

TONAWANDA OPPORTUNITY AREA

DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT (DGEIS) AND BROWNFIELD OPPORTUNITY AREA (BOA) STEP 2 NOMINATION PLAN

OCTOBER 2018

This report was prepared for the Town of Tonawanda and the New York State Department of State with state funds provided through the Brownfield Opportunity Areas Program.

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OCTOBER 2018

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EXECUTIVE SUMMARY

In the Fall of 2015 the Town of Tonawanda initiated the Tonawanda Opportunity Area (TOA) project supported by a grant from the New York State Department of State to complete a Brownfield Opportunity Area (BOA) Nomination Report. The overall goal of the TOA project was to develop a revitalization Master Plan for an approximate 2,362 acre area in the Town's River Road Corridor between the City of Tonawanda and the former Huntley Power Plant along the Niagara River.

A preliminary BOA plan completed in 2012, as well as other plans, served as the basis for the TOA plan. The overall goal of the Nomination Plan was to unlock the inherent potential of the TOA which is blessed with 4.5 miles of waterfront and located in the geographic center of a growing Buffalo Niagara region with excellent access to the Interstate road system. Specific goals of the plan included:

- Restore and repurpose contaminated or formerly contaminated properties and put them back into productive reuse while incorporating green infrastructure and landscaping into site plans to complement natural areas within the TOA;
- Reconnect the somewhat isolated TOA with the rest of the Town and City via new roads and multi-modal trails while providing better circulation internally among TOA properties;
- Rearrange and reorganize the layout of the long parcels between Interstate 190/290 and River Road by promoting merging or re-subdivision of properties so that the parcel shapes and sizes are more compatible with current development preferences; and
- Rebrand the perception of the area by introducing a mix of uses, visualizations and promoting the area to developers and others that can help advance the area's revitalization.

A STRATEGIC AND CATALYTIC APPROACH

The State's Brownfield Opportunity Area program stresses the need to propose redevelopment projects that, if implemented, will provide catalytic economic development impacts for the entire Tonawanda Opportunity Area and the Town overall.

To that end the Town focused on four Strategic Areas that will be catalytic for the area and could also provide shovel ready sites for developers and other investors:

- **MileView**: The MileView Strategic Area includes properties between the City of Tonawanda and the Riverview Solar Technology Park. The primary goals of this Strategic Area were to provide better internal road and multi-modal access, build on the success of the Riverview Solar Technology Park, and to provide better access from the "mile strip" parcels to the Niagara River.
- **United**: The United Strategic Area primarily includes waterfront and interior lands owned by United Refining Corporation that are significantly underutilized. It is directly north of Interstate 190 and the Grand Island Bridges.
- **Niagara River World/INS/Cherry Farm**: This Strategic Area includes one of the largest sections of waterfront in Tonawanda and redevelopment of the sites would increase access to the waterfront while providing an improved gateway into the southern portion of the TOA.
- **Huntley/Sawyer**: This Strategic Area includes the recently shuttered Huntley Power Plant and the Sawyer Avenue industrial area. While redevelopment of the Huntley Power Plant will take time, it is a key strategic site for future development as are multiple parcels on Sawyer Avenue.



TOA Strategic Areas: 1-MileView; 2-United; 3-Niagara River World/INS/Cherry Farm; 4-Huntley/Sawyer



Executive Summary

TOA MASTER PLAN

Executive Summary

TOA Master Plan

The Tonawanda Opportunity Area Master Plan includes four strategic redevelopment areas within a 2,362 acre area along approximately 4.5 miles of Niagara River waterfront on the west side of the Town of Tonawanda. The Master Plan focuses on two strategic areas, MileView and Niagara River World/INS/Cherry Farm, and is based on the following strategies:

- Induce redevelopment of underutilized and vacant properties along the River Road Corridor
- Improve access to the Niagara River
- Take advantage of the area's strategic location in the Buffalo Niagara region
- Focus on roadway and other infrastructure investments to drive economic development projects
- Provide opportunities for recreation
- Provide better internal access among sites located between River Road and Interstate 190/290
- Incorporate sustainable development strategies including clean energy and green infrastructure



MileView Strategic Area



Niagara River World/INS/Cherry Farm Strategic Area

Public and Stakeholder Support for the TOA Master Plan . . .

The Town, steering committee, consultant team and community partnered to develop a Master Plan that provides both economic and community development benefits. The worthwhile, long term process included the following steps:

Reviewing the Step 1 TOA Plan and Other Existing Plans with the Community





Promoting the Plan and Strategic Areas with Developers and Stakeholders





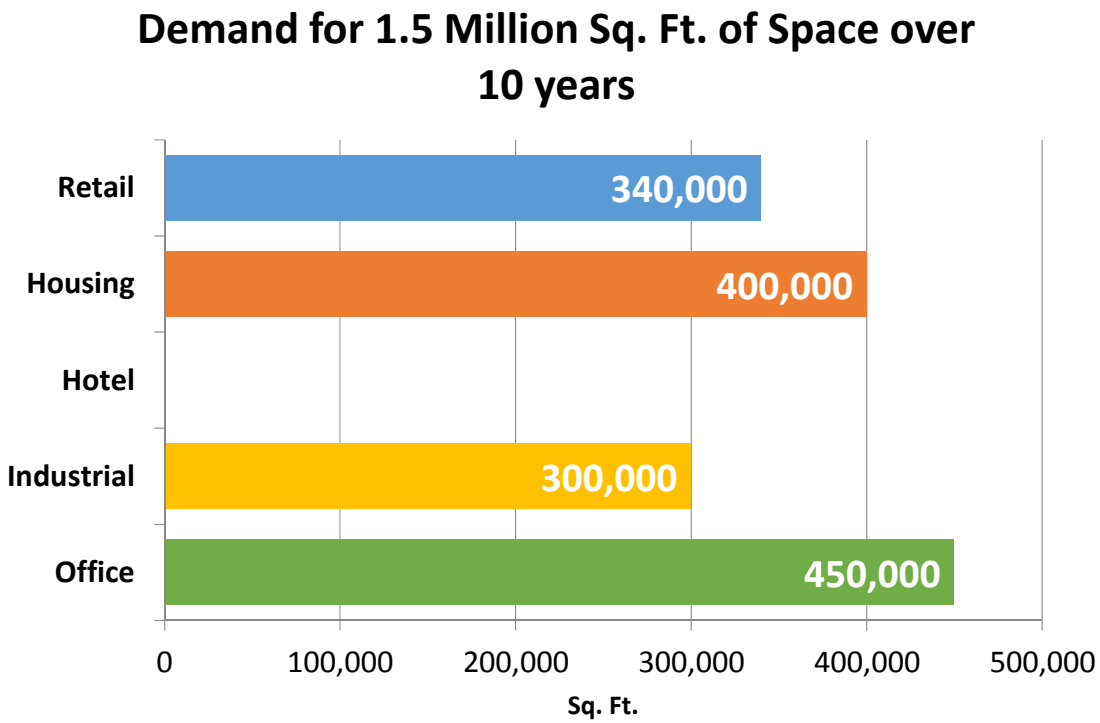
Final Open House on the Draft Master Plan





10 Year Market Support for the TOA Master Plan . . .

Based on an Economic and Market Analysis prepared for the Plan, and included in the Appendices, there is demand for more than 1,500,000 sq. ft. of office, retail, industrial, and residential development in the TOA over the next decade. The demand for space also suggests the sites and buildings in the TOA may need to be repurposed from industrial to commercial, residential and mixed use properties.



The TOA Master Plan Complements Past and Current Efforts . . .

The Tonawanda Opportunity Area project incorporates and builds upon past planning efforts and current strategies to redevelop the River Road Corridor. Multiple recently completed documents reinforce the need to focus on brownfield redevelopment in the Town as part of an overall economic development strategy. Similarly, the Town and its development partners have started to redevelop sections of the River Road Corridor with a mix of uses including several successful development projects at the North Youngmann Commerce Center and the Riverview Solar Technology Park.





North Youngmann Commerce Center Development

Key Findings

1. **POPULATION IS STABILIZING**: The TOA is made up of three census tracts and the one in the City of Tonawanda is growing in population while the other two have stopped losing population.

2. **ZONING IS PRIMARILY INDUSTRIAL**: Although the Waterfront Industrial zone is flexible, the zoning in the TOA favors industrial uses while the trend is towards mixed use development in the MileView Strategic Area.

3. **INFRASTRUCTURE IS LIMITED**: Because of the nature of past development patterns there are no roadways, water/sewer, or telecommunications infrastructure in the TOA except on the major roadways.

4. **THERE IS DEMAND FOR ALL USES EXCEPT FOR HOTELS**: The Economic and Market Analysis showed that over the next ten years, conservatively, there is demand for more than 1.5 million square feet of retail, office, industrial, and residential space in the TOA.

5. **29.3% OF LAND IN THE BOA IS UNDERUTILIZED OR VACANT WITH DEVELOPMENT POTENTIAL**: Eight properties were classified as underutilized and 28 properties were classified as vacant with a total of 693 acres.

6. **THE TOA IS WELL SERVED BY TRANSPORTATION ROUTES**: Interstate 190/290 is directly south and west of the TOA carrying approximately 70,000 cars daily with two direct exits into the TOA. River Road, or State Route 266, also provides local and regional access to the TOA.

7. **PUBLIC OWNERSHIP IS VERY LIMITED**: With exception of the North Youngmann Commerce Park and Spaulding Commerce Park, there is very limited public ownership of property in the TOA which could make property assembly difficult.

8. **ACCESS TO NATURAL RESOURCES AND RECREATION IS EXCEPTIONAL**: Despite being in a former industrial zone, the TOA has 4.5 miles of Niagara River waterfront, multiple existing and planned trails, two named creeks, and wooded areas.

9. **THE TOA PROVIDES OPPORTUNITIES TO IMPLEMENT THE TOWN'S GREEN INFRASTRUCTURE POLICIES**: The Town has been aggressive in implementing green infrastructure in the TOA at the North Youngmann Commerce Center and outside the TOA at Lincoln Park. There is a great opportunity to incorporate green infrastructure practice into TOA private and public development projects.

Vision, Goals and Strategies

VISION

The Tonawanda Opportunity Area will become a sustainable mixed use neighborhood providing residents, businesses, and tourists with new living, working, and recreational opportunities along an accessible Niagara River waterfront.

GOALS AND STRATEGIES

RECLAIM THE WATERFRONT: Reconnect sites in the Tonawanda Opportunity Area with the area's most significant natural resource – the Niagara River – and other sites in the region.

Improve access to the Niagara River

The TOA is blessed with 4.5 miles of Niagara River waterfront and improvements to River Road and additional trail connections to the River will help reconnect the waterfront.

Take advantage of the area's strategic location in the Buffalo Niagara region

The TOA is in the geographic center of the Buffalo Niagara Region with excellent transportation access and waterfront access.

Focus on roadway and other infrastructure investments to drive economic development projects

Significant investments in roadway and infrastructure improvements will be needed by both the public and private sectors to provide access to interior TOA sites and from those sites to the waterfront.

RESTORE THE RIVER ROAD CORRIDOR: Re-purpose land and buildings for productive re-use and environmental renewal to support the sustainable, long term revitalization of the River Road corridor.

Induce redevelopment of underutilized and vacant properties in the River Road corridor

Advancing redevelopment and re-purposing of vacant and underutilized sites with a focused and strategic approach based on the market will restore the vitality of the area.

Incorporate sustainable development strategies including clean energy and green infrastructure

Implementing clean energy strategies and green infrastructure at private and public development sites will improve resiliency and promote sustainability.

REBRAND: Change the image of the River Road Corridor by introducing new uses and promoting high quality design.

Re-zone areas of the Tonawanda Opportunity Area to promote more mixed use development

Re-zoning industrial land for mixed use development will support the market for more commercial and residential uses that will provide a new image for the River Road corridor.

Adopt or update Design Guidelines

New residents, businesses and tourists invest in areas that provide a high quality of amenities and design.

Executive Summary

MileView Strategic Area

The MileView Strategic Area has the greatest potential in the Tonawanda Opportunity Area for new development and redevelopment of brownfield sites. The area has exceptional access to the regional road network, enjoys a mile of beautiful Niagara River waterfront and many properties in the area have been remediated. It is also home to the successful and burgeoning Riverview Solar Technology Park.

The goals of the MileView Strategic Area Master Plan are to:

- Complement existing development at Riverview Solar Technology Park;
- Create a new mixed use, pedestrian oriented "neighborhood" that has a sense of place;
- Capitalize on existing natural resources like the Niagara River, creeks and natural forested areas; and
- Improve access into the interior of the area between River Road and Interstate 290.

However, the area must be developed in a phased approach by developing sections of roadways and amenities over time. The phased development approach should also be pursued because uses such as retail will follow the jobs created by office and industrial developments.



Executive Summary

MileView Strategic Area

VISUALIZATION OF POTENTIAL DEVELOPMENT AND PLACEMAKING OPPORTUNITIES



STRATEGIES

1. Mixed Use Town Center: The Town of Tonawanda does not have a Town Center and the MileView Strategic Area provides the ideal opportunity to create one along the Niagara River. The Town Center would be a mixed use, pedestrian oriented center with multi-story buildings with residential on the upper floors and commercial uses on the first floor.

2 & 3. Riverside Commercial Sites: Riverside commercial sites would provide small to medium sized Class A office and regional retail stand-alone sites that could take advantage of Niagara River views and access to River Road.

4. Office and Light Industrial Zone: For companies that need larger sites, such as warehouse, light industrial and Class A office users, but also want to take advantage of natural resources such as forested land, interior trails and creeks.

5. Creekside Townhomes: A small "bluff" above Two Mile Creek would provide views of the City of Tonawanda and portions of the Niagara River to residents that prefer townhome or condominium living.

6. Solar Panel Array: Solar panels can provide sustainable and affordable power to area businesses and residents.

7. **Trail Network**: A trail network would provide transportation options and recreational opportunities to residents and workers in the new neighborhood including those who live and work there.

MARKET BASED POTENTIAL USES

- Office
- Restaurants
- Residential
- Light Industrial/Warehouse

Executive Summary

Niagara River World/INS/Cherry Farm Strategic Area

This Strategic Area is a large area along the Niagara River that combines three underutilized strategic sites into one Strategic Area:

- Niagara River World – includes a 12 acre parcel with a warehouse and a vacant 50 acre parcel;
- Cherry Farm – a capped 56 acre landfill; and
- Former 29 acre INS junkyard which is currently being cleaned up and has been purchased by Erie County.

Based on the market analysis, parcel sizes and surrounding industrial uses in the area, as well as exceptional access to the Interstate, the site is ideal for warehouse and light industrial uses. While the uses would be industrial, they would be developed in parklike surroundings along the waterfront inclusive of trails, Niagara River access and lush landscaping.

Just as the MileView area was "primed" with recent Riverview Technology developments, this area would benefit from one "pioneering" project to promote the area's future development.



Executive Summary

Niagara River World/INS/Cherry Farm Strategic Area

VISUALIZATION OF POTENTIAL DEVELOPMENT AND PLACEMAKING OPPORTUNITIES



STRATEGIES

8. Redevelop the Niagara River World Site: The current Niagara River World site is a large 230,000 square feet unheated warehouse. To be competitive with similar warehouse facilities, and to be considered for light industrial uses, the building should be heated and office space should be added.

9. Build New Warehouse and Light Industrial Space: Warehouse and light industrial space is at a premium in the Buffalo Niagara region and the exceptional access to the highway would make this site attractive to potential users.

10. River Dock: Maintain and upgrade the River dock at Niagara River World which is a significant feature.

11. Open Space Trail Network: Develop a bike/pedestrian trail that connects the three sites to each other, the Erie Canal trail and the Niagara River waterfront.

12. Cherry Farm Park: Redevelop the landfill for a Park to take advantage of extraordinary views of, and access to, the Niagara River.

13. Regional Composting Facility: Erie County is considering establishing a shared Regional Composting Facility at this site to serve multiple Towns in Erie County.

MARKET BASED POTENTIAL USES

- Light Industrial
- Warehouse

Executive Summary

United Strategic Area

The United Strategic Area includes one site owned by United Refining comprising property north and south of River Road. There are several other small sites within the Strategic Area including one being developed for potential waterfront residential condominiums.

Currently the area is significantly underutilized. Multiple tanks have been removed from the site, other tanks are in bad condition and the buildings on the site have not been maintained or upgraded. There is a portion of the United Refining parcel of approximately 5 acres on the southwest corner of the site near the exit ramp for Interstate 190 that could be developed and is apparently not contaminated. The *Waterfront Land Use Plan* (2014) explored the possibility of converting portions of the waterside United Refining parcel into a Riverfront Park.

The steering committee agreed to include the site as a Strategic Area because of its advantageous location and potential to be vacant in the future. However, the committee also agreed not to develop any plans for the site because there were too many unknowns at this time with the site.



Executive Summary

Huntley/Sawyer Strategic Area

The Huntley/Sawyer Strategic Area is dominated by the recently retired Huntley Power Plant. The Plant closed in March 2016, about six months after the Tonawanda Opportunity Area (TOA) project started. The Huntley property includes 93 acres along the Niagara River and River Road on the southern boundary of the TOA. Huntley Power LLC owns the site.

There are also an additional 11 properties on the south side of Sawyer Avenue included in the Strategic Area as well as 3445 River Road which is owned by Erie County (Sumitomo is considering purchasing the property for redevelopment purposes). Two National Grid sites are also included.

Similar to the United Strategic Area, the steering committee decided to make this location a Strategic Area to take advantage of future BOA tax credits and economic development grant opportunities. However, plans were not developed for this site because it is anticipated that redevelopment of the site, and associated coordination with owner Huntley Power LLC, will be a long term redevelopment opportunity.



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SECTION 1

PROJECT DESCRIPTION AND BOUNDARY

Rattlesnake

The Project Description and Boundary section provides a general overview of the Town and City of Tonawanda and the Tonawanda Opportunity Area (TOA) including a brief characterization of the TOA and description of the TOA boundaries.

PROJECT OVERVIEW AND DESCRIPTION

The Town of Tonawanda and its partners (the City of Tonawanda and Erie County) are preparing this Study (the second of a three step process) because of the obvious and inherent redevelopment opportunities the TOA possesses. The TOA is literally located in the center of the Buffalo Niagara Metropolitan area with proximity to two interstate highways and three regional roadways that provide access to the metro area and Canada. Strategic location factors of the TOA are further enhanced by access to the nearly 4.5 miles of Niagara River waterfront.

Recent successes have demonstrated that redevelopment is possible in the TOA. The momentum created by the development of the Riverview Solar Technology Park, North Youngmann Commerce Center, Spaulding Commerce Center and remediation of several parcels in the TOA should be built upon to promote further redevelopment opportunities.

At the same time, the advantages of the TOA location are constrained by several factors. Thirty-six properties, or approximately 12 percent of all the properties and 29 percent of the land area in the TOA, have been classified as underutilized or vacant parcels, with or without publically available environmental records, and with development potential. Brownfield and underutilized properties are deterrents to development in the area because they create a perception of decline. Some active heavy industrial properties also hinder development as their appearance and production processes are incompatible with certain commercial and light industrial uses. In addition, the Huntley Power Plant and the associated fly ash landfill were recently retired: the future of these sites is uncertain at this time (the Town has issued an Expression of Interest statement for the potential redevelopment of the Power Plant site – the owner of the property will be conducting its own marketing process for the site in the near future).

The current property arrangement within the TOA also discourages redevelopment. Many of the parcels are long, some averaging one mile in length, with no road access and associated utilities.

Demographic and economic factors are also a factor in the future redevelopment of the TOA. The Town, City and all the census tracts within the TOA have experienced

population declines in excess of three percent between 2000 and 2014. Manufacturing employment, once the dominant industry employer in the TOA, declined by nearly 33,000 jobs between 2000 and 2010 in the Buffalo Niagara region; although it has experienced a small resurgence in recent years.

With the above basic opportunities and constraints in mind, the Town has prepared the Tonawanda Opportunity Area Nomination Study. The purpose of the Nomination Study is to develop an area-wide master redevelopment plan for the TOA with a focus on strategic sites that, if redeveloped, will have a catalytic impact on the entire TOA, encouraging long term revitalization both within the TOA and the Town overall.

To develop the strategies and goals for the area-wide master redevelopment plan the Town considered a comprehensive set of existing conditions and defined the needs of the community for the TOA. Evaluation of land use, zoning, underutilized/vacant/contaminated sites, transportation and utility systems, land ownership, and natural/historic/cultural resources helped the TOA steering committee to further understand the area's opportunities and constraints.

Constraints and opportunities in the corridor are defined within the context of the purpose of New York State's Brownfield Opportunity Program which is to advance projects to the marketplace. Therefore, the primary goal of the TOA steering committee was to develop an area-wide master redevelopment plan that is responsive to the market realities of the Tonawanda area, acceptable to residents and businesses, and aligned with funding opportunities for economic and community development.



The guiding principles to create a shovel-ready TOA

TONAWANDA OPPORTUNITY AREA BOUNDARY

One of the first tasks of the TOA Steering Committee was to define the boundaries of the opportunity area. The committee was presented with six alternatives for a TOA boundary (Figure 1). Alternative 1 was identical to the boundary used during the Pre-Nomination Study. Additional boundary extensions of this base alternative were considered by the committee. Some of these alternatives expanded the base alternative to include additional industrial areas while others contracted it to remove successful industrial areas. The Steering Committee considered several factors in developing the TOA Boundary:

- A large TOA Boundary could dilute the evaluation of the TOA and reduce the impact of the TOA recommendations;
- A small TOA boundary may eliminate key areas that are critical for the Town's long term revitalization;
- The future of the Huntley Power Plant and fly ash landfill were uncertain at that point in time (the facilities were likely to be permanently retired and as time revealed, they were retired); and
- Properties or sites within the TOA could be eligible for additional grant or financing opportunities.

After much discussion and consideration the committee chose a 2,362 acre area that expands the Pre-Nomination boundary to include the Huntley Power Plant and small industrial sites along Sawyer Avenue (Figure 2). The committee thought it was important to include the Huntley Power Plant in order to begin planning a strategic approach for redevelopment should the facility be retired. In addition, the committee thought it was important to focus effort on the small industrial sites along Sawyer Avenue as not much attention has been paid to their revitalization. It was later determined that while the Huntley/Sawyer area should be categorized as a Strategic Area, that redevelopment concept plans would not be created for the area given the long term challenges associated with the site.

Despite the success and "shovel ready" nature of both the Spaulding Commerce Center and North Youngmann Commerce Center, the committee thought it was important to leave these sites in the TOA for grant and financing eligibility.

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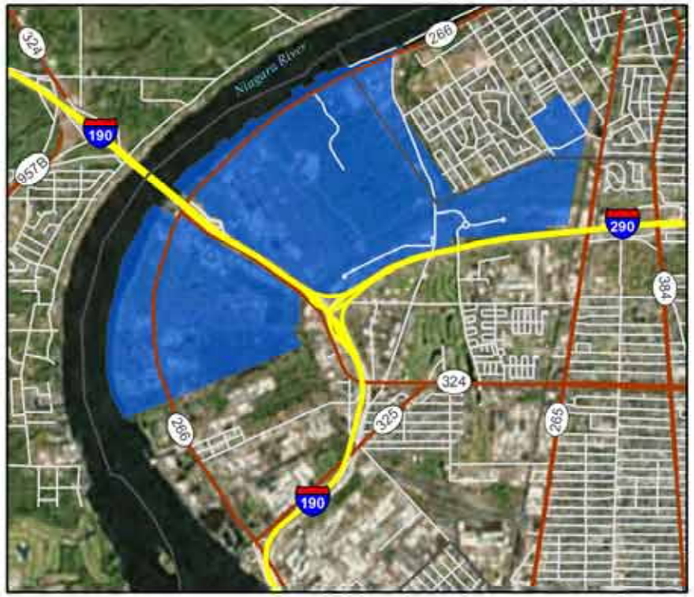

Alternative 1

Proposed BOA Boundary

-1,867.0 Acres
-Identical to Pre-Nomination Boundary
-Requires minimal effort to perform a 'complete inventory' of Brownfield/Underutilized Sites, as most have been identified through prior Pre-Nomination Report
-Leaves out some potentially significant sites (i.e. Huntley and sites along Sawyer Ave)



Alternative 2

Proposed BOA Boundary

-2,499.4 Acres
-Expanded southward to include Huntley and sites along Sawyer Ave
-Includes some sites (i.e. Dunlop, Spaulding, residential, etc.) which should potentially be left out
-Requires moderate effort to perform a 'complete inventory' of Brownfield/ Underutilized Sites



Alternative 3

Proposed BOA Boundary

-2,109.1 Acres
-Expanded southward to include Huntley and sites along the south side of Sawyer Ave
-Does not include Dunlop, properties north of Sawyer Ave (residential, Triad Recycling, etc.)
-Includes some sites (i.e. Spaulding) which should potentially be left out
-Requires minimal effort to perform a 'complete inventory' of Brownfield/ Underutilized Sites



Alternative 4

Proposed BOA Boundary

-2,437.1 Acres
-Expanded southward to include Huntley and sites along Sawyer Ave
-Includes some sites (i.e. Dunlop, residential, etc.) which should potentially be left out
-Does not include Spaulding properties
-Requires moderate effort to perform a 'complete inventory' of Brownfield/ Underutilized Sites



Alternative 5

Proposed BOA Boundary

-2,046.8 Acres
-Expanded southward to include Huntley and sites along the south side of Sawyer Ave
-Does not include Dunlop, Spaulding, or properties north of Sawyer Ave (residential, Triad Recycling, etc.)
-Requires minimal effort to perform a 'complete inventory' of Brownfield/ Underutilized Sites



Alternative 6

Proposed BOA Boundary

-Selected by the steering committee as the preferred boundary alternative
-2,362.3 Acres
-Expanded southward to include Huntley and sites along Sawyer Ave
-Does not include Dunlop
-Includes some sites (i.e. Spaulding, residential) which should potentially be left out (steering committee ultimately decided to keep them in the boundary)
-Requires moderate effort to perform a 'complete inventory' of Brownfield/ Underutilized Sites

This map was prepared for the Town of Tonawanda and the New York State Department of State with state funds provided through the Brownfield Opportunity Areas Program.

Path: J:\Tonawanda, Town of\2151300 - Brownfield Opportunity Maps\MAP 2016 2 2 Prgd-BoundryAlternatives.mxd

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TOWN OF TONAWANDA

TONAWANDA OPPORTUNITY AREA

NOMINATION STUDY

PROJECT BOUNDARY ALTERNATIVES MAP

Sources:
1. Alternative BOA Boundaries: Created by LaBella for discussion by the steering committee
2. Local Roads: Provided by the Town of Tonawanda
3. Other Roads and Municipal Boundaries: Census Shapefiles from TIGER/Line database (minor edits by LaBella to municipal boundaries to match property lines)
4. Aerial background: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community

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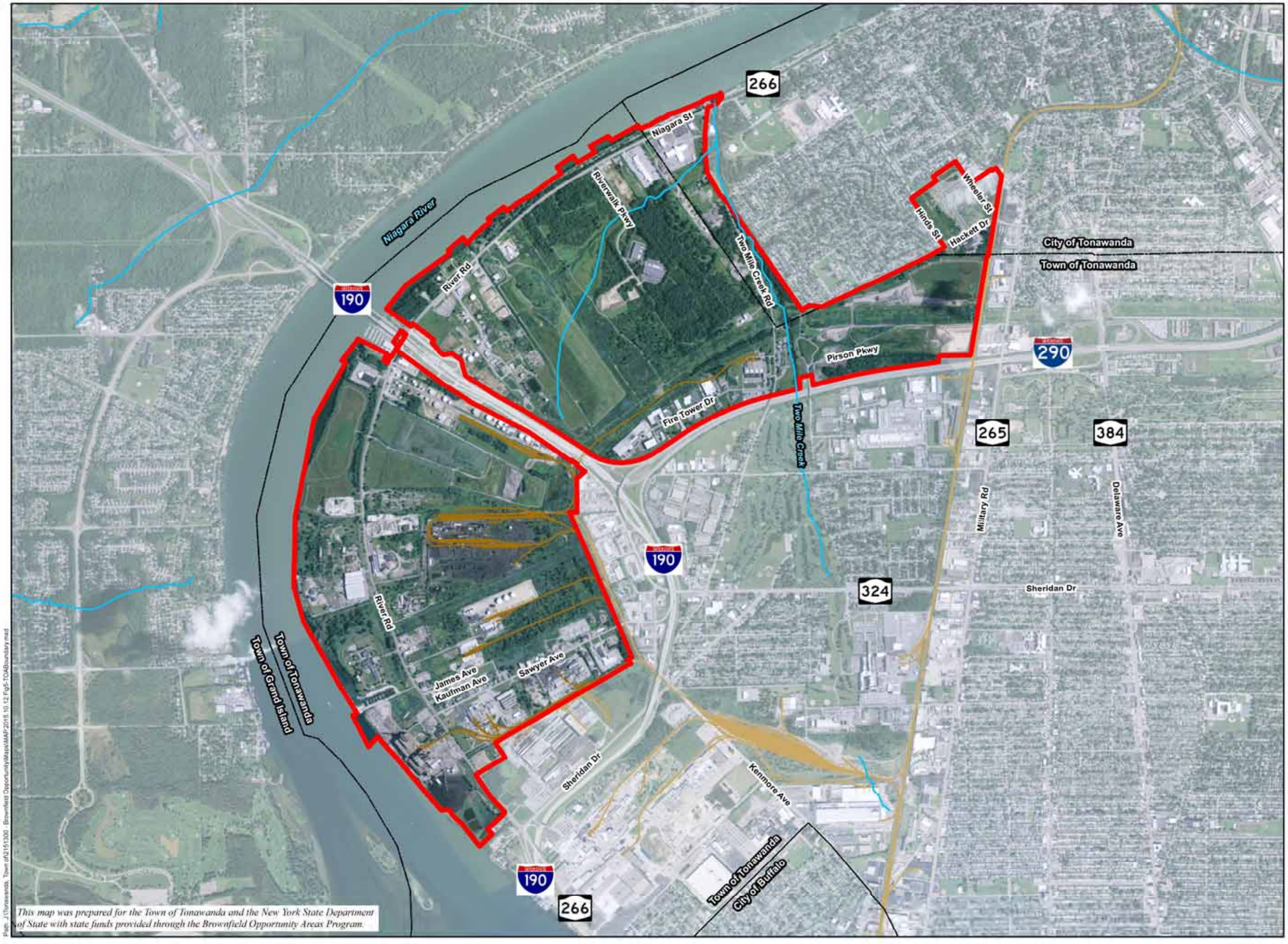
Labella Project No: 2151300

Figure 1: TOA Boundary Alternatives



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TOWN OF TONAWANDA

TONAWANDA OPPORTUNITY AREA

NOMINATION STUDY

TOA BOUNDARY MAP

TOA Nomination Study Area
Municipal Boundaries
Railroad
Creek

Sources:
1. TOA Nomination Study Area Boundary: Created by LaBella using parcel boundaries provided by the Town of Tonawanda
2. Roads, Railroads, Creek, and Municipal Boundaries: Census Shapefiles from TIGER/Line database (minor edits by LaBella to municipal boundaries to match property lines)
3. Aerial background: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community

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Labella Project No: 2151300

Figure 2: TOA Boundary

COMMUNITY AND REGIONAL SETTING

The Tonawanda Opportunity Area is located in the northwest section of the Town of Tonawanda and also includes a small portion of the southern section of the City of Tonawanda. Tonawanda is a first ring suburb in the Buffalo Niagara metropolitan area located in the northernmost section of Erie County adjacent to Niagara County as shown in Figure 3. Most of the Town is completely developed and little open land is available for new development. The small, quaint Village of Kenmore is part of the Town.

The Town of Tonawanda is bordered to the north by the City of Tonawanda and City of North Tonawanda (Niagara County), to the east by the Town of Amherst, to the south by the City of Buffalo, and to the west by the Niagara River (and Town of Grand Island). Erie County is centered around the City of Buffalo. The County includes first ring and second ring suburbs as well as more rural areas the farther one is away from the City.

Tonawanda has a unique and advantageous location between Toronto, Buffalo, and Rochester (Figure 3). Access to the three metropolitan areas is provided by Interstates 190 and 290 that traverse the Town and the Interstates' connections to various other Interstates such as the I-90 and the QEW. Three international bridges (the Peace Bridge, the Rainbow Bridge, and the Lewiston-Queenston Bridge) are located between six and 15 miles from the TOA via Interstates and State Highways. I-190 bisects, I-290 borders, and State Highway 266 traverses the TOA, all connecting the TOA to other areas within the Town and region (Figure 4).

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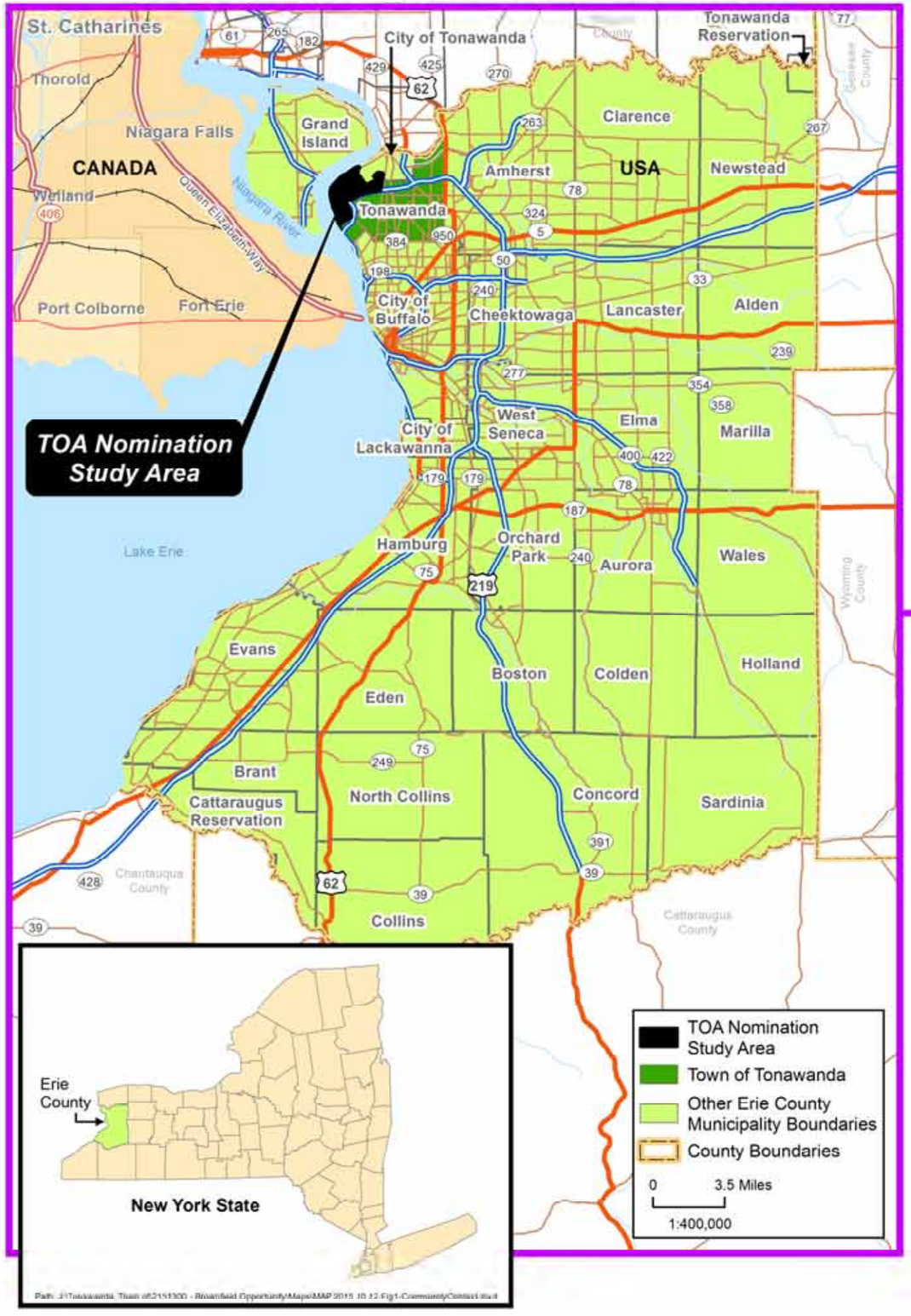
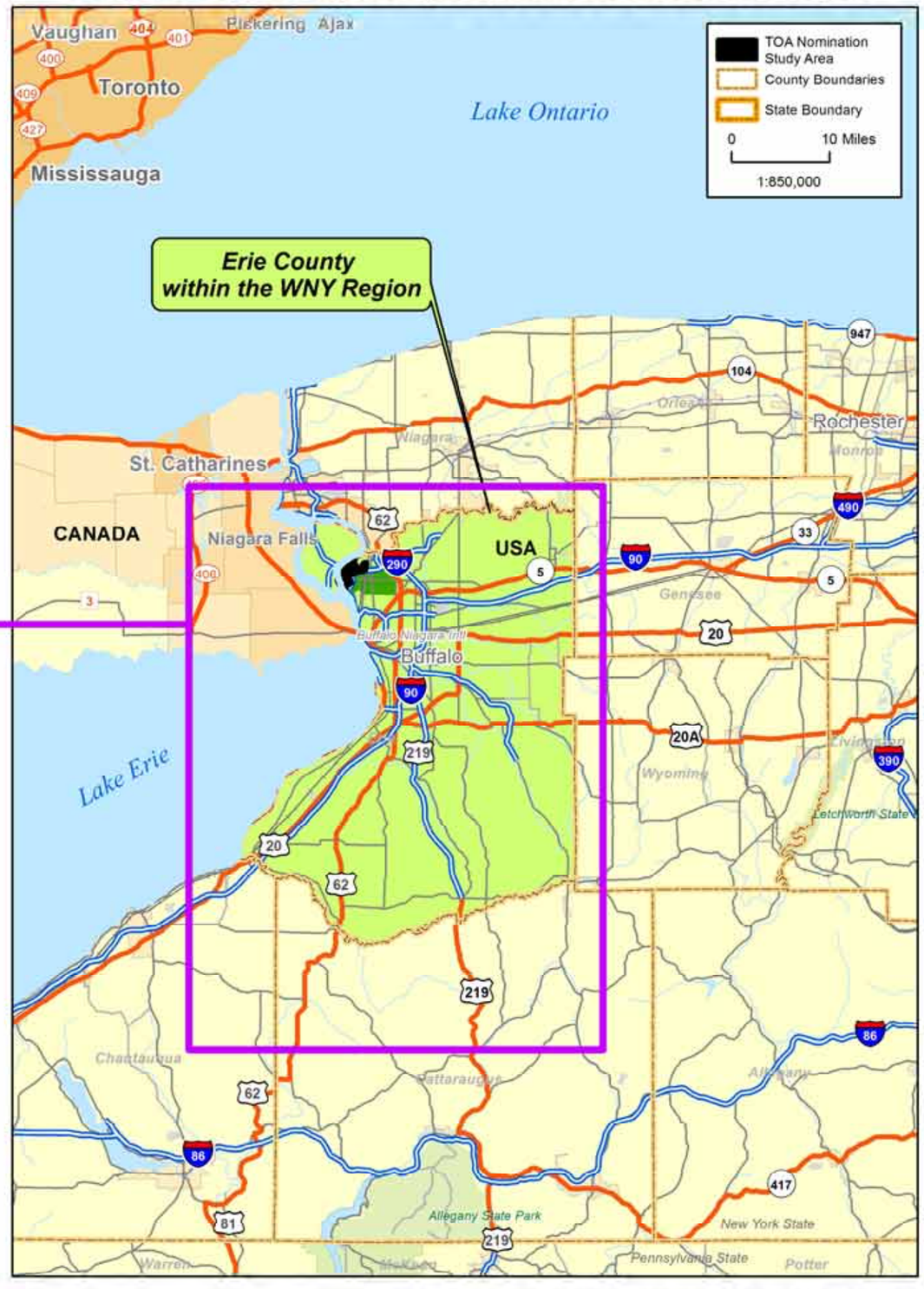
Tonawanda Opportunity Area (TOA) within Erie County



Tonawanda Opportunity Area (TOA) within the Western NY Region



This map was prepared for the Town of Tonawanda and the New York State Department of State with state funds provided through the Brownfield Opportunity Areas Program.

LABELLA Associates, D.P.C.

TOWN OF TONAWANDA

TONAWANDA OPPORTUNITY AREA

NOMINATION STUDY

COMMUNITY CONTEXT MAP

Sources:
1. TOA Nomination Study Area Boundary: Created by LaBella using parcel boundaries provided by the Town of Tonawanda
2. Regional Roads: ESRI Regional Major Highways Shapefile
3. Water: ESRI Regional Water and River Shapefiles
4. Municipal and County Boundaries: Census Shapefiles from TIGER/Line database

Labella Project No: 2151300

Figure 3: Community Context

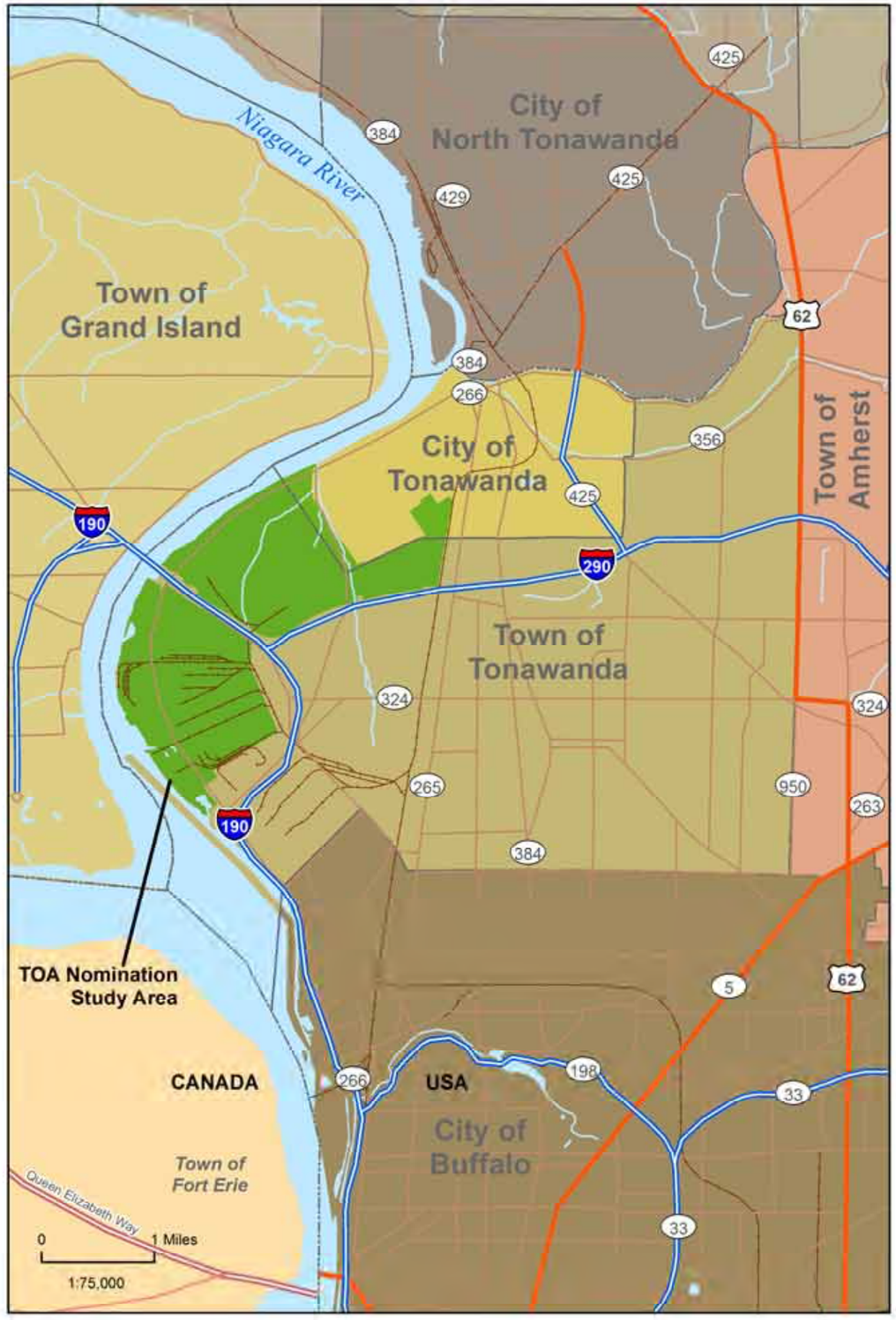


Tonawanda Opportunity Area (TOA) Nomination Study Area
within the Town and City of Tonawanda

This map was prepared for the Town of Tonawanda and the New York State Department of State with state funds provided through the Brownfield Opportunity Areas Program.

Path: J:\Tonawanda_Town of\2151300 - Brownfield Opportunity\Maps\MAP 2016.2.2 Fig2-StudyAreaContext.mxd

Tonawanda Opportunity Area (TOA) Nomination Study Area
Relative to Adjacent Towns



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TOWN OF TONAWANDA

TONAWANDA OPPORTUNITY AREA

NOMINATION STUDY

STUDY AREA CONTEXT MAP

- TOA Nomination Study Area
- City/Town (Fill Colors Vary)
- Limited Access
- Highway
- Major Road
- Railroads
- Water Bodies

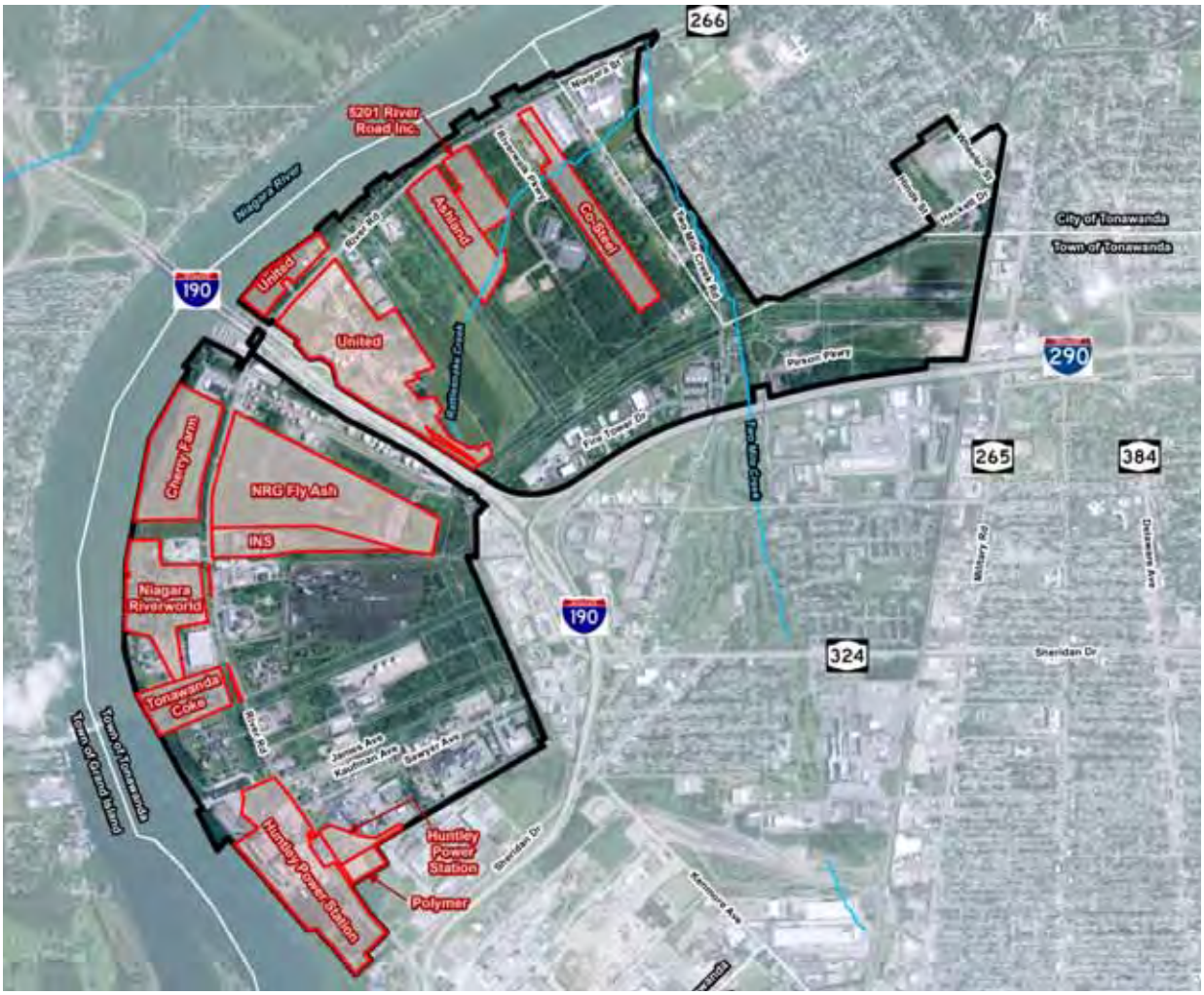
Sources:
1. TOA Nomination Study Area Boundary: Created by LaBella using parcel boundaries provided by the Town of Tonawanda
2. Regional Roads: ESRI Regional Major Highways Shapefile
3. Local Roads: Provided by the Town of Tonawanda
4. Water: ESRI Regional Water and River Shapefiles
5. Municipal and County Boundaries: Census Shapefiles from TIGER/Line database (minor edits by LaBella to municipal boundaries to match property lines).

Labella Project No: 2151300

Figure 4: Study Area Context

STRATEGIC AREAS SELECTION

When the Steering Committee initially met they wanted to address redevelopment and/or cleanup of 11 sites within the TOA boundaries. Each of these sites, the committee felt, was important to realizing a comprehensive redevelopment strategy for the Tonawanda Opportunity Area. The sites were selected because either the Town or County was or had been actively involved in their cleanup, or the sites would become future large underutilized sites that would have significant negative impacts on the revitalization of the area.



Initial 11 sites under consideration for Strategic Sites

The sites were also selected based on a set of criteria including:

- Transportation access to River Road, Interstate 190/290 and other local roads;
- Level of contamination;
- Niagara River access or views;
- Properties owned by cooperative owners;
- Adjacency to other key sites;
- Impact on jobs, investment, and taxes;
- Consistency with New York State's "Shovel Ready" Criteria (i.e. site has been remediated, has permits in place, etc.); and
- Level of public ownership which often makes redevelopment easier.

However, the committee recognized that having 11 properties selected as strategic sites would dilute the level of analysis of the Tonawanda Opportunity Area and, more importantly, discourage a comprehensive master plan approach with so many disparate properties.

Consequently, the steering committee decided to combine the 11 sites into five separate "Strategic Areas" based on:

- Common uses;
- Level of readiness for redevelopment opportunities;
- Connectivity for future road and multi-modal access as well as infrastructure improvements; and
- Character of surrounding land uses.

The initial five sites, as shown below, have been further reduced to four areas as shown in Figure 5.



Five strategic areas included the initial 11 sites and which have been further reduced to four sites (see Figure 5)

The final four strategic areas, as described on the following pages, include:

1. MileView
2. United
3. Niagara River World/INS/Cherry Farm
4. Huntley/Sawyer

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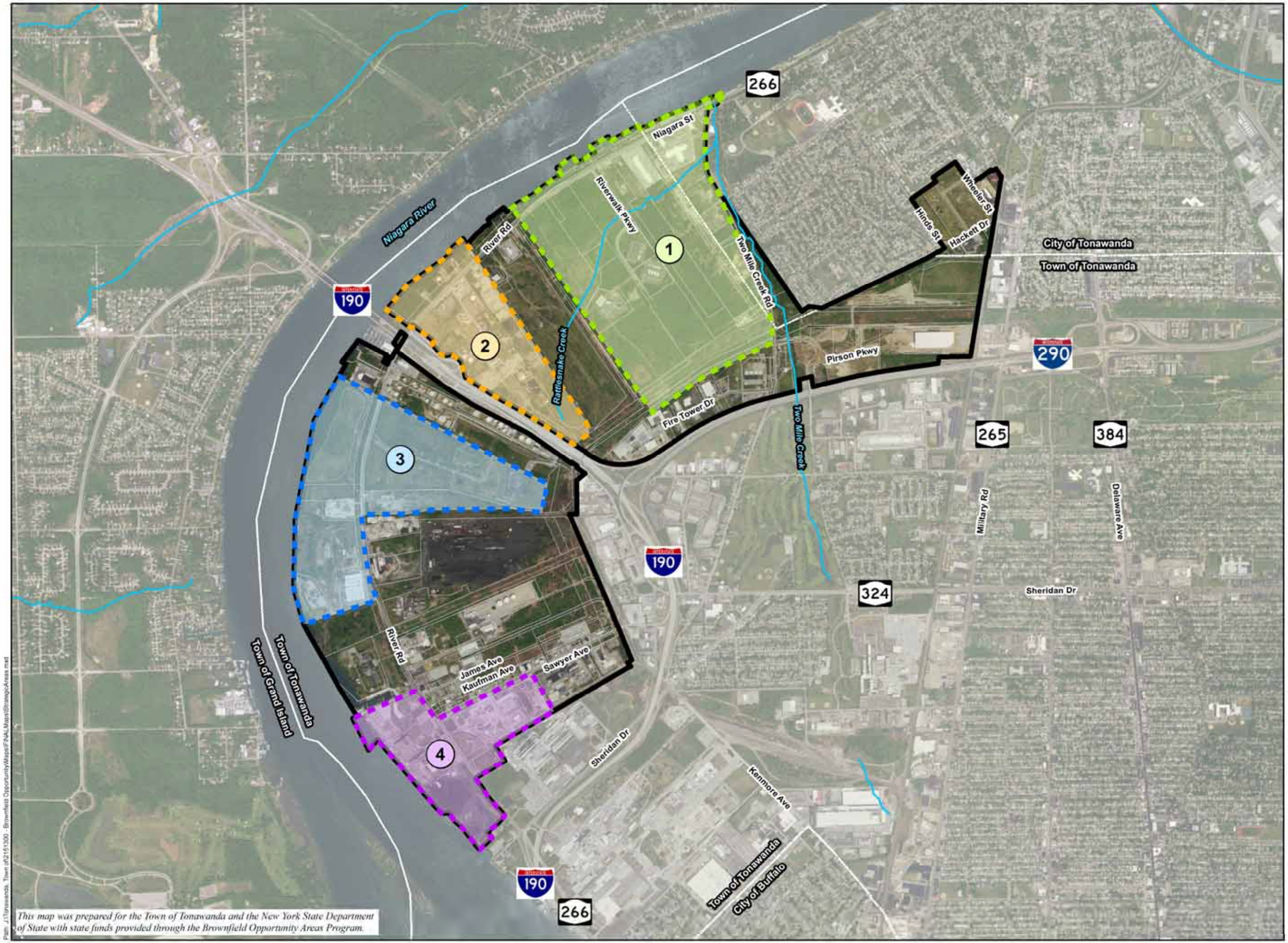

This map was prepared for the Town of Tonawanda and the New York State Department of State with state funds provided through the Brownfield Opportunity Areas Program.

LABELLA Associates, D.P.C.

TOWN OF TONAWANDA

TONAWANDA OPPORTUNITY AREA

NOMINATION STUDY

STRATEGIC AREAS MAP

- TOA Nomination Study Area
- Municipal Boundaries (White)
- Creek
- Other Properties

Strategic Areas

- MileView
- United
- Niagara River World / INS / Cherry Farm
- Huntley / Sawyer

Sources:
1. TOA Nomination Study Area Boundary: Created by LaBella using parcel boundaries provided by the Town of Tonawanda
2. Town and City of Tonawanda property boundaries: Provided by the Town of Tonawanda
3. Strategic Areas: Created by LaBella based on Town and Steering Committee input
4. Roads and Municipal Boundaries: Census Shapefiles from TIGER/Line database (minor edits by LaBella to municipal boundaries to match property lines)
5. Aerial background: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community.

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Labella Project No: 2151300

Figure 5: Strategic Areas

MILEVIEW STRATEGIC AREA

The MileView Strategic Area was the only strategic area that was given a "branded" name. The MileView name reflects the very early history of Western New York. Prior to the establishment of the Holland Land Office and the subsequent surveying of land, a "mile strip" known as the New York Reservation was in existence along the Niagara River from Lake Ontario to Lake Erie. The mile strip was owned by New York State while the remainder of the lands in Western New York was still owned by the Seneca tribe of Indians (www.newyorkroots.org). This area was therefore developed and sold off independently of the Holland Land Purchase land survey and sales.



A historic map of the Town of Tonawanda with the New York State Reservation "mile strip" notated

As a result, the distance between the Niagara River and the 1-290 is a mile long in the area where the TOA is located. Many of the parcels, which are long and narrow, are also a mile long. Thus the MileView named was created to recognize this unique history and also to brand its incredible views of, and access to, the Niagara River.

The MileView Strategic Area is bordered by the City of Tonawanda to the east, the Niagara River to the north, the 1-290 to the south and a National Grid right of way to the west. This is the largest Strategic Area in the TOA and includes the Riverview

Solar Technology Park, several truck terminals, Two Mile Creek and a small portion of the City of Tonawanda.

Many of the long, narrow parcels that are a legacy of the New York State Reservation still exist today. They do not lend themselves to redevelopment (developers prefer wider parcels) and they have no internal road access. Currently, River Road provides great access to Interstates 190, 290 and the Grand Island bridges, but it is a four lane highway that cuts off access to the Niagara River for many of the "mile strip" parcels within the Strategic Area. Many of the sites within this Strategic Area are either already clean or have been cleaned up of any environmental contaminants.

The primary goals of this Strategic Area were to provide better internal road and multi-modal access, build on the success of the Riverview Solar Technology Park and to provide better access from the "mile strip" parcels to the Niagara River.



The MileView Strategic Area

UNITED STRATEGIC AREA

The United Strategic Area is primarily one site owned by United Refining that includes property north and south of River Road. There are several other small sites within the Strategic Area including one being developed by Mike Tiedeman for waterfront residential condominiums. The area is bounded on the east by the Seaway Landfill, on the west by Interstate I-190, on the north by the Niagara River and on the south by National Grid right of way.

Currently the area is significantly underutilized. Multiple tanks have been removed from the site, other tanks are in bad condition and the buildings on the site have not been maintained or upgraded. There is a portion of the United Refining parcel of approximately 5 acres on the southwest corner of the site near the exit ramp for Interstate 190 that could be developed and is apparently not contaminated. The *Waterfront Land Use Plan (2014)* explored the possibility of converting portions of the waterside United Refining parcel into a Riverfront Park.

The steering committee agreed to include the site as a Strategic Area because of its advantageous location and obvious potential to be vacant in the future. However, the committee also agreed not to develop any plans for the site because there were too many unknowns at this time with the site, and other sites were more important to address.



The United Strategic Area

NIAGARA RIVER WORLD / INS / CHERRY FARM STRATEGIC AREA

The Niagara River World and Cherry Farm sites were initially two separate Strategic Areas. But because of their proximity to each other they were combined into one Strategic Area that also includes the former INS Equipment site at 4111 River Road. The boundaries of the site are best described by addresses because of its irregular shape: 4000, 4002, 4010, 4100, 4111, 4290 and 4293 River Road.

The three key properties in the Strategic Area are the Niagara River World undeveloped parcel (4002 River Road), the former INS site now owned by Erie County (4111 River Road), and the Cherry Farm landfill property (4290 River Road). The Niagara River World site and the INS site have both been cleaned up of any environmental contaminants. The Cherry Farm landfill has been capped and groundwater is being continuously treated at the site.

Owners at the Niagara River World site have one of the most valuable properties with 50 acres and 1/3rd of a mile of waterfront. The INS site has been purchased by Erie County potentially for use as a future yard waste recycling facility. Design plans for a community waterfront park have been completed for the Cherry Farm property.



The Niagara River World / INS / Cherry Farm Strategic Area

HUNTLEY / SAWYER STRATEGIC AREA

The last Strategic Area is dominated by the recently retired Huntley Power Plant. The Plant closed in March 2016, about six months after the TOA project started. The Huntley property includes 93 acres along the Niagara River and River Road on the southern boundary of the TOA. Huntley Power LLC owns the site.

There are also an additional 11 properties on the south side of Sawyer Avenue included in the Strategic Area as well as 3445 River Road which is owned by Erie County (Sumitomo is considering purchasing the property for redevelopment purposes). Two National Grid sites are also included.

Similar to the United Strategic Area, the steering committee decided to make this location a Strategic Area to take advantage of future BOA tax credits and economic development grant opportunities. However, plans were not developed for this site because it is anticipated that redevelopment of the site, and associated coordination with owner Huntley Power LLC, will be a long term redevelopment opportunity.

There are several significant benefits of the entire Strategic Area:

- Adjacency to the expanding Sumitomo tire plant;
- 4,000 lineal feet of waterfront; and
- Direct access to Interstate 290.



The Huntley / Sawyer Strategic Area

ENVIRONMENTAL REVIEW PROCESS

An important aspect of this Step 2 Nomination Plan is that the State's environmental review process and requirements have been incorporated within the planning process and within this document. In New York State, most projects or activities proposed by, funded by, and/or approved by a state agency or unit of local government require an environmental impact assessment as prescribed by 6NYCRR Part 617 State Environmental Quality Review (SEQR). In the case of this particular Brownfield Opportunity Area (BOA) Plan, it has been determined that a Generic Environmental Impact Statement (GEIS) must be prepared.

This Step 2 Nomination Plan goes beyond a typical Step 2 Plan by incorporating many aspects of a Step 3 Implementation Plan, including the Draft GEIS. The components of the GEIS are blended into this Step 2 Nomination Plan as illustrated in Table 1 below:

Table 1. Integrated SEQR/BOA Process

BOA Step 2 Nomination Plan	GEIS Content
Section 1 – Project Description and Boundary	Description of Proposed Action
Section 2 – A Vision for the NWOA	SEQRA public hearing is conducted simultaneously with a public hearing on the BOA Plan
Section 3 – Analysis of the NWOA	Description of Environmental Setting
Section 4 – Implementation Strategy	Potential Significant Adverse Impacts Description of Mitigation Measures Description of Alternatives to the Proposed Action
Section 5 – Compliance with SEQRA	Consistency with NYS CMP Coastal Policies GEIS References Conditions for Future Actions

The Town of Tonawanda will declare themselves Lead Agency concerning this blended Plan/GEIS. They will coordinate review with involved and interested agencies including the City of Tonawanda, New York State Department of State (NYSDOS), New York State Department of Environmental Conservation (NYSDEC), New York State Department of Transportation (NYSDOT), New York State Office of Parks, Recreation, and Historic Preservation (NYSOPRHP), Federal Emergency Management Agency (FEMA), U.S. Army Corps of Engineers (USACE), U.S. Fish and Wildlife Service

(USFWS), Greater Buffalo Niagara Regional Transportation Council (GBNRTC), and the Niagara County Planning Department.

The Town of Tonawanda will skip the process of completing a full Environmental Assessment Form and will instead, upon accepting this document as acceptable and complete, issue a positive declaration and move forward with the GEIS process. A final public hearing will be conducted to receive verbal comments. The public hearing will begin a required minimum 30-day comment period in which the public and interested/involved agencies can comment on the Plan/GEIS. All responses to substantive comments will be included in the Final GEIS.

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SECTION 2

A VISION FOR THE TONAWANDA OPPORTUNITY AREA

Rattlesnak

The Town of Tonawanda, in cooperation with Erie County, completed a Step 1 Brownfield Opportunity Area (BOA) study – the Tonawanda Opportunity Area (TOA) Pre-Nomination Plan – that provided a vision of potential redevelopment strategies in 2012. Since the Pre-Nomination TOA Plan was completed, the Town has been busy. A Waterfront Land Use Plan has been completed and the Town's Comprehensive Plan was also updated.

Several *significant* economic development projects have also been implemented including new buildings for First Source, FedEx, Unifrax, MJ Mechanical Services and other projects at the North Youngmann Commerce Park. Both the plans and projects completed are aligned and consistent with each other, and the TOA plan, which is a testament to the Town's leadership, boards and staff.

The goal of the Step 2 TOA Nomination Plan therefore, was to refine and build upon the vision from the Step 1 Pre-Nomination Study and continue the momentum created by the recent development projects. Therefore the Town expanded the boundary of the TOA for the Step 2 Plan to develop a vision for the entire River Road Corridor in the Town.

Prior to developing this study, relevant existing plans were reviewed to insure key recommendations from the existing plans were either incorporated or refined in the Step 2 Plan. In addition, a Public Participation Plan insured the project process was transparent by engaging the community through a local steering committee, public meetings, stakeholder meetings and a project website. The public and stakeholder participation helped define the key elements that were included in the final Master Plan that was developed.

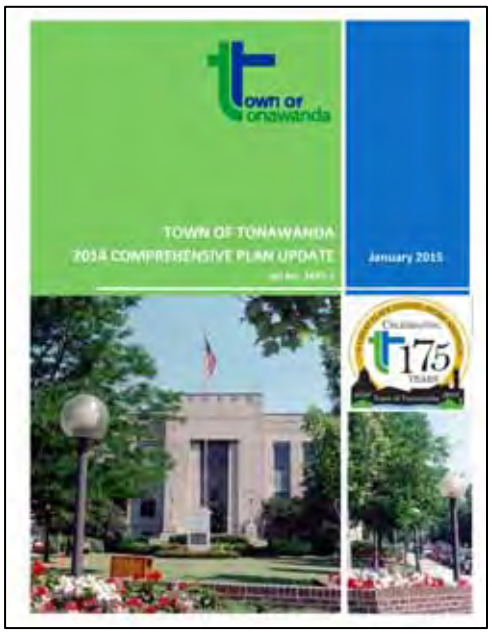
EXISTING COMMUNITY AND REGIONAL PLANS

In addition to revisiting the Step 1 TOA Plan, multiple community and regional plans were reviewed to develop the vision for the Step 2 plan including:

- Town of Tonawanda 2014 Comprehensive Plan Update
- Waterfront Land Use Plan (2014)
- Waterfront Corridor Landscaping Plan (2014)
- Tonawanda Tomorrow (2017)
- Town of Tonawanda Amended Local Waterfront Revitalization Program (2008)
- One Region Forward: A New Way to Plan for Buffalo Niagara (2015)
- A Strategy for Prosperity in WNY: WNYREDC (2011)

TOWN OF TONAWANDA 2014 COMPREHENSIVE PLAN UPDATE

The *Town of Tonawanda 2014 Comprehensive Plan Update (Comprehensive Plan Update)* is an update of the 2005 Comprehensive Plan and provides a framework for managing and adapting to change in the foreseeable future. The plan serves as the basis for the Town's land use and zoning decisions. It provides a clear assessment of where the Town is now, a vision for the future based on where residents would like to be, and concrete recommendations and strategies to help get there.



Key Relevant Recommendations

Support the preservation of environmental resources and the continued remediation of former waste sites.

Promote smart, sustainable and well-planned economic development opportunities.

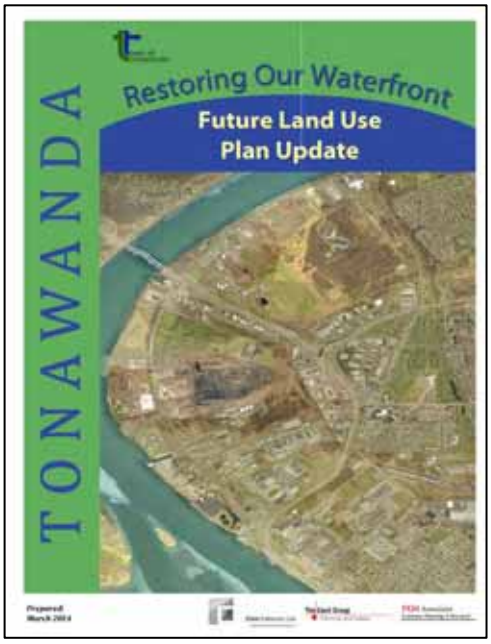
Improve connectivity throughout the Town, particularly to and along the waterfront and improve public access to waterfront assets.

Encourage the productive re-use of challenged real estate.

Promote connectivity between neighborhoods and commercial centers, including pedestrian and bicycle accommodations.

Work with State and County agencies on economic development efforts to increase opportunities in the Town.

WATERFRONT LAND USE PLAN (2014)



The 2014 Waterfront Land Use Plan (*WLUP*) aims to balance the Town's industrial heritage and existing industrial businesses with the ever evolving economies and changing community development preferences along the Niagara River waterfront. The *WLUP* provides recommendations to promote sustainability, protect and enhance the area's natural and cultural resources, foster long-term economic viability, enhance community character and sense of place, improve multi-modal linkages, and explore opportunities for regional collaboration. All portions of the TOA within the Town of Tonawanda are included in the *WLUP* study area.

Key Relevant Recommendations

Increase public access to and views of the waterfront.

Encourage adaptive and beneficial reuse of vacant industrial facilities and landfill sites.

Expand connectivity to and through the study area (River Road Corridor).

Work with State and Federal partners and private landowners to implement environmental remediation at known sites.

Pursue brownfield redevelopment funding and encourage more eco-friendly industries (e.g. Riverview Solar TechPark).

Invest in public improvements to improve the Town's "climate" for private investment.



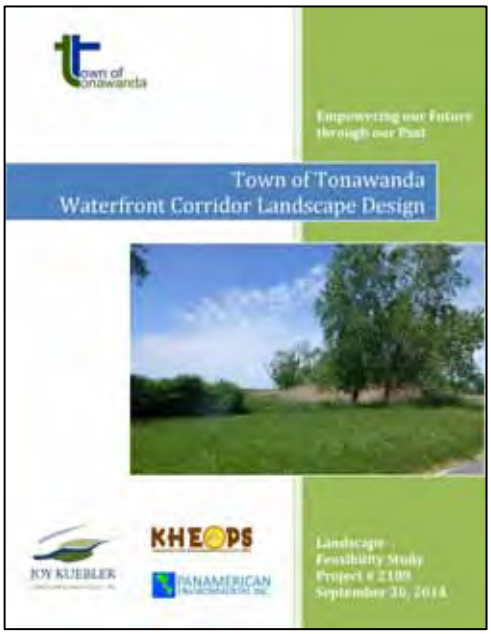




Clockwise from top – Riverfront Park, Cherry Farm Park and Aqua Lane Park were recommended in the WLUP

WATERFRONT CORRIDOR LANDSCAPING PLAN (2014)

The Waterfront Corridor Landscaping Plan (*WCLP*) is the first of a multi-phase effort to landscape four roadways that the Town designated as waterfront corridors. The goals of the *WCLP* are to improve corridor aesthetics, visually reconnect with the Niagara River, and to improve bike/pedestrian infrastructure. The *WCLP* provides detailed, site specific recommendations along the River Road corridor and general recommendations along Grand Island Boulevard and Sawyer Avenue. The *WCLP* also proposed various bicycle/pedestrian paths/trails throughout the greater TOA area.



Key Relevant Recommendations

Improve Corridor Aesthetics: Removal or replacement of chained link fences and the addition of trees and other landscaping on both public and private properties will improve corridor aesthetics.

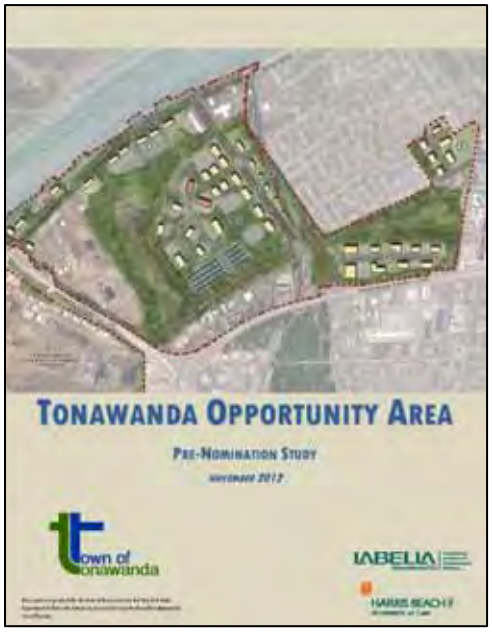
Enhance Views to the River: Selectively remove trees in key areas along River Road to open up views of the Niagara River.

Improve Bike/Pedestrian Infrastructure: Provide for better separation between the Riverwalk on portions south of the Grand Island Bridge, and for areas where there are unsafe or limited connections of the trail, provide small parking areas to allow bikers or pedestrians to start at safe points.

Stakeholder Prioritization: Focus on the low hanging fruit like public authorities or utilities to initiate landscaping improvements on their property.

TONAWANDA BROWNFIELD OPPORTUNITY AREA PRE-NOMINATION STUDY (2012)

The *Tonawanda BOA Pre-Nomination Study* is the first of a three step process to develop a State sponsored strategic plan to revitalize vacant, underutilized, abandoned, and brownfield sites. This initial plan developed an initial master plan that was used as the basis for the Step 2 Plan. The study identified 29 properties (47% of the land area) as vacant/underutilized/brownfield sites. It also determined opportunities and constraints related to the redevelopment of these properties and the TOA in general.



Key Relevant Recommendations

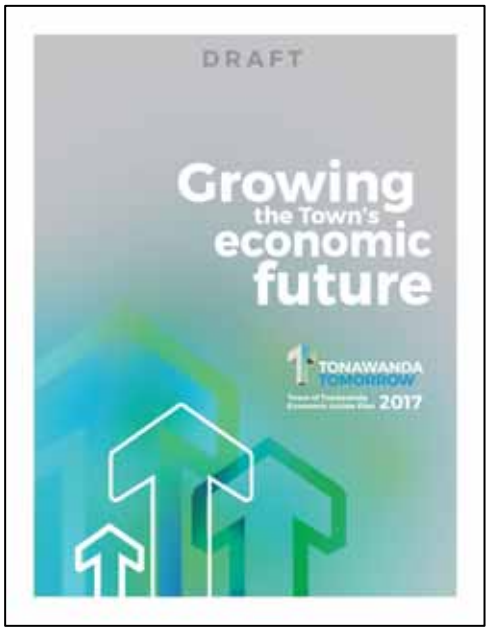
Increase Internal Access: Install a north-south boulevard that connects to a street grid to provide access into internal sites along the mile strip.

Enhance Access to the River: Put River Road on a "road diet" to make it narrower so it will be easier for pedestrians to cross and safer for bicyclists.

Embrace Sustainability: Encourage placement of solar panels on brownfield properties and incorporate natural areas into new and existing development.

Continue Development: Redevelop vacant and underutilized sites to increase job opportunities and increase tax revenue.

TONAWANDA TOMORROW (2017)



In cooperation with the UB Regional Institute and the Clean Air Coalition of Western New York, the Town of Tonawanda developed an economic development action plan to address the Huntley Power Plant closing. The plan also focused on the future economic restructuring of the Town of Tonawanda's economy, its labor force, and ways to create or enhance the community. "Tonawanda Tomorrow is a community-driven initiative for growing a 21st Century economy. Developed by a broad community partnership led by the Town of Tonawanda, the plan charts a path for advancing Tonawanda as a key regional economic hub, with good-paying jobs, a workforce to fill them, and a vibrant community that builds on what makes Tonawanda a great place to do business and raise a family."

Key Relevant Recommendations

Position the town of Tonawanda as a regional center for sustainable manufacturing and trade.

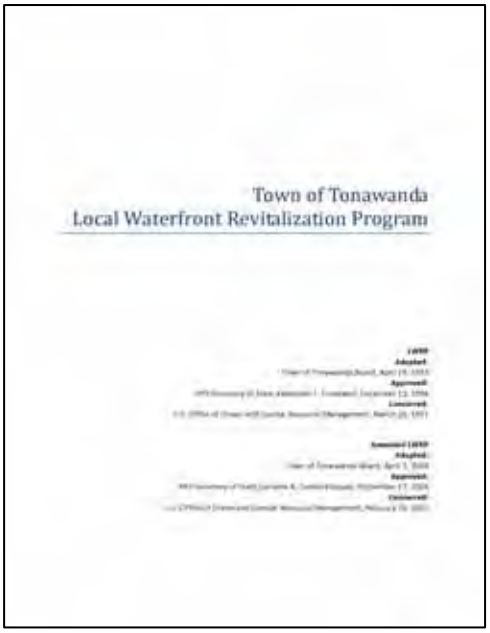
Cultivate tools, programs, and ownership solutions that can pave the way for increased public access to the water.

Enhance walkability and diversity of transportation options to retain and attract residents and make the Town more sustainable.

Connect Tonawanda's recreation and tourism attractions and niches to regional destinations and initiatives.

TOWN OF TONAWANDA LOCAL WATERFRONT REVITALIZATION PROGRAM (AMENDED 2008)

The 2008 *Local Waterfront Revitalization Program* (LWRP) amended the approved 1996 *LWRP* by decreasing the area's boundary while still protecting waterfront resources, particularly views and aesthetics along the River Road Corridor. Following an existing conditions and market analysis, a series of waterfront revitalization programs, policies, and projects were recommended.



Key Relevant Recommendations

Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.

Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities.

Redevelop the Cherry Farm site for a mix of active and passive water-dependent and water-enhanced recreation uses.

Protect and enhance the scenic vistas of the town's shoreline.

Update the appearance of River Road by providing trees and landscape plantings that are suitable for a roadside location.

ONE REGION FORWARD: A NEW WAY TO PLAN FOR BUFFALO NIAGARA (2015)



With financial support provided by the Federal Department of Housing and Urban Development, the UB Regional Institute along with various partner entities developed the One Region Forward Plan to help the region coordinate how it invests federal, state, and local dollars. A series of complementary strategy documents were created which focused on specific issues such as food access, climate change, and housing. The plan assesses existing conditions, includes an exhaustive public participation process, and proposes strategies and actions which provide the basic framework for moving the region toward a more sustainable, resilient, prosperous and opportunity-rich future.

Key Relevant Recommendations

Establish Mechanisms to Manage Brownfields: Strengthen the land bank, redouble brownfield efforts, and continue to promote "shovel ready sites."

Promote a More Compact Pattern of Development: Provide capacity for municipalities to revise zoning codes, promote form-based codes, and locate new public facilities strategically.

Develop a Regional "Hub and Corridor" Transportation System: Joint development as a value capture strategy, complete streets, corridor makeovers, bicycle infrastructure.

Promote Renewables Locally: Create infrastructure for renewables, create the market for distributed energy production, and public buildings lead the way.

A STRATEGY FOR PROSPERITY IN WESTERN NEW YORK: WESTERN NEW YORK REGIONAL ECONOMIC DEVELOPMENT COUNCIL (2011)

As part of Governor's Cuomo's Regional Economic Development agenda, the 10 regions in New York State were required to prepare a Strategic Plan in 2011 to outline goals, projects and priorities that would promote regional economic development. The Western New York Regional Economic Development Council prepared *A Strategy for Prosperity* and one of its primary objectives was to encourage Smart Growth policies. One of the key Smart Growth policies was to redevelop brownfield sites.



