner of an apparently illegal tire dump where fire erupted three times over the weekend.

Eagle Mills Fire Chief Richard Wright said fire officials were letting the latest fire just burn itself out at least until the dump's owner could be identified.

"There's going to be a tremendous bill," Wright said of the efforts so far to extinguish fires at the dump. "We have to determine who will pay for it."

In addition, he said, EnCon officials have determined that the dump appears to be illegal. Sites containing more than 1,000 old tires must have a state permit; this site, located about a half-mile off Pinewood Avenue, does not have a permit Wright said. There are about 1,000 to 2,000 tires at the dump, he said.

The first fire was reported at 1:2 p.m. Saturday and was out by 6:3 p.m., Wright said. A separate fir ignited at the same location at 1 p.m. Saturday and was extinguished at 3 a.m. Sunday, only to reignite a 10 a.m., he said.

Wright said all the fires ar considered suspicious.

Consent Order Information

COPY

New York State Department of Environmental Conservation

2176 Guilderland Ave.
Schenectady, N.Y. 12306
OFFICE (518) 382-0680
FAX (518) 382-1065

Thomas C. Jorling
Commissioner

February 28, 1991

Mr. Louis H. Quinlan, Esq.
Quinlan & Reilly
P.O. Box 834
Troy, New York

Re: Country Club Properties
R4-1033-91-02

Dear Mr. Quinlan:

On February 23, 1991, a fire occurred on your property near Damascus Road in the Town of Brunswick. The fire was fueled by the presence of waste tires on the site. Section 27-0707 and the regulations promulgated thereunder at 6 NYCRR 360 - 13 make it illegal to store more than 1000 waste tires without a Department permit. There is no record of a permit being issued to Country Club for the storage of waste tires.

The fire was witnessed by an Environmental Conservation Officer and a subsequent inspection was conducted on February 25, 1991 by Department staff. The violation cited above is of grave concern to the Department especially in light of the fire which occurred. Section 71-2703 (1) of the Environmental Conservation Law authorizes penalties of up to $2500 for each violation and up to $1000 per day for each day in which the violation continues.

The enclosed Consent Order is offered by the Department as a means of settling this matter. The Order requires the payment of a civil penalty of $200 and the removal of all waste tires and residue to a permitted solid waste disposal facility. Country Club is also prohibited from storing more than 1000 waste tires unless subject to a permit issued by the Department.

The offer to settle will be be withdrawn on March 12, 1991. Please carefully review the terms of settlement. To avoid formal enforcement action, a signed and notarized Order and a check for $200 must be received by this office on or before March 12, 1991.

Please call me at the above number to discuss this matter.

Sincerely,

Richard E. Ostrov
Assistant Regional Attorney
Region 4

REO:jp\5REO11

QUINLAN & REILLY
ATTORNEYS AT LAW
P.O. BOX 334 89 FOURTH STREET
TROY, NEW YORK 12181

TELEPHONE (518) 272-3812
FAX NO. (518) 272-1441

LOUIS H. QUINLAN
JAMES R. REILLY

GARY H. WILSON
OF COUNSEL

COPY

DATE: MARCH 28, 1991

TO: RICHARD E. OSTROV, ESQ.

FROM: LOUIS H. QUINLAN

FAX NO. 382-1065

MESSAGE: FOLLOWING PLEASE FIND AFFIDAVIT.

NUMBER OF PAGES TO FOLLOW: 2

PLEASE CONTACT ALICE AT (518) 272-3812 IF THERE ARE ANY PROBLEMS WITH THIS TRANSMITTAL.

COPY

AFFIDAVIT

STATE OF NEW YORK)
COUNTY OF ALBANY)

PETER SCIOCCHETTI, being duly sworn deposes and states that:

1. I am employed by United Realty Management Corp. as a property manager.

2. In the course of my employment, on or about March 8, 1991, I was asked to go and inspect the scene of a fire involving discarded automotive tires, which fire allegedly was located on property owned by Country Club Properties, Inc. located between Route 2 and Pinewoods Avenue in the Town of Brunswick, New York.

3. I am familiar with the boundaries of the premises owned by Country Club Properties, Inc. and it appeared that the fire had occurred on said premises.

4. The fire had occurred in an area where tires were piled up amidst the remnants of what appeared to be an old foundation. There were other tires strewn about the surrounding area and the steel belts from tires that had completely burned and some partially burnt tires. In my best estimation, I determined the total number of tires located on said premises to be 700 to 800 tires.

5. I make this Affidavit knowing that the truth of same will be relied upon by the New York State Deptatment of Environmental Conservation and others.

PETER SCIOCCHETTI

Sworn to before me
this 22ND day of
MARCH, 1991.

Kimberly A. Cushman Williams
Notary Public

KIMBERLY A. CUSHMAN
Notary Public, State of New York
Qualified in Albany County
No. 4956328
Commission Expires Sept. 18, 1991

COPY

New York State Department of Environmental Conservation
2176 Guilderland Avenue, Schenectady, New York 12306

518-382-0680 OFFICE
518-382-1065 FAX

Thomas C. Jorling
Commissioner

March 29, 1991

Mr. Louis H. Quinlan, Esq.
Quinlan & Reilly
P.O. Box 834
Troy, New York 12181

Re: R4-1033-91-02

Dear Mr. Quinlan:

Enclosed please find an Order on Consent regarding the waste tires located on Country Club Properties. The Order requires a June 15, 1991 removal date which our engineers believe it is feasible given weather conditions.

The Order also requires the disposal of the waste tires off-site at a permitted solid waste facility. You can't bury waste tires on-site because they are solid waste and the site is not permitted as a landfill.

Please return the signed Order to my office by April 5, 1991. Thank you for your continued cooperation in this matter.

Sincerely,

Richard E. Ostrov
Assistant Regional Attorney
Region 4

Enclosure

REO:jp\6REO4
cc: E. Elston

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
CONSENT ORDER, STIPULATION AND SETTLEMENT OF CLAIM FOR VIOLATION
OF THE NEW YORK ENVIRONMENTAL CONSERVATION LAW

CASE #1033-91-02

Country Club Properties, Inc. of P.O. Box 834 of 89 Fourth Street, Troy, New York 12180, agrees to strictly comply with conditions on Schedule A which is attached hereto and made part hereof. Respondent denies that it stored more than 1,000 waste tires without a DEC permit the same being a violation of Section 27-0707 of the Environmental Conservation Law of the State of New York and the Department of Environmental Conservation Regulation, 6 NYCRR Part 360-13 at its Domasas Road property in the Town of Brunswick, County of Rensselaer. In so stipulating, Respondent waives right to a hearing in this matter.

_____
Respondent's Signature

_____, N.Y., _____, 1991

_____
NOTARY PUBLIC

IT IS HEREBY ORDERED, pursuant to the provisions of Articles 27 and 71 of Environmental Conservation Law, that Respondent shall comply with the terms of the attached schedule A.

DATED: Schenectady, New York
, 1991

THOMAS C. JORLING
Commissioner
New York State Department of
Environmental Conservation

BY:

_____
JANE MAGEE
Regional Director
Region IV

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Country Club Properties, Inc.
Schedule of Consent Order and Stipulation
to Settle Violation of the New York
Environmental Conservation Law

The above-referenced Respondent(s) shall:

Schedule for Compliance	Tasks to be Performed
1. June 15, 1991	1. Remove all tires from site and dispose of said solid waste at a permitted solid waste management facility.
	2. Provide the Department with receipt showing the location where the tires have been disposed.
	3. Respondent shall hereafter store not more than 1,000 tires unless pursuant to permits to construct and operate issued under 6NYCRR 360-13.2 and 6NYCRR 360-13.3.

COPY

New York State Department of Environmental Conservation

518-382-0680 OFFICE
518-382-1065 FAX

Thomas C. Jorling
Commissioner

July 9, 1991

Mr. Louis H. Quinlan, Esq.
Quinlan & Reilly
P.O. Box 834
Troy, New York 12181

Dear Mr. Quinlan:

I have made numerous attempts to contact you regarding the illegal disposal of tires on your property. You have failed, to date, to either remove all the tires or to sign the Order--both of which are required to settle this matter. Although there is some question regarding the number of tires on site, the issue of whether your site is an illegal solid waste management facility is clear.

The signed Order must be received in my office by July 22, 1991. After that date, the offer will be withdrawn and the Department will proceed with an enforcement action. This is your last notice in this matter.

Please call me if you have questions.

Sincerely,

Richard E. Ostrov
Assistant Regional Attorney
Region 4

REO:jp\8REO23

cc: G. Elston
ECO McLean

COPY

QUINLAN & REILLY
ATTORNEYS AT LAW
P.O. BOX 834 89 FOURTH STREET
TROY, NEW YORK 12181

TELEPHONE (518) 272-3812
FAX NO. (518) 272-1441

LOUIS H. QUINLAN
JAMES R. REILLY

GARY H. WILSON
OF COUNSEL

February 3, 1992

Richard E. Ostrov
Assistant Regional Attorney
Region 4
New York State Department of Environmental Conservation
2176 Guilderland Avenue
Schenectady, NY 12306

Re: Country Club Properties
R4-1033-91-02

Dear Mr. Ostrov:

Enclosed herewith please find Notice of Motion returnable February 19, 1992 in the above referenced matter.