Key Relevant Recommendations

Accelerate Brownfield Redevelopment: *"Accelerating the redevelopment of brownfields sites (that have historically taken 5-8+ years to get ready) will provide more shovel-ready sites in areas already served by infrastructure. Promoting this type of focused redevelopment can enhance smart growth rather than continued greenfield development that contributes to sprawl."*

Restore and Protect Water Resources, Open Spaces and Habitat: Protection of water resources is not only an environmentally smart strategy, but water resources should also be protected to attract economic development.

Enhance Public Access to Waterfront Areas: Improving public access to water resources improves the region's quality of life and tourism economy. Access can be provided with trails and other infrastructure investments.

Tourism is a Key Regional Economic Driver: The plan promotes improving the quality of the tourism product in Western New York including Tonawanda.

STEERING COMMITTEE INPUT

A TOA steering committee was formed by the Town of Tonawanda and included individuals from the Town staff, Erie County staff, corridor businesses, Town Planning Board, Town Board, State agencies, regional groups, and the City of Tonawanda. The Steering Committee was a key player in the development of the Master Plan and also provided valuable input and feedback throughout the duration of the project. Members of the steering committee appointed in 2015 included:

- Joe Emminger, Deputy Supervisor, Town of Tonawanda
- James B. Jones, P.E. Town Engineer, Town of Tonawanda
- Michael J. Kaiser, Director of Technical Support, Town of Tonawanda
- Jim Hartz, Director of Community Development, Town of Tonawanda
- John Dorn, Deputy Town Attorney, Town of Tonawanda
- John Bargnesi, Councilman, Town of Tonawanda
- Sue Barnes, Grant Administrator, Town of Tonawanda
- Rick Davis, Mayor, City of Tonawanda
- Paul Kranz, P.E., Department of Environment and Planning, Erie County
- Ken Swanekamp, Department of Environment and Planning, Erie County
- John Cappellino, Erie County Industrial Development Agency
- Chris Bauer, BOA Coordinator, NYS Department of State
- Greg Sutton, NYS Department of Environmental Conservation
- Robert G. Shibley, Dean of the School of Architecture and Planning, University at Buffalo
- Greg Stevens, Chairman, Niagara River Greenway Commission
- Tim Boyle, Vice President, NOCO Incorporated
- Adam Walters, Board Member, Buffalo Niagara River Land Trust
- Ken Rawe, P.E., Business and Property Owner, Triad Recycling and Energy Corp.
- Bonnie Leto, Business and Property Owner, Niagara River World
- Rick Brant, United Refining

The Steering Committee met four times to review products and provide input on the following:

- October 7, 2015 - Kickoff meeting to introduce the project and discuss the project scope, schedule and first steps.
- January 29, 2016 - Review of existing conditions and discussion of findings from a Public Meeting held the night before on January 28, 2016.
- June 26, 2016 - Review of stakeholder input, Economic and Market Analysis, final Strategic Areas and the direction of the Master Plan.
- March 29, 2017 – Delivery and discussion of special reports (Site Profiles, Phase 1 Environmental Assessments, INS site survey), Developer Forum planning and Master Plan sketch review.



The initial sketch concept Master Plan was reviewed at the March 29, 2017 meeting and input led to significant changes for the MileView Strategic Area concept plan

STAKEHOLDER ENGAGEMENT

Stakeholders met with the consultant team on April 7-8, 2016 for informal dialogue sessions. The discussions provided an opportunity for the consultant team to introduce the TOA project objectives to participants, for the stakeholders to provide information based on a series of questions asked by the consultant team, and for the consultant team to understand the stakeholders' thoughts and opinions on:

- The Step 1 Plan;
- Assets in the area;
- Impediments to redevelopment;
- Opportunities/Vision for future redevelopment in the area;
- Potential projects in the area; and
- Needed amenities, improvements to infrastructure or circulation.

Stakeholders included an assortment of individuals and organizations representing businesses, property owners and public agencies that play a role in redevelopment within the Tonawanda Opportunity Area (TOA).

Stakeholder comments were divided into six categories:

- Current assets in the TOA;
- Impediments to redevelopment in the TOA;
- Future opportunities in the TOA;
- What areas should receive the highest priority;
- Uses that stakeholders would like to see more of; and
- Uses that stakeholders would like to see less of.

A summary of stakeholder comments included (all comments included in the appendices):

Current assets in the TOA

- Waterfront and Waterfront access
- Road access
- Riverview Solar Technology Park

Impediments to redevelopment in the TOA

- Real and perceived environmental issues
- Industrial history, contamination, and legacy issues
- Traffic on River Road

Future opportunities in the TOA

- Transportation improvements – road diet and roundabout
- Increased trails
- Coordinating with developers (at a national level) that have invested in these types of properties and are not as weary of working with brownfields
- Incentives for businesses/industry to locate here

What areas should receive the highest priority?

- Implement road diet on River Road/Complete Streets
- Add to the trail network, especially between Riverview Solar Technology Park and Riverwalk
- New Boulevard concept connecting River Road to North Youngmann Commerce Center with a round-about
- Addition of a stop light or round-about at intersection of River Road and Riverwalk Parkway
- Interior road connections from the proposed New Boulevard to Riverwalk Parkway

Uses that stakeholders would like to see more of

- Industrial/Light industrial
- Office (in north half)
- Warehouse
- Trails

Uses that stakeholders would like to see less of

- Residential (use not appropriate)

PUBLIC PARTICIPATION

A comprehensive public participation plan included public meetings and a project website. Public meetings were publicized with press releases to the Buffalo News, local television station and local radio stations. Ads were also placed within the Ken-Ton Bee which is delivered to every household in the Town and available at public places and private businesses such as restaurants. Town Board and other town boards (Planning, Zoning) were notified about meetings as well. For the last public meeting notices were sent out to the Tonawanda Tomorrow project's e-mail list.

PUBLIC MEETINGS

Two public meetings were held during the course of the project to get input from the public. The first public meeting was held at the NOCO Pavilion on January 28, 2016 and provided participants with an opportunity to review and comment on:

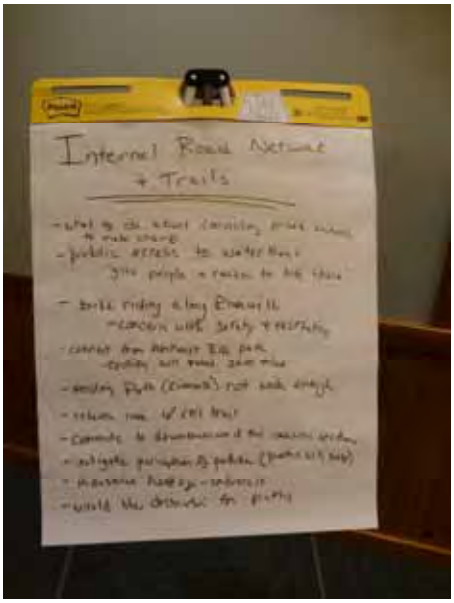
- Step 1 Pre-nomination Plan;
- Existing concepts for Cherry Farm Park, Aqua Lane, and River World;
- Concepts for internal roads and trails;
- Which sites, of the initial 11 selected, were the most strategic; and
- The expanded boundary.



Participants at the first public meeting review and comment on concepts for parks along the Niagara River

Comments from the 1st public meeting included:

- Improve pedestrian and bicycle safety and connections (to Downtown and Grand Island) on River Road south of the Grand Island bridge; add sidewalks on Pirson Parkway and Riverwalk Parkway.
- Continue efforts to develop Cherry Farm Park and incorporate an Erie Canal History component.
- River Road "diet" should be advanced to slow traffic and improve pedestrian safety.
- Initial Gateway Strategic Areas like Cherry Farm / NRG Fly Ash and United should not be ignored because they are gateways into the area.



Comments from the public on internal roads and trails at the 1st public meeting.

A second and final public meeting was held on July 13, 2017 at the Philip Sheridan School to get input from the public on the concept master plans, green infrastructure initiatives and road plans.



The second public meeting gave participants an opportunity to review concept plans

Comments from the second public meeting included:

- Trails and opening up views to the Niagara River are great ideas.
- Private investment in the area is a positive.
- Concerns about roundabout and road narrowing with truck traffic.
- One challenge is convincing owners of properties to sell and make concept plans a reality.
- Green infrastructure and alternative energy (solar panels) concepts should be implemented.
- Location near roadways and downtown should be a plus.
- Final plan should articulate relationship of this plan to overall Tonawanda development strategy.



Residents review and comment on proposed concept plans

GEIS PUBLIC HEARING

As described previously, this Step 2 Nomination Plan includes a blended Draft GEIS. The Town of Tonawanda, acting as Lead Agency, will conduct a public hearing to receive final comments.

PROJECT PROMOTION

As part of the community engagement plan a project website, www.townawandaopportunity.com was established to provide online information about the project. Information on meetings, existing conditions, related projects, and concept plans were posted on the website as the project progressed. Comments could also be entered on the website for those who could not attend public meetings.



Screenshot of the project website

The project was also promoted through meetings with the Town Board and meetings with associated groups including the Buffalo Erie Niagara Land Improvement Corporation. Tonawanda staff, consultants and other steering committee members also provided periodic updates to the Town Planning Board.

DEVELOPERS FORUM

On May 2, 2017 the Town of Tonawanda hosted a well-attended and successful Developers Forum at the Niawanda Park Pavilion. More than 50 participants including most of the major area developers, local economic development partners, Town and County staff attended the event. Information on the Tonawanda Opportunity Area Master Plan, available sites, funding opportunities and case studies were presented at the event.

A development portfolio package listing available sites and contact information was distributed to all attendees. The package was used as a guide for a bus tour of available sites. As a result of the Forum, several developers have contacted the Town regarding potential development sites in the River Road Corridor.



Participants at the Developers Forum listen to a brownfield case study from Batavia, NY

VISION, GOALS AND STRATEGIES

The Tonawanda Opportunity Area Master Plan includes concept plans for two Strategic Redevelopment Areas in a larger 2,362 acre area in the Town and City of Tonawanda along approximately 4.5 miles of Niagara River waterfront. He plan is based on the TOA vision, goals, and strategies:

VISION

The Tonawanda Opportunity Area will become a sustainable mixed use neighborhood providing residents, businesses, and tourists with new living, working, and recreational opportunities along an accessible Niagara River waterfront.

GOALS AND STRATEGIES

RECLAIM THE WATERFRONT: Reconnect sites in the Tonawanda Opportunity Area with the area's most significant natural resource – the Niagara River – and other sites in the region.

Improve access to the Niagara River

The TOA is blessed with 4.5 miles of Niagara River waterfront and improvements to River Road and additional trail connections to the River will help reconnect the waterfront.

Take advantage of the area's strategic location in the Buffalo Niagara region

The TOA is in the geographic center of the Buffalo Niagara Region with excellent transportation access and waterfront access.

Focus on roadway and other infrastructure investments to drive economic development projects

Significant investments in roadway and infrastructure improvements will be needed by both the public and private sectors to provide access to interior TOA sites and from those sites to the waterfront.

RESTORE THE RIVER ROAD CORRIDOR: Re-purpose land and buildings for productive re-use and environmental renewal to support the sustainable, long term revitalization of the River Road corridor.

Induce redevelopment of underutilized and vacant properties in the River Road corridor

Advancing redevelopment and re-purposing of vacant and underutilized sites with a focused and strategic approach based on the market will restore the vitality of the area.

Incorporate sustainable development strategies including clean energy and green infrastructure

Implementing clean energy strategies and green infrastructure at private and public development sites will improve resiliency and promote sustainability.

REBRAND: Change the image of the River Road Corridor by introducing new uses and promoting high quality design.

Re-zone areas of the Tonawanda Opportunity Area to promote more mixed use development

Re-zoning industrial land for mixed use development will support the market for more commercial and residential uses that will provide a new image for the River Road corridor.

Adopt or update Design Guidelines

New residents, businesses and tourists invest in areas that provide a high quality of amenities and design.

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SECTION 3

ANALYSIS OF THE TONAWANDA OPPORTUNITY AREA

Rattlesnake

Prior to redeveloping any site an investor reviews the opportunities, constraints and risks with that site. Part of that review is an inventory and analysis of the site's zoning, land use, proximity to utilities, road access, flood risks, potential contamination and natural or cultural resources.

Concurrently or before a review of property characteristics most developers have also performed an economic and market analysis of the area. Results of the analysis will help the developer understand if there is a demand for the type and scale of uses being proposed.

This section provides an inventory of all the properties in the Tonawanda Opportunity Area (TOA) to understand the prospects for future development and any potential impediments that may discourage development. A separate Economic and Market Analysis of the TOA, Tonawanda area, and the greater Metropolitan region was conducted to define what uses are most feasible within the TOA overall (see Appendices). The report was complemented by a Real Estate Market Analysis.

INVENTORY AND ANALYSIS

In order to identify opportunities and constraints in the Tonawanda Opportunity Area an inventory of factors that influence development is required. This section provides more detailed information on various factors that influence the location, size, character and use of future redevelopment and development in the TOA. The characteristics reviewed under the Inventory and Analysis section include: land use, zoning, underutilized sites, transportation systems, infrastructure systems, land ownership, parks, natural resources, and historic resources.

DEMOGRAPHICS

The population of the Town, including the Village of Kenmore, is 73,538 persons according to the 2014 American Community Survey 5-year estimates and it is the third largest Town in Erie County. Since 2000 the Town has lost 4,617 persons or nearly six percent of its population. Both the City of Tonawanda and Erie County also lost population during the same period. Portions of Census Tracts 78, 83 and 84 are within the TOA as shown in Figure 6. However, there are very few residential properties within the TOA boundary. Therefore, the Census/American Community Survey population and housing data reflects conditions in residential areas near or adjacent to the TOA. All the Census Tracts in the TOA lost population between 2000 and 2010 as exhibited in Table 2. Population losses ranged from seven percent to 10 percent in the TOA Census Tracts. However, Census Tracts 78 and 83 had moderate population increases between 2010 and 2014.

Table 2: Population within the Town, Region, and TOA Census Tracts

Area	Population (Year)			Change 2000-2010		Change 2010-2014	
	2000	2010	2014	Number	Percent	Number	Percent
Census Tract 78	5,615	5,206	5,452	-409	-7.28%	246	4.73%
Census Tract 83	2,864	2,584	2,592	-280	-9.78%	8	0.31%
Census Tract 84	2,678	2,406	2,373	-272	-10.16%	-33	-1.37%
Census Tract Totals	11,157	10,196	10,417	-961	-8.61%	221	2.17%
City of Tonawanda	16,136	15,130	15,048	-1,006	-6.23%	-82	-0.54%
Town of Tonawanda	78,155	73,567	73,538	-4,588	-5.87%	-29	-0.04%
Erie County	950,265	919,040	920,694	-31,225	-3.29%	1,654	0.18%
New York State	18,976,457	19,378,102	19,594,330	401,645	2.12%	216,228	1.12%

Source: US Census Bureau 2000 and 2010 SF1 Decennial Census, American Community Survey 2010-2014 Estimates

Residents in the Town tend to be older than residents in the City of Tonawanda and Erie County. In 2014, the median age of residents in the Town was 43.3 years old compared to the City's 41.6 years old and County's 40.5 years old.

A majority of the Town's (71.8%), City of Tonawanda's (71.8%), and Erie County's (65.1%) housing units are owner occupied according to the 2014 American Community Survey. A recent estimate (2014) of the Town's median housing value is $115,000 compared to the City of Tonawanda's median housing value of $91,300 and County's median housing value of $126,700. The Town's 2014 median household income estimate was $53,603, while the City of Tonawanda's was $46,026 and the County's was $51,050.

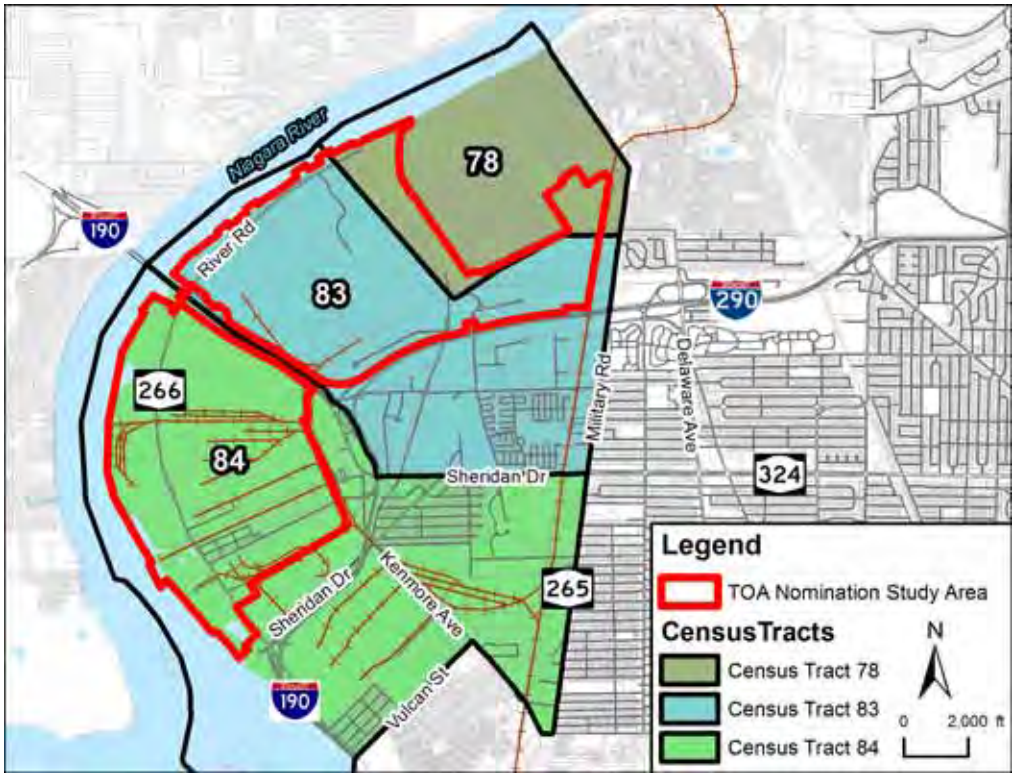

Figure 6: Census Tracts within the TOA

EXISTING LAND USE

Land use in the Tonawanda Opportunity Area is varied due to its large size (see Table 3 and Figure 7).

Dedicated **parkland** occupies 63 acres (3%) of the TOA. This includes the County-owned Isle View County Park, Riverwalk Park, and the Riverwalk multi-use path, all located along the northwest side of River Road as well as open space in the western portion of the North Youngmann Commerce Center. Although not classified as dedicated parkland or open space (nor included in the above acreage) playgrounds, green space, and additional multi-use paths can be found at Kaufman Playground, Tonawanda Firemen's Park, and along the east side of Two-Mile Creek Road.

Residential land within the TOA occupies approximately 9 acres (< 1%). A handful of these 40 residential properties are located along Two Mile Creek Road while the majority are located along James, Kaufman, and Sawyer Avenues. These houses are predominantly single family homes in fair to good condition; however, they are surrounded by vacant and active industrial uses.

Commercial and **mixed use** properties occupy approximately 46 acres (2%) of the TOA. This includes several auto repair shops and a cabaret along Sawyer Avenue, a marina northwest of the intersection of River Road and James Avenue, the INS scrap yard, a firewood processing plant along Two Mile Creek Road, and an auto store and restaurant located near the intersection of River Road and Two Mile Creek Road.

More than 13 acres (< 1%) in the TOA is used for **institutional and cultural** uses. This includes the River Road Fire District No. 3 station, the Tonawanda Firemen's Park, and the Public Safety Training Facility on Fire Tower Drive.

Industrial, manufacturing, and **warehousing** uses are prevalent throughout the TOA occupying 733 acres (31%). Major industrial, manufacturing, and warehousing businesses that are located within the TOA include Tonawanda Coke, Niagara River World, NOCO, United Refining, Co-Steel (recently sold), and Con-Way. Smaller industrial uses, many of which are underutilized, can be found along Sawyer Avenue. Highly successful, visible, and in many cases recent industrial uses have sprung up in the Riverview Solar Technology Park (Fed-Ex and Unifrax), within the Fire Tower Industrial Park (Unifrax), within the North Youngmann Commerce Center (First Source, MJ Mechanical Services, and Unifrax), and within the Spaulding Commerce Center (Simmers Crane Design & Service). One of the unique characteristics of many

of the industrial properties is that they are relatively large and narrow with no public infrastructure and utilities extending to the rear of the properties.

Infrastructure and **utility** properties occupy approximately 780 acres (33%) of the TOA. These uses include railroad and major overhead electric corridors, the recently retired Huntley Power Plant and fly ash landfill, the Water Treatment Plant, the Waste Water Treatment Plant, and the old Town of Tonawanda Landfill, Cherry Farm Landfill, and Seaway Landfill.

There is a significant number of **vacant** buildings and properties throughout the TOA. More than 633 acres (27%) or 85 properties within the TOA are considered vacant. This includes vacant riverfront property owned by Tonawanda Coke and vacant properties within the Riverview Solar Technology Park, North Youngmann Commerce Center, and Spaulding Commerce Center.

Lastly, nearly 85 acres (4%) of the TOA is used for **public road rights-of-way**.

Table 3: Land Use in the TOA

Land Use	Area		Parcels	
	Acres	Percent	Number	Percent
Dedicated Parkland & Open Space	62.73	2.66%	13	4.47%
Residential	8.96	0.38%	40	13.75%
Commercial & Mixed Use	46.23	1.96%	11	3.78%
Institutional & Cultural	13.42	0.57%	4	1.37%
Industrial/Manufacturing/Warehouse	732.81	31.02%	75	25.77%
Infrastructure & Utilities	780.11	33.02%	63	21.65%
Vacant	633.32	26.81%	85	29.21%
Public Road Rights-of-Way	84.70	3.59%	NA	NA
TOTAL	2,362.28		291	

Source: Town and City of Tonawanda Real Property Data (2013) with minor updates by LaBella based on recent developments

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LABELLA Associates, D.P.C.

TOWN OF TONAWANDA

TONAWANDA OPPORTUNITY AREA

NOMINATION STUDY

EXISTING LAND USE MAP

- TOA Nomination Study Area
- Strategic Areas
- Municipal Boundaries (White)
- Creek

Land Use

- Dedicated Parkland & Open Space
- Residential
- Commercial & Mixed Use
- Institutional & Cultural
- Industrial/Maufacturing/Warehouse
- Infrastructure & Utilities
- Vacant
- No Data

Sources:
1. TOA Nomination Study Area Boundary: Created by LaBella using parcel boundaries provided by the Town of Tonawanda
2. Strategic Areas: Created by LaBella based on Town and Steering Committee input
3. Town and City of Tonawanda property boundaries (including 2015 Land Use Code): Provided by the Town of Tonawanda with minor edits to land use by LaBella based on site visits, aerial imagery, and Town comments (some properties split between multiple uses)
4. Property boundaries outside of Town and City (including 2013 Land Use Code): Provided by Erie County with minor edits to land use by LaBella based on site visits and aerial imagery
5. Roads and Municipal Boundaries: Census Shapefiles from TIGER/Line database (minor edits by LaBella to municipal boundaries to match property lines)
6. Aerial background: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community.

0 2,000 Feet

1:24,000

Labella Project No: 2151300

Strategic Areas

1. MileView
2. United
3. Niagara River World / INS / Cherry Farm
4. Huntley / Sawyer

This map was prepared for the Town of Tonawanda and the New York State Department of State with state funds provided through the Brownfield Opportunity Areas Program.

Path: J:\Tonawanda, Town of\2151300 - Brownfield Opportunity\Maps\FINAL Maps\Landuse.mxd

Figure 7: Land Use in the TOA

EXISTING ZONING

The current zoning in the TOA (Figure 8) generally reflects current land uses. The Town's zoning code was adopted in 1982 with many amendments since its adoption. The City's zoning code was adopted in 1989, also with many amendments. Town zoning designations within the TOA include General Industrial, Performance Standards Use, Retail-Highway Commercial Use, Waterfront Business, Waterfront Industrial, and Waterfront Mixed Use Districts as well as the River Road Overlay District. City zoning designations within the TOA include Residential, Commercial, Manufacturing, and Spaulding Commerce Park Districts. Basic information (including a summary of permitted uses and special uses) about each zoning district found within the TOA is presented in Table 4. Consult the actual zoning code for a complete listing of permitted and special uses by district as well as other density, bulk, and setback requirements.

Town and City **industrial /manufacturing** zones occupy the greatest percentage of the TOA (82.5%) and include the Town's General Industrial District, Waterfront Industrial District, and Performance Standards Use District as well as the City's Manufacturing Zone. Most uses are allowed in these districts with the greatest use restrictions being found within the Waterfront Industrial District. These zones are occupy almost the entire southern half of the TOA and much of the northern half of the TOA starting approximately 1,100 feet east of River Road.

The City's **Spaulding Commerce Park** District occupies 2.5% of the TOA and was created to detail exact use and design guidelines for the development of the Spaulding Commerce Center. Proposals for development must also meet site plan review requirements.

The various **commercial** and **business** zoning districts occupy 13.8% of the TOA and include the Town's Retail-Highway Commercial Use, Waterfront Business, and Waterfront Mixed Use Districts as well as the City's General Commercial Service District. Permitted uses are those that promote and accommodate the unique nature of the zones geographic location within the Town. Within the northern half of the TOA, the Town's zones are located along River Road. Within the southern half of the TOA, the Town's zones are located along portions of the west side of River Road. A wide variety of uses are permitted within the City's general commercial zone which is located to the northeast of the Spaulding Commerce Center.

The City's **residential** district occupies 1.1% of the TOA and is located along the east side of Two Mile Creek Road and to the south of the Spaulding Commerce Center.

Table 4: Primary Zoning categories within the TOA

Zone	Permitted Uses (Summary)	Special Uses Permitted	Acres	% of Total
Town Zones				
G-I: General Industrial	Any use except: Prohibited Uses – residential uses (including hotels and hospitals), mining, junkyards, and waste transfer or disposal	Performance standard use permits may be required for any use	877.6	37.2%
P-S: Performance Standards Use	Any "appropriate" use except: Prohibited Uses – mining, junkyards, and waste transfer or disposal	Performance standard use permits required for all uses	0.6	0.0%
RHC: Retail-Highway Commercial Use	Restaurant, gasoline station, retail store, motel, hotel	Truck stop, travel plaza, other compatible commercial or retail uses	81.3	3.4%
WB: Waterfront Business	Park, trail, rec. area, professional office, laboratory, research and development, assembly of component parts	Retail, restaurant, lodging, training school, day-care center, warehouse, other compatible commercial	89.2	3.8%
WID: Waterfront Industrial	Park, trail, boat storage, light industry, assembly of component parts, wholesale and storage, warehouse, public utilities, research facility, business office, medical building	Industrial service/repair, retail, day-care center, commercial laundry plants, bottling plants, other compatible commercial/industrial	997.3	42.2%
W-MU: Waterfront Mixed Use	Park, trail, dock, fishing, boat-launching, picnic area, marina, yacht club, boatyard and storage, excursion and charter fishing, visitor center, motel, hotel, retail stores*, restaurants*, other water-enhanced uses* (* = maximum scale restrictions)	Combinations of permitted uses, water-dependent facility, other compatible uses	153.9	6.5%
City Zones				
R-1: Single-Family Residence	Single-family home, place of worship, private school, fire station, accessory uses	None	26.3	1.1%
C-M: General Commercial Service	Residential, retail, restaurant, bank, office, gas station, carwash, car service, etc.	None	2.7	0.1%
M-1: Manufacturing	Industrial uses, commercial uses, truck terminals	None	74.4	3.1%
SCD: Spaulding Commerce Park	Park, trail, retail, recreation, restaurant, office, medical, custom shop, light manufacturing, art/music/dance studio, wholesale, research facility	Industrial service/repair, public utilities	59.0	2.5%

Source: Town of Tonawanda Zoning Ordinance via ecode 360 – Adopted April 5, 1982 with amendments since
City of Tonawanda Zoning Ordinance via municode – Adopted 1989. Online version up-to-date as of Sept. 16, 2015

The TOA is also impacted by the **River Road Overlay District** which is broken into three sub-areas including the business transitional area, the thruway impact area, and the light industrial corridor area (see Table 5 and Figure 8). In general, the River Road Overlay District does not restrict or prohibit any use that is allowable in the applicable underlying zoning district. Instead, it imposes additional general and sub-area specific site design standards and requirements.

The River Road Overlay District encompasses the River Road corridor extending from the border between the Town and City of Tonawanda to the northern boundary of the recently retired Huntley Power Plant. The overlay district extends into all properties on the waterfront side of River Road to a depth of 500 feet from the western right-of-way of River Road or to the Niagara River, whichever is less. It also extends into all properties on the inland side of River Road to a depth of 500 feet from the eastern right-of-way of River Road.

Within the River Road Overlay District, the **Business Transitional Area** is located between the City of Tonawanda and the northern property line of the Seaway landfill. In this area, high quality commercial development should support the establishment of a gateway entrance from the City of Tonawanda and complement views of the Niagara River. Specific design standards and requirements for this sub-area can be found within the zoning code.

Within the River Road Overlay District, the **Thruway Impact Area** is located between the northern property line of the Seaway landfill and the northern property line of Niagara River World. In this mixed use area comprised of commercial and industrial development, proposed parklands, NYS Thruway entrances and exits, and gateway to the Town's waterfront, development should not degrade adjoining uses. Specific design standards and requirements for this sub-area can be found within the zoning code.

Within the River Road Overlay District, the **Light Industrial Corridor Area** is located between the northern property line of Niagara River World and the northern property line of the recently retired Huntley Power Plant. This area is characterized by a mix of heavy and light industrial uses and serves as a transition area to the heavily industrial area to the south. Specific design standards and requirements for this sub-area can be found within the zoning code.

Table 5: Overlay Districts within the TOA

River Road Overlay District	Acres
Business Transitional Area	68.8
Thruway Impact Area	159.5
Light Industrial Corridor Area	119.3
TOTAL	**347.6**

Source: Approximated from legal description found in Town of Tonawanda Zoning Ordinance via ecode 360 – Adopted April 5, 1982

Currently, there are no other local, county, state or federal economic development designations in the TOA. However, the TOA is within the Local Waterfront Revitalization Plan (LWRP) boundary which makes projects in the TOA eligible for grant funds for land and water based construction projects through the New York Departments of State and Parks.

Town of Tonawanda Zoning Districts

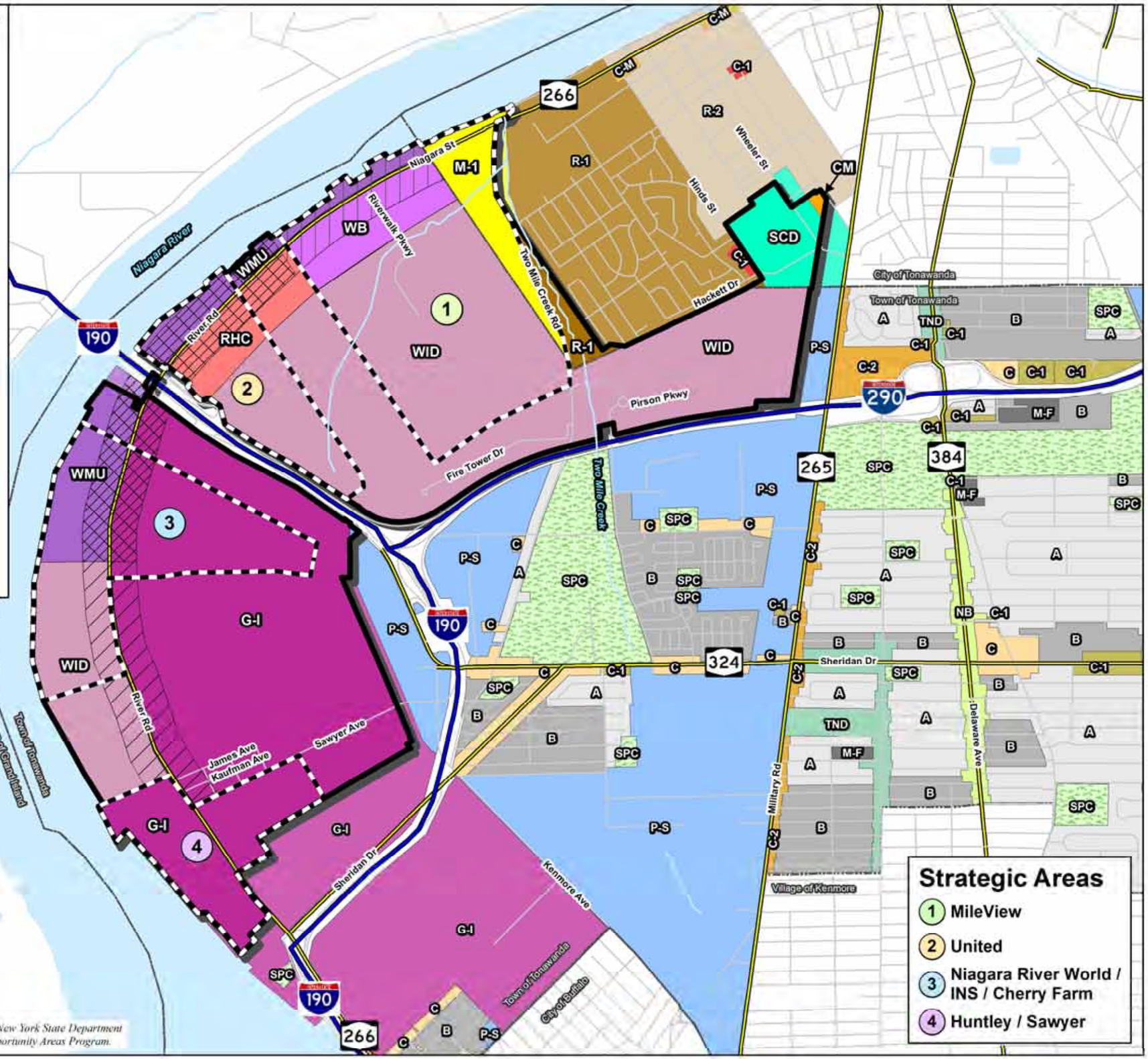
- A: First Residential
- B: Second Residential
- M-F: Multifamily Dwelling
- C-1: Restricted Business
- C: General Business
- C-2: Commecial District
- RHC: Retail-Highway Commercial Use
- P-S: Performance Standard
- G-I: General Industrial
- WMU: Waterfront Mixed Use
- WB: Waterfront Business
- WID: Waterfront Industrial
- NB: Neighborhood District
- TND: Traditional Neighborhood District
- SPC: School, Park or Cemetery

ToT River Road Overlay District

- Business Transition Area
- Light Industrial Corridor Area
- Thruway Impact Area

City of Tonawanda Zoning Districts

- C-1: Neighborhood Shopping
- C-M: General Commercial Services
- M-1: Manufacturing
- R-1: Single-Family Residence
- R-2: General Residence
- SCD: Spaulding Commerce Park



This map was prepared for the Town of Tonawanda and the New York State Department of State with state funds provided through the Brownfield Opportunity Areas Program.

Strategic Areas

1. MileView
2. United
3. Niagara River World / INS / Cherry Farm
4. Huntley / Sawyer

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TOWN OF TONAWANDA

TONAWANDA OPPORTUNITY AREA

NOMINATION STUDY

EXISTING ZONING MAP

- TOA Nomination Study Area
- Strategic Areas
- Municipal Boundaries
- Zoning is Not Shown (White Areas)
- Interstate
- State Highways
- Local Roads
- Creek/River/Waterbody

Sources:
1. TOA Nomination Study Area Boundary: Created by LaBella using parcel boundaries provided by the Town of Tonawanda
2. Strategic Areas: Created by LaBella based on Town and Steering Committee input
3. Town of Tonawanda (excluding Village of Kenmore) Zoning Districts: Provided by the Town of Tonawanda
4. Town of Tonawanda Overlay Districts: Created by LaBella based on legal boundary descriptions found in the zoning code
5. City of Tonawanda Zoning Districts (partial): Created by LaBella based on hard copy zoning map of the City
6. Interstate, State Highways, Creek, Municipal Boundaries: Census Shapefiles from TIGER/Line database (minor edits by LaBella to municipal boundaries to match property lines)
7. Local Roads: Provided by the Town of Tonawanda
8. River/Waterbody: ESRI Data Disk.

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Labella Project No: 2151300

Figure 8: Existing Zoning in TOA

UNDERUTILIZED AND VACANT SITES

Due to the vast size of the Tonawanda Opportunity Area, underutilized and vacant sites were identified through an iterative process. This process included identification and mapping of land use, vacancy, and development potential, discussions with the Town and steering committee, subsequent environmental review, and ultimately a synthesis of the results.

During the first step, land use and vacancy maps were presented to the Town and steering committee. It was decided that valuable resources should not be spent researching properties that had little to no development potential. As such, the Town and steering committee chose a select group of properties that were either vacant or underutilized and had development potential.

Vacant sites have no visible operations or significant improvements, yet have development potential. **Underutilized sites** appear to be operating below capacity (i.e. fully or partially abandoned operations, large vacant areas, and/or non-compatible use) and have development potential. After several iterations, the Town and steering committee finalized the group of underutilized and vacant sites.

During the second step, environmental records for the underutilized and vacant sites were assessed. Publically available environmental site databases were researched to determine the numbers and locations of properties with known environmental issues. Reviewed Environmental Databases include the US EPA (CERLIS, RCRIS, and brownfields), National Response Center (ERNS), US Department of Energy (Consolidated Sites Database), and NYSDEC (spills, petroleum bulk storage, chemical bulk storage, major oil storage facilities, inactive hazardous waste sites, voluntary cleanup program, brownfield cleanup program, active disposal sites).

In addition, the Town and steering committee chose a select set of the underutilized and vacant sites as particularly important sites due to their key locations within Strategic Areas. For these sites more detailed Phase I Environmental Site Assessments (ESA) were conducted.

The third step involved combining the activity levels determined in Step 1 (underutilized versus vacant) with the environmental records found during Step 2 (Figure 9). Please note that the absence of environmental records does not necessarily indicate that the property is free of environmental hazards: it simply indicates that there are no publically available environmental records for that specific address.

As summarized in Table 6, the TOA includes 36 properties categorized as underutilized or vacant (regardless of their environmental status).

Eight of the properties are classified as underutilized sites. Of those, three had environmental records and five had no environmental records. The eight underutilized sites occupy approximately 253 acres in the TOA and are assessed at more than $5.6 million.

Twenty-eight of the properties are classified as vacant sites. Of those, nine had environmental records and 19 had no environmental records. The 28 vacant sites occupy approximately 207 acres in the TOA and are assessed at more than $2 million.

LABELLA Associates, D.P.C.

TOWN OF TONAWANDA

TONAWANDA OPPORTUNITY AREA

NOMINATION STUDY

UNDERUTILIZED AND VACANT SITES MAP

- TOA Nomination Study Area
- Strategic Areas
- Municipal Boundaries (White)
- Creek

Property Type

- Underutilized* w/ Env. Record**
- Vacant* w/ Env. Record**
- Underutilized* w/ No Env. Record
- Vacant* w/ No Env. Record

Notes:
* Underutilized sites generally contain some sort of physical improvement (a building, parking lot, etc.); however, the site is either abandoned, not being used to its full potential, or is not being used for the best purpose and development potential exists.
Vacant sites contain no physical improvements, are classified as vacant through the RPS database, and contain development potential.
** Environmental records were found for the sites through a regulatory listing review.

Sources:
1. TOA Nomination Study Area Boundary: Created by LaBella using parcel boundaries provided by the Town of Tonawanda
2. Strategic Areas: Created by LaBella based on Town and Steering Committee input
3. Town and City of Tonawanda property boundaries: Provided by the Town of Tonawanda
4. Underutilized and Vacant Sites: Created by LaBella based on property class code, site visits, and Town guidance
5. Roads and Municipal Boundaries: Census Shapefiles from TIGER/Line database (minor edits by LaBella to municipal boundaries to match property lines)
6. Aerial background: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community.

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Labella Project No: 2151300

A lack of environmental records does not necessarily mean that the property does not have environmental hazards. It only means that there are no publically available environmental records for that specific address.

Strategic Areas

1. MileView
2. United
3. Niagara River World / INS / Cherry Farm
4. Huntley / Sawyer

This map was prepared for the Town of Tonawanda and the New York State Department of State with state funds provided through the Brownfield Opportunity Areas Program.

Figure 9: Underutilized and Vacant Sites

Table 6: Underutilized and Vacant Sites

Site	Address	Owner	Land Use	Acres	Assessed Value	Zone	Overlay Zone
UNDERUTILIZED PROPERTIES WITH PUBLICALLY AVAILABLE ENVIRONMENTAL RECORDS							
66	4545 River Road	United Refining Co	Fuel Storage & Distribution	118.45	$772,500	WMU/ RHC/WID	Thruway
78	4111 River Road	Erie County	Former Scrap Yard	29.23	$393,200	G-I	Thruway, Light Ind.
79	3500 River Road	Huntley Power LLC	Former Coal Power Generating Station	93.58	$2,730,000	G-I	
Total All Underutilized Properties with Publically Available Environmental Records (3)				**241.26**	**$3,895,700**		
UNDERUTILIZED PROPERTIES WITH NO PUBLICALLY AVAILABLE ENVIRONMENTAL RECORDS							
35	5609 River Rd	Robert W. Ward	Commercial	1.57	$46,100	WID	
56	536 Two Mile Creek Rd	Polo Sarno	Residential	3.25	$120,000	M-1	
74	3510 River Rd	Niagara Mohawk Power Corp	Former Substation	2.57	$1,494,915	G-I	
76	185 Sawyer Ave	185 & 189 Sawyer LLC	Industrial	3.95	$75,000	G-I	
77	189 Sawyer Ave	185 & 189 Sawyer LLC	Industrial	0.43	$21,000	G-I	
Total All Underutilized Properties with No Publically Available Environmental Records (5)				**11.77**	**$1,757,015**		
Total All Underutilized Properties (8)				**253.03**	**$5,652,715**		
VACANT PROPERTIES WITH PUBLICALLY AVAILABLE ENVIRONMENTAL RECORDS							
11	4999 River Rd	Ashland Oil & Refining Co	Vacant	36.77	$195,000	WB/WID	Business
27	5335 River Rd	5335 River Road Assoc LLC	Vacant	25.19	$5,000	WB/WID	Business
28	5445 River Rd	Gerdau Ameristeel US Inc	Industrial/Commercial	37.48	$263,300	WB/WID	Business
30	5565 River Rd	Nick Magliarditti	Vacant	37.00	$69,000	WB/WID	
65	4630 River Rd	Giuseppe Holdings LLC	Vacant	3.75	$9,350	WMU	Thruway
67	4100 River Rd	4100 River Rd Properties LLC	Landfill	9.67	$46,000	WMU	Thruway
69	4002 River Rd	Niagara River World Inc	Vacant Industrial Land	49.99	$83,000	WID	Light Ind.
71	3800 River Rd	Tonawanda Coke Corp	Vacant	26.59	$136,000	WID	Light Ind.
75	3445 River Rd	Buffalo & Erie County Ind Land	Vacant Industrial Land	6.31	$20,000	G-I	
Total All Vacant Properties with Publically Available Environmental Records (9)				**232.75**	**$826,650**		
VACANT PROPERTIES WITH NO PUBLICALLY AVAILABLE ENVIRONMENTAL RECORDS							
12	5101 River Rd	Goetz Oil Corp	Vacant	1.99	$51,500	WB	Business
13	5201 River Rd	5201 River Road Inc	Vacant Riverview Solar Tech	19.97	$138,000	WB/WID	Business
14	5211 River Rd	Riverwalk Parkway I LLC	Vacant Riverview Solar Tech	6.62	$2,400	WID	
15	5221 River Rd	Riverwalk Parkway LLC	Vacant Riverview Solar Tech	59.87	$206,425	WID	
24	5315 River Rd	5201 River Road Inc	Vacant Riverview Solar Tech	54.05	$253,800	WB/WID	Business
32	5601 River Rd	Con-Way Transportation	Utility and Driveway	1.64	$38,100	WB	Business
33	5603 River Rd	3679 River Road Inc	Vacant Industrial Land	8.63	$43,200	WB/WID	
34	5605 River Rd	Nick Magliarditti	Vacant Industrial Land	0.60	$3,500	WID	
36	5611 River Rd	Nick Magliarditti	Vacant	1.98	$8,500	WID	
55	404 Two Mile Creek Rd	City of Tonawanda	Vacant	6.10	$149,600	M-1	
57	560 Two Mile Creek Rd	Polo Sarno	Vacant	0.37	$6,700	M-1	
58	600 Two Mile Creek Rd	City of Tonawanda	Vacant	0.99	$26,300	M-1	
59	620 Two Mile Creek Rd	City of Tonawanda	Vacant	3.04	$97,100	M-1	
60	640 Two Mile Creek Rd	Robert H. Ward	Vacant	3.39	$11,600	M-1	
61	650 Two Mile Creek Rd	Brian J. MacDonald	Vacant	3.27	$13,000	M-1	
68	4008 River Rd	Tonawanda Coke Corp	Utility	0.12	$500	WID	
70	4001 River Rd	Braxner LLC	Vacant	9.86	$148,000	G-I	Light Ind.
72	3785 River Rd	Braxner LLC	Vacant	8.40	$17,000	G-I	
73	3715 River Rd	Braxner LLC	Vacant	16.33	$35,000	G-I	
Total All Vacant Properties with No Publically Available Environmental Records (19)				**207.22**	**$1,250,225**		
Total All Vacant Properties (28)				**439.97**	**$2,076,875**		
Total All Underutilized and Vacant Properties (36)				**693.00**	**$7,729,590**		

Source: Town and City of Tonawanda Real Property Data (2015) with minor updates by LaBella

TRANSPORTATION SYSTEMS

One of the significant assets of the Tonawanda Opportunity Area is its access to the regional road network via multiple interstates and major arterials. Interstate 190 and Interstate 290 bisect/border and serve the TOA for both car and truck traffic. According to the New York State Department of Transportation Urban Functional Classification System (Figure 10), both of the interstates are categorized as principal arterial interstates. State Route 266 (River Road/Niagara Street), Grand Island Boulevard, and Two Mile Creek Road all traverse the TOA and are categorized as minor arterials. Lastly, Sawyer Avenue is categorized as a major collector. Many of the aforementioned roadways connect to other principal arterials such as Sheridan Drive and Military Road/Main Street in order to easily access local areas throughout the Town and City of Tonawanda.

However, the TOA is somewhat limited in regards to local transportation within the study area. Many parcels on the east side of River Road are long and narrow with no public access to the easternmost areas of the properties. This lack of roadways has prevented access into the TOA and discouraged property development and subdivision of land. Creating an interior local roadway network would encourage development as was exemplified by the installation of Riverwalk Parkway (Riverview Solar Technology Park) and Pirson Parkway (North Youngmann Commerce Center).

Motor vehicle accident data was collected to access what intersections are unsafe in the TOA (Table 7 and Figure 10). Two intersections stand out as problem areas. The River Road / Grand Island Boulevard intersection had 12 accidents between May 1, 2012 and April 30, 2015 while the River Road / Sawyer Avenue intersection had 5 accidents. Overall there were 23 accidents within the vicinity of the TOA.

Table 7: Motor Vehicle Accidents at Major Intersections within the TOA

Intersection	Accidents	Intersection	Accidents
River Rd & Sawyer Ave	5	Two Mile Creek Rd & Fire Tower Dr	1
River Rd & Grand Island Blvd	12	Wheeler St & Hackett Dr	0
River Rd & ramps onto/off I-190 N	1	Wheeler St & James St	0
River Rd & Riverwalk Pkwy	0	Hinds St & Hackett Dr	1
Niagara St & Two Mile Creek Rd	3	Hinds St & Dodge Dr	0
Two Mile Creek Rd & Fletcher St	0	**TOTAL**	**23**

Source: GBNRTC via NYS Accident Location Information System (5/1/2012 to 4/30/2015 – 33 ft search radius)

As reported in Table 8 and depicted in Figure 11, Annual Average Daily Traffic (AADT) counts in the year 2013 for the major roadways within/along the TOA vary with the highest counts located along I-190 and I-290 (just under 70,000). Medium-high counts (10,001 to 25,000) are located along Niagara Street (City of Tonawanda) and along the interchanges connecting I-190 and I-290. Medium counts (4,001 to 10,000) are located along River Road, medium-low counts (1,501 to 4000) are located along Sawyer Avenue and Two Mile Creek Road, and low counts (less than 1,500) are located along Grand Island Boulevard and East Park Drive.

Table 8: Annual Average Daily Traffic Counts (2013)

Road	Section	AADT
I-190	Southern Grand Island Bridge	69,658
I-190	Southern Grand Island Bridge to Route 324	69,349
I-290	I-190 Interchange to Route 384 (Exit 1)	69,868
Interchange	I-290 West to I-190 North	19,803
Interchange	I-290 West to I-190 South	14,731
Interchange	I-190 North to I-290 East	15,443
Interchange	I-190 South to I-290 East	19,940
State Route 266 (Niagara St)	Tonawanda West City Line to Seymour St	11,682
State Route 266 (River Rd)	Tonawanda West City Line to I-190 (GI Bridge)	8,888
State Route 266 (River Rd)	I-190 (GI Bridge) to I-190	7,076
Two Mile Creek Rd	Niagara St to Tonawanda South City Line	2,896
Two Mile Creek Rd	Tonawanda South City Line to Ensminger Rd	2,480
Sawyer Ave	State Route 266 to Kenmore Ave	1,943
Grand Island Blvd	State Route 266 to State Route 324	1,228
East Park Dr	State Route 324 to Waste Management Facility	216

Source: NYSDOT Traffic Data Viewer

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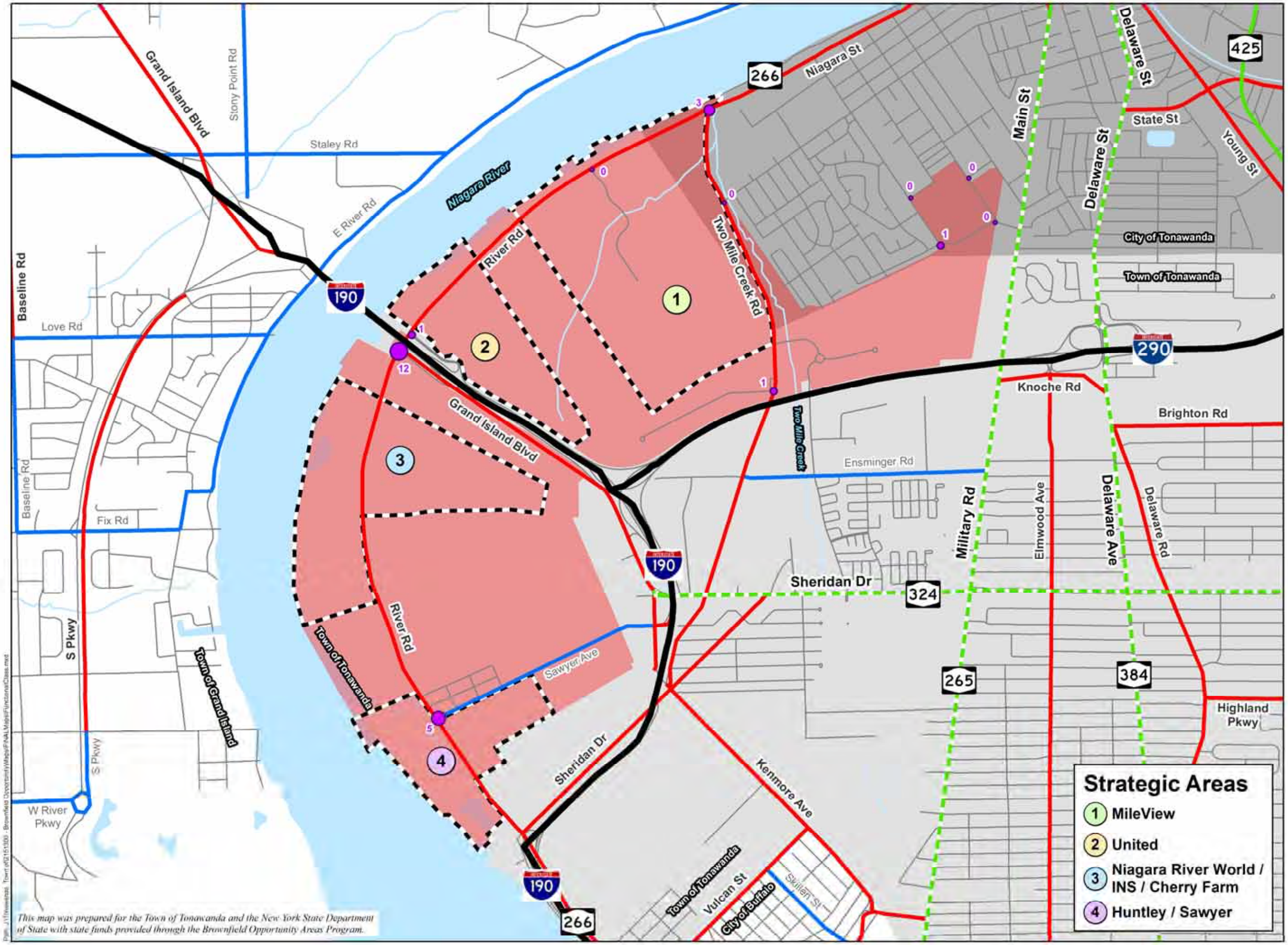

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TOWN OF TONAWANDA

TONAWANDA OPPORTUNITY AREA

NOMINATION STUDY

URBAN FUNCTIONAL CLASSIFICATION and MOTOR VEHICLE ACCIDENTS MAP

- TOA Nomination Study Area
- Strategic Areas
- Town of Tonawanda
- City of Tonawanda
- Creek/Water

Urban Functional Classification

- Principal Arterial Interstate
- Principal Arterial Expressway
- Principal Arterial Other
- Minor Arterial
- Major Collector
- Other Public Roadways

Motor Vehicle Accident Count

5/1/2012 to 4/30/2015

- No Accidents
- 1 Accident
- 3 Accidents
- 5 Accidents
- 12 Accidents

Sources:
1. TOA Nomination Study Area Boundary: Created by LaBella using parcel boundaries provided by the Town of Tonawanda
2. Strategic Areas: Created by LaBella based on Town and Steering Committee input
3. Town Roads: Provided by Town of Tonawanda
4. Roads (outside Town), Creek, and Municipal Boundaries: Census Shapefiles from TIGER/Line database
5. Water: ESRI Data Disk and additions by LaBella (Canadian coastline) based on aerial imagery
6. Functional Classification duplicated from NYSDOT's online Functional Class Viewer
7. Accident data provided by GBNRTC via NYS Accident Location Information System.

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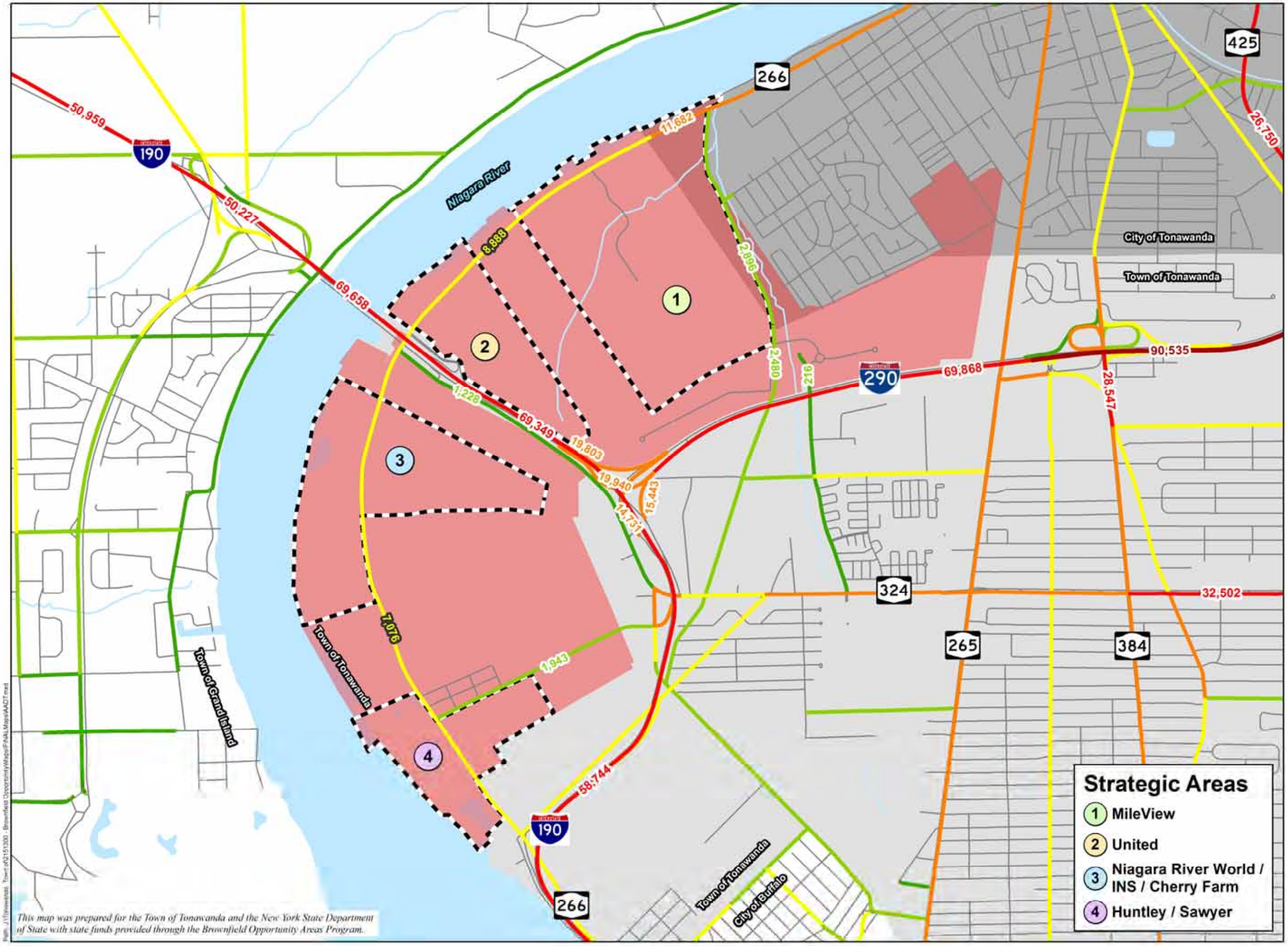
Labella Project No: 2151300

Figure 10: Urban Functional Classification and Accidents



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TOWN OF TONAWANDA

TONAWANDA OPPORTUNITY AREA

NOMINATION STUDY

ANNUAL AVERAGE DAILY TRAFFIC (AADT) MAP

- TOA Nomination Study Area
- Strategic Areas
- Town of Tonawanda
- City of Tonawanda
- Creek/Water

AADT Counts for 2013

- 1 - 1,500
- 1,501 - 4,000
- 4,001 - 10,000
- 10,001 - 25,000
- 25,001 - 75,000
- 75,001 - 112,587
- Other Roadways (No AADT Data)

Sources:
1. TOA Nomination Study Area Boundary: Created by LaBella using parcel boundaries provided by the Town of Tonawanda
2. Strategic Areas: Created by LaBella based on Town and Steering Committee input
3. Town Roads: Provided by Town of Tonawanda
4. Roads (outside Town), Creek, and Municipal Boundaries: Census Shapefiles from TIGER/Line database (minor edits by LaBella to municipal boundaries to match property lines)
5. Water: ESRI Data Disk and additions by LaBella (Canadian coastline) based on aerial imagery
6. Annual Average Daily Traffic: NYSDOT via NYS GIS Clearinghouse.

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Figure 11: Annual Average Daily Traffic Counts

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TOWN OF TONAWANDA

TONAWANDA OPPORTUNITY AREA

NOMINATION STUDY

LOCAL TRANSPORTATION SYSTEMS MAP

- TOA Nomination Study Area
- Strategic Areas
- Town of Tonawanda
- City of Tonawanda

Roads
- Interstate
- State Highway
- Local Road
- Private Road

Railroad
- Railroad

Public Transit (NFTA Bus Routes)*
- Route 35: Sheridan
- Route 40: Buffalo-Niagara Falls
- Route 79: Tonawanda

Bicycle Infrastructure
- Bike Lanes
- Multi-Use Path

Note: * Only NFTA Routes with stops within or in the immediate vicinity of the TOA are shown.

Sources:
1. TOA Nomination Study Area Boundary: Created by LaBella using parcel boundaries provided by the Town of Tonawanda
2. Strategic Areas: Created by LaBella based on Town and Steering Committee input
3. Interstate, State, and Local Roads (outside Town of Tonawanda), Railroad, Creek, and Municipal Boundaries: Census Shapefiles from TIGER/Line database
4. Local and Private Roads (within Town of Tonawanda), Bike Lanes, and Multi-Use Path: Provided by the Town of Tonawanda
5. Public Transit digitized from NFTA Route Maps found online - routes are purposefully offset from the road for display purposes.

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Labella Project No: 2151300

Strategic Areas
1. MileView
2. United
3. Niagara River World / INS / Cherry Farm
4. Huntley / Sawyer

This map was prepared for the Town of Tonawanda and the New York State Department of State with state funds provided through the Brownfield Opportunity Areas Program.

Figure 12: Transportation Systems

As Figure 12 illustrates there are additional transportation systems in the Tonawanda Opportunity Area. Rail spurs are located throughout the industrial areas of the TOA, providing access to the CSX mainline to the east. Amtrak rail passenger services run along the CXS mainline as well. The Buffalo Niagara International Airport is located less than 12 miles from the TOA southeast along I-290, I-90, and State Route 33. The Niagara Falls International Airport is located nine miles from the TOA north along State Route 266, State Route 265 and Williams Road.

In addition, the Buffalo-Niagara Falls metropolitan area is served by a comprehensive public transportation system through the Niagara Frontier Transportation Authority's (NFTA) Metro Bus Service. Bus Route 40 connects downtown Buffalo to downtown Niagara Falls by passing through the TOA along River Road. Bus Route 79 connects downtown City of Tonawanda to downtown Buffalo and beyond to the Amtrak Exchange Street Station by passing through the TOA along Hinds Street and Hackett Drive. Lastly, Bus Route 35 travels along Sheridan Drive connecting Vulcan Street to the University at Buffalo North Campus with an extension into the TOA in order to include a stop at the North Youngmann Commerce Center. Many other regional and local bus routes are located in the vicinity of the TOA; however, they do not have stops located within the TOA.

Developers also consider parking opportunities and multi-modal travel opportunities. As shown in Table 9, on-street parking is available along only several of the TOA streets, in the limited residential areas. These areas have seasonal overnight restrictions (no overnight parking in the winter). Businesses located along streets without on-street parking typically have off-street parking lots.

The TOA has a limited pedestrian network and non-existent on-street bicycle network. The Spaulding Commerce Center and the few residential areas typically have complete sidewalk networks in moderate to good condition. There are no sidewalks in other areas of the TOA. Throughout the entire TOA, there are no designated on-road bicycle lanes or sharrows. Lastly, off-road multi-use paths (hike and bike trails) traverse the TOA along the west side of River Road/Niagara Street (Riverwalk) and along the east side of Two Mile Creek Road connecting the TOA to the greater Buffalo-Niagara region.

The Town of Tonawanda recently adopted a Complete Streets policy and has developed a Complete Street Committee charged to promote improved active transportation opportunities and ensure safety throughout Ken-Ton. In addition, the University at Buffalo has recently prepared a Bicycle Master Plan (2015).

Table 9: Multi-Modal, Parking and Condition Data, TOA Streets

Street Name	On-Street Parking	Sidewalks/Bike Lanes	Condition
I-190	None	Sidewalks: None No Bike Lanes	Good
I-290	None	Sidewalks: None No Bike Lanes	Good
State Route 266 (River Rd/ Niagara St)	None	Sidewalks: East Side (Sawyer Ave to Kaufman Ave) No Bike Lanes Multi-use Path (Riverwalk) along west side of road	Good
Two Mile Creek Rd	None	Sidewalks: None No Bike Lanes Multi-use Path along portions of east side of road	Fair
Grand Island Blvd	None	Sidewalks: None No Bike Lanes	Fair
Sawyer Ave	North Side	Sidewalks: North Side (River Rd to Mildred St) No Bike Lanes	Good
Kaufman Ave	South Side	Sidewalks: South Side No Bike Lanes	Fair
James Ave	North Side (near Cherry Ave)	Sidewalks: None No Bike Lanes	Fair
Riverwalk Pkwy	None	Sidewalks: None No Bike Lanes	Good
Fire Tower Dr	None	Sidewalks: None No Bike Lanes	Fair
Hinds St	West Side (near Dodge Dr)	Sidewalks: Both Sides No Bike Lanes	Good
Wheeler St	None	Sidewalks: Complete West Side, Incomplete East Side No Bike Lanes	Good
Hackett Dr	None	Sidewalks: Both Sides No Bike Lanes	Good

Source: Google Aerial Imagery and Street View, Site Visits



Riverwalk where it begins to traverse along the waterfront (at the westernmost portion of Isle View County Park)

INFRASTRUCTURE AND UTILITY SYSTEMS

Much like the transportation network, the regional infrastructure and utility systems are strong while the local infrastructure and utility systems are limited (Figures 13 and 14). Development within the TOA beyond the extent of the existing local road network would likely require the extension of the following infrastructure systems:

WATER

Public water supply is available on all the public streets within the TOA and cross-parcel along several utility corridor rights-of-way as depicted in Figure 13. The Fire Tower Commerce Center, Riverview Solar Technology Park, North Youngmann Commerce Center, and Spaulding Commerce Center are all supplied with public water.

Water is supplied to the Town of Tonawanda via the Town's Water Treatment Plant located just outside of the TOA at 218 Aqua Lane. It is owned and operated by the Town of Tonawanda. The facility was built in 1956 and an addition was added in 1962 to increase capacity. The plant has the capacity to treat 24 million gallons a day of potable water. On average, the facility draws over four billion gallons of water annually from the Niagara River to service residences and businesses within the Town of Tonawanda and Village of Kenmore.

Water is supplied to the City of Tonawanda via the Jerome D. Van de Water Water Treatment Plant located within the TOA at 3750 River Road. It is owned and operated by the Erie County Water Authority. The Water Treatment Plant draws water from the Niagara River, treats it, and delivers safe, clean drinking water to residences and businesses throughout many municipalities in northern Erie County (including the City of Tonawanda) as well as some in Genesee and Wyoming County. Major Erie County Water Authority water lines traverse the TOA along River Road, Two Mile Creek Road, and along several utility corridor rights-of-way. These major lines are not part of the Town's system and are therefore not available for development purposes within the Town.

According to the Town, there are no major capacity issues within the public water system. The treatment and distribution system is capable of meeting current Town and Village needs, as well as future development needs. However, development within the TOA beyond the extent of the existing local road network would likely require the extension of the public water distribution system.

SANITARY SEWER AND STORM WATER

The Town of Tonawanda is serviced by a separate sanitary sewer system and storm water system as depicted in Figure 14. Sanitary sewer lines are available on most of the public streets within the portion of the TOA in the Town. Although not mapped, sanitary sewer lines are available along Riverwalk Parkway servicing the Riverview Solar Technology Park buildings. The other two commercial parks – Fire Tower Commerce Center and North Youngmann Commerce Center – are also serviced by major sanitary sewer lines. There are two small sections along River Road which are not serviced by sanitary sewer as flows are split between the Sawyer pump station and the Sheridan pump station. Sanitary sewer system data within the City of Tonawanda is unavailable at this time.

The storm water system is somewhat limited within the portion of the TOA in the Town. Storm water lines are available along Sawyer Avenue, Kaufman Avenue, James Avenue, Fire Tower Drive (i.e. Fire Tower Commerce Center), Pirson Parkway (i.e. North Youngmann Commerce Center) and portions of Riverwalk Parkway (i.e. Riverview Solar Technology Park). One of the Town's main storm water outfall lines is located within the TOA along a Town-owned right-of-way bordering the City of Tonawanda. There are some storm water lines along portions of River Road (not mapped); however, exact locations are unknown by the Town as the State's Highway Department is responsible for operation and maintenance of drainage infrastructure along State Routes. There are known storm water issues along River Road, particularly at the United Refining waterfront property. Storm water system data within the City of Tonawanda is unavailable at this time.

The Town of Tonawanda Wastewater Treatment Plant is located within the TOA at 779 Two Mile Creek Road. It is owned and operated by the Town of Tonawanda. The plant is capable of treating up to 75 million gallons per day of wastewater from the Town of Tonawanda, City of Tonawanda, and Village of Kenmore. In addition, Wastewater Treatment Plant personnel operate and maintain eight sewage pumping stations, two of which (the Sawyer Pump Station and Bridge Pump Station) are located within the TOA on River Road. A state- and federal-approved Pre-Treatment Program, staffed by town personnel, monitors all the industrial and commercial sewage discharges into the town collection system.

There are no major dry-weather capacity issues within the sanitary sewer system. The existing treatment and sewer line capacity are capable of meeting the current Town, Village, and City needs as well as the needs for future development. However, wet weather flows can peak as high as 80 million gallons per day, causing infiltration

and inflow as well as sanitary sewer overflows during significant rainfall events. This continues to be an issue, and the Town is undertaking efforts to address the problems. In fact, the town is under a NYSDEC consent order to reduce Sanitary Sewer Overflows and Inflow and Infiltration. Hence the DEC is requiring the Infiltration and Inflow (I&I) credits or reduction efforts be made on any new development with residential sewage rates of 2,500 gallons per day.

The storm water system is reportedly in relatively good condition with large diameter pipelines and sufficient capacity. The town is a Municipal Separate Storm Sewer Systems (MS4) community and as such has adopted a MS4 law. Any development over one acre must comply with the latest edition of the NYSDEC stormwater manual. There are no plans to increase the Town's system or perform major work on the system in the near future. The Town would consider facilitating a drainage improvement project at problem areas along River Road if funding were to be identified. Alternatively, should the State conduct major roadway improvements along River Road, the Town would advocate for improvements to the drainage infrastructure.



Town of Tonawanda Waste Water Facilities on Two Mile Creek Road and Fire Tower Drive

TELECOMMUNICATIONS

Spectrum (formerly Time Warner) and Verizon provide high-speed internet, phone and cable TV services throughout the TOA. Fibertech and Transwave Communications also provide high-speed internet services.

ALTERNATIVE ENERGY

The Town of Tonawanda is actively pursuing and promoting alternative energy options. The Town was recently designated a New York State Energy Research and Development Authority (NYSERDA) Clean Energy Community for their efforts to implement clean energy actions, save energy costs, and improve the environment. This designation makes the Town eligible to apply for grants to fund additional clean energy projects as well as provides the Town with free access to Clean Energy Communities Coordinators who can provide technical assistance.

In addition, the Town's zoning code includes regulations related to solar energy systems (Articles XIX and XXVII) and wind energy conversion systems (Article XXVI). Solar energy systems are categorized as small-scale, large-scale, or utility-scale and the systems can be rooftop-mounted, building-mounted or ground-mounted. Permitted locations, regulations, permits, performance standards, etc. are based on the size and type of solar energy system. Wind energy conversion systems (WECS) are categorized as commercial or noncommercial systems within the Town's zoning code (Article XXVI). Wind energy facilities require a special use permit and are permitted in a handful of zoning districts provided they adhere to the article's regulations and conditions. The WECS zoning code is currently undergoing revisions.

The Town of Tonawanda and other private entities are taking advantage of solar energy. The Riverview Solar Technology Park is New York State's first solar ready commerce park. Numerous solar applications are already in use on the site, directly benefitting the multiple tenants. In addition, the Town recently entered into a Power Purchase Agreement with Tesla (Solar City) to have them construct a 2 MW solar array on the Town Landfill. The Town will be the sole beneficiary of the generated power via remote net metering. The Town is also exploring opportunities to get solar at the Seaway Landfill (4825 River Road) with the EPA. Benderson owns the landfill and needs to be engaged to further discussions.

The Town also initiated the Solarize Tonawanda campaign which ran from August 2017 until November 24, 2017. Through a Request for Proposal process, the Town selected qualified local solar contractors and negotiated discounted prices by leveraging group purchasing of solar installations. Interested residents and businesses could attend multiple workshops in order to take advantage of the program. About 50 private residents and businesses signed contracts to install solar systems.

So far only private entities are taking advantage of wind energy. Specifically, Triad Recycling has installed two wind turbines which power their facilities.



Solar panels at the entrance of Riverview Solar Technology Park

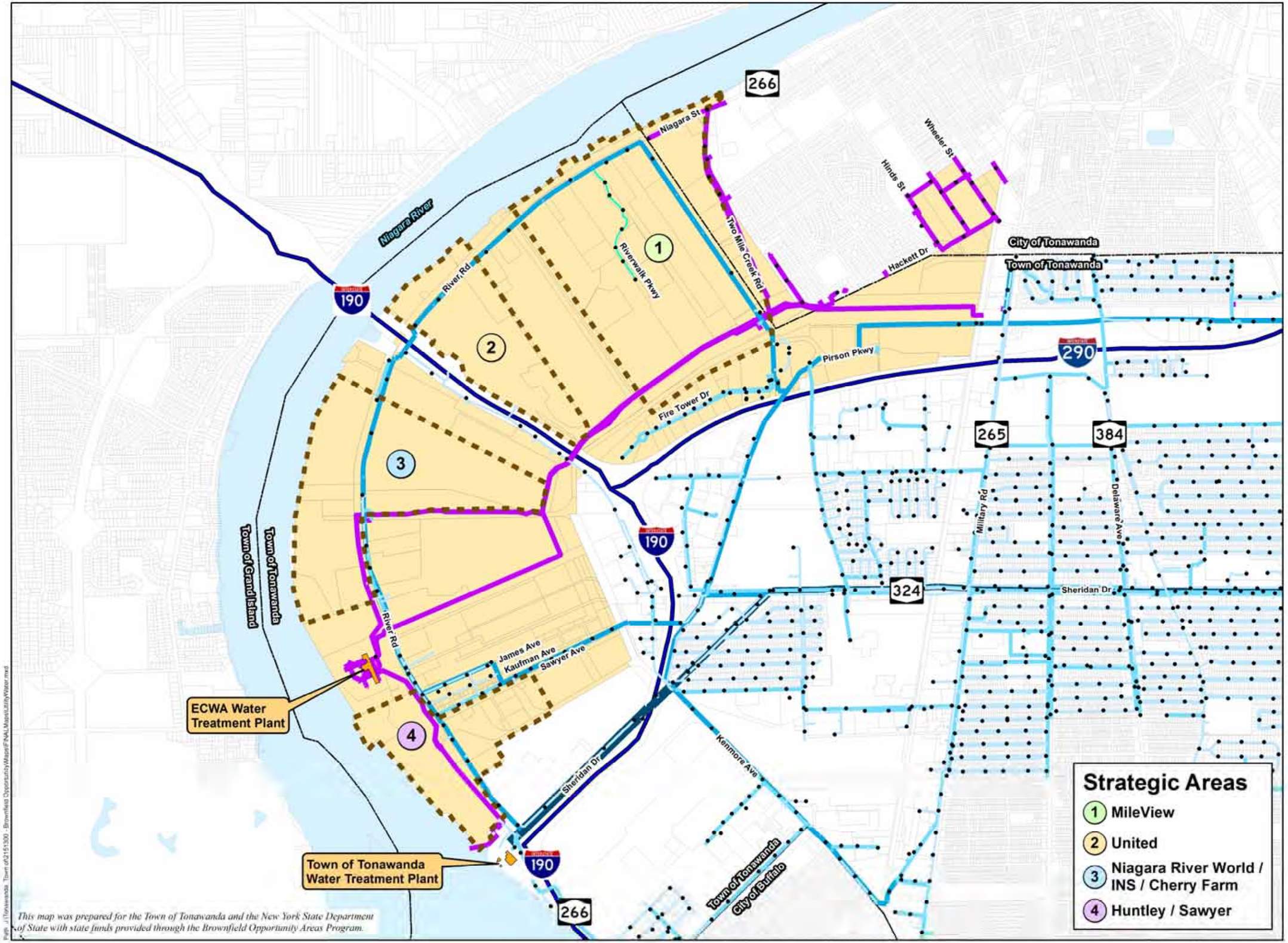
OTHER UTILITIES

As private utilities, National Fuel Gas and National Grid electric do not provide maps of their services but may provide information upon request. However, it is known that existing residences and businesses within the TOA are served by electric and gas services. Should an enhanced local roadway network be installed, electric and gas services would likely need to be extended into the newly accessible interior properties. Major overhead electric transmission lines are visible throughout the TOA, creating long linear utility corridors. Several electric substations, the recently retired Huntley Power Plant and major gas lines are also located within the TOA. National Grid is currently rebuilding their electric substation at the former Huntley Power Plant and building a new electric substation on Two Mile Creek Road.

The future the recently retired Huntley Power Plant is uncertain at this time. The Town has issued an Expression of Interest statement (EOI) for the potential redevelopment of the Power Plant site. The EOI is intended to determine interest from potential developers or energy concerns or partnerships that may be interested in re-developing the Huntley site, including into a utility-scale renewable energy project. The owner of the property (Huntley Power LLC) will be conducting its own marketing process for the site in the near future.

The uncertainty of the future of the recently retired Huntley Power Plant is causing additional concerns. Specifically, the site includes two large raw water intakes which transport Niagara River water to several nearby industrial facilities located on the east side of River Road. This water is vital for the various industrial facilities' processes and there is no redundancy in the system. Should the current owner of the Huntley Power Plant not renew water delivery contracts in the future, the industrial facilities will be left without a means to obtain the necessary water. As a worst case scenario, these industrial facilities may be forced to shut down, causing the loss of thousands of jobs.

As such, the Town of Tonawanda is working on a feasibility and design report in order to construct a Town owned water intake pump house and associated piping to the industrial facilities. They have also begun discussions with the various industrial facilities, as well as other nearby industrial facilities about providing them river water. It is recommended that the Town complete the feasibility and design report, continue discussions with the industrial facilities, and construct the proposed improvements as recommended by the feasibility report.



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TOWN OF TONAWANDA

TONAWANDA OPPORTUNITY AREA

NOMINATION STUDY

UTILITIES - POTABLE WATER SYSTEM MAP*

- TOA Nomination Study Area
- Strategic Areas
- Municipal Boundaries
- Property Boundaries
- Interstate

Potable Water (Approx. Locations)

- Unknown Size Water Line
- 4 to 10 inch Water Line
- 12 to 18 inch Water Line
- 20 to 24 inch Water Line
- 30 inch Water Line
- Erie County Water Authority Lines
- Fire Hydrant

Note: * Potable water system data from Erie County Water Authority (ECWA) only provided for immediate study area vicinity. ECWA water line size not depicted within map. The Town does not have access to ECWA water lines for development purposes.

Sources:
1. TOA Nomination Study Area Boundary: Created by LaBella using parcel boundaries provided by the Town of Tonawanda
2. Strategic Areas: Created by LaBella based on Town and Steering Committee input
3. Roads and Municipal Boundaries: Census Shapefiles from TIGER/Line database (minor edits by LaBella to municipal boundaries to match property lines)
4. Town and City of Tonawanda property boundaries (2015): Provided by the Town of Tonawanda
5. Property boundaries outside of Town and City (2013): Provided by Erie County
6. Tonawanda Potable Water System data (including water lines, fire hydrants, and the water treatment buildings): Provided by the Town of Tonawanda.
7. Erie County Water Authority Potable Water System data (including water lines, and fire hydrants): Provided by ECWA.

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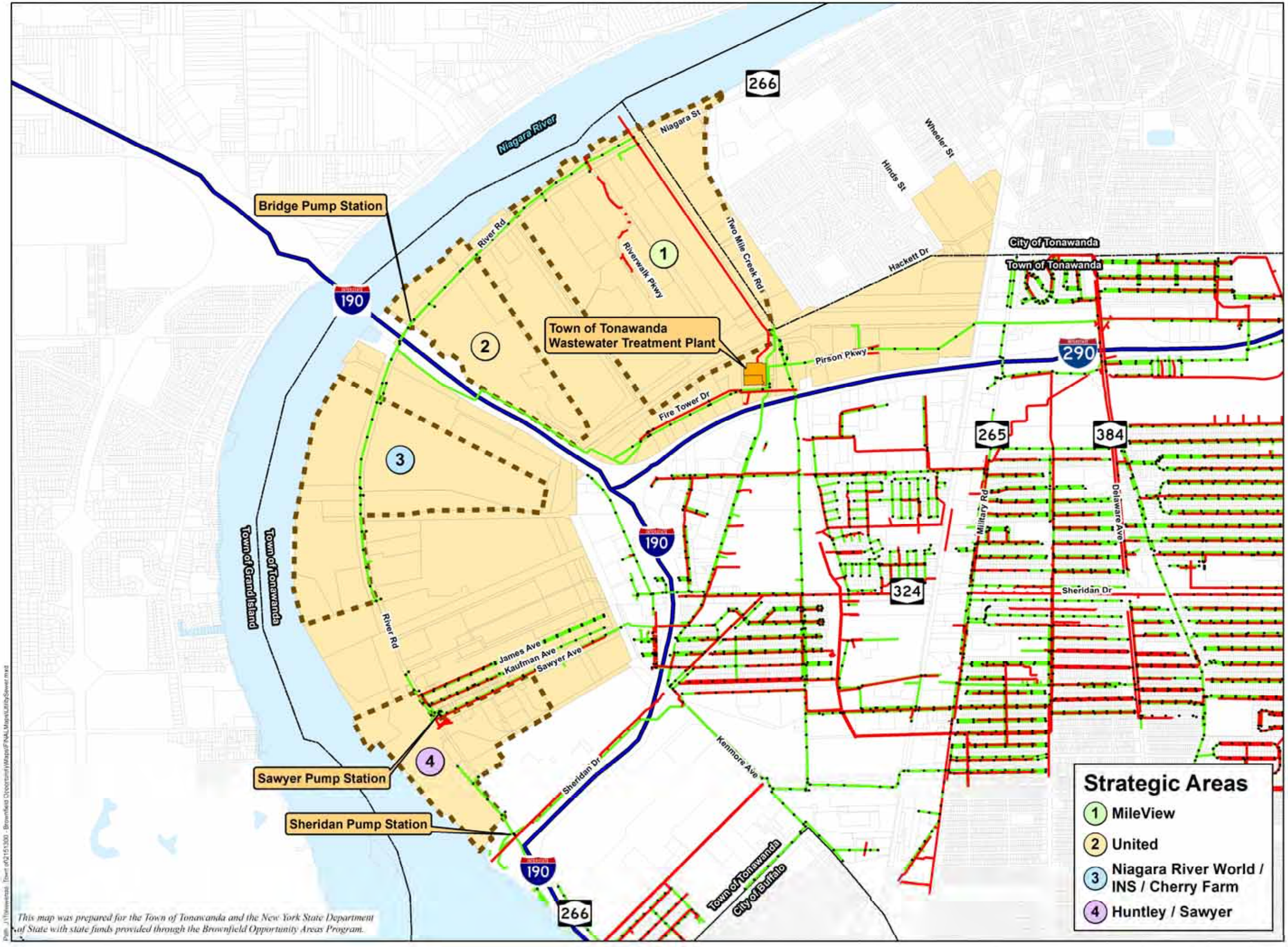
Labella Project No: 2151300

Figure 13: Utilities – Potable Water System

Path: J:\Tonawanda, Town of\2151300 - Brownfield Opportunity Maps\FINAL Maps\Utility\Water.mxd



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TOWN OF TONAWANDA

TONAWANDA OPPORTUNITY AREA

NOMINATION STUDY

UTILITIES - SANITARY AND STORM SEWER SYSTEMS MAP*

- TOA Nomination Study Area
- Strategic Areas
- Municipal Boundaries
- Property Boundaries
- Interstate

Sanitary Sewer (Approx. Locations)

- Sanitary Sewer Line
- Man Hole

Storm Sewer (Approx. Locations)

- Storm Sewer Line

Note: * Sanitary sewer and storm sewer systems data for the City of Tonawanda are not available at this time and as such, are not mapped.

Sources:
1. TOA Nomination Study Area Boundary: Created by LaBella using parcel boundaries provided by the Town of Tonawanda
2. Strategic Areas: Created by LaBella based on Town and Steering Committee input
3. Roads and Municipal Boundaries: Census Shapefiles from TIGER/Line database
4. Town and City of Tonawanda property boundaries (2015): Provided by the Town of Tonawanda
5. Property boundaries outside of Town and City (2013): Provided by Erie County
6. Sanitary sewer and storm water sewer systems data (including sanitary lines, storm lines, man holes, and the sewer treatment and pump station buildings): Provided by the Town of Tonawanda.

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1:24,000

Labella Project No: 2151300

Figure 14: Utilities - Sewer Systems

PROPERTY OWNERSHIP

A large percentage of the land area in the Tonawanda Opportunity Area (not including public roadways) is owned by private individuals or organizations as is shown by the un-shaded areas in Figure 15 and described in Table 9. Approximately 71 percent of the land area and 64 percent of the parcels in the TOA are privately owned. The privately owned parcels are scattered throughout the TOA including all of the parcels within the Riverview Solar Technology Park and many of the parcels within the Fire Tower Commerce Center.

About 29 percent of the land and 36 percent of the parcels in the TOA are owned by public or quasi-public agencies. Large electric (National Grid) and railroad (CSX Transportation) corridors run throughout the TOA. The Town of Tonawanda owns significant portions of the North Youngmann Commerce Center, the Tonawanda Landfill, and the Town Wastewater Facilities. The City of Tonawanda owns most of the Spaulding Commerce Center and land along Two Mile Creek Road. Erie County owns large portions of the Riverwalk along River Road. Other public or quasi-public agencies that own land within the TOA include the Erie County Water Authority, New York State, and various nonprofit organizations.

Table 10: Public Land Ownership Distribution

Ownership	Land		Parcels	
	Acres	Percent	Number	Percent
Private	1,614.2	70.9%	186	63.9%
Public and Quasi Public				
Town of Tonawanda	137.8	6.0%	19	6.5%
City of Tonawanda	67.4	3.0%	8	2.7%
Erie County	65.8	2.9%	24	8.2%
Erie County Water Authority	28.2	1.2%	1	0.3%
New York State	1.4	0.1%	1	0.3%
National Fuel/National Grid	313.6	13.8%	40	13.7%
Railroad	38.6	1.7%	8	2.7%
Non-Profit Organization	10.7	0.5%	4	1.4%
Sub-total of Public and Quasi Public	**663.4**	**29.1%**	**105**	**36.1%**
Total	**2,277.6**		**291**	

Source: Town and City of Tonawanda Real Property Data

NATURAL AND CULTURAL RESOURCES

While natural and cultural resources are somewhat inconspicuous in the TOA, the area includes parks, open spaces, and water based resources. These resources are amenities which add value to TOA properties because they enhance the Town's quality of life. Figures 16-18 exhibit the locations of all of the incredible natural and cultural assets in the TOA. A summary of some of the assets is described below.

PARKS AND OPEN SPACES

The TOA has a surprisingly large amount of park and open space land considering its predominantly industrial nature. However, given its waterfront location, the TOA, Town, and greater region would benefit from the addition of dedicated parkland along the River's edge.

As can be seen in Figure 16, there are only three municipal parks located within the TOA – Riverwalk Park, Isle View County Park, and the Tonawanda Firemen's Park. In addition, there is one municipal playground (Kaufman Playground) located within the TOA and two multi-use paths – Riverwalk and Two Mile Creek Greenway.

Riverwalk Park is a long linear park approximately 4.7 acres in size and located along the west side of River Road from the vicinity of Tonawanda Coke to the Seaway Landfill. The park is owned by Erie County and primarily contains Riverwalk (a multi-use path for pedestrians and bicyclists) and open green space. **Riverwalk** continues southerly outside of the park along River Road via County-owned easements. The park is considered a regional park as Riverwalk is part of a region wide network of paths and is heavily utilized.

Isle View County Park is a 3.2 acre continuation of the Riverwalk Park. It is a long linear park sandwiched between River Road and the Niagara River. It includes Riverwalk, other pedestrian paths, picnic areas, a playground, open green space, and parking. The park is considered a regional park as Riverwalk is part of a region wide network of paths and is heavily utilized.



Main entrance to Isle View County Park

Tonawanda Firemen's Park is a 9.9 acres park located on Two Mile Creek Road and owned by the Firemen's Benevolent Association. The park includes a large picnic pavilion, playground, and open space. It is likely only used by local residents and firemen and their families.

Kaufman Playground is approximately one-acre in size and is located along Kaufman Avenue between Cherry Avenue and Mildred Street on a property owned by National Grid. The area includes a playground, basketball court, and open space. It is likely only used by local residents.

Other major parks are located just outside of the TOA such as Veterans Memorial Park and Sheridan Park which includes an 18 hole golf course.

Informal city-owned open space is located along both sides of Two Mile Creek south of Fletcher Street. This space includes **Two Mile Creek Greenway**, a multi-use trail that runs along Two Mile Creek between East Park Drive and River Road. The Greenway connects Sheridan Park and residential areas east of the TOA to the Niagara River. **Informal town-owned open space** is located in the western portion of the North Youngmann Commerce Center.

WATER BASED RESOURCES

The major water based resource within/adjacent to the TOA is the upper Niagara River (see Figure 17). The Niagara River is located along the western border of the TOA and approximately 4.5 miles of the coastline is located within the TOA. The River is navigable and is a popular recreation destination for boaters. Several areas along River Road / Niagara Street, Riverwalk Park, and Isle View County Park afford spectacular views of the Niagara River.



View of the Niagara River from River Road / Niagara Street

Two small creeks and several small tributaries are also located within the TOA. The creeks and tributaries are classified by the New York State Department of Environmental Conservation as Class B streams and would therefore likely require permitting should work occur within or adjacent to the waterway.

Two Mile Creek traverses the TOA in a south to north direction between Sheridan Drive and the Niagara River. Informal open space owned by the City and County along both sides of the creek and the Two Mile Creek Greenway take advantage of the views and tranquility afforded by the creek. Two Mile Creek is not considered navigable. Four un-named tributaries flow into Two Mile Creek as can be seen in Figure 17.

Rattlesnake Creek traverses the northern half of the TOA in a west to east direction between the I-190 and empties into Two Mile Creek. Rattlesnake Creek is not considered navigable.

There are several Federally- or State designated mapped wetlands within the TOA. Federally-designated ponds are scattered throughout the TOA. The Niagara River, small tributaries to the Niagara River, and many of the NYSDEC classified waterbodies are classified as Federally-designated Riverine areas.

As part of this study, preliminary wetland determinations were made for a handful of properties located within the MileView Strategic Area (see Appendix I). Additional wetland delineations will need to be conducted in all other suspected wetland areas in order to determine exact boundaries. Any development should be situated or constructed to avoid or minimize impacts to these water based resources (creeks and wetlands).



Wetlands along Rattlesnake Creek at Riverview Solar Technology Park

FLOOD AREAS

Potential flood areas designated by the Federal Emergency Management Agency (FEMA) are one of the potential constraints on development or redevelopment of properties along the waterfront within the TOA. As shown in Figure 17 several areas along the waterfront and as deep as River Road are within the Special Flood Hazard Area (SFHA) associated with the Niagara River (an approximately 196 acre area) based on the 1981 Federal Insurance Rate Maps (FIRM). Previously known as the 100 year flood zone, the SFHA has a 1% chance per year of flooding.

It should be noted that FEMA is preparing to update their FIRM maps of Erie County. Based on preliminary maps dated December 31, 2009, the SFHA would change along the waterfront. Areas of greatest change would include:

- *Recently Retired Huntley Power Plant* – SFHA northeast of ponds would be removed while a SFHA along the southeast portion of the coal pit would be added;
- *Water Treatment Facility* – SFHA would be pushed back closer to the waterfront;
- *Tonawanda Coke (waterfront property)* – SFHA would create a "U" shape along the north, west, and south boundaries of the property leaving the center largely out of the SFHA;
- *Marathon and Niagara River World* – SFHA would be pushed back closer to the waterfront;
- *Cherry Farm* – SFHA would only exist along west, north, and east boundary of the property leaving the center largely out of the SFHA;
- *A Duie Pyle* – SFHA would be pushed back closer to the waterfront;
- *Enbridge Energy Partners* – SFHA would be removed;
- *United Refining (waterfront property)* – SFHA would be added to cover the tank and pond; and
- *Isle View County Park* – SFHA would extend further to the east.

The 1981 FIRM maps are still the official maps until FEMA finalizes the newer ones. However, once the newer maps are finalized, the Town must adopt and replace the current floodplain laws and maps with newer model laws and the newer maps. At this point it is unknown when the newer maps will be finalized.

At any rate, the Town and City of Tonawanda regulate construction and development in the SFHA to ensure that buildings will be protected from flood damage. All

development within the SFHA (not just construction of buildings, but filling, excavation, fences, etc.) is required to obtain a Town or City of Tonawanda Floodplain Development Permit.

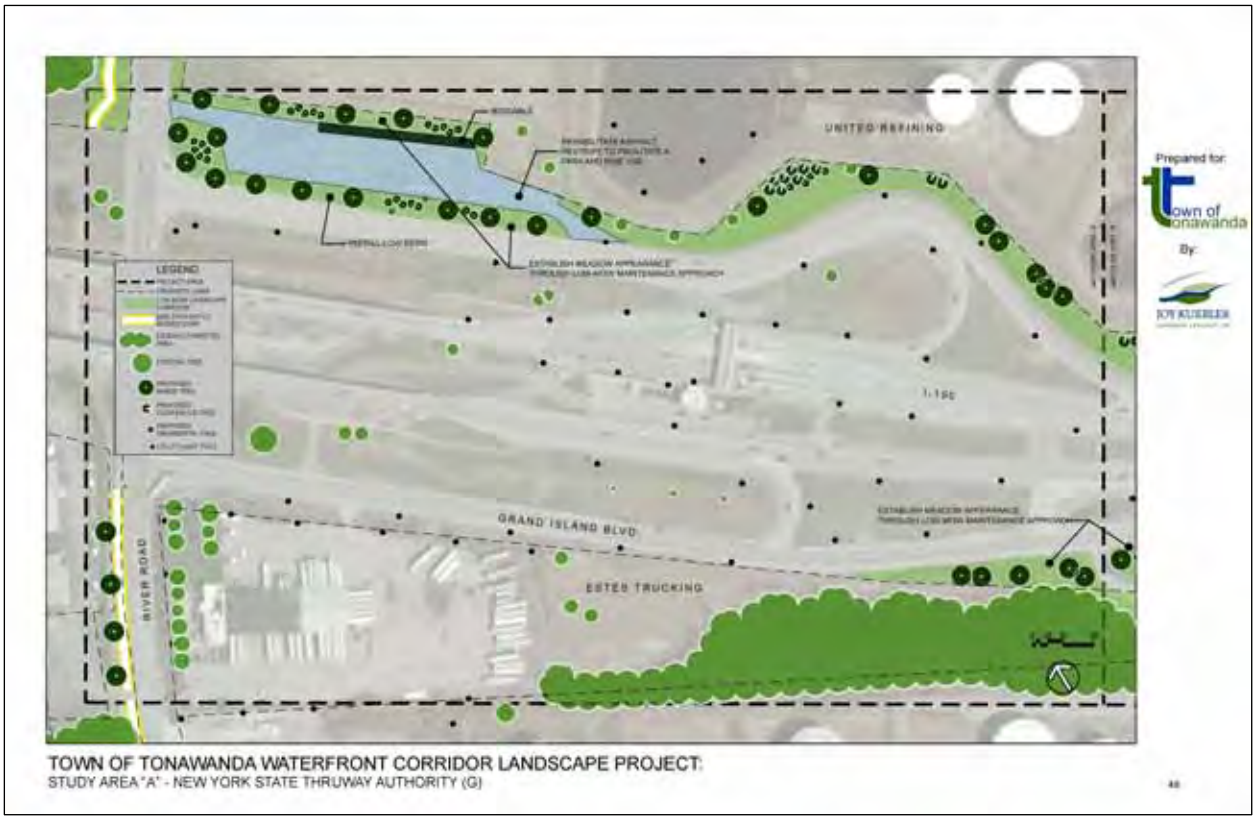
The Town and City of Tonawanda are active participants in the National Flood Insurance Program (NFIP) which provides federally backed flood insurance in communities that enact and enforce floodplain regulations.

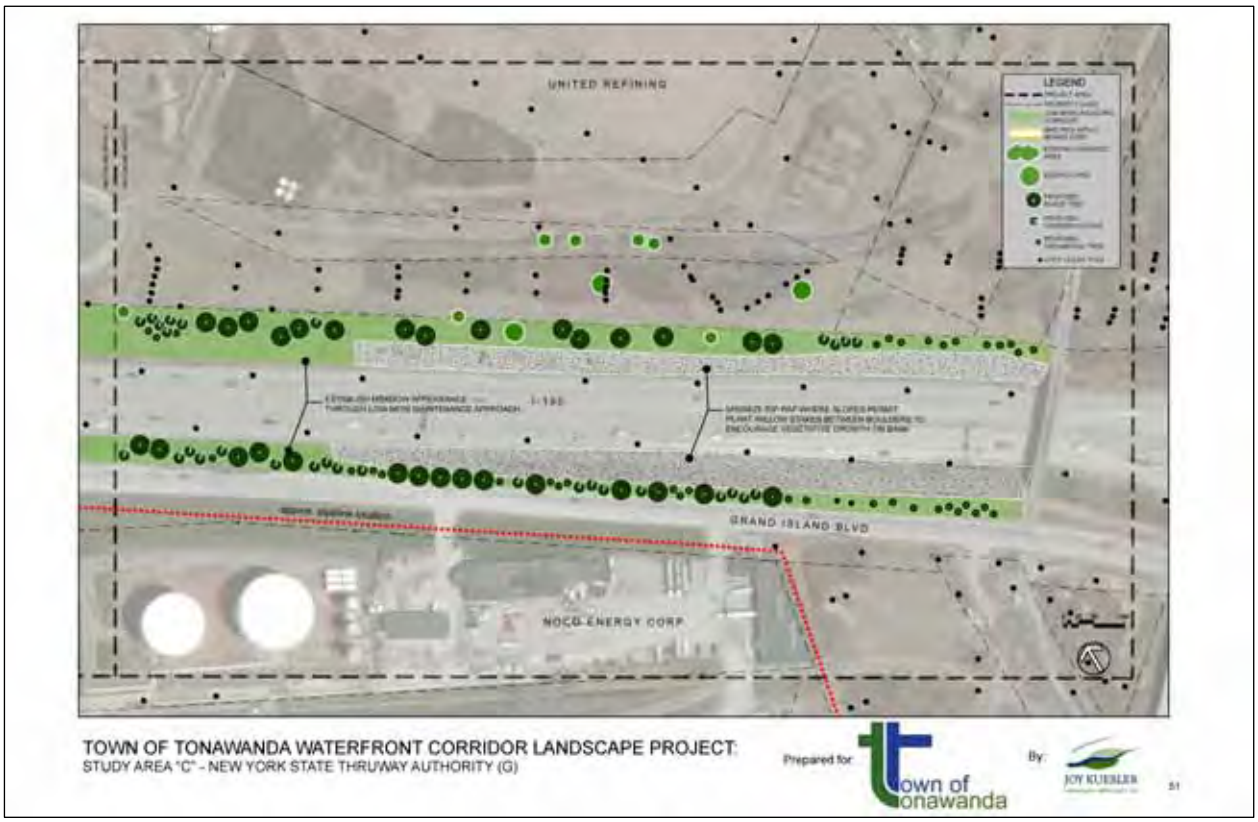
Any development in the SFHA adjacent to the Niagara River should be situated or constructed to avoid the impacts of flooding.

GREEN INFRASTRUCTURE

The Town of Tonawanda is becoming a leader in Western New York for implementing green infrastructure practices into public infrastructure projects. Western New York's largest rain garden will be located in the North Youngmann Commerce Center which is within the TOA. Outside the TOA, the Town has recently installed a 1.5 mile trail in Lincoln Park that includes pervious pavement. Both projects have taken advantage of nearly $1 million in state Green Innovation Grant Program funding.

Similarly, the Town recently completed a report and associated plans to install native plantings along River Road within the TOA. While the primary objective of the project is to provide a visual buffer between River Road and adjacent heavy industrial sites, a secondary benefit is that the landscaping will also reduce stormwater infiltration as well as improve the quality of water entering the stormwater system. Another recommendation from the report is to screen the heavy industrial sites along the I-190 corridor within the TOA which is particularly relevant with the Thruway authority's initiation to remove the Grand Island Bridge toll barriers.





Plans from the Town of Tonawanda Waterfront Corridor Landscape Project show options for significant landscaping near the 1-190 (NYS Thruway)

HISTORIC AND ARCHAEOLOGICAL RESOURCES

As the area was developed relatively late in Western New York (after 1900), there are not a lot of cultural or historic areas in the TOA (Figure 18). There are no buildings within the TOA listed on the National Register of Historic Places. However, the State Historic Preservation Society (SHPO) has indicated that the existing Niagara River World warehouse (also referred to as the Wickwire-Spencer Steel Company Plant) is potentially eligible for listing in the National Register of Historic Places and requires additional information in order to make a determination.

Although it is not listed on the National Register of Historic Places, Riverwalk is essentially built over the old bed of the Erie Canal and two small commemorative placards are located along Riverwalk near Cherry Farm. In addition, the majority of the TOA is considered an archaeologically sensitive area as several archeological sites have been previously identified within and adjacent to the Study Area.

The location of archeological sensitive areas, list of Nationally Registered Historic Places and Historic Districts, and list of eligible and potentially eligible buildings is a snapshot in time. They are liable to change in the future and SHPO should be consulted as projects are developed.

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TOWN OF TONAWANDA

TONAWANDA
OPPORTUNITY AREA

NOMINATION STUDY

LAND OWNERSHIP MAP*

- TOA Nomination Study Area
- Strategic Areas
- Municipal Boundaries (White)
- Creek
- Town of Tonawanda
- City of Tonawanda
- Erie County
- Erie County Water Authority
- New York State
- National Fuel / National Grid
- Railroad
- Non-Profit Organization
- Private Property (No bounds or fill)

Note: * This map only depicts ownership data within the TOA.

Sources:
1. TOA Nomination Study Area Boundary: Created by LaBella using parcel boundaries provided by the Town of Tonawanda
2. Strategic Areas: Created by LaBella based on Town and Steering Committee input
3. Roads, Creek, and Municipal Boundaries: Census Shapefiles from TIGER/Line database (minor edits by LaBella to municipal boundaries to match property lines)
4. Town and City of Tonawanda property boundaries (including 2015 ownership data): Provided by the Town of Tonawanda with minor edits by LaBella where ownership data was missing from the database but known by the Town
5. Aerial background: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community.

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Labella Project No: 2151300

Strategic Areas

1. MileView
2. United
3. Niagara River World / INS / Cherry Farm
4. Huntley / Sawyer

This map was prepared for the Town of Tonawanda and the New York State Department of State with state funds provided through the Brownfield Opportunity Areas Program.

Path: J:\Tonawanda - Town of\2151300 - Brownfield Opportunity\Maps\FINAL Maps\Ownership.mxd

Figure 15: Property Ownership

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TOWN OF TONAWANDA

TONAWANDA OPPORTUNITY AREA

NOMINATION STUDY

PARKS AND OPEN SPACE MAP*

- TOA Nomination Study Area
- Strategic Areas
- Municipal Boundaries (White)
- Creek
- Municipal Park
- Municipal Athletic Field
- Municipal Playground
- School w/ Rec. &/or Open Space
- Public/Non-Profit Community Center
- Public Open Space Area
- Cemetery

Note: * This map only depicts park and open space resources within the Town and City of Tonawanda. Resources are not depicted in the City of Buffalo or Town of Grand Island.

Sources:
1. TOA Nomination Study Area Boundary: Created by LaBella using parcel boundaries provided by the Town of Tonawanda
2. Strategic Areas: Created by LaBella based on Town and Steering Committee input
3. Roads, Creek, and Municipal Boundaries: Census Shapefiles from TIGER/Line database (minor edits by LaBella to municipal boundaries to match property lines)
4. Municipal Parks, Athletic Fields, Playgrounds, Schools, Public/Non-Profit Community Centers, Public Open Space Areas, and Cemeteries: Created by Labella based on analysis of land use codes, online research, and aerial imagery
5. Aerial background: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community.

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Labella Project No: 2151300

Niagara River
Niagara St
266
River Rd
Isle View County Park
Tonawanda Firemen's Park
Riverwalk Park & Multi-Use Path
Riverwalk Pkwy
City-Owned Open Space & Multi-Use Path
Hinds St
Wheeler St
Hackett Dr
City of Tonawanda
Town of Tonawanda
190
1
2
Two Mile Creek Rd
Pirson Pkwy
290
Fire Tower Dr
Town-Owned Open Space
Two Mile Creek
265
384
3
Riverwalk Park & Multi-Use Path
Military Rd
Delaware Ave
Kaufman Playground
James Ave
Kaufman Ave
Sawyer Ave
Sheridan Dr
324
Kenmore Ave
4
Town of Grand Island
Town of Tonawanda
City of Buffalo

Strategic Areas
1. MileView
2. United
3. Niagara River World / INS / Cherry Farm
4. Huntley / Sawyer

This map was prepared for the Town of Tonawanda and the New York State Department of State with state funds provided through the Brownfield Opportunity Areas Program.

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Figure 16: Parks and Open Space

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TOWN OF TONAWANDA

TONAWANDA OPPORTUNITY AREA

NOMINATION STUDY

NATURAL RESOURCES MAP

TOA Nomination Study Area
Strategic Areas
Municipal Boundaries (White)

Federal Classification
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond (White Boundary)
- Riverine

State Classification
- Classified Waterbodies
- State Wetland (White Boundary)

FEMA Classification
- Special Flood Hazard Area (1%)
- 0.2% Annual Chance Flood Hazard

Sources:
1. TOA Nomination Study Area Boundary: Created by LaBella using parcel boundaries provided by the Town of Tonawanda
2. Strategic Areas: Created by LaBella based on Town and Steering Committee input
3. Roads and Municipal Boundaries: Census Shapefiles from TIGER/Line database (minor edits by LaBella to municipal boundaries to match property lines)
4. Federal Classification: Obtained from National Wetland Survey - US Fish & Wildlife Service
5. State Wetlands: Obtained from CUGIR
6. State Classified Waterbodies and FEMA Classified Flood Hazard Areas: Obtained from NYSGIS Clearinghouse
7. Aerial background: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community.

0 2,000 Feet

1:24,000

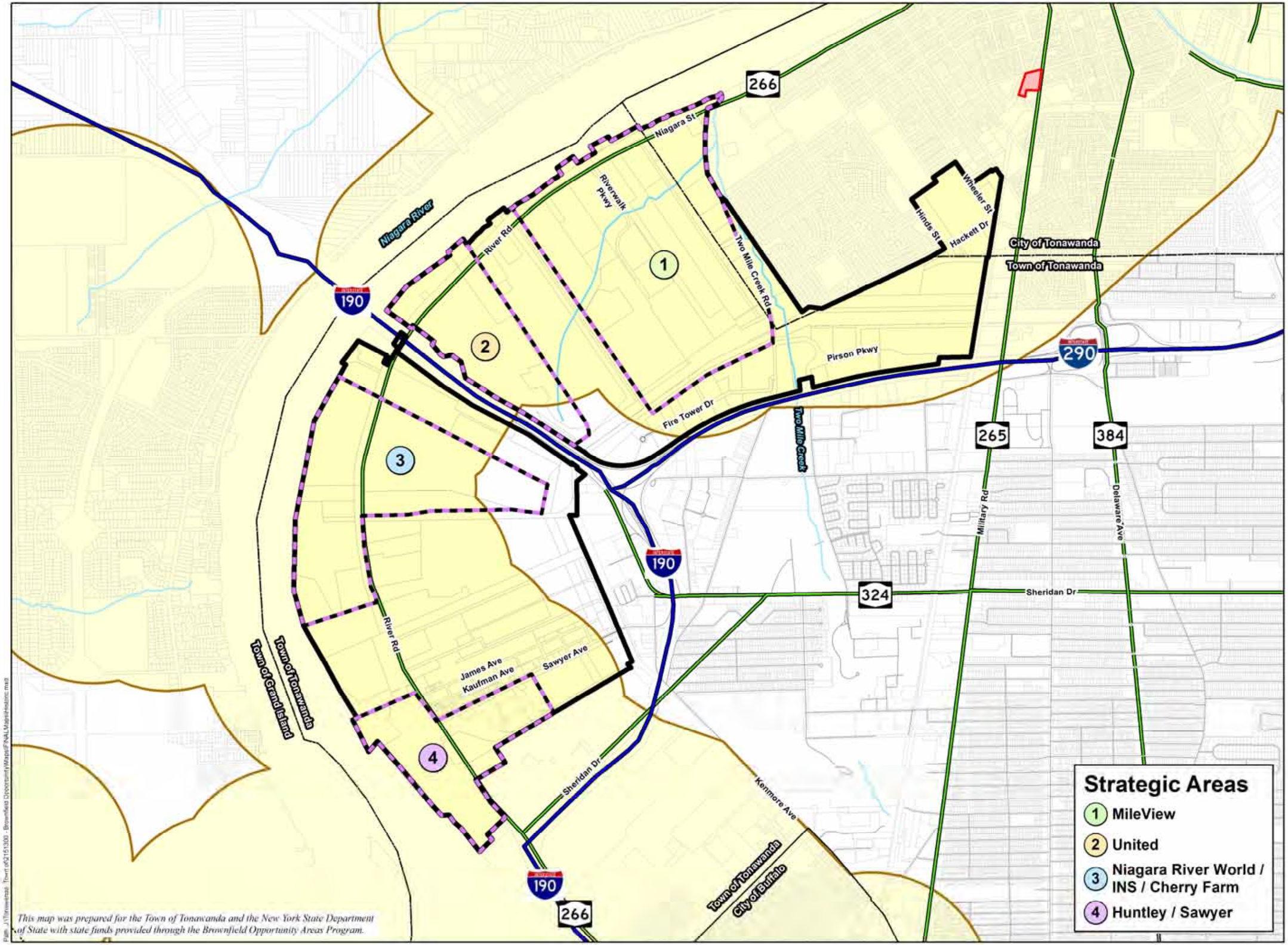
Labella Project No: 2151300

Strategic Areas
1. MileView
2. United
3. Niagara River World / INS / Cherry Farm
4. Huntley / Sawyer

This map was prepared for the Town of Tonawanda and the New York State Department of State with state funds provided through the Brownfield Opportunity Areas Program.

Path: J:\Tonawanda Town of\2151300 - Brownfield Opportunity\Maps\FINAL Maps\Natural Resources.mxd

Figure 17: Natural Resources



LABELLA Associates, D.P.C.

TOWN OF TONAWANDA

TONAWANDA OPPORTUNITY AREA

NOMINATION STUDY

HISTORIC AND ARCHEOLOGIC RESOURCES MAP

- TOA Nomination Study Area
- Strategic Areas
- Municipal Boundaries
- Property Boundaries
- Creek
- Interstate
- Expressway / Parkway
- National Register Historic Place
- Archeological Sensitive Area

Note: The archeological sensitive areas are approximate. This map should not be used as a substitute to proper coordination with SHPO.

Sources:
1. TOA Nomination Study Area Boundary: Created by LaBella using parcel boundaries provided by the Town of Tonawanda
2. Strategic Areas: Created by LaBella based on Town and Steering Committee input
3. Roads, Creek, and Municipal Boundaries: Census Shapefiles from TIGER/Line database (minor edits by LaBella to municipal boundaries to match property lines)
4. Town and City of Tonawanda property boundaries (2015): Provided by the Town of Tonawanda
5. Property boundaries outside of Town and City (2013): Provided by Erie County
6. National Register Historic Places: Obtained from OPRHP and updated using current national listings
7. Archeological Sensitive Areas: Digitized from NYS's online Cultural Resource Information System (CRIS).

0 2,000 Feet

1:24,000

Labella Project No: 2151300

Figure 18: Historic and Archaeological Resources

ECONOMIC AND MARKET ANALYSIS

The Tonawanda Opportunity Area is uniquely situated between Toronto, Buffalo, and Rochester, which brings both benefits and challenges to assessing economic and market trends and projections, and applying those data to use in development decisions in the TOA. Some items to consider in assessing the applicability of data are:

- The majority of land use in the TOA is classified as industrial, infrastructure or vacant which is in contrast to the local economic trends of employment growth in professional, management, finance, advanced manufacturing and accommodations. **Economic development strategies to repurpose much of the heavy industrial land and develop vacant land that would align with these growing or emergent industries (professional, management, finance and advanced manufacturing) should be promoted**.
- **Easy access to both Canadian and U.S. markets via interstates, highways, and international bridges makes this a desirable location for warehousing and related importing/exporting, distribution**, etc. While these industries are expected to grow in the next decade, growth is not anticipated to be significant.
- Retail data may seem to indicate the potential for the Town of Tonawanda to recapture sales leakage; however, existing major shopping centers and popular tourist attractions in the metropolitan area, including the areas around the Walden Galleria and the Town of Amherst, combined with low traffic counts on River Road, likely make the prospects of recapture unrealistic in anything other than immediate and close to home goods.
- Reflective of its manufacturing roots, the TOA, like the greater Buffalo-Niagara region, is dominated by industrial uses. In addition to this, the contaminated land and nearby landfills all pose some serious challenges to bringing new residential development to certain areas in the TOA. However, **the presence of parks, multi-use paths, and access to the Niagara River are all valuable features that can be capitalized on to help outweigh the challenges, especially because the seniors and millennial that are creating demand for housing desire these amenities**.
- **The aging population in the area should be considered for development opportunities in residential development**, potential senior living facilities, as well as commercial development for health and aging services that would be

utilized by this population. This is further supported by the projected employment growth in Health and Social Services.

- While there is not a healthy demand for new hotel space in the region, and there are not any accommodations currently in the TOA, there has been a trend locally to upgrade or replace outdated hotels. **With a central location next to highways on the Niagara River waterfront, the TOA may be a good candidate for accommodations.** Sites closer to the City of Tonawanda, away from certain incompatible uses, may be good locations for new accommodations.

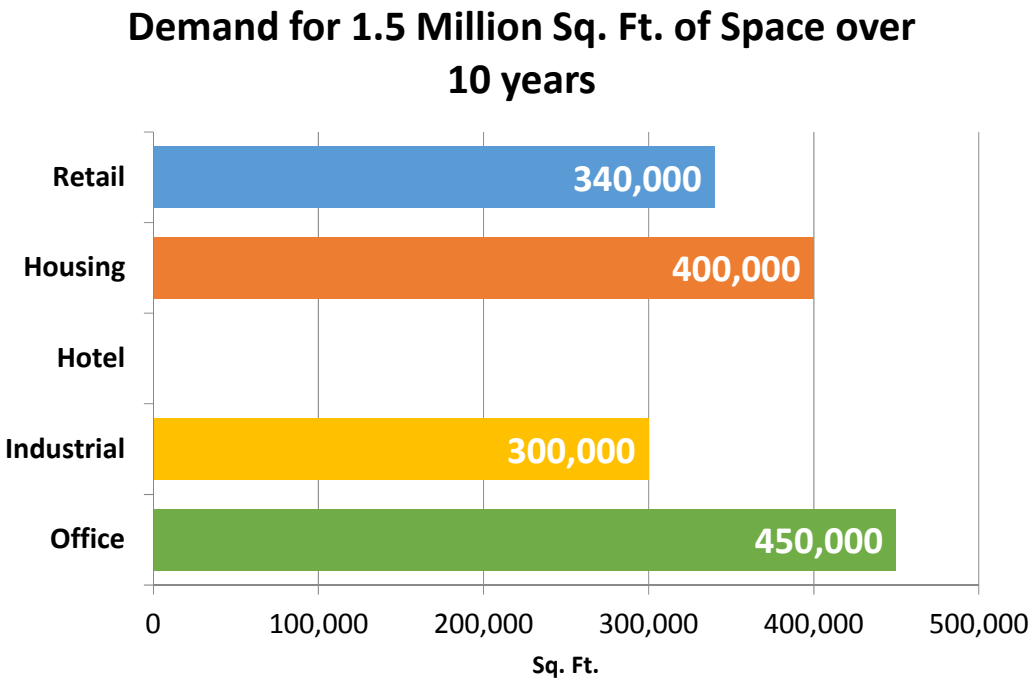
SUMMARY OF MARKET FINDINGS

Based on the analyses of the office, industrial, residential, hotel and retail markets regionally, and Tonawanda's share of those markets, there is a demand for approximately 1.5 million square feet of space over the next 10 years as detailed in Table 11 below. It is conservatively estimated that the Tonawanda Opportunity Area could capture 450,000 square feet of additional office space, 300,000 square feet of additional industrial/warehouse/distribution space, 240,000 square feet of additional eating and drinking space, and 100,000 square feet of additional retail space over the next 10 years. In addition, is it conservatively estimated that there will be a demand for 25 new market rate for sale units (townhouses, condominiums) and 250 new market rate 0-2 bedroom units in the TOA over the next 10 years.

Table 11: Summary of Market Findings

Use	Demand (sq. ft.)	Industries / Uses
Office	450,000	Finance, professional, technical, health care, educational, administration, back office, collection
Industrial	300,000	Warehousing, construction building trades, metal forging/welding/stamping, electrical equipment manufacturing
Hotel	0 – Market is saturated	
Housing	400,000	25 market rate townhouses/condos; 250 market rate 0-2 bedrooms
Retail	340,000	240,000 sq. ft. food/drinking; 100,000 sq. ft. convenience retail

Source: LaBella Associates



Use	Industries / Uses
Office	Finance, professional, technical, health care, educational, administration, back office, collection
Industrial	Warehousing, construction building trades, metal forging/welding/stamping, electrical equipment manufacturing
Housing	25 Market Rate townhouses/condos; 250 market rate 0-2 bedrooms
Retail	240,000 sq. ft. food/drinking; 100,000 sq. ft. convenience retail.

SUMMARY OF ANALYSIS AND KEY FINDINGS

The Town of Tonawanda initiated the Tonawanda Opportunity Area plan in the fall of 2015 to develop an area wide Master Plan to advance redevelopment of underutilized and vacant sites. Prior to developing the Master Plan, the following key findings were considered:

KEY FINDINGS

1. **POPULATION IS STABILIZING**: The TOA is made up of three census tracts and the one in the City of Tonawanda is growing in population while the other two have stopped losing population.

2. **ZONING IS PRIMARILY INDUSTRIAL**: Although the Waterfront Industrial zone is flexible, the zoning in the TOA favors industrial uses while the trend is towards mixed use development in the MileView Strategic Area.

3. **INFRASTRUCTURE IS LIMITED**: Because of the nature of past development patterns there are no roadways, water/sewer, or telecommunications infrastructure in the TOA except on the major roadways.

4. **THERE IS DEMAND FOR ALL USES EXCEPT FOR HOTELS**: The Economic and Market Analysis showed that over the next ten years, conservatively, there is demand for more than 1.5 million square feet of retail, office, industrial, and residential space in the TOA.

5. **29.3% OF LAND IN THE BOA IS UNDERUTILIZED OR VACANT WITH DEVELOPMENT POTENTIAL**: Eight properties were classified as underutilized and 28 properties were classified as vacant with a total of 693 acres.

6. **THE TOA IS WELL SERVED BY TRANSPORTATION ROUTES**: Interstate 190/290 is directly south and west of the TOA carrying approximately 70,000 cars daily with two direct exits into the TOA. River Road, or State Route 266, also provides local and regional access to the TOA.

7. **PUBLIC OWNERSHIP IS VERY LIMITED**: With exception of the North Youngmann Commerce Park and Spaulding Commerce Park, there is very limited public ownership of property in the TOA which could make property assembly difficult.

8. **ACCESS TO NATURAL RESOURCES AND RECREATION IS EXCEPTIONAL**: Despite being in a former industrial zone, the TOA has 4.5 miles of Niagara River waterfront, multiple existing and planned trails, two named creeks, and wooded areas.

9. **THE TOA PROVIDES OPPORTUNITIES TO IMPLEMENT THE TOWN'S GREEN INFRASTRUCTURE POLICIES**: The Town has been aggressive in implementing green infrastructure in the TOA at the North Youngmann Commerce Center and outside the TOA at Lincoln Park. There is a great opportunity to incorporate green infrastructure practice into TOA private and public development projects.

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SECTION 4

IMPLEMENTATION STRATEGY

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SECTION 4. IMPLEMENTATION STRATEGY

Sections 1 through 3 of this Step 2 Nomination Plan describe the planning process, community input, future vision, and existing conditions that will ultimately influence any redevelopment strategy. This section of the plan will turn the community's vision into a set of implementable projects and regulatory action modifications. A preferred Master Plan for Redevelopment of the Strategic Areas has emerged throughout this iterative process. The preferred Master Plan includes recommended development projects, major transportation improvement projects, and trail/park projects to be completed over the next 10 to 20+ year timeframe.

Various technical studies, which can be found within the Appendices, informed the Master Planning process. In addition, consideration of public and steering committee comments, existing conditions, and environmental concerns created multiple alterative concept plans before reaching the preferred Master Plan. This section will reiterate the Step 2 Nomination Plan's vision, goals, and strategies, discuss the various alternative concept plans, detail the preferred Master Plan, and discuss the potential environmental impacts and mitigation measures associated with the preferred Master Plan.

VISION, GOALS AND STRATEGIES

As described in Section 2, the community created a vision for the 2,632 acre Tonawanda Opportunity Area. The preferred Master Plan is based on the TOA vision, goals, and strategies as presented below:

VISION

The Tonawanda Opportunity Area will become a sustainable mixed use neighborhood providing residents, businesses, and tourists with new living, working, and recreational opportunities along an accessible Niagara River waterfront.

GOALS AND STRATEGIES

RECLAIM THE WATERFRONT: Reconnect sites in the Tonawanda Opportunity Area with the area's most significant natural resource – the Niagara River – and other sites in the region.

Improve access to the Niagara River

The TOA is blessed with 4.5 miles of Niagara River waterfront and improvements to River Road and additional trail connections to the River will help reconnect the waterfront.

Take advantage of the area's strategic location in the Buffalo Niagara region
The TOA is in the geographic center of the Buffalo Niagara Region with excellent transportation access and waterfront access.

Focus on roadway and other infrastructure investments to drive economic development projects
Significant investments in roadway and infrastructure improvements will be needed by both the public and private sectors to provide access to interior TOA sites and from those sites to the waterfront.

RESTORE THE RIVER ROAD CORRIDOR: Re-purpose land and buildings for productive re-use and environmental renewal to support the sustainable, long term revitalization of the River Road corridor.

Induce redevelopment of underutilized and vacant properties in the River Road corridor
Advancing redevelopment and re-purposing of vacant and underutilized sites with a focused and strategic approach based on the market will restore the vitality of the area.

Incorporate sustainable development strategies including clean energy and green infrastructure
Implementing clean energy strategies and green infrastructure at private and public development sites will improve resiliency and promote sustainability.

REBRAND: Change the image of the River Road Corridor by introducing new uses and promoting high quality design.

Re-zone areas of the Tonawanda Opportunity Area to promote more mixed use development
Re-zoning industrial land for mixed use development will support the market for more commercial and residential uses that will provide a new image for the River Road corridor.

Adopt or update Design Guidelines
New residents, businesses and tourists invest in areas that provide a high quality of amenities and design.

ALTERNATIVE CONCEPTS

Prior to the creation of the preferred Master Plan, various alternative concepts were created, altered, and transformed throughout the iterative planning process. These alternative concept plans included [1] the original 2012 concept plan created as part of the Step 1 Tonawanda BOA Pre-Nomination Study, [2] compiled results of the November 2016 stakeholder workshop, and [3] preliminary development plans as presented at the Developers Forum in May 2017. Differences amongst these three alternative concept plans with each other and with the preferred Master Plan included the location and density of particular uses. The alternative concept plans evolved over time reacting to the existing economic conditions, development constraints and opportunities, potential environmental impacts, and input from the steering committee, stakeholders, and the public, ultimately creating the preferred Master Plan.

A fourth alternative to the preferred Master Plan is the "No Build" alternative in which none of the proposed projects are implemented and where current market trends are allowed to continue as is. This alternative would likely lead towards continued underutilization of industrial land (particularly within the Niagara River World/INS/ Cherry Farm Strategic Area) and vacant land (particularly within the MileView Strategic Area), continued disconnect between residential neighborhoods and office/industrial parks from the Niagara River, and sporadic office/flex space builds within the Riverview Solar Technology Park. While it may seem that the No Build alternative would have no impact on the environment, it would in fact allow large tracts of land to remain contaminated and limit the public's potential access to the waterfront. This alternative would not realize any aspect of the community's vision and has therefore been removed from the pool of acceptable alternatives.



[1] The original 2012 concept plan created as part of the Step 1 Tonawanda BOA Pre-Nomination Study



[2] Compiled results of the November 2016 stakeholder workshop.
MileView Strategic Area (top) and Niagara River World (bottom)





[3] Preliminary development plans as presented at the Developers Forum in May 2017
MileView Strategic Area (top) and Niagara River World/INS/Cherry Farm Strategic Area (bottom)

TONAWANDA OPPORTUNITY AREA MASTER PLAN

The preferred Tonawanda Opportunity Area Master Plan includes four Strategic Redevelopment Areas in a larger 2,632 acre area in the Town of Tonawanda along approximately 4.5 miles of Niagara River waterfront. The plan is based on the community's vision, the above mentioned goals and strategies, input from the public, stakeholders, steering committee, and Town representatives, and findings from various technical studies including Section 3 of this Plan (existing conditions and economic/market realities).

The four Strategic areas in the Master Plan include:

- **MileView**: The MileView Strategic Area includes properties between the City of Tonawanda and the Riverview Solar Technology Park. The primary goals of this Strategic Area were to provide better internal road and multi-modal access, build on the success of the Riverview Solar Technology Park, and to provide better access from the "mile strip" parcels to the Niagara River.

- **United**: The United Strategic Area primarily includes waterfront and interior lands owned by United Refining Corporation that are significantly underutilized. It is directly north of Interstate 190 and the Grand Island Bridges.

- **Niagara River World/INS/Cherry Farm**: This Strategic Area includes one of the largest sections of waterfront in Tonawanda and redevelopment of the sites would increase access to the waterfront while providing an improved gateway into the southern portion of the TOA.

- **Huntley/Sawyer**: This Strategic Area includes the recently shuttered Huntley Power Plant and the Sawyer Avenue industrial area. While redevelopment of the Huntley Power Plant will take time, it is a key strategic site for future development as are multiple parcels on Sawyer Avenue.

Within the preferred Master Plan, conceptual plans were only developed for the MileView and Niagara River World/INS/ Cherry Farm Strategic Areas. Both those areas had the highest potential for redevelopment in the next decade and have the most information available regarding constraints, opportunities and development feasibility.

Conceptual plans were not created for the United or Huntley/Sawyer Strategic Areas. Concerning the United Strategic Area, the steering committee agreed to include the

site as a Strategic Area because of its advantageous location and obvious potential to be vacant in the future. However, the committee also agreed not to develop any conceptual plans for the site because there were too many unknowns at this time with the site, and other sites were more important to address. Similar to the United Strategic Area, the steering committee decided to make the Huntley/Sawyer area a Strategic Area to take advantage of future BOA tax credits and economic development grant opportunities. However, plans were not developed for this site because it is anticipated that redevelopment of the site, and associated coordination with owner Huntley Power LLC, will be a long term redevelopment opportunity.

In general, the preferred Master Plan as it relates to the MileView Strategic Area recommends a shift in land use patterns, particularly along River Road and Two Mile Creek Road. These areas will be repurposed from vacant land and industrial uses to a mixture of uses including residential, retail, restaurant, and office uses. Interior roadways/boulevards will be constructed to provide access into the interior of the Strategic Area. These newly accessible vacant areas will be utilized for office and light industrial/warehouse expansion and solar fields. A substantial trail network will connect residents and employees to the regional trail network and the Niagara River waterfront.

In general, the preferred Master Plan as it relates to the Niagara River World/INS/ Cherry Farm Strategic Area recommends the complete utilization of vacant industrial and landfill land. Plans include improving existing structures, building additional light industrial/warehouse space, creating the Cherry Farm Park and trail network, and making a regional composting facility.

Changes to the layout of River Road, the addition of several new interior roadways and roundabouts, and the expansion of existing multi-modal transportation networks will connect residents and employees to the Niagara River while opening up opportunities for future development.

The following pages break the preferred Master Plan into the two Strategic Areas for which plans were created, providing 2D concept plans, 3D illustrations, and detailed project summaries. To realize the vision of the preferred TOA Master Plan concepts and to advance the Town's economic development program, several additional recommendations including capital improvement projects and regulatory actions are outlined as well.

PREFERRED TOA MASTER PLAN
Strategic Areas

Niagara River

266

Niagara St

Riverwalk Pkwy

River Rd

1

MileView

United

2

Rattlesnake Creek

Two Mile Creek Rd

Hinds St

Wheeler St

Hackett Dr

City of Tonawanda

Town of Tonawanda

190

290

Pirson Pkwy

Fire Tower Dr

Two Mile Creek

265

384

Niagara River World/
INS/Cherry Farm

3

River Rd

James Ave

Kaufman Ave

Sawyer Ave

Town of Tonawanda

Town of Grand Island

Huntley/Sawyer

4

Sheridan Dr

190

Delaware Rd

Niagara River World/INS/
Cherry Farm



MileView Strategic Area

The MileView Strategic Area has the greatest potential in the Tonawanda Opportunity Area for new development and redevelopment of brownfield sites. The area has exceptional access to the regional road network, enjoys a mile of beautiful Niagara River waterfront and many properties in the area have been remediated. It is also home to the successful and burgeoning Riverview Solar Technology Park.

The goals of the MileView Strategic Area Master Plan are to:

- Complement existing development at Riverview Solar Technology Park;
- Create a new mixed use, pedestrian oriented "neighborhood" that has a sense of place;
- Capitalize on existing natural resources like the Niagara River, creeks and natural forested areas; and
- Improve access into the interior of the area between River Road and the Interstate 290.

However, the area must be developed in a phased approach by developing sections of roadways and amenities over time. A phased development approach should also be pursued because uses such as retail will follow the jobs created by office and industrial developments.



MileView Strategic Area

VISUALIZATION OF POTENTIAL DEVELOPMENT AND PLACEMAKING OPPORTUNITIES



STRATEGIES

1. Mixed Use Town Center: The Town of Tonawanda does not have a Town Center and the MileView Strategic Area provides the ideal opportunity to create one along the Niagara River. The Town Center would be a mixed use, pedestrian oriented center with multiple story buildings with residential on the upper floors and commercial uses on the first floor.

2 & 3. Riverside Commercial Sites: Riverside commercial sites would provide small to medium sized Class A office and regional retail stand-alone sites that could take advantage of Niagara River views and access to River Road.

4. Office and Light Industrial Zone: For companies that need larger sites, such as warehouse, light industrial and Class A office users, but also want to take advantage of natural resources such as forested land, interior trails and creeks.

5. Creekside Townhomes: A small "bluff" above Two Mile Creek would provide views of the City of Tonawanda and portions of the Niagara River to residents that prefer townhome or condominium living.

6. Solar Panel Array: Solar panels can provide sustainable and affordable power to area businesses and residents.

7. Trail Network: A trail network would provide transportation options and recreational opportunities to residents and workers in the new neighborhood including those who live and work there.

MARKET BASED POTENTIAL USES

- Office
- Retail/Restaurants
- Residential
- Light Industrial/Warehouse

MIXED USE TOWN CENTER (PROJECT #1)

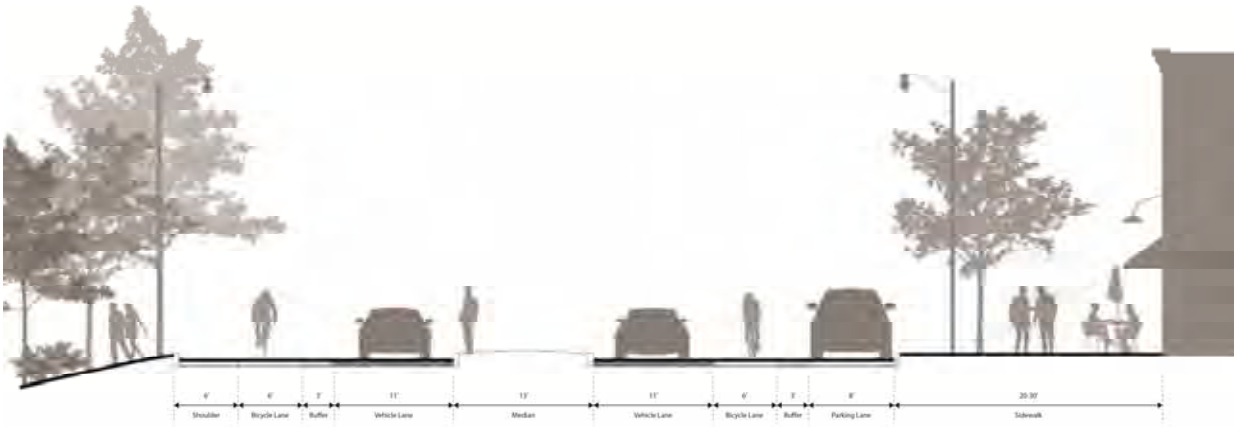
A new mixed use Town Center would be located between Two Mile Creek and the proposed new Boulevard, facing River Road and the Niagara River. Currently, the Town has no "downtown" and this area would provide an opportunity to create a high density, walkable mixed use center with a Town Square.

Mixed use buildings with commercial spaces on the first floor would also include market rate residential units on the upper floors. Buildings would be as tall as six-stories to provide views of the Niagara River for residents on the upper floors. Buildings would be of high quality and based on design criteria.

Traffic calming on River Road (Project #14) would allow easier crossing for pedestrians and provide bike lanes for bicyclists. A roundabout would be installed at the intersection of River Road with the new Boulevard and a center landscaped median would be installed on River Road. Residents and employees would have easy access to the trails along the Erie Canal path and proposed new trails (Project # 7) within the TOA all of which will connect to a larger regional network of trails.



Illustration of Town Center between Two Mile Creek Road and the proposed new Boulevard





Section view (top) and visualization (bottom) of River Road at the proposed new Boulevard

RIVERSIDE COMMERCIAL SITES (PROJECTS # 2 AND 3)

The Riverside commercial sites at MileView would be a slightly less dense development area just to the west of the Town Center. While the area would still have some three- to four-story mixed use buildings, the height and density of buildings would decrease and building coverage would decrease going west from the Town Center.

The larger building coverage would allow for the development of medium sized Class A office sites and stand-alone retail and restaurant sites. Commercial building heights would be lower in this area and average two stories. Some residential development is also possible in this area as well, including stand-alone multi-story residential buildings that want to take advantage of views of the Niagara River.

The Riverside commercial sites' building design would be based on a set of design criteria and parking lots would incorporate green infrastructure for stormwater. Sites in the Riverside area would be heavily landscaped and parking lots would be hidden from public view sheds by buildings or landscaping.



Illustration of Riverside commercial area west of the proposed new Boulevard

OFFICE AND LIGHT INDUSTRIAL ZONE (PROJECT #4)

To the south and east of the Town Center and Riverside commercial sites is an area reserved for light industrial, warehouse or Class A offices for businesses that need larger sites and larger buildings. The new buildings would be compatible and complementary in scale and character with the Riverview Solar Technology Park.

Density of the sites would be lower than the Town Center and Riverside commercial area. Most sites would primarily be single use facilities with parking to accommodate employees.

Ideally site plans for this area would maintain some of the existing natural features or enhance existing natural features such as wooded areas. Similarly, parking lots and sites should be heavily landscaped and utilize green infrastructure to minimize impacts on the environment and stormwater system. In short, the office and light industrial zone should appear as if it were in the middle of a park.

The majority of the multi-modal trails proposed in the TOA traverse through the office and light industrial zone. Therefore site plans should also include areas set aside for trail construction and trail connections.

To encourage development of the office and light industrial zone investments in road and water/sewer infrastructure will be needed.



Illustration of office and light industrial zone

CREEKSIDE TOWNHOMES (PROJECT # 5)

The market study indicated a potential demand of 25 for sale and 250 for rent apartment units. This is following a trend throughout Upstate New York and the nation as the baby boomers retire and downsize. Millennials are also adding to the demand for rental units as they are delaying settling down and forming families.

Consequently the Master Plan includes an opportunity for townhouse development along Two Mile Creek Road. The units could be for rent or for sale units.

Placement of the townhomes along the west side of Two Mile Creek Road would take advantage of a slightly higher topography than Two Mile Creek. The "bluff" along the west side of Two Mile Creek would provide residents with views of the creek, the City of Tonawanda, and potentially the Niagara River. Parking would be situated behind the buildings to promote a natural aesthetic along the Two Mile Creek corridor.

The townhomes would be in close proximity to the Town Center so residents could walk or bike to the "downtown" for meals, convenience items and events. Access to the Town Center would be provided by nearby trails. Townhomes are also an ideal transitional use between the proposed office and light industrial zone and existing City of Tonawanda residential neighborhoods.



Illustration of townhomes along Two Mile Creek Road

SOLAR PANEL ARRAY (PROJECT # 6)

There are various “difficult sites” throughout the TOA where installation of solar panels, on ballasts, is feasible and a good interim or long term use for the property. With various New York State incentives the installation of solar panels has become more feasible. This site could potentially provide Community Solar power generation that could either serve sites within the MileView Strategic Area or large power users within or outside the Tonawanda Opportunity Area (i.e. large manufacturers, medical facilities, schools).

For a private development site, a general rule of thumb is that a minimum of 15 acres is required for solar panel arrays to be financially feasible. The thresholds for public sites may be smaller where a return on investment is not required.

The MileView Strategic Area plan proposes a solar array to supply affordable and sustainable power to area businesses on top of a “difficult site.” The Town of Tonawanda is encouraging solar arrays and other alternative energy options throughout the Town. The Town was recently designated a New York State Energy Research and Development Authority (NYSERDA) Clean Energy Community for their efforts to implement clean energy actions, save energy costs, and improve the environment.



A solar panel array on a difficult site

MILEVIEW TRAIL NETWORK (PROJECT #7)

One of the key statements of the TOA Vision Statement is to reconnect the TOA with the Niagara River and other sites within the TOA. Therefore the TOA Master Plan includes a network of trails throughout that weave the development areas to each other, the Niagara River and the regional trail network. This project includes a switchback trail near the proposed roundabout at River Road and Riverwalk Parkway that would connect the Mileview Trail network to the existing Riverwalk multi-use path located at a much lower elevation along the waterfront.



Trails would be an integral part of the area's alternative transportation network



Illustration of trail system near Riverwalk Parkway including a pedestrian bridge over Rattlesnake Creek

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Niagara River World/INS/Cherry Farm Strategic Area

This Strategic Area is a large area along the Niagara River that combines three underutilized strategic sites into one Strategic Area:

- Niagara River World – includes a 12 acre parcel with a warehouse and a vacant 50 acre parcel;
- Cherry Farm – a capped 56 acre landfill; and
- Former 29 acre INS junkyard which is currently being cleaned up and has been purchased by Erie County.

Based on the market analysis, parcel sizes and surrounding industrial uses in the area, as well as exceptional access to the Interstate, the site is ideal for warehouse and light industrial uses. While the uses would be industrial, they would be developed in parklike surroundings along the waterfront inclusive of trails, Niagara River access and lush landscaping.

Just as the MileView area was "primed" with recent Riverview Technology developments, this area would benefit from one project to promote the area's future development.



Niagara River World/INS/Cherry Farm Strategic Area

VISUALIZATION OF POTENTIAL DEVELOPMENT AND PLACEMAKING OPPORTUNITIES



STRATEGIES

8. Redevelop the Niagara River World Site: The current Niagara River World site is a large 230,000 square feet unheated warehouse. To be competitive with similar warehouse facilities, and to be considered for light industrial uses, the building should be heated and office space should be added.

9. Build New Warehouse and Light Industrial Space: Warehouse and light industrial space is at a premium in the Buffalo Niagara region and the exceptional access to the highway would make this site attractive to potential users.

10. River Dock: Maintain and upgrade the River dock at Niagara River World which is a significant feature.

11. Open Space Trail Network: Develop a bike/pedestrian trail that connects the three sites to each other, the Erie Canal trail and the Niagara River waterfront.

12. Cherry Farm Park: Redevelop the landfill for a Park to take advantage of extraordinary views of, and access to, the Niagara River.

13. Regional Composting Facility: Erie County is considering establishing a shared Regional Composting Facility at this site to serve multiple Towns in Erie County.

MARKET BASED POTENTIAL USES

- Light Industrial
- Warehouse

NIAGARA RIVER WORLD – REDEVELOPMENT, NEW BUILD, DOCK, AND TRAIL (PROJECTS # 8, 9, 10, AND 11)

Niagara River World is a unique and hidden opportunity in the TOA. The site is actually two parcels totaling 62 acres with a 230,000 sq. ft. unheated warehouse facility. An approximate 1,000 lineal foot river dock is part of the site which allows barge and ships to dock. Of the 62 acres approximately 50 acres are vacant and available for development.

At the same time the site is surrounded by heavy industrial uses. Tonawanda Coke is east of the property, the Cherry Farm landfill site is north of the site, and an oil storage and distribution facility is south of the property.

Because of the heavy industrial uses present in the vicinity, residential and office uses are not recommended at this strategic site. The construction of large industrial and warehouse space (250,000 to 500,000 sq. ft.) is recommended at the site which would not only be more appropriate but would also satisfy the need for industrial space in the Buffalo Niagara region (Project #9). Moreover, the site is ideally situated between two exits serving Interstate's 190 and 290. In addition, the existing warehouse should be heated and office space should be constructed within the warehouse for use by tenants (Project #8). The commercial-grade river dock should be maintained and upgraded (Project #10).

Although warehouse and light industrial uses are recommended at the site, the buildings and sites should be compatible with the prime waterfront location. Therefore the plan includes heavy landscaping on the River Road side of the development adjacent to the Riverwalk trail, and parking located at the side or rear of the buildings. Buildings are also set back approximately 400 feet from the Niagara River to maintain access to the waterfront.

The TOA trail network would also be introduced at the site to provide access to the River, circulation between buildings, and connections to Cherry Farm Park as well as the regional trail network (Project #11). The plan assumes the property between Niagara River World and the Cherry Farm will become part of the development.

A key action to support and facilitate the development of Niagara River World is the installation of a new entrance and roadway into the vacant 50 acre parcel. As shown on the plan, the proposed access roadway from River Road is aligned with an existing right of way the property owners obtained to install an access roadway.



A rendering from the Wall Street Journal showing modern warehouse design including landscaping that could be implemented at the Niagara River World site



Illustration potential "connector" park between Niagara River World and Cherry Farm Park

CHERRY FARM PARK (PROJECT #12)

The Cherry Farm Park concept has been a high priority of the Town of Tonawanda for more than 20 years. The Cherry Farm property is a former landfill and the groundwater there is currently being treated and monitored by the potentially responsible parties (National Grid and Honeywell).

As part of the 2014 Waterfront Land Use Plan a park design was developed for the site including passive and active recreational areas as well as trails and open space. Cherry Farm is located directly on the Niagara River at the "bend" in the River, thereby providing views north and south down the River.

The challenge is in the implementation of the project and dealing with operating and maintenance costs for the landfill in addition to future liabilities. The Appendices includes a "Cherry Farm Park Strategy" which begins to address those issues and potential solutions and partnerships to advance park redevelopment at the site.



Cherry Farm Park concept rendering from the 2014 Waterfront Land Use Plan by the Cecil Group

REGIONAL COMPOSTING FACILITY (PROJECT #13)

Erie County recently purchased and is currently cleaning up a former junkyard at 4111 River Road just east of and across the street from the Niagara River World site. The purpose of the purchase and subsequent cleanup was to develop a regional composting facility for multiple municipalities in Erie County. Currently many Towns are running out of space to compost leaves and other yard waste. At the same time, a regional composting facility has economies of scale for maintenance and operation that could potentially save money in the Towns while it produces revenue for the County.

A Phase I and Phase II Environmental Assessment were prepared for the site prior to Erie County's purchase of the property. Based on the findings the site is undergoing remediation and tires and other refuse have been removed.

Of the 30 acres available at 4111 River Road, the County believes they will only need 15 acres for the composting facility and the remaining 15 acres could be utilized for warehouse or light industrial development. Appendix G includes a property and topographical survey of 4111 River Road.



Illustration potential new light industrial/warehouse space and regional composting facility on Erie County owned property

ADDITIONAL RECOMMEDATIONS

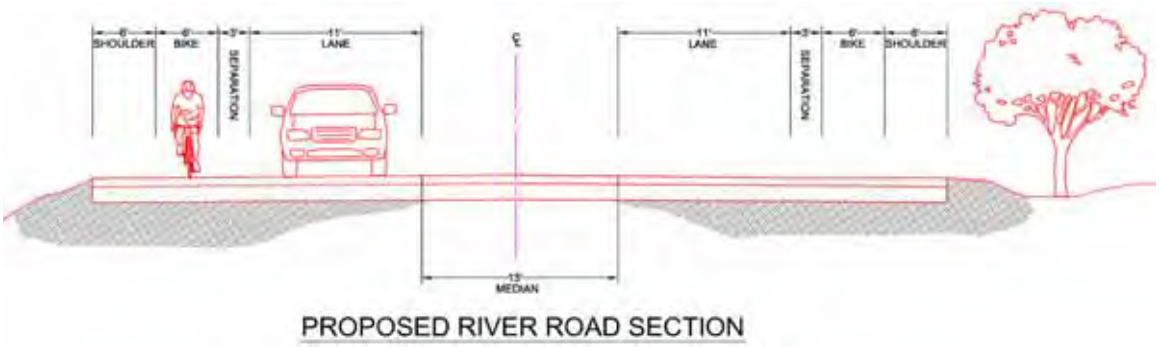
To complement and advance the Tonawanda Opportunity Area Master Plan several additional actions should be considered to realize the area's full potential. Additional recommendations are divided into capital improvements, regulatory changes and funding actions.

CAPITAL IMPROVEMENTS

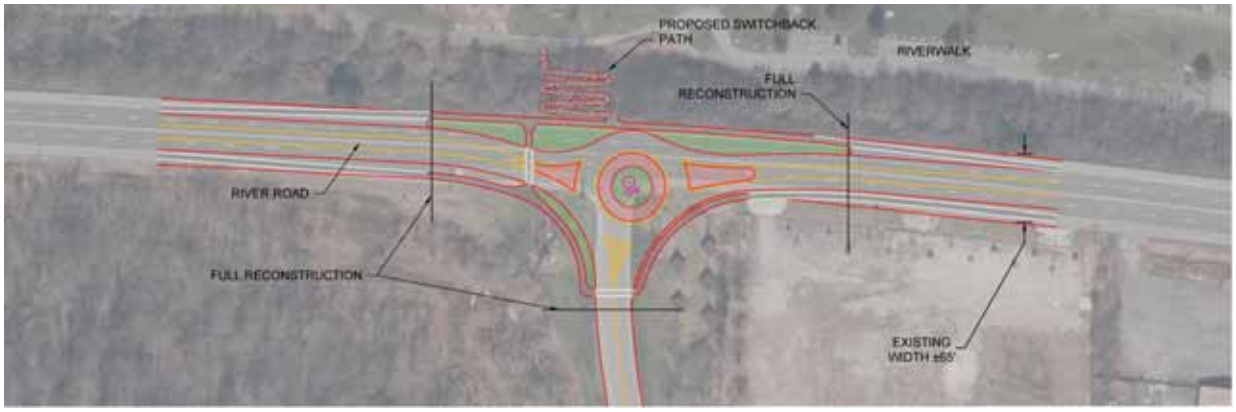
CONVERT RIVER ROAD INTO A TWO LANE ROADWAY WITH A TURNING LANE, TWO BIKE LANES, A CENTER MEDIAN AND ROUNDABOUTS (Project #14)

If there is one public improvement project that could have the most significant impact on the TOA it is implementing a River Road "highway" diet between the Grand Island bridge and the City of Tonawanda. Currently the roadway is a four lane highway with speeds far in excess of its posted speed limit. Crossing the highway on foot or by a bicycle is dangerous. Businesses along the route have difficulty leaving their properties, especially those with truck deliveries.

As part of the TOA project, a new roadway design was developed that includes two driving lanes, a turning lane, two bicycle lanes, and a center median. Traffic roundabouts would be placed at the intersection of Riverwalk Parkway and the proposed new Boulevard. Parking lanes would be needed near the intersection of River Road and the new Boulevard at the Town Center. Additionally, the new roadway design should address existing stormwater issues near the United Refining property. Total costs of restriping River Road and installing two roundabouts is estimated to be approximately $3 million. Installing a raised, landscaped median and stormwater improvements will add to that cost. Preliminary design and cost estimates for the project are included in the Appendices.



Cross section of proposed changes to River Road





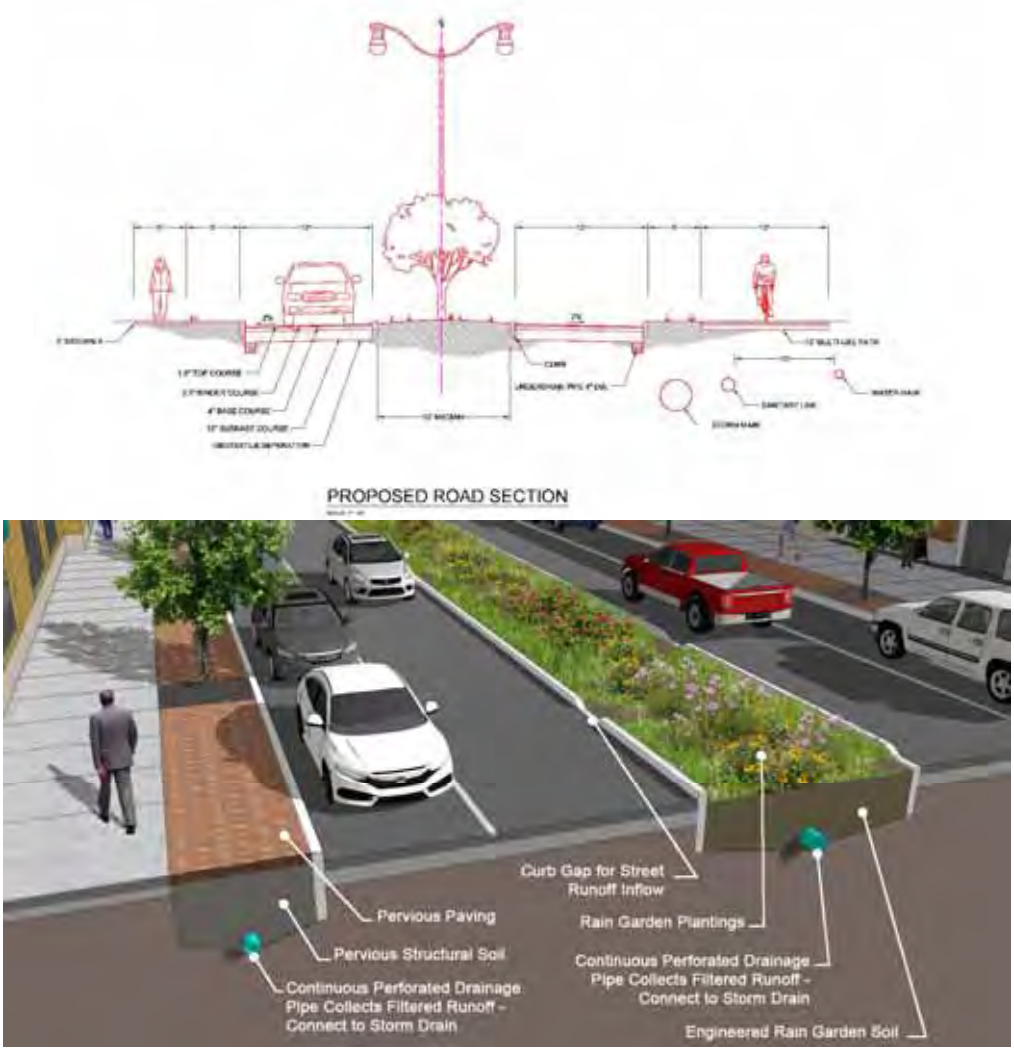


Engineered drawing of roundabout at Riverwalk Parkway with switchback path to Isle View Park (top); Plan view showing River Road median and roundabouts (middle); and visualization with green infrastructure concepts (bottom)

CONSTRUCT A NEW BOULEVARD BETWEEN RIVER ROAD AND THE YOUNGMANN COMMERCE CENTER AND ROUNDABOUTS (Project #15)

Access into the interior of the TOA is critical to its ultimate redevelopment. Without vehicular access there will be limited development in the MIleView Strategic Area.

Preliminary project designs and cost estimates were prepared for a boulevard extension in to the interior of the MileView Strategic Areas as part of the TOA project. The new roadway would include a landscaped, raised center median, two travel lanes, and adjacent multi-modal paths or sidewalks. Roundabouts would be installed at its intersection with River Road (Project #14), Two Mile Creek Road, and midway with internal roads. Decorative lighting standards would also be installed as well as water, sewer and storm infrastructure. There are also opportunities for green infrastructure. The estimated cost is $6 million so the project will need to be done in phases. Preliminary plans and cost estimates are included in the Appendices.



Cross section of proposed new boulevard (top) and visualization with green infrastructure concepts (bottom)

CONSTRUCT A NEW ENTRANCE TO NIAGARA RIVER WORLD (Project #16)

Currently the Niagara River World site is divided into two parcels. One 12 acre parcel is home to a 230,000 sq. ft. warehouse and also has an entrance and parking. The second and larger 50 acre site is mostly vacant and does not have an entrance. If the owners desired to keep the 12 acre parcel and sell the 50 acre parcel then an independent entrance will be needed on the larger parcel.

The concept plans were designed so the entrance roadway is situated within a right of way the owners have for installation of a new entrance. Based on estimates prepared for the new entrance a new 750 lineal feet roadway will cost $1,500,000.



A new entrance into the vacant Niagara River World parcel (yellow-dotted boundary) would induce development at the site.

REGULATORY CHANGES

RE-ZONE MOST OF THE MILEVIEW STRATEGIC AREA TO A WATERFRONT BUSINESS DISTRICT ZONE AND ADD HOUSING AS A SPECIAL USE

RE-ZONE M-1 INDUSTRIAL ZONE IN THE CITY PORTION OF MILEVIEW TO MIXED USE

Within the Town, the MileView Strategic Area is currently zoned Waterfront Business District for a limited section parallel to River Road. The remainder of the MileView Strategic Area within the Town is zoned Waterfront Industrial. Within the City, the MileView Strategic Area is zoned Industrial.

The future of the MileView Strategic Area is not industrial in nature. While some warehouse and light industrial uses are envisioned in the plan, the majority of the uses are a mix of offices, residential, restaurants and retail.

None of the zones in the MileView Strategic Area permit housing at all.

Therefore re-zoning the majority of the MileView Strategic Area to the Waterfront Business District would facilitate the development vison of the Master Plan. Prior to, or in concert with the re-zoning, multi-family residential should be added as a Special Use under the Waterfront Business District to allow for market rate apartments and townhomes to be built in the area. The M-1 zone in the City of Tonawanda should also be amended to be a mixed use zone.



Approximate areas in the Town (red-dotted boundary) and City (blue-dotted boundary) that should be mixed use zones

CREATE A COMPREHENSIVE SITE PLAN REVIEW PROCEDURE WITHIN THE CITY OF TONAWANDA (PARTICULARLY FOR THE RECOMMENDED MIXED USE DISTRICT)

Currently the City of Tonawanda only conducts site plan review for properties located within the Spaulding Commerce Park zoning district. The reviews are completed by the City's Planning Board.

With development pressure increasing, the City recognized the need to expand their regulatory review over future development projects. Consequently the Council passed a resolution which provides the City's Planning Board with the power to conduct site plan review and approval determinations at a meeting held on December 5, 2017. The City is currently developing the actual Site Plan Review ordinance regulations for the Planning Board to administer.

FINANCING

CREATE FINANCING TOOLS TO ADVANCE TOA CONCEPTS

While the Town and individual property owners will apply for funding to implement many of the objectives of the TOA, there still needs to be a reliable source of funding at the Town level for environmental restoration, infrastructure improvements and assisting property owners with landscaping improvements. All of these options will either require or work best with the establishment of a Local Development Corporation (LDC). There are several concepts to consider:

1. Create a Special Improvement District for the entire TOA – A Special Improvement District (SID) permits municipalities in New York State to institute a special tax on property owners within a designated boundary primarily for infrastructure improvements. A TOA SID could be established to provide funding for infrastructure improvements and upgrades within the public right of way including, but not limited to, streetscape improvements, water/sewer improvements, parking, sidewalks, roadways, and even some services.

2. Create a PILOT increment financing (PIF) program - Under the program a portion (i.e. 50 percent) of any increases in property tax revenues within the TOA will be targeted to a special fund to advance economic development projects in the TOA for public purposes.

3. Request Funding for a Loan/Grant TOA Financing Program – Obtain a grant for $500,000 - $1 million to establish a low interest revolving loan fund with

partial grants to provide to business owners to clean up their properties and/or install landscaping or infrastructure improvements on private property.

4. Create to Town Special Reserve fund to transfer Town fund and private donations into an account that can accrue to assist the Town with providing required matches on grant applications or to help fund landscaping or other public improvements.

IMPACTS AND MITIGATION

Please note that the entirety of Project #1 (Town Center) and Project #5 (Creekside Townhomes) and portions of Project #4 (Office, Light Industrial, and Warehouse) and Project #7 (Mileview Trail Network) are located within the City of Tonawanda. All other proposed projects found within the preferred Master Plan are located within the Town of Tonawanda. As such, mitigation techniques will rely on the ordinances, regulations, and review of both the Town and City.