Sincerely yours,

Louis H. Quinlan

Louis H. Quinlan

/ahf
Enclosure

SIGNED IN HIS ABSENCE
TO EXPEDITE DELIVERY

RECEIVED
FEB 10 1992
REGION IV HEADQUARTERS
2176 GUILDERLAND AVENUE
SCHENECTADY, NEW YORK 12306

COPY

STATE OF NEW YORK
TOWN OF BRUNSWICK COUNTY OF RENSSELAER

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION,

Plaintiff,

-against-

NOTICE OF MOTION

COUNTRY CLUB PROPERTIES, INC.,

Defendant.

SIRS:

PLEASE TAKE NOTICE that upon the annexed duly verified affidavit of Louis H. Quinlan, Esq. and upon the appearance ticket filed against the above-named defendant in this Court dated 10-30-91, the undersigned will move this Court at a Regular Part hereof, to be held at the Courthouse on the 19th day of February, 1992, at 7:00 o'clock in the forenoon or as soon thereafter as counsel can be heard for

An order dismissing the appearance ticket herein, pursuant to § 170.30(1))a) of the Criminal Procedure Law upon the ground that the appearance ticket is defective within the meaning of § 170.35 of the Criminal Procedure Law and for

Such other and further relief as to the Court may seem just and proper.

Dated: Troy, New York, January 31, 1992.

Yours, etc.,

Louis H. Quinlan
Attorney for Defendant
89 Fourth Street
P.O. Box 834
Troy, NY 12181
(518) 272-3812

To: Hon. Lawrence Kronau
Environmental Conservation

STATE OF NEW YORK
TOWN OF BRUNSWICK COUNTY OF RENSSELAER

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION,

Plaintiff,

-against- **AFFIDAVIT**

COUNTRY CLUB PROPERTIES, INC.,

Defendant.

STATE OF NEW YORK)
) ss.:
COUNTY OF RENSSELAER)

LOUIS H. QUINLAN, being duly sworn, deposes and says:

1. That I am the attorney for the defendant above named, and the President of said corporate defendant, and am personally familiar with the facts hereinafter stated.

2. The said defendant was charged with the offense of violation of Section 360-1.7 A1ii of NYCRR in the County of Rensselaer. To this date no plea of guilty has been entered by said defendant nor has a trial been commenced as to the aforementioned charge.

3. That this affidavit is made in support of the defendant's motion for:

A. An order pursuant to CPL § 170.30(1)(a) dismissing the charges and appearance ticket as defective within the meaning of CPL § 170.35(3)(b) in that the factual allegations underlying the original appearance ticket and the supporting depositions are not legally sufficient to support the charge.

4. Supporting depositions were requested by the defendant and two of them were timely delivered to the defendant. One supporting deposition is made by John T. McLean, E.C.O. and the other is made by George Elston and nowhere in either deposition is it stated that there are more than 1000 tires on the premises owned by the defendant and the quantity and quality of waste material is not specifically or sufficiently described to support said charge.

5. It is alleged that there is a violation of 6 NYCRR Section 360-1.7 A1ii which states:

"§ 360-1.7 A1ii Permit requirements, exemptions, and variances.
(a) (1) Permit requirements. Except as provided in subdivisions (b) and (c) of this section, and except as otherwise provided in the applicable Subpart (emphasis supplied) pertaining to the type of solid waste management facility in

question, no person shall:

(ii) operate a solid waste management facility or any phase of it, except in accordance with a valid permit to operate the facility issued pursuant to this Part;..."

This section must be read in conjunction with:

"SUBPART 360-13 WASTE TIRE STORAGE FACILITIES

Section 360-13.1 Applicability.

(b) On or after the effective date of this Subpart [December 31, 1988] no person shall engage in the storage of more than 1000 waste tires at a time without first having obtained a permit to do so pursuant to this Subpart..."

6. From the foregoing it is clear that the storage of less then 1000 tires on a site does not constitute a violation of Part 360 and is specifically permitted as provided under Subpart 360.

7. One supporting deposition states that there was also "miscellaneous other debris including metal and glass" and the other supporting deposition states that he observed "other metal and glass debris". These allegations lack specificity as to the exact nature of these items and provide no description of the quantity and quality of these items. These statements could describe one used automobile parked on the premises. Clearly, this is not what is intended to constitute a violation under NYCRR 360-1.7 A1ii. Accordingly, these vague assertions are insufficient to support the alleged violation.

8. NYCRR 360-1.7 b specifically states:

"**Exemptions.** The solid waste management facilities identified in this subdivision are exempt from this Part:

(1) Disposal areas located within the property boundaries of a single family residence or farm for solid waste generated from that residence or farm.

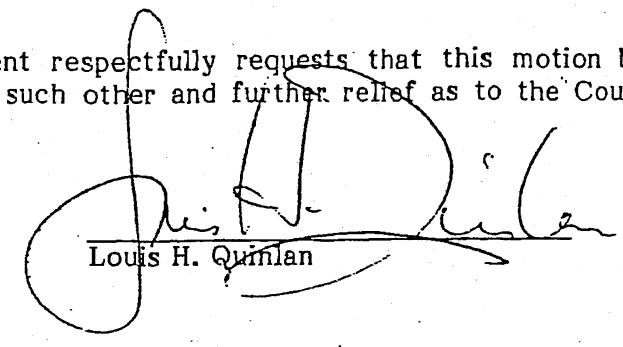
(2) Disposal areas located within the property boundaries of a farm for crop residuals, animal manure, and animal carcasses and parts generated from a farm."

9. The premises on which the debris is located is an 80 acre parcel that was formerly owned by and farmed by the Ginsburgs. Your deponent can unequivocally state that this debris was not placed on these premises by the Defendant or by any one with the Defendant's permission or consent. This debris could very probably be the items that were discarded from the farming operation.

10. In view of the foregoing, since the supporting depositions are insufficient as a matter of law to support the charged violation, the pending charges and appearance ticket should be dismissed.

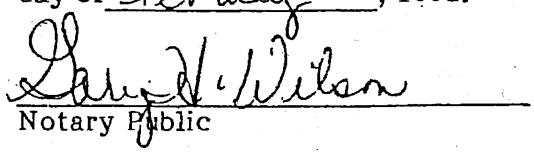
11. That no other application for the relief herein sought has been made to this or to any other court.

WHEREFORE, your deponent respectfully requests that this motion be granted in all respects, together with such other and further relief as to the Court seems just and proper.



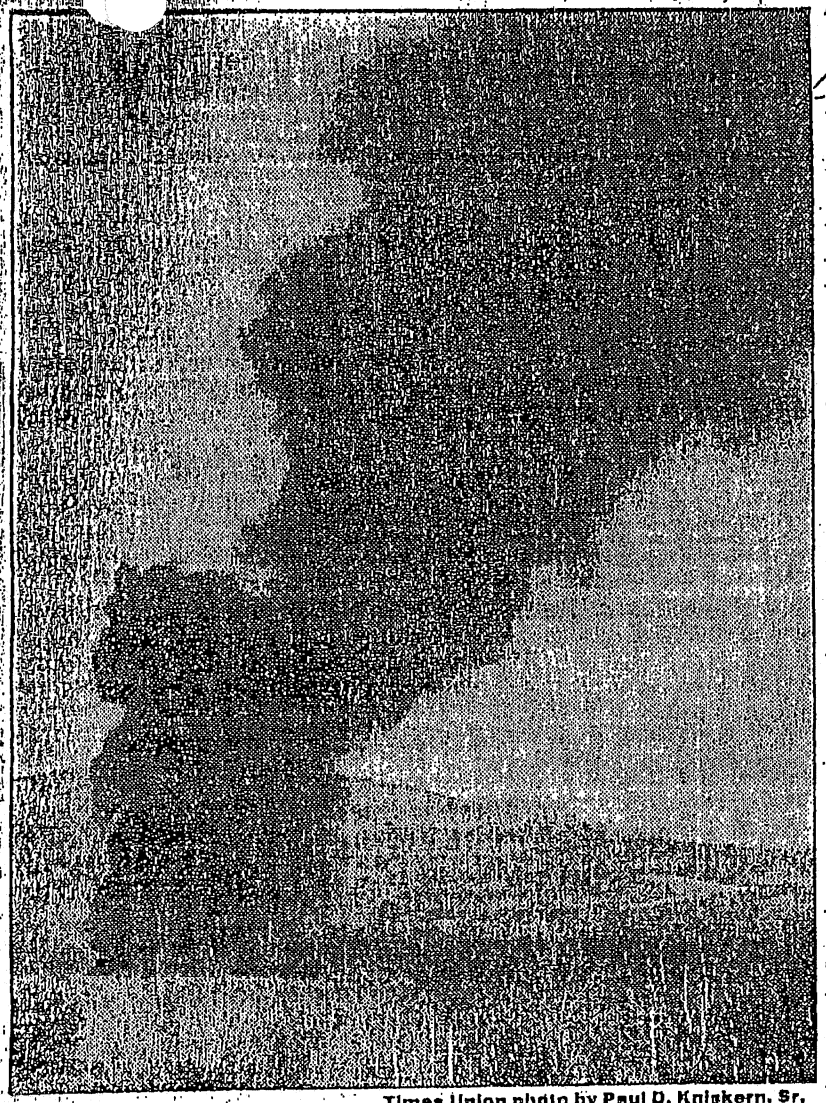
Louis H. Quinlan

Sworn to before me this 3rd
day of February, 1992.



Notary Public

1991 Tire Fire Information (UDC Files)



Times Union photo by Paul D. Kniskern, Sr.