LAND USE

A complete analysis of existing land use can be found in Section 3 of this Plan. Key findings include:

- Infrastructure and utilities uses including numerous landfills, the recently retired Huntley Power Plant, railroads, overhead electric corridors, etc. dominate the Study Area. These uses account for 33 percent of the land area and are scattered throughout the Study Area. Many of these sites are “difficult sites” with long term challenges which will require creative solutions.

- Active industrial uses account for an additional 31 percent of the land area. While industrial uses in the northern portion of the Study Area tend to be light industrial, warehouse, and distribution related, industrial uses in the southern portion of the Study Area are heavy industrial.

- Large portions of the Study Area are made up of vacant land (27%). Much of this land is vacant due to historical reasons and a lack of internal roadways. With the creation of an internal roadway network, these vacant sites would be ideal for new development and redevelopment.

The preferred Master Plan envisions the following changes to land use over the full build out timeframe (20+ years):

- **Light Industrial/Warehouse.** The preferred Master Plan envisions the construction of up to 1,110,000 square feet of light industrial/warehouse space over the full build out timeframe. This total includes the construction of up to 460,000 square feet of modern light industrial/warehouse space within the interior of the MileView Strategic Area and up to 650,000 square feet of modern light industrial/warehouse space within the Niagara River World/ INS/Cherry Farm Strategic Area. In addition, the existing 230,000 square foot Niagara River World warehouse will be improved to include heat and office space for leases.

- **Office/Research/Flex.** The preferred Master Plan envisions the construction of up to 695,000 square feet of office/research/flex space over the full build out timeframe. Up to 205,000 square feet of Class A office space with views of the River will be built along River Road within the MileView Strategic Area. In addition, up to 490,000 square feet of new office/research/flex space will be constructed within the interior of the MileView Strategic Area, particularly along the proposed new Boulevard.

- **Restaurant and Retail.** The preferred Master Plan envisions the construction of up to 348,000 square feet of new restaurant and retail uses over the full build out timeframe. The proposed Town Center within the MileView Strategic Area would house up to 166,000 square feet of retail/restaurant space on the first floor of the mixed-use buildings. An additional 56,000 square feet of retail/restaurant space would be found on the first floor of mixed use buildings adjacent to the Town Center. Lastly, up to 126,000 square feet of new retail/restaurant space would be created in stand-alone buildings adjacent to River Road and Riverwalk Parkway within the MileView Strategic Area.

- **Residential.** The preferred Master Plan envisions the creation of up to 803 residential units (1,205,000 square feet) over the full build out timeframe. These units would house an estimated 1,574 residents based on current average household sizes for the Town of Tonawanda. Up to 553 lofts/apartments (830,000 square feet) are to be located within the upper stories of the proposed mixed-use Town Center within the MileView Strategic Area. An additional 100 lofts/apartments (150,000 square feet) are to be located within the upper stories of additional mixed-use buildings

adjacent to the Town Center. Lastly, up to 150 townhomes (225,000 square feet) are to be located along Two Mile Creek Road within the MileView Strategic Area. All of the proposed residential units will be new build. Phased over a 20 year build out timeframe, potential growth would average about 40 units per year.

- **Solar.** The preferred Master Plan envisions the construction of large solar fields on top of "difficult sites" within the Study Area including a roughly 24 acre area within the interior of the MileVew Strategic Area which is a State Listed Inactive Hazardous Waste Disposal Site.

- **Parks/Trails.** The preferred Master Plan envisions the creation of trail networks within both Strategic Areas which will connect to existing regional trail networks, the construction of Cherry Farm Park, and the potential installation of a connector park between Cherry Farm and Niagara River World.

In total, the maximum potential build out of the preferred Master Plan would result in the construction of nearly 3.4 million square feet of space. This space would house approximately 4,587 employees and 1,574 residents as detailed in the table below.

Table 12: New Space, Employees, and Residents Analysis

Use	Total SF	Total Units	Coefficient*	Employees	Residents
Light Industrial/Warehouse	1,110,000		1,000	1,110	
Office/Research/Flex	695,000		300	2,317	
Retail/Restaurants	348,000		300	1,160	
Residential					
Lofts/Apartments	980,000	653	1.87		1,221
Townhomes	225,000	150	2.35		353
Total	3,358,000	803		4,587	1,574

Note: * The coefficient is either number of new employees per square foot or number of new residents per residential unit.

Source: ITE; U.S. Census Bureau 2012-2016 American Community Survey; LaBella Associates, D.P.C.

Implementation of the preferred Master Plan will result in changes to existing land uses. In most cases, the preferred Mater Plan illustrates the redevelopment of vacant/underutilized industrial land, vacant wooded land, and underutilized landfills. In rare instances, existing retail, industrial, and distribution businesses, the Firemen's Park, and potentially one single family home will need to be relocated to more appropriate locations in order to create the necessary space needed for the

proposed projects. These changes to land use and relocation of existing businesses, open space, and residences are necessary to reach the community's vision and many of the changes tie in directly to the goals and principles of this Plan.

The new land uses will result in many benefits to the community. The new land uses will increase employment opportunities and housing diversity, create a much needed mixed-use Town Center near the waterfront, improve the aesthetics and safety of the area, and provide additional recreational opportunities and connections to the Niagara River.

While there are numerous benefits associated with the implementation of the preferred Master Plan, the process of revitalization also carries inherent risks. Potential adverse impacts resulting from land use changes include temporary loss of employment, construction impacts, human health risks (associated with brownfield cleanup), potential conflicting land uses, and potential offensive odors relating to the regional composting facility. Mitigation measures are recommended to address the potential impacts which result from land use change prior to, during, and after construction.

Table 13: Land Use – Pre-Construction Related Impacts and Mitigation

Potential Adverse Impact	Mitigation Measures
Loss of jobs as a result of the demolition and/or relocation of existing businesses	Implementation of the preferred Master Plan would require the demolition of several buildings and rehabilitation of others. Some of these buildings are currently vacant or underutilized; however, most house existing businesses (some of which are quite large). The developers, with help from the Town and City, should approach these business and property owners to compensate them fairly for their property and to help relocate them to more appropriate areas of the Town/City. It should also be noted that the loss of jobs, if any, would likely be temporary. It is estimated that implementation of the preferred Master Plan would ultimately create more than 4,500 jobs.

Table 14: Land Use - Construction Related Impacts and Mitigation

Potential Adverse Impact	Mitigation Measures
Impacts to water quality due to soil erosion, sedimentation, and stormwater runoff	As outlined in greater detail within the Town's Stormwater Management Ordinance (Chapter 73) and the City's Stormwater Management Ordinance (Chapter 52), projects which involve one or more acres of soil disturbance must obtain coverage under the State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity through the NYSDEC. This permit requires the completion of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP identifies all potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges from the construction site, describes practices to be used to reduce those pollutants, and helps assure compliance with the terms and conditions of the permit. Considering the Town and City of Tonawanda are designated Municipal Separate Storm Sewer Systems (MS4s) communities, the SWPPP and SPDES permit undergo thorough review.
Construction noise	Any noise resulting from construction activities would need to adhere to the Town's Noise Ordinance (Chapter 133) or the City's Noise Ordinance (Chapter 26, Article 4) depending on the location of the construction. These ordinances set specific decibel limits based on time period, sound source land use, and receiving land use category to ensure that the public's quality of life is not adversely impacted by noise.
Human health risks associated with brownfield cleanup	Brownfield cleanup projects would require the development of and compliance with Health and Safety Plans, Community Air Monitoring Plans, Quality Assurance Project Plans, Remediation Action Work Plans, and post-cleanup sampling as applicable and required by the NYSDEC.
Potential impacts to existing Brownfield Cleanup Program Sites	Based on correspondence dated June 11, 2018, the New York Department of Environmental Conservation Region 9 Permit Office, the Study Area includes properties that are part of the Brownfield Cleanup Program. As individual projects are developed, coordination with the Department's Division of Environmental Remediation will occur to ensure compliance with the Site Management Plan for the BCP sites.

Safety impacts to pedestrians, drivers, and workers	Work zone pedestrian safety and traffic management plans would be requested of construction contractors in accordance with best practices, based on the size, type and location of construction activities.

Table 15: Land Use - Post-Construction Related Impacts and Mitigation

Potential Adverse Impact	Mitigation Measures
Stormwater runoff	**Town:** All of the proposed projects located within the Town would require Site Plan review by the Town's Planning Board and Development Services Staff. This review requires that the developer provide a drainage plan and SWPPP to ensure the adequacy of the proposed stormwater management facilities. The review also requires the submittal of a grading plan including stabilization and erosion control measures to be used during and after construction. Additional detail can be found within the Town's Zoning Code (Chapter 215) and Stormwater Management Ordinance (Chapter 73). **City:** As outlined in greater detail within the City's Stormwater Management Ordinance (Chapter 52), projects which involve one or more acres of soil disturbance must obtain coverage under the State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity through the NYSDEC. This permit requires the completion of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP requires (among other things) post-construction stormwater runoff controls which must meet specific performance and design criteria for stormwater management and erosion and sediment control. Periodic inspections of the stormwater facilities following completion of the project would be conducted by the appropriate City staff to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by Chapter 52 of the City's Code.
Light pollution	**Town:** All of the proposed projects located within the Town would require Site Plan review by the Town's Planning Board and Development Services Staff. This review requires developers to indicate the location, direction, power, and time of use for any proposed outdoor lighting. Lighting must be adequate to provide safety and security. Lighting must generally illuminate only the site in question and must definitely not negatively impact adjacent

	uses. Additional detail can be found within the Town's Zoning Code (Chapter 215). **City:** Projects would be required to meet applicable regulations in the City Code regarding lighting and light spill. At the current time, the City's Code contains only minimal requirements with regard to lighting.
	Dark sky friendly (full-cutoff) light fixtures should be considered for new street lighting.
Conflicting land uses that negatively impact quality of life	Implementation of the Town Zoning Code and City Zoning Code inclusive of the proposed changes found within this Plan would prevent conflicting land uses from occurring. The Plan is designed to rectify existing conflicts and avoid future conflicts and therefore improve overall quality of life.
Offensive Odors related to the Regional Composting Facility (Project #13)	The Regional Composting Facility has been located outside of close proximity to residential neighborhoods. While Cherry Farm would be located across the street, it would be upwind of the Composting Facility which would minimize incidents of odor annoyance. Preventing excessive odors requires consistent management of the composting process, starting with prompt attention to incoming ingredients. Wet materials should be mixed with a porous bulking amendment to provide the necessary pre-conditions for oxygen transport, and then must be aerated or turned as required during the active stages of the composting process. Proper management techniques, such as these, would be implemented to avoid odors.
Loss of Firemen's Park	See discussion, including mitigation techniques, within the Parks, Open Space, and Recreation section.

TRANSPORTATION

A complete analysis of existing transportation systems can be found in Section 3 of this Plan. In addition, Transportation Plans and Cost Estimates for the proposed River Road, New Boulevard, and Niagara River World Access projects can be found in Appendix D. Key findings as they relate to the preferred Master Plan include:

- The TOA's ease of access to the Interstate Highway system is one of its greatest assets.
- The lack of an internal road network into the heart of the nearly one-mile deep properties found throughout the TOA has prevented development.
- River Road/Niagara Street is likely overbuilt given the current AADT rates of 7,000 to 12,000 autos daily.

The preferred Master Plan envisions the following changes to transportation systems over the full build out timeframe:

- Implement a road diet on River Road from the Grand Island bridges to the boundary with the City of Tonawanda. The new roadway design would include two driving lanes, a turning lane, two bicycle lanes, a center median, parking lanes at appropriate locations, and roundabouts at the intersection of Riverwalk Parkway and the proposed new Boulevard.
- Construct a new Boulevard through the interior of the MileView Strategic Area connecting River Road with Two Mile Creek. The new roadway would include a landscaped, raised center median, two travel lanes, adjacent multi-modal paths or sidewalks, and roundabouts at major intersections.
- Construct an entrance roadway from River Road into the heart of the Niagara River World development site.
- Install the MileView Trail Network with connections to the regional trail network, including a switchback path connection to Riverwalk in the vicinity of River Road and Riverwalk Parkway.
- Install the Open Space Trail Network and Cherry Farm Trail Network within the Niagara River World/INS/Cherry Farm Strategic Area with connections to the regional trail network.
- Maintain and upgrade the River Dock at Niagara River World.

In addition, the proposed projects under the preferred Master Plan (construction of the industrial, warehouse, office, retail, restaurant, and residential buildings) are anticipated to create nearly 56,000 additional vehicular trips daily as shown in Table 16. Note however, that the projected daily trips generated are highly speculative given the conceptual nature of the proposed uses and speaks nothing towards the timing of such traffic increases.

Table 16: Estimated Daily Trip Generated - Full Build Out

Use	Total SF	Total Units	Coefficient*	Daily Trips Generated
Light Industrial/Warehouse	1,110,000		6.97	7,737
Office/Research/Flex	695,000		11.01	7,652
Retail	108,000		42.94	4,638
Restaurant	240,000		127.15	30,516
Residential				
Lofts/Apartments	980,000	653	6.65	4,342
Townhomes	225,000	150	5.81	872
Total	3,358,000	803		55,756

Note: * The coefficient is either number of daily trips generated per 1,000 square foot or number of daily trips generated per residential unit.

Source: Florida DOT 8th Edition ITE Trip Generation Report; LaBella Associates, D.P.C.

The proposed transportation improvement projects would greatly benefit the community including slowing down traffic, improving vehicular, bicycle, and pedestrian safety, and correcting existing stormwater issues along River Road. The proposed new boulevard would open up the interior of the MileView Strategic Area for further development as well as provide a safer alternative route for truck traffic (instead of using the local Two Mile Creek Road which is curvy, hilly, and near residential neighborhoods). The proposed new entrance roadway into the Niagara River World development site would open up the site for phased redevelopment. The various proposed trail networks, bicycle lanes, and sidewalk projects would expand the existing bicycle and sidewalk network, improve the quality of life for nearby residents and employees, and increase public access to the waterfront. At Niagara River World, deferred maintenance items such as patching or re-facing the docking areas are needed. In addition, the roadway is currently not paved adjacent to the dock which would be another improvement to improve its functionality and use.

While there are numerous benefits associated with the implementation of the preferred Master Plan, the projects also carry inherent risks related to transportation issues. Potential transportation related adverse impacts resulting from the proposed

projects include stormwater issues, major stormwater outfall relocation, increased traffic, inadequate public transportation, and pedestrian/bicyclist safety.

Perhaps of greatest concern are the many uncertainties surrounding traffic as a result of the proposed building and roadway projects. Uncertainties include the number and types/mix of vehicles, the timing of the growth, and the distribution of destination points. Proposed development projects will likely increase traffic while proposed roadway projects may limit north/south roadway capacity. As a result of these many uncertainties, the Town finds that the potential exists for a significant adverse environmental impact with regards to transportation issues.

Given the fact that the potential significant adverse environmental impact is based on the very uncertainty of how development, including new roadways, will occur over time, and how such development will affect traffic volumes and distribution, no further analysis of transportation issues can be provided in this document. However, the following mitigation measures and thresholds (in Section 5) have been established to determine when additional environmental review and traffic studies are needed. Additional project and site specific mitigation measures would be identified in such studies.

Table 17: Transportation - Construction/Post-Construction Related Impacts and Mitigation

Potential Adverse Impact	Mitigation Measures
Stormwater runoff due to the increase in impervious surfaces related to new roads, parking lots, and trails	As outlined in greater detail within the Town's Stormwater Management Ordinance (Chapter 73) and the City's Stormwater Management Ordinance (Chapter 52), projects which involve one or more acres of soil disturbance must obtain coverage under the State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity through the NYSDEC. This permit requires the completion of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP identifies all potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges from the construction site, describes practices to be used to reduce those pollutants, and helps assure compliance with the terms and conditions of the permit. Considering the Town and City of Tonawanda are designated Municipal Separate Storm Sewer Systems (MS4s) communities, the SWPPP and SPDES permit undergo thorough review.

	Particularly for the trail projects and parking lots, the Town/City/developers should consider using permeable building materials and/or other forms of green infrastructure to minimize stormwater runoff impacts.
Potential relocation of one of the Town's main storm water outfall	One of the Town's main storm water outfall lines is located within the MileView Strategic Area along a roughly 64 foot wide Town-owned right-of-way near the border of the City of Tonawanda. As presented in the preferred Master Plan, the proposed New Boulevard would utilize this right-of-way to connect River Road to Two Mile Creek Road while opening up the interior of the Strategic Area for development. If it is determined during roadway design that the storm water outfall must be relocated, construction phasing should be such that there is no (or an extremely limited) gap in service.
Increased traffic	**Town:** All of the proposed projects located within the Town would require Site Plan review by the Town's Planning Board and Development Services Staff. The provisions of the review state "The Town Building Department may, at its discretion, require a detailed traffic study for large developments or for those in heavy traffic areas". The adequacy and arrangement of vehicular traffic access and circulation is a consideration of the review. Additional detail can be found within the Town's Zoning Code (Chapter 215). **City:** Detailed design reports and traffic analyses are typically required for capital improvement changes to the road network to ensure the roadways would continue to operate at an acceptable level of service. If projects come under the City's review process, the City could opt to require such studies.
Inadequate public transportation	There are currently no public transportation routes along River Road/Niagara Street north of the I-190 nor along Two Mile Creek Road. Given the large amount of proposed development in the MileView Strategic Area, it is likely that demand for public transportation would increase. As residential and employment densities increase, the Town/City should advocate for additional public transportation routes in this area. It should be noted that the Town was successful at getting a bus route extended into the North Youngmann Commerce Center following completion of the First Source distribution facility.

Pedestrian/bicyclist safety	All capital improvement changes to the sidewalk/bicycle network would require detailed design reports which would consider pedestrian/bicyclist safety, among other things. Sidewalks, bicycle lanes, trails, and road crossings would be designed with pedestrian/bicyclist safety in mind. The Town recently adopted a Complete Streets Policy which includes a statute that the Town should create a comprehensive, integrated and connected network of transportation options for all modes of travel, designed and operated to enable appropriate and safe access for all users.

PARKS, OPEN SPACE, AND RECREATION

A complete analysis of existing parks, open space, and recreation can be found in Section 3 of this Plan. In addition, the Cherry Farm Park: Park Development Strategy can be found in Appendix F. Key findings as they relate to the preferred Master Plan include:

- While there is a county park, non-profit park, local playground, and open space within the Study Area, most are lacking in amenities.
- Within the southern portion of the Study Area, the waterfront is inaccessible to the public as the Riverwalk multi-use path is separated from the waterfront by industrial uses.
- Within the northern portion of the Study Area, portions of the waterfront are accessible to the public, but only if they are accessed from the far north or south (there is a steep grade change between River Road and the waterfront with no path connections in the immediate vicinity).
- Both the Riverwalk and Two Mile Creek multi-use paths are used frequently, particularly during the summer months.

The preferred Master Plan envisions the following improvements/changes to parks, open space, and recreation over the full build out timeframe:

- The creation of the MileView trail network including a switchback path connection to Riverwalk in the vicinity of River Road and Riverwalk Parkway and a connection to the Two Mile Creek multi-use trail.

- The creation of an open space trail network and optional connector park between Niagara River World and the proposed Cherry Farm Park. This project would include connections to the existing regional trail network.
- The construction of Cherry Farm Park which would include passive and active recreational areas as well as trails and open space.
- The installation of bicycle lanes along portions of River Road.
- The removal of the Firemen's Park to make room for modern light industrial/warehouse space and new townhomes.
- The creation of open space, water features, and park-like settings at several of the proposed development projects within the MileView Strategic Area.

Implementation of the preferred Master Plan would result in a net increase in parkland, miles of trails, improved waterfront access, and new recreational connections. Potential adverse impacts as they relate to the proposed parks, open space, and recreation projects include pedestrian and bicyclist safety (both in terms of crossing busy roadways and within interior industrial/warehouse sites) and the loss of Firemen's Park. The following mitigation measures should be adhered to in order to minimize adverse impacts.

Table 18: Parks, Open Space, and Recreation - Potential Adverse Impacts and Mitigation

Potential Adverse Impact	Mitigation Measures
Pedestrian/bicyclist safety related to crossing busy roadways and driveways	During design and implementation of new trails and bicycle lanes, safety measures should be included with regard to striped crossings, signage, pavement color or texture, etc. to clearly delineate where bike and pedestrians will travel and to provide separation from vehicle travel lanes.
Pedestrian/bicyclist safety related to remote trail locations throughout largely industrial areas	Design of trails through industrial areas should consider fencing around industrial areas, as well as adequate trail lighting. If access drives to industrial areas cross trail corridors, striping and signage should be installed to warn drivers of potential trail users.
Loss of Firemen's Park	Further research should be conducted to determine whether or not Firemen's Park is a formally designated park. If it is a formally designated park, then the State's Parkland Alienation process would need to be adhered to. In either case, careful considerations should be made to ensure the local neighborhood still has access to recreational amenities.

WATER BASED AND AESTHETIC RESOURCES

A complete analysis of existing water based resources can be found in Section 3 of this Plan. In addition, wetland delineations were conducted at key sites within the Study Area as presented in Appendix I. Key findings as they relate to the preferred Master Plan include:

- The adjacent Niagara River is one of the Study Areas greatest assets due to its aesthetic views and recreational opportunities. However, there is extremely limited access to enjoy the resource as industrial land, River Road, and topography changes bisect the waterfront from nearby residential neighborhoods.
- Although Two Mile Creek and Rattlesnake Creek are not navigable, they provide tranquil views and park-like settings. These two creeks are Class B and are therefore subject to the stream protection provisions of the Protection of Waters regulations.
- Multiple un-named Class B tributaries weave across the MileView Strategic Area and are subject to the stream protection provisions of the Protection of Waters regulations.
- The MileView Strategic Area includes several forested, scrub/shrub, emergent, and riverine wetlands which would limit development potential but would help to maintain the natural and park-like setting that currently characterizes the Riverview Solar Technology Park.
- The Niagara River is a Federally-designated riverine wetland and a Class A-S water body and is therefore subject to the provisions of the Protection of Waters regulations.
- Several Federally-designated riverine wetlands and a State wetland are located within the Niagara River World/INS/Cherry Farm Strategic Area.

The preferred Master Plan includes the following projects within/near water based resources:

- The proposed Riverside Mixed Use and Stand-Alone Retail/Restaurant space (Project #2) is near/within Federally-designated emergent wetlands and ponds.

- Portions of the proposed Office, Light Industrial, and Warehouse space (Project #4) is near/within Federally-designated scrub/shrub and riverine wetlands and could impact several Class B tributaries.
- The proposed Solar Panel Array (Project #6) is near/within Federally-designated riverine wetlands and could impact several Class B tributaries.
- The proposed MileView Trail Network (Project #7) weaves through various upland and wetland areas as well as crosses multiple Class B streams.
- The proposed upgrades to the River Dock (Project #10) could impact the Niagara River.
- The proposed Open Space Trail Network and Optional Connector Park (Project #11) would cross Federally-designated riverine wetlands and State wetlands.
- The proposed Cherry Farm Park (Project #12) is near/within Federally-designated riverine wetlands and State wetlands.
- The proposed New Boulevard (Project #15) crosses multiple Class B streams and is near/within a wetland which was delineated as part of this Study (see Appendix I).

The benefits of these projects include improved opportunities to learn from and celebrate the Niagara River, Rattlesnake Creek, and Two Mile Creek, new and enhanced views of the Niagara River and Rattlesnake Creek, and a better understanding of the location of wetlands (particularly within the MileView Strategic Area). Furthermore, the types of development project proposed would improve the overall quality of water resources by hastening environmental remediation.

Potential adverse impacts are centered on stream disturbance/crossings, reef/submerged aquatic vegetation disturbance, wetlands, groundwater, water quality, and stormwater. The following mitigation measures should be adhered to in order to minimize adverse impacts.

Table 19: Water Based Resources - Construction/Post-Construction Related Impacts and Mitigation

Potential Adverse Impact	Mitigation Measures
Potential disturbance to River and stream bed and banks (within 50 feet of the ordinary high water mark) due to development	The Niagara River is a Class A-S water body and is therefore subject to the provisions of the Protection of Waters regulations. All other charted streams within the proposed project areas are Class B streams and are subject to the stream protection provisions of the Protection of Waters regulations. For projects

and/or crossings	impacting the River and/or streams, permits would need to be obtained to complete any work. The specific permit authorizations would be dependent on the nature of the work and the navigability of the stream. Permits would ensure adverse impacts are avoided, minimized, or mitigated.
Potential disturbance to the existing constructed reefs/submerged aquatic vegetation beds along the Niagara River shoreline bordering Cherry Farm due to development	Based on correspondence dated June 11, 2018, the New York Department of Environmental Conservation Region 9 Permit Office is particularly concerned with any impacts to the existing constructed reefs/submerged aquatic vegetation beds along the Niagara River shoreline bordering Cherry Farm. Projects will be designed to ensure the protection of these reefs and submerged vegetated areas and additional coordination with the Region 9 Permit Office will occur as individual projects are developed.
Potential disturbance to wetlands and/or altered wetland location	Based on correspondence dated June 11, 2018, the New York Department of Environmental Conservation Region 9 Permit Office is particularly concerned with the State's Fresh Water Wetland BW-8 and its adjacent 100-foot-wide adjacent area (in the vicinity of the proposed Cherry Farm Park). They recommend that an updated wetland delineation be requested for BW-8, that work within the wetland or adjacent area will require a Freshwater Wetlands Permit, and that a meeting be held with Department staff to ensure proposed projects can meet permitting standards. Additional coordination with the Region 9 Permit Office will occur as individual projects are developed.
	Based on correspondence dated June 11, 2018 with the New York Department of Environmental Conservation Region 9 Permit Office, portions of the project site are located on hydric soils. As such, as individual projects are developed, the project sponsor should contact the U.S. Army Corps of Engineers' Buffalo District Office to determine if project components involve federally regulated wetlands or other approvals from that agency.
	Wetland delineations should be conducted for any projects located near mapped or suspected wetlands. New development should avoid construction within wetlands to the greatest extent possible. For projects impacting wetlands, permits would need to be obtained to complete any work. The specific permit authorization would be dependent on the nature of the work and the magnitude of impact. If needed, mitigation techniques would

	be required by the authorizing agency. These techniques can include restoring or enhancing existing wetlands and/or creating new wetlands in a different designated area in order to preserve the total area of wetlands.
Safety concerns due to contaminated groundwater	Follow institutional controls and other use restrictions as set forth in final remediation plans for any sites that required clean-up.
	Potentially contaminated drinking water supplies would not be an issue as the entire Study Area would be serviced by public water.
Impacts to water quality due to soil erosion, sedimentation, and stormwater runoff	As outlined in greater detail within the Town's Stormwater Management Ordinance (Chapter 73) and the City's Stormwater Management Ordinance (Chapter 52), projects which involve one or more acres of soil disturbance must obtain coverage under the State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity through the NYSDEC. This permit requires the completion of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP identifies all potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges from the construction site, describes practices to be used to reduce those pollutants, and helps assure compliance with the terms and conditions of the permit. Considering the Town and City of Tonawanda are designated Municipal Separate Storm Sewer Systems (MS4s) communities, the SWPPP and SPDES permit undergo thorough review.
	Town: All of the proposed projects located within the Town would require Site Plan review by the Town's Planning Board and Development Services Staff. This review requires that the developer provide a drainage plan and SWPPP to ensure the adequacy of the proposed stormwater management facilities. The review also requires the submittal of a grading plan including stabilization and erosion control measures to be used during and after construction. **City:** No additional mitigation unless site specific review is needed under City land use regulations.

FLOOD HAZARD AREAS

A complete analysis of existing flood hazard areas can be found in Section 3 of this Plan. Key findings as they relate to the preferred Master Plan include:

- Based on current flood maps (Town: 1981 and City: 2008) in the vicinity of the MileView Strategic Area, Special Flood Hazard Areas (SFHA – also known as the 100-year flood zone) are located along a thin strip (between 50 to 150 feet wide) of the land side of the Niagara waterfront. These areas have a 1% chance of flooding annually and require flood insurance and a Town or City Floodplain Development Permit.

- Based on current flood maps (1981) in the vicinity of the Niagara River World/INS/ Cherry Farm Strategic Area, SFHAs are found along a thin strip (between 50 to 150 feet wide) of the land side of the Niagara waterfront with several fingers stretching into the Niagara River World development site. In addition, almost the entire Cherry Farm Park is located within a SFHA. These areas have a 1% chance of flooding annually and require flood insurance and a Town Floodplain Development Permit.

- The Federal Emergency Management Agency (FEMA) is preparing to update their flood maps of Erie County. Based on preliminary maps dated December 31, 2009, within the MileView Strategic Area the SFHA would be limited to the immediate Niagara waterfront edge except for the thin strip within the City of Tonawanda. Based on those same maps, within the Niagara River World/INS/Cherry Farm Strategic Area the SFHA would be largely removed from the Cherry Farm Park site (only along some of the edges), limited to a thin strip along the Niagara waterfront, and added along the southern boundary of the Niagara River World site.

- The 1981 flood maps for the Town and the 2008 flood maps for the City are still the official maps until FEMA finalizes the newer ones. At this point it is unknown when the newer maps will be finalized.

The preferred Master Plan includes the following projects within the current (Town: 1981 and City: 2008) Special Flood Hazard Area (previously known as the 100-year flood zone):

- A small portion of the switchback path which leads down to the waterfront and is part of the MileView Trail Network;

- River Dock;
- Open Space Trail Network and Optional Connector Park;
- Cherry Farm Park.

With the exception of Cherry Farm Park, none of these projects occupy a significant portion of the floodplain. Based on updated mapping, much of Cherry Farm Park will no longer be located within a floodplain (once the updated maps have been adopted). Generally, the projects do not include above-ground structures that could displace or change floodwater flows.

The benefits of these projects include increased public access and recreational opportunities along the Niagara River, improved connections to the River from residential neighborhoods and employment centers, better utilization of underutilized and vacant sites, and an enhanced commercial-grade dock.

Potential adverse impacts from developing within the Special Flood Hazard Area (SFHA) include flood risks and increased flood insurance premiums. Any proposed development within the SFHA (not just construction of buildings, but filling, excavation, fences, etc.) is required to obtain a Town or City of Tonawanda Floodplain Development Permit. Owners of these sites must retain flood insurance and follow use restrictions as outlined in Chapter 92: Flood Damage Prevention of the Town Code or floodplain construction requirements as outlined in Chapter 34: Floods of the City Code.

Table 20: Flood Hazard Areas - Potential Adverse Impacts and Mitigation

Potential Adverse Impact	Mitigation Measures
Portions of some of the Proposed Projects are located within the Special Flood Hazard Area (SFHA)	Property owners and developers must retain flood insurance if located within the SFHA.
	Developers must obtain a Town or City of Tonawanda Floodplain Development Permit in order to “develop” areas of the SFHA.
	Redevelopment of areas located within the SFHA must follow Town use restrictions (as outlined in Chapter 92: Flood Damage Prevention of the Town Code) or City Floodplain Construction Requirements (as outlined in Chapter 34: Floods of the City Code).

WILDLIFE HABITATS

Wildlife habitat can be found throughout the Study Area, particularly in the northern portion. Potential large expanses of wildlife habitat include:

- Forested, wetland, and riverine habitats found throughout the MileView Strategic Area.
- Maintained meadow habitat at various landfills and at the Spaulding Commerce Center.
- Meadow, shrub, and wooded corridors along railroad and utility rights-of-way.

Based on correspondence with the New York Natural Heritage Program dated March 5, 2018, several protected animal species are located at or in the vicinity of the Study Area. Specifically, the letter indicated:

- Peregrine Falcon (Breeding) – endangered – documented within 850 feet of the project site;
- Bald Eagle (Breeding) – threatened – documented within 0.8 miles of the project site;
- Waterfowl Winter Concentration Area – conservation concern to the State – documented along the Upper Niagara River;
- Stiff Flat-topped Goldenrod – threatened vascular plant – documented at Grand Island East (north of the project site), Tonawanda Isle View slopes, within the northern portion of the project site and just northeast of the project site;
- Southern Blue Flag – endangered vascular plant – documented at Beaver Island (southwest of the project site).

Based on correspondence dated June 11, 2018, the New York Department of Environmental Conservation Region 9 Permit Office confirmed the presence of the Peregrine Falcon and Bald Eagle in the vicinity of the project site. The letter recommends:

> *If populations of the endangered or threatened species are found to be in the project area, project modification should be considered to avoid or minimize impact. Additionally, if the project or action is within or near an area with a rare animal, a permit may be required if*

the species is listed as endangered or threatened and the department determines the action may be harmful to the species or habitat.

The U.S. Fish and Wildlife Service (USFWS) has identified the potential for the endangered Northern Long-eared Bat to be located within the Study Area. The bats are generally found in old-growth forests (trees greater than 3 inches in diameter at breast height with cavities and crevices) during the summer and caves/mines during hibernation. Trees fitting this description are likely found within the Study Area. However, the New York State Department of Environmental Conservation (NYSDEC) indicates the Town and City of Tonawanda do not contain a confirmed Northern Long-eared Bat habitat. The USFWS further identified the potential for sixteen different species of migratory birds to be present in the area.

Wildlife habitat which may be impacted by the proposed projects within the preferred Master Plan can be found throughout the two Strategic Areas as described below:

- Within the MileView Strategic Area, much of the existing Riverview Solar Technology Park and areas along Two Mile Creek Road are wooded.
- Forested, scrub/shrub, emergent, and riverine wetlands are found throughout the MileView Strategic Area as are various creeks and unnamed tributaries.
- While many of the properties within the MileView Strategic Area have not contained buildings (i.e. the habitat appears to be virgin ground), large areas have been used for dumping (including construction debris, hazardous materials, and radioactive materials) and some areas are still being used to store construction debris. Some of these areas have been remediated, others are in the process of being remediated, and others are still untested.
- Little wildlife habitat exists within the Niagara River World site which was once a completely built-out industrial facility. Most historic industrial buildings have been removed from the site and the site has undergone remediation.
- Similarly, the INS Scrap Yard contains little wildlife habitat. The County is in the process of remediating the property.
- Small expanses of wooded and wetland lands surround three sides of the Cherry Farm landfill. The remainder of the Cherry Farm landfill contains meadow habitat.

- The Huntley fly ash landfill (across the street from Cherry Farm) arguably contains meadow habitat although the site is still active and fenced.
- The Niagara River is adjacent to both Strategic Areas. The only project which may have a direct impact on the River would be upgrades to the River Dock.

Given the presence of multiple remediation sites and landfills and the extent of development and disturbance, wildlife habitat is fragmented and is not a strong component of the overall environment. The project may improve the integrity of wildlife habitat by providing wildlife corridors along trails and by the clean-up of contaminated areas which will be remediated. Given the plans for redevelopment and the human activity that would result, wildlife habitat is not expected to become a strong component of the environment.

With that said however, projects within the MileView Strategic Area, and particularly within the Riverview Solar Technology Park will be constructed with the intent of preserving the natural setting to the greatest extent possible. Formal landscaping will be added to projects in the Niagara River World/INS/Cherry Farm Strategic Area.

Potential adverse impacts to wildlife habitat as a result of the proposed development include impacts to sensitive habitats and species and the potential to spread invasive species during construction. The following mitigation measures should be adhered to in order to minimize adverse impacts.

Table 21: Wildlife Habitats - Construction/Post-Construction Related Impacts and Mitigation

Potential Adverse Impact	Mitigation Measures
Potential to adversely impact State listed species	As individual projects are developed, the NYSDEC Region 9 Permit Office should be re-contacted to assess potential adverse impacts to State listed species. If required, project modification should be considered to avoid or minimize impact. In addition, a permit may be required if the department determines the action may be harmful to the species or its habitat.
Potential to disturb/remove the Northern Long-eared Bat and migratory bird habitats	If Natural Heritage Program's information regarding the potential presence of the Northern Long-eared bat in Tonawanda should change, contact should be made with USFWS and NYSDEC to determine if measures are needed to protect this species.
Potential to spread invasive species during construction	Use of proper erosion and sediment control measures, washing construction equipment prior to leaving areas of disturbance, and other appropriate invasive species control measures should be considered on a project by project basis.

HISTORIC RESOURCES

A complete analysis of existing historic resources can be found in Section 3 of this Plan. Key findings as they relate to the preferred Master Plan include:

- There are no buildings within the Study Area listed on the National Register of Historic Places.
- The existing Niagara River World warehouse (also referred to as the Wickwire-Spencer Steel Company Plant) is potentially eligible for listing in the National Register of Historic Places and requires additional information in order to make a determination.
- Within the Niagara River World/INS/Cherry Farm Strategic Area, the existing Riverwalk multi-use trail is essentially built over the old bed of the Erie Canal.
- The entire MileView Strategic Area and the majority of the Niagara River World/INS/Cherry Farm Strategic Area are located within archeologically sensitive areas according to the New York State Historic Preservation Office.

The preferred Master Plan, project descriptions, and basic information about all existing buildings which may be impacted (rehabbed or demolished) by the proposed projects were sent to the State Historic Preservation Office (SHPO). Based on correspondence with SHPO dated March 16, 2018, they have the following concerns regarding archeological sites:

- "The Tonawanda Opportunity Area is entirely within an established archeologically sensitive area for Precontact Sites, as several archaeological sites have been previously identified within and adjacent to the proposed Master Plan Area. Additionally, the proposed Master Plan Area includes environmentally sensitive landscapes that may contain unidentified archaeological cultural resources. Additional sites may be identified during the Section 14.09 State review process. The [Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP)] has concerns for ground disturbing impacts related to the currently proposed construction projects, or any such projects that may be proposed for this area in the future. While four previously conducted surveys have occurred within the proposed Tonawanda Opportunity Area, these were comparatively limited in scope, and specific to the proposed projects for which they were completed. Thus, the OPRHP recommends that as the

individual projects come to realization, they be submitted to our office for regularity review."

In addition, SHPO's letter dated March 16, 2018 discussed the following concerns regarding built resources:

- "The plan area includes unevaluated industrial resources, such as the Wickwire-Spencer Steel Company Plant [aka Niagara River World warehouse]. Once formal projects are submitted additional information will be required to assess these undetermined resources. Additional built resources may also be identified during the Section 14.09 State review process. Thus, the OPRHP recommends that as the individual projects come to realization, they be submitted to our office for review."

The following buildings were determined to currently not be eligible for listing on the National Register of Historic Places:

- LaFarge Concrete Suppliers
- INS Scrap
- CoStele
- R L Carriers
- XPO Logistics
- K-S Auto Stores
- Firemen's Park
- Single Family Home located at 536 Two Mile Creek Road
- Al's Tree Service

Given the wide extent of the archeologically sensitive areas and the generalized concerns regarding built resources, all of the proposed projects may impact cultural and/or historic resources.

The various projects involving existing built resources and the various projects located within archeologically sensitive areas have the potential to adversely impact cultural and historic resources. However, if these projects involve any State/Federal funding or State/Federal permits (which they likely will), then they would have to coordinate with the New York State Historic Preservation Office which would determine whether or not archeological surveys or other mitigation measures would need to be conducted. Furthermore, as projects come to realization, they would be required to comply with Section 14.09 of the NYS Historic Preservation Act and Section 106 of the National Historic Preservation Act, as applicable. As such, adverse

impacts to historic resources are not anticipated as a result of the implementation of the preferred Master Plan.

Table 22: Historic Resources - Construction/Post-Construction Related Impacts and Mitigation

Potential Adverse Impact	Mitigation Measures
To potentially historic and/or archeological resources.	As projects come to realization, they would be required to comply with Section 14.09 of the NYS Historic Preservation Act and Section 106 of the National Historic Preservation Act, as applicable.
	Town: Furthermore, all of the proposed projects located within the Town would require Site Plan review by the Town's Planning Board and Development Services Staff. This review considers historic or archaeological resources on or adjacent to the site. **City:** No additional mitigation unless site specific review is needed under City land use or historic preservation-related regulations.

OTHER IMPACTS

CUMULATIVE IMPACTS

The analysis in previous sections considered the cumulative impacts associated with the full build out of the preferred Master Plan. Potential cumulative impacts created by additional development beyond what was envisioned in the preferred Master Plan have not been identified. The primary impacts of the proposed development projects are beneficial in that they would revitalize and repurpose underutilized industrial areas into vibrant commercial, residential, and mixed use areas while enhancing the waterfront experience.

ADVERSE IMPACTS THAT CANNOT BE AVOIDED

The preferred Master Plan was developed as a means to guide redevelopment of Strategic Areas in such a way that limits the potential negative impacts resulting from land use and development activities. The majority of the adverse impacts foreseen through the implementation of the recommended redevelopment projects would be minimal and mitigated where possible. Therefore, it is not expected that the preferred Master Plan would result in cumulative significant and unavoidable adverse impacts.

Development that takes place after the adoption of this Step 2 Nomination Plan and GEIS would still be subject to the SEQRA process on a site-specific basis. Environmental review of future actions may be necessary. This Step 2 Nomination Plan and GEIS is intended to be a resource to facilitate the review under SEQRA of future development actions.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Implementation of the preferred Master Plan would result in the irreversible and irretrievable commitment of resources including material resources, financial resources, and human resources. Building materials, such as wood, steel, concrete, gravel, etc. would be used to construct the proposed buildings, roadways, and trails. Financial resources (i.e. money) would need to be invested into the soft costs (design, acquisition, permits, etc.) and hard costs (materials, labor, etc.) associated with the construction of the proposed projects. Lastly, human labor would be a major component of the design and construction of the proposed projects. While these

resources would be irreversibly and irretrievably committed, the benefits of the proposed projects would far outweigh the costs.

GROWTH INDUCED IMPACTS TO INFRASTRUCTURE

The existing Town of Tonawanda Water Treatment Plant (supplies the Town) and Erie County Water Authority's Jerome D. Van de Water Water Treatment Plant (supplies the City) have excess capacity to meet the needs of all but the most water intensive commercial and industrial businesses without the need for system upgrades. However, any future development within the interiors of the two Strategic Areas would likely require the extension of the public water distribution system. The proposed new Boulevard (Project #15) and new entrance to Niagara River World (Project #16) include the installation of public water lines. The future developers would likely be responsible for extending those lines further to the proposed buildings.

The existing Town of Tonawanda Wastewater Treatment Plant (services the Town and City) has existing capacity for future development during normal dry-weather conditions. However, the Wastewater Treatment Plant cannot keep up with current needs during wet weather events. Additional development would only exacerbate the problem. The Town is undertaking efforts to address the problem. In fact, the Town is under a NYSDEC consent order to reduce Sanitary Sewer Overflows and Inflow and Infiltration (I&I). Hence the DEC is requiring the I&I credits or reduction efforts be made on any new development with residential sewage rates of 2,500 gallons per day. Please note that proposed projects that require a sanitary sewer connection that is designed to convey 2,500 gallons per day or more of municipal sewage will be considered a sanitary sewer extension. The NYSDEC will require a detailed Downstream Sewer Capacity Analysis as detailed in their correspondence dated June 11, 2018. Much like the water system, any future development within the interiors of the two Strategic Areas would likely require the extension of the sanitary sewer collection system. The proposed new Boulevard (Project #15) and new entrance to Niagara River World (Project #16) include the installation of public sanitary sewer lines. The future developers would likely be responsible for extending those lines further to the proposed buildings.

The existing storm water system is adequate except along some areas of River Road (those portions are owned, operated, and maintained by the State's Highway Department). The proposed improvements to River Road (Project #14) aim to address the existing stormwater concerns. Any future development within the

interiors of the two Strategic Areas would likely require the extension of the storm water collection system and/or other means of storm water retention. The proposed new Boulevard (Project #15) and new entrance to Niagara River World (Project #16) include the installation of storm water lines. The future developers would be responsible for either extending those lines further to the proposed building sites or providing some other means to address storm water issues (as required by the SPDES General Permit for Stormwater Discharges from Construction Activity, SWPPP, and site plan review). The addition of various storm water facilities may also help address the wet weather sanitary sewer overflows which were discussed previously.

Potential growth induced impacts created by additional development beyond what was envisioned in the preferred Master Plan have not been identified.

SOCIO-ECONOMIC BENEFITS OF IMPLEMENTATION

According to the Environmental Protection Agency's (EPA) Environmental Justice Screening and Mapping Tool, many of the residential neighborhoods within and adjacent to the TOA Study Area have low incomes. Several of these neighborhoods also have a high percentage of minority populations. All of the proposed projects would improve existing conditions and have positive impacts on these sensitive communities. Positive impacts include new employment and housing opportunities, improved aesthetics and use of underutilized land, increased connections to the waterfront, and an improved multi-modal transportation system to name a few.

PROJECT PROFILES

One of the main objectives of the Town of Tonawanda and the New York State Department of State was to have actionable items that could be implemented in the Tonawanda Opportunity Area. Consequently, "Project Profiles" have been developed to provide the Town, potential developers and funding agencies with a one page summary of potential projects that will include:

- Project Title
- Project Description
- Estimated Cost
- Potential Funding
- Estimated Tax Revenue
- Maps
- Plans and Renderings if Available

The concept of the Project Profiles is that the Town could print out the one page and utilize it for meetings with developers, Town boards, local organizations or funding agencies rather than searching through the entire document for the information. Please note that there are additional due diligence steps such as environmental tests and appraisals that would need to be completed prior to implementing any project. Similarly, the costs are "order of magnitude costs" and not intended to be final project costs. While funding is noted, the majority of the costs will likely be borne by developers, not the Town. Finally, it should be noted that all of the projects may need to be done in phases based on developer interest and/or funding availability.

An Implementation Actions Matrix (Table 23) follows the Project Profiles and summarizes the information in an even more compact method.

PROJECT TITLE: Mixed Use Town Center (#1)

STRATEGIC AREA: MileView

ADDRESS: 5601 and 5603 River Road (Town) and 811 and 877 Niagara Street (City)

DESCRIPTION: The TOA Master Plan recommends relocating the existing businesses, demolishing the existing buildings, and using the space to construct a new mixed use Town Center. Up to 12 mixed use, multi-story buildings totaling approximately 1 million sq. ft. would be built housing 170,000 sq. ft. of retail/restaurant spaces on the first floors and 830,000 sq. ft. of market rate residential apartments (553 units) on the upper floors. Realistically this would be done in phases over time.

ESTIMATED COST: $200 Million in private investment including design, construction, acquisition, and infrastructure improvements.

POTENTIAL FUNDING:

- Empire State Development Corporation (ESDC) Capital Grant: Funds up to 20% of project costs.
- Restore NY: Periodic funding of 90% of project costs.
- National Grid Brownfield Funding: Funds up to 25% of project costs up to $300,000.
- Brownfield Cleanup Tax Credits of up to 50 percent for construction and cleanup.

ESTIMATED TAX REVENUE: $14.5 Million in City, Town, County, School and sales taxes.







PROJECT TITLE: Riverside Mixed Use and Stand-Alone Retail/Restaurants (#2)

STRATEGIC AREA: MileView

ADDRESS: 5335, 5445, 5555, and 5565 River Road (Town)

DESCRIPTION: The TOA Master Plan recommends relocating the existing business, demolishing the existing buildings, and using the space to construct up to 5 mixed use, multi-story buildings totaling up to 206,000 sq. ft. (56,000 sq. ft. of retail/restaurant spaces on the first floors and 150,000 sq. ft. of market rate residential apartments (100 units) on the upper floors). In addition up to 3 stand-alone retail/restaurant buildings totaling 126,000 sq. ft. would be built.

ESTIMATED COST: $70 Million in private investment including design, construction, acquisition, and infrastructure improvements.

POTENTIAL FUNDING:

- Empire State Development Corporation (ESDC) Capital Grant: Funds up to 20% of project costs.
- Restore NY: Periodic funding of 90% of project costs.
- National Grid Brownfield Funding: Funds up to 25% of project costs up to $300,000.
- Brownfield Cleanup Tax Credits of up to 50 percent for construction and cleanup.

ESTIMATED TAX REVENUE: $3 Million in Town, County, School and sales taxes.







PROJECT TITLE: Class A Offices with River Views (#3)

STRATEGIC AREA: MileView

ADDRESS: 5101, 5201, and 0 River Road (Town)

DESCRIPTION: The TOA Master Plan recommends constructing up to two medium sized Class A office buildings totaling 205,000 sq. ft.

ESTIMATED COST: $35 Million in private investment including design, construction, acquisition, and infrastructure improvements.

POTENTIAL FUNDING:

- Empire State Development Corporation (ESDC) Capital Grant: Funds up to 20% of project costs.
- National Grid Brownfield Funding: Funds up to 25% of project costs up to $300,000.
- Brownfield Cleanup Tax Credits of up to 50 percent for construction and cleanup.

ESTIMATED TAX REVENUE: $2.8 Million in Town, County, and School taxes.







PROJECT TITLE: Office, Light Industrial, and Warehouse (#4)

STRATEGIC AREA: MileView

ADDRESS: 5221, 5335, 5445, 5603, and 0 River Road (Town) and 318, 404, and 536 Two Mile Creek Road (City)

DESCRIPTION: The TOA Master Plan recommends infill office, light industrial, and warehouse development within the Riverview Solar Technology Park and adjacent areas. The plan suggests the construction of up to 12 large scale buildings totaling 490,000 sq. ft. of office space and 460,000 sq. ft. of light industrial/warehouse space similar to those already found within the Technology Park.

ESTIMATED COST: $135 Million in private investment including design, construction, acquisition, and infrastructure improvements. Cost may be lower if TM Montante develops what they own which reduces acquisition costs.

POTENTIAL FUNDING:

- Empire State Development Corporation (ESDC) Capital Grant: Funds up to 20% of project costs.
- IDA Financing.
- National Grid Brownfield Funding: Funds up to 25% of project costs up to $300,000.
- Brownfield Cleanup Tax Credits of up to 50 percent for construction and cleanup.

ESTIMATED TAX REVENUE: $12.8 Million in City, Town, County and School taxes.







PROJECT TITLE: Creekside Townhomes (#5)

STRATEGIC AREA: MileView

ADDRESS: 877 Niagara Street and 318, 620, 640, and 650 Two Mile Creek Road (City)

DESCRIPTION: The TOA Master Plan recommends relocating the existing uses, demolishing the existing buildings, and using the space to construct a series of Townhomes. The multiple Townhome buildings would total 225,000 sq. ft. and contain approximately 150 units for rent or for sale.

ESTIMATED COST: $45 Million in private investment including design, construction, acquisition, and infrastructure improvements.

POTENTIAL FUNDING:

- Empire State Development Corporation (ESDC) Capital Grant: Funds up to 20% of project costs.
- Community Development Block Grant Funds – Town of Tonawanda.
- Multiple NYS Housing Trust Fund grant and financing programs for new construction.

ESTIMATED TAX REVENUE: $3 Million in City, County and School taxes.







PROJECT TITLE: Solar Panel Array (#6)

STRATEGIC AREA: MileView

ADDRESS: 5565 River Road (Town)

DESCRIPTION: The TOA Master Plan recommends installing solar panels on ballasts at "difficult sites" as an interim or long term use for the property.

ESTIMATED COST: $10 Million including design, construction, acquisition, and infrastructure improvements.

POTENTIAL FUNDING:

- NYSERDA and NYPA have multiple funding sources to incentivize solar companies to build community solar installations.

ESTIMATED TAX REVENUE: $720,000 in Town, County and School taxes.







PROJECT TITLE: MileView Trail Network (#7)

STRATEGIC AREA: MileView

ADDRESS: Throughout the MileView Strategic Area (Town and City)

DESCRIPTION: The TOA Master Plan recommends installing a network of trails throughout the MileView Strategic Area that weave the development areas to each other, the Niagara River, and the regional trail network. The trail network would include a switchback path leading to Isle View Park and the existing waterfront multi-use trail in the vicinity of Riverwalk Parkway.

ESTIMATED COST: The trail network would need to be constructed in phases and a rough cost estimate is $750,000-$1 million per mile.

POTENTIAL FUNDING:

- NYPA Greenway Funding: No funding limits or % share stated.
- EPF Park Funding: 50-75% funding up to $500,000.
- NYSDOT Transportation Alternatives Program (TAP): Funding up to 80% for trail projects, funding limits vary but have been as high as $5 million.

ESTIMATED TAX REVENUE: This is a public project and would not generate taxes.





PROJECT TITLE: Redevelop Existing Niagara River World Warehouse (#8)

STRATEGIC AREA: Niagara River World/INS/ Cherry Farm

ADDRESS: 4000 River Road (Town)

DESCRIPTION: The TOA Master Plan recommends improving the existing 230,000 sq. ft. unheated warehouse by heating it and creating limited amounts of office space within it for use by the tenants.

ESTIMATED COST: $10 Million in private investment including design and construction.

POTENTIAL FUNDING:

- Empire State Development Corporation (ESDC) Capital Grant: Funds up to 20% of project costs.
- Restore NY: Periodic funding of 90% of project costs.
- National Grid Brownfield Funding: Funds up to 25% of project costs up to $300,000.
- Brownfield Cleanup Tax Credits of up to 50 percent for construction and cleanup.

ESTIMATED TAX REVENUE: While the property's value would increase there is no guarantee that it would result in an increase in assessed value and associated tax revenue.





PROJECT TITLE: Build New Warehouse and Light Industrial Space (#9)

STRATEGIC AREA: Niagara River World/INS/ Cherry Farm

ADDRESS: 4002, 4010, 4111 and 0 River Road (Town)

DESCRIPTION: The TOA Master Plan recommends relocating the existing business, demolishing the existing buildings, and using the space to construct up to 6 large light industrial/warehouse buildings totaling nearly 650,000 sq. ft.

ESTIMATED COST: $85 Million in private investment including design, construction, acquisition, and infrastructure improvements. Project costs could be reduced if the current owners developed the River World site as acquisition costs would drop.

POTENTIAL FUNDING:

- Empire State Development Corporation (ESDC) Capital Grant: Funds up to 20% of project costs.
- National Grid Brownfield Funding: Funds up to 25% of project costs up to $300,000.
- Brownfield Cleanup Tax Credits of up to 50 percent for construction and cleanup.

ESTIMATED TAX REVENUE: $8 Million in Town, County and School taxes.







PROJECT TITLE: River Dock (#10)

STRATEGIC AREA: Niagara River World/INS/ Cherry Farm

ADDRESS: 4002 River Road (Town)

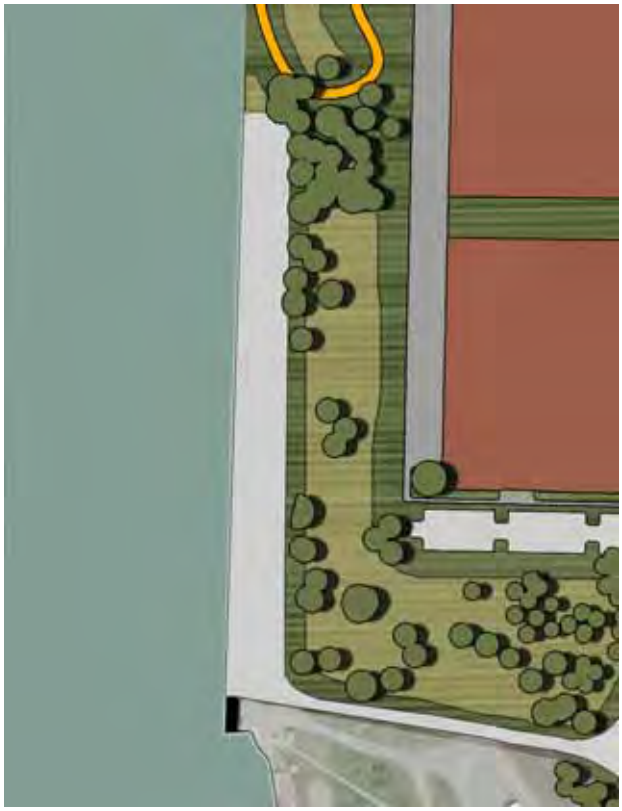
DESCRIPTION: The TOA Master Plan recommends maintaining and upgrading the existing commercial-grade River dock at Niagara River World. This may include addressing deferred maintenance at the dock or paving the roadway adjacent to the dock.

ESTIMATED COST: $2 Million in private investment including design and construction.

POTENTIAL FUNDING:

- Empire State Development Corporation (ESDC) Capital Grant: Funds up to 20% of project costs.

ESTIMATED TAX REVENUE: This is part of the Niagara River World property and improvements to an existing dock would likely not increase assessment levels and associated property tax revenue.





PROJECT TITLE: Open Space Trail Network and Optional Connector Park (#11)

STRATEGIC AREA: Niagara River World/INS/ Cherry Farm

ADDRESS: 4002, 4100, and 0 River Road (Town)

DESCRIPTION: The TOA Master Plan recommends installing a network of trails throughout the Strategic Area that connect the development areas to each other, the Niagara River waterfront, and the existing regional trail network. An optional connector park could be placed between the proposed new warehouse and light industrial space and the proposed Cherry Farm Park.

ESTIMATED COST: The trail network would need to be constructed in phases and a rough cost estimate is $750,000-$1 million per mile.

POTENTIAL FUNDING:

- NYPA Greenway Funding: No funding limits or % share stated.
- EPF Park Funding: 75% funding up to $500,000.
- NYSDOT Transportation Alternatives Program (TAP): Funding up to 80% for trail projects, funding limits vary but have been as high as $5 million.

ESTIMATED TAX REVENUE: This is a public project and would not generate taxes.







PROJECT TITLE: Cherry Farm Park (#12)

STRATEGIC AREA: Niagara River World/INS/ Cherry Farm

ADDRESS: 4290 River Road (Town)

DESCRIPTION: The TOA Master Plan recommends redeveloping the existing closed landfill into a Park including passive and active recreational areas as well as trails and open space.

ESTIMATED COST: According to the Waterfront Land Use Plan the project would cost $6.5 Million including design and construction

POTENTIAL FUNDING:

- NYPA Greenway Funding: No funding limits or % share stated.
- EPF Park Funding: 50-75% funding up to $500,000.
- NYSDOT Transportation Alternatives Program (TAP): Funding up to 80% for trail projects, funding limits vary but have been as high as $5 million.

ESTIMATED TAX REVENUE: This is a public project and would not generate taxes.





PROJECT TITLE: Regional Composting Facility (#13)

STRATEGIC AREA: Niagara River World/INS/ Cherry Farm

ADDRESS: 4111 River Road (Town)

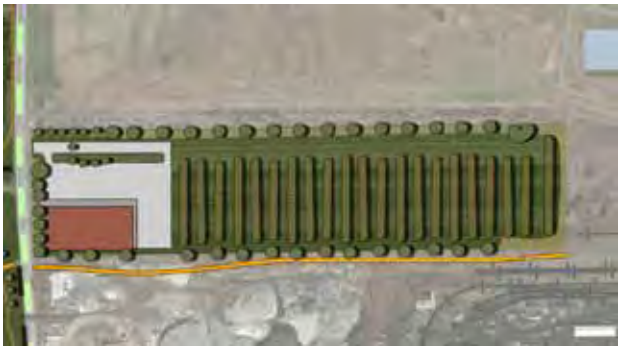
DESCRIPTION: The TOA Master Plan recommends developing a regional composting facility in the rear portion of the property to be used to compost leaves and other yard waste for multiple Erie County municipalities.

ESTIMATED COST: $5 Million including design and construction of the building, site, and site grading.

POTENTIAL FUNDING:

- Local Government Efficiency Grants can provide up to $1 million in implementation grant funding if there is a reduction in costs and staffing for the participating communities.

ESTIMATED TAX REVENUE: This is a public project and no tax revenues are anticipated. However, the facility may provide general fund revenues to the Town of Tonawanda.





PROJECT TITLE: River Road Highway-Diet, Multi-Modal, and Roundabouts (#14)

ADDRESS: River Road between the Grand Island bridges and the City of Tonawanda (Town)

DESCRIPTION: The TOA Master Plan recommends implementing a highway-diet along River Road. The new roadway design would include two driving lanes, a turning lane, two bicycle lanes, and a center median. Traffic roundabouts would be places at the intersection of River Road with Riverview Parkway and with the proposed New Boulevard. Parking lanes would be installed near the proposed new Town Center.

ESTIMATED COST: $5-$10 Million including road diet, median, striping and roundabout.

POTENTIAL FUNDING:

- USDOT TIGER Grants: 80% funding up to $25 Million.
- NYSDOT TAP Funding: 80% funding up to $5 Million (varies).
- NYPA Greenway Funding: No funding limits or % share stated.
- NYSDOT TIP Funding.





PROJECT TITLE: New Boulevard (#15)

STRATEGIC AREA: MileView

ADDRESS: 5599 River Road (Town)

DESCRIPTION: The TOA Master Plan recommends constructing a New Boulevard connecting Two Mile Creek Road to River Road to access interior portions of the MileView Strategic Area. The New Boulevard would include a landscaped, raised center median, two travel lanes, and adjacent multi-modal paths or sidewalks. Installation of utilities and green infrastructure would also occur.

ESTIMATED COST: $6 Million

POTENTIAL FUNDING:

- USDOT TIGER Grants: 80% funding up to $25 Million.
- NYSDOT TAP Funding: 80% funding up to $5 Million (varies).
- NYPA Greenway Funding: No funding limits or % share stated.
- NYSDOT TIP Funding.





PROJECT TITLE: New Entrance to Niagara River World (#16)

STRATEGIC AREA: Niagara River World/INS/ Cherry Farm

ADDRESS: 4002 River Road (Town)

DESCRIPTION: The TOA Master Plan recommends constructing a new 750 linear foot roadway in order to access the interior portions of the Niagara River World site. Installation of utilities would also occur.

ESTIMATED COST: $1.5 Million including design and construction.

POTENTIAL FUNDING:

- ESDC Capital Grant – provides up to 20% of project costs; no limit on funding.
- NYSDOT Industrial Access Program – 60% grant, 40% loan to complement economic development projects with jobs. Up to $1 million.

ESTIMATED TAX REVENUE: This project would not generate tax revenue.





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Table 23: Implementation Actions Matrix

Project No.	Name	Strategic Area	Location	Estimated Cost	Potential Funding (see following table about funding options)	Time Frame
1	Mixed Use Town Center	MileView	5601 & 5603 River Road (Town) and 811 & 877 Niagara Street (City)	$200 Million	ESDC Capital Grant; Restore NY; National Grid Brownfield Funding; Brownfield Cleanup Tax Credits	5-15 years
2	Riverside Mixed Use and Stand-Alone Retail/ Restaurants	MileView	5335, 5445, 5555, & 5565 River Road (Town)	$70 Million	ESDC Capital Grant; Restore NY; National Grid Brownfield Funding; Brownfield Cleanup Tax Credits	5-15 years
3	Class A Offices with River Views	MileView	5101, 5201, & 0 River Road (Town)	$35 Million	ESDC Capital Grant; National Grid Brownfield Funding; Brownfield Cleanup Tax Credits	5-15 years
4	Office, Light Industrial, and Warehouse	MileView	5221, 5335, 5445, 5603, & 0 River Road (Town) and 318, 404, & 536 Two Mile Creek Road (City)	$135 Million	ESDC Capital Grant; IDA Financing; National Grid Brownfield Funding; Brownfield Cleanup Tax Credits	5-15 years
5	Creekside Townhomes	MileView	877 Niagara Street and 318, 620, 640, & 650 Two Mile Creek Road (City)	$45 Million	ESDC Capital Grant; Community Development Block Grant Funds; Multiple NYS Housing Trust Fund grant and financing programs	3-10 years
6	Solar Panel Array	MileView	5565 River Road (Town)	$10 Million	NYSERDA and NYPA	2-5 years
7	MileView Trail Network	MileView	Throughout MileView Strategic Area (Town and City)	$750,000 - $1 Million per mile	NYPA Greenway Funding; EPF Parks Funding; NYSDOT TAP Funding	2-10 years
8	Redevelop Existing Niagara River World Warehouse	Niagara River World/INS/ Cherry Farm	4000 River Road (Town)	$10 Million	ESDC Capital Grant; Restore NY; National Grid Brownfield Funding; Brownfield Cleanup Tax Credits	3-10 years

Project No.	Name	Strategic Area	Location	Estimated Cost	Potential Funding (see following table about funding options)	Time Frame
9	New Warehouse and Light Industrial Space	Niagara River World/INS/ Cherry Farm	4002, 4010, 4111, & 0 River Road (Town)	$85 Million	ESDC Capital Grant; National Grid Brownfield Funding; Brownfield Cleanup Tax Credits	3-15 years.
10	River Dock	Niagara River World/INS/ Cherry Farm	4002 River Road (Town)	$2 Million	ESDC Capital Grant	3-5 years
11	Open Space Trail Network and Optional Connector Park	Niagara River World/INS/ Cherry Farm	4002, 4100, & 0 River Road (Town)	$750,000 - $1 Million per mile	NYPA Greenway Funding; EPF Parks Funding; NYSDOT TAP Funding	2-10 years
12	Cherry Farm Park	Niagara River World/INS/ Cherry Farm	4290 River Road (Town)	$6.5 Million	NYPA Greenway Funding; EPF Parks Funding; NYSDOT TAP Funding	3-5 years
13	Regional Composting Facility	Niagara River World/INS/ Cherry Farm	4111 River Road (Town)	$5 Million	Local Government Efficiency Grants	1-5 years
14	River Road Highway-Diet, Multi-Modal, and Roundabouts	United and MileView	River Road between the Grand Island bridges and the City of Tonawanda (Town)	$5-10 Million	USDOT TIGER Grant; NYSDOT TAP Funding; NYPA Greenway Funding; NYSDOT TIP Funding	2-5 years
15	New Boulevard and Roundabouts	MileView	5599 River Road (Town)	$6 Million	USDOT TIGER Grant; NYSDOT TAP Funding; NYPA Greenway Funding; NYSDOT TIP Funding	2-5 years
16	New Entrance to Niagara River World	Niagara River World/INS/ Cherry Farm	4002 River Road (Town)	$1.5 Million	ESDC Capital Grant; NYSDOT Industrial Access Program	2-5 years

Below is information about potential funding sources and programs to aid in implementation of the Master Plan concepts.

Table 24: Funding Sources and Programs for Implementation

Agency	Grant/Credit/Loan	Description
Empire State Development	Capital Fund Program	Capital grant funding is available for capital-based economic development projects intended to create or retain jobs; prevent, reduce or eliminate unemployment and underemployment; and/or increase business or economic activity in a community or Region. Yearly funding of up to 20% of project costs up to $2 million.
Empire State Development	Restore New York Communities Initiative	Provides municipalities with financial assistance for revitalization of commercial and residential properties. The program encourages community development and neighborhood growth through the elimination and redevelopment of blighted structures. Periodic funding of up to 90% of project costs up to $2 million (current limit).
NYS Office of Parks, Recreation & Historic Preservation	Environmental Protection Fund	Yearly grant funding is available for the acquisition, planning, development, and improvement of parks, historic properties, and heritage areas. Grants can fund up to 50% of total project cost, up to 75% if the project is located in a high-poverty district. Grant awards are capped at $500,000.
NYS Department of Environmental Conservation	Brownfield Cleanup Program	Brownfield redevelopment tax credits are available for properties which complete cleanup programs under the Brownfield Cleanup Program. The amount of the credit is equal to a percentage of certain eligible costs incurred. Sites are eligible for 22% to 50% of the cost of remediation. Tangible property credits range from 10% to 24% of eligible costs subject to conditions and maximums for construction components.
NYS Housing Trust Fund Corporation	Various programs	The mission of the Corporation was to create decent affordable housing for persons of low-income by providing loans and grants for the rehabilitation of existing housing or the construction of new housing. That mission has been expanded and now the HTFC administers the following funding programs: Low-Income Housing Trust Fund Program, Homes for Working Families Program, HOPE/RESTORE Program, Public Housing Modernization Program, Public Housing Drug Elimination Program, New York Main Street Program, Access to Home Program, Urban Initiatives Program, and Rural Area Revitalization Program.
NYSERDA & NYPA	Various programs	Multiple funding sources to incentivize solar companies to build community solar installations.

Agency	Grant/Credit/Loan	Description
NYS Department of State	Local Government Efficiency Program	The Local Government Efficiency Grant (LGEG) Program provides funding to local governments for planning and implementation projects that will provide cost savings through consolidation of services. In 2017, planning projects could be funded up to $12,500/municipality not to exceed $100,000 with a 50% match. Implementation projects could be funded up to $200,000/municipality not to exceed $1,000,000 with a 10% match.
NYS Department of Transportation	Transportation Alternatives Program	TAP funding is available to support bicycle, pedestrian, multi-use path and transportation-related projects and programs. Projects must be related to the surface transportation system and provide full access to the public. Funding up to 80% of project costs. Funding limits vary but have been as high as $5 million.
NYS Department of Transportation	Statewide Transportation Improvement Program	The Statewide Transportation Improvement Program (STIP) is a comprehensive list of all projects, or project phases, in New York State proposed to receive Federal funding. The STIP was developed by the NYSDOT in consultation with local officials in non-metropolitan areas and in cooperation with Metropolitan Planning Organizations (MPOs) in urbanized areas. The STIP includes highway, transit and non-motorized projects as well as urban and rural projects. The STIP must be updated at least every four years and include a minimum four-year listing of Federal-aid projects.
NYS Department of Transportation	Industrial Access Program	The New York State Industrial Access Program has been designed to complement economic development projects throughout the State where transportation access poses a problem or may offer a unique opportunity to the viability of a project. Eligible projects must be an 'integral part of an economic development effort which seeks to retain, attract, expand or revitalize an industrial facility." Awards are made on a 60% grant, 40% interest free loan basis, up to a maximum of $1 million.
US Department of Transportation	TIGER Grant	The TIGER program provides Federal financial assistance to road, rail, transit, and port projects that will have a significant impact on the Nation, a metropolitan area, or a region. The TIGER program funds up to 80% of project costs up to $25 million.
Erie County Industrial Development Agency	Erie County Industrial Development Agency	Provide a variety of financing and tax incentive programs to attract and grow businesses. These mechanisms include Loan Programs (Micro Loans, Small Business Loans, Large Business Loans, Innovation Loans), Tax Incentives/Exemptions/Reductions (PILOT), Foreign Trade Zones, Development Services, Bond Financing, Venture Capital Funding, and Transportation Infrastructure Funding, Adaptive Reuse Incentives.

Agency	Grant/Credit/Loan	Description
Town of Tonawanda	Community Development Block Grant Funds	The Town of Tonawanda manages grant funding for Community Development Block Grant (CDBG) funds received by HUD. Funds are currently being used towards public infrastructure improvements, economic development, and affordable housing programs to name a few.
National Grid	Brownfield Redevelopment Program	The Brownfield Redevelopment program provides grants to fund utility related infrastructure improvements and other costs that are necessary to progress the redevelopment of a brownfield site or vacant building. Funds up to 25% of project costs up to $300,000.
NYPA	Greenway Funding	Greenway funding is available for beautification and improvement projects along the Niagara River Greenway.

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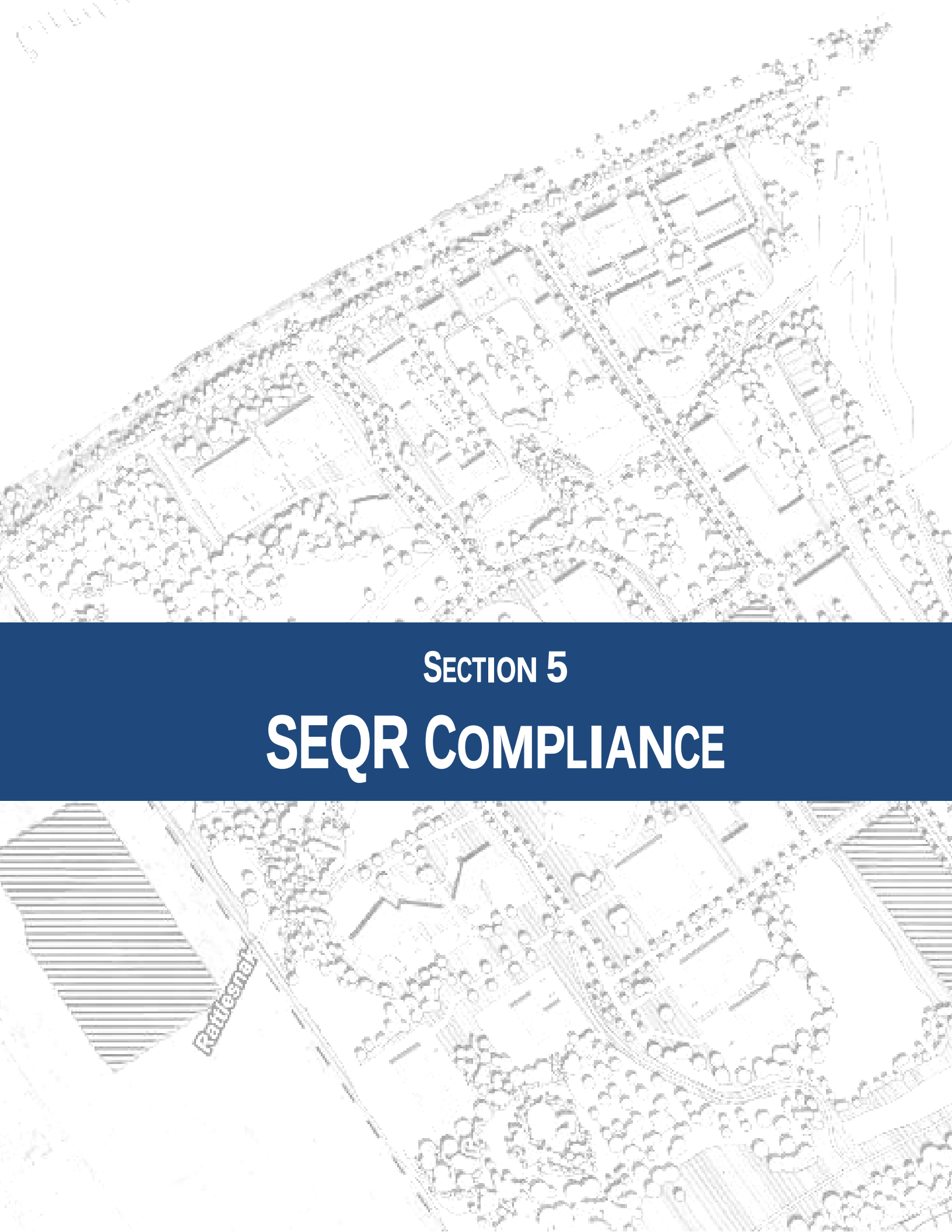


SECTION 5

SEQR COMPLIANCE

Rattlesnake

SECTION 5. SEQR COMPLIANCE

STEPS AND PROCEDURES UNDERTAKEN FOR SEQR COMPLIANCE

This Step 2 Nomination Plan was completed in accordance with SEQR policies and procedures. This Plan goes beyond a typical Step 2 Plan by incorporating many aspects of a Step 3 Implementation Plan, including the Draft Generic Environmental Impact Statement (GEIS). The GEIS considers the potential impacts of implementing the preferred Master Plan on various environmental categories. It also details mitigation measures which should be used to diminish impacts to the environment.

The components of the GEIS are blended into this Step 2 Nomination Plan as illustrated in Table 25 below:

Table 25. Integrated SEQR/BOA Process

BOA Step 2 Nomination Plan	GEIS Content
Section 1 – Project Description and Boundary	Description of Proposed Action
Section 2 – A Vision for the NWOA	Description of Public Engagement Component
Section 3 – Analysis of the NWOA	Description of Environmental Setting
Section 4 – Implementation Strategy	Potential Significant Adverse Impacts Description of Mitigation Measures Description of Alternatives to the Proposed Action
Section 5 – Compliance with SEQRA	Consistency with SEQR Consistency with NYS CMP Coastal Policies Conditions for Future Actions

CONSISTENCY WITH NYS COASTAL MANAGEMENT POLICIES

Both the Town of Tonawanda and City of Tonawanda have approved Local Waterfront Revitalization Plans (LWRP's). LWRP's are written to be consistent with the coastal policies of the New York State Coastal Management Program.

The Town of Tonawanda's LWRP was originally approved in 1996 and subsequently amended in 2008 to adjust the boundary. The Town's LWRP boundary extends from the Niagara River to 500 feet east of River Road as well as a small area between Two Mile Creek Road, Two Mile Creek, the City of Tonawanda boundary, and the I-290. Projects located within the Town's LWRP boundary must undergo local consistency

review to ensure that they are consistent with the policies, uses and projects described in the LWRP. The procedures for the Town's local consistency review are included in Chapter 129 of the Town Code.

Similarly, the City of Tonawanda's LWRP was approved in 1987 and subsequently amended in 1993 to better reflect local conditions and issues. While the LWRP boundary includes various areas throughout the City, the portions of the boundary that are also within the TOA Study Area include the waterfront between the Niagara River and Niagara Street (River Road) and along Two Mile Creek roughly to the eastern edge of Two Mile Creek Road. Projects located within the City's LWRP boundary must undergo local consistency review to ensure that they are consistent with the policies, uses and projects described in the LWRP. The procedures for the City's local consistency review are included in Chapter 26, Article 3, Section 26-69 of the City Code.

Furthermore, if a project is located within the Coastal Area Boundary and involves Federal permits or funding, then the project must be submitted to the NYS Department of State for Federal Coastal Consistency Review. Projects located within the Coastal Area Boundary that are considered Type 1 or Unlisted Actions under SEQRA and that involve State permits or funding undergo internal coastal consistency review by the involved state agency.

CONDITIONS FOR FUTURE ACTION (THRESHOLDS FOR FUTURE REVIEW)

This GEIS analyzed the overall environmental impacts associated with the implementation of the preferred Master Plan. In addition, three existing business parks in the TOA have already been through the SEQRA process. A Final Environmental Impact Statement (FEIS) and final findings statements have been accepted for the Riverview Solar Technology Park (2009), North Youngmann Commerce Center (2009), and the Spaulding Commerce Park (2012). All of the potential environmental impacts from these three business parks are now being considered along with the potential impacts of the remainder of the TOA in this GEIS. By taking this comprehensive approach, the Town is thereby creating a supplemental findings statement for each of those business parks.

In addition, there are three areas in the TOA that are expected to require further environmental review due to the historically heavy industrial. Specifically, the three areas are located at the former NRG-Huntley Power Plant, the existing Tonawanda Coke Corporation, and the existing United Refining property. These sites will likely

require extensive environmental analysis through more detailed Phase II Environmental Site Assessments and asbestos surveys of existing structures. Any proposal for future development at these three sites will require a separate SEQRA review at that time to assess the degree of redevelopment potential.

The Town notes that for other land area within the TOA, potential environmental impacts may be mitigated through the municipality's site plan review process to make sure that each development is in compliance with the impact thresholds established in Table 26.