OPAQUE SIGNAL — A coal-black scar of smoke slashes across a February sky from a small but stubborn tire-dump fire near Pinewood Avenue in the town of Brunswick on Saturday.

Stubborn tire-dump fire darkens Brunswick sky

By Bill Eager
Staff writer

BRUNSWICK — A fire in a small tire dump covered parts of the town in a haze of smoke Saturday afternoon and took firefighters from five districts two hours to contain.

No one was injured.

The blaze was limited to a small corner of a wooded area, but the environmental threat caused by burning rubber had fire officials scrambling to extinguish it quickly. The threat also prompted them to summon the state Department of Environmental Conservation.

"We wanted to make sure nothing hazardous was affecting the environment. We don't think it is," said Robert Welch, a commissioner with the Eagle Mills Fire District.

The fire was reported at 1:20 p.m., and spewed dense black and gray smoke for nearly two hours before fire officials declared it under control. Welch said the cause was not known Saturday, but county officials will be called in to determine if it was set.

"It's still fairly stubborn," Welch said at about 3:15. "We're attempting to get a bulldozer to knock down some of the rubble to get at it better."

Burning tires can be tricky, because of their tendency to smolder and to emit potentially hazardous smoke and oil. A 1989 tire dump fire in Catskill burned for six days and soaked the ground in oil.

> *"We wanted to make sure nothing hazardous was affecting the environment."*
> — Robert Welch

Welch said Saturday's pile of tires was much smaller, however. He did not know how many tires burned, but observers estimated between 200 to 600.

Firefighters had to work almost as hard to reach the fire as they did to extinguish it. The pile of tires sat in an abandoned cellar at an old dump site, located in woods and brush between Route 2 and Pine Woods Avenue.

Only a few fire trucks could reach the site over muddy, narrow roads, and about 2,500 feet of hose was laid through the woods from the nearest hydrant.

Water and foam were laid on the blaze, which at times produced smoke so heavy it turned a sunny afternoon duskilke in some spots. Firefighters were occasionally moved from their positions when light winds shifted and covered them with smoke.

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5 FLOOR
OLE
Furniture
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370-4162 MON DAIL

WRESTLING

Continued from C-1

"The WWF (are) pros; you won't find them messing around," he said. "It's the so-called small promoters that will come in. You'll have injuries by the dozens, some severe."

Toys"R"Us

Officials seek owner of tire dump

By Karen Nelis
Staff writer

BRUNSWICK — A fire that erupted three times over the weekend in an apparently illegal tire dump is finally out, but the legal complications may be just beginning.

State Environmental Conservation Department officials are trying to track down the dump's owner, who may be forced to pay thousands of dollars in fines.

Jack McLean, an EnCon police officer, said town tax records list the owner as Country Club Properties Inc. of Troy. The company is owned by developer Walter Uccellini.

Uccellini said Monday evening that he didn't believe the tire dump was on his property, saying he has not been contacted by EnCon or other officials. He said that after hearing about the fire on the radio, he became concerned and drove and walked through much of the 200 acres he recently had rezoned in Brunswick. "I didn't find the location and didn't hear from EnCon. I guess I'll know more tomorrow."

McLean said the owners could be required to pay for costs incurred by the Eagle Mills Fire Department in battling the three blazes and face fines ranging from $1,000 to $2,500 a day for each day the site is operated as an illegal dump. McLean said the dump has been there at least several years.

Sites storing more than 1,000 used tires are required to have a state permit as a tire dump. This piece of property, located half a mile off Pinewood Avenue, does not have a permit, McLean said.

McLean said the cold weather helped stem any environmental hazard at the dump due to the burning rubber. Oil released as the rubber melted immediately solidified due to the cold temperatures, he said.

Eagle Mills Fire Chief Richard Wright said the cause of the fires is unknown but all three are being considered suspicious.

Walter Uccellini awaits contact

New York State Department of Environmental Conservation

2176 Guilderland Ave.
Schenectady, N.Y. 12306
OFFICE (518) 382-0680
FAX (518) 382-1065

Thomas C. Jorling
Commissioner

February 28, 1991

Mr. Louis H. Quinlan, Esq.
Quinlan & Reilly
P.O. Box 834
Troy, New York

Re: Country Club Properties
R4-1033-91-02

Dear Mr. Quinlan:

On February 23, 1991, a fire occurred on your property near Damascus Road in the Town of Brunswick. The fire was fueled by the presence of waste tires on the site. Section 27-0707 and the regulations promulgated thereunder at 6 NYCRR 360 - 13 make it illegal to store more than 1000 waste tires without a Department permit. There is no record of a permit being issued to Country Club for the storage of waste tires.

The fire was witnessed by an Environmental Conservation Officer and a subsequent inspection was conducted on February 25, 1991 by Department staff. The violation cited above is of grave concern to the Department especially in light of the fire which occurred. Section 71-2703 (1) of the Environmental Conservation Law authorizes penalties of up to $2500 for each violation and up to $1000 per day for each day in which the violation continues.

The enclosed Consent Order is offered by the Department as a means of settling this matter. The Order requires the payment of a civil penalty of $200 and the removal of all waste tires and residue to a permitted solid waste disposal facility. Country Club is also prohibited from storing more than 1000 waste tires unless subject to a permit issued by the Department.

The offer to settle will be be withdrawn on March 12, 1991. Please carefully review the terms of settlement. To avoid formal enforcement action, a signed and notarized Order and a check for $200 must be received by this office on or before March 12, 1991.

Please call me at the above number to discuss this matter.

Sincerely,

Richard E. Ostrov
Assistant Regional Attorney
Region 4

REO:jp\5REO11

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
CONSENT ORDER, STIPULATION AND SETTLEMENT OF CLAIM FOR VIOLATION
OF THE NEW YORK ENVIRONMENTAL CONSERVATION LAW

CASE #1033-91-02

Country Club Properties, Inc. of P.O. Box 834 of 89 Fourth Street, Troy, New York 12180, hereby offer to pay to the Department of Environmental Conservation of the State of New York the sum of TWO HUNDRED DOLLARS ($200) and agree to strictly comply with conditions on Schedule A which is attached hereto and made part hereof, by reason of my act consisting of storing over 1,000 waste tires without a DEC permit the same being a violation of Section 27-0707 of the Environmental Conservation Law of the State of New York and the Department of Environmental Conservation Regulation, 6 NYCRR Part 360-13 said act committed at Domasas Road property in the Town of Brunswick, County of Rensselaer. In so stipulating, I waive my right to a hearing in this matter.

_____
Respondent's Signature

_____, N.Y., _____, 1991

_____
NOTARY PUBLIC

WHEREAS:

Country Club Properties, Inc., having violated Article 27 of the Environmental Conservation Law of the State of New York and 6NYCRR Part 360-13 at the time and in the manner stated above, and having waived its right to a hearing on the violation and having offered to pay the sum of ($200) dollars by reason of said violation, and after due consideration having been had thereon it appearing that this Order will be advantageous to the State, now therefore,

IT IS HEREBY ORDERED, pursuant to the provisions of Articles 27 and 71 of Environmental Conservation Law, that the offered sum shall be paid to the Department of Environmental Conservation as a penalty for the violation described above and Respondent shall comply with the terms of the attached schedule A by reason of such violation.

DATED: Schenectady, New York
, 1991

THOMAS C. JORLING
Commissioner
New York State Department of
Environmental Conservation

BY:

_____
JANE MAGEE
Regional Director
Region IV

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Country Club Properties, Inc.
Schedule of Consent Order and Stipulation
to Settle Violation of the New York
Environmental Conservation Law

The above-referenced Respondent(s) shall:

Schedule for Compliance	Tasks to be Performed
1. April 15, 1991	1. Remove all tires from site and dispose of said solid waste at a permitted solid waste management facility.
	2. Provide the Department with receipt showing the location where the tires have been disposed.
	3. Respondent shall hereafter store not more than 1,000 tires unless pursuant to permits to construct and operate issued under 6NYCRR 360-13.2 and 6NYCRR 360-13.3.

COUNTRY CLUB PROPERTIES
BROADWAY PLAZA
540 BROADWAY
P.O. BOX 799
ALBANY, NEW YORK 12201
(518) 434-2801
(518) 434-6427 TELEFAX

M E M O R A N D U M

TO: Donna Cullen
Lou Quinlan
Walter F. Uccellini

FROM: Michael J. Uccellini MJU

DATE: March 4, 1991

RE: Tire Cleanup

Last week I contacted four (4) fully permitted tire companies and asked them to send two (2) written estimates for the cost of removing the tires.

One estimate will include; the cost of accepting the tires, leaving a trailer on the property for thirty (30) days, where we would load the tires into the trailer. The second estimate will include; their cost for removing the tires and hauling them to their place of business.

Rick Slote expressed an interest in helping us with the cleanup, because he has the equipment we would need to load the tires on a trailer ourselves. Jim Pollack is sending an estimate on what it would cost us to borrow their equipment if we were so inclined, to remove the tires ourselves.

When I receive the estimates, I will circulate them for everyone's review.

CCPO/TXTROB

North American Tire Recycling Corporation
14 Wing Street
P.O. Box 324
Fort Edward, NY 12828

received
3/7/91

March 5, 1991

Mr. Michael Uccellini
Country Club Properties
540 Broadway Plaza
P.O. Box 799
Albany, NY 12201

Re: Waste Tire Removal

Dear Mr. Uccellini:

North American Tire Recycling Corporation will provide all labor and equipment necessary to load and remove the waste tires located near Pine Wood Avenue in the Town of Brunswick. The tires will be taken to our New York State Department of Environmental Conservation permitted tire recycling center located in the Port of Rensselaer. All tires will be recycled. No tires will be disposed of in a landfill.

Our fee to load, remove and dispose of the waste tires is based on a per ton rate of $195.00. There will be an additional charge of $50.00 for each off-the-road loader type tire.

Based upon last week's observation, I estimate that there is approximately 40 tons of waste tires at the site.

If you so choose, the waste tires may be delivered directly to our recycling center. Our fee for waste tire disposal is $110.00 per ton plus an additional charge of $50.00 for each off-the-road loader type tire.

Our recycling center is open Monday through Friday from 8:00 A.M. to 5:00 P.M. No appointment is necessary.

Weigh scale tickets will be issued for each load of tires delivered to and disposed of at our recycling center.

If this offer is acceptable please issue us a purchase order to cover the cost of the work. Payment will be due within ten days.

Plant Address: Riverside Avenue, Rensselaer, NY 12144
518-747-4183
FAX: 518-747-2596

We will begin the work within three (3) business days after receipt of your purchase order. Weather permitting, all tires should be removed within three (3) business days.

Thank you for the opportunity to work with you to resolve this tire waste problem.

Very truly yours,

NORTH AMERICAN TIRE RECYCLING CORPORATION

Bruce F. Battaglia

Bruce F. Battaglia
President

BFB:rah

TO [illegible]
MICHAEL

MJU
Status

SUBJECT CCP TIRE CLEANUP

DATE 3/15/91

MESSAGE

I spoke w/ Lou he got an extension from DEC re. tire clean up + fine till next wk.
Lou will write up affidavit for Peter S. to sign re. # of tires on site. We are to continue getting prices re. cleanup, but hold off on any action. We may not have to cleanup now or pay fine.

SIGNED

DATE

REPLY

① Must be cleaned up by 6/15/91
② Going to use North American Recycling
③ Cost ≈ 2,000 to 2,500
④ March's cash call had $2,000 on it.

MJU

4.10.91
Mike
You need to have these add. funds req. on [illegible] from [illegible] [illegible] [illegible] [illegible]

SIGNED

TOPS FORM 3801 LITHO IN U.S.A.

RECIPIENT: REPLY ON PINK COPY — RETAIN WHITE COPY

FULL EAF/EAF SUPPLEMENTAL INFORMATION

PART 1--PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION **Carriage Hill Estates – Planned Development District**		
LOCATION OF ACTION (Include Street Address, Municipality and County) **Between State Route 2 and County Route 140, just east of Troy Country Club, Town of Brunswick, Renssalaer County**		
NAME OF APPLICANT/SPONSOR **United Development Corporation**	BUSINESS TELEPHONE **(518) 434-2801**	
ADDRESS **80 State Street 9th Floor**		
CITY/PO **Albany**	STATE **NY**	ZIP CODE **12207**
NAME OF OWNER (If different)	BUSINESS TELEPHONE	
ADDRESS		
CITY/PO	STATE	ZIP CODE
DESCRIPTION OF ACTION **Proposed residential development of 217 acre parcel - development to consist of independent living senior housing apartment buildings and single-family homes on both 3 to 4 acre estate lots and 0.25 acre carriage home lots.**		

Please Complete Each Question--Indicate N.A. if not applicable

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: ☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☒ Rural (non-farm)
   ☒ Forest ☐ Agricultural ☒ Other Meadow/Open Field
2. Total acreage of project area: 217 acres.

APPROXIMATE ACREAGE	PRESENTLY		AFTER COMPLETION	
Meadow or Brushland (Non-agricultural)	52.0	acres	27.0	acres
Forested	162.0	acres	124.0	acres
Agricultural (Includes orchards, cropland, pasture, etc.)		acres		acres
Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)	1.5	acres	1.5	acres
Water Surface Area	0.5	acres	0.5	acres
Unvegetated (Rock, earth or fill)		acres		acres
Roads, buildings, and other paved surfaces	1.0	acres	23.0	acres
Other (Indicate type) Lawn/Plantings		acres	41.0	acres

3. What is predominant soil type(s) on project site? Bernardston and Pittstown gravelly silt loam
   a. Soil drainage: ☒ Well drained 80 % of site ☒ Moderately well drained 15 % of site
      ☒ Poorly drained 5 % of site
   b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? 8 Acres. (See 1 NYCRR 370). (soil types BeB, BnB & HoA)
4. Are there bedrock outcroppings on project site? ☒ Yes ☐ No
   a. What is depth to bedrock? Variable (in feet)

[X] 15% or greater 25 %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? [ ] Yes [X] No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? [ ] Yes [X] No
8. What is the depth of the water table? Variable (in feet)
9. Is site located over a primary, principal or sole source aquifer? [ ] Yes [X] No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? [X] Yes [ ] No
11. Does project site contain any species of plant or animal live that is identified as threatened or endangered?
    [ ] Yes [X] No According to NYSDEC
    Identify each species
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)
    [ ] Yes [X] No Describe
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
    [ ] Yes [X] No If yes, explain
14. Does the present site include scenic views known to be important to the community?
    [ ] Yes [X] No
15. Streams within or contiguous to project area Poesten Kill and unnamed tributary to Poesten Kill
    a. Name of Stream and name of River to which it is tributary Hudson River
16. Lakes, ponds, wetland areas within or contiguous to project area: A.C.O.E. regulated freshwater wetlands
    a. Name N.A. b. Size (in acres) 1.5 +/-
17. Is the site served by existing public utilities? [X] Yes [ ] No
    a) If Yes, does sufficient capacity exist to allow connection? [X] Yes [ ] No
    b) If Yes, will improvements be necessary to allow connection? [X] Yes [ ] No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? [X] Yes [ ] No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? [ ] Yes [X] No
20. Has the site ever been used for the disposal of solid or hazardous wastes? [ ] Yes [X] No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)

a. Total contiguous acreage owned or controlled by project sponsor 217 acres.

b. Project acreage to be developed: 95 acres initially; 95 acres ultimately.

c. Project acreage to remain undeveloped 122 acres.

d. Length of project, in miles: N.A. (if appropriate)

e. If the project is an expansion, indicate percent of expansion proposed; N.A. %

f. Number of off-street parking spaces existing 0 ; proposed 192 .

g. Maximum vehicular trips generated per hour 124 (upon completion of project)?

h. If residential: Number and type of housing units:

	One Family	Two Family	Multiple Family	Condominium
Initially	----	----	----	----
Ultimately	101	----	7 senior housing buildings (192 units)	

i. Dimensions (in feet) of largest proposed structure 40+/- height; 60 width; 270 length.

j. Linear feet of frontage along a public thoroughfare project will occupy is? 1,225' along NYS Rte. 2 and 550' along Pinewoods Avenue

3. Will disturbed areas be reclaimed? ☒ Yes ☐ No ☐ N/A
   a. If yes, for what intended purpose is the site being reclaimed? Topsoil and subsoil for grading and landscaping
   b. Will topsoil be stockpiled for reclamation? ☒ Yes ☐ No
   c. Will upper subsoil be stockpiled for reclamation? ☒ Yes ☐ No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 22 acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?
   ☐ Yes ☒ No
6. If single phase project: Anticipated period of construction N.A. months, (including demolition).
7. If multi-phased:
   a. Total number of phases anticipated 4 (number).
   b. Anticipated date of commencement phase 1 April month 2005 year, (including demolition)
   c. Approximate completion date of final phase April month 2010 year.
   d. Is phase 1 functionally dependent on subsequent phases? ☐ Yes ☒ No ☐ N.A.
8. Will blasting occur during construction? ☐ Yes ☒ No (not anticipated)
9. Number of jobs generated: during construction 80 (est.) ; after project is complete 5 (2 office, 3 maintenance)
10 Number of jobs eliminated by this project 0 .
11. Will project require relocation of any projects or facilities? ☐ Yes ☒ No If yes, explain _____
12. Is surface liquid waste disposal involved? ☐ Yes ☒ No
   a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____
   b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? ☐ Yes ☒ No
14. Will surface area of an existing water body increase or decrease by proposal? ☐ Yes ☒ No
   Explain _____
15. Is project or any portion of project located in a 100 year flood plain? ☒ Yes ☐ No (Approx. 6 acres)
16. Will the project generate solid waste? ☒ Yes ☐ No
   a. If yes, what is the amount per month? 27 Tons (525 residents x 3.4 lbs/day) x 30 days
   b. If yes, will an existing solid waste facility be used? ☒ Yes ☐ No
   c. If yes, give name multiple – town uses private companies ; location Varies
   d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☐ Yes ☒ No
   e. If yes, explain _____
17. Will the project involve the disposal of solid waste? ☐ Yes ☒ No
   a. If yes, what is the anticipated rate of disposal? _____ tons/month.
   b. If yes, what is the anticipated site life? _____ years.
18. Will project use herbicides or pesticides? ☒ Yes ☐ No (Lawn and landscaping establishment)
19. Will project routinely produce odors (more than one hour per day)? ☐ Yes ☒ No
20. Will project produce operating noise exceeding the local ambient noise levels? ☒ Yes ☐ No (during construction)
21. Will project result in an increase in energy use? ☒ Yes ☐ No
   If yes, indicate type(s) Electric and gas energy
22. If water supply is from wells, indicate pumping capacity N.A. gallons/minute
23. Total anticipated water usage per day 52,500 gallons/day (average daily demand)
24. Does project involve Local, State or Federal funding? ☐ Yes ☒ No
   If yes, explain _____