Given the mix of existing business parks and heavy industrial uses in the TOA, the conceptual nature of the uses contemplated in the preferred Master Plan, and the fact that new development and improvements would be implemented over a 20+ year timeframe, the Town anticipates that additional environmental review will be needed in certain circumstances. The specifics of the new projects proposed over time would likely evolve to meet the community's progressing priorities and ever changing market realities. Therefore, thresholds and conditions for future review have been established to help determine when additional environmental review would be warranted. This may include supplemental EIS's to reflect site-specific impacts that cannot adequately be addressed at this time.

LAND USE

The preferred Master Plan establishes land use patterns, recommended development projects and capital improvement projects, and proposed zoning revisions to facilitate redevelopment of the Study Area. The mitigation actions described in Section 4 are based on the intensity of development proposed by the preferred Master Plan, as well as existing Town and City plans and ordinances. Future development proposals received in relation to the preferred Master Plan or the three existing business parks (i.e. Riverview Solar Technology Park, North Youngmann Commerce Center, and Spaulding Commerce Park) should demonstrate consistency with these codes as well as with the scale/intensity thresholds established below in Table 26. Note that the thresholds in Table 26 are cumulative for the entire TOA boundary (with exception of potential development located at the former NRG-Huntley Power Plant, the existing Tonawanda Coke Corporation, and the existing United Refining property). For example, the "Office/Research/Flex" use category has a 695,000 square foot building area threshold. If four office buildings totaling 600,000 square feet have been built and then the Town gets a proposal for a fifth office building that will be an additional 125,000 square feet, that would tip the

cumulative total over the 695,000 square foot office threshold. Under such circumstances, the proposal for the fifth office building would require additional environmental review.

Table 26: Cumulative Impact Thresholds for Future Environmental Reviews

Use	Building Area (SF)	Other Impervious Area (Acres)
Light Industrial/Warehouse	1,710,000	90
Office/Research/Flex	695,000	20
Retail/Restaurants	348,000	15
Residential	1,205,000	20
Total	3,958,000	145

Source: Town of Tonawanda; LaBella Associates, D.P.C.

Redevelopment proposals that exceed the cumulative scale/intensity thresholds listed above or are inconsistent with the Town/City of Tonawanda Comprehensive Plans and/or Town/City Local Waterfront Revitalization Plans have not been adequately studied in this report and may require more mitigation actions than those listed in Section 4 of this document. Inconsistent redevelopment proposals require additional project-specific SEQRA assessments and supplemental EIS's in order to identify possible adverse impacts above and beyond those listed in this report and to determine additional, appropriate mitigation actions.

Projects requiring such review can be identified at the discretion of Town/City leadership and planning officials. Specific thresholds that can be considered, in addition to the guidance in the above paragraphs include:

- Future development proposals that are not consistent with the scale/intensity thresholds established in Table 26 of the GEIS, as well as with existing Town/City plans (including, but not limited to, the Comprehensive Plans and LWRPs).
- A use reallocation of more than 100,000 square feet of building area or a 50% or more change in development concept.
- Projects that require a change in zoning district on 50 acres or more beyond that which is already recommended within this Plan.
- Height of new buildings greater than 80 feet or new towers greater than 165 feet.

TRANSPORTATION

Enhancing existing and creating new transportation corridors and increasing travel mode choice opportunities through the Study Area are key elements of the Master Plan. Associated issues of future traffic levels and need for additional parking have not been studied in detail at this time, but are critical considerations as plans are implemented and developments put in place. Additional considerations could include traffic management measures, public transit, pedestrian and bike improvements, etc. The success of Town and City redevelopment efforts and the overall planning process would depend to a large degree on how these issues are addressed.

As project specific proposals are submitted for the redevelopment of Strategic Areas (including the proposed capital improvement projects, some of which are located outside of Strategic Areas), a more complete assessment of their potential impact to the transportation system would need to be completed, likely as part of the Site Plan Review. In some instances, comprehensive traffic studies should be required.

Projects requiring additional environmental or traffic-related review can be identified at the discretion of Town/City leadership and planning officials. Specific thresholds that may be considered, in addition to the guidance in the above paragraphs, include:

- Individual projects anticipated to generate more than 3,000 vehicular trips daily or individual projects anticipated to generate more than 200 truck trips daily.

PARKS, OPEN SPACE, AND RECREATION

An important focus of the Plan is taking full advantage of existing park, open space, and recreational resources within the planning area by creating trail networks which connect residential neighborhoods and employment centers to these existing resources. The Plan also envisions the re-use of a capped landfill as a new waterfront park. As such, there are few concerns with increasing parkland, open space and recreational resources that would lead to threshold establishment.

However, the protection of existing parkland is recognized as an important concern. In New York State, the Parkland Alienation Process has been established to require a high level of scrutiny when non-recreational uses are proposed in existing lands established or considered by a community as a park.

As a result, projects requiring additional environmental review can be identified at the discretion of Town/City leadership and planning officials and in consideration of the following specific threshold:

- ❖ Projects which result in parkland alienation.

WATER BASED AND AESTHETIC RESOURCES

The Niagara River is a key water resource in the Town/City and an important strategic resource in the planning area. Enhancing, preserving, and providing public access to waterfront areas and views were given great weight throughout the planning process. Projects proposed in the future affecting the Niagara River or its view shed should be considered for increased scrutiny and potential additional environmental review under SEQRA. The same is true of projects that may affect wetlands in the area.

At the discretion of Town/City leadership and planning officials, future projects potentially having a significant adverse impact on the Niagara River or designated State or Federal wetlands may be identified for additional environmental review. Thresholds that may be considered include:

- ❖ Projects involving disturbance to the bed or banks of the Niagara River.
- ❖ Projects involving buildings greater than 8 stories or 80 feet positioned along waterfront land.
- ❖ Projects which affect federal wetlands to the extent that they require more than a Nationwide permit (or projects affecting 10 acres of State wetland or buffer area).

FLOOD HAZARD AREAS

Building projects within flood hazard areas are reviewed by the Town's or City's floodplain permit administrator. Both the Town and City of Tonawanda participate in the National Flood Insurance system. These established reviews adequately protect floodplain areas from unwise development. As such, there are no thresholds concerning flood hazard areas.

WILDLIFE HABITATS

Wooded and wetland habitats are found within the Study area. Although not considered pristine given the area's historic level of industrial development, these habitats are recognized as having value and should be retained to the extent possible. While the emphasis of the Master Plan is on redevelopment of the Study Area as a densely developed, mixed-use area, the preservation of an intermixture of natural, open land should be considered, particularly within the MileView Strategic Area.

It is also noted that developers and the Town/City would need to ensure that future projects comply with the State and Federal Endangered Species Act to avoid takings of designated threatened or endangered species, and therefore such species are afforded adequate protection. In addition, the Town/City should monitor the continuing elaboration of invasive species regulations by the State to ensure future compliance.

As a result of the above, no specific thresholds with regard to habitat are included herein. (Note: a threshold regarding wetland impacts has been defined previously.) However, Town/City leadership and planning officials may use their discretion as future projects are proposed to determine if additional environmental review under SEQR is needed due to potential adverse impacts on wildlife or habitat.

HISTORIC RESOURCES

While there are no Nationally-listed historic buildings or districts in this area, nearly the entire area is located within a recognized archeologically sensitive area. Town and City officials should understand this issue and determine what level of study or information gathering should be required before land is developed. This is particularly important with regard to previously undisturbed land in order to protect potential archeological resources. For projects which involve State or Federal funding or permits, coordination with SHPO would be required for compliance with Section 14.09 of the NYS Historic Preservation Act and Section 106 of the National Historic Preservation Act. In such cases, it is likely that SHPO would require a Phase I Archeological Survey to determine if artifacts are present.

No specific thresholds with regard to historic resources are included herein. However, Town/City leadership and planning officials may use their discretion as future projects are proposed to determine if additional environmental review under SEQR is needed due to potential adverse impacts on historic resources.

INFRASTRUCTURE

As the redevelopment envisioned by this Plan unfolds, additional public water or sanitary sewer extensions would be needed. As the Plan calls for and encourages multiple areas of dense, mixed-use development, extensions of new public water or sanitary sewer may not require additional scrutiny or evaluation under SEQRA, especially if the extensions are located within the pubic rights-of-ways of existing or new roadways. However, given their linear nature and potential to affect elongated corridors through multiple resources, projects requiring such utility extensions may be identified for additional environmental evaluation under SEQR at the discretion of Town/City leadership and planning officials. This is particularly true when new capital improvements to the water treatment plant or wastewater treatment plant would be needed. Therefore, thresholds for consideration may include:

- Individual projects that require public infrastructure improvements in order to deliver adequate water supply or that involve capital improvements to water treatment facilities (Note: such improvements would be in excess of simple lateral connections to the property).
- Individual projects that require public infrastructure improvements in order to transmit wastewater (in excess of simple lateral connections to the property) or that generate wastewater volume, rate, or composition that exceed the capabilities of the local sanitary sewer system and/or treatment plant.



Appendices

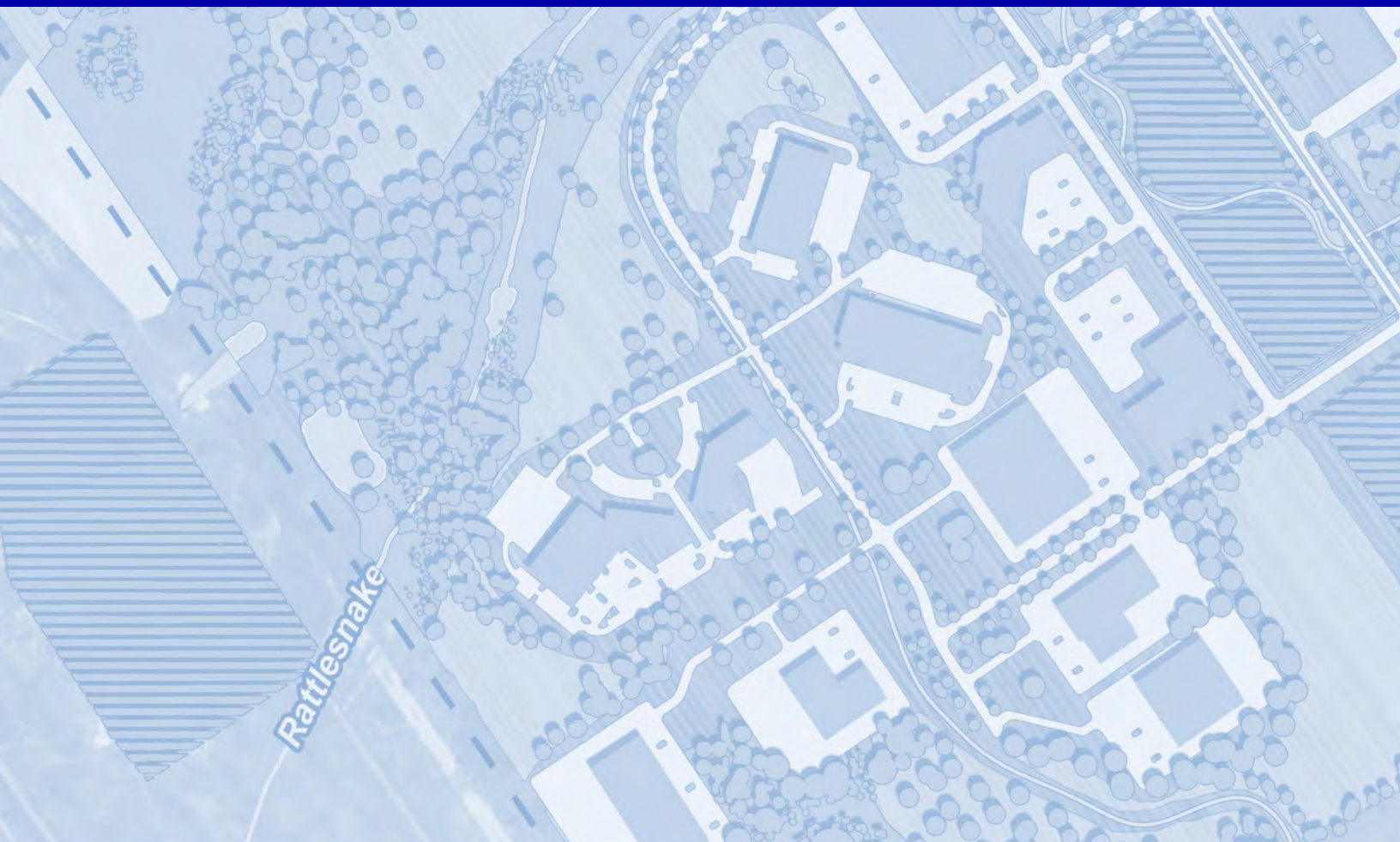
Tonawanda Opportunity Area



Appendix A

Tonawanda Opportunity Area

Community Participation



TONAWANDA OPPORTUNITY AREA
NOMINATION PLAN

PUBLIC MEETINGS

Two public open houses were held for the Tonawanda Opportunity Area Plan:

PUBLC OPEN HOUSE #1

January 28, 2016, 7 p.m.
Noco Pavilion
450 Ensminger Rd, Tonawanda, NY 14150

PUBLIC OPEN HOUSE #2

July 13, 2017, 6:30 p.m.
Philip Sheridan Center
3200 Elmwood Ave., Tonawanda, NY, 14217

01/28/16 Public Meeting

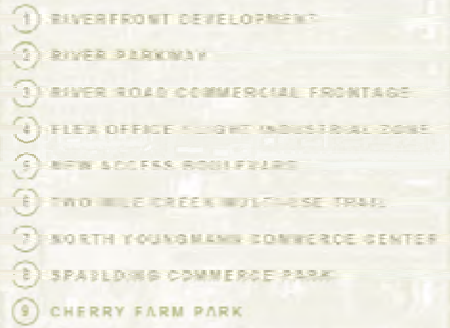
TOWN OF TONAWANDA
TONAWANDA OPPORTUNITY AREA



2012 Study

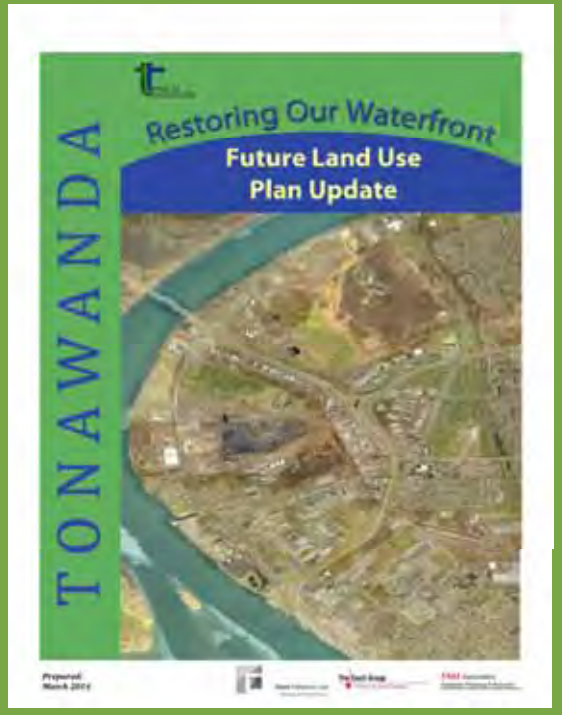
The Town completed a basic study in 2012 to evaluate the redevelopment potential of underutilized and vacant properties in the Town and City of Tonawanda along sections of the Niagara River waterfront.

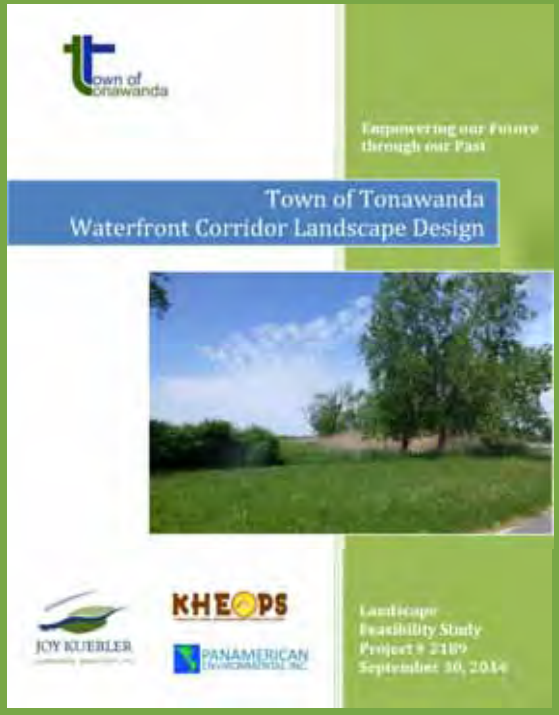
The Plan provided an initial “roadmap” of market opportunities for redevelopment, needed transportation improvements, and how to take advantage of the area’s **prime** waterfront location.



Restoring Our Waterfront

Since 2012 the Town has completed additional steps to advance its Restoring Our Waterfront agenda. Two key plans on waterfront landscape opportunities and waterfront land use were completed.





Significant Development Activity

Since 2012 there has also been aggressive economic development activity in the area by the Town of Tonawanda as evidenced by **more than $50 million in public and private investment!**





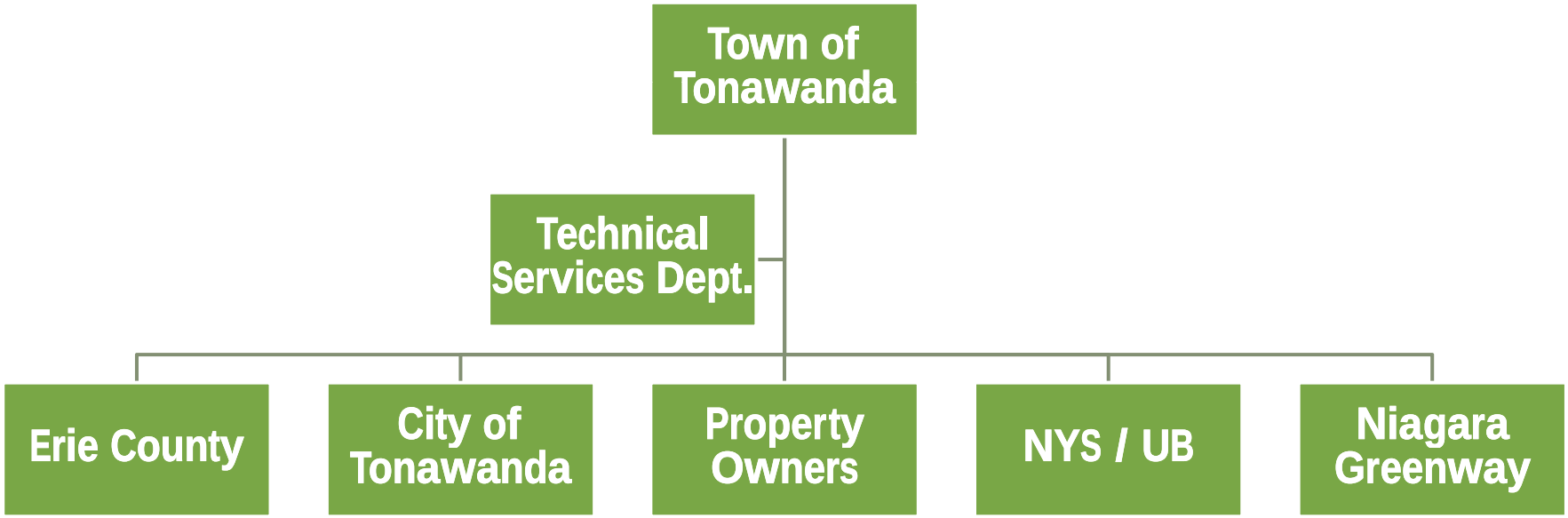


We Need Your Help

Now the Town is ready to move forward on the next phase of restoring its waterfront and promoting additional economic development projects.

We need your help. We want to know your opinions on the 2012 redevelopment strategy, ideas on sites that are strategic redevelopment opportunities and any new ideas. This will help us develop a detailed "Shovel Ready" strategy that is acceptable to the community.

Who is Involved: Steering Committee



Who is Involved: The Project Team



LABELLA Associates, D.P.C. | Engineering Architecture Environmental Planning

Planning, Environmental, Civil

HARRIS BEACH PLLC
ATTORNEYS AT LAW

Legal / ED Incentives

PARSONS BRINCKERHOFF

Transportation & Multi- Modal

CBRE | Buffalo
Part of the CBRE affiliate network

Real Estate Analysis

JOY KUEBLER
LANDSCAPE ARCHITECT, PC

Landscape & Green Infrastructure

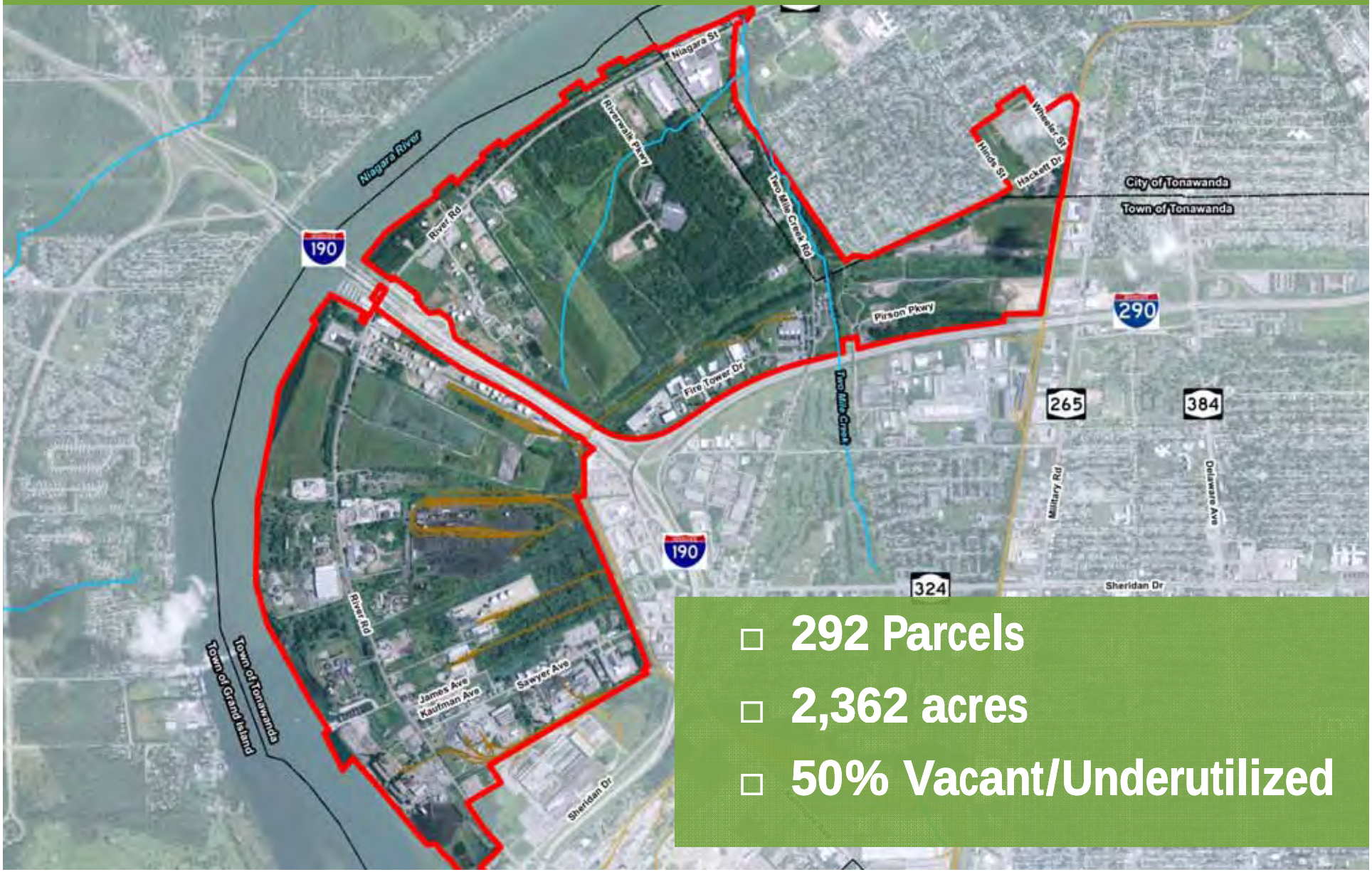
Upstate NY Partners

edr

Engineering and Land Surveying, P.C.

Design, Wetlands, Site Planning, Outreach

A Large Area - Lots of Opportunity!



- 292 Parcels
- 2,362 acres
- 50% Vacant/Underutilized

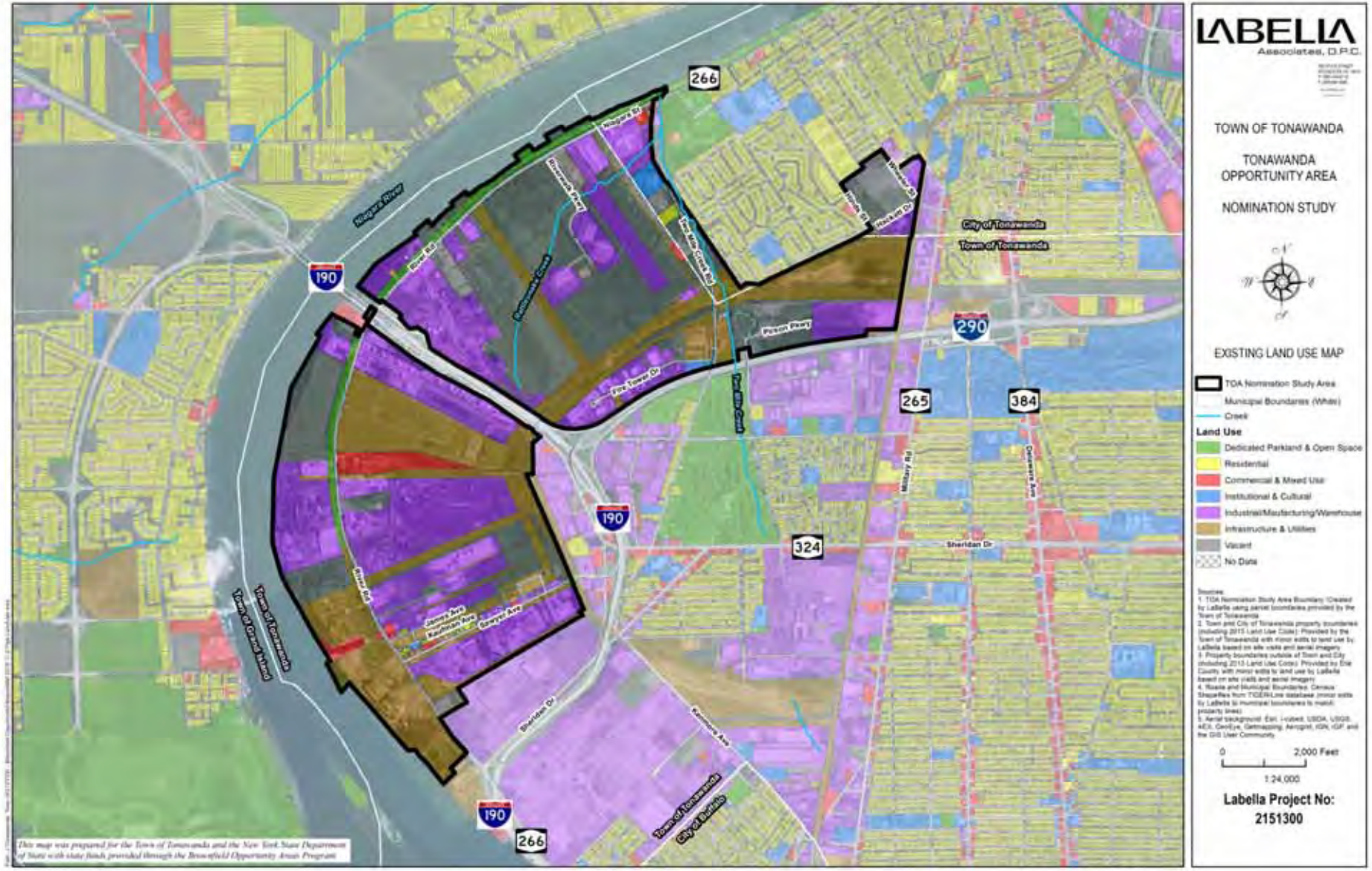
In the Center of WNY



1951- 2015


2015
Grandyle Village
Ferry Village
River Lea
Google earth

Current Land Uses



Current Zoning



2012 Plan


NIAGARA RIVER
S. GRAND ISLAND BRG
NIAGARA THRUWAY (I-190)
YOUNGMANN EXPWY (I-290)
MILITARY ROAD
MAIN STREET
TWO MILE CREEK ROAD
EAST PARK DRIVE
TRANSITION TO ALTERNATIVE ENERGY CORRIDOR
1 RIVERFRONT DEVELOPMENT
2 RIVER PARKWAY
3 RIVER ROAD COMMERCIAL FRONTAGE
4 FLEX OFFICE / LIGHT INDUSTRIAL ZONE
5 NEW ACCESS BOULEVARD
6 TWO MILE CREEK MULTI-USE TRAIL
7 NORTH YOUNGMANN COMMERCE CENTER
8 SPAULDING COMMERCE PARK
9 CHERRY FARM PARK

2012 Project Vision

The Tonawanda Opportunity Area will become a **sustainable mixed use** *district with an improved image that will* **reconnect** *the community's residential areas to the Niagara Riverfront through* **multi-modal transportation** *improvements and* **green infrastructure** *to* **advance redevelopment** *of underutilized properties.*

Project Goals and Opportunities

Overall Goal: Unlock Inherent Potential



RESTORE

TONAWANDA OPPORTUNITY AREA

Overall Goal: Unlock Inherent Potential

- New Boulevard
- River Road
- Internal Roadway Network
- Trails



RECONNECT

TONAWANDA OPPORTUNITY AREA

Overall Goal: Unlock Inherent Potential

- Long Parcels
- Layout
- Acquisition, Assembly, Disposal



REARRANGE

TONAWANDA OPPORTUNITY AREA

Overall Goal: Unlock Inherent Potential

- **Website**
- **Public Meetings**
- **Visualizations**

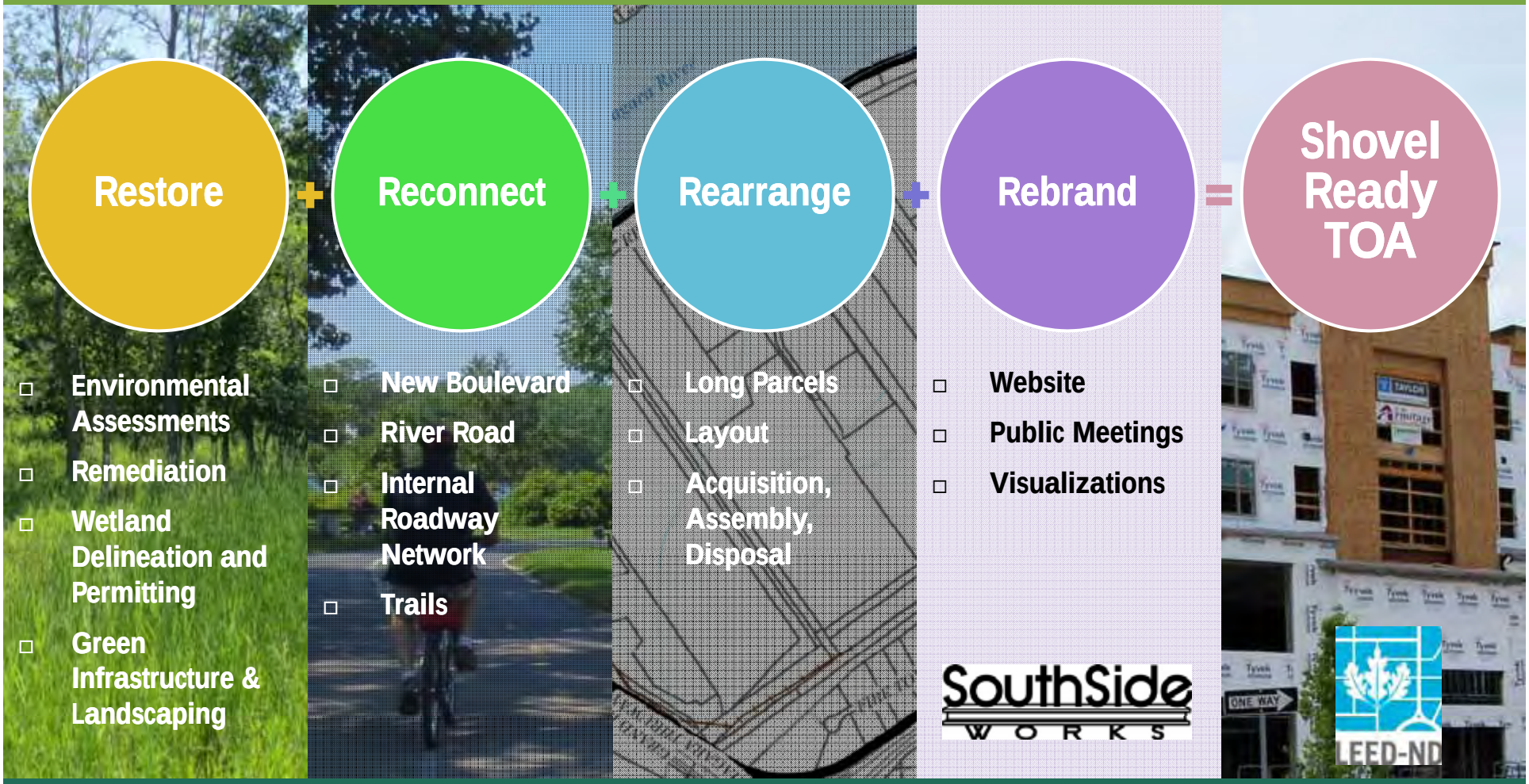
SouthSide WORKS



REBRAND

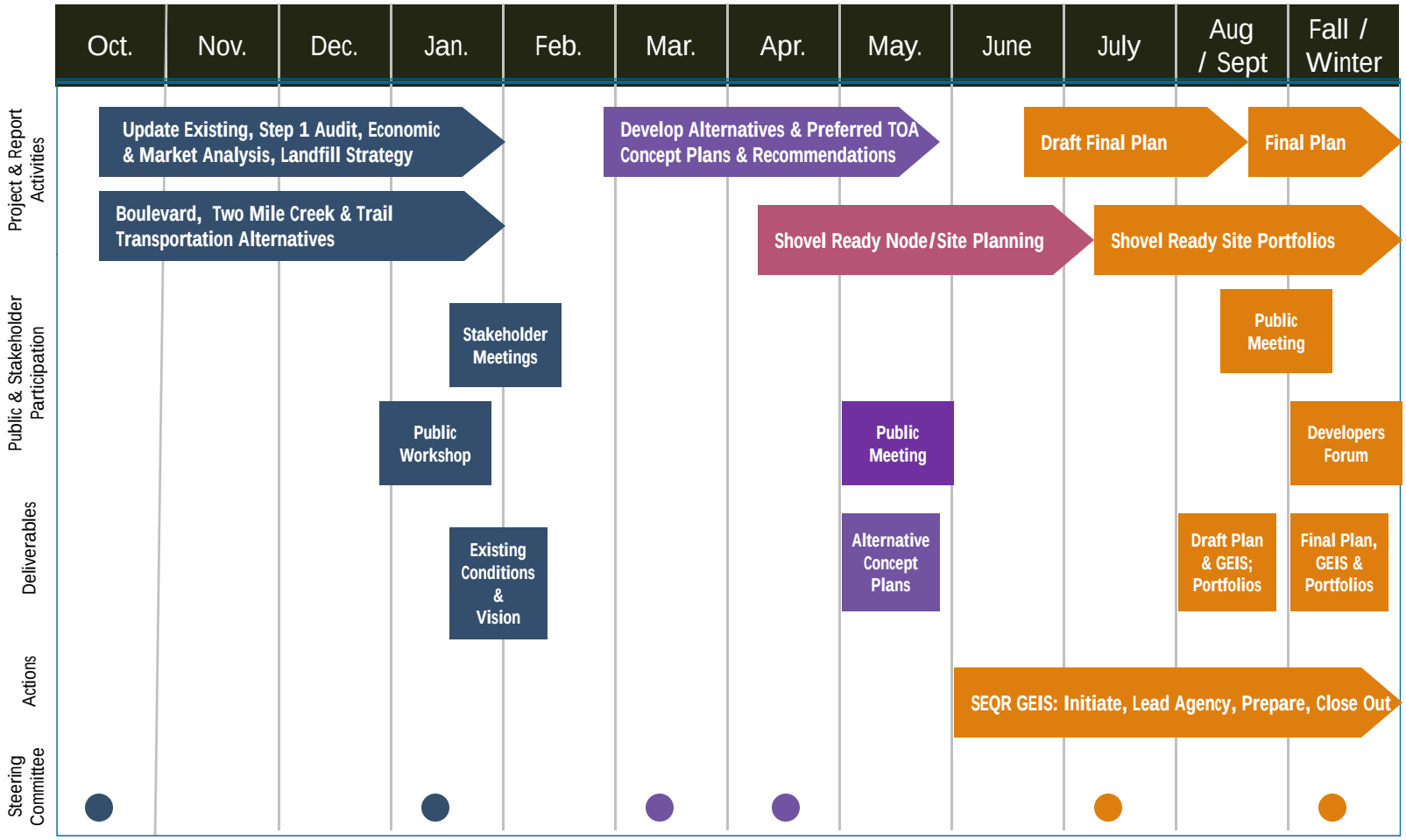
TONAWANDA OPPORTUNITY AREA

Overall Goal: Unlock Inherent Potential



Scope & Schedule

Scope & Schedule



We Need Your Help

1. What concepts from the 2012 Plan and the waterfront plans do you like that should be included in this plan for implementation?
2. Any changes to those plans or concepts?
3. What ideas should be shelved?

TONAWANDA OPPORTUNITY AREA PROJECT
PUBLIC MEETING

PUBLIC SIGN-IN SHEET

Meeting Date: January 28, 2016	**Time:** 7:00 – 9:00 PM	**Place/Room:** NOCO Pavilion, 450 Ensminger

Name	Group /Affiliation	Town/City	Phone	E-Mail
Kailee Neuner	LaBella Associates	Buffalo	716-551-6230	kneuner@labellapc.com
Mary Beth McDonnell	resident	Ton		mbmcdonnell115@gmail.
Margaret Scully	resident	Town of Ton	716 345-9624	law3m46@yahoo.com
William Conrad	resident	Ton	716 435-7874	wmconradiii@yahoo.com
Paul Saffrin				
Denis Uminski	Planning Bd	Ton	873-6073	n2hf@arrl.net

TONAWANDA OPPORTUNITY AREA PROJECT
PUBLIC MEETING

PUBLIC SIGN-IN SHEET

Meeting Date: January 28, 2016	**Time:** 7:00 – 9:00 PM	**Place/Room:** NOCO Pavilion, 450 Ensminger

Name	Group /Affiliation	Town/City	Phone	E-Mail
Kailee Neuner	LaBella Associates	Buffalo	716-551-6230	kneuner@labellapc.com
ROBERT LUTZ	SHERIDAN PARK TINE TOT			BOBLUT17@GMAIL.COM
PETER BURKE	JKLA			pburke@jklastudio.com

Sunday January 24, 2016
The Buffalo News.com (/)

City & Region

Where we live: Town of Tonawanda

Updated: January 22, 2016, 09:38 AM Published: January 24, 2016, 12:01 AM

Town of Tonawanda

How should underutilized and vacant parcels in the town's western industrial section be redeveloped?

That will be the focus Thursday evening of the first public meeting about the Tonawanda Opportunity Area, which is defined as four miles of land along the Niagara River encompassing more than 2,000 acres.

The primary objective is to restore the properties to productive use and reconnect them to the waterfront through multi-modal transportation improvements such as roadways and biking and walking trails. Officials also hope to attract new businesses, jobs and an enhanced tax base for the town.

The meeting begins at 7 p.m. in the Noco Pavilion, 450 Ensminger Road. More information on the project is available at tonawandaopportunity.com (http://tonawandaopportunity.com).

This week:

• The Town Board meets at 7:30 p.m. Monday in Council Chambers at the Municipal Building, 2919 Delaware Ave. A work session begins at 4:30 in the second-floor conference room.

• The Kenmore Planning Board meets at 6 p.m. Tuesday in Room 15 at the Municipal Building.

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Sandra Lane announces speaker series

The Sandra Lane Senior Apartments is sponsoring a free "Because We Care" speaker series throughout the month of February.

All events will be held at 1 p.m. Wednesdays at 705 Sandra Lane, North Tonawanda.

On Feb. 3, a representative from Wurlitzer Pharmacy will be there to discuss its line of durable medical equipment including power lift chairs, walkers, diabetic shoes, bath safety equipment, support braces, compression stockings, canes, crutches and many other items. The representative will also talk about the ability to work through a customer's insurance company.

State Farm Insurance will lead the talk on Feb. 10, focusing on how its products can help protect personal belongings. In addition to renter's insurance, the company also offers auto and life insurance. On Feb. 17, Jewelry by Nanci will showcase inexpensive pieces from its collection.

Lastly, the Office for the Aging will be there on Feb. 24 to talk about a variety of resources designed to assist Niagara County residents in maintaining as much independence as possible. Topics include cost-saving programs, information about community resources such as transportation programs, health and wellness programs, Social Security, NYS EPIC and more.Call 693-0420 to register.



WINTER CRAFTS — Prekindergarten students at St. John the Baptist School work on winter polar bear crafts after exploring habitats and climate of the animals who live in the Arctic. From left are Caroline Smith, James Kanaley and Gabriella Boyle.

NFADA lists 2016 AutoTech, Tire Rodeo competition winners

Student teams from the Genesee Valley Educational Partnership in Batavia and the Kenton Career and Tech Center in Tonawanda are celebrating victories at the NFADA Ron Smith Memorial AutoTech Competition and Tire Rodeo held recently in Orchard Park.

The competition took place at the Erie Community College-Vehicle Technology Training Center on Big Tree Road.

The AutoTech competition featured teams of two high school automotive seniors who were put through a series of diagnostic, workstation and performance tests to measure their automotive technical skills and abilities. The WNY Ford Dealers served as vehicle sponsors and provided six 2016 Ford F150s for the students to compete on.

Taking first place in the AutoTech competition for seniors was the team of Daniel Cone and Dylan Binnert from Genesee Valley Educational Partnership, under the direction of instructor Bob Yates. Cone and Binnert will soon begin training for the National Automotive Technology Competition to be held at the New York International Auto Show on March 29 and 30. The two-day competition will feature teams from across the U.S. competing for prizes and college scholarships.

In the Tire Rodeo, teams of two high school juniors were timed as they raced to replace a damaged tire in the quickest time. Taking first place in the Tire Rodeo was the team of Daniel Hudson and Benjamin Serrano from the Kenton Career and Tech Center, under the direction of instructors Gary Willis and Gary Carlson.

For more information on the NFADA and the AutoTech and Tire Rodeo competitions, visit www.nfada.com or follow the AutoTech program on Facebook at www.facebook.com/NfadaRonSmithMemorialAutotechCompetition, where photos from the 2016 contests have been posted.

Tonawanda Opportunity Area project to hold first public meeting

The first public meeting to introduce the Tonawanda Opportunity Area project will be held at 7 p.m. Thursday, Jan. 28, at the Noco Pavilion, 450 Ensminger Road, Tonawanda.

Those in attendance will be provided with information on the project, given an opportunity to meet the project team and review project-related information.

The Tonawanda Opportunity Area project will focus on opportunities to redevelop underused properties along more than four miles of the Niagara River and adjacent areas in the town, encompassing more than 2,000 acres.

Primary objectives of the project are to restore those properties to productive reuse and reconnect them to the waterfront through multi-modal transportation improvements (roadways, bike and walking trails) and landscaping upgrades.

Other expected outcomes of the project include new businesses, jobs and an enhanced tax base for the town. As the Tonawanda Opportunity Area is located in the center of the Buffalo Niagara metropolitan area with access to Interstates 290 and 190, it offers outstanding opportunities for commercial investment in the region.

This effort builds upon existing plans and projects, including the town's recently adopted comprehensive plan, the "restoring our waterfront" land use plan and the waterfront corridor landscaping plan. Completion of the project will also help the town, businesses and property owners with obtaining grants and financial incentives for redevelopment in the area. Funding for the project is provided by the state Department of State's Office of Planning and Development.

For more information on the Tonawanda Opportunity Area project, visit the project website at www.tonawandaopportunity.com.

Students put

(Continued from page one)

observe them," said third-grade teacher Barb Walder. "I kept promising them that one of these days soon, it would be the perfect day."

In the meantime, Walder says the students created their own symmetrical, six-pointed snowflakes in an art class and wrote about Bentley's life.

Street parking

(Continued from page one)

percent of the residents in the middle portion of the street were in favor of removing the signs.

Brzyski proposed that the outer parts of Brendan keep the signs but the middle part have the signs removed for residents to take advantage of the parking.

Despite Brzyski's suggestions, Councilwoman Lisa Chimera affirmed that if the board were to take action in a way other than what is stated in the resolution, it would have to defeat the current one, the committee would have to propose a new one and a public hearing would be held again before a vote could take place and actual changes could be made.

Sharon Hadaway, who lives on another street but owns property on Brendan Avenue, suggested that residents should consider how having full-time parking on their street will affect the services they receive from the town. Her street doesn't have any parking limitations, and that has created a problem when snowplows or street cleaners come down her street.

"If there's cars on the street, the plows can't get to the curb to plow it properly. So what they do, as you all know, is pull out and leave a ton of snow at the end of your driveway, which is very heavy to shovel or snowplow if there's cars in the way," she said. "If there's cars parked on the street and there's no time limit, the streets won't be clean."

Hadaway said she likes both of these services and thought that residents should know that their services won't be as nice or efficient if the limited parking signs are removed.

Residents still have about two and a half weeks to complete the survey if they haven't already.

The Town Board will next meet at 7:30 p.m. Monday, Feb. 8, in Council Chambers in the Municipal Building, 2919 Delaware Ave., Kenmore.

email: mbest@beenews.com

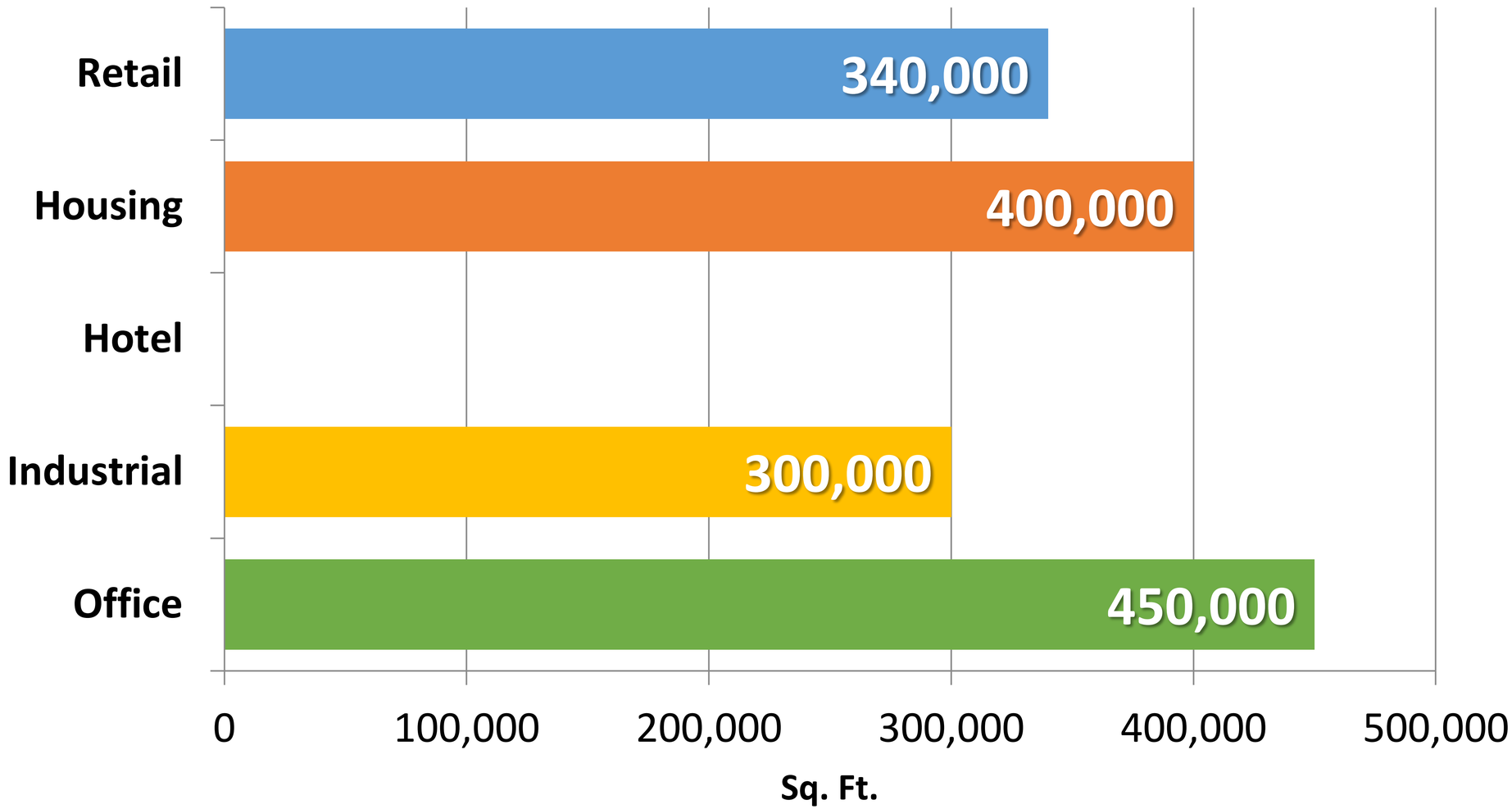


TONAWANDA OPPORTUNITY AREA

Market Support

07/13/17 Meeting

Demand for 1.5 Million Sq. Ft. of Space over 10 years



8% of Region,
100K Retail, 240K Rest./Bar

6% of Region,
25 For Sale, 250 For Rent

Saturated

10% of Region,
Warehouse, Flex, Mfg.

5% of Region,
Flex Office

TONAWANDA OPPORTUNITY AREA

Mile View Strategic Site

1. Town Center Mixed Use, Walkable Neighborhood
2. Riverside Office/Retail Mixed Use
3. Class A Offices with River Views
4. Office, Light Industrial and Warehouse
5. Townhomes along Two Mile Creek Road
6. Solar Panel Array
7. Trail Network

River Road

Riverwalk Parkway

Two Mile Creek Road

Rattlesnak

United

Pirson Pkwy

This map was prepared for the Town of Tonawanda and the New York State Department of State with state funds provided through the Brownfield Opportunity Areas Program.

TONAWANDA OPPORTUNITY AREA

Mile View Strategic Site



TONAWANDA OPPORTUNITY AREA

Niagara River World Strategic Site

1. Existing River World Site
2. New Light Industrial/Warehouse
3. River Dock
4. New Open Space Trail Network
5. Proposed Cherry Farm Park
6. Regional Composting Facility

River Road

I-190

TONAWANDA OPPORTUNITY AREA

Niagara River World Strategic Site



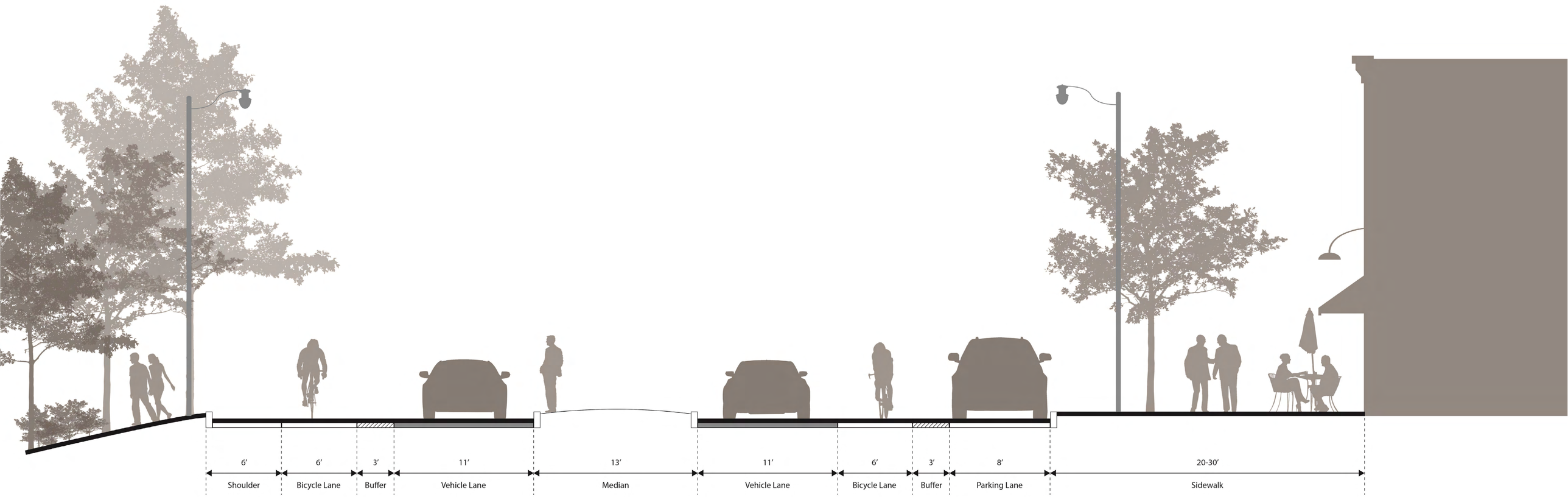
TONAWANDA OPPORTUNITY AREA

Incorporating Green Infrastructure



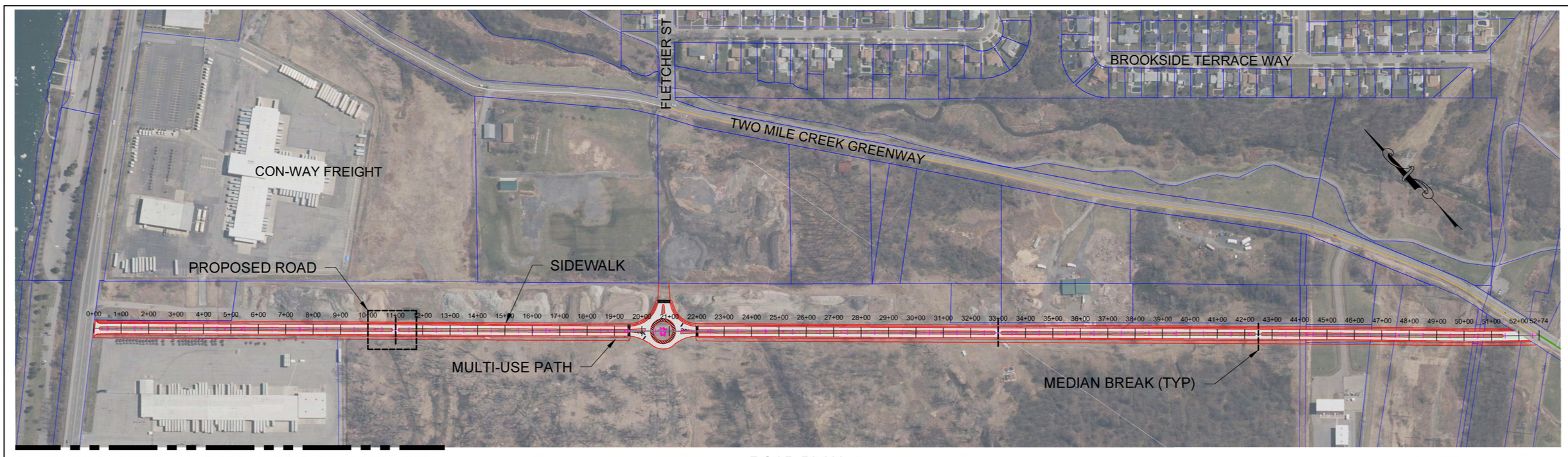
TONAWANDA OPPORTUNITY AREA

A New River Road



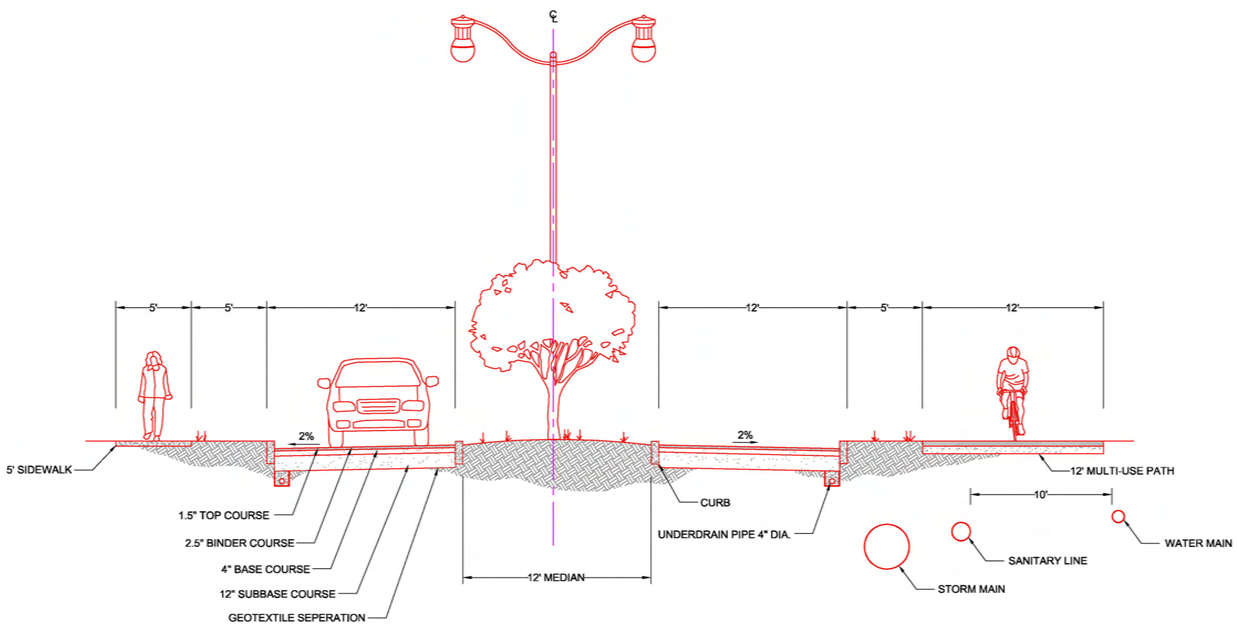
TONAWANDA OPPORTUNITY AREA

Roadway Upgrades



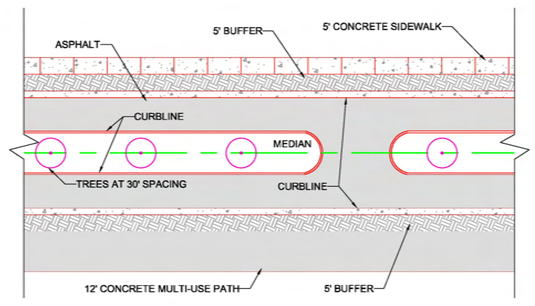
FOR CONTINUATION SEE SHEET SK-2

ROAD PLAN



PROPOSED ROAD SECTION

SCALE: 1"= 30'



ENLARGED PROPOSED ROAD PLAN

SCALE: 1"= 20'

PARSONS BRINCKERHOFF

50 Lakefront Boulevard, Suite 111
Waterfront Village Center
Buffalo, NY 14202
p. 716.853-1220. f. 716.853.1322
WWW.PBWORLD.COM

It is a violation of the NYS engineering law for any person, unless he is acting under the direction of a licensed professional engineer or land surveyor, to alter an item in any way. If an item bearing the seal of an engineer of land surveyor is altered, the altering engineer or land surveyor shall affix to the item his seal and the notation "altered by" followed by his signature and the date of such alteration, and a specific description of the alteration.

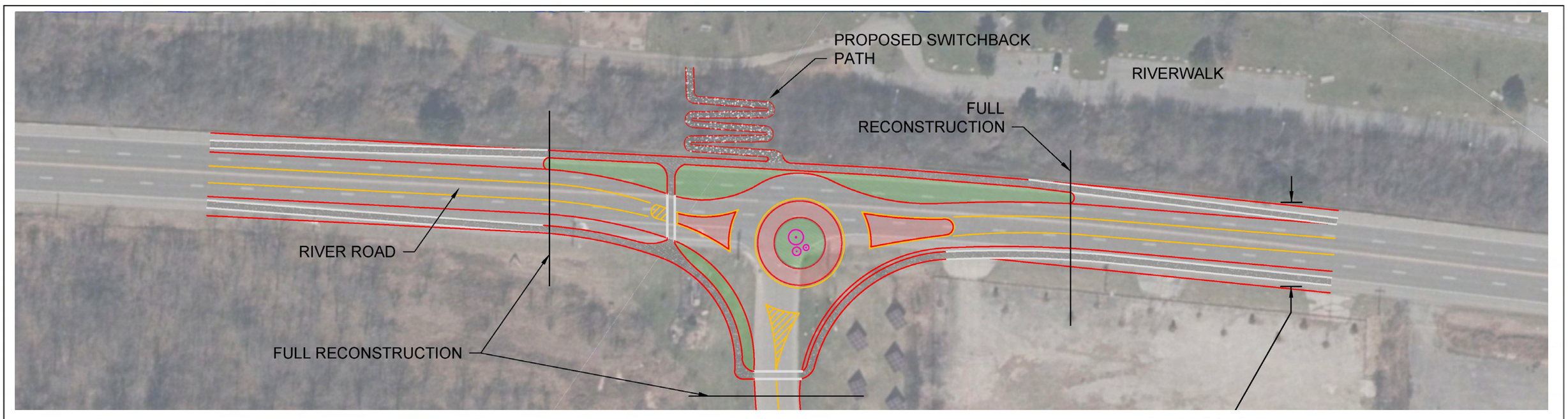
PROJECT:
SUSTAINABLE TONAWANDA OPPORTUNITY AREA
TONAWANDA, NY

TITLE:
PROPOSED ROADWAY EXTENSION

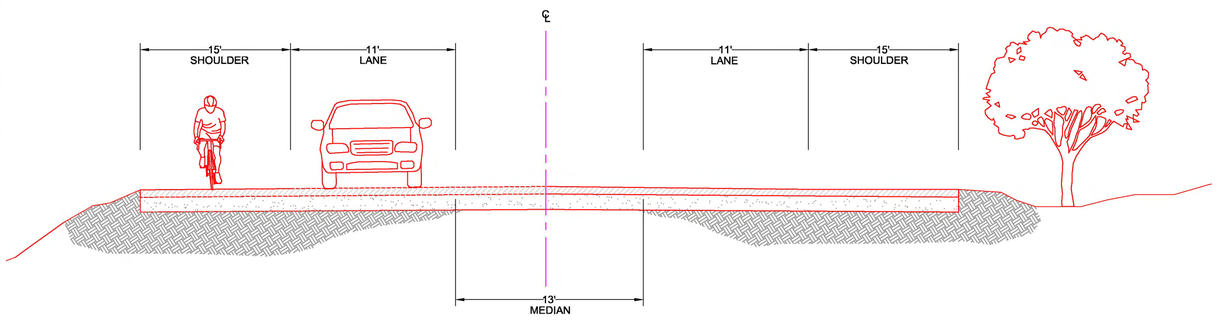
REF. DRAWING:

DATE:	05/02/2016
DRAWN BY:	MDF
CHECKED BY:	JFH
JOB NUMBER:	xxxxx

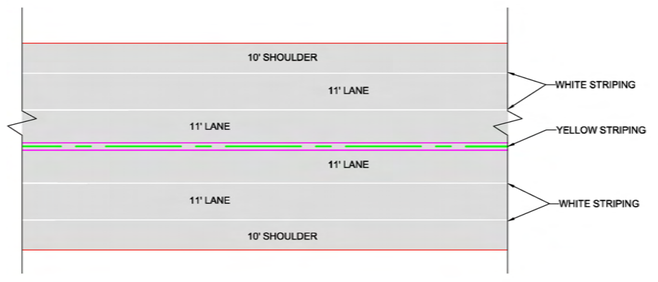
DRAWING No.
SK-1



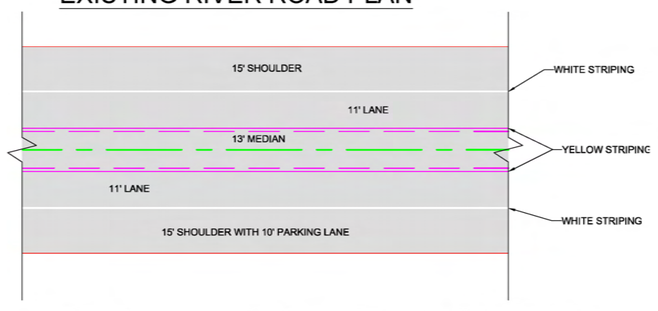
RIVER ROAD PLAN



PROPOSED RIVER ROAD SECTION



EXISTING RIVER ROAD PLAN



ENLARGED PROPOSED RIVER ROAD PLAN

PARSONS BRINCKERHOFF

50 Lakefront Boulevard, Suite 111
Waterfront Village Center
Buffalo, NY 14202
p. 716.853-1220. f. 716.853.1322
WWW.PBWORLD.COM

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PROJECT:
SUSTAINABLE TONAWANDA OPPORTUNITY AREA
TONAWANDA, NY

TITLE:
PROPOSED RIVERWALK PARKWAY ROUNDABOUT

REF. DRAWING:

DATE:	05/02/2016
DRAWN BY:	MDF
CHECKED BY:	JFH
JOB NUMBER:	xxxxx

DRAWING No.
SK-1

TONAWANDA OPPORTUNITY AREA
PUBLIC MEETING

PUBLIC SIGN-IN SHEET

Meeting Date: July 13, 2017	**Time:** 6:30 – 8:00 PM	**Place/Room:** Philip Sheridan Building

Name	Group /Affiliation	Town/City	Phone	E-Mail
James Horrigan		Ton	877 6958	
Chris Cusick		Ton	512-5169	—
JERRY PIAK		Kenmore	876 8966	
PAUL KRANZ	Erie Co DEP		858-7897	
Nick Konotopskyi	Ken-Ton Bee		716-906-9661	
[illegible]	Karaboo News	Ken	585-698-8157	
Jim Hartz	TOT Planning			
Paul Morrow	TOT Pretreatment			
Timothy Callan	Town of Tonawanda			
Lynn Marinelli	Empire State Dev.	NYS	716 846 8216	Lynn.Marinelli@esd.ny.gov
Sharon White	Clean Air	Kenmore		
Damon Pratek		Tonawanda	716-573-6527	Damon@wolke.com
Jane Sadowsky		N. Ton		
David Stinner	Usitek	Ton		david@usitek.com
Sue Kelley		KEN	716-348-2370	stk4188@gmail.com
Bill Daniels		Ton	873 7293	Daniels4540@RR.com

TONAWANDA OPPORTUNITY AREA
PUBLIC MEETING

PUBLIC SIGN-IN SHEET

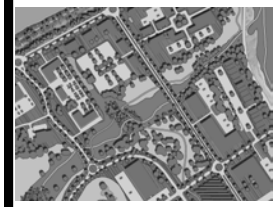
Meeting Date: July 13, 2017	**Time:** 6:30 – 8:00 PM	**Place/Room:** Philip Sheridan Building

Name	Group /Affiliation	Town/City	Phone	E-Mail
Kailee Van Brunt	LaBella		716-551-6230	kvanbrunt@labellapc.com
Kristina Costello		Tonawanda	716-873-0714	kcostello@frontiercsd.org
George Ferber	Self	Town	678 994 5864	georgeferb@gmail.com
Jay Kuebler	JKLA	N. Tow.	716-695-1987	jkuebler@jklastudio.com
Jim Jones	Tonawanda	Town	877 880F	jjones@tonawanda.nyus
Kevin Hardwick	EC Legislature		716-858-8672	hardwick@erie.gov
Paul Christian	Candidate For Town Board		716 432 5839	drhuggspc@Aol.com
Martin Wendz	—	Tonawanda	716-873-0053	martin_wlb@yahoo.com
Lori Wendz	—	"	"	
Joe Wintel	Self	Tonawanda	716-861-7579	JWLEVERAGE@RUADRUNNEIL.COM
Sean O'Neil	Sen. Chris Jacobs	Tona.	716-854-8705	Oneil@nysenate.gov
Maria Tisby	Tonawanda Taxpayer	U.S.A	716 830 4109	
Elaine Pond	"	Tonawanda		

TOWN OF TONAWANDA

Tonawanda Opportunity Area







Open House

July 13, 2017, 6:30 p.m.—8 p.m.

Philip Sheridan Building Community Room,
3200 Elmwood Avenue, Tonawanda, NY

You are invited to attend an Open House to provide input on the draft redevelopment concept plans for the **River Road Corridor** (City of Tonawanda Boundary to Huntley Plant).

The concept plans reflect input from a Public Workshop held in 2016.

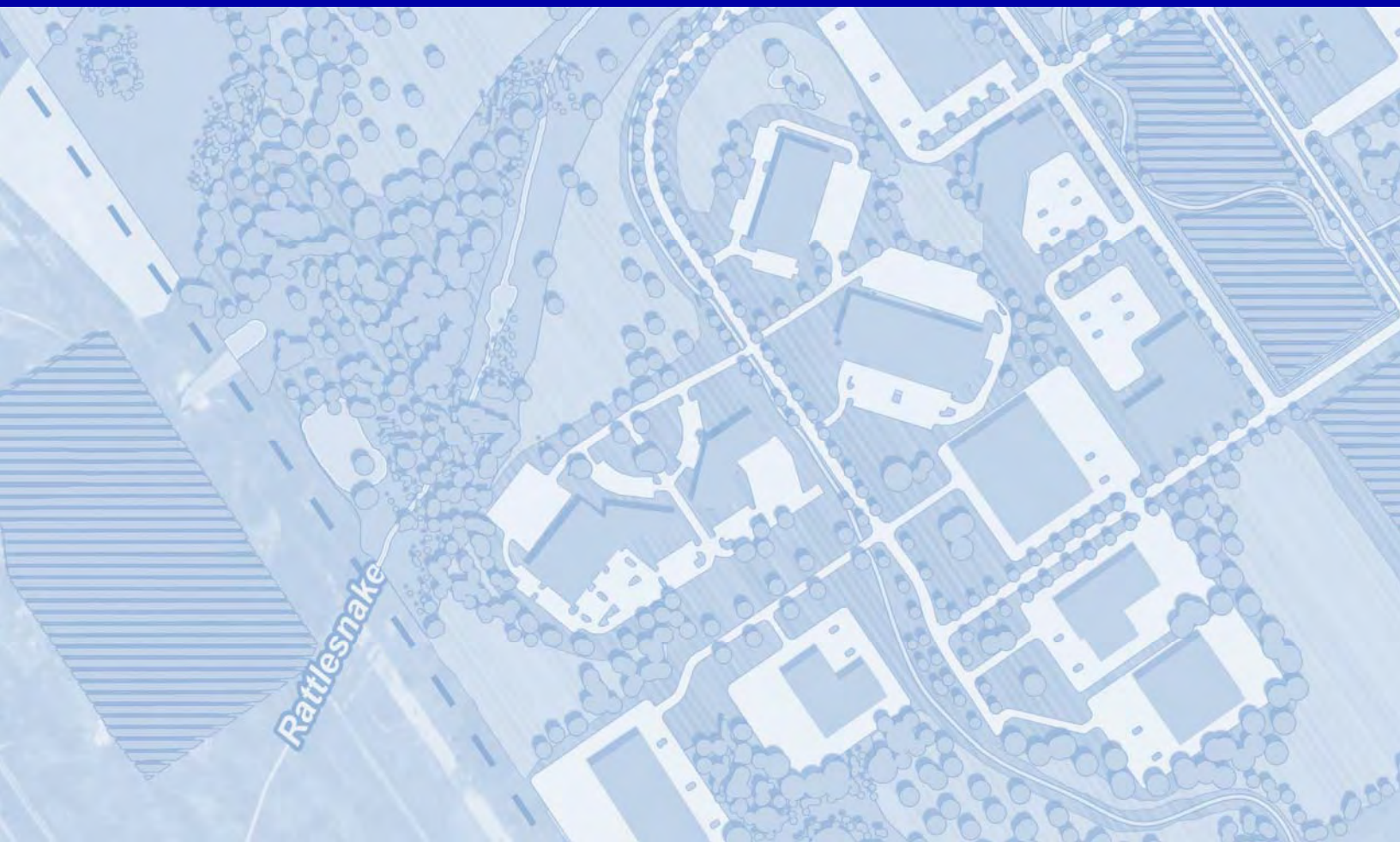
Who Should Attend: Residents, businesses, property owners or anyone with an interest in revitalizing Tonawanda!



Appendix B

Tonawanda Opportunity Area

Site Profiles



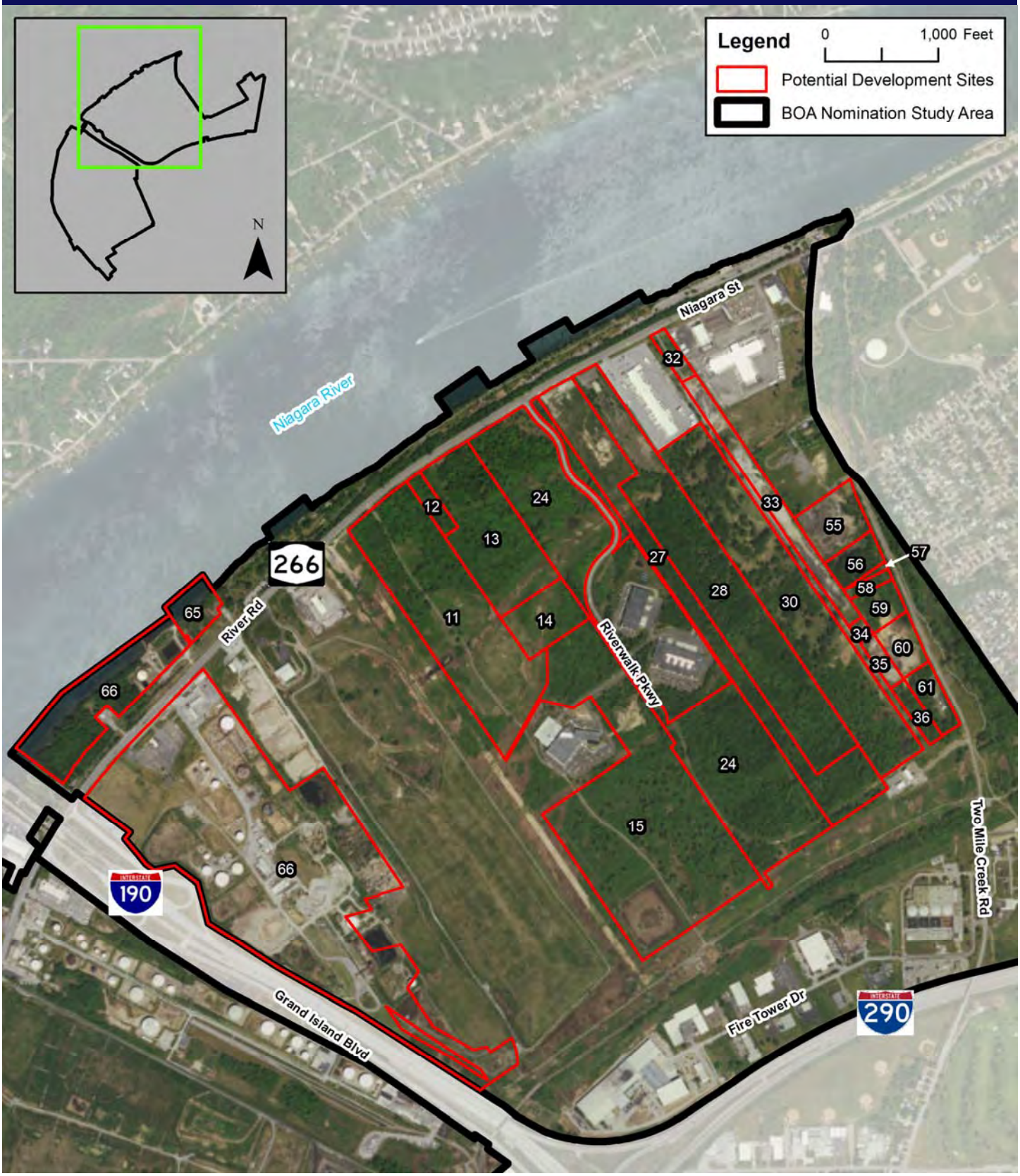
TONAWANDA OPPORTUNITY AREA

Underutilized and Vacant Site Profiles

Contact: James Hartz, Department of Planning & Development, 716-871-8847 ext. 1, jhartz@tonawanda.ny.us

www.tonawandaopportunity.com

Sites Map - Northern Area



Sites Map - Southern Area



4999 River Road

Site Number:	**11**
Site Classification:	Vacant with No Env. Records
Address:	4999 River Road
Municipality:	Town of Tonawanda
Parcel Number:	52.05-1-6
Parcel Size:	36.77 Acres
Buildings:	None
Zoning:	WB/WID—Business (portion)
Special Districts:	HUBZone, EnZone, Empire Zone, Archeo Significant Area
Owner:	Ashland Oil & Refining Co
Assessed Value:	$12,900
Publicly Owned:	No
Tax Status:	Current as of March 2017
Foreclosure List:	No
Utilities:	Water, Sewer, Electric; No Nat. Gas

Property Use and Condition:

The site is currently vacant, covered in trees and fields. A private gravel/dirt road traverses the property from north to south. The site is bounded to the northwest by River Road (State Highway 266), to the northeast by Sites 12, 13, and 14 (vacant land - Riverview Solar Technology Park), to the southeast by Site 15 (vacant land - Riverview Solar Technology Park) and the new FedEx facility, and to the southwest by an overhead electric corridor. The site is relatively flat and is located outside of the 100-Year flood zone. The site contains a Federally-designated forested wetland, riverine/emergent wetlands (associated with the Class B Rattlesnake Creek which bisects the site), and two ponds.

Site/Environmental History:

A southern portion of the Site known as "Tonawanda North, Unit 2" was identified as a United States Environmental Protection Agency (USEPA) Formerly Utilized Sites Remedial Action Program (FUSRAP). Technologically Enhanced Naturally Occurring Radioactive Material (TENORM) was previously buried in this area of the Site in the 1970s. A NYSDEC Record of Decision (ROD) was signed for the Site in 1998. In 1999, more than 52,250 tons of TENORM was excavated from the area of "Unit 2" and properly shipped off-site for disposal at an approved radioactive waste disposal facility. During removal activities sampling at the Site by the U.S. Army Corps of Engineers (USACE) indicated that contamination of the on-site creek sediment had occurred associated with the TENORM material. The area of the on-site creek was added to the original ROD in 2004. In 2005 more than 33,280 tons of TENORM-contaminated sediment was excavated from the creek and properly shipped off-site for disposal at an approved radioactive waste disposal facility. Following remediation of the creek all pathways of exposure had been addressed in the on-site area of "Unit 2" and no further response was required to protect human health and the environment. This area of the Site was deemed suitable for unrestricted urban residential use. The project use of the Site was for commercial or industrial purposes. No monitoring, maintenance or site inspections are required for "Unit 2." A 2017 Phase I Environmental Site Assessment was conducted for the Site.