25. Approvals Required:

		Type	Submittal Date
City, Town, Village Board	[X] Yes [ ] No	Town of Brunswick - Creation of PDD	TBD
City, Town, Village Planning Board	[X] Yes [ ] No	Site Plan, Subdivision	TBD
City, Town Zoning Board	[ ] Yes [X] No		
City County Health Department	[X] Yes [ ] No	Water and sanitary sewer systems	TBD
Other Local Agencies	[X] Yes [ ] No	Building Permits, Curb Cuts	TBD
		City of Troy and County san. sewer connections	
Other Regional Agencies	[ ] Yes [X] No		
State Agencies	[X] Yes [ ] No	NYSDOT Curb Cut, NYSDEC san. sewer, SPDES	TBD
Federal Agencies	[ ] Yes [X] No		

C. Zoning and Planning Information

1. Does Proposed Action involve a planning or zoning decision? [X] Yes [ ] No

   If Yes, indicate decision required:

   [X] zoning amendment [ ] zoning variance [ ] special use permit [X] subdivision [X] site plan

   [ ] new/revision of master plan [ ] resource management plan [ ] other _____

2. What is the zoning classification(s) of the site? Residential (R-40, R-25, R-15), Agricultural (A-40), Recreational (R)
3. What is the maximum potential development of the site if developed as permitted by the present zoning?

   258 residential lots based on 80% land area available for development (assumed R-40 lot size requirements for R)
4. What is the proposed zoning of the site? Residential Planned Development District (PDD)
5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

   Senior Housing – 192 units, Single Family Dwelling – 101 units
6. Is the Proposed Action consistent with the recommended uses in adopted local land use plans? [X] Yes [ ] No
7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of Proposed Action?

   Residential (R-40, R-25, R-15), Agricultural (A-40), Recreational (R)
8. Is the Proposed Action compatible with adjoining/surrounding land uses within a ¼ mile? [X] Yes [ ] No
9. If the Proposed Action is the subdivision of land, how many lots are proposed? 102 building lots

   a. What is the minimum lot size proposed? 0.25 acres
10. Will Proposed Action require any authorization(s) for the formation of sewer or water districts? [X] Yes [ ] No
11. Will the Proposed Action create a demand for any community provided services (recreation, education, police, fire protection) [X] Yes [ ] No

    a. If yes, is existing capacity sufficient to handle projected demand? [X] Yes [ ] No
12. Will the Proposed Action result in the generation of traffic significantly above present levels? [X] Yes [ ] No

    a. If yes, is the existing road network adequate to handle the additional traffic? [X] Yes [ ] No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Michael J. Uccellini Date 6/8/04

Signature Michael J. Uccellini Title Director

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

Part 2--PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable?** The reviewer is not expected to be an expert environmental analyst.
- The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term, and cumulative effects.

Instructions (Read carefully)

a. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be **any** impact.
b. **Maybe** answers should be considered as **Yes** answers.
c. If answering **Yes** to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact if impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
d. Identifying that an impact will be potentially large (column 2) does not mean that is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply
e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
IMPACT ON LAND			
1. Will the Proposed Action result in a physical change to the project site? ☐ NO ☐ YES			
Examples that would apply to column 2			
• Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.	☐	☐	☐YES ☐NO
• Construction on land where the depth to the water table is less than 3 feet.	☐	☐	☐YES ☐NO
• Construction of paved parking area for 1,000 or more vehicles.	☐	☐	☐YES ☐NO
• Construction on land where bedrock is exposed or generally within 3 feet of existing ground service.	☐	☐	☐YES ☐NO
• Construction that will continue for more than 1 year or involve more than one phase or stage.	☐	☐	☐YES ☐NO
• Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year	☐	☐	☐YES ☐NO
• Construction or expansion of a sanitary landfill.	☐	☐	☐YES ☐NO
• Construction in a designated floodway.	☐	☐	☐YES ☐NO
• Other impacts _____	☐	☐	☐YES ☐NO
2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) ☒ NO ☐YES			
• Specific land forms: _____	☐	☐	☐YES ☐NO

IMPACT ON WATER	Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated By Project Change
3. Will the Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL) ☐ NO ☐ YES			
Examples that would apply to column 2			
• Developable area of site contains a protected water body.	☐	☐	☐YES ☐NO
• Dredging more than 100 cubic yards of material from channel of a protected stream.	☐	☐	☐YES ☐NO
• Extension of utility distribution facilities through a protected water body.	☐	☐	☐YES ☐NO
• Construction in a designated freshwater or tidal wetland.	☐	☐	☐YES ☐NO
• Other impacts _____	☐	☐	☐YES ☐NO
4. Will the Proposed Action affect any non-protected existing or new body of water? ☐ NO ☐ YES			
Examples that would apply to column 2			
• A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.	☐	☐	☐YES ☐NO
• Construction of a body of water that exceeds 10 acres of surface area.	☐	☐	☐YES ☐NO
• Other impacts _____	☐	☐	☐YES ☐NO
5. Will the Proposed Action affect surface or groundwater quality or quantity? ☐ NO ☐ YES			
Examples that would apply to column 2			
• Proposed Action will require a discharge permit	☐	☐	☐YES ☐NO
• Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.	☐	☐	☐YES ☐NO
• Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.	☐	☐	☐YES ☐NO
• Construction or operation causing any contamination of a water supply system	☐	☐	☐YES ☐NO
• Proposed Action will adversely affect groundwater.	☐	☐	☐YES ☐NO
• Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.	☐	☐	☐YES ☐NO
• Proposed Action would use groundwater in excess of 20,000 gallons per day.	☐	☐	☐YES ☐NO
• Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.	☐	☐	☐YES ☐NO
• Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.	☐	☐	☐YES ☐NO
• Proposed Action will allow residential uses in areas without water and/or sewer services.	☐	☐	☐YES ☐NO
• Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.	☐	☐	☐YES ☐NO
• Other impacts _____	☐	☐	☐YES ☐NO
6. Will the Proposed Action alter drainage flow or patterns, or surface water runoff? ☐ NO ☐ YES			
Examples that would apply to column 2			
• Proposed Action would change flood water flows.	☐	☐	☐YES ☐NO

	Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated By Project Change
• Proposed Action may cause substantial erosion.	☐	☐	☐YES ☐NO
• Proposed Action is incompatible with existing drainage patterns.	☐	☐	☐YES ☐NO
• Proposed Action will allow development in a designated floodway.	☐	☐	☐YES ☐NO
• Other impacts _____	☐	☐	☐YES ☐NO
IMPACT ON AIR			
7. Will the Proposed Action affect air quality? ☐ NO ☐ YES **Examples** that would apply to column 2			
• Proposed Action will induce 1,000 or more vehicle trips in any given hour.	☐	☐	☐YES ☐NO
• Proposed Action will result in the incineration of more than 1 ton of refuse per hour.	☐	☐	☐YES ☐NO
• Emission rate of total contaminants will exceed 5 lbs. Per hour or a heat source producing more than 10 million BTU's per hour.	☐	☐	☐YES ☐NO
• Proposed Action will allow an increase in the amount of land committed to industrial use.	☐	☐	☐YES ☐NO
• Proposed Action will allow an increase in the density of industrial development within existing industrial areas.	☐	☐	☐YES ☐NO
• Other impacts _____	☐	☐	☐YES ☐NO
IMPACT ON PLANTS AND ANIMALS			
8. Will the Proposed Action affect any threatened or endangered species? ☐ NO ☐ YES **Examples** that would apply to column 2			
• Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site or found on the site.	☐	☐	☐YES ☐NO
• Removal of any portion of a critical or significant wildlife habitat.	☐	☐	☐YES ☐NO
• Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.	☐	☐	☐YES ☐NO
• Other impacts _____	☐	☐	☐YES ☐NO
9. Will the Proposed Action substantially affect non-threatened or non-endangered species? ☐ NO ☐ YES **Examples** that would apply to column 2			
• Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.	☐	☐	☐YES ☐NO
• Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.	☐	☐	☐YES ☐NO
IMPACT ON AGRICULTURAL LAND RESOURCES			
10. Will the Proposed Action affect agricultural land resources? ☐ NO ☐ YES **Examples** that would apply to column 2			
• The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)	☐	☐	☐YES ☐NO

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
• Construction activity would excavate or compact the soil profile of agricultural land.	☐	☐	☐ YES ☐ NO
• The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an agricultural district, more than 2.5 acres of agricultural land.	☐	☐	☐ YES ☐ NO
• The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).	☐	☐	☐ YES ☐ NO
• Other impacts _____	☐	☐	☐ YES ☐ NO
IMPACT ON AESTHETIC RESOURCES			
11. Will the Proposed Action affect aesthetic resources? ☐ NO ☐ YES If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.) **Examples** that would apply to column 2			
• Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.	☐	☐	☐ YES ☐ NO
• Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.	☐	☐	☐ YES ☐ NO
• Project components that will result in the elimination of significant screening of scenic views known to be important to the area.	☐	☐	☐ YES ☐ NO
• Other impacts _____	☐	☐	☐ YES ☐ NO
IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES			
12. Will the Proposed Action impact any site or structure of historic, prehistoric or paleontological importance? ☐ NO ☐ YES **Examples** that would apply to column 2			
• Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.	☐	☐	☐ YES ☐ NO
• Any impact to an archeological site or fossil bed located within the project site.	☐	☐	☐ YES ☐ NO
• Proposed Action will occur in an area designated as sensitive for archeological sites on the NYS Site Inventory.	☐	☐	☐ YES ☐ NO
• Other impacts _____	☐	☐	☐ YES ☐ NO
IMPACT ON OPEN SPACE AND RECREATION			
13. Will the Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities? ☐ NO ☐ YES **Examples** that would apply to column 2			
• The permanent foreclosure of a future recreational opportunity.	☐	☐	☐ YES ☐ NO
• A major reduction of an open space Important to the community.	☐	☐	☐ YES ☐ NO
• Other impacts _____	☐	☐	☐ YES ☐ NO

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
IMPACT ON CRITICAL ENVIRONMENTAL AREAS			
14. Will the Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6 NYCRR 617.14(g)? ☐ NO ☐ YES List the environmental characteristics that caused the designation of the CEA. _____			
Examples that would apply to column 2.			
• Proposed Action to locate within the CEA.	☐	☐	☐ YES ☐ NO
• Proposed Action will result in a reduction in the quantity of the resource	☐	☐	☐ YES ☐ NO
• Proposed Action will result in a reduction in the quality of the resource	☐	☐	☐ YES ☐ NO
• Proposed Action will impact the use, function or enjoyment of the resource.	☐	☐	☐ YES ☐ NO
• Other impacts _____	☐	☐	☐ YES ☐ NO
IMPACT ON TRANSPORTATION			
15. Will there be an effect to existing transportation systems? ☐ NO ☐ YES			
Examples that would apply to column 2			
• Alteration of present patterns of movement of people and/or goods.	☐	☐	☐ YES ☐ NO
• Proposed Action will result in major traffic problems	☐	☐	☐ YES ☐ NO
• Other impacts _____	☐	☐	☐ YES ☐ NO
IMPACT ON ENERGY			
16. Will the Proposed Action affect the community's sources of fuel or energy supply? ☐ NO ☐ YES			
Examples that would apply to column 2			
• Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.	☐	☐	☐ YES ☐ NO
• Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.	☐	☐	☐ YES ☐ NO
• Other impacts _____	☐	☐	☐ YES ☐ NO

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
NOISE AND ODOR IMPACTS			
17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action? ☐ NO ☐ YES			
Examples that would apply to column 2			
• Blasting within1,500 feet of a hospital, school or other sensitive facility.	☐	☐	☐YES ☐NO
• Odors will occur routinely (more than 1 hour per day).	☐	☐	☐YES ☐NO
• Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.	☐	☐	☐YES ☐NO
• Proposed Action will remove natural barriers that would act as a noise screen.	☐	☐	☐YES ☐NO
• Other impacts_____	☐	☐	☐YES ☐NO
IMPACT ON PUBLIC HEALTH			
18. Will the Proposed Action affect public health and safety? ☐ NO ☐ YES			
Examples that would apply to column 2			
• Proposed Action may cause a risk of explosion or release of hazardous substances (i.e., oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.	☐	☐	☐YES ☐NO
• Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)	☐	☐	☐YES ☐NO
• Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids.	☐	☐	☐YES ☐NO
• Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.	☐	☐	☐YES ☐NO
• Other impacts _____	☐	☐	☐YES ☐NO
IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD			
19. Will the Proposed Action affect the character of the existing community? ☐ NO ☐ YES			
Examples that would apply to column 2			
• The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.	☐	☐	☐YES ☐NO
• The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.	☐	☐	☐YES ☐NO
• Proposed Action will conflict with officially adopted plans or goals.	☐	☐	☐YES ☐NO
• Proposed Action will cause a change in the density of land use.	☐	☐	☐YES ☐NO
• Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.	☐	☐	☐YES ☐NO
• Development will create a demand for additional community services (e.g. schools, police and fire, etc.).	☐	☐	☐YES ☐NO
• Proposed Action will set an important precedent for future projects.	☐	☐	☐YES ☐NO
• Proposed Action will create or eliminate employment.	☐	☐	☐YES ☐NO
• Other impacts _____	☐	☐	☐YES ☐NO

20. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts?
☐ NO ☐ YES

If any action in Part 2 is identified as a potential large impact or if you cannot determine the magnitude of impact, proceed to part 3

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important.**

   To answer the question of importance, consider:

   - The probability of the impact occurring
   - The duration of the impact
   - Its irreversibility, including permanently lost resources of value
   - Whether the impact can or will be controlled
   - The regional consequence of the impact
   - Its potential divergence from local needs and goals
   - Whether known objections to the project relate to this impact.

(Continue on attachments)

EAF SUPPLEMENTAL INFORMATION

The following sections provide additional information relating to environmental issues covered in the attached Full Environmental Assessment Form (EAF). The intent is to provide sufficient information that will allow the Lead Agency to make a negative declaration with regard to significant impacts on the environment. This is accomplished, in part, by comparison to the Country Club Properties project that was previously approved for the project site.

1.0 SOILS

The soils at the existing project site have been identified with the Soil Survey of Rensselaer County, New York, published by the USDA Soil Conservation Service. A map of the soils and a detailed description of their properties is provided in Appendix A.

While several different soil types are present at the site, the majority of the site consists of Bernardston and Pittstown gravelly silt loams at moderate to steep slopes. These are deep soils that are moderately well drained to well drained. Permeability is moderate in these soils and a perched water table may be encountered in the spring and during periods of wet weather. The depth to bedrock in these soils is in excess of 60". It must be noted, however, that it is much shallower at various locations throughout the site.

Based on the information contained in the Soil Survey, it is doubtful that the existing soils will be used in the construction of the new buildings or infrastructure. The soils can be moved around for grading purposes, but material will need to be imported for use as structural subbase and topsoil. During construction, controlling erosion will be an important factor. An erosion and sediment control plan must be created and implemented in accordance with the NYSDEC standards.

2.0 CULTURALLY SIGNIFICANT RESOURCES

The National Register of Historic Places lists no properties within or immediately adjacent to the project site.

We have contacted the N.Y.S. Office of Parks, Recreation and Historic Preservation to determine if there are any culturally significant resources within or immediately adjacent to the project site. A copy of the letter request is provided in Appendix B. To date, we have not received a response to the letter.

The Draft Environmental Impact Statement (DEIS) prepared in 1989 for a project on this site states that the N.Y.S. Office of Parks, Recreation and Historic Preservation found no previously reported archeological resources within or immediately adjacent to the project site.

Appendix B contains a letter from the 1989 project written by the Town of Brunswick Historian stating that no evidence of archeological or historical sites of importance were found at the project site.

Based on the research performed for the previous project, it is anticipated that there will be no historic or archeological concerns.

3.0 ENDANGERED SPECIES

The NYSDEC was contacted via letter request to determine if the project site contains any species of plant or animal that is identified as threatened or endangered. Appendix C contains a copy of the request and a letter response indicating that their New York Natural Heritage Program databases show no known occurrences of these types of plants or animals within or in the immediate vicinity of the project site.

In 1988, a field survey of the project site was performed for the 1989 DEIS by a wetlands biologist, and no evidence of threatened or endangered species of plants or animals were found.

4.0 WETLANDS

The NYSDEC and ACOE were contacted via letter request to verify the accuracy our GIS-prepared mapping of regulated freshwater wetlands within or in the immediate vicinity of the project site. Appendix D contains copies of the requests and response from each of the regulatory agencies.

The NYSDEC confirmed the fact that there are no state regulated wetlands as indicated on the mapping.

The mapping indicates an area of federally regulated wetlands approximately 1.5 acres in size in the northwest corner of the project site along the Poesten Kill. The ACOE indicated that field delineation would need to be performed in order for them to verify the exact accuracy of the mapped wetland limits.

There is no proposed construction in the area of the federally regulated wetlands; therefore there will be no impact to wetlands.

5.0 WATER SUPPLY

It is proposed to provide water service to the proposed development from the existing 16" diameter water main located along Pinewoods Avenue. The project will be served by the Town of Brunswick's Water District No. 3, which purchases its water from the City of Troy. The existing boundary of Water District No. 3 extends 500' from the centerline of Pinewoods Avenue meaning that a water district extension will be required to serve the site.

The existing 16" main is fed from a 2 million gallon water tank located in the City of Troy. Hydrant flow test information in the vicinity of the project site shows a static pressure of approximately 115 psi in the main. At this hydrant, it is estimated that the available fire flow, with a minimum residual pressure of 20 psi, is 1,204 gpm. The hydrant flow test information is provided in Appendix E. It should be noted that this hydrant, located at the intersection of Colehammer Road and Pinewoods Avenue, is 'upstream' of an existing pressure reducing valve pit located along Pinewoods just west of the project site. This testing location is important to get accurate flow and pressure information, as the proposed water line to serve the development will be tied in to the existing main on the same (upstream) side of the valve pit.

It is proposed to connect to the existing 16" water main in Pinewoods Avenue by constructing a new 12" diameter ductile iron main to serve the development. The new 12" water main is to be tied in to the existing 16" main at the intersection of the new roadway through the development and Pinewoods Avenue. The new 12" main will then be constructed parallel with the primary access road through the development with smaller diameter service lines branching off to serve the proposed lots. A proposed layout of the water system is provided in Appendix E.