Site Map



Access to Transportation:

Adjacent roadway: River Road (State Highway 266) in good condition
0 feet to State Highway 266 (closest highway)
0.8 miles to interchange 17 for I-190 (closest interstate) via River Road
9.8 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

This parcel is part of the MileView Strategic Area. Based on the concept plan, this parcel would be part of a larger mixed use redevelopment strategy and provide a buffer between development and heavy industrial uses to the west initially but would be available for development in the future.

Site Priority: Medium

5101 River Road

Site Number:	**12**
Site Classification:	Vacant with No Env. Records
Address:	5101 River Road
Municipality:	Town of Tonawanda
Parcel Number:	52.05-1-5
Parcel Size:	1.99 Acres
Buildings:	None
Zoning:	WB—Business (portion)
Special Districts:	HUBZone, EnZone, Empire Zone, Archeo Significant Area
Owner:	Goetz Oil Corporation
Assessed Value:	$51,500
Publicly Owned:	No
Tax Status:	Current as of March 2017
Foreclosure List:	No
Utilities:	Water, Sewer, Electric; No Nat. Gas



Property Use and Condition:

The site is currently vacant wooded land. The site is bounded to the northwest by River Road (State Highway 266), to the northeast and southeast by Site 13 (vacant land - Riverview Solar Technology Park), and to the southwest by Site 11 (vacant land). The site is relatively flat and is located outside of the 100-Year flood zone.

Site Map



Site/Environmental History:

No known environmental records exist for the Site per a 2017 Phase I Environmental Site Assessment.

Access to Transportation:

Adjacent roadway: River Road (State Highway 266) in good condition
0 feet to State Highway 266 (closest highway)
0.9 miles to interchange 17 for I-190 (closest interstate) via River Road
9.7 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

This parcel is part of the MileView Strategic Area. Based on the concept plan, this parcel would be part of a larger mixed use redevelopment strategy and provide a buffer between development and heavy industrial uses to the west initially but would be available for development in the future.

Site Priority: Medium

Riverwalk Solar Technology Park

Site Number:	13	14
Site Classification:	Vacant w/ No Env. Records	
Address:	5201 River Road	5211 River Road
Municipality:	Town of Tonawanda	
Parcel Number:	52.05-1-4	52.10-1-1
Parcel Size:	19.97 Acres	6.62 Acres
Buildings:	None	
Zoning:	WB/WID—Business (portion)	WID
Special Districts:	HUBZone, EnZone, Empire Zone, Archeo Significant Area	
Owner:	5201 River Road Inc	Riverwalk Parkway I LLC
Assessed Value:	$138,000	$2,400
Publicly Owned:	No	
Tax Status:	Current as of March 2017	
Foreclosure List:	No	
Utilities:	Water, Sewer, Electric; Nat. Gas along Riverwalk Pkwy	

Table Continued on the Next Page



Site Map



Property Use and Condition:

The properties are undeveloped portions of the Riverview Solar Technology Park. The properties are currently vacant, covered in trees and fields. The properties are available to lease and the owner is willing to build to suit. Developed portions of the Park include three flex office/distribution/manufacturing buildings housing companies such as Fed Ex, Unifrax, and Tyco Integrated Security to name a few. The site is bounded to the northwest by River Road (State Highway 266), to the northeast by Sites 28 and 30 (mostly vacant land), to the southeast by an overhead electric corridor, and to the southwest by Sites 11 and 12 (vacant land) and an overhead electric corridor. The site is relatively flat (except where it slopes downward towards the creeks) and is located outside of the 100-Year flood zone. The properties contain a Federally-designated scrub/shrub wetland, riverine/emergent wetlands (associated with the Class B Rattlesnake Creek which bisects several of the properties), additional riverine wetlands associated with two Class B tributaries to Two Mile Creek, and two ponds.

Access to Transportation:

Adjacent roadway: River Road (State Highway 266) in good condition and Riverwalk Parkway in good condition
0 feet to State Highway 266 (closest highway)
1.1 miles to interchange 17 for I-190 (closest interstate) via River Road
9.5 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Site Priority: High

Riverwalk Solar Technology Park
(Continued)

Site #:	15	24	27	Total
Site Class.:	Vacant with No Env. Records		Vacant with Env. Records	
Address:	5221 River Road	5315 River Road	5335 River Road	5 Properties
Municipality:	Town of Tonawanda			
Parcel #:	52.10-1-2.21	52.06-3-11.11	52.06-3-10	
Parcel Size:	59.87 Acres	54.05 Acres	25.19 Acres	165.7 Acres
Buildings:	None			None
Zoning:	WID	WB/WID—Business (portion)		
Special Districts:	HUBZone, EnZone, Empire Zone, Archeo Significant Area		HUBZone, EnZone, Archeo Sig. Area	
Owner:	Riverwalk Parkway LLC	5201 River Road Inc	5335 River Road Associates LLC	
Assessed Value:	$206,425	$253,800	$5,000	$605,625
Publicly Owned:	No			
Tax Status:	Current as of March 2017			
Foreclosure:	No			
Utilities:	Water, Sewer, Electric; Nat. Gas along Riverwalk Pkwy			

Use Potential:

These parcels are part of the MileView Strategic Area. Based on the concept plan, these parcels would be part of a larger mixed use redevelopment strategy. The area would provide opportunities for retail and Class A offices near River Road and office, light industrial and warehouse space in the interior.

Site/Environmental History:

Site 27 was identified as a United States Environmental Protection Agency (USEPA) Brownfields Cleanup Grant (Property ID 132903, Property ID 53221), a USEPA Resource Conservation and Recovery Act (RCRA) Large Quantity Generator (LQG) (Facility ID NYD000813295), and a New York State Department of Conservation (NYSDEC) Inactive Hazardous Waste Disposal Site (IHWDS) (Site Code 915225) including six NYSDEC closed spills from between 1986 and 2009. The Riverview Site is an approximately 25 acre former petroleum tank farm located on River Road in the Town of Tonawanda, Erie County. The Site currently consists of vacant and abandoned land that overlooks the Niagara River. Extensive remedial action was preformed on-site; however, residual contamination remains. The NYSDEC recommended the preparation of a Site Management Plan and the placement of an environmental easement restricting the property to commercial/industrial uses.

Although no publicly available records indicating possible environmental issues were located for the remaining parcels, their location makes it possible that they were formerly developed for industrial use in an area where industrial development occurred before environmental regulations improved waste handling practices. The possibility and perception of environmental contamination therefore exists.



5445 River Road

Site Number:	**28**
Site Classification:	Vacant with Env. Records
Address:	5445 River Road
Municipality:	Town of Tonawanda
Parcel Number:	52.06-3-9
Parcel Size:	37.48 Acres
Buildings:	8,352 sq ft - fair condition
Zoning:	WB/WID—Business (portion)
Special Districts:	HUBZone, EnZone, Archeo Significant Area
Owner:	Gerdau Ameristeel US Inc
Assessed Value:	$263,300
Publicly Owned:	No
Tax Status:	1 Yr. Delinquent as of March 2017
Foreclosure List:	No
Utilities:	Water, Sewer, Electric, Nat. Gas

Property Use and Condition:

The site is for sale through Cushman & Wakefield. The extreme northwest portion of the site includes an overgrown parking lot and underutilized/vacant building. It appears as if dumping has occurred in the field located behind the building. The remainder of the site is vacant forested land. The site is bounded to the northwest by River Road (State Highway 266), to the northeast by Site 30 (vacant land) and R+L Carriers (a trucking terminal), and to the southeast and southwest by Site 27 (vacant land - Riverview Solar Technology Park). The site is relatively flat (except where it slopes downward towards the creeks) and is located outside of the 100-Year flood zone. The site contains Federally-designated riverine/emergent wetlands (associated with the Class B Rattlesnake Creek which bisects the site) and additional riverine wetlands associated with two Class B tributaries to Two Mile Creek (both of which also bisect the site).

Site/Environmental History:

Site 28 is registered with the United States Environmental Protection Agency (USEPA) Brownfields Cleanup Grant (Property ID 53221). A portion of the Site was historically utilized as a major storage facility. Remedial actions were completed at the Site in order to remove known gross petroleum contamination; however, based on the historical use of the Site, the presence of unknown residual contamination can not be ruled out. There are records of five closed NYSDEC Spills from between 1987 and 1994 and one inactive NYSDEC Spill from 2013 where residual petroleum contamination was left-in-place beneath a concrete building slab. A Phase I Environmental Site Assessment was conducted for the Site in 2009.

Access to Transportation:

Adjacent roadway: River Road (State Highway 266) in good condition
0 feet to State Highway 266 (closest highway)
1.2 miles to interchange 17 for I-190 (closest interstate) via River Road
9.4 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No



Site Map



Use Potential:

This parcel is part of the MileView Strategic Area. Based on the concept plan, this parcel would be part of a larger mixed use redevelopment strategy. The area would provide opportunities for office, light industrial and warehouse space.

Site Priority: High

5565 River Road

Site Number:	**30**
Site Classification:	Vacant with Env. Records
Address:	5565 River Road
Municipality:	Town of Tonawanda
Parcel Number:	52.06-3-8
Parcel Size:	37.00 Acres
Buildings:	None
Zoning:	WB/WID
Special Districts:	HUBZone, EnZone, Archeo Significant Area
Owner:	Magliarditti, Nick
Assessed Value:	$69,000
Publicly Owned:	No
Tax Status:	Many Yrs. Delinquent as of 3/2017
Foreclosure List:	Eligible
Utilities:	Water; Nat. Gas along southern property boundary; No Sewer, Electric



Property Use and Condition:

The site is currently vacant, covered in trees and fields. The site is bounded to the northwest by R+L Carriers (a trucking terminal), to the northeast by a long linear strip of land owned by the Town (major sewer outfall), to the southeast by a gas substation, and to the southwest by Site 27 (vacant land - Riverview Solar Technology Park) and Site 28 (vacant land). The site is relatively flat (except where it slopes downward towards the creeks) and is located outside of the 100-Year flood zone. The site contains Federally-designated riverine/emergent wetlands (associated with the Class B Rattlesnake Creek which bisects the site) and additional riverine wetlands associated with two Class B tributaries to Two Mile Creek (both of which also bisect the site).

Site/Environmental History:

The Site is currently registered as a New York State Department of Environmental Conservation (NYSDEC) state listed Inactive Hazardous Waste Disposal Site (IHWDS) (NYSDEC Site Code 915239). Several mounds of fly ash and piles of 55-gallon drums (mostly empty) were previously observed located throughout this property. As a result, a Site Characterization was conducted by the NYSDEC in 2011 including a test pitting program and collection of samples for laboratory analysis. Identified contaminants included polychlorinated biphenyls (PCBs) and metals in the surface soils, polycyclic aromatic hydrocarbons (PAHs), PCBs and metals in the subsurface industrial fill and volatile organic compounds (VOCs), PCBs and metals in the drum waste which inadvertently contaminated sediment in two of the creeks at the property that flow toward and through the Site. The condition of groundwater at the property had not yet been evaluated as of the current status of this listing. Subsequently, a remedial investigation was conducted at the property in 2013 with supplemental remedial investigation work completed in 2015. The current status of this listing indicates that the remedial investigation report is still in preparation. A Phase I Environmental Site Assessment was conducted for the Site in 2009.

Site Map



Access to Transportation:

Adjacent roadway: Landlocked property. Access to River Road (State Highway 266) in good condition via private gravel drive in fair condition east of site
950 feet to State Highway 266 (closest highway) via private gravel drive
1.5 miles to interchange 17 for I-190 (closest interstate) via River Road and private gravel drive
9.4 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

This parcel is part of the MileView Strategic Area. Because of its current environmental issues this area would be reserved for solar panels and open space.

Site Priority: Medium

5601 River Road

Site Number:	**32**
Site Classification:	Vacant with No Env. Records
Address:	5601 River Road
Municipality:	Town of Tonawanda
Parcel Number:	52.06-3-4
Parcel Size:	1.64 Acres
Buildings:	120 SF utility building - good condition
Zoning:	WB—Business
Special Districts:	HUBZone, EnZone, Archeo Significant Area
Owner:	Con-Way Transportation
Assessed Value:	$38,100
Publicly Owned:	No
Tax Status:	Current as of March 2017
Foreclosure List:	No
Utilities:	Water, Electric, Nat. Gas; No Sewer



Property Use and Condition:

The site is largely vacant land. A gravel drive bisects the property into east and west halves. Billboards are found on the east half and a small utility building associated with the water treatment plant is found on the west side. A concrete drive bisects the property and connects the adjacent east and west properties. The site is bounded to the northwest by River Road (State Highway 266), to the northeast by Con-Way Freight, to the southeast by Site 33 (vacant land), and to the southwest by a long linear strip of land owned by the Town (major sewer outfall). The site is relatively flat and is located outside of the 100-Year flood zone.

Site Map



Site/Environmental History:

Although no publicly available records indicating possible environmental issues were located for this parcel, its location makes it possible that it was formerly developed for industrial use in an area where industrial development occurred before environmental regulations improved waste handling practices. The possibility and perception of environmental contamination therefore exists. A Phase I Environmental Site Assessment was conducted for the Site in 2017.

Access to Transportation:

Adjacent roadway: River Road (State Highway 266) in good condition
0 feet to State Highway 266 (closest highway)
1.3 miles to interchange 17 for I-190 (closest interstate) via River Road
9.2 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

This parcel is part of the MileView Strategic Area. The site would be part of a larger mixed use Town Center development project on the concept plans.

Site Priority: High

5603 River Road

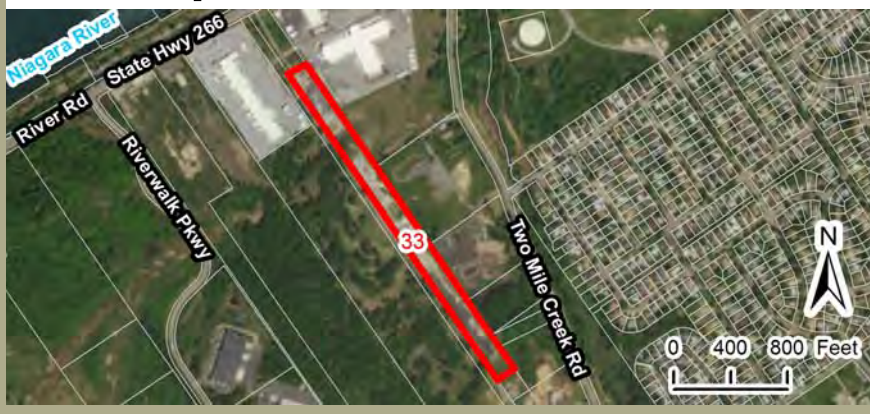
Site Number:	**33**
Site Classification:	Vacant with No Env. Records
Address:	5603 River Road
Municipality:	Town of Tonawanda
Parcel Number:	52.06-3-5
Parcel Size:	8.63 Acres
Buildings:	None
Zoning:	WB/WID
Special Districts:	HUBZone, EnZone, Archeo Significant Area
Owner:	3679 River Road Inc
Assessed Value:	$43,200
Publicly Owned:	No
Tax Status:	Current as of March 2017
Foreclosure List:	No
Utilities:	Water; No Sewer, Electric, Nat. Gas



Property Use and Condition:

The site is vacant. The site is used to store construction debris and fill. The site is bounded to the northwest by Site 32 (vacant land), to the northeast by Con-Way Freight, the Firemens Benevolent Association park, Sites 55, 57, 58, and 59 (vacant land), and Site 56 (a single family home), to the southeast by Site 34 (vacant land), and to the southwest by a long linear strip of land owned by the Town (major sewer outfall). The site is relatively flat (except where it slopes downward towards the creeks) and is located outside of the 100-Year flood zone. The site contains Federally-designated riverine wetlands associated with the Class B Rattlesnake Creek and Class B tributary to Two Mile Creek (both of which bisect the site).

Site Map



Site/Environmental History:

A 2017 Phase I Environmental Site Assessment report identified the west adjoining property addressed as 5565 River Road as a Recognized Environmental Condition. Refer To Site Number 30.

Access to Transportation:

Adjacent roadway: Landlocked property. Access to River Road (State Highway 266) in good condition via private gravel drive in fair condition north of site
460 feet to State Highway 266 (closest highway) via private gravel drive
1.4 miles to interchange 17 for I-190 (closest interstate) via River Road and private gravel drive
9.3 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

This parcel is part of the MileView Strategic Area. A new boulevard would be installed along an existing Town-owned right-of-way adjacent to the west side of the site and the site could be developed for office, light industrial or warehouse space.

Site Priority: High

5605 River Road

Site Number:	**34**
Site Classification:	Vacant with No Env. Records
Address:	5605 River Road
Municipality:	Town of Tonawanda
Parcel Number:	52.10-2-1.1
Parcel Size:	0.60 Acres
Buildings:	None
Zoning:	WID
Special Districts:	HUBZone, EnZone, Archeo Significant Area
Owner:	Magliarditti, Nick
Assessed Value:	$3,500
Publicly Owned:	No
Tax Status:	Many Yrs. Delinquent as of 3/2017
Foreclosure List:	Eligible
Utilities:	Water; No Sewer, Electric, Nat. Gas



Property Use and Condition:

The site is vacant. It appears as if the site is used to store construction debris and fill. The site is bounded to the northwest by Site 33 (vacant land), to the northeast by Site 59 (vacant land), to the southeast by Site 35 (Al's Tree Service), and to the southwest by a long linear strip of land owned by the Town (major sewer outfall). The site is relatively flat and is located outside of the 100-Year flood zone.

Site Map



Site/Environmental History:

A 2017 Phase I Environmental Site Assessment report identified the west adjoining property addressed as 5565 River Road as a Recognized Environmental Condition. Refer To Site Number 30.

Access to Transportation:

Adjacent roadway: Landlocked property. Access to River Road (State Highway 266) in good condition via private gravel drive in fair condition north of site
3,250 feet to State Highway 266 (closest highway) via private gravel drive
1.9 miles to interchange 17 for I-190 (closest interstate) via River Road and private gravel drive
9.8 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

This parcel is part of the MileView Strategic Area. Based on the concept plan, this parcel would be part of a larger mixed use redevelopment strategy. Specifically, a new boulevard would be installed along an existing Town-owned right-of-way adjacent to the west side of the site. Multi-use trails would be installed through the property.

Site Priority: High

5609 River Road

Site Number:	**35**
Site Classification:	Underutilized with No Env. Records
Address:	5609 River Road
Municipality:	Town of Tonawanda
Parcel Number:	52.10-2-1.2
Parcel Size:	1.57 Acres
Buildings:	5,000 sq ft - good condition
Zoning:	WID
Special Districts:	HUBZone, EnZone, Archeo Significant Area
Owner:	Ward, Robert W
Assessed Value:	$46,100
Publicly Owned:	No
Tax Status:	Current as of March 2017
Foreclosure List:	No
Utilities:	Water; No Sewer, Electric, Nat. Gas



Property Use and Condition:

The site houses Al's Tree Service (tree removal, firewood, and landscaping). It appears as if the owner also uses portions of Site 60 to pile wood and to access the site. The site is bounded to the northwest by Site 34 (vacant land), to the northeast by Site 60 (vacant land - appears to be used by Al's Tree Service), to the southeast by Site 36 (vacant land), and to the southwest by a long linear strip of land owned by the Town (major sewer outfall). The site is relatively flat and is located outside of the 100-Year flood zone.

Site Map



Site/Environmental History:

A 2017 Phase I Environmental Site Assessment report identified the west adjoining property addressed as 5565 River Road as a Recognized Environmental Condition. Refer To Site Number 30.

Access to Transportation:

Adjacent roadway: Landlocked property. Access to River Road (State Highway 266) in good condition via private gravel drive in fair condition north of site
3,275 feet to State Highway 266 (closest highway) via private gravel drive
1.9 miles to interchange 17 for I-190 (closest interstate) via River Road and private gravel drive
9.8 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

This parcel is part of the MileView Strategic Area. A new boulevard would be installed along an existing Town-owned right-of-way adjacent to the west side of the site and the site could be developed for office, light industrial or warehouse space.

Site Priority: High

5611 River Road

Site Number:	**36**
Site Classification:	Vacant with No Env. Records
Address:	5611 River Road
Municipality:	Town of Tonawanda
Parcel Number:	52.10-2-1.3
Parcel Size:	1.98 Acres
Buildings:	None
Zoning:	WID
Special Districts:	HUBZone, EnZone, Archeo Significant Area
Owner:	Magliarditti, Nick
Assessed Value:	$8,500
Publicly Owned:	No
Tax Status:	Many Yrs. Delinquent as of 3/2017
Foreclosure List:	Eligible
Utilities:	Water; Nat. Gas along southern property boundary; No Sewer, Electric



Property Use and Condition:

The site is vacant wooded land. The site is bounded to the northwest by Site 35 (Al's Tree Service), to the northeast by Site 61 (vacant land), to the southeast by a driveway to a nearby gas substation, and to the southwest by a long linear strip of land owned by the Town (major sewer outfall). The site is relatively flat and is located outside of the 100-Year flood zone.

Site Map



Site/Environmental History:

A 2017 Phase I Environmental Site Assessment report identified the west adjoining property addressed as 5565 River Road as a Recognized Environmental Condition. Refer To Site Number 30.

Access to Transportation:

Adjacent roadway: Landlocked property. Access to River Road (State Highway 266) in good condition via private gravel drive in fair condition north of site
3,750 feet to State Highway 266 (closest highway) via private gravel drive
2.0 miles to interchange 17 for I-190 (closest interstate) via River Road and private gravel drive
9.9 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

This parcel is part of the MileView Strategic Area. A new boulevard would be installed along an existing Town-owned right-of-way adjacent to the west side of the site and the site could be developed for office, light industrial or warehouse space.

Site Priority: High

404 Two Mile Creek Road

Site Number:	**55**
Site Classification:	Vacant with No Env. Records
Address:	404 Two Mile Creek Road
Municipality:	City of Tonawanda
Parcel Number:	52.32-1-1
Parcel Size:	6.10 Acres
Buildings:	None
Zoning:	M-1
Special Districts:	Archeo Significant Area
Owner:	City of Tonawanda
Assessed Value:	$149,600
Publicly Owned:	Yes
Tax Status:	Not Applicable
Foreclosure List:	Not Applicable
Utilities:	Water, Electric; No Sewer, Nat. Gas



Property Use and Condition:

The site is vacant. The site is used by the City to store construction debris and fill. The site is bounded to the northwest by the Firemens Benevolent Association park, to the northeast by Two Mile Creek Road, to the southeast by Site 56 (a single-family home), and to the southwest by Site 33 (vacant land). The site is hilly, generally sloping downwards towards Two Mile Creek Road. The site is located outside of the 100-Year flood zone. The site contains Federally-designated riverine wetlands associated with the Class B tributary to Two Mile Creek (which travels along the eastern side of the site).

Site Map



Site/Environmental History:

Although no publicly available records indicating possible environmental issues were located for this parcel, its location makes it possible that it was formerly developed for industrial use in an area where industrial development occurred before environmental regulations improved waste handling practices. The possibility and perception of environmental contamination therefore exists.

Access to Transportation:

Adjacent roadway: Two Mile Creek Road in fair condition
2,150 feet to Niagara Street - State Highway 266 (closest highway) via Two Mile Creek Road
2.0 miles to interchange 17 for I-190 (closest interstate) via Two Mile Creek Road and Niagara Street/River Road
9.3 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

This parcel is part of the MileView Strategic Area. Based on the concept plan, this parcel would be part of a larger mixed use redevelopment strategy that could include office, warehouse, or town-homes.

Site Priority: High

536 & 560 Two Mile Creek Road

Site Number:	56	57	Total
Site Classification:	Underutilized w/ No Env. Records	Vacant w/ No Env. Records	
Address:	536 Two Mile Creek Road	560 Two Mile Creek Road	
Municipality:	City of Tonawanda		
Parcel Number:	52.32-1-2	52.32-1-3	
Parcel Size:	3.25 Acres	0.37 Acres	3.62 Acres
Buildings:	1,260SF Home	None	1,260 SF
Zoning:	M-1		
Special Districts:	Archeo Significant Area		
Owner:	Sarno, Polo		
Assessed Value:	$120,000	$6,700	$126,700
Publicly Owned:	No		
Tax Status:	Current as of March 2017		
Foreclosure List:	No		
Utilities:	Water, Electric; No Sewer, Nat. Gas		



Site Map



Property Use and Condition:

Site 56 includes a single-family home and detached garage. The majority of Site 56 and all of Site 57 are vacant forested land. The site is bounded to the northwest by Site 55 (vacant land), to the northeast by Two Mile Creek Road, to the southeast by Site 58 (vacant land), and to the southwest by Site 33 (vacant land). The properties are relatively flat and are located outside of the 100-Year flood zone. The properties contain Federally-designated riverine wetlands associated with the Class B tributary to Two Mile Creek (which traverses the properties).

Site/Environmental History:

Although no publicly available records indicating possible environmental issues were located for this parcel, its location makes it possible that it was formerly developed for industrial use in an area where industrial development occurred before environmental regulations improved waste handling practices. The possibility and perception of environmental contamination therefore exists.

Access to Transportation:

Adjacent roadway: Two Mile Creek Road in fair condition
2,650 feet to Niagara Street - State Highway 266 (closest highway) via Two Mile Creek Road
2.1 miles to interchange 17 for I-190 (closest interstate) via Two Mile Creek Road and Niagara Street/River Road
9.4 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

This parcel is part of the MileView Strategic Area. Based on the concept plan, this parcel would be part of a larger mixed use redevelopment strategy that could include office, warehouse, or town-homes.

Site Priority: High

600 & 620 Two Mile Creek Road

Site Number:	58	59	Total
Site Classification:	Vacant w/ No Env. Records		
Address:	600 Two Mile Creek Road	620 Two Mile Creek Road	
Municipality:	City of Tonawanda		
Parcel Number:	52.32-1-4	52.41-2-1	
Parcel Size:	0.99 Acres	3.04 Acres	4.05 Acres
Buildings:	None		None
Zoning:	M-1		
Special Districts:	Archeo Significant Area		
Owner:	City of Tonawanda		
Assessed Value:	$26,300	$97,100	$123,400
Publicly Owned:	Yes		
Tax Status:	Not Applicable		
Foreclosure List:	Not Applicable		
Utilities:	Water, Electric; No Sewer, Nat. Gas		



Site Map



Property Use and Condition:

The properties are vacant wooded land. The site is bounded to the northwest by Site 57 (vacant land), to the northeast by Two Mile Creek Road, to the southeast by Site 60 (vacant land - appears to be used by Al's Tree Service), and to the southwest by Sites 33 and 34 (vacant land). The properties are relatively flat and are located outside of the 100-Year flood zone. Site 58 contains Federally-designated riverine wetlands associated with the Class B tributary to Two Mile Creek (which traverses the site).

Site/Environmental History:

Although no publicly available records indicating possible environmental issues were located for this parcel, its location makes it possible that it was formerly developed for industrial use in an area where industrial development occurred before environmental regulations improved waste handling practices. The possibility and perception of environmental contamination therefore exists.

Access to Transportation:

Adjacent roadway: Two Mile Creek Road in fair condition
3,050 feet to Niagara Street - State Highway 266 (closest highway) via Two Mile Creek Road
2.2 miles to interchange 17 for I-190 (closest interstate) via Two Mile Creek Road and Niagara Street/River Road
9.5 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

These parcels are part of the MileView Strategic Area. Based on the concept plan, these parcels would be part of a larger mixed use redevelopment strategy. Specifically, multi-use trails would be installed, weaving through Site 59. Site 58 would remain vacant.

Site Priority: High

640 Two Mile Creek Road

Site Number:	**60**
Site Classification:	Vacant with No Env. Records
Address:	640 Two Mile Creek Road
Municipality:	City of Tonawanda
Parcel Number:	52.41-2-2
Parcel Size:	3.39 Acres
Buildings:	None
Zoning:	M-1
Special Districts:	Archeo Significant Area
Owner:	Ward, Robert H
Assessed Value:	$11,600
Publicly Owned:	No
Tax Status:	Current as of March 2017
Foreclosure List:	No
Utilities:	Water, Electric; No Sewer, Nat. Gas



Property Use and Condition:

The site is vacant. It appears as if the site is used by adjacent Site 35 (Al's Tree Service) to pile wood and to access Site 35. Gravel drives leading from Two Mile Creek Road to Al's Tree Service building (located on Site 35) traverse the site. The site is bounded to the northwest by Site 59 (vacant land), to the northeast by Two Mile Creek Road, to the southeast by Site 61 (vacant land), and to the southwest by Site 35 (Al's Tree Service). The site slopes downwards towards Two Mile Creek Road and is located outside of the 100-Year flood zone.

Site Map



Site/Environmental History:

Although no publicly available records indicating possible environmental issues were located for this parcel, its location makes it possible that it was formerly developed for industrial use in an area where industrial development occurred before environmental regulations improved waste handling practices. The possibility and perception of environmental contamination therefore exists.

Access to Transportation:

Adjacent roadway: Two Mile Creek Road in fair condition
3,730 feet to Niagara Street - State Highway 266 (closest highway) via Two Mile Creek Road
2.3 miles to interchange 17 for I-190 (closest interstate) via Two Mile Creek Road and Niagara Street/River Road
9.6 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

Site Priority: High

650 Two Mile Creek Road

Site Number:	**61**
Site Classification:	Vacant with No Env. Records
Address:	650 Two Mile Creek Road
Municipality:	City of Tonawanda
Parcel Number:	52.49-4-1.1
Parcel Size:	3.27 Acres
Buildings:	None
Zoning:	M-1
Special Districts:	Archeo Significant Area
Owner:	MacDonald, Brian J
Assessed Value:	$13,000
Publicly Owned:	No
Tax Status:	Current as of March 2017
Foreclosure List:	No
Utilities:	Water, Electric; Nat. Gas along southern property boundary; No Sewer



Property Use and Condition:

The site is vacant. The site includes a gravel drive and parking area. Boats, motor vehicles, trailers, and junk are all stored on this property. The site is bounded to the northwest by Site 60 (vacant land - appears to be used by Al's Tree Service), to the northeast by Two Mile Creek Road, to the southeast by a driveway to a nearby gas substation, and to the southwest by Site 36 (vacant land). The site slopes downwards towards Two Mile Creek Road and is located outside of the 100-Year flood zone.

Site Map



Site/Environmental History:

Although no publicly available records indicating possible environmental issues were located for this parcel, its location makes it possible that it was formerly developed for industrial use in an area where industrial development occurred before environmental regulations improved waste handling practices. The possibility and perception of environmental contamination therefore exists. A Phase I Environmental Site Assessment was conducted for the Site in 2017.

Access to Transportation:

Adjacent roadway: Two Mile Creek Road in fair condition
4,000 feet to Niagara Street - State Highway 266 (closest highway) via Two Mile Creek Road
2.4 miles to interchange 17 for I-190 (closest interstate) via Two Mile Creek Road and Niagara Street/River Road
9.7 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

This parcel is part of the MileView Strategic Area. Based on the concept plan, this parcel would be part of a larger mixed use redevelopment strategy that could include office, warehouse, or town-homes.

Site Priority: High

4630 River Road

Site Number:	**65**
Site Classification:	Vacant with Env. Record
Address:	4630 River Road
Municipality:	Town of Tonawanda
Parcel Number:	52.09-1-1
Parcel Size:	3.75 Acres
Buildings:	None
Zoning:	WMU—Thruway
Special Districts:	HUBZone, EnZone, Archeo Significant Area
Owner:	Giuseppe Holdings LLC
Assessed Value:	$9,350
Publicly Owned:	No
Tax Status:	Current as of March 2017
Foreclosure List:	No
Utilities:	Water, Sewer, Electric; No Nat. Gas



Property Use and Condition:

The site is vacant. The site is bounded to the northwest by the Niagara River, to the northeast by Isle View County Park and a utility building, to the southeast by the Riverwalk multi-use trail and surrounding parkland, and to the southwest by Site 66 (United Refining). The site contains approximately 555 feet of River frontage. The site slopes downwards towards the Niagara River and is located almost entirely within the 100-Year flood zone. The site contains Federally-designated riverine wetlands associated with the Niagara River.

Site Map



Site/Environmental History:

Site 65 is registered with the NYSDEC Brownfield Cleanup Program (BCP) (Site # C915258). The BCP Remedial Investigation field activities were completed during January and February 2013 with the completion of test pits and the collection of soil and groundwater samples for chemical analysis. The Remedial Investigation report was approved in January 2014 and a Decision Document for this Site was issued by the NYSDEC on July 30, 2014. Subsequent remedial activities began in August 2016 and were completed in November 2016. Prior to remediation, the primary contaminants of concern in soil and fill included volatile organic compounds, polyaromatic hydrocarbons and metals. Remedial actions have successfully achieved soil cleanup objectives for unrestricted use, as such, no site management is required.

Access to Transportation:

Adjacent roadway: Landlocked property. Access to River Road (State Highway 266) in good condition via private paved drive in fair condition north of site
150 feet to State Highway 266 (closest highway) via private paved drive
0.5 miles to interchange 17 for I-190 (closest interstate) via River Road and private paved drive
10.1 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

Although this site is not located within a Strategic Site, its riverfront location and potential development make it a high priority. There is a potential, pending project for condominiums at or near the site.

Site Priority: High

4545 River Road

Site Number:	**66**
Site Classification:	Underutilized with Env. Records
Address:	4545 River Road
Municipality:	Town of Tonawanda
Parcel Number:	51.12-1-4.2
Parcel Size:	118.45 Acres
Buildings:	Multiple Bldgs/Tanks - 79,334 sq ft
Zoning:	WMU/RHC/WID—Thruway (portion)
Special Districts:	HUBZone, EnZone, Archeo Significant Area
Owner:	United Refining Co
Assessed Value:	$772,500
Publicly Owned:	No
Tax Status:	Current as of March 2017
Foreclosure List:	No
Utilities:	Water, Sewer, Electric; No Nat. Gas

Property Use and Condition:

The site houses United Refining, a refiner and marketer of petroleum products. The site is largely underutilized but still active. The property is split into two sections by River Road (State Highway 266) and the Riverwalk multi-use trail. Development potentials exist along the southwestern half of the waterside portion of the property and the northwestern corner of the landside portion of the property. The site is bounded to the northwest by the Niagara River, to the northeast by Site 65 (vacant land), vacant industrial land, and the Seaway Landfill, to the southeast by an overhead electric corridor, and to the southwest by I-190 and a small park. The site contains approximately 1,815 feet of River frontage. The waterside portion of the property slopes downwards towards the Niagara River and is located almost entirely within the 100-Year flood zone. The landside portion of the property is relatively flat and is located outside of the 100-Year flood zone. The site contains Federally-designated riverine wetlands associated with the Niagara River, riverine wetlands associated with Rattlesnake Creek (which bisects the property), and two ponds.

Site/Environmental History:

Site 66 is registered with the United States Environmental Protection Agency (USEPA) Superfund Enterprise Management System (SEMS) No Further Remedial Action Planned (NFRAP) (ID: 110004363260), RCRA Large Quantity Generator (LQG) (NYD063653133), NYSDEC Inactive Hazardous Waste Disposal Site (IHWDS) (ID: 915061, 915008A, 915008B, and 915008C), NYSDEC Brownfield Cleanup Program (BCP) (ID: C915008B), NYSDEC Hazardous Substance Waste Disposal Site (ID: HS9005/NYD063653133/915008A), NYSDEC Petroleum Bulk Storage (PBS) (ID: 9-459607), NYSDEC Chemical Bulk Storage (CBS) (ID: 9-000363), and NYSDEC Major Oil Storage Facility (MOSF) (ID: 9-1080). There are records of five National Response Center (NRC) Emergency Response Notification System (ERNS) listings from between 1990 and 2000 as well as 27 closed NYSDEC Spills and 3 inactive NYSDEC Spills from between 1988 and 2015. This site received low level radioactive material produced during 1944-1946. Approximately 8,000 tons were spread over the site with about 30-40% of the residue removed to the adjacent Seaway Industrial Park in 1979. An Energy Research and Development Authority (ERDA) investigation in 1976 found low level radiation in the soils at the Site. This material was also identified at the site in a drainage ditch by the Erie County Department of Environment and Planning (DEP) during a subsequent investigation. The Department of Energy (DOE) estimated that a further 48,000 cubic yards of soil may need to be disposed of. Additionally, the site was utilized as a weathering area for tetraethyl lead sludge that resulted from the cleaning of storage tanks.



Site Map



Access to Transportation:

Adjacent roadway: River Road (State Highway 266) in good condition
0 feet to State Highway 266 (closest highway)
350 feet to interchange 17 for I-190 (closest interstate) via River Road
10.5 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

This parcel is part of the United Strategic Area. Based on the concept plan, commercial development (i.e. restaurant and office space) would be developed in the northwest corner of the landside part of the property while the waterside part of the property would remain vacant or include a passive park. The remainder of the property has future development potential once it is cleaned up or repurposed to another use.

Site Priority: Medium

4100 River Road

Site Number:	**67**
Site Classification:	Vacant with Env. Records
Address:	4100 River Road
Municipality:	Town of Tonawanda
Parcel Number:	64.08-1-4
Parcel Size:	9.67 Acres
Buildings:	None
Zoning:	WMU—Thruway (portion)
Special Districts:	Archeo Significant Area
Owner:	4100 River Rd Properties LLC
Assessed Value:	$46,000
Publicly Owned:	No
Tax Status:	3 Yrs. Delinquent as of March 2017
Foreclosure List:	Eligible
Utilities:	Water, Sewer, Electric, Nat. Gas



Property Use and Condition:

The site is for sale by Johnson. The site is a capped landfill with a shallow groundwater collection system and on-site treatment plant (see Environmental History below). The site includes a small sliver of linear frontage along River Road (State Highway 266) which is split from the main portion of the property by the Riverwalk multi-use trail. The main portion of the site is bounded to the west by the Niagara River, to the north by the capped Cherry Farm landfill, to the east by the Riverwalk multi-use trail and surrounding parkland, and to the south by Site 69 (Niagara River World) and Lafarge (an active concrete plant). The site contains approximately 355 feet of River frontage. The site slopes downwards towards the Niagara River and portions of the site are located within the 100-Year flood zone. The site contains Federally-designated riverine wetlands associated with the Niagara River and is located adjacent to State wetland BW-8.

Site/Environmental History:

Site 67 is registered as a NYSDEC Inactive Hazardous Waste Disposal Site (IHWDS) (ID: 915031), NYSDEC Brownfield Cleanup Program Site (BCP) (ID: C915008B), NYSDEC Petroleum Bulk Storage site (PBS) (ID: 9-600290), one closed NYSDEC Spill (ID: 1401014) and one inactive NYSDEC Spill (ID: 1500254).

Previous environmental studies identified heavy metals and polyaromatic hydrocarbons (PAHs) in the soils, liquid containing polychlorinated biphenyls (PCBs) on the western portion of the site, and PCBs, PAHs, metals, and cyanide in the groundwater. Due to common site history, former common ownership, and similar waste disposal, the site was combined with the adjacent Cherry Farm Site (ID: 915063) for remedial action. Remedial activities were conducted on-site during May 1996 through August 1999, with the Operation, Maintenance and Monitoring Plan approved in January 2000.

The site is capped and has a shallow groundwater collection system and on-site treatment plant. Effluent is discharged by permit to the Town of Tonawanda Publically Owned Treatment Works. Groundwater samples are collected annually along with surface water if available. Site Management is ongoing.

The listed spills are associated with small releases from trucks. The PBS listing has one closed/removed aboveground storage tank (AST), four active ASTs, and one active underground storage tank.

Site Map



Access to Transportation:

Adjacent roadway: River Road (State Highway 266) in good condition
0 feet to State Highway 266 (closest highway)
0.6 miles to interchange 17 for I-190 (closest interstate) via River Road
11.2 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

This parcel is part of the Niagara River World/INS/Cherry Farm Strategic Area. This property could be used to connect the proposed Cherry Farm Park in the north to the proposed development at the Niagara River World site to the south using a trail network.

Site Priority: Medium

4008 River Road

Site Number:	**68**
Site Classification:	Vacant with No Env. Records
Address:	4008 River Road
Municipality:	Town of Tonawanda
Parcel Number:	64.08-1-2
Parcel Size:	0.12 Acres
Buildings:	None
Zoning:	WID
Special Districts:	Archeo Significant Area
Owner:	Tonawanda Coke Corp
Assessed Value:	$500
Publicly Owned:	No
Tax Status:	Current as of March 2017
Foreclosure List:	No
Utilities:	Electric unknown; No Water, Sewer, Nat. Gas



Property Use and Condition:

The site is an outfall for Tonawanda Coke. The site is bounded to the west by the Niagara River and to the north, east, and south by Site 69 (Niagara River World). The site contains approximately 80 feet of River frontage. The site slopes downwards towards the Niagara River and is located entirely within the 100-Year flood zone. The site contains Federally-designated riverine wetlands associated with the Niagara River.

Site Map



Site/Environmental History:

Although no publicly available records indicating possible environmental issues were located for this parcel, its location makes it possible that it was formerly developed for industrial use in an area where industrial development occurred before environmental regulations improved waste handling practices. The possibility and perception of environmental contamination therefore exists.

Access to Transportation:

Adjacent roadway: Landlocked property. Access to River Road (State Highway 266) in good condition via private dirt roads in poor condition east of site
2,500 feet to State Highway 266 (closest highway) via private dirt roads
1.5 miles to interchange 17 for I-190 (closest interstate) via River Road and private dirt roads
12.1 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

This parcel is part of the Niagara River World/INS/Cherry Farm Strategic Area. Based on the concept plan this parcel would be developed for light industrial and warehouse space.

Site Priority: High

4002 River Road

Site Number:	**69**
Site Classification:	Vacant with Env. Record
Address:	4002 River Road
Municipality:	Town of Tonawanda
Parcel Number:	64.08-1-1.1
Parcel Size:	49.99 Acres
Buildings:	Multiple Bldgs - 15,100 sq ft
Zoning:	WID—Light Industry (portion)
Special Districts:	Archeo Significant Area
Owner:	Niagara River World Inc
Assessed Value:	$83,000
Publicly Owned:	No
Tax Status:	Current as of March 2017
Foreclosure List:	No
Utilities:	Water, Sewer, Electric, Nat. Gas

Property Use and Condition:

The site is largely vacant land, the remnants of former industrial buildings and roadways still visible. Several buildings are still standing on the property. Historically, the site housed Roblin Steel and more recently, Envirotek. The site includes a small sliver of linear frontage along River Road (State Highway 266) which is split from the main portion of the property by the Riverwalk multi-use trail. The main portion of the site is bounded to the west by the Niagara River, to the north by Site 67 (an extension of the capped Cherry Farm landfill) and Lafarge (an active concrete plant), to the east by the Riverwalk multi-use trail and surrounding parkland, and to the south by Site 71 (vacant industrial land), the Niagara River World warehouse, and the Marathon Ashland Petroleum Company facility. The site surrounds Site 68 (Tonawanda Coke outfall) on three sides. The site contains approximately 1,540 feet of River frontage, 950 feet of which is comprised of a commercial-grade seawall. The site slopes downwards towards the Niagara River and small portions of the site are located within the 100-Year flood zone. The site contains Federally-designated riverine wetlands associated with the Niagara River.

Site/Environmental History:

The site is listed as a NYSDEC Inactive Hazardous Waste Disposal Site IHWDS (ID: 915056). Between 1990 and 1993 remedial actions including the removal of drums, liquid wastes, solid wastes and laboratory packed containers, the decontamination of process vessels, concrete pits, buildings, and equipment, and the excavation and removal of approximately 175 tons of volatile organic compound-contaminated soil. Further environmental investigations were conducted to delineate the nature and extent of contamination which remained at the Site and the Site was divided into four operable units (OU 1-4).

Shallow groundwater in OU3 is contaminated with chlorinated solvents; however, the contamination is not reaching the Niagara River. Long-term monitoring confirms that the groundwater plume continues to shrink. Contaminated soil, waste and debris associated with former operations in OU 1 and 2 were removed in 2003 via the completion of two interim remedial measures. While the remedial investigation of OU 4 was not impacted by Envirotek activities historically conducted on OU 1-3, such identified minor soil contamination; however, the contamination was deemed non-hazardous .

An environmental easement has been filed for the site which requires any residual contamination that may be excavated during future redevelopment be addressed accordingly, requires depressurizing systems in any buildings constructed over the remnants of the groundwater plume, requires groundwater monitoring, restricts the use of the site to commercial or industrial uses, and provides periodic certification of the remedy.



Site Map



Access to Transportation:

Adjacent roadway: River Road (State Highway 266) in good condition
0 feet to State Highway 266 (closest highway)
1.0 miles to interchange 17 for I-190 (closest interstate) via River Road
11.6 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No
Commercial Seawall: Yes

Use Potential:

This parcel is part of the Niagara River World/INS/Cherry Farm Strategic Area. Based on the concept plan this parcel would be developed for light industrial and warehouse space.

Site Priority: High

4001 River Road

Site Number:	**70**
Site Classification:	Vacant with No Env. Records
Address:	4001 River Road
Municipality:	Town of Tonawanda
Parcel Number:	64.08-1-8
Parcel Size:	9.86 Acres
Buildings:	None
Zoning:	G-I—Light Industry (portion)
Special Districts:	Archeo Significant Area
Owner:	Braxner LLC
Assessed Value:	$148,000
Publicly Owned:	No
Tax Status:	Current as of March 2017
Foreclosure List:	No
Utilities:	Water, Sewer, Electric, Nat. Gas



Property Use and Condition:

The site is largely vacant industrial land. The site has two parking lots near the road frontage which are utilized by the south adjacent site. The south adjacent site is owned by the same LLC as Site 70 and houses Vanocur Refractories, a company that makes cast blocks used in refurbishing coke ovens. The site is bounded to the west by River Road (State Highway 266), to the north by Swift River Associates (a building materials recycling drop off), to the east by Tonawanda Coke, and to the south by Vanocur Refractories. The site slopes downwards towards the Niagara River and is located outside of the 100-Year flood zone.

Site Map



Site/Environmental History:

Although no publicly available records indicating possible environmental issues were located for this parcel, its location makes it possible that it was formerly developed for industrial use in an area where industrial development occurred before environmental regulations improved waste handling practices. The possibility and perception of environmental contamination therefore exists.

Access to Transportation:

Adjacent roadway: River Road (State Highway 266) in good condition
0 feet to State Highway 266 (closest highway)
0.9 miles to interchange 17 for I-190 (closest interstate) via River Road
11.4 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

This parcel could be used for infill light industrial development.

Site Priority: Low

3800 River Road

Site Number:	**71**
Site Classification:	Vacant with No Env. Records
Address:	3800 River Road
Municipality:	Town of Tonawanda
Parcel Number:	64.12-4-3
Parcel Size:	26.59 Acres
Buildings:	None
Zoning:	WID—Light Industry (portion)
Special Districts:	Archeo Significant Area
Owner:	Tonawanda Coke Corp
Assessed Value:	$136,000
Publicly Owned:	No
Tax Status:	Current as of March 2017
Foreclosure List:	No
Utilities:	Water, Sewer, Electric, Nat. Gas



Property Use and Condition:

The site is vacant industrial land. The site was historically used to unload materials from ships on the Niagara River and transport them via rail to Tonawanda Coke for processing. Remnants of steel superstructures, tanks, and the former railroad bed are still visible. The site includes a small sliver of linear frontage along the Riverwalk multi-use trail and River Road (State Highway 266) which is split from the main portion of the property by a parcel of land owned by National Grid. The main portion of the site is bounded to the west by the Niagara River, to the north by Site 69 (largely vacant land), the Niagara Riverworld warehouse, and the Marathon Ashland Petroleum Company facility, to the east by vacant National Grid land, and to the south by the Erie County Water Authority Water Treatment Plant. The site contains approximately 1,040 feet of River frontage. The site is generally sloped like a bowl and large portions of the site are located within the 100-Year flood zone. The site contains Federally-designated riverine wetlands associated with the Niagara River and with a non-classified waterbody which traverse the site. In addition, the site is adjacent to a Federally-designated emergent wetland.

Site/Environmental History:

The Site is listed as a NYSDEC Inactive Hazardous Waste Disposal Site (IHWDS) #915055. Several investigations have been conducted at the Site between at least 1981 and fall of 2016 in order to address known contamination which has affected various media. As of November 2016, a draft Confirmation Investigation Report was anticipated for submission to the NYSDEC for review and potential acceptance so as to create a Remedial Action Plan and Record of Decision for the Site. The current status of the NYSDEC review of the Confirmation Investigation Report is unknown. A Phase I Environmental Site Assessment was conducted for the Site in 2017.

Site Map



Access to Transportation:

Adjacent roadway: River Road (State Highway 266) in good condition
0 feet to State Highway 266 (closest highway)
1.1 miles to interchange 17 for I-190 (closest interstate) via River Road
11.7 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

This parcel could be developed into a passive park once remediation has been completed.

Site Priority: Low

3785 & 3715 River Road

Site Number:	72	73	Total
Site Classification:	Vacant w/ No Env. Records		
Address:	3785 River Road	3715 River Road	
Municipality:	Town of Tonawanda		
Parcel Number:	65.05-1-3	65.09-1-7	
Parcel Size:	8.40 Acres	16.33 Acres	24.73 Ac.
Buildings:	None		None
Zoning:	G-I		
Special Districts:	Portions Archeo Sig. Area		
Owner:	Braxner LLC		
Assessed Value:	$17,000	$35,000	$52,000
Publicly Owned:	No		
Tax Status:	Current as of March 2017		
Foreclosure List:	No		
Utilities:	Electric unknown; No Water, Sewer, Nat. Gas		



Site Map



Property Use and Condition:

Site 72 is vacant industrial land with fields and scattered trees. Site 72 is split from Site 73 by a railroad siding. Site 73 is wooded vacant industrial land. It is split into two parts by another railroad siding. The site is bounded to the northwest by an overhead electric corridor, various industrial facilities, and vacant land, to the northeast by an overhead electric corridor, to the southeast by an overhead electric corridor, electric substation, and vacant land, and to the southwest by various industrial facilities and vacant land. The properties are relatively flat and are located outside of the 100-Year flood zone. The properties contain Federally-designated forested/shrub/scrub wetlands and additional emergent wetlands. The properties also contain State wetland BW-6. These wetlands are drained by a nearby non-classified waterbody which flows to the Niagara River.

Site/Environmental History:

Although no publicly available records indicating possible environmental issues were located for this parcel, its location makes it possible that it was formerly developed for industrial use in an area where industrial development occurred before environmental regulations improved waste handling practices. The possibility and perception of environmental contamination therefore exists.

Access to Transportation:

Adjacent roadway: Landlocked properties.
3,550 feet to State Highway 266 (closest highway) via private grass paths through electric utility property northwest of site
2.0 miles to interchange 17 for I-190 (closest interstate) via River Road and private grass paths
9.9 miles to Niagara Falls International Airport (closest airport)
Railroad Access: Adjacent to properties

Use Potential:

These parcels could be developed into infill light industrial uses; however, roadways and utilities would need to be extended to the properties.

Site Priority: Low

3510 River Road

Site Number:	**74**
Site Classification:	Underutilized w/ No Env. Records
Address:	3510 River Road
Municipality:	Town of Tonawanda
Parcel Number:	64.16-1-1.4
Parcel Size:	2.57 Acres
Buildings:	Former Electric Substation
Zoning:	G-I
Special Districts:	Archeo Significant Area
Owner:	Niagara Mohawk Power Corp
Assessed Value:	$1,494,915
Publicly Owned:	No
Tax Status:	0.5 Yr. Delinquent as of March 2017
Foreclosure List:	No
Utilities:	Water, Sewer, Electric, Nat. Gas



Property Use and Condition:

The site is a former electric substation. Much of the equipment has been removed; however, some still remains. The site is fenced and appears to be used for storage. The Riverwalk multi-use trail is located on the northeastern edge of the property. The site is bounded to the northwest by an overhead railroad siding, to the northeast by River Road (State Highway 266), and to the southeast and southwest by the recently decommissioned Huntley Power Generation facility (a coal power plant). The site is relatively flat and is located outside of the 100-Year flood zone.

Site Map



Site/Environmental History:

Although no publicly available records indicating possible environmental issues were located for this parcel, its location makes it possible that it was formerly developed for industrial use in an area where industrial development occurred before environmental regulations improved waste handling practices. The possibility and perception of environmental contamination therefore exists.

Access to Transportation:

Adjacent roadway: River Road (State Highway 266) in good condition
0 feet to State Highway 266 (closest highway)
1.8 miles to interchange 17 for I-190 (closest interstate) via River Road
12.3 miles to Niagara Falls International Airport (closest airport)
Railroad Access: No

Use Potential:

The parcel is part of the Huntley/Sawyer Strategic Area. This is a key part of the overall development of Huntley and although some equipment has been removed, nearby substations are a basic requirement for solar panel arrays.

Site Priority: Medium

185 & 189 Sawyer Avenue

Site Number:	76	77	Total
Site Classification:	Underutilized w/ No Env. Record		
Address:	185 Sawyer Avenue	189 Sawyer Avenue	
Municipality:	Town of Tonawanda		
Parcel Number:	65.13-1-5	65.09-6-7	
Parcel Size:	3.95 Acres	0.43 Acres	4.38 Acres
Buildings:	14,475 SF	11,216 SF	25,691 SF
Zoning:	G-I		
Special Districts:	Archeo Significant Area		
Owner:	185 & 189 Sawyer LLC		
Assessed Value:	$75,000	$21,000	$96,000
Publicly Owned:	No		
Tax Status:	Current as of March 2017		
Foreclosure List:	No		
Utilities:	Water, Sewer, Electric, Nat. Gas		



Site Map



Property Use and Condition:

Site 76 and Site 77 each contain a dilapidated building. The properties are bounded to the northwest by an overhead electric corridor, to the northeast by Buffalo Biodiesel (converts grease to biodiesel), to the southeast by a major railroad spur, and to the southwest by BRV Trucking Services, Niagara Blower (aka Alfa Laval), and a warehouse. The properties are relatively flat and are located outside of the 100-Year flood zone.

Site/Environmental History:

According to a 2017 Phase I Environmental Site Assessment, the Site was historically utilized by Buffalo Wallcraft Co. (manufacturer of wallpaper) as well as Paint & Papers, Inc. from at least 1950 through 1986 including two factory buildings and railroad tracks. While historical operations conducted at the Site prior to 1950 are relatively unknown, based on the nature of on-site construction and uses of the surrounding areas dating back to at least 1927, there is the potential for the Site to have been utilized for various additional commercially and/or industrially-related processes.

Access to Transportation:

Landlocked property. Access to Sawyer Avenue in good condition via private paved drive in poor condition north of site
1,850 feet to State Highway 266 (closest highway) via Sawyer Avenue and private paved drive
2.0 miles to interchange 17 for I-190 (closest interstate) via River Road, Sawyer Avenue, and private paved drive
12.6 miles to Niagara Falls International Airport (closest airport)
Railroad Access: Adjacent to site

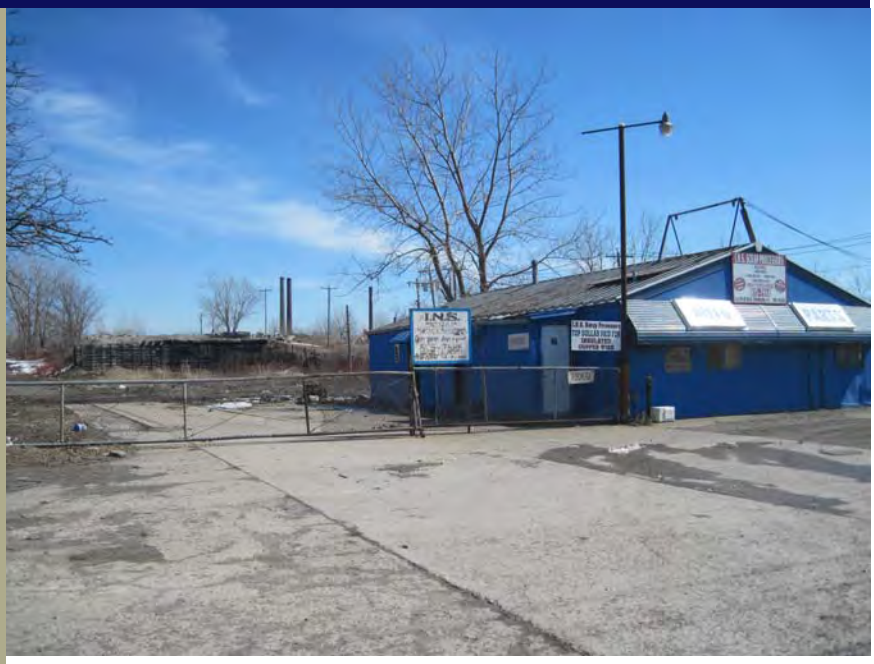
Use Potential:

These parcels are part of the Huntley/Sawyer Strategic Area. The existing buildings should be demolished and the properties could be used for warehouse or office/light industrial infill development.

Site Priority: Medium

4111 River Road

Site Number:	**78**
Site Classification:	Underutilized with Env. Records
Address:	4111 River Road
Municipality:	Town of Tonawanda
Parcel Number:	64.08-1-5
Parcel Size:	29.23 Acres
Buildings:	1,375 sq ft - poor condition
Zoning:	G-I—Thruway & Light Ind. (portion)
Special Districts:	Archeo Significant Area
Owner:	Erie County
Assessed Value:	$393,200
Publicly Owned:	Yes
Tax Status:	Not Applicable
Foreclosure List:	Not Applicable
Utilities:	Water, Sewer, Electric, Nat. Gas



Property Use and Condition:

The site is a former junkyard which was recently purchased by Erie County. The County is currently in the process of cleaning the site up with the intention of selling off a portion or potentially all of the property to a developer. The site is fenced and includes a dilapidated building which the County hopes to demolish soon. The site is bounded to the north and east by the Huntley fly ash landfill, to the south by Tonawanda Coke and Swift River (concrete), and to the west by River Road (State Highway 266). The site slopes upwards towards the east and is located outside of the 100-Year flood zone.

Site Map



Site/Environmental History:

Two inactive/closed NYSDEC spills found associated with Site 78 referring to poor housekeeping and abandoned drums, respectively. Additionally, while historical operations conducted at the Site prior to its use as a scrap yard are relatively unknown, based on the nature of on-site construction and uses of the surrounding areas dating back to at least 1927, there is the potential for the Site to have been utilized for various additional commercially and/or industrially-related processes.

Access to Transportation:

Adjacent roadway: River Road (State Highway 266) in good condition
0 feet to State Highway 266 (closest highway)
0.6 miles to interchange 17 for I-190 (closest interstate) via River Road
11.2 miles to Niagara Falls International Airport (closest airport)
Railroad Access: Adjacent to property

Use Potential:

The parcel is part of the Niagara River World/INS/Cherry Farm Strategic Area. Following completion of clean-up, the property would be ideal for the private development of a small scale industrial use and/or use by public entities as a regional composting facility.

Site Priority: High

3500 River Road

Site Number:	**79**
Site Classification:	Underutilized with Env. Records
Address:	3500 River Road
Municipality:	Town of Tonawanda
Parcel Number:	64.16-1-1.2
Parcel Size:	93.58 Acres
Buildings:	Multiple - Former Electric Power Generating Facility (coal)
Zoning:	G-I
Special Districts:	Archeo Significant Area
Owner:	Huntley Power LLC
Assessed Value:	$2,730,000
Publicly Owned:	No
Tax Status:	Current as of December 2017
Foreclosure List:	No
Utilities:	Water, Sewer, Electric, Nat. Gas



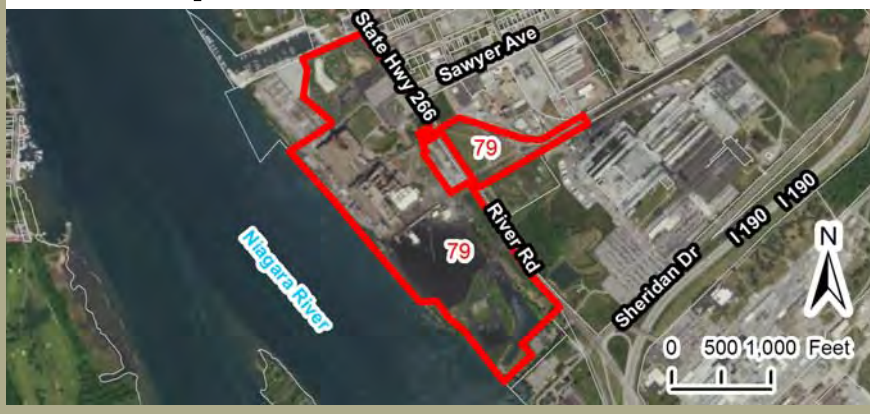
Property Use and Condition:

The site is a recently retired coal power generating facility known as Huntley. The site is split into two sections by River Road (State Highway 266). The portion on the southwest side of River Road is fenced and contains the former generating facility, coal yard, parking lots, and various electrical infrastructure. The Riverwalk multi-use trail is located on the northeastern edge of this portion of the property. The portion of the property on the northeast side of River Road is also fenced and contains a tower and railroad sidings. The site is generally bounded to the northwest by an electric substation and marina, to the northeast by River Road and industrial uses, to the southeast by vacant industrial land and a boat launch, and to the southwest by the Niagara River. The site contains approximately 3,000 feet of River frontage. The site is relatively flat except for a berm located near River Road which screens the coal yard from view. Small portions of the site, particularly in the southeast are located within the 100-Year flood zone. The site contains Federally-designated riverine wetlands associated with the Niagara River and several Federally-designated ponds.

Site/Environmental History:

Site 79 is registered as a NYSDEC Inactive Hazardous Waste Disposal Site (IHWDS) (ID: 915076), a Resource Conservation and Recovery Act Large Quantity Generator Site (RCRA LQG) (ID: NYR000171850), NYSDEC Part 360 Landfill (Permit: 9146400089000010), an active NYSDEC Petroleum Bulk Storage site (PBS) (ID: 9-427683), an unregulated/closed NYSDEC Chemical Bulk Storage site (CBS) (ID: 9-000115), 64 inactive/closed NYSDEC spills and 12 Emergency Response Notification System (ERNS) spill records. The Site is a recently closed coal burning power plant and appears to have been utilized as such dating back to at least 1927.

Site Map



Access to Transportation:

Adjacent roadway: River Road (State Highway 266) in good condition
0 feet to State Highway 266 (closest highway)
1.5 miles to interchange 17 for I-190 (closest interstate) via River Road
11.8 miles to Niagara Falls International Airport (closest airport)
Railroad Access: Yes

Use Potential:

The parcel is part of the Huntley/Sawyer Strategic Area. While the future of this property is uncertain, given the existing electrical infrastructure, it is positioned well to support some sort of renewable energy power generation.

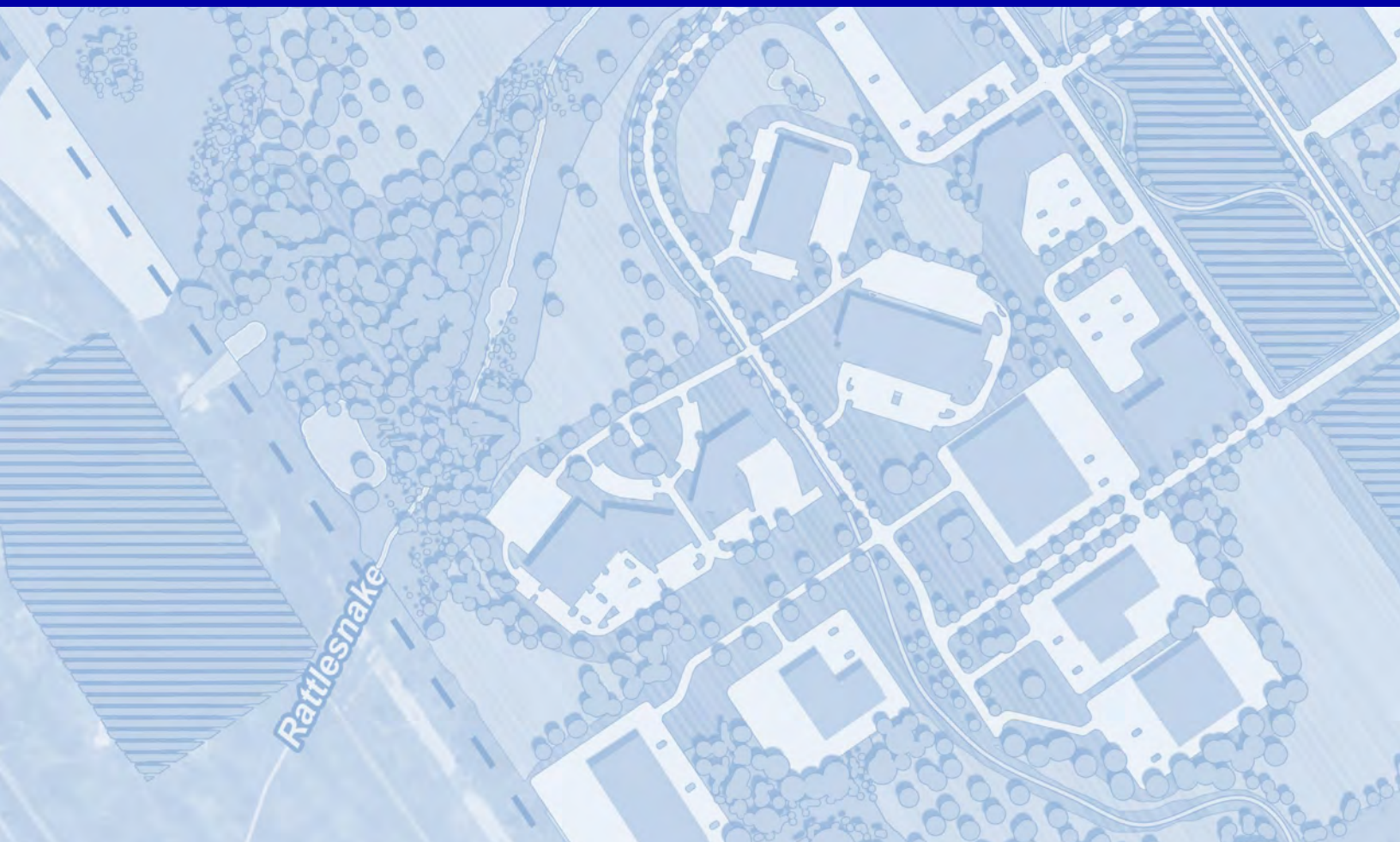
Site Priority: High



Appendix C

Tonawanda Opportunity Area

Economic & Market Analysis





TONAWANDA OPPORTUNITY AREA

FINAL ECONOMIC & MARKET TRENDS ANALYSIS

UPDATED JANUARY 2017

This analysis was prepared for the Town of Tonawanda and the New York State Department of State with state funds provided through the Brownfield Opportunity Areas Program.

TONAWANDA OPPORTUNITY AREA

FINAL ECONOMIC & MARKET TRENDS ANALYSIS

Prepared for:

Town of Tonawanda

Steering Committee

Prepared by:

LaBella Associates
300 Pearl Street
Buffalo, NY 14202

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INTRODUCTION & PROJECT OVERVIEW

The following report has been prepared by LaBella Associates, D.P.C. as a part of the Tonawanda Opportunity Area Nomination Study. The purpose of this report is to provide an overview of the economic and market trends in and around the Tonawanda Opportunity Area (TOA) (see Figure 1), which will be taken into consideration in the evaluation of the various potential uses and scenarios for development of sites in the Brownfield Opportunity Area (BOA).

The Town of Tonawanda is located in the northern portion of Erie County, New York, and is a "first-ring" suburb in the Buffalo – Niagara Falls Metropolitan Statistical Area (MSA). The Tonawanda Opportunity Area is located in the northwest section of the Town of Tonawanda, and also includes a small portion of the City of Tonawanda. Census Tracts 78, 83 and 84 are in the TOA, however, only a portion of each is within the TOA border as can be seen in Figure 2.

The areas of comparison used in this study include the following (see Figure 2):

- Tonawanda Opportunity Area
- Census Tracts 78, 83, and 84
- Town of Tonawanda, NY
- Erie County, NY
- Buffalo – Niagara Falls Metropolitan Statistical Area (MSA)
- Western New York Region (Allegany, Cattaraugus, Chautauqua, Erie, and Niagara Counties)
- New York State

KEY DEMOGRAPHIC AND ECONOMIC FINDINGS

The Tonawanda Opportunity Area is uniquely situated between Toronto, Buffalo, and Rochester, which brings both benefits and challenges to assessing economic and market trends and projections, and applying those data to use in development decisions in the TOA. Some items to consider in assessing the applicability of data are:

- The majority of land use in the TOA is classified as industrial, infrastructure or vacant which is in contrast to the local economic trends of employment growth in professional, management, finance, advanced manufacturing and accommodations. **Economic development strategies to repurpose much of the heavy industrial land and develop vacant land that would align with these growing or emergent industries (professional, management, finance and advanced manufacturing) should be promoted**.

- **Easy access to both Canadian and U.S. markets via interstates, highways, and international bridges makes this a desirable location for warehousing and related importing/exporting, distribution**, etc. While these industries are expected to grow in the next decade, growth is not anticipated to be significant;

- Retail data may seem to indicate the potential for the Town of Tonawanda to recapture sales leakage; however, existing major shopping centers and popular tourist attractions in the metropolitan area, including the areas around the Walden Galleria and the Town of Amherst, combined with low traffic counts on River Road, likely make the prospects of recapture unrealistic in anything other than immediate and close to home goods;

- Reflective of its manufacturing roots, the TOA, like the greater Buffalo-Niagara region, is dominated by industrial uses. In addition to this, the contaminated land and nearby landfills all pose some serious challenges to bringing new residential development to certain areas in the TOA. However, **the presence of parks, multi-use paths, and access to the Niagara River are all valuable features that can be capitalized on to help outweigh the challenges especially because the seniors and millennial that are creating demand for housing desire these amenities;**

- **The aging population in the area should be considered for development opportunities in residential development**, potential senior living facilities, as well as commercial development for health and aging services that would be utilized by this population. This is further supported by the projected employment growth in Health & Social Services.

- While there is not a healthy demand for new hotel space in the region, and there are not any accommodations currently in the TOA, there has been a trend locally to upgrade or replace outdated hotels. **With a central location next to highways on the Niagara River waterfront the TOA may be a good candidate for accommodations.** Sites closer to the City of Tonawanda, away from certain incompatible uses, may be good locations for new accommodations.

SUMMARY OF MARKET FINDINGS

Based on the analyses of the office, industrial, residential, hotel and retail markets regionally, and Tonawanda's share of those markets, there is a demand for approximately 1.5 million square feet of space over the next 10 years:

Table 1. Summary of Market Findings

Use	Demand (sq. ft.)	Industries / Uses
Office	450,000	Finance, professional, technical, health care, educational, administration, back office, collection
Industrial	300,000	Warehousing, construction building trades, metal forging/welding/stamping, electrical equipment manufacturing
Hotel	0 – Market is saturated	
Housing	400,000	25 Market Rate townhouses/condos; 250 market rate 0-2 bedrooms
Retail	340,000	240,000 sq. ft. food/drinking; 100,000 sq. ft. convenience retail.

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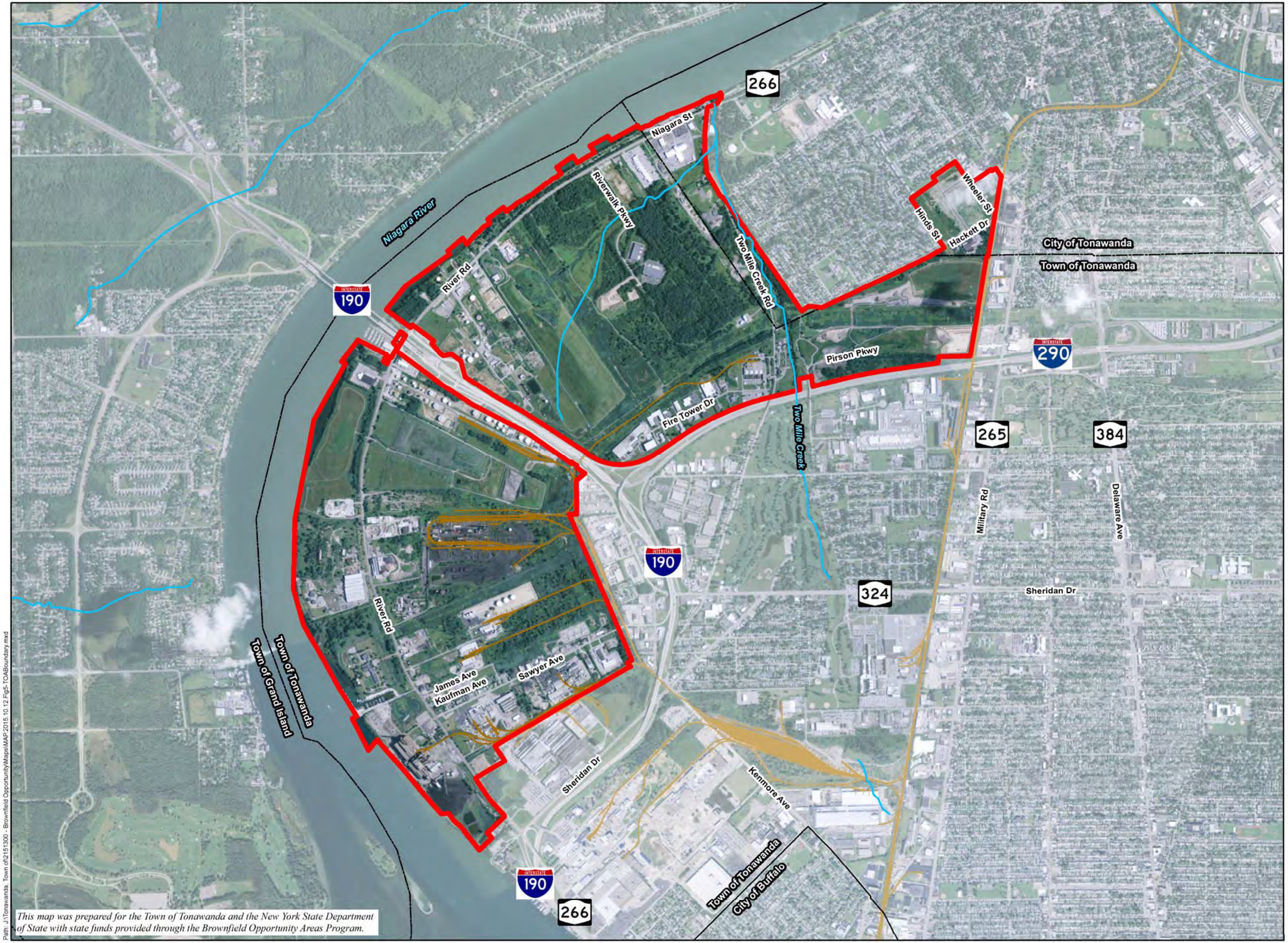
TOWN OF TONAWANDA

TONAWANDA OPPORTUNITY AREA

NOMINATION STUDY

TOA BOUNDARY MAP



This map was prepared for the Town of Tonawanda and the New York State Department of State with state funds provided through the Brownfield Opportunity Areas Program.