Calculations to estimate the domestic and fire demands of the proposed development, along with a hydraulic analysis to determine if the existing system has the capacity to meet the estimated water demands for the project are provided in Appendix E. Based on per-capita usage, the average domestic daily demand is estimated to be 52,500 gpd and the maximum domestic daily demand is estimated at 105,000 gpd. The worst-case fire flow demand is 750 gpm for the non-sprinklered residential homes. The total demand estimate for use in design and analysis is 825 gpm with a minimum 20 psi maintained at the main.

The hydraulic analysis indicates that the most critical location for evaluation is the high point in the system. The topography indicates that this location will occur approximately half way along the main roadway through the site (Point 3 on map in Appendix E). The hydraulic analysis indicates that the available flow at this point will be 1,067 gpm with the required 20 psi in the main. This flow exceeds the total design demand of 825 gpm. From this point northward, the roadway grade and the water line will slope downward resulting in increasing pressures in the water piping.

The other element to check is the ability of the water supply facilities to provide the required 52 gpm at a minimum 40 psi for the sprinkler systems in the Senior Housing Units designed per NFPA 13R. The hydraulic analysis indicates that the available flow at this point will be 1,037 gpm with 40 psi in the main.

Based on the above, it appears as though the existing water supply system is adequate to provide water to the proposed development. Initial communications with the Town of Brunswick Engineer indicate the same.

6.0 SANITARY SEWER SYSTEM

The proposed development is located within the Rensselaer County Sewer District No. 1 and effluent from the development will ultimately be received, treated and discharged to the Hudson River by the existing county-owned wastewater treatment plant located in the City of Troy. Note, however, that the creation of a Town sewer district may be required. This will require additional discussion with the Town Engineer and the Town Attorney. The calculations provided in Appendix F estimate the maximum daily flow from the development at approximately 0.08 MGD. There is excess capacity at the wastewater treatment plant, as it has a design capacity of 24 MGD and a current average daily loading of only 19 MGD.

The existing sanitary sewer facilities located closest to the project site is a City-owned lift station at the intersection of Pinewoods and Central Avenues that pumps effluent to a City-owned 12" diameter gravity sewer that begins near the intersection of Pinewoods and Elmgrove Avenues. The City Engineer has indicated that this lift station is already operating above its design capacity and does not have the ability to accommodate the new flows from the proposed development. It will be necessary to bypass this lift station with new sanitary sewer facilities and tie into the existing gravity sewer near the intersection of Pinewoods and Elmgrove Avenues. This 12" diameter City-owned gravity sewer flows west to the County-owned Monroe Street Pump Station, which pumps the effluent to the wastewater treatment plant. City and County personnel have indicated that they believe that these gravity sewers and this pump station, respectively, have the ability to accommodate the new flows from the proposed development. This will need to be investigated further, however, through the preparation and submission of detailed engineering reports.

The proposed sanitary sewer system for the new development will consist of an on-site network of gravity sewers, force mains and secondary lift stations to ultimately convey the effluent in a southerly direction towards Pinewoods Avenue. A primary lift station will be constructed in the southwest portion of the project site to pump the effluent from the site to the tie in point to the City gravity sewers at Pinewoods and Elmgrove Avenues. It is proposed to route the force main piping from this lift station through the Troy Country Club and private properties in an effort to minimize the construction operations in the Pinewoods Avenue R.O.W.

7.0 TRAFFIC IMPACT ANALYSIS

An analysis of the traffic to be generated by the proposed development is made to determine if the project would cause a negative impact on either of the existing adjacent highways' existing level of service. The existing adjacent highways are NYS Route 2 and County Route 140 (Pinewoods Avenue).

The traffic volumes estimated for the current project will be compared to those estimated in the Traffic Study prepared in 1990 for the previously submitted Supplemental Draft Environmental Impact Statement (SDEIS) for the original Country Club Properties development (project approved, but never constructed). Current (2002) traffic volume information for Route 2 was obtained from the NYSDOT. The current volume information for Pinewoods Avenue was estimated by using the traffic counts performed for the SDEIS Traffic Study (1990) and multiplying them by the same percentage increase as was experienced along Route 2 over the 12 year time period from 1990 to 2002.

The traffic volume information described above for Route 2 is for the section of highway from the Troy City line to County Route 139 – a section approximately 2.8 miles in length.

A section of highway's performance is judged by its level of service (LOS), which is measured in vehicles per hour per lane (vphpl). Per the Capital District Transportation Committee:

Maximum desirable volume of traffic	800 vphpl (LOS C)
Maximum acceptable volume of traffic	1,000 vphpl (LOS D/E)
Maximum capacity	1,250 vphpl (LOS E/F)

Tables 1 and 2 below are summaries of the trip generation and volume calculations provided in Appendix G:

Table 1
A.M. Peak Hour Traffic Volume Summary Table

Project Description	Total Vehicular Trips Created by Project	One-Way Traffic Volumes – NYS Route 2 (vphpl)			One-Way Traffic Volumes – Pinewoods Ave (vphpl)		
		Exist.	New	Total	Exist.	New	Total
1990 Development	146	335	65	400	300	81	381
2004 Development	90	352	41	393	316	49	365

Table 2
P.M. Peak Hour Traffic Volume Summary Table

Project Description	Total Vehicular Trips Created by Project	One-Way Traffic Volumes – NYS Route 2 (vphpl)			One-Way Traffic Volumes – Pinewoods Ave (vphpl)		
		Exist.	New	Total	Exist.	New	Total
1990 Development	194	250	88	338	220	106	326
2004 Development	124	327	56	383	288	68	356

As each of the one-way traffic volumes are well below the maximum desirable volume of 800 vphpl, it appears the existing highways can adequately support the proposed development with no negative impacts.

8.0 FLOOD PLAIN

There is a portion of the project site approximately 6 acres in size located within a 100 year flood plain along the Poesten Kill as identified by the U.S. Department of Housing and Urban Development on the Flood Insurance Rate Map (FIRM) for the Town of Brunswick. The applicable portion of the FIRM is provided in Appendix H.

There is no proposed construction for the area within the 100 year flood plain; therefore the project does not have an impact on the flood plain.

9.0 STORMWATER MANAGEMENT

As the project site obviously exceeds one acre in size, the stormwater management facilities for the proposed development must be designed in accordance with the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, Permit No. GP-02-01. The General Permit requires that a Stormwater Pollution Prevention Plan (SWPPP) be developed for the project in accordance with the technical standards published by the NYSDEC. The SWPPP will address the design, implementation and maintenance of both the erosion and sediment control measures to be used during construction and the post-construction stormwater management facilities. The SWPPP must be completed prior to the start of construction in accordance with the notification requirements detailed in the General Permit.

Preliminary stormwater runoff calculations have been developed for the proposed development and these are provided in Appendix I. The purpose of these calculations is to understand the magnitude of the required quality and quantity treatment facilities and ensure that appropriate locations on the site are designated for these stormwater management facilities.

The general topography of the project site results in the division of the overall site into three (3) smaller drainage subareas to be used in the runoff calculations. These subareas are defined on the drainage map provided in Appendix I. Subareas 1 and 2 drain primarily in a southerly direction towards the small stream that runs through the site from east to west through the site and discharges to a pond located in the Troy Country Club. Overflow from this pond enters the Poesten Kill. Subarea 3 drains in a northerly direction to the Poesten Kill. The Poesten Kill is defined by the NYSDEC as a Class C trout stream, but is not on the list of protected waters with a defined Total Maximum Daily Load (TMDL) of a particular pollutant.

The runoff calculations are performed for each of the subareas for both the existing and developed conditions utilizing Soil Conservation Service TR-55 methodology and the Eagle Point 2003 Watershed Modeling computer program. The 10 and 100 year, 24 hour storm events are analyzed, as on-site detention must be provided to limit the developed conditions peak runoff rates from these storms to the existing conditions rates. In addition, Water Quality and Channel Protection Volumes are calculated for each of the subareas and these volumes must be also be treated and detained on-site, in accordance with the NYSDEC Requirements (80% removal of Total Suspended Solids, 40% removal of Total Phosphorus).

Appendix I contains all of the calculated peak runoff rates, required storage volumes and calculation methodology for each of the subareas. A summary of the results is provided in the tables below:

Subarea 1

Storm Event	Existing Conditions Peak Runoff Rate (cfs)	Developed Conditions Peak Runoff Rate (cfs)	Water Quality Volume – WQv (c.f.)	Channel Protection Volume – CPv (c.f.)	Total Required Volume for Treatment and Storage (c.f.)
10 Year, 24 Hour	91.48	148.36	26,000	125,000	198,000
100 Year, 24 Hour	149.16	235.61			

Subarea 2

Storm Event	Existing Conditions Peak Runoff Rate (cfs)	Developed Conditions Peak Runoff Rate (cfs)	Water Quality Volume – WQv (c.f.)	Channel Protection Volume – CPv (c.f.)	Total Required Volume for Treatment and Storage (c.f.)
10 Year, 24 Hour	105.24	213.85	44,000	207,000	403,000
100 Year, 24 Hour	183.76	359.23			

Subarea 3

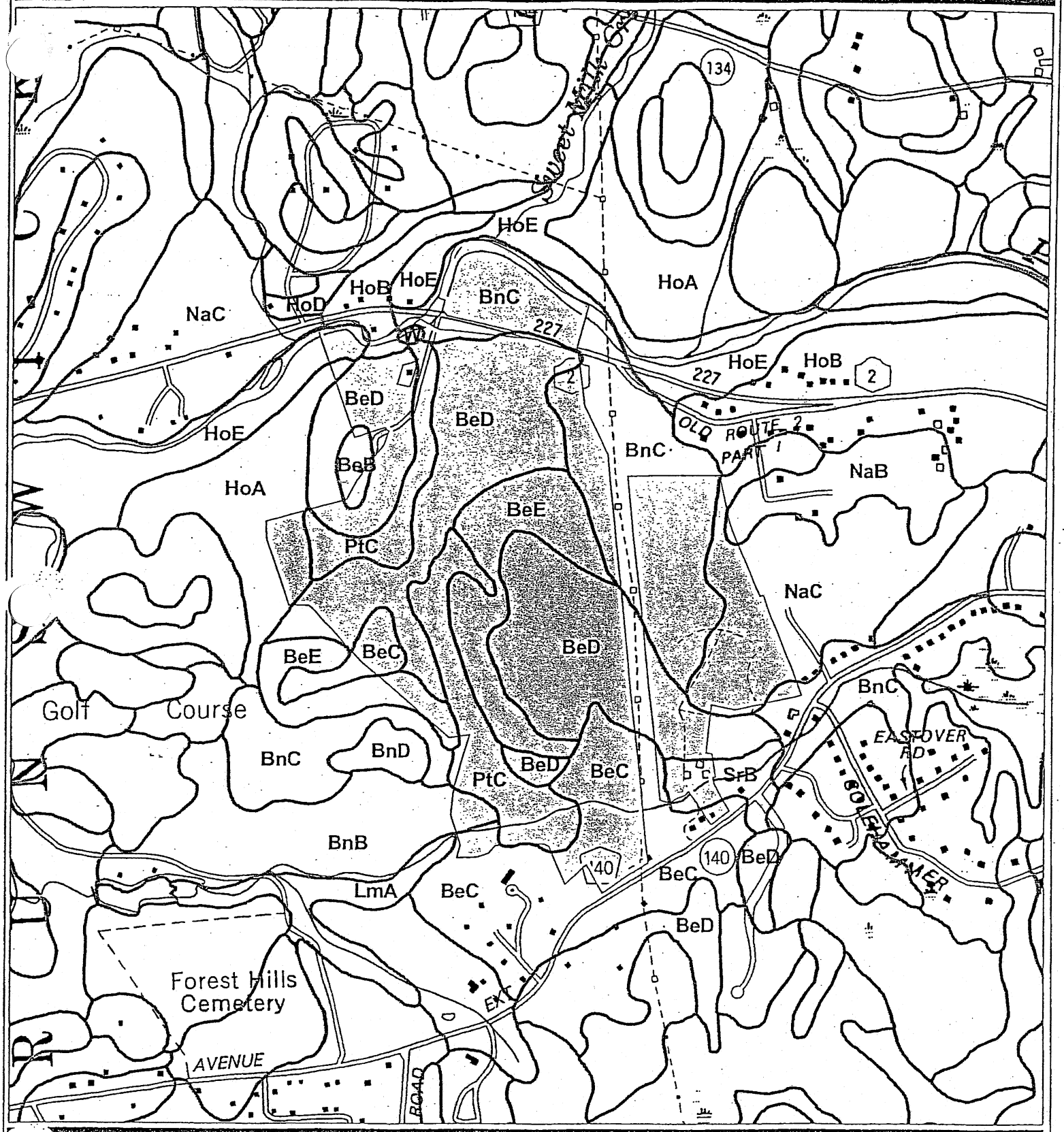
Storm Event	Existing Conditions Peak Runoff Rate (cfs)	Developed Conditions Peak Runoff Rate (cfs)	Water Quality Volume – WQv (c.f.)	Channel Protection Volume – CPv (c.f.)	Total Required Volume for Treatment and Storage (c.f.)
10 Year, 24 Hour	110.10	154.29	44,000	192,000	310,000
100 Year, 24 Hour	192.26	261.10			

These volumes dictate the use of surface treatment/detention basins from both construction feasibility and financial standpoints. Possible locations for the basins are shown on the drainage map provided in Appendix I. Runoff will be conveyed to these basins both as overland flow, in open channels and through newly constructed storm sewer systems. Once treated and detained as required, the runoff will be discharged to the two streams on the project site.

The Town of Brunswick is designated by the NYSDEC as a Municipal Separate Storm Sewer System (MS4). This designation requires the Town to comply with the NYSDEC SPDES General Permit for Stormwater Discharges from MS4s, Permit No. GP-02-02. This General Permit requires that the municipality develop a Stormwater Management Program (SWMP) according to the designated minimum control measures. The Town Engineer has indicated that the Town of Brunswick's SWMP does not set any compliance requirements for construction projects to be more stringent than those specified by the NYSDEC.

United Group of Companies

Country Club Properties – Town of Brunswick, NY



SOIL BOUNDARY MAP

Project Location

Soil Type Boundaries

N

500 0 500 Feet

May 2004

THE SARATOGA ASSOCIATES

LANDSCAPE ARCHITECTS, ARCHITECTS, ENGINEERS, AND PLANNERS, P.C.

NEW YORK CITY ▪ SARATOGA SPRINGS ▪ BOSTON

This map is computer generated using data acquired by The Saratoga Associates from various sources and is intended only for reference, conceptual planning, and presentation purposes. This map is not intended for and should not be used to establish boundaries, property lines, location of objects, or to provide any other information typically needed for construction or any other purpose when engineered plans or land surveys are required.

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PROJECT SITE SOIL TYPES
LISTED IN ORDER OF DECREASING AREAS ON SITE

Bernardston gravelly silt loam (BeB, BeC, BeD)
This soil is deep and well drained. Typically, the surface layer is friable, brown gravelly silt loam 8" thick. The subsoil is friable, yellowish brown silt loam and extends to a depth of 30". The substratum is a dense fragipan of light brown gravelly loam that extends to a depth of 60" or more. Depth to bedrock is more than 60".
In early spring a water table is perched above the fragipan for short periods. Permeability is moderate above the fragipan and slow in the fragipan. Erosion is a moderate to severe hazard. The soil is well suited to pasture and growing crops such as hay, corn and grain. The hydrologic group of the soil is C.

Pittstown gravelly silt loam (PtC)
This soil is deep and moderately well drained. Typically, the surface layer is very friable, very dark grayish brown gravelly silt loam 9" thick. The subsoil is friable yellowish and light brown silt loam and extends to a depth of 24". The substratum is a firm, brittle and mottled fragipan of olive gravelly loam that extends to a depth of 60" or more. Depth to bedrock is more than 60".
In early spring and during wet periods a temporary seasonal high water table is perched above the fragipan. Permeability is moderate above the fragipan and slow in the fragipan. Erosion is a slight hazard. The soil is well suited to pasture and growing crops such as hay, corn and grain. The hydrologic group of the soil is C.

Bernardston-Nassau complex (BnB, BnC)
This soil is a mixture of Bernardston and Nassau soils. The properties of the Bernardston soils are described above. Nassau soils are described as follows:
This soil is shallow and somewhat excessively drained. Typically, the surface layer is very friable, dark brown very shaly silt loam 7" thick. The subsoil is friable, yellowish brown very shaly loam and extends to a depth of 15". Folded and fractured shale is below a depth of 15". Depth to bedrock is 10" to 20".
Permeability is moderate and erosion is a moderate hazard. The soil is suitable for pasture and growing crops such as hay, corn and grain. The hydrologic group of the soil is C.

Nassau-Manlius complex (NaC)
This soil is a mixture of Nassau and Manlius soils. The properties of the Nassau soils are described above. Manlius soils are described as follows:
This soil is moderately deep and well drained. Typically, the surface layer is very friable, dark shaly silt loam 8" thick. The subsoil is yellowish brown very shaly silt loam and extends to a depth of 23". The substratum is dark yellowish brown very shaly silt loam to a depth of 30". Folded, olive gray shale is below a depth of 30". Depth to bedrock is 20" to 40".
Permeability is moderate and erosion is a serious hazard. The soil is suitable for pasture and growing hay. The hydrologic group of the soil is C.

Hoosic gravelly sandy loam (HoA, HoB, HoE)
This soil is deep and well drained to excessively drained. Typically, the surface layer is very friable, very dark brown gravelly sandy loam 9" thick. The subsoil is friable, yellowish brown gravelly sandy loam and extends to a depth of 23". The substratum is loose, brown very gravelly sand that extends to a depth of 60" or more. Depth to bedrock is more than 60".
Permeability is moderately rapid or rapid in the subsoil and very rapid in the substratum. Erosion is a moderate to severe hazard. The soil is suitable for pasture and growing crops such as hay, corn and grain. The hydrologic group of the soil is A.

Scriba silt loam (SrB)
This soil is deep and somewhat poorly drained. Typically, the surface layer is friable, very dark grayish brown silt loam 13" thick. The subsoil is mottled brown silt loam fragipan that extends to a depth of 50". The substratum is a very firm, mottled light brown gravelly silt loam that extends to a depth of 60". Depth to bedrock is more than 60".
A seasonal high water table is perched above the fragipan in wet periods. Permeability is moderate above the fragipan and slow in the fragipan. Erosion is a slight hazard. The soil is suited to pasture and growing crops such as hay and corn. The hydrologic group of the soil is C.