TOA Nomination Study Area
Municipal Boundaries
Railroad
Creek

Sources:
1. TOA Nomination Study Area Boundary: Created by LaBella using parcel boundaries provided by the Town of Tonawanda
2. Roads, Railroads, Creek, and Municipal Boundaries: Census Shapefiles from TIGER/Line database (minor edits by LaBella to municipal boundaries to match property lines)
3. Aerial background: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community

0 2,000 Feet

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Labella Project No: 2151300

Figure 1: TOA Boundary

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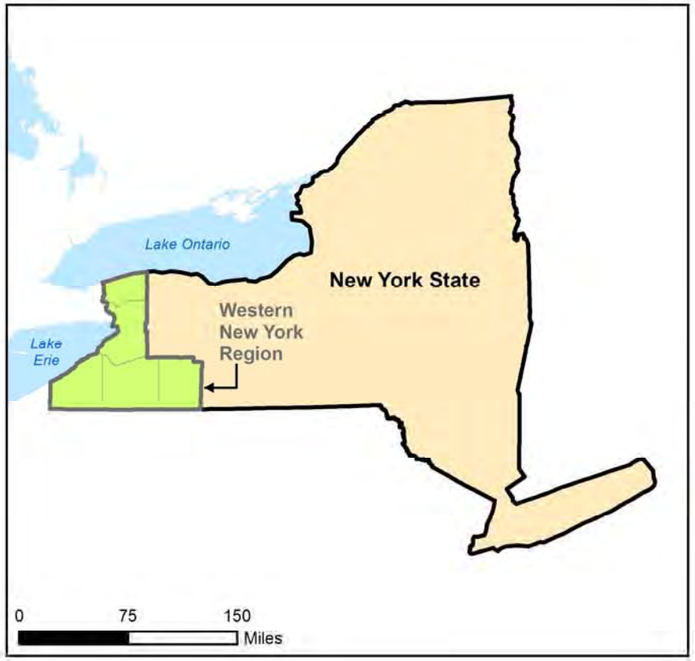
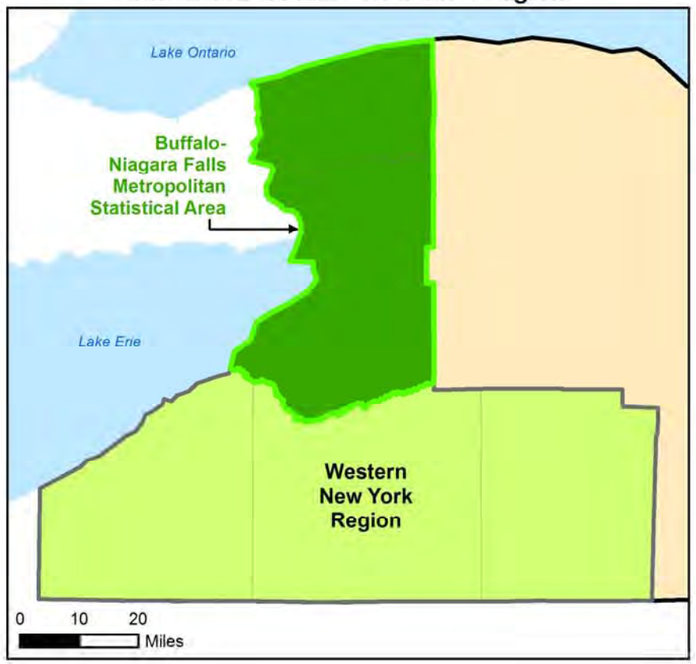
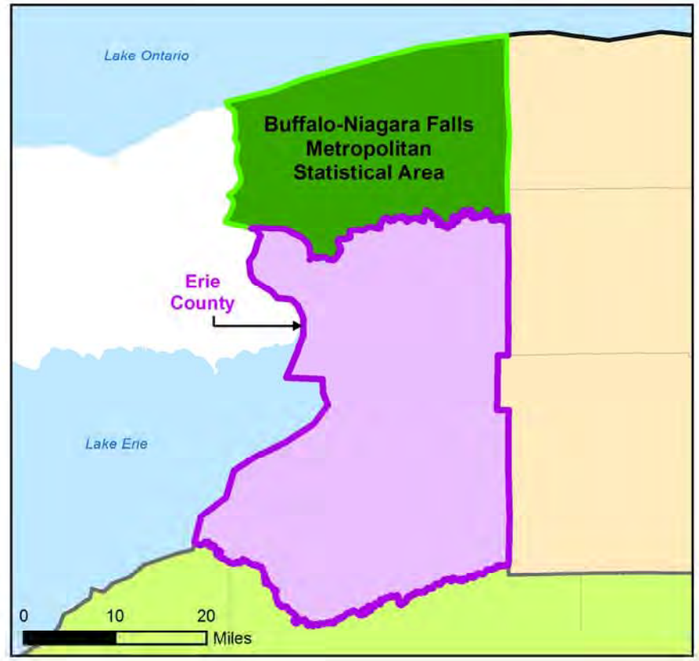
The Western New York Region within New York State



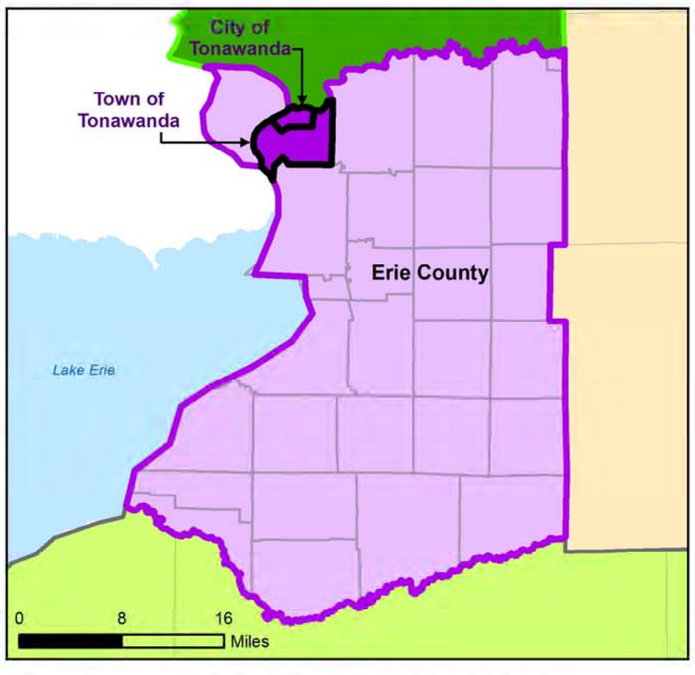
The Buffalo-Niagara Metropolitan Statistical Area (MSA) within the Western New York Region



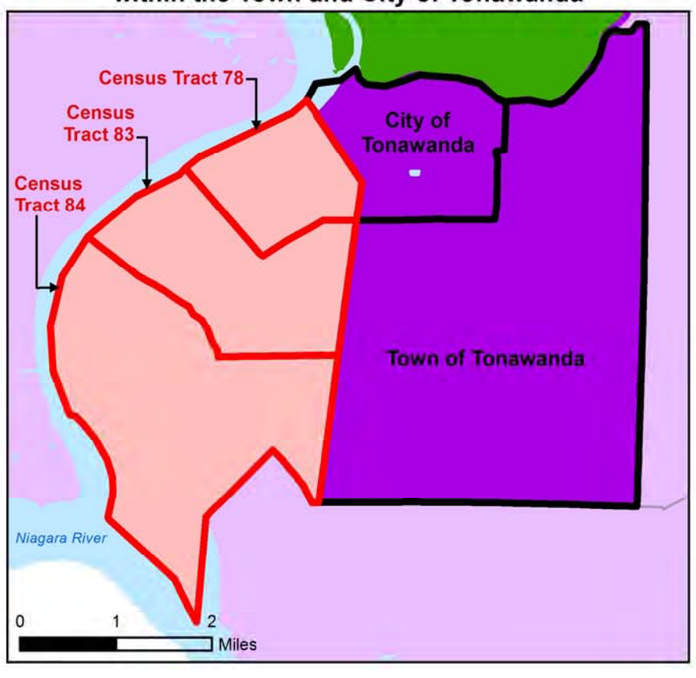
Erie County within the Buffalo-Niagara MSA



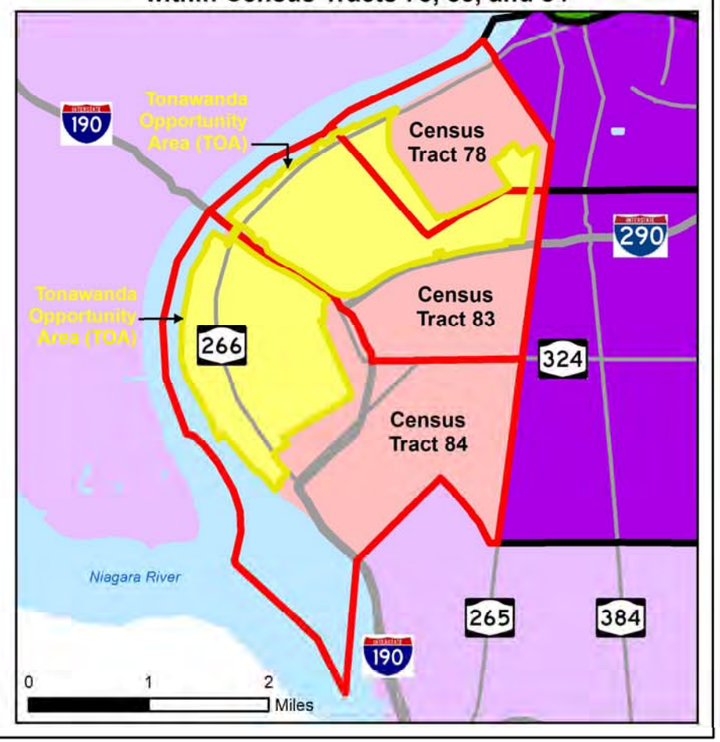
The Town and City of Tonawanda within Erie County



Census Tracts 78, 83, and 84 within the Town and City of Tonawanda



The Tonawanda Opportunity Area (TOA) within Census Tracts 78, 83, and 84



This map was prepared for the Town of Tonawanda and the New York State Department of State with state funds provided through the Brownfield Opportunity Areas Program.

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TOWN OF TONAWANDA

TONAWANDA OPPORTUNITY AREA

NOMINATION STUDY

AREAS OF COMPARISON MAP

Sources:
1. TOA Nomination Study Area Boundary: Created by LaBella using parcel boundaries provided by the Town of Tonawanda
2. Water: ESRI Water and Water (Local) Shapefiles
3. State, County, MSA, Municipal, and Census Tract Boundaries and Major Roadways: Census Shapefiles from TIGER/Line database

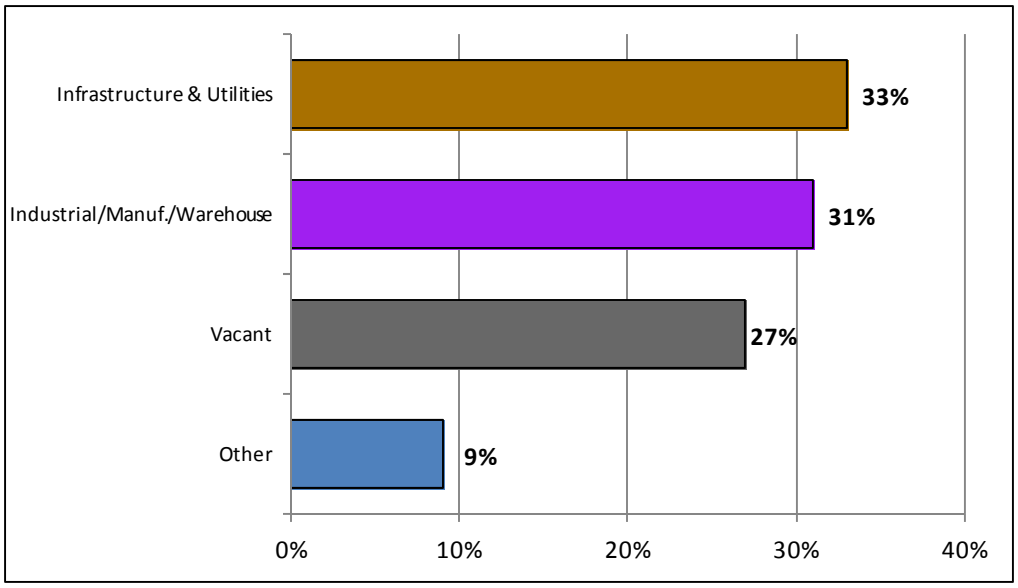
Labella Project No: 2151300

Figure 2: Areas of Comparison

LAND USE AND ZONING

The TOA encompasses approximately 291 parcels of land, and 2,362 acres. Chart 1 shows the breakdown of current land use by percent of total acreage.

Chart 1: TOA Land Use by Percentage of Total Area



Source: Town and City of Tonawanda Real Property Data

A full breakdown of the TOA land use and relevant characteristics can be found in Appendix A; major items of note include:

- Land in the TOA is dominated by industrial and infrastructure uses, at a combined 1,513 acres, and 64 percent of the TOA land area.
- Approximately 780 acres, or 33 percent, are classified as Infrastructure & Utilities, the assessed value of which is $371,691,775, or 86.6 percent of the TOA assessed value.
- Only 0.4 percent of the TOA land is being used as residential; 1.1 percent is zoned residential.
- Approximately 633 acres, and 27 percent of the TOA, is vacant land.
- Commercial & Mixed Uses constitute less than two percent of the TOA acreage, and less than one percent of the total assessment value.

ECONOMIC TRENDS & INDICATORS

DEMOGRAPHICS

The population in the Tonawanda Opportunity Area[1] has declined by approximately 6.6 percent between 2000 and 2014, which is fairly consistent with trends in the Town of Tonawanda and Erie County (Table 2). While there was a slight increase from 2010 to 2014 in the TOA and Erie County, long-term population projections for Erie County indicate a continued decline, which is consistent with population projections for the Western New York Region.

Table 2: Population Trends - TOA, Town of Tonawanda, & Erie County - 2000-2014

Area	Population (Year)			Change 2000-2010		Change 2010-2014		Net Change 2000-2014	
	2000	2010	2014	#	%	#	%	#	%
TOA[1]	11,157	10,196	10,417	-961	-8.6%	221	2.2%	-740	-6.6%
Town of Tonawanda	78,155	73,567	73,538	-4,588	-5.9%	-29	-0.04%	-4,617	-5.9%
Erie County	950,265	919,040	920,694	-31,225	-3.3%	1,654	0.2%	-29,571	-3.1%

Source: US Census Bureau 2000 and 2010 SF1 Decennial Census, American Community Survey 2009-2014 Estimates

In general, the median age of the population has increased between 2000 and 2014 (Table 3). The median age of residents in the Town of Tonawanda is older than that of Erie County. The County's median age is increasing at a greater rate than that of the Town's.

Table 3: Trends in Median Age - Town of Tonawanda & Erie County - 2000-2014

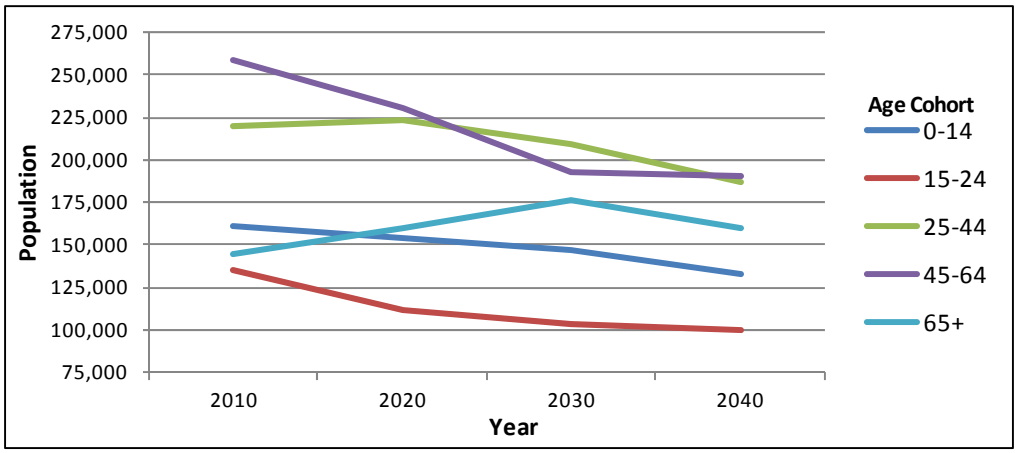
	2000	2010	2014	% Change 2000-2010	% Change 2010-2014	% Change 2000-2014
Town of Tonawanda	41.1	43.3	43.3	5.4%	0.0%	5.4%
Erie County	38.0	40.4	40.5	6.3%	0.2%	6.6%

Source: US Census Bureau 2000 and 2010 SF1 Decennial Census, American Community Survey 2009-2014 Estimates

[1] The "TOA" in the discussion of total population and in Table 1 refers to the combined area of Census Tracts 78, 83, and 84 which in actuality is a much larger geographic area than the actual TOA.

The total population in Erie County is expected to decline by nearly 10 percent by 2030, and an additional six percent by 2040 (Chart 2). This trend of decline is expected for all age cohorts except the 65+ age cohort. Instead, the 65+ age cohort is expected to increase by more than 20 percent by the year 2030.

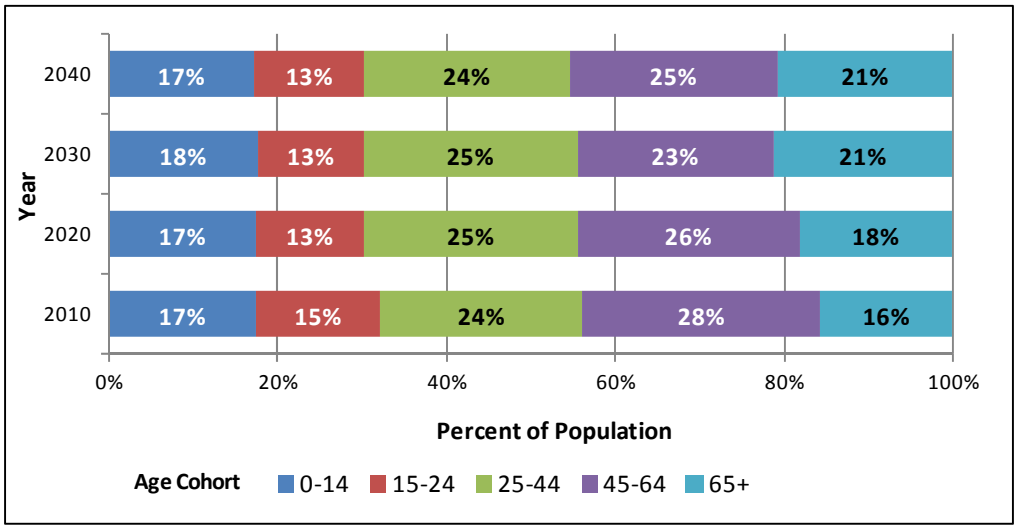
Chart 2: Population Projections by Age Cohorts - Erie County - 2010-2040



Source: US Census Bureau 2010 SF1 Decennial Census, Cornell University Program on Applied Demographics

The trends of an overall declining population and an increasing 65+ age cohort indicate a general aging of the population in Erie County (Chart 3). By 2030, nearly 45 percent of the population will be over 45 years of age.

Chart 3: Age Cohort Distribution Projections - Erie County - 2010-2040



Source: US Census Bureau 2010 SF1 Decennial Census, Cornell University Program on Applied Demographics

MEDIAN HOUSEHOLD INCOME

The median household income for the Town of Tonawanda has historically been greater than that of Erie County households (Table 4). While it appears as if the median household income has increased since 2000, when taking into account inflation, the median household income has actually decreased by eight percent in the Town of Tonawanda. Despite this fact, Town households still have greater buying power than their Erie County counterparts.

Table 4: Median Household Income - Town of Tonawanda & Erie County - 2000-2014

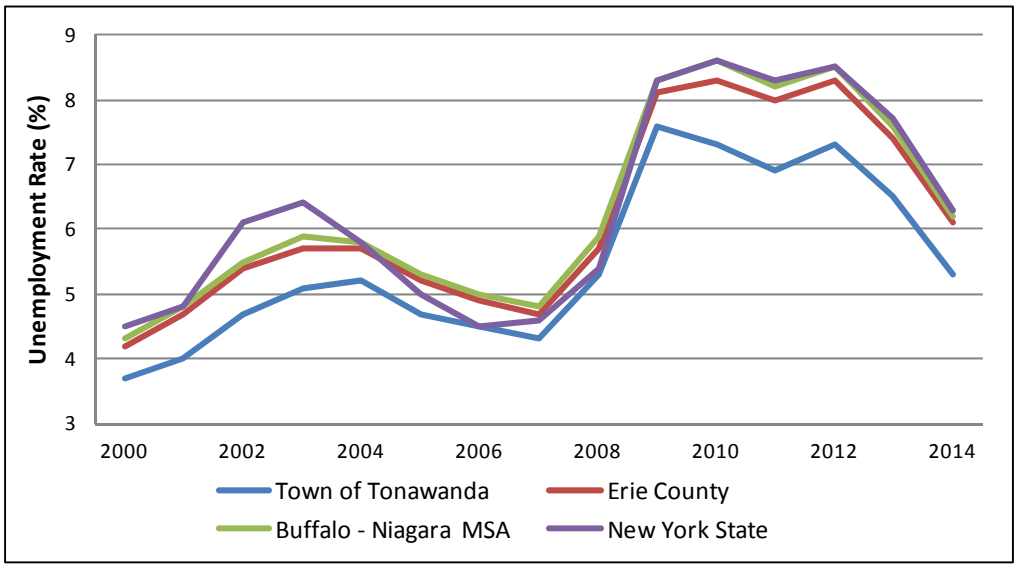
Area	Median HH Income (Year)			% Change 2000-2010	% Change 2010-2014	% Change 2000-2014
	2000	2010	2014			
Town of Tonawanda	$41,003	$47,871	$53,603	16.7%	12.0%	30.7%
Erie County	$38,211	$47,372	$51,050	24.0%	7.8%	33.6%
	Adjusted for Inflation to 2014 $					
Town of Tonawanda	$58,265	$51,972	$53,603	-10.8%	3.1%	-8.0%
Erie County	$54,297	$51,430	$51,050	-5.3%	-0.7%	-6.0%

Source: US Census Bureau 2000 Decennial Census, American Community Survey 2006-2010 & 2009-2014 Estimates; Bureau of Labor Statistics' US Inflation Calculator <http://data.bls.gov/cgi-bin/cpicalc.pl>.

INDUSTRY & EMPLOYMENT

Since 2000, the trends in the unemployment rate in the Town of Tonawanda have been consistent with those in the greater region, as well as New York State. The Town; however, has consistently had a lower unemployment rate than Erie County, the Buffalo-Niagara Metropolitan Statistical Area, and New York State, quite significantly so in some years. As can be seen in Chart 4, all four geographic areas have seen a significant decrease in their unemployment rate since 2012. This drop is expected to continue, and can be attributed to a variety of factors, including the recovering economy, economic development efforts in the Town and region, and significant investments in the area such as the Buffalo Billion.

Chart 4: Unemployment Rate – Town of Tonawanda, Erie County, Buffalo-Niagara MSA, & NYS - 2000-2014



Source: New York State Department of Labor – Labor Force & Unemployment Data

Since 2000, the number of businesses in Erie County has grown by 4.7 percent, outperforming the 4.3 percent growth in the greater Buffalo-Niagara Metropolitan Statistical Area, albeit by less than one percent (Table 5). Growth was not realized in all industries however, as declines were seen in six of the 21 industry sectors in Erie County between 2000 and 2014. Most notable are Construction, Manufacturing, Wholesale Trade, and Retail as these sectors made up more than 36 percent of the total establishments in 2000. This trend was reflected in both Erie County and the Buffalo-Niagara MSA. However, gains were seen in the number of Health Care, Professional, and Administrative establishments. While experiencing a slight decline between 2000 and 2010, the Accommodations sector rebounded with more establishments in 2014.

Table 5: Industry Establishment Trends - Erie County & Buffalo-Niagara MSA - 2000-2014

Industry Sector	Erie County - Establishments				
	2000	2010	2014	% Δ 2010-2014	% Δ 2000-2014
Agriculture, Forestry, Fishing & Hunting	77	82	81	-1.2%	5.2%
Mining, Quarrying, & Oil & Gas Extraction	23	24	23	-4.2%	0.0%
Utilities	20	24	30	25.0%	50.0%
Construction	2,200	2,092	2,035	-2.7%	-7.5%
Manufacturing	1,256	1,100	1,021	-7.2%	-18.7%
Wholesale Trade	1,604	1,344	1,282	-4.6%	-20.1%
Retail Trade	3,378	3,117	3,172	1.8%	-6.1%
Transportation & Warehousing	589	575	590	2.6%	0.2%
Information	329	314	259	-17.5%	-21.3%
Finance & Insurance	1,338	1,294	1,301	0.5%	-2.8%
Real Estate & Rental & Leasing	771	835	806	-3.5%	4.5%
Professional, Scientific, & Technical Services	2,004	2,164	2,280	5.4%	13.8%
Management of Companies	149	212	217	2.4%	45.6%
Admin. & Waste Management Services	1,150	1,430	1,674	17.1%	45.6%
Educational Services	292	341	352	3.2%	20.5%
Health Care & Social Assistance	2,381	2,560	2,516	-1.7%	5.7%
Arts, Entertainment, & Recreation	297	330	355	7.6%	19.5%
Accommodation & Food Services	2,106	2,092	2,211	5.7%	5.0%
Other Services	2,423	2,326	2,429	4.4%	0.2%
Government	497	542	615	13.5%	23.7%
Unclassified	117	470	838	78.3%	616.2%
Total	**23,001**	**23,268**	**24,087**	**3.5%**	**4.7%**

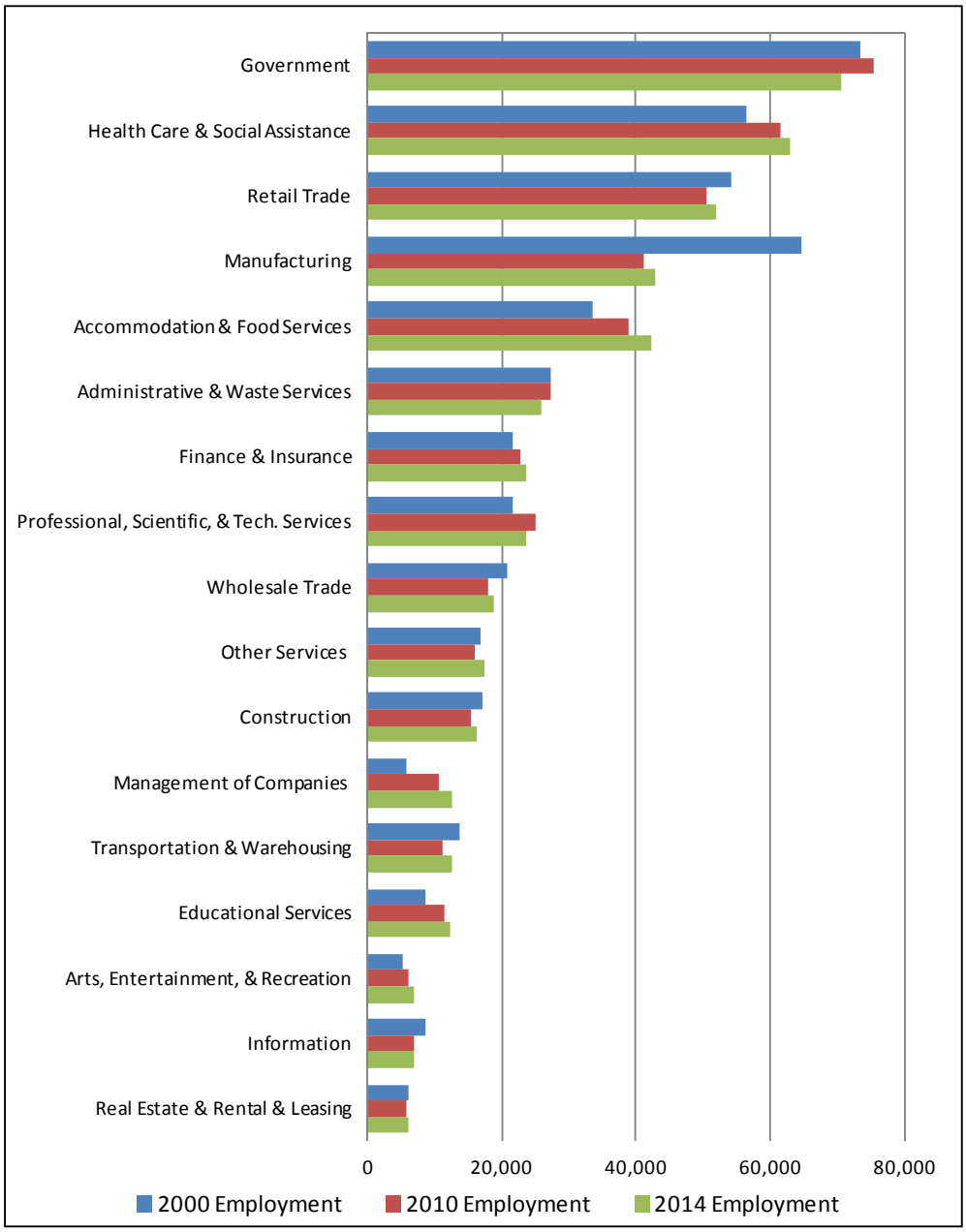
Industry Sector	Buffalo -Niagara MSA - Establishments				
	2000	2010	2014	% Δ 2010-2014	% Δ 2000-2014
Agriculture, Forestry, Fishing & Hunting	126	129	140	8.5%	11.1%
Mining, Quarrying, & Oil & Gas Extraction	27	25	24	-4.0%	-11.1%
Utilities	31	33	41	24.2%	32.3%
Construction	2,685	2,574	2,503	-2.8%	-6.8%
Manufacturing	1,570	1,382	1,303	-5.7%	-17.0%
Wholesale Trade	1,830	1,542	1,482	-3.9%	-19.0%
Retail Trade	4,148	3,810	3,868	1.5%	-6.8%
Transportation & Warehousing	733	710	729	2.7%	-0.5%
Information	374	357	295	-17.4%	-21.1%
Finance & Insurance	1,534	1,483	1,495	0.8%	-2.5%
Real Estate & Rental & Leasing	879	948	929	-2.0%	5.7%
Professional, Scientific, & Technical Services	2,307	2,502	2,611	4.4%	13.2%
Management of Companies	170	240	239	-0.4%	40.6%
Admin. & Waste Management Services	1,366	1,712	1,975	15.4%	44.6%
Educational Services	335	389	394	1.3%	17.6%
Health Care & Social Assistance	2,814	3,040	2,958	-2.7%	5.1%
Arts, Entertainment, & Recreation	373	425	444	4.5%	19.0%
Accommodation & Food Services	2,631	2,550	2,697	5.8%	2.5%
Other Services	2,928	2,812	2,907	3.4%	-0.7%
Government	643	692	789	14.0%	22.7%
Unclassified	147	563	1,020	81.2%	593.9%
Total	**27,651**	**27,918**	**28,843**	**3.3%**	**4.3%**

Source: Quarterly Census of Employment & Wages – New York State and U.S. Bureau of Labor Statistics

The top industries for employment in 2000 in Erie County were Government, Manufacturing, and Health Care and Social Services (Chart 5). As of 2010, Retail has replaced Manufacturing in the top three.

Manufacturing realized a significant decrease in jobs of 36 percent from 2000 to 2010, and from 2010 to 2014 has increased by four percent. Overall, this is the most significant change with an overall loss of 21,679 jobs from 2000 to 2014. The Buffalo-Niagara region experienced a similar loss of manufacturing jobs since 2000.

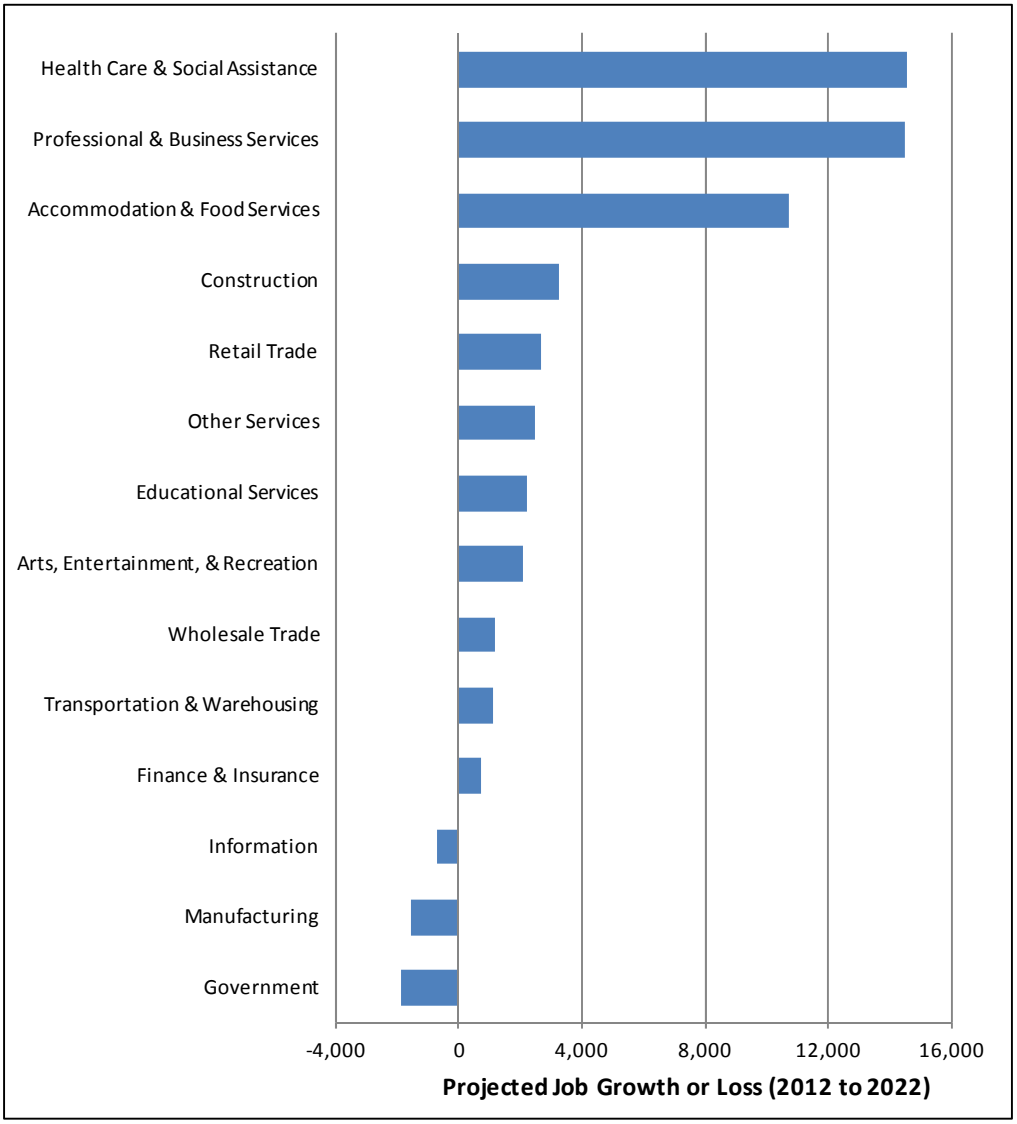
Chart 5: Industry Employment Trends - Erie County - 2000-2014



Source: Quarterly Census of Employment & Wages – New York State and U.S. Bureau of Labor Statistics

Manufacturing employment in Western New York is projected to continue to decline through 2022, while Health Care and Social Assistance, Professional and Business Services, and Accommodation and Food Services are expected to grow significantly (Chart 6). The growth in these industries is projected to greatly outnumber the losses in Manufacturing, both historical (2000-2010) and projected. Overall, employment is expected to grow by approximately 51,250 jobs from 2012 to 2022.

Chart 6: Projected Industry Sector Employment Change - Western NY Region - 2012-2022



Source: New York State Department of Labor – Long Term Industry Projections

Chart 7 depicts the projected job changes in Western New York for various sub-industries. These sub-industries help to narrow down the specific industries which may be appropriate to locate within the TOA.

Chart 7: Projected Industry Sub-Sector Employment Change - Western NY Region - 2012-2022



Source: New York State Department of Labor – Long Term Industry Projections

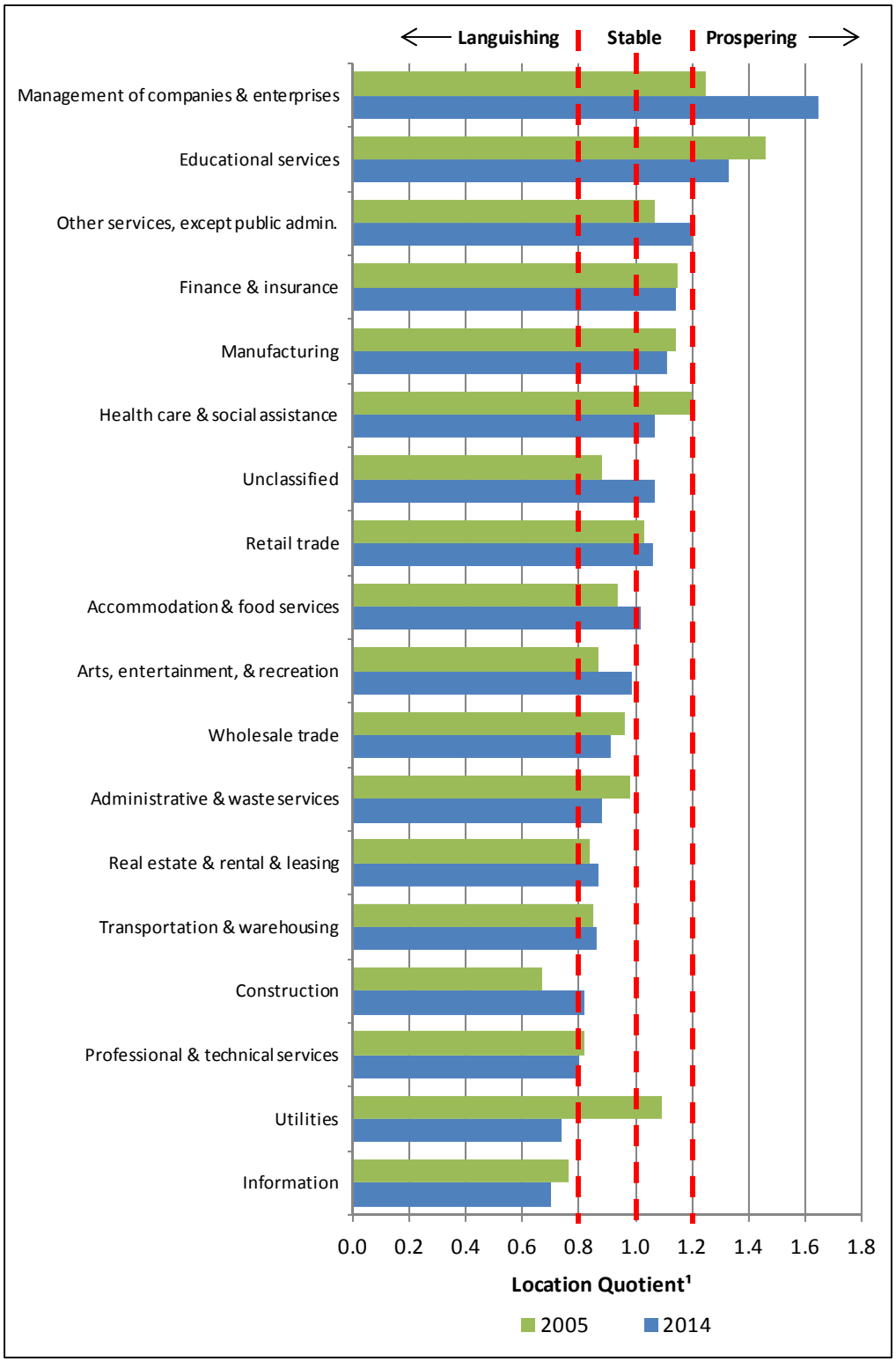
TARGET INDUSTRIES

A location quotient (LQ) is a ratio that compares a local area's share of employment by industry to that of a larger base area's share of employment in that same industry. In other words, the location quotient can tell us what industries are prospering in a local area compared to national trends in that industry.

In this instance, Chart 8 is comparing the share of employment by industry sector in the Buffalo-Niagara MSA with the share of employment by industry sector in the United States for the years 2005 and 2014. If the LQ is near 1.0, this indicates the share of employment in the Buffalo-Niagara MSA is similar to that of the United States in that particular industry sector. A LQ greater than 1.0 indicates a greater share of employment in the Buffalo-Niagara MSA compared to the United States, suggesting that particular industry sector is stronger locally. The following observations were made:

- In 2014, there were nine industry sectors in the Buffalo-Niagara MSA which had a greater employment share relative to the United States. Of these nine industry sectors, three had significantly greater employment share relative to the United States (LQ greater than 1.2). These included management of companies and enterprises, educational services, and other services.
- In 2014, there were nine industry sectors in the Buffalo-Niagara MSA which had a lesser employment share relative to the United States. Of these nine industry sectors, three had significantly lesser employment share relative to the United States (LQ less than 0.8). These included information, utilities, and professional and technical services.
- The greatest LQ changes between 2005 and 2014 were experienced in the management of companies and enterprises (0.40 increase in LQ) and utilities (0.35 decrease in LQ).

Chart 8: Location Quotient Share of Employment by Industry Sector - Buffalo-Niagara MSA relative to the United States - 2005-2014



Note: ¹ The Location Quotient (LQ) is a ratio comparing the Buffalo-Niagara MSA's share of employment by industry sector with the United States share of employment by the same industry sector.

Source: US Bureau of Labor Statistics – Quarterly Census of Employment and Wages

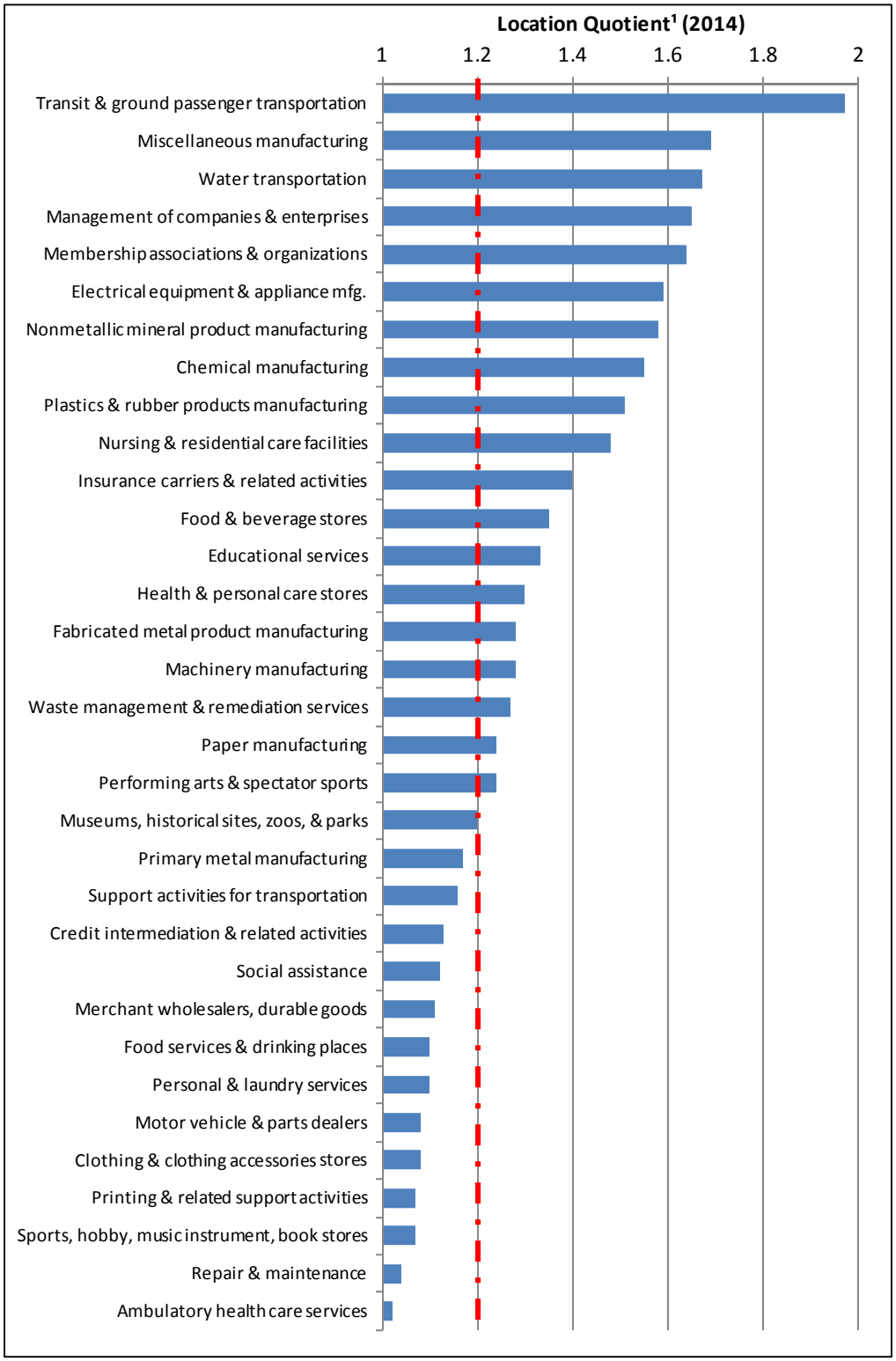
An Economic Cluster Analysis provides a more detailed breakdown and analysis of the strengths or weaknesses of specific sub-sector industries within the larger industry categories.

For example, the manufacturing industry overall is declining in the market area and the TOA. However, electrical equipment manufacturing and chemical manufacturing continue to thrive. The Economic Cluster Analysis assesses why certain sub-sector industries like electrical equipment manufacturing and chemical manufacturing are performing better than others in the market and vice versa. This is an important exercise because it identifies current and emerging strengths within the market, as well as retention targets, that economic development agencies involved in Town redevelopment can strategically concentrate on for targeted economic development attraction and retention activities.

Charts 9 and 10 show select sub-sector industries that either have a high or low share of employment within the Buffalo-Niagara MSA market at a specific point in time (2014). This is measured by the previously described location quotient. Those sub-sector industries with a high location quotient not only have a high relative employment share in the Buffalo-Niagara MSA compared to the US overall, but they are likely exporting goods or services outside the market area and also have a competitive advantage, or perform well, in that industry because they are in the Buffalo-Niagara MSA. A low location quotient, on the other hand, is not necessarily a negative factor. Some sub-sector industries with a low location quotient may just be emerging businesses with employment growth that do not have a large share of employment in the region yet.

The Shift Share Table in Appendix B measures select sub-sector industry employment strength in a different manner. This Table shows how much of the employment change over time (2005 to 2014) in a particular sub-sector industry is attributable to national, industry wide, and regional growth factors. For instance, some industries, such as construction of buildings, are usually related to or dependent on how well the national economy is doing. Other industries, such as specialty trade contractors, are growing because they have a regional competitive advantage in the Buffalo-Niagara MSA likely because their skills align well with the specific construction needs of western New York industries.

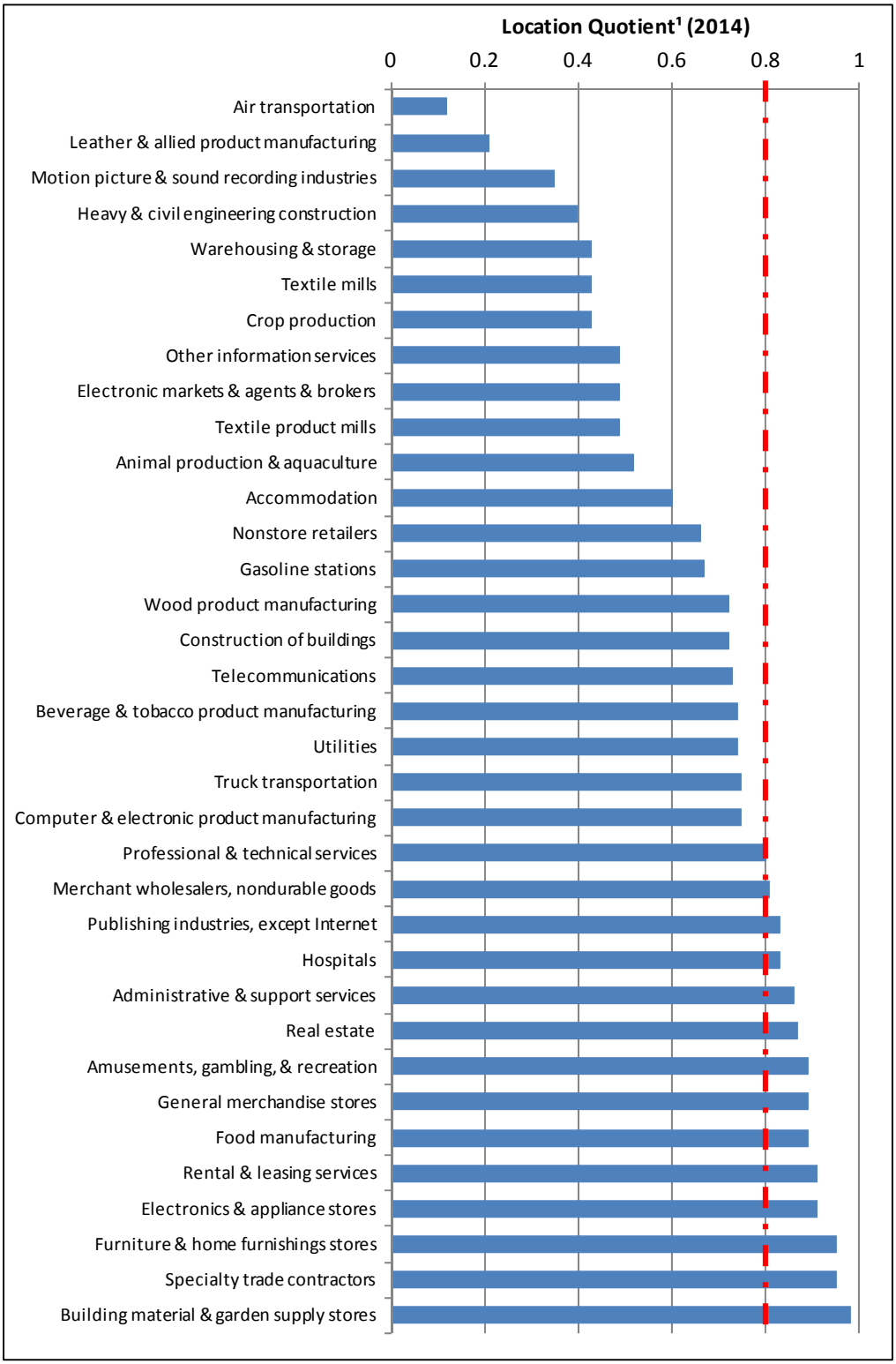
Chart 9: Industry Sub-Sectors with High Employment Share - Buffalo-Niagara MSA - 2014



Note: ¹ The Location Quotient (LQ) is a ratio comparing the Buffalo-Niagara MSA's share of employment by industry sub-sector with the United States share of employment by the same industry sub-sector.

Source: US Bureau of Labor Statistics – Quarterly Census of Employment and Wages

Chart 10: Industry Sub-Sectors with Low Employment Share - Buffalo-Niagara MSA - 2014

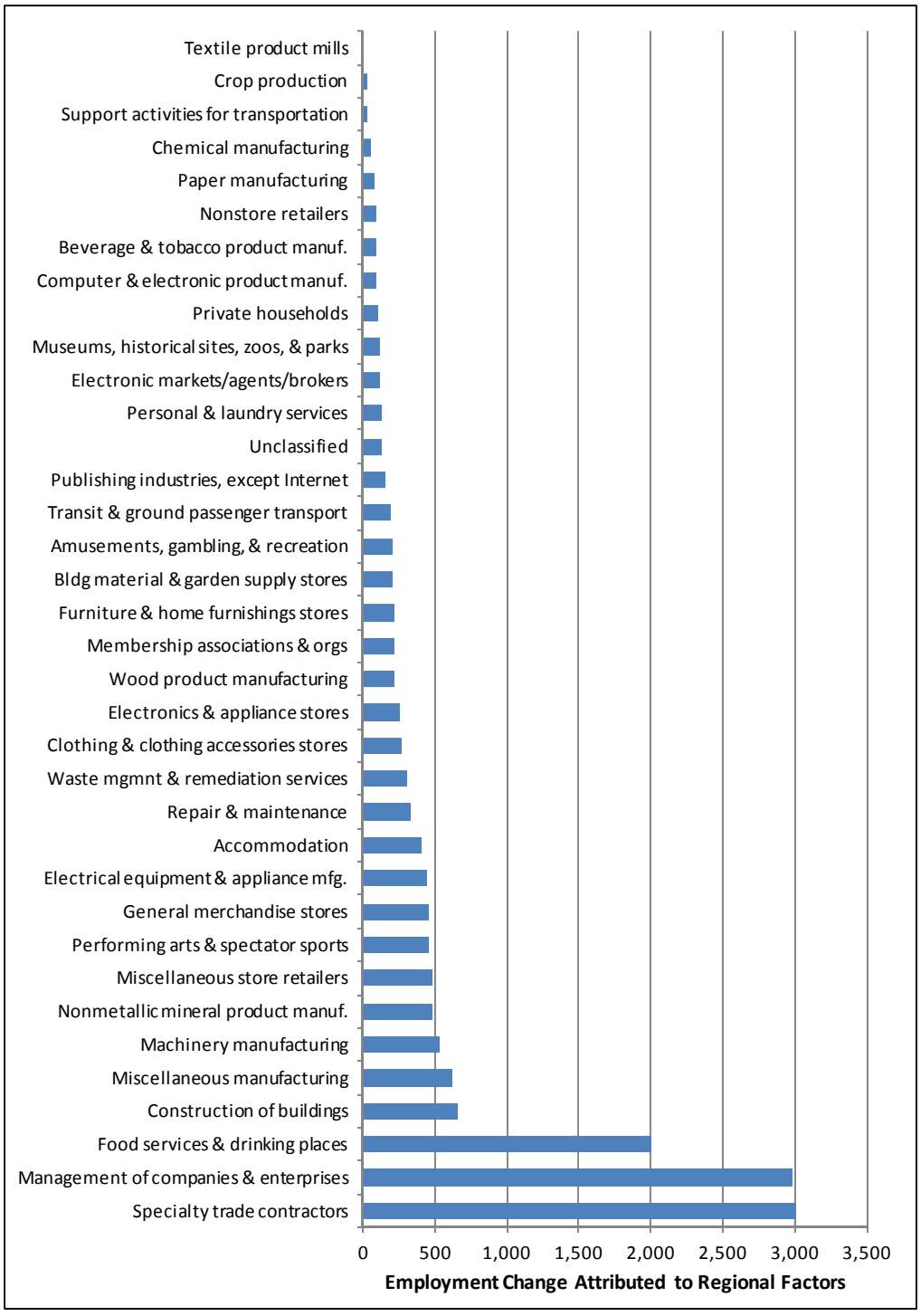


Note: [1] The Location Quotient (LQ) is a ratio comparing the Buffalo-Niagara MSA's share of employment by industry sub-sector with the United States share of employment by the same industry sub-sector.

Source: US Bureau of Labor Statistics – Quarterly Census of Employment and Wages

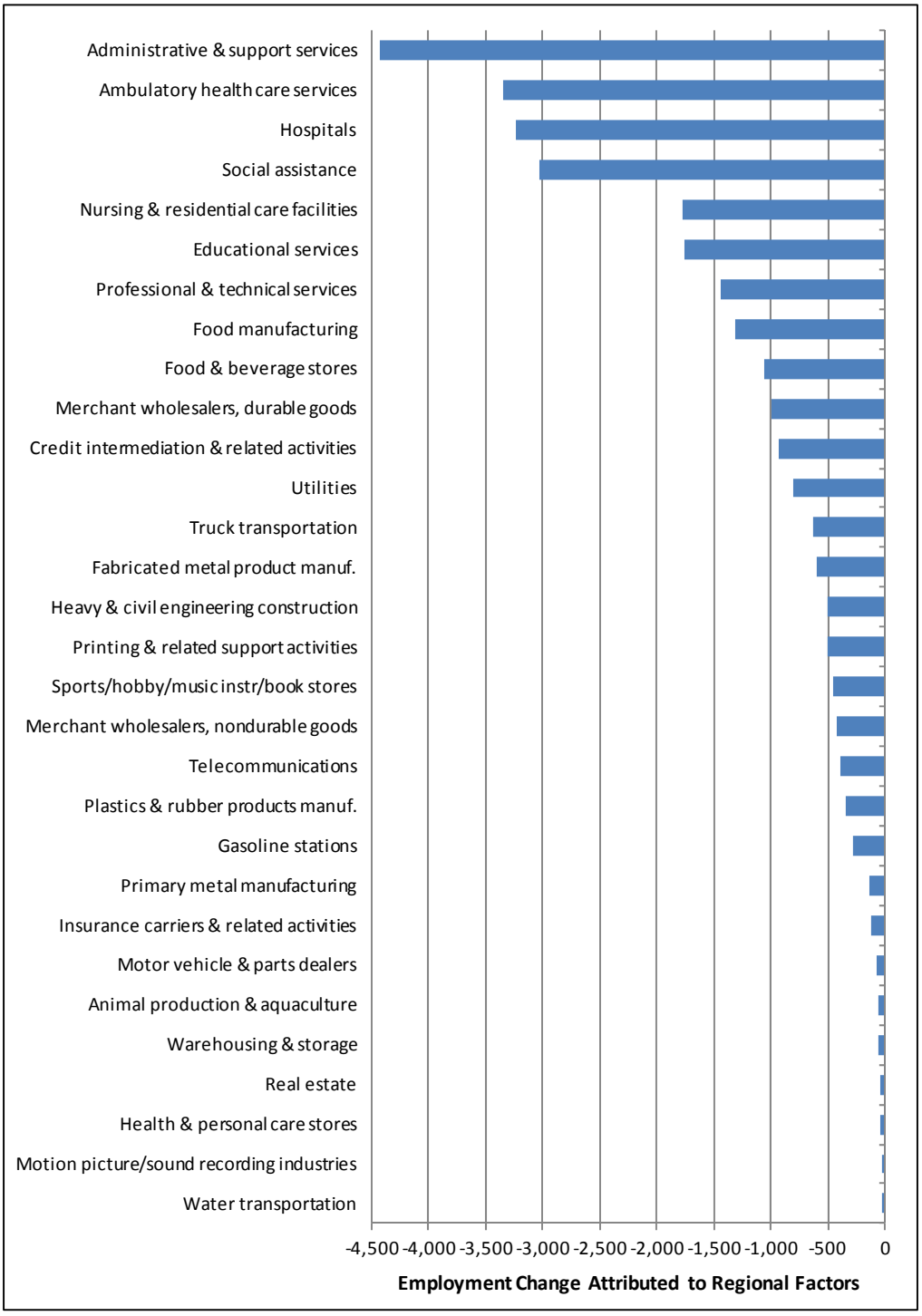
Utilizing information from the Table in Appendix B, Chart 11 displays those sub-sector industries that have a high regional employment growth rate (some may be losing employment overall, but that is due to national and/or industry wide factors). Chart 12 shows the opposite – those industries that are not growing regionally.

Chart 11: Sub-Sector Industries Gaining Regional Employment Share - Buffalo-Niagara MSA - 2005-2014



Source: US Bureau of Labor Statistics – Quarterly Census of Employment and Wages; LaBella Associates, D.P.C.

Chart 12: Sub-Sector Industries Losing Regional Employment Share - Buffalo-Niagara MSA - 2005-2014



Source: US Bureau of Labor Statistics – Quarterly Census of Employment and Wages; LaBella Associates, D.P.C.

Combining the two factors together – current employment share and changes in regional employment share – a "menu" of potential industries to select for attraction, retention or expansion emerges as shown in Chart 13 and Table 6 and divided into:

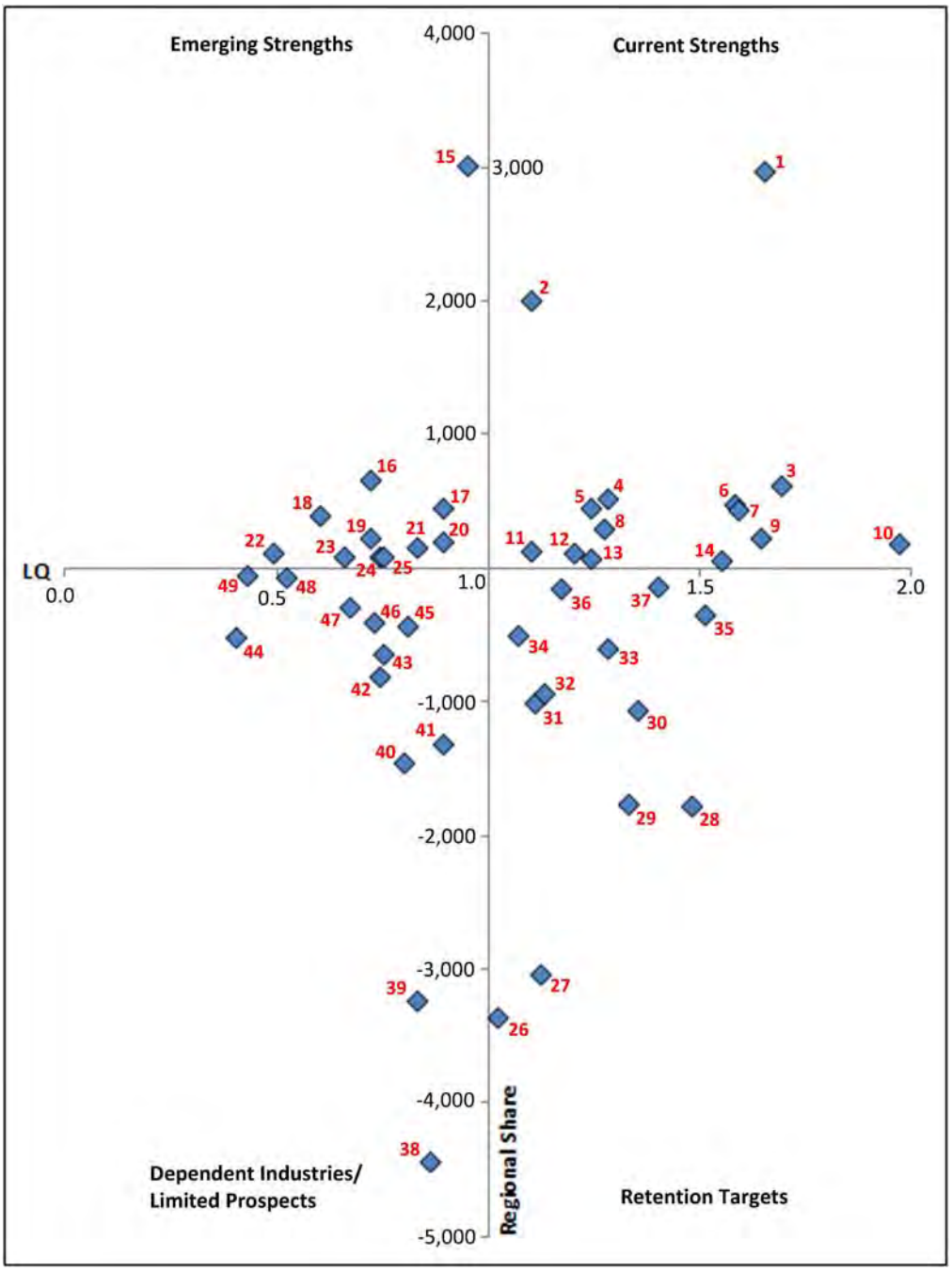
- *Current Strengths* – those industries that currently have a large employment share (relative to the U.S.) and also have strong regional growth over the last ten years.
- *Emerging Strengths* – those industries that currently have a relatively low employment share but have shown strong regional growth over time.
- *Retention Targets* – industries with a large employment share that are starting to lose their regional share of employment. Because of their significant employment base these industries should be targeted for retention.
- *Dependent Industries/Limited Prospects* – these industries do not have a large employment share in the market relative to the share of that industry in the US and they are losing their regional share of employment. Industries in this category are mostly "dependent" industries – meaning that their growth or decline is dependent on the overall performance of the area's economy-while others are industries that would need (or already have) significant economic development incentives to succeed in the Buffalo-Niagara MSA.

The list is a "menu" because economic development agencies can strategically choose which industries to focus on. For instance, regional headquarters (Management of Companies and Enterprises) is a current strength and has already been selected by local economic development agencies as an industry for targeted attraction and retention. Gasoline stations, on the other hand, is an industry that certainly produces significant sales tax benefits for the area, but is probably not a strategic economic development target.

Another factor to consider in selecting targeted industries for attraction and retention are number of jobs, total wages generated for the Buffalo-Niagara MSA and the average wage of workers (Table 6). Generally, economic development efforts should be focused on those industries that will create the greatest number of jobs and wealth in the economy. Again, the regional headquarters is a perfect example of strategic economic development targeting with more than 13,000 jobs currently, expected increases of more than 3,000 jobs and an average wage of more than $85,000.

On the other hand, there are a significant number of jobs in food services and drinking places that both have a very low average wage. However, that industry is important for the tourism sector and certainly creates vitality within the TOA. In short, Table 6 should be used as a guide for economic development targeting but careful consideration should be given to each industry and the potential direct and indirect benefits each provides to the local economy.

Chart 13: Industry Clusters - Buffalo-Niagara MSA - 2014



Source: US Bureau of Labor Statistics – Quarterly Census of Employment and Wages; LaBella Associates, D.P.C.

Table 6: Industry Clusters - Buffalo-Niagara MSA – 2014

- TOA inclined industries

ID	Sub-Sector Industry	2014		
		Employment	Total Wages[1]	Average Wage[1]
	CURRENT STRENGTHS			
1	Management of companies & enterprises	13,669	$1,172,281,442	$85,768
2	Food services & drinking places	44,987	$720,585,749	$16,022
3	Miscellaneous manufacturing	3,789	$197,403,433	$52,113
4	Machinery manufacturing	5,528	$344,174,687	$62,600
5	Performing arts & spectator sports	2,133	$289,068,778	$135,522
6	Nonmetallic mineral product manufacturing	2,323	$122,519,758	$52,742
7	Electrical equipment & appliance mfg.	2,316	$197,019,880	$85,069
8	Waste management & remediation services	1,888	$116,169,261	$61,530
9	Membership associations & organizations	8,519	$182,833,128	$21,469
10	Transit & ground passenger transportation	3,481	$71,962,353	$20,673
11	Personal & laundry services	5,800	$128,102,988	$22,094
12	Museums, historical sites, zoos, & parks	678	$17,962,372	$26,493
13	Paper manufacturing	1,772	$91,425,739	$51,595
14	Chemical manufacturing	4,790	$379,062,562	$79,153
	EMERGING STRENGTHS			
15	Specialty trade contractors	14,099	$725,206,819	$51,440
16	Construction of buildings	3,735	$186,809,627	$50,029
17	General merchandise stores	10,759	$192,963,012	$17,930
18	Accommodation	4,326	$83,528,997	$19,353
19	Wood product manufacturing	1,024	$38,823,272	$37,913
20	Amusements, gambling, & recreation	5,172	$84,106,166	$16,262
21	Publishing industries, except Internet	2,302	$114,072,699	$49,575
22	Electronic markets & agents & brokers	1,675	$120,997,404	$72,237
23	Nonstore retailers	1,255	$43,406,823	$34,587
24	Beverage & tobacco product manufacturing	602	$28,917,915	$48,036
25	Computer & electronic product manufacturing	3,027	$176,460,306	$58,315
	RETENTION TARGETS			
26	Ambulatory health care services	26,083	$1,352,311,576	$51,978
27	Social assistance	14,175	$314,480,579	$22,187
28	Nursing & residential care facilities	18,525	$519,214,002	$28,026
29	Educational services	13,622	$454,782,251	$33,376
30	Food & beverage stores	15,531	$312,522,085	$20,124
31	Merchant wholesalers, durable goods	12,436	$761,115,078	$61,198
32	Credit intermediation & related activities	11,082	$644,727,242	$58,146
33	Fabricated metal product manufacturing	7,127	$396,987,758	$55,733
34	Printing & related support activities	1,856	$72,802,616	$39,226
35	Plastics & rubber products manufacturing	3,905	$250,647,511	$64,186
36	Primary metal manufacturing	1,797	$128,432,563	$71,471
37	Insurance carriers & related activities	11,702	$716,660,260	$61,243
	DEPENDENT INDUSTRIES / LIMITED PROSPECTS			
38	Administrative & support services	27,273	$807,733,971	$29,608
39	Hospitals	15,201	$845,914,629	$55,649
40	Professional & technical services	25,732	$1,535,279,292	$59,664
41	Food manufacturing	5,116	$254,286,031	$49,704
42	Utilities	1,564	$149,788,870	$95,773
43	Truck transportation	4,086	$198,807,402	$48,680
44	Heavy & civil engineering construction	1,379	$98,174,575	$71,089
45	Merchant wholesalers, nondurable goods	6,281	$325,238,252	$51,798
46	Telecommunications	2,384	$163,345,167	$68,517
47	Gasoline stations	2,283	$38,255,559	$16,749
48	Animal production & aquaculture	495	$15,166,605	$30,640
49	Warehousing & storage	1,238	$52,980,114	$43,214

Note: [1] Total Wages and Average Wages are preliminary as noted by the NYS Department of Labor.

Source: US Bureau of Labor Statistics and NYS Department of Labor – Quarterly Census of Employment and Wages

ECONOMIC AND REAL ESTATE ANALYSIS

The employment projections by industry sector for the Western NY Region were extrapolated to determine potential annual demand estimates for additional building space by type of use until 2022 (Table 7). The following overall observations were made:

- The annual gross demand in the Western NY Region is estimated to be over 1,610,000 square feet across all sectors.
- The annual gross demand for industrial space in the manufacturing sector is declining. As the TOA has historically been dominated by industrial uses there is a possibility of attracting industrial uses despite the apparent lack of demand for such space. For example, Chart 7, which evaluates industry sub-sectors, suggests that employment in fabricated metal product manufacturing will actually increase.
- The greatest annual gross demand is for institutional space in the health care and social assistance sector followed closely by the demand for office/flex space in the professional and business services sector. Considering Chart 7, the specific types of health care and social assistance industries that are projected to have large employment increases (i.e. ambulatory health care, nursing and residential care, and social assistance) may not be compatible within the TOA. However, professional and business services may be viable use for vacant land found throughout the TOA.
- The accommodations and food services sector has the third largest gross annual demand for additional space, while the food services and drinking places industry sub-sector has the largest projected increase in employment. While the hospitality analysis (found in a later section of this report) suggests the immediate need for accommodations is limited within the TOA, additional food services to serve the growing number of office workers within the TOA would be appropriate.

Two important considerations concerning the gross annual demands include:

1. Realistically, not all of the projected growth in employment would result in demand for new or additional space, as some demand could be met by the existing vacancies in the market.
2. The projected gross annual demand for additional building space is for the entire Western NY Region. The TOA will only provide a fraction of the space. How big that fraction is will largely depend on the needs of the businesses

and the Town's/local developers' ability to meet those needs and market their available space.

Table 7: Projected Gross Annual Demand (square feet - SF) by Industry - Western NY Region - 2012-2022

Industry	Average SF per Employee	Employment			Western NY Gross Annual Demand (SF)
		2012	2022	Change	
Government	300	63,030	61,140	-1,890	(56,700)
Manufacturing	1,000	67,670	66,150	-1,520	(152,000)
Information	300	8,800	8,140	-660	(19,800)
Other	300	5,580	5,300	-280	(8,400)
Finance & Insurance	250	34,530	35,260	730	18,250
Transportation & Warehousing	500	16,710	17,840	1,130	56,500
Wholesale Trade	750	23,420	24,610	1,190	89,250
Arts, Entertainment, & Recreation	500	8,390	10,520	2,130	106,500
Educational Services	300	73,470	75,730	2,260	67,800
Other Services	300	29,870	32,330	2,460	73,800
Retail Trade	300	74,890	77,550	2,660	79,800
Construction	500	21,780	25,060	3,280	164,000
Accommodation & Food Services	300	56,220	66,950	10,730	321,900
Professional & Business Services	300	73,440	87,910	14,470	434,100
Health Care & Social Assistance	300	92,310	106,870	14,560	436,800
Total:					1,611,800

Source: New York State Department of Labor – Long Term Industry Projections; ITE; LaBella Associates, D.P.C.

LaBella and CBRE Associates reviewed this data, and the realities of the Western New York market, to develop an economic and real estate market analysis for each market sector. CBRE, Inc. cautions that development in Western New York is typically tenant driven where landlords need to secure a tenant in order to obtain financing and initiate their projects. Larger users in the market have historically provided developers the "kick start" necessary to realize a given project's potential.

OFFICE MARKET

The office market is the strongest market sector in Western New York. Based on an analysis of the growth in employment of office inclined industries (finance, educational, professional and business services and health care) over the next decade, LaBella estimates there is demand for more than 900,000 sq. ft. annually in the office market. Translated over 10 years, there is a demand for more than 9 million square feet of space.

Currently the 14150 zip code in Tonawanda, which includes the TOA and the majority of Tonawanda's commercial and industrial districts, is home to approximately three percent of the region's jobs in office inclined industries. Because of its central location, its proximity to the Niagara River (compared to Colvin Woods Park for

instance) as well as the high quality, pedestrian oriented design of the Master Plan, **LaBella estimates that the TOA could conservatively capture up to 5 percent of the demand for office space over the next decade or 450,000 square feet**. This figure does not take into account businesses that may want to relocate to TOA which would inflate the number even more. Based on CBRE's figures below for office market construction in WNY over the last two years the number seems very reasonable.

Obviously a developer in the TOA would not build the 450,000 sq. ft. all at once. Most developers build their projects in phases over time based on their ability to attract tenants and associated bank financing.

The office real estate market in Buffalo-Niagara has remained strong overall for many years. As with other commercial sectors including industrial, retail, and various forms of multi-family housing there has been very little speculative product built that developers (or more importantly their lenders) had not projected to be absorbed and remain fiscally strong. CBRE|Buffalo in its annual tracking of office vacancy recorded a vacancy rate of 13.5 percent in 2015, a decrease from the 2014 level of 14 percent, bringing the Buffalo-Niagara market in line with the US average of 13.4 percent. Just under 500,000 sq. Ft. of new office inventory was added in 2015, and another 350,000 sq. ft. is currently under construction or in planning stages in 2016.

The Buffalo North submarket, a suburban area that encompasses the Town and City of Tonawanda, Grand Island, Kenmore, Amherst, and the Town of Lockport saw its overall vacancy rate increase to 12.1 percent in 2015. Flex office space as a component of overall office space jumped from 9.8 percent in 2014 to 12.7 percent in 2015. Class A office space however, in the North submarket, remained at a significantly high vacancy rate of 19.1 percent.

Input CBRE|Buffalo receives from major developers indicates that in recent years existing and prospective tenants increasingly prefer locations in Amherst over Tonawanda. A good example is Crosspointe in Amherst attracting large back office users requiring dense parking ratios, thereby also requiring an abundance of land although not necessarily possessing the most central location.

Riverview Technology Park has done reasonably well in attracting flex office users, those having a primary need for warehousing/distribution or light manufacturing with an office component as secondary need. **In CBRE's view the entire TOA with few exceptions, including that which is already developed or has potential for redevelopment is best suited for flex office**.

INDUSTRIAL MARKET

In contrast to the office market, the market for new industrial space is weak in western New York. Between 2000 and 2014 the region lost more than 21,000 jobs and is projected to lose another 1,500 jobs in the next 10 years.

However, there are still more than 40,000 manufacturing jobs in Erie County today and more than 65,000 in the Buffalo-Niagara Region. Tonawanda is home to many of those jobs including workers at the Tonawanda GM Plant adjacent to the TOA on River Road. Manufacturing therefore needs to be retained as a viable use in the TOA for industrial jobs.

Therefore the TOA needs to attract the industrial sectors that are anticipated to expand of over the next ten years. Manufacturing or industrial related subsectors that are anticipated to expand over the next decade include wholesale goods (warehousing), specialty trade contractors (construction building trades), machinery manufacturing (forging, welding, stamping), and electrical equipment manufacturing

Based on an analysis of the growth in employment of those industries over the next decade, LaBella estimates there is demand for more than 300,000 sq. ft. annually in the industrial real estate market or 3 million square feet over the next 10 years. The 14150 zip code is also currently home to approximately 5 percent of the region's jobs in those industry subsectors. **LaBella, therefore, estimates that the TOA could capture 10 percent of the 10 year growth or 300,000 square feet of industrial and/or warehouse/distribution space over the next 10 years**.

The industrial product throughout the Buffalo-Niagara region is heavily owner occupied with very low vacancy (3.6% as of 4th quarter 2015). The industrial inventory presents a mix of older product specific to its original function or that which is a transformation of former big-box retail into warehouse. Transaction activity has been slow in the absence of diverse product and the reluctance of developers in general to build on spec.

There is on the other hand available industrial land for future construction at competitive rates throughout the market, including the North Youngmann Commerce Center north of Interstate 290, Riverview Solar Technology Park (Riverview) off River Road, and Spaulding Commerce Park, three prominent examples of shovel ready sites with infrastructure in place within the TOA. Growth within the TOA for the shorter term future likely translates to prospective users

capitalizing on what is already in place rather than trying to imagine other uses for environmentally impaired or functionally obsolete facilities and land parcels.

The 3.6 percent vacancy rate mentioned earlier marks the fourth consecutive year that demand has outpaced supply in the region. Nationally, vacancy rates continue to decrease year-over-year with a drop from 10.1 percent to 9.6 percent from the first to the third quarter 2015 (CBRE Research), with the national market having experienced 21 consecutive quarters of vacancy decline to arrive at the lowest vacancy percentage since 2001. Buffalo-Niagara stands at the lowest vacancy rate in our broader region compared to Toronto at 4.1 percent, Rochester 10.2 percent, Syracuse 17.8 percent, Pittsburgh 7.2 percent, and Cleveland 6.3 percent.

Buffalo-Niagara's North submarket, which includes the TOA, had the lowest vacancy rate with absorption of space in manufacturing, warehousing, and flex space. This is significant also since the North submarket is the region's second largest with 19.6 million sq. ft. or approximately 28 percent of the total market (East submarket is the largest with 23 million sq. ft. or about 36 percent of the market). A great deal of the demand for industrial space, particularly warehousing and distribution fulfillment in Western New York comes from increased spending on consumer goods both within and well beyond the region's confines.

Solar City in nearby Buffalo has spawned a new initiative that has been in discussion and feasibility stages by the Erie County Industrial Development Agency (ECIDA) to determine the market acceptance and potential longer term fiscal viability of a multi-tenanted, Zero Net Energy (ZNE) usage, light-manufacturing facility in the City of Buffalo. The TOA has both the location, and existing available land assets and infrastructure, to benefit from similar higher order green initiatives in both the near and longer terms. Riverview is but one example and this Step 2 TOA study is examining, among other elements, potential road infrastructure that will provide more accessibility and visibility to Riverview as well as the previously noted North Youngmann Commerce Center.

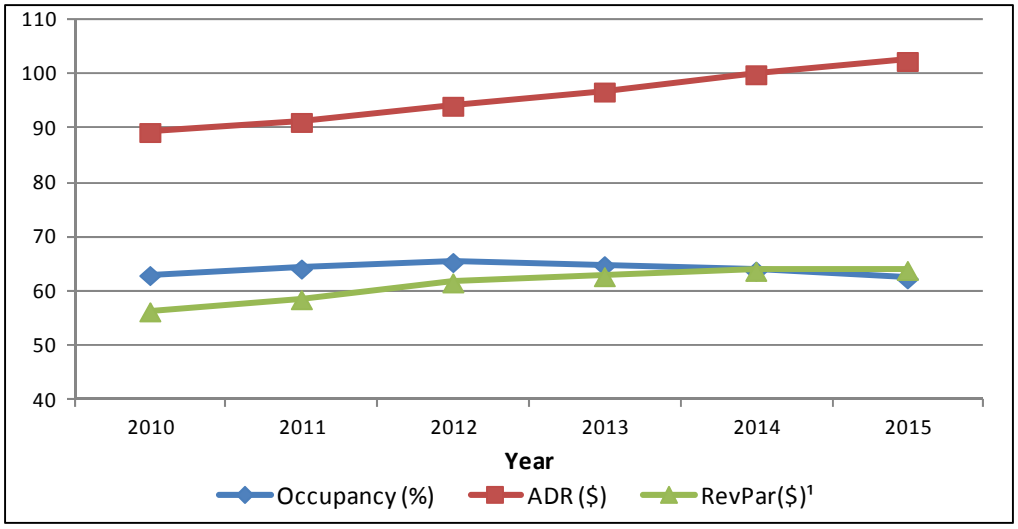
HOSPITALITY MARKET

As of February 2016, there were 157 hotels in the Buffalo area offering 14,333 rooms. This is an increase compared to February 2010 when the Buffalo area had 145 hotels offering 12,549 rooms.

Over the past six years, the average daily rate for accommodations in the area has increased from $89.41 to $102.48 while the occupancy rate has decreased from

63.1% to 62.5% (Chart 14). The amount of revenue generated by each room sold has increased by $13.07 since 2010 not considering inflation. When considering inflation, the amount of revenue generated by each room sold has actually only increased by $5.30 since 2010. The bottom line is that while the rate has increased somewhat, the occupancy level has not with a small increase in demand.

Chart 14: Comparison of Hotel Occupancy/ADR/RevPar - Buffalo Area Hotels - 2010-2015



Note: ¹ RevPar($) also known as the Revenue per Available Room is the room revenue divided by rooms available.
Source: Smith Travel Research, Market – Buffalo, NY, All Properties, starting in 2010.

Typically, the market must achieve a 60 percent occupancy rate before more rooms are needed. Therefore, at this point in time, additional hotels are marginally justified realizing that the occupancy rate has been decreasing and is currently only slightly above 60 percent.

Given the TOA's current lack of infrastructure (dining, shopping, and attractions) to support visitor traffic or the amenities to attract visitors to the Tonawanda area as a destination, a hotel development is unwarranted at this time. However, some existing hotels are outdated in the region and there are limited low quality rooms available in the Town. **With its great location in the center of WNY and access to the interstates, there may be demand in the future for new hotel space to serve the offices and other developments located in the area**.

RESIDENTIAL MARKET

The average owner occupied household size in both the Town of Tonawanda and Erie County decreased since 2000 (Table 8). For renter occupied households, the average size increased in the Town of Tonawanda, and remained the same for Erie County. Household sizes are smaller in the Town compared to the County, regardless of tenure. The change in share of owner households versus renter households from 2000 to 2014 was nominal at less than 0.2 percent in the Town and Erie County.

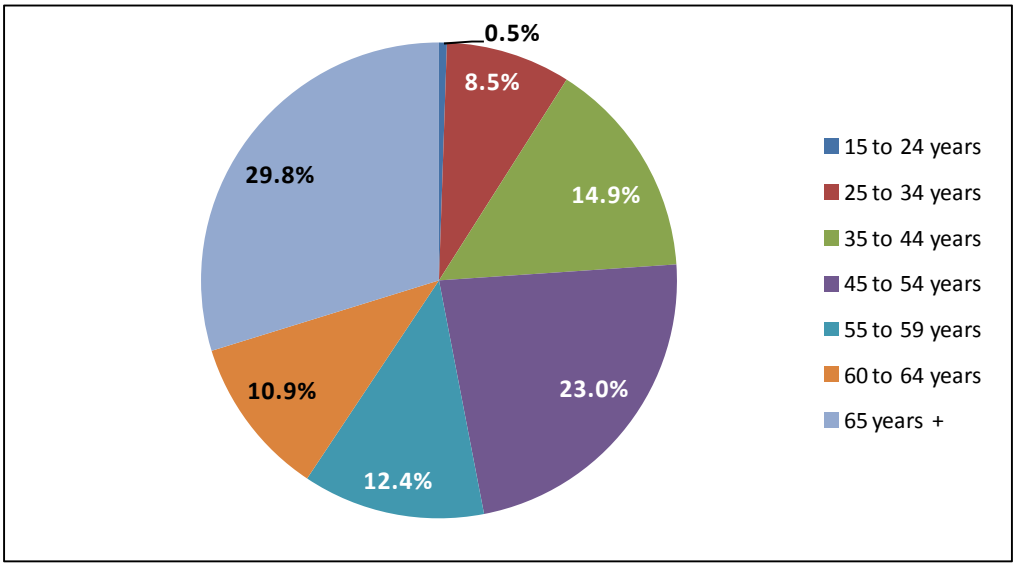
Table 8: Average Household Size - Town of Tonawanda & Erie County - 2000-2014

	Town of Tonawanda		Erie County	
	2000	2014	2000	2014
Owner occupied	2.50	2.37	2.60	2.48
Renter occupied	1.84	1.91	2.07	2.07

Source: US Census Bureau 2000 Decennial Census, American Community Survey 2009-2014 Estimates

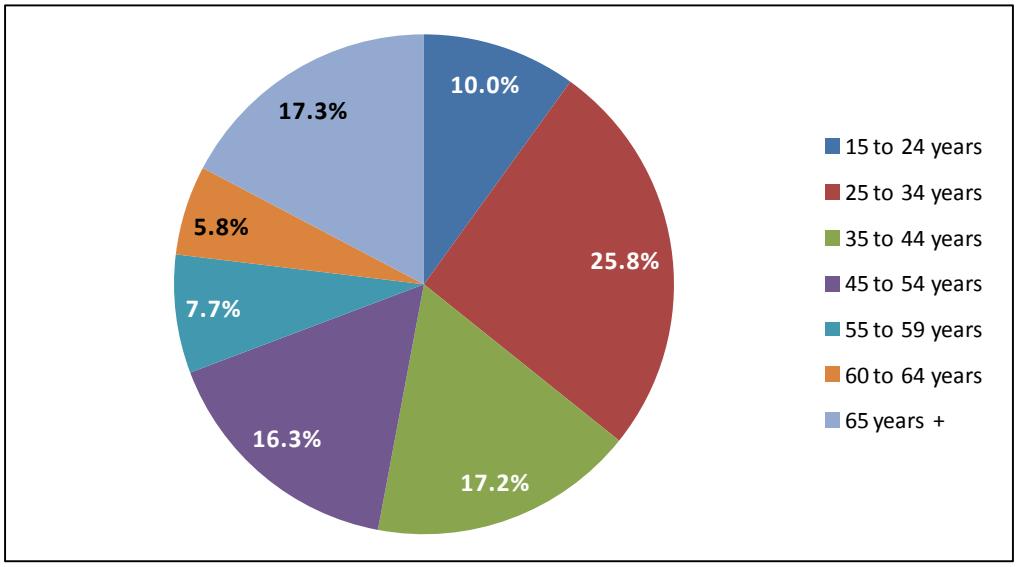
In 2014, over 75 percent of owner-occupied households in Erie County were headed by individuals age 45 and older (Chart 15). The age distribution for renter-occupied households was more even with just under 50 percent being headed by individuals age 45 and older. The largest distribution for renter-occupied households was age 25-34, at nearly 26 percent (Chart 16).

Chart 15: Age of Owner Occupied Householder - Erie County - 2014



Source: American Community Survey 2009-2014 Estimates

Chart 16: Age of Renter Occupied Householder - Erie County - 2014



Source: American Community Survey 2009-2014 Estimates

Since 2000, there has been a general increase in owner households in the Town of Tonawanda for all housing values except for $50,000 to $99,000 (Table 9). The same trend occurred in Erie County. The most significant increase was in households valued at $150,000 or more. When considering inflation, the median household value decreased by five percent in the Town while increasing by one percent in the County.

Table 9: Housing Value of Owner Occupied Households - Town of Tonawanda & Erie County - 2000-2014

Housing Value	Town of Tonawanda					
	2000	2010	2014	% Δ 2000-2010	% Δ 2010-2014	% Δ 2000-2014
Less than $50,000	793	614	969	-22.6%	57.8%	22.2%
$50,000 to $99,999	18,723	9,512	6,629	-49.2%	-30.3%	-64.6%
$100,000 to $149,999	4,113	10,003	11,327	143.2%	13.2%	175.4%
$150,000 to $199,999	395	2,374	3,254	501.0%	37.1%	723.8%
$200,000 or more	243	910	1,224	274.5%	34.5%	403.7%
Median Value	$85,100	$106,300	$115,000	24.9%	8.2%	35.1%
(adjusted for inflation)	$120,926	$115,406	$115,000	-4.6%	-0.4	-4.9%

	Erie County					
	2000	2010	2014	% Δ 2000-2010	% Δ 2010-2014	% Δ 2000-2014
Less than $50,000	29,092	23,762	25,501	-18.3%	7.3%	-12.3%
$50,000 to $99,999	128,594	74,626	59,390	-42.0%	-20.4%	-53.8%
$100,000 to $149,999	57,835	65,341	65,733	13.0%	0.6%	13.7%
$150,000 to $199,999	19,513	39,812	41,811	104.0%	5.0%	114.3%
$200,000 or more	13,746	46,697	56,289	239.7%	20.5%	309.5%
Median Value	$88,200	$117,700	$126,700	33.4%	7.6%	43.7%
(adjusted for inflation)	$125,331	$127,783	$126,700	2.0%	-0.8%	1.1%

Source: US Census Bureau 2000 Decennial Census, American Community Survey 2006-2010 & 2009-2014 Estimates; Bureau of Labor Statistics' US Inflation Calculator <http://data.bls.gov/cgi-bin/cpicalc.pl>.

In both the Town of Tonawanda and Erie County, increases occurred in renter households with gross rents of $750 or more, while decreases occurred in all households with gross rents under $750 (Table 10). When considering inflation, the median gross rent decreased by four percent in the Town while increasing by one percent in the County.

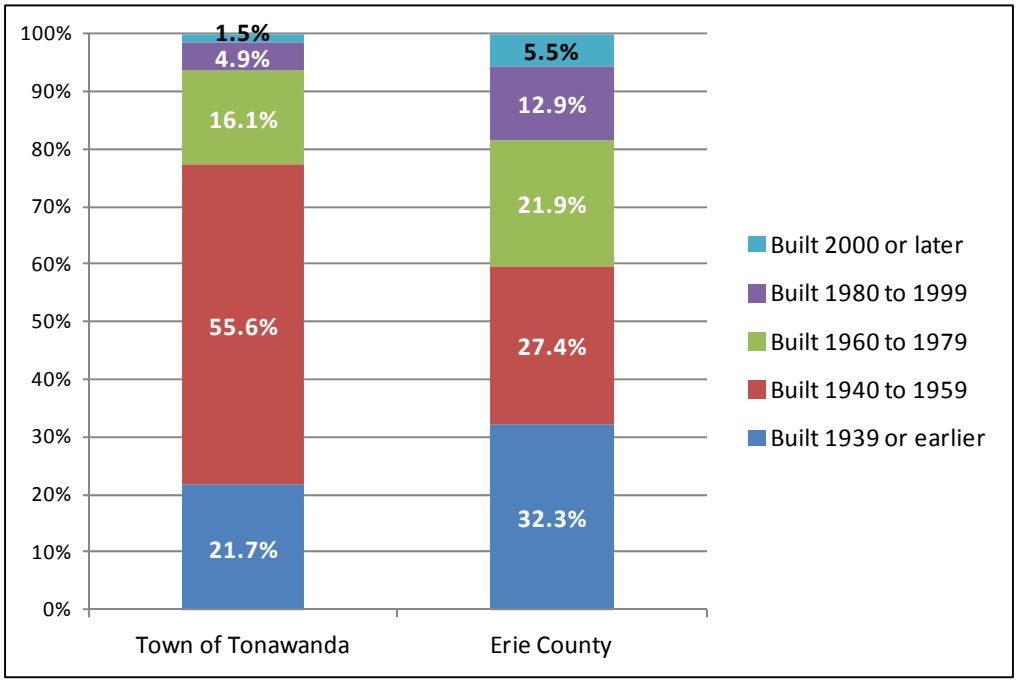
Table 10: Gross Rent for Renter Occupied Households - Town of Tonawanda & Erie County - 2000-2014

Gross Rent	Town of Tonawanda					
	2000	2010	2014	% Δ 2000-2010	% Δ 2010-2014	% Δ 2000-2014
Less than $200	273	96	77	-64.8%	-19.8%	-71.8%
$200 to $299	371	443	231	19.4%	-47.9%	-37.7%
$300 to $499	2,393	674	613	-71.8%	-9.1%	-74.4%
$500 to $749	4,796	3,893	3,405	-18.8%	-12.5%	-29.0%
$750 to $999	575	2,839	3,357	393.7%	18.2%	483.8%
$1,000 to $1,499	158	515	895	225.9%	73.8%	466.5%
$1,500 or more	75	97	105	29.3%	8.2%	40.0%
No cash rent	362	257	508	-29.0%	97.7%	40.3%
Median Rent	$549	$704	$751	28.2%	6.7%	36.8%
(adjusted for inflation)	$780	$764	$751	-2.1%	-1.7%	-3.7%
	Erie County					
	2000	2010	2014	% Δ 2000-2010	% Δ 2010-2014	% Δ 2000-2014
Less than $200	6,359	2,811	2,176	-55.8%	-22.6%	-65.8%
$200 to $299	8,612	5,632	4,896	-34.6%	-13.1%	-43.1%
$300 to $499	43,347	17,253	13,836	-60.2%	-19.8%	-68.1%
$500 to $749	53,727	48,996	45,653	-8.8%	-6.8%	-15.0%
$750 to $999	10,535	32,615	38,309	209.6%	17.5%	263.6%
$1,000 to $1,499	2,616	12,674	18,667	384.5%	47.3%	613.6%
$1,500 or more	1,051	2,995	4,514	185.0%	50.7%	329.5%
No cash rent	5,024	4,866	5,008	-3.1%	2.9%	-0.3%
Median Rent	$516	$686	$738	32.9%	7.6%	43.0%
(adjusted for inflation)	$733	$745	$738	1.6%	-0.9%	0.7%

Source: US Census Bureau 2000 Decennial Census, American Community Survey 2006-2010 & 2009-2014 Estimates; Bureau of Labor Statistics' US Inflation Calculator <http://data.bls.gov/cgi-bin/cpicalc.pl>.

The housing stock in the both the Town of Tonawanda and Erie County that was built in 2000 or later has the smallest share of total housing stock (Chart 17). The largest share for both is housing stock built in 1960 or earlier. This may suggest a need for new residential housing, or redesigning current housing stock, as older houses and buildings generally are larger and have more rooms. Smaller houses or units would accommodate the declining household sizes, as well as the aging population.

Chart 17: Age of Housing Stock - Town of Tonawanda & Erie County - 2014



Source: American Community Survey 2009-2014 Estimates

The various residential indicators reveal the following:

- The average household size in the Town of Tonawanda is smaller compared to Erie County. **This suggests there is greater demand for smaller residences**.
- More than 50 percent of owner-occupied households and more than 30 percent of renter-occupied households in the Town were owned/rented by people 55 years or older. Combined with the aging population, this suggests there is **a growing demand for senior housing**.
- When considering inflation, median housing values and median rents in the Town of Tonawanda have been decreasing over time, while they have been increasing in Erie County. Erie County's increase in rent is likely attributable to many of the market and high end condos and apartments being constructed for millennials and seniors.
- Almost 80 percent of Tonawanda's housing stock was built before 1960 and may not have the amenities or needs required by an aging housing demographic. Therefore **aggressive housing rehabilitation programs should continue** or there may be a demand for newer up to date units.
- The TOA already contains many amenities that attract potential residents including trails, waterfront property, access to nature, and short commutes.

Based on a Comprehensive Housing Market Study completed by the U.S. Department of Housing and Urban Development recently there is an annual demand of approximately 560 market rate for sale housing units under $300,000 (assumed maximum sale price for Niagara River waterfront in Tonawanda) in Western New York of which eight percent (8%), or 45 units, are townhomes or condominiums. In the rental market, the demand is approximately 410 market rate for sale 0-2 bedroom units annually. **Assuming Tonawanda could capture six percent of the housing market (its current share of the market) then there will be a demand of approximately 25 market rate for sale units (townhouses, condominiums) and 250 market rate 0-2 bedroom units in the TOA over the next 10 years**. That translates into approximately 400,000 sq. ft. of new residential space over the next 10 years.

The amount of land currently in use as residential within the TOA is about 10 acres, with an additional 15 or so acres zoned residential but not built as such. Both of these totals are clearly indicative of primarily industrial land use that was developed and has been in place within the 2,362 acre TOA for well over 75 years.

Within the past few years new out of the ground, or older building adaptive reuse, senior independent living rental housing has been created in the Town, as is also the case in other first and second ring suburbs of Buffalo and Niagara Falls. More of this type of housing product is needed, and projected as likely to be absorbed by an increasingly aging population, as well as being economically viable for investors/developers. The challenge, and open question, is where to locate it to attract tenants, be they income-limited or not. Location involves close proximity and ease of access to: retail; professional and health care services; cultural and recreational amenities; and, aesthetically pleasing surroundings, be they other residential developments, concentrations of consumer services, or open/green spaces.

Areas of The TOA that are heavily industrialized are not the best candidates for senior or other demographic categories of multi-family rental housing or for owner-occupied units whether subsidized or upscale. Upscale townhouse style units with shared waterfront amenities are a possibility for selected stretches of the TOA along the river that are not in or a direct line of sight to current or former heavy industrial uses.

The TOA segment within the City of Tonawanda on the other hand does afford the opportunity to develop a mix of housing units. What essentially was the former Spaulding Fiber industrial complex (now Spaulding Commerce Park) along with adjoining parcels does directly neighbor existing housing, both single and multi-

family. In addition the location is within walking distance of public schools and a limited amount of retail. Because the land area is formerly industrial the City of Tonawanda may prefer, or be required longer term to keep it within that use. However, the reality is that the location as industrial competes with all of the industrial- zoned properties within the Town of Tonawanda segment of the TOA and throughout the Buffalo-Niagara region.

RETAIL MARKET

In 2014 the estimated consumer demand for various retail goods and services was approximately $1.3 billion by Town of Tonawanda residents (Table 11). The estimated retail sales in 2014 were $715.2 million in the Town, showing a net leakage of $596 million out of the Town of Tonawanda.

The Leakage/Surplus Index is calculated by dividing sales by demand. An index greater than 1.0 (surplus) indicates that businesses within the Town of Tonawanda are selling more of that particular merchandise than what is demanded by Town residents and businesses. This suggests that businesses within the Town are attracting outsiders to spend money in Tonawanda. Alternatively, an index less than 1.0 (leakage) indicates that the demand of Town residents and businesses are not being met by businesses within Tonawanda and they are therefore shopping outside of the Town.

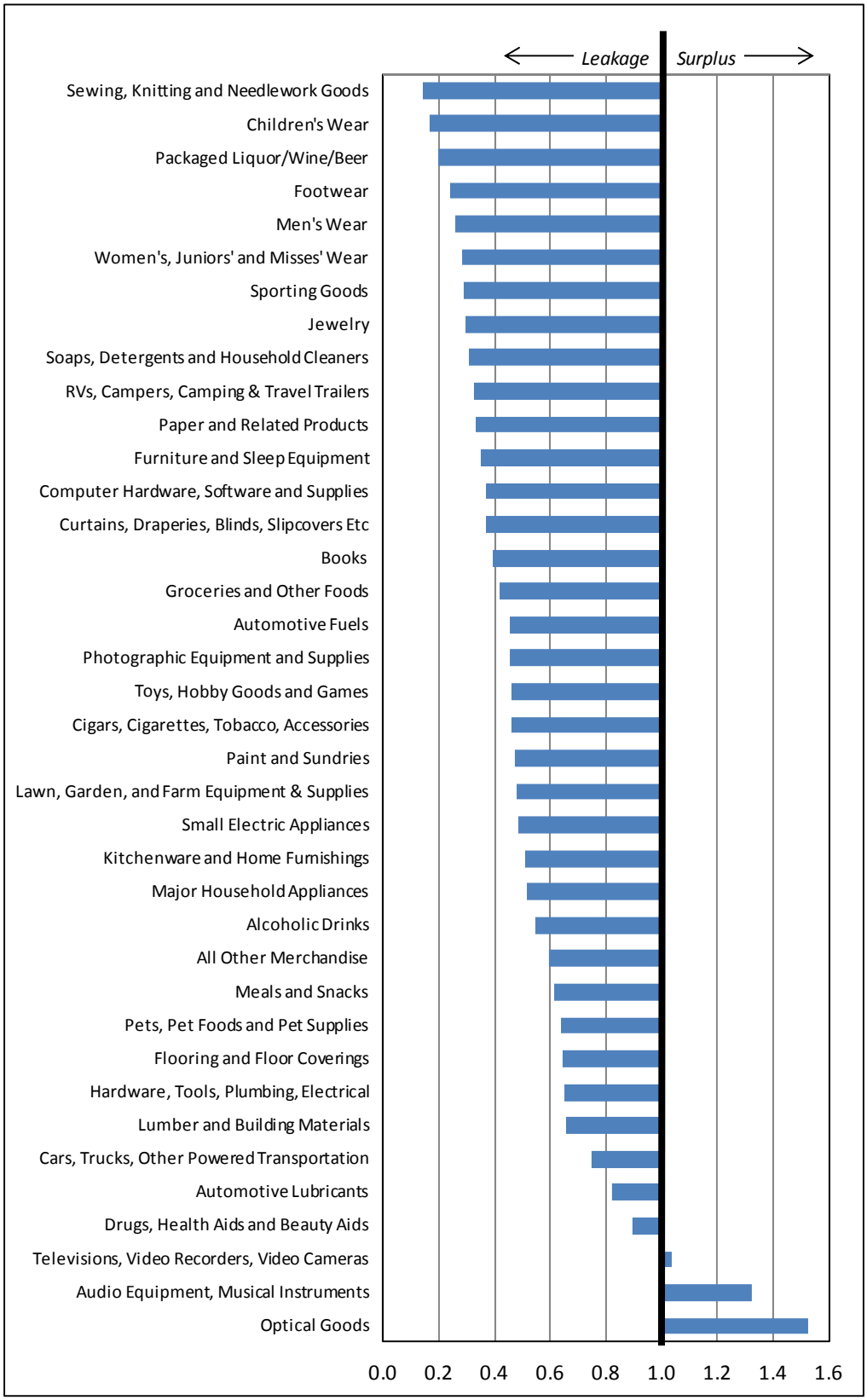
As depicted in Table 11, most merchandise lines are experiencing leakage. If Tonawanda could recapture just 5 percent of the leakage, then it is estimated that 119,228 square feet of new retail space would be warranted. Chart 18 reveals the largest leakage (and therefore largest unmet demand) is in food (groceries, meals, alcohol, and liquor), apparel, and automotive goods. Retail businesses offering these merchandise types could potentially perform well within Tonawanda.

Table 11: Retail Demand and Sales - Town of Tonawanda - 2014

Merchandise Lines	Demand ($)	Sales ($)	Opportunity Gap/Surplus ($)	Leakage/ Surplus Index	Estimated Supportable New SF of Retail through Recapture		
					5%	15%	25%
Groceries & Other Foods	226,674,476	94,252,111	(132,422,365)	0.42	26,484	79,453	132,422
Meals & Snacks	114,741,454	70,533,591	(44,207,863)	0.61	8,842	26,525	44,208
Alcoholic Drinks	5,864,776	3,177,109	(2,687,667)	0.54	538	1,613	2,688
Packaged Liquor/Wine/Beer	35,878,276	7,029,839	(28,848,437)	0.20	5,770	17,309	28,848
Cigars, Cigarettes, Tobacco, Accessories	40,761,922	18,718,060	(22,043,862)	0.46	4,409	13,226	22,044
Drugs, Health Aids & Beauty Aids	134,991,878	120,741,242	(14,250,636)	0.89	2,850	8,550	14,251
Soaps, Detergents & Household Cleaners	2,899,176	894,842	(2,004,334)	0.31	401	1,203	2,004
Paper & Related Products	12,656,863	4,207,749	(8,449,114)	0.33	1,690	5,069	8,449
Men's Wear	29,928,093	7,675,823	(22,252,270)	0.26	4,450	13,351	22,252
Women's, Juniors' & Misses' Wear	46,576,308	13,015,035	(33,561,273)	0.28	6,712	20,137	33,561
Children's Wear	19,667,922	3,271,718	(16,396,204)	0.17	3,279	9,838	16,396
Footwear	19,818,544	4,752,681	(15,065,863)	0.24	3,013	9,040	15,066
Sewing, Knitting & Needlework Goods	1,602,979	224,171	(1,378,808)	0.14	276	827	1,379
Curtains, Draperies, Blinds, Slipcovers Etc	14,335,704	5,267,675	(9,068,029)	0.37	1,814	5,441	9,068
Major Household Appliances	8,250,253	4,226,742	(4,023,511)	0.51	805	2,414	4,024
Small Electric Appliances	2,724,780	1,324,354	(1,400,426)	0.49	280	840	1,400
Televisions, Video Recorders, Video Cameras	11,950,819	12,325,053	374,234	1.03	(75)	(225)	(374)
Audio Equipment, Musical Instruments	9,081,354	11,978,691	2,897,337	1.32	(579)	(1,738)	(2,897)
Furniture & Sleep Equipment	23,216,546	8,067,712	(15,148,834)	0.35	3,030	9,089	15,149
Flooring & Floor Coverings	7,543,992	4,851,555	(2,692,437)	0.64	538	1,615	2,692
Computer Hardware, Software & Supplies	22,342,037	8,179,493	(14,162,544)	0.37	2,833	8,498	14,163
Kitchenware & Home Furnishings	24,380,464	12,374,737	(12,005,727)	0.51	2,401	7,203	12,006
Jewelry	19,148,805	5,599,446	(13,549,359)	0.29	2,710	8,130	13,549
Books	18,165,969	7,134,977	(11,030,992)	0.39	2,206	6,619	11,031
Photographic Equipment & Supplies	3,923,306	1,778,948	(2,144,358)	0.45	429	1,287	2,144
Toys, Hobby Goods & Games	20,618,873	9,432,602	(11,186,271)	0.46	2,237	6,712	11,186
Optical Goods	5,712,481	8,707,844	2,995,363	1.52	(599)	(1,797)	(2,995)
Sporting Goods	12,290,630	3,533,321	(8,757,309)	0.29	1,751	5,254	8,757
Hardware, Tools, Plumbing, Electrical	8,810,330	5,702,958	(3,107,372)	0.65	621	1,864	3,107
Lumber & Building Materials	5,586,614	3,646,373	(1,940,241)	0.65	388	1,164	1,940
Lawn, Garden, & Farm Equipment & Supplies	15,410,913	7,400,974	(8,009,939)	0.48	1,602	4,806	8,010
Paint and Sundries	2,427,275	1,150,909	(1,276,366)	0.47	255	766	1,276
Cars, Trucks, Other Powered Transportation	195,754,752	146,261,777	(49,492,975)	0.75	9,899	29,696	49,493
RVs, Campers, Camping & Travel Trailers	9,402,570	3,037,977	(6,364,593)	0.32	1,273	3,819	6,365
Automotive Fuels	85,321,800	38,574,304	(46,747,496)	0.45	9,349	28,048	46,747
Automotive Lubricants	1,520,592	1,249,166	(271,426)	0.82	54	163	271
Pets, Pet Foods & Pet Supplies	13,449,026	8,597,939	(4,851,087)	0.64	970	2,911	4,851
All Other Merchandise	78,004,557	46,400,073	(31,604,484)	0.59	6,321	18,963	31,604
Total:	**1,311,437,109**	**715,299,571**	**(596,137,538)**	**0.55**	**119,228**	**357,683**	**596,138**

Source: Claritas

Chart 18: Leakage/Surplus Index - Town of Tonawanda - 2014



Source: Claritas

Based on employment growth and other factors (i.e. more people eating out at restaurants more frequently) it is estimated that the Western New York Market could support up to 3 million square feet of new food and drinking establishments over the next 10 years. Currently Tonawanda has about four percent (4%) of the food and drinking establishments in Western New York. However, with a riverside location, and a master plan that promotes creating a high density, walkable neighborhood **LaBella estimates the TOA could capture up to eight percent (8%) of the new demand or 240,000 square feet of food and drinking establishments over a ten year period**. **Similarly, LaBella estimates the TOA could recapture a minimum of five percent of the Town's retail leakage, or approximately 100,000 square feet in the next decade. However, it should be noted that restaurants and retail will follow the office, industrial and residential market that will help create the demand with new employees and residents in the area**.

CBRE|Buffalo's retail analysis examines six discrete trade areas identified as: City of Buffalo; Boulevard Mall; Eastern Hills: Galleria Mall; McKinley Mall; and, Niagara Falls. Buffalo-Niagara's retail real estate market remained stable in 2015 with a slight decrease in the overall vacancy rate to 9.6 percent from 10.3 percent in 2014, representing the lowest vacancy rate in more than fifteen years. The Buffalo-Niagara vacancy rate of 9.6 percent for 2015, however, was 1.6 percent higher than the US retail vacancy rate of 8 percent (CBRE Q3 2015). The national vacancy rate decreased significantly in 2015 as a result of a healthy national economy and increases in consumer confidence and spending.

The Boulevard Mall trade area essentially includes the western half of the Town of Amherst, and all of the Town and City of Tonawanda a well as Kenmore. The trade area is and always has been extremely active and on the radar screen of retailers considering entering the Buffalo-Niagara market. The reality is that opportunities for retail growth of national and regional retail within the trade area do not extend into the TOA. However, there may be opportunities for restaurants, convenience retail and niche retail to serve any new employees or residents in the area.

APPENDIX A – LAND USE ANALYSIS

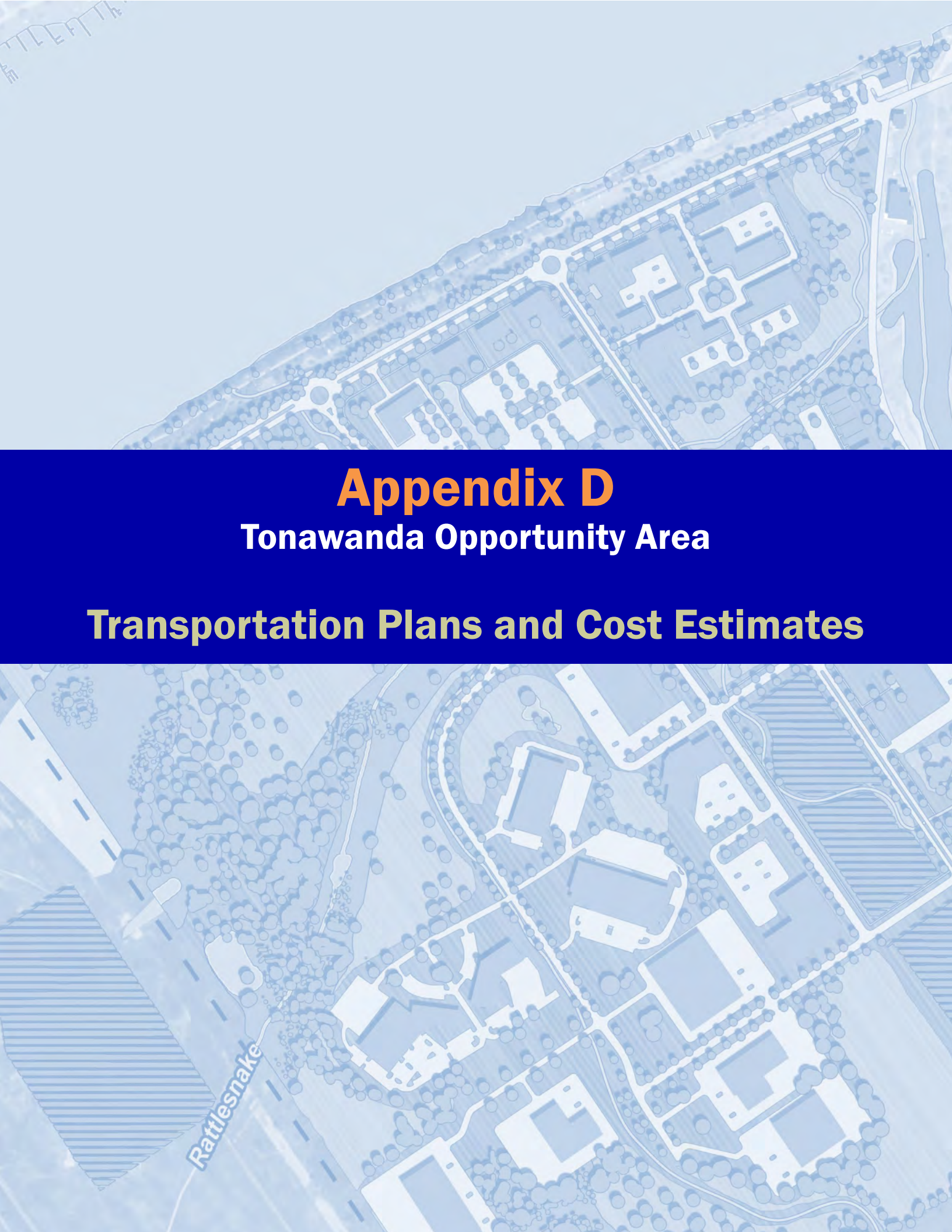
Tonawanda Opportunity Area Land Use								
Land Use	**Parcels**	**Acreage**	**Assessed Land Value**	**Land Value Per Acre**	**Assessed Total Value**	**Total Value Per Acre**	**Full Market Value (FMV)**	**FMV Per Acre**
Dedicated Parkland & Open Space	13	62.73	$1,643,500	$26,200	$1,852,300	$29,528	$1,917,892	$30,574
Residential	40	8.96	$314,100	$35,056	$1,209,500	$134,989	$2,345,346	$261,757
Commercial & Mixed Use	11	46.23	$737,300	$15,949	$2,685,700	$58,094	$5,127,149	$110,905
Institutional & Cultural	4	13.42	$126,600	$9,434	$596,700	$44,463	$1,227,551	$91,472
Industrial/Manufacturing/ Warehouse	75	732.81	$9,347,634	$12,756	$46,579,249	$63,563	$97,522,439	$133,080
Infrastructure & Utilities	63	780.11	$6,848,610	$8,779	$371,691,775	$476,461	$799,449,667	$1,024,791
Vacant	85	633.32	$4,479,975	$7,074	$4,505,975	$7,115	$7,484,530	$11,818
Total:	**291**	**2,277.58**	**$23,497,719**	**$10,317**	**$429,121,199**	**$188,411**	**$915,074,574**	**$401,775**

APPENDIX B – SHIFT SHARE ANALYSIS FOR SUB-SECTOR INDUSTRIES IN THE BUFFALO-NIAGARA MSA

Table: Shift Share Analysis for Select Sub-Sector Industries - Buffalo-Niagara MSA relative to the United States - 2005-2014

Select Sub-Sector Industry	Employment						Shift Share		
	Buffalo-Niagara MSA			United States			National Share	Industry Share	Regional Share
	2005	2014	Change	2005	2014	Change			
Crop production	873	915	42	548,715	557,083	8,368	39	-26	29
Animal production & aquaculture	483	495	12	212,248	245,269	33,021	22	53	-63
Utilities	2,378	1,564	-814	550,593	548,993	-1,600	107	-113	-807
Construction of buildings	3,896	3,735	-161	1,709,983	1,347,846	-362,137	175	-1,000	664
Heavy & civil engineering construction	1,947	1,379	-568	931,031	903,137	-27,894	87	-146	-510
Beverage & tobacco product manuf.	465	602	137	192,468	210,401	17,933	21	22	94
Textile product mills	307	215	-92	169,339	114,385	-54,954	14	-113	8
Wood product manufacturing	1,207	1,024	-183	559,063	369,645	-189,418	54	-463	226
Paper manufacturing	2,199	1,772	-427	482,922	371,784	-111,138	99	-605	79
Specialty trade contractors	13,301	14,099	798	4,628,303	3,857,690	-770,613	596	-2,811	3,013
Food manufacturing	6,392	5,116	-1,276	1,477,142	1,484,674	7,532	286	-254	-1,309
Miscellaneous manufacturing	3,519	3,789	270	647,817	582,445	-65,372	158	-513	625
Merchant wholesalers, durable goods	13,828	12,436	-1,392	2,994,870	2,908,780	-86,090	620	-1,017	-995
Merchant wholesalers, nondurable goods	6,723	6,281	-442	2,015,228	2,010,794	-4,434	301	-316	-427
Electronic markets/agents/brokers	1,287	1,675	388	742,705	896,418	153,713	58	209	122
Motor vehicle & parts dealers	8,022	7,717	-305	1,913,998	1,858,280	-55,718	360	-593	-71
Furniture & home furnishings stores	1,832	1,661	-171	574,378	452,560	-121,818	82	-471	218
Electronics & appliance stores	1,606	1,715	109	536,940	488,412	-48,528	72	-217	254
Bldg material & garden supply stores	4,614	4,632	18	1,275,533	1,222,385	-53,148	207	-399	210
Food & beverage stores	15,536	15,531	-5	2,808,154	2,997,605	189,451	696	352	-1,053
Health & personal care stores	4,795	5,105	310	948,720	1,017,850	69,130	215	134	-39
Printing & related support activities	3,366	1,856	-1,510	645,055	451,547	-193,508	151	-1,161	-500
Chemical manufacturing	5,158	4,790	-368	872,419	800,204	-72,215	231	-658	59
Plastics & rubber products manuf.	5,047	3,905	-1,142	799,774	673,098	-126,676	226	-1,026	-343
Nonmetallic mineral product manuf.	2,427	2,323	-104	504,116	381,871	-122,245	109	-697	485
Primary metal manufacturing	2,265	1,797	-468	464,836	397,520	-67,316	102	-430	-140
Fabricated metal product manuf.	8,072	7,127	-945	1,515,902	1,449,371	-66,531	362	-716	-591
Machinery manufacturing	5,162	5,528	366	1,157,661	1,120,463	-37,198	231	-397	532
Computer & electronic product manuf.	3,659	3,027	-632	1,307,944	1,047,449	-260,495	164	-893	97
Electrical equipment & appliance mfg.	2,147	2,316	169	433,676	377,794	-55,882	96	-373	446
Professional & technical services	22,970	25,732	2,762	7,055,427	8,347,995	1,292,568	1,030	3,179	-1,446
Management of companies & enterprises	8,649	13,669	5,020	1,743,214	2,154,136	410,922	388	1,651	2,981
Administrative & support services	29,944	27,273	-2,671	7,733,031	8,186,469	453,438	1,342	414	-4,427
Waste mgmnt & remediation services	1,391	1,888	497	338,180	385,677	47,497	62	133	302
Educational services	12,361	13,622	1,261	2,144,340	2,668,917	524,577	554	2,470	-1,763
Ambulatory health care services	22,714	26,083	3,369	5,107,959	6,619,412	1,511,453	1,018	5,703	-3,352
Hospitals	16,674	15,201	-1,473	4,300,860	4,754,852	453,992	747	1,013	-3,233
Nursing & residential care facilities	17,680	18,525	845	2,838,955	3,258,450	419,495	792	1,820	-1,767
Social assistance	10,980	14,175	3,195	2,087,367	3,271,506	1,184,139	492	5,737	-3,034
Gasoline stations	2,522	2,283	-239	864,710	878,931	14,221	113	-72	-280
Clothing & clothing accessories stores	5,629	5,707	78	1,418,212	1,368,842	-49,370	252	-448	274
Sports/hobby/music instr/book stores	3,168	2,529	-639	651,010	614,676	-36,334	142	-319	-462
General merchandise stores	9,660	10,759	1,099	2,935,500	3,131,981	196,481	433	214	452
Miscellaneous store retailers	3,506	3,660	154	903,002	818,720	-84,282	157	-484	481
Nonstore retailers	1,006	1,255	249	426,183	493,468	67,285	45	114	90
Water transportation	401	437	36	58,779	67,910	9,131	18	44	-26
Truck transportation	4,645	4,086	-559	1,389,007	1,410,245	21,238	208	-137	-630
Transit & ground passenger transport	2,765	3,481	716	385,015	458,038	73,023	124	400	192
Support activities for transportation	2,435	2,771	336	551,290	619,332	68,042	109	191	35
Warehousing & storage	1,016	1,238	222	583,958	741,178	157,220	46	228	-52
Publishing industries, except Internet	2,687	2,302	-385	903,136	721,444	-181,692	120	-661	156
Motion picture/sound recording industries	528	514	-14	373,561	384,294	10,733	24	-8	-29
Telecommunications	3,238	2,384	-854	991,709	850,976	-140,733	145	-605	-394
Credit intermediation & related activities	13,485	11,082	-2,403	2,870,855	2,556,382	-314,473	604	-2,082	-926
Insurance carriers & related activities	11,641	11,702	61	2,138,432	2,172,696	34,264	522	-335	-126
Real estate	4,948	5,006	58	1,455,715	1,487,275	31,560	222	-115	-49
Performing arts & spectator sports	1,433	2,133	700	379,825	444,972	65,147	64	182	454
Museums, historical sites, zoos, & parks	456	678	222	118,531	146,251	27,720	20	86	115
Amusements, gambling, & recreation	4,522	5,172	650	1,369,639	1,503,392	133,753	203	239	208
Accommodation	3,771	4,326	555	1,811,371	1,883,761	72,390	169	-18	404
Food services & drinking places	36,571	44,987	8,416	9,060,100	10,648,180	1,588,080	1,639	4,771	2,006
Repair & maintenance	4,606	4,953	347	1,235,368	1,238,394	3,026	206	-195	336
Personal & laundry services	5,274	5,800	526	1,273,360	1,368,873	95,513	236	159	130
Membership associations & orgs	7,970	8,519	549	1,296,675	1,349,400	52,725	357	-33	225
Private households	477	359	-118	518,612	278,723	-239,889	21	-242	103
Unclassified	911	883	-28	261,876	214,881	-46,995	41	-204	135
TOTAL ALL JOBS	437,291	445,162	7,871	110,611,016	115,568,686	4,957,670			

Source: US Bureau of Labor Statistics – Quarterly Census of Employment and Wages



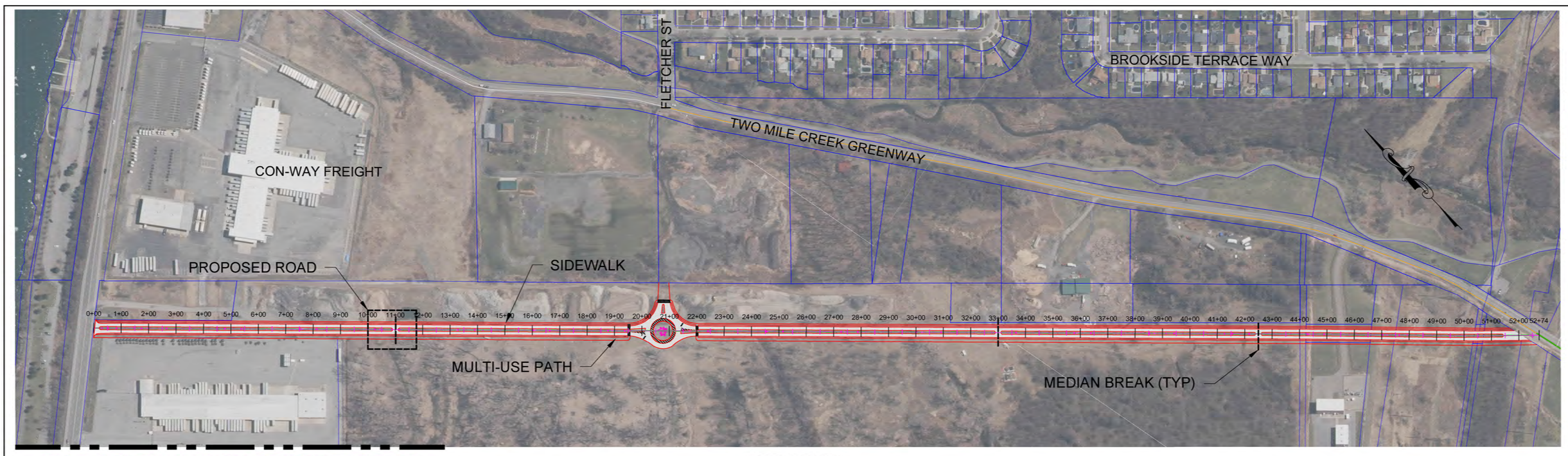
Appendix D

Tonawanda Opportunity Area

Transportation Plans and Cost Estimates

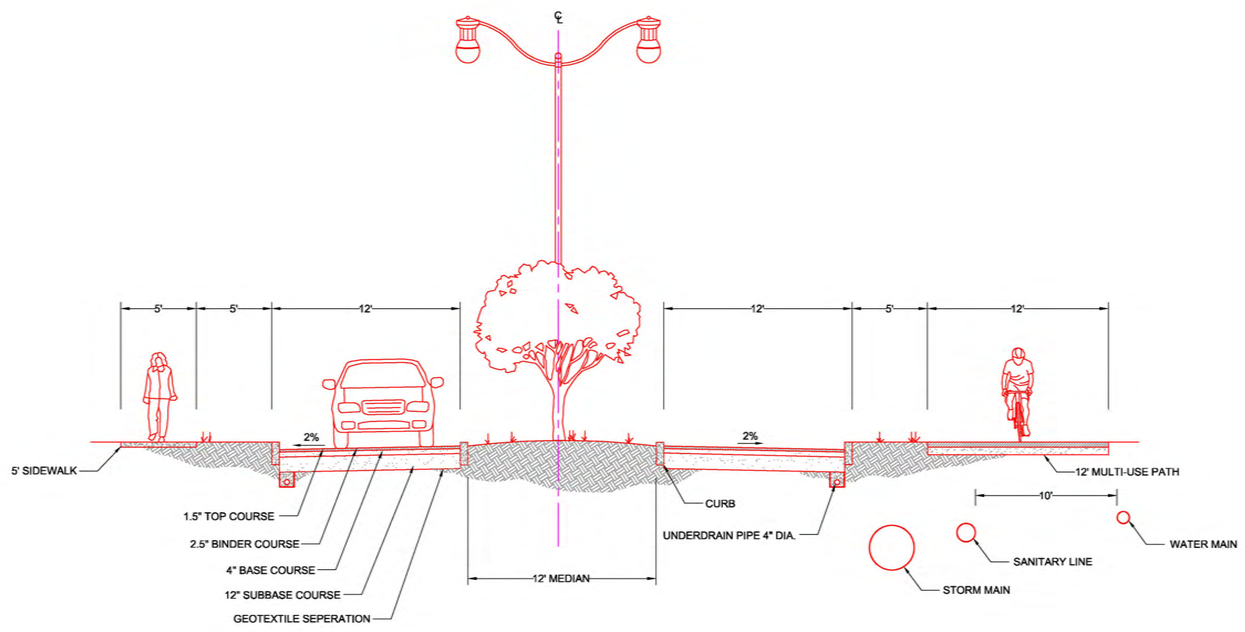
TONAWANDA OPPORTUNITY AREA

Roadway Upgrades



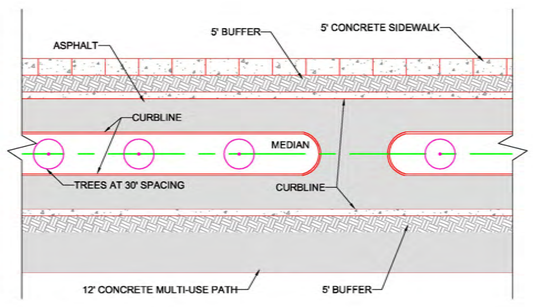
FOR CONTINUATION SEE SHEET SK-2

ROAD PLAN



PROPOSED ROAD SECTION

SCALE: 1"= 30'



ENLARGED PROPOSED ROAD PLAN

SCALE: 1"= 20'

PARSONS BRINCKERHOFF
50 Lakefront Boulevard, Suite 111
Waterfront Village Center
Buffalo, NY 14202
p. 716.853-1220. f. 716.853.1322
WWW.PBWORLD.COM

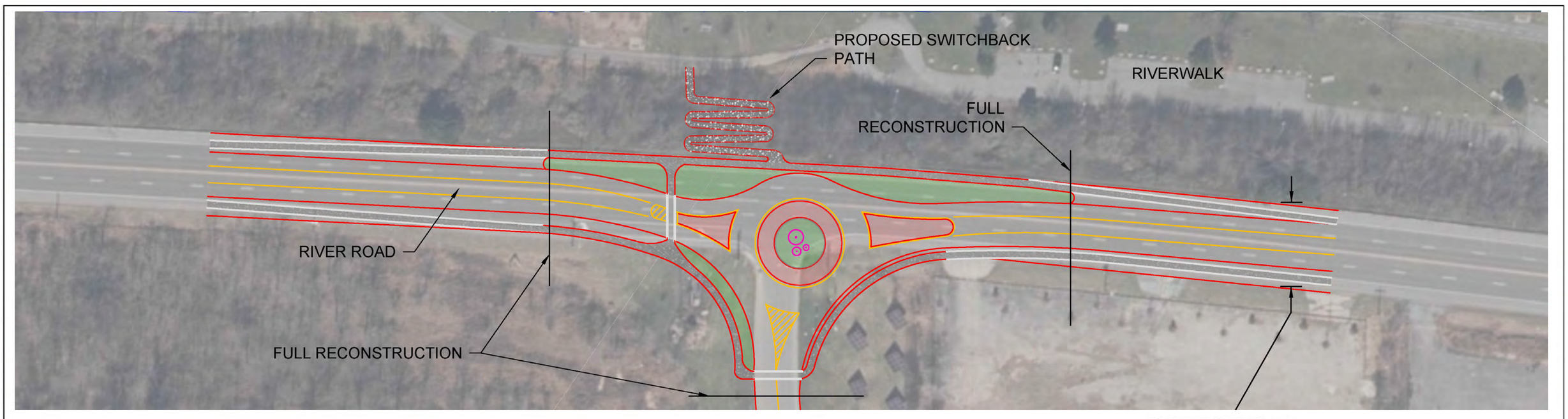
It is a violation of the NYS engineering law for any person, unless he is acting under the direction of a licensed professional engineer or land surveyor, to alter an item in any way. If an item bearing the seal of an engineer of land surveyor is altered, the altering engineer or land surveyor shall affix to the item his seal and the notation "altered by" followed by his signature and the date of such alteration, and a specific description of the alteration.

PROJECT:
SUSTAINABLE TONAWANDA OPPORTUNITY AREA
TONAWANDA, NY

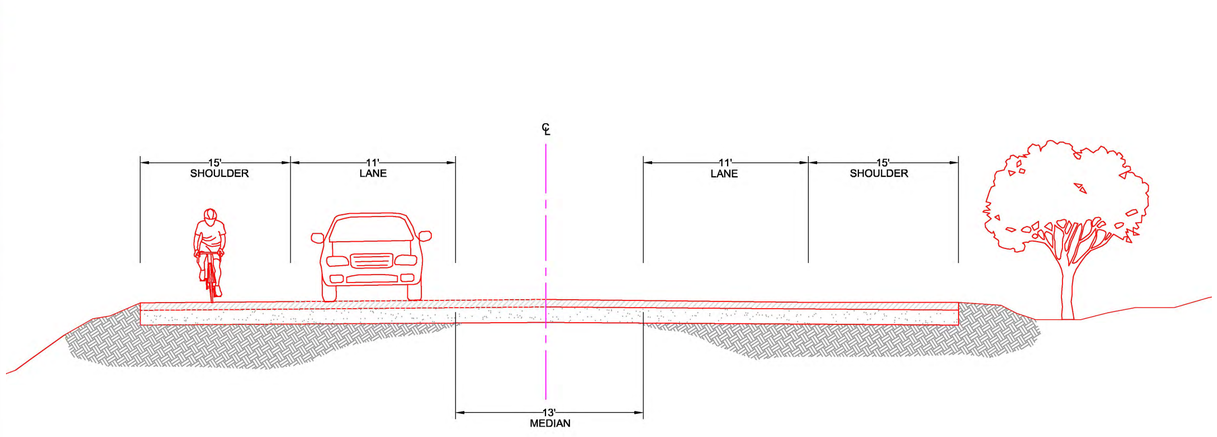
TITLE:
PROPOSED ROADWAY EXTENSION

REF. DRAWING:

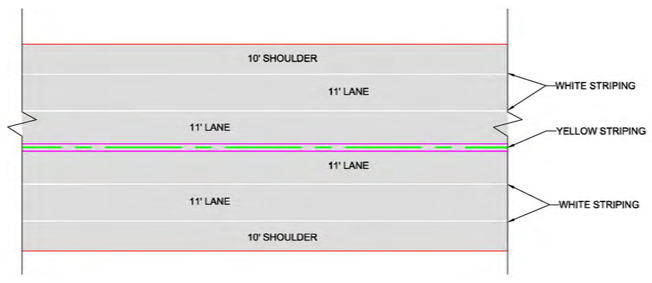
DATE:	05/02/2016	DRAWING No.
DRAWN BY:	MDF	SK-1
CHECKED BY:	JFH	
JOB NUMBER:	xxxxx	



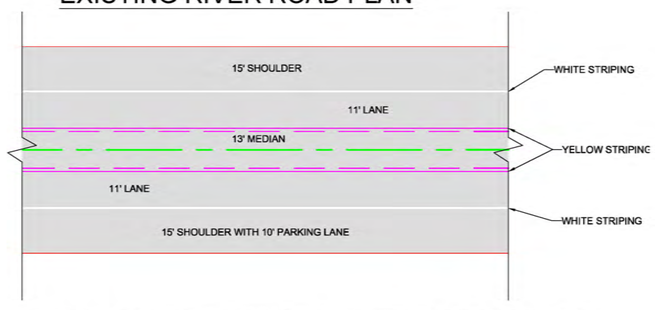
RIVER ROAD PLAN



PROPOSED RIVER ROAD SECTION



EXISTING RIVER ROAD PLAN



ENLARGED PROPOSED RIVER ROAD PLAN

PARSONS BRINCKERHOFF
50 Lakefront Boulevard, Suite 111
Waterfront Village Center
Buffalo, NY 14202
p. 716.853-1220. f. 716.853.1322
WWW.PBWORLD.COM

It is a violation of the NYS engineering law for any person, unless he is acting under the direction of a licensed professional engineer or land surveyor, to alter an item in any way. If an item bearing the seal of an engineer of land surveyor is altered, the altering engineer or land surveyor shall affix to the item his seal and the notation "altered by" followed by his signature and the date of such alteration, and a specific description of the alteration.

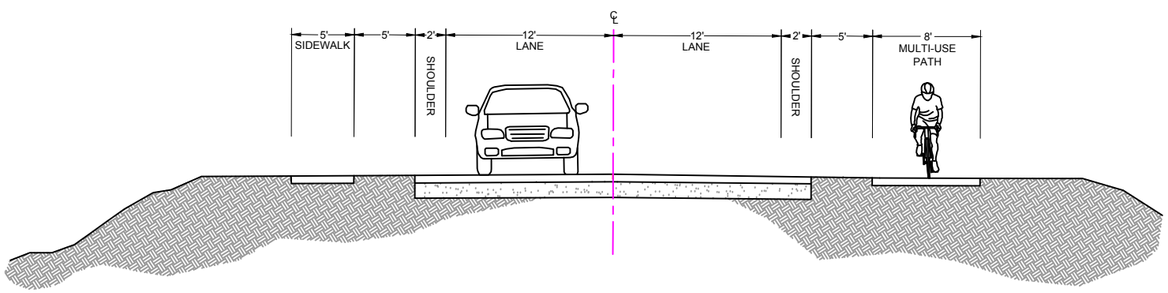
PROJECT:
SUSTAINABLE TONAWANDA OPPORTUNITY AREA
TONAWANDA, NY

TITLE:
PROPOSED RIVERWALK PARKWAY ROUNDABOUT

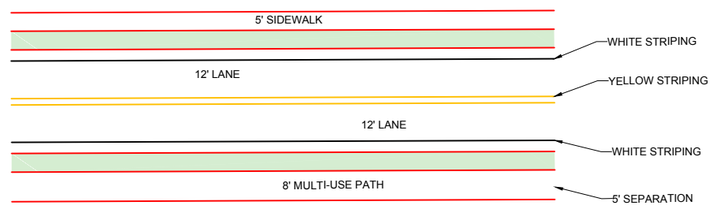
REF. DRAWING:

DATE:	05/02/2016	DRAWING No.
DRAWN BY:	MDF	SK-1
CHECKED BY:	JFH	
JOB NUMBER:	xxxxx	





PROPOSED ACCESS ROAD SECTION



PROPOSED ACCESS ROAD PLAN

IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECT SUPERVISION OF A LICENSED ARCHITECT OR ENGINEER, TO ALTER AN ITEM IN ANY WAY. IF AN ITEM BEARING THE SEAL OF AN ARCHITECT OR ENGINEER IS ALTERED, THE ALTERING ARCHITECT OR ENGINEER SHALL AFFIX TO THE ITEM THE SEAL AND THE NOTATION 'ALTERED BY' FOLLOWED BY THEIR SIGNATURE AND THE DATE OF SUCH ALTERATION AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

MARK	DESCRIPTION	DATE	APPR
	DISCLAIMER		

DESIGNED BY: DESIGNED_BY
DRAWN BY: DRAWN_BY
CKD BY: CHECKED_BY
SUBMITTED BY:
FILENAME: FILENAME
SIZE: ANSI D
PLOTTED BY: PLOTTED_BY
DATE: DATE:
SOLICITATION NO.:
CONTRACT NO.:
PLOT DATE: PLOTTED_DATE

WSP USA
50 Lakefront Blvd., Suite 111
Buffalo, NY 14202
(716) 853-1220

SUSTAINABLE TONAWANDA OPPORTUNITY AREA
ACCESS ROAD

SHEET REFERENCE NUMBER
SK-3

J:\187745 - Tonawanda BOA\River Road Cost Estimates\Updates\CAD\110' and 130' River Road Roundabout_Two Crossings.dwg Mon, 10 Jul 2017 - 3:52pm ferraresemd

SUSTAINABLE TONAWANDA OPPORTUNITY AREA

New Access Boulevard
Estimated Cost of Construction
Proposal Estimate
June 2016

SUMMARY OF COSTS	
	Total
Site Clearing and Removals	$ 181,150
Asphalt Paving	$ 593,510
Sidewalk/Multi Use Path	$ 328,850
Concrete Curb	$ 422,856
Lighting	$ 343,478
Median Island	$ 171,556
Signage	$ 4,734
Drainage	$ 653,322
Water	$ 328,150
Sanitary	$ 448,800
Round-About	$ 171,096
SUBTOTAL	**$ 3,648,000**
Landscaping Allowance	$ 100,000
General Conditions (10%)	$ 364,800
Mobilization (4%)	$ 145,920
Contingency (30%)	$ 1,094,400
Escalation (4%/year to 2020)	$ 583,680
TOTAL CONSTRUCTION COST	**$ 5,937,000**

Sustainable Tonawanda Opportunity Area

New Access Boulevard

Estimated Cost of Construction

Planning Level Estimate

June 2016

						UNIT COST BACKUP		
	Quantity	Unit	Unit Cost	Cost	Subtotal	DOT Item #		
Demolition								
Site Clearing and Grubbing	1	LS	$ 20,000.00	$ 20,000.00				Roughly 12 Acres (Mostly Clear)
Unclassified Excavation and Disposal	10743	CY	$ 15.00	$ 161,150.00		203.02		
					$ 181,150.00			
Paving								
Diluted Tack Coat	1547	GAL	$ 5.00	$ 7,735.20		407.0102		
1.5" Top Course	1040	TON	$ 85.00	$ 88,400.00		402.126202		
Plant Production Quality Adjustment to 402.126202	54	QU	$ 70.00	$ 3,780.00		402.126212		FIXED
2.5" Binder Course	1730	TON	$ 80.00	$ 138,400.00		402.256902		
Plant Production Quality Adjustment to 402.126202	91	QU	$ 75.00	$ 6,825.00		402.256912		FIXED
4" Base Course	2770	TON	$ 70.00	$ 193,900.00		402.376902		
Plant Production Quality Adjustment to 402.376902	145	QU	$ 75.00	$ 10,875.00		402.376912		FIXED
Pavement Density Quality Adjustment to 402.376902	1	QU	$ 75.00	$ 75.00		402.376922		PLACE HOLDER
12" Subbase Course	2050	CY	$ 40.00	$ 82,000.00		304.12		
Yellow Pavement Stripes	10068	LF	$ 0.50	$ 5,034.00		685.02		
White Pavement Stripes	10068	LF	$ 0.50	$ 5,034.00		640.01020004		
Pavement Symbols	2	EA	$ 100.00	$ 200.00		640.13		
Geotextile Seperation	12813	SY	$ 4.00	$ 51,252.00		207.24		
					$ 593,510.20			
Sidewalks								
4" Concrete Sidewalks and Driveways	327	CY	$ 400.00	$ 130,800.00		608.0101		
6" Subbase Course (Type 2)	490	CY	$ 44.00	$ 21,560.00		304.12		
Multi-Use Path								
1.5" Top Course	594	TON	$ 85.00	$ 50,490.00				
1.5" Binder Course	989	TON	$ 80.00	$ 79,120.00				
6" Subbase	1172	CY	$ 40.00	$ 46,880.00				
					$ 328,850.00			
Curb								
Cast-in-place Cocrete Curb Type VF150	20136	LF	$ 21.00	$ 422,856.00		609.0401		
					$ 422,856.00			
Landscape								
Topsoil (6" Depth Median Only)	1120	CY	$ 50.00	$ 56,000.00		610.1403		Not Including Round-About
Turf Establishment	10738	SY	$ 2.00	$ 21,476.00		610.1602		
Planting - Deciduous Tree 2"	168	EA	$ 560.00	$ 94,080.00		611.0151		
					$ 171,556.00			
Signage								
Sign Panel (Assuming 2 Stop Signs)	12.5	SF	$ 36.00	$ 450.00		645.5101		
Type A Sign Post	2	EA	$ 114.00	$ 228.00		645.81		
Embedded Detectable Warning Units	11	SY	$ 365.00	$ 4,055.56		608.21		
					$ 4,733.56			
Drainage								
Storm Drain Pipe 15" HDPE	528	LF	$ 45.00	$ 23,760.00		603.9815		400' Spacing
Storm Drain Pipe 36" HDPE	5274	LF	$ 60.00	$ 316,440.00		603.9836		
Catch Basins (Rectangular Type A with #3 Frame)	28	EA	$ 300.00	$ 8,400.00		604.300103		400' Spacing
Manholes (Precast Type 48)	14	EA	$ 875.00	$ 12,250.00		655.1202		400' Spacing

Backfill (Select Granular Fill)	440	CY	$ 30.00	$ 13,200.00		203.07		
Bedding Material	220	CY	$ 40.00	$ 8,800.00		620.08		
Conduit Excavation and Backfill (Top Surface Not Included)	5274	CY	$ 25.00	$ 131,850.00		206.03010010		Just for 36" HDPE
Topsoil	467	CY	$ 50.00	$ 23,350.00		610.1403		Just for 36" HDPE
Optional Underdrain Pipe, 4" Dia.	10068	LF	$ 4.00	$ 40,272.00		605.1701		Both Sides of Road
Stormwater Treatment Allowance	1	QTY	$ 75,000.00	$ 75,000.00		N/A		
					$ 653,322.00			
Lighting								
Ornamental Light Standards and Luminaries	44	EA	$ 3,000.00	$ 132,000.00		5670.1002		Southtowns Estimate
Foundation For Lights 5' Depth	44	EA	$ 835.00	$ 36,740.00		670.0115		Southtowns Estimate
Lighting Hand Holes	44	EA	$ 735.00	$ 32,340.00		N/A		
Ridgid Conduit 3"	5274	LF	$ 12.00	$ 63,288.00		670.2603		Meadow Drive Contract Bids
Conduit Excavation and Backfill	5274	LF	$ 15.00	$ 79,110.00		206.03		Meadow Drive Contract Bids
					$ 343,478.00			
Utilities-Water								
12" HDPE Water Supply	5274	LF	$ 45.00	$ 237,330.00		663.0711		
12" Butterfly Valve and Valve Box	4	EA	$ 720.00	$ 2,880.00		663.1112		$700 Vavle + $20 Box
Bedding Material	880	CY	$ 40.00	$ 35,200.00		620.08		
Unclassified Excavation and Disposal	3516	CY	$ 15.00	$ 52,740.00		203.02		
					$ 328,150.00			
Utilities - Sanitary								
15" PVC Sanitary Line	5274	LF	$ 40.00	$ 210,960.00		603.99260015		
Backfill (Select Granular Fill)	3760	CY	$ 30.00	$ 112,800.00		203.07		
Bedding Material	1025	CY	$ 40.00	$ 41,000.00		620.08		
Unclassified Excavation and Disposal	4786	CY	$ 15.00	$ 71,790.00		203.02		
Manholes (Precast Type 48)	14	EA	$ 875.00	$ 12,250.00		655.1202		
					$ 448,800.00			
130' Round-About and Related Landscape								
1.5" Top Course	130.0	TON	$ 85.00	$ 11,050.00		402.126202		
Plant Production Quality Adjustment to 402.126202	7	QU	$ 70.00	$ 490.00		402.126222		FIXED
2.5" Binder Course	218.0	TON	$ 80.00	$ 17,440.00		402.256902		
Plant Production Quality Adjustment to 402.256902	12	QU	$ 75.00	$ 900.00		402.256912		FIXED
4" Base Course	348.0	TON	$ 70.00	$ 24,360.00		402.37		
Plant Production Quality Adjustment to 402.376902	19	QU	$ 75.00	$ 1,425.00		402.376912		FIXED
Pavement Density Quality Adjustment to 402.376902	1	QU	$ 75.00	$ 75.00		402.376922		PLACE HOLDER
12" Subbase Course	1043	CY	$ 40.00	$ 41,720.00		304.12		
Cast-in-place Concrete Curb Type VF150	1084.0	LF	$ 24.00	$ 26,016.00		609.0401		
Traversable Crub Type T100	290.0	LF	$ 14.00	$ 4,060.00		609.0407		Mountable Curb For Truck Apron
Truck Apron 9" Concrete Course	70	CY	$ 550.00	$ 38,500.00		502.1112		Misc. PCC Inlays and Overlays, Class C, Unbonded, Color
Truck Apron 15" Subbase Course	115	CY	$ 44.00	$ 5,060.00		304.12		
					$ 171,096.00			
SUBTOTAL					**$ 3,647,501.76**			
Misc.								
General Conditions	10%	LS		$ 364,750.18				
Landscaping Allowance	1	LS		$ 100,000.00				
Mobilization	4%	LS		$ 145,900.07				
Contingency	30%	LS		$ 1,094,250.53				
Escalation (4%/year to 2020)	16%	LS		$ 583,600.28				
TOTAL					**$ 5,936,002.81**			

Pavement Section QTY	QTY	Unit	Reference/Assumptions	Length	5274	LF
Asphalt Road	126576	SF	BHSP Striping Qty Estimate.DWG			
1.5" Top	1201.3	TON				
2.5" Binder	2002.167	TON				
4" Base	3203.467	TON				
12" Subbase	4688	CY				
Tack Coat	1547.04	GAL	.055 gal/sy for new asphalt between courses			
Concrete Walkway	52740	SF				
4" Concrete	651.1111	CY				
6" Subbase	976.6667	CY				
Striping						
Total Yellow Striping	10548	LF	Assuming 2 Center Lines			
Total White Striping	10548	LF	Assuming 2 Shoulder Lines			
Signage						
Detectable Warning Surfaces	11.11111	SY	Assumed 10 @ 5' x 2' each			
Unclassified Excavation and Removal						
Asphalt Section	7813.333					
Concrete Section	1627.778					
Curb Section	1302.222					

Sustainable Tonawanda Opportunity Area

River Road Restriping

Estimated Cost of Construction

Planning Level Estimate

May 2017

Draft

	Quantity	Unit	Unit Cost	Cost	Subtotal	NYSDOT Item
Demolition						
Remove Pavement Marking Stripes, Traffic Paint	96400	LF	$ 0.60	$ 57,840.00		
					$ 57,840.00	
Pavement Striping						
Yellow Pavement Stripes	43600	LF	$ 0.60	$ 26,160.00		685.02
White Pavement Stripes	102900	LF	$ 0.60	$ 61,740.00		640.0102
Bike Pavement Symbol	40	EA	$ 150.00	$ 6,000.00		688.04
					$ 93,900.00	
Subtotal					**$ 151,740.00**	
Design and Estimating Contingency			20%	$ 30,348.00		
Direct Cost Subtotal					$ 182,088.00	
General Conditions and Requirements			10%	$ 18,208.80		
Performance & Payment Bonds			1%	$ 2,002.97		
Insurances			1.2%	$ 2,427.60		
Permit			0.25%	$ 511.82		
Overhead and Profit			12.5%	$ 23,378.80		
Temporary Traffic Control			5%	$ 9,104.40		
Estimate Construction Cost					$ 237,722.38	
Soft Costs			20%	$ 47,544.48		
Construction/ Change Order Contingency			10%	$ 23,772.24		
Estimated Project Total Cost 2017					$ 309,039.10	
Escalation	2	YR	3.5%	$ 21,632.74		
Estimated Project Total Cost 2019					**$ 330,671.83**	

Sustainable Tonawanda Opportunity Area

River Road Round-About

Planning Level Project Cost Estimate

May 2017

	Quantity	Unit	Unit Cost	Cost	Subtotal	NYSDOT Item
Demolition						
Site Clearing and Grubbing	1	LS	$ 10,000.00	$ 10,000.00		
Unclassified Excavation and Disposal	2355	CY	$ 25.00	$ 58,875.00		203.02
					$ 68,875.00	
Pavement Striping						
Yellow Pavement Stripes	1200	LF	$ 1.50	$ 1,800.00		685.02
White Pavement Stripes	2525	LF	$ 1.50	$ 3,787.50		640.01020004
Yield Pavement Symbol	3	EA	$ 150.00	$ 450.00		640.13
Fish-Hook Arrows	3	EA	$ 150.00	$ 450.00		640.13
Shark Tooth Pavement Symbol	12	EA	$ 150.00	$ 1,800.00		640.13
					$ 8,287.50	
Signage						
Yield Sign (3)	18.75	SF	$ 40.00	$ 750.00		645.5101
Arrow Signs (3)	15	SF	$ 40.00	$ 600.00		645.5101
Street Signs (3)	18.75	SF	$ 40.00	$ 750.00		645.5101
Roundabout Symbol (3)	8	SF	$ 40.00	$ 320.00		645.5101
Pedestrian Crossing (3)	18.75	SF	$ 40.00	$ 750.00		645.5101
Type A Sign Post	15	EA	$ 200.00	$ 3,000.00		645.81
Embedded Detectable Warning Units	5	SY	$ 1,500.00	$ 6,750.00		608.21
					$ 12,920.00	
Lighting						
Ornamental Light Standards and Luminaries	6	EA	$ 3,000.00	$ 18,000.00		5670.1002
Foundation For Lights 5' Depth	6	EA	$ 850.00	$ 5,100.00		670.0115
Lighting Hand Holes	6	EA	$ 500.00	$ 3,000.00		N/A
Rigid Conduit 3'	450	LF	$ 12.00	$ 5,400.00		670.2603
Conduit Excavation and Backfill	450	LF	$ 15.00	$ 6,750.00		206.03
Lighting Controls Allowance	1	LS		$ 20,000.00		
					$ 58,250.00	
Pavement						
Production Cold Milling of Bituminous Concrete	4000	SY	$ 2.50	$ 10,000.00		490.10
Diluted Tack Coat (New Hot Mix Asphalt)	495	GAL	$ 5.00	$ 2,475.00		407.0102
1.5" Top Course	535	TON	$ 90.00	$ 48,150.00		402.126403
2.5" Binder Course	380	TON	$ 85.00	$ 32,300.00		402.256903
4" Base Course	605	TON	$ 80.00	$ 48,400.00		402.376903
12" Subbase Course	895	CY	$ 60.00	$ 53,700.00		304.12
Geotextile Seperation	2685	SY	$ 1.50	$ 4,027.50		207.24
					$ 199,052.50	
Curb						
Granite Curb (Type T100)	600	LF	$ 30.00	$ 18,000.00		609.02090001
Traversable Sloped Granite Stone Curb	210	LF	$ 35.00	$ 7,350.00		609.0211
Truck Apron 9" Concrete Course	90	CY	$ 600.00	$ 54,000.00		502.1112
Truck Apron 15" Subbase Course	100	CY	$ 60.00	$ 6,000.00		304.12
					$ 85,350.00	
Guide Rail						
Corrugated Guide Railing	400	LF	$ 20.00	$ 8,000.00		606.16
Remove and Dispose of Corrugated Beam Rail	400	LF	$ 6.00	$ 2,400.00		606.73000015
					$ 10,400.00	
Landscaping						
Planting - Deciduous Tree 2"	10	EA	$ 560.00	$ 5,600.00		611.0151
Turf Establishment	1570	SY	$ 2.00	$ 3,140.00		610.1602
Topsoil	175	CY	$ 50.00	$ 8,750.00		610.1403
Additional Landscaping Allowance	1	LS		$ 35,000.00		
					$ 52,490.00	
Drainage						
Trench and Culvert Excavation	275	CY	$ 35.00	$ 9,625.00		206.0201
Optional Underdrain 4" Dia.	1230	LF	$ 4.00	$ 4,920.00		605.1701
Underdrain Filter (Type II)	185	CY	$ 65.00	$ 12,025.00		605.1001
Geotextile Drainage	820	SY	$ 2.00	$ 1,640.00		207.22
Utility Relocation Allowance	1	LS		$ 75,000.00		
					$ 103,210.00	
Erosion & Sediment Control						
Construction Entrance	100.0	SY	$ 20.00	$ 2,000.00		209.22
Silt Fence	2000.0	LF	$ 4.00	$ 8,000.00		209.02000010
Maintanance & Protection of Traffic	1	LS		$ 30,000.00		
					$ 40,000.00	
General						
Survey Operations	1	LS		$ 30,000.00		625.01
Engineering Field Office (Type I)	6	MNTH	$ 2,600.00	$ 15,600.00		637.11
Asphalt Price Adjustment	5000	DC	$1.00	$ 5,000.00		698.04
Fuel Price Adjustment	2000	DC	$1.00	$ 2,000.00		698.05
Mobilization	1	LS		$ 40,000.00		699.040001
					$ 92,600.00	
SUBTOTAL					**$ 731,435.00**	
Design and Estimating Contingency			20%	$ 146,287.00		
Estimated Construction Cost					$ 877,722.00	
Soft Costs			15%	$ 131,658.30		
Construction/ Change Order Contingency			5%	$ 43,886.10		
Estimated Project Total Cost 2017					$ 1,053,266.40	
Escalation	2	YR	3.5%	$73,728.65		
Estimated Project Total Cost 2019					**$1,126,995.05**	

Assumptions:

1. Open drainage
2. Partial reconstruction - some mill and overlay of existing pavement

Sustainable Tonawanda Opportunity Area

River Road Switchback Path Connection

Planning Level Project Cost Estimate

May 2017

	Quantity	Unit	Unit Cost	Cost	Subtotal	DOT Item #
Demolition						
Site Clearing and Grubbing	1	LS		$ 25,000.00		
Unclassified Excavation and Disposal	265	CY	$ 25.00	$ 6,625.00		203.02
					$ 31,625.00	
6' Wide Path						
5" Concrete Sidewalks and Driveways	35	CY	$ 500.00	$ 17,500.00		608.0101
8" Subbase Course (Type 2)	55	CY	$ 60.00	$ 3,300.00		304.12
Pedestrian and Bycycle Railing (Three Rail)	355	LF	$ 150.00	$ 53,250.00		568.82
Bollards Furnished and Installed	2	EA	$ 500.00	$ 1,000.00		665.10000011
					$ 75,050.00	
Curb						
Cast-In-Place Concrete Curb	400	LF	$ 25.00	$ 10,000.00		609.0401
					$ 10,000.00	
Lighting						
Ornamental Light Standards and Luminaries	6	EA	$ 3,000.00	$ 18,000.00		5670.1002
Foundation For Lights 5' Depth	6	EA	$ 850.00	$ 5,100.00		670.0105
Lighting Hand Holes	6	EA	$ 500.00	$ 3,000.00		N/A
Rigid Conduit	355	LF	$ 12.00	$ 4,260.00		670.2603
Conduit Excavation and Fill	354	LF	$ 15.00	$ 5,310.00		205.03
Lighting Controls Allowance	1	LS		$ 10,000.00		
					$ 45,670.00	
Retaining Wall						
3' High Retaining Wall	1200	SF	$ 65.00	$ 78,000.00		
					$ 78,000.00	
Drainage						
Storm Drain 12" HDPE	400	LF	$ 60.00	$ 24,000.00		603.9812036
Trench and Culvert Excavation	80	CY	$ 35.00	$ 2,800.00		206.0201
Backfill (Select Granular Fill)	26	CY	$ 40.00	$ 1,040.00		203.07
Bedding Material	26	CY	$ 40.00	$ 1,040.00		620.08
Drainage Structure	10	EA	$ 350.00	$ 3,500.00		603.0101
					$ 32,380.00	
Landscaping						
Topsoil 6"	125	CY	$ 50.00	$ 6,250.00		
Turf Establishment	250	SY	$ 2.00	$ 500.00		610.1602
Additional Landscaping Allowance	1	LS		$ 30,000.00		
					$ 36,750.00	
Erosion & Sediment Control						
Construction Entrance	100.0	SY	$ 20.00	$ 2,000.00		209.22
Silt Fence	300.0	LF	$ 6.00	$ 1,800.00		209.13
					$ 3,800.00	
General						
Survey Operations	1	LS		$ 20,000.00		625.01
Engineering Field Office (Type I)	4	MNTH	$ 2,600.00	$ 10,400.00		637.11
Mobilization	1	LS		$ 20,000.00		699.040001
					$ 50,400.00	
SUBTOTAL					**$ 363,675.00**	
Design and Estimating Contingency			20%	$ 72,735.00		
Estimated Construction Cost					$ 436,410.00	
Soft Costs			15%	$ 7,560.00		
Construction/ Change Order Contingency			5%	$ 2,520.00		
Estimated Project Total Cost 2017					$ 496,890.00	
Escalation	2	YR	3.5%	$ 34,782.30		
Estimated Project Total Cost 2019					**$ 531,672.30**	

Sustainable Tonawanda Opportunity Area

Niagara River World Proposed Access Road

Estimated Cost of Construction

Planning Level Estimate

May 2017

Draft

	Quantity	Unit	Unit Cost	Cost	Subtotal	NYSDOT Item
Demolition						
Site Clearing and Grubbing	1	LS		$ 20,000.00		
Unclassified Excavation and Disposal	3500	CY	$ 15.00	$ 52,500.00		203.02
					$ 72,500.00	
Pavement Striping						
Yellow Pavement Stripes	1500	LF	$ 0.75	$ 1,125.00		685.02
White Pavement Stripes	1500	LF	$ 0.75	$ 1,125.00		640.0102
					$ 2,250.00	
Signage						
Stop Sign (1)	8	SF	$ 36.00	$ 288.00		645.5101
Type A Sign Post	15	EA	$ 114.00	$ 1,710.00		645.81
					$ 1,998.00	
Pavement						
Diluted Tack Coat (Vertical Surfaces)	900	GAL	$ 5.00	$ 4,500.00		406.0102
Diluted Tack Coat (New Hot Mix Asphalt)	412	GAL	$ 5.00	$ 2,060.00		407.0102
1.5" Top Course	320	TON	$ 90.00	$ 28,800.00		402.126403
2.5" Binder Course	535	TON	$ 85.00	$ 45,475.00		402.256903
4" Base Course	855	TON	$ 75.00	$ 64,125.00		402.376903
12" Subbase Course	1250	CY	$ 40.00	$ 50,000.00		304.12
Geotextile Seperation	3750	SY	$ 1.15	$ 4,312.50		207.24
					$ 199,272.50	
Sidewalks						
4" Concrete Sidewalks and Driveways	46	CY	$ 450.00	$ 20,700.00		608.0101
6" Subbase Course (Type 2)	70	CY	$ 45.00	$ 3,150.00		304.12
					$ 23,850.00	
Drainage						
Storm Drain 15" HDPE	1500	LF	$ 65.00	$ 97,500.00		603.9815
Trench and Culvert Excavation	600	CY	$ 40.00	$ 24,000.00		206.0201
Backfill (Select Granular Fill)	360	CY	$ 40.00	$ 14,400.00		203.07
Catch Basin (Rectangular Type A with #3 Frame)	15	EA	$ 600.00	$ 9,000.00		604.300103
Manholes (Precast Type 48)	5	EA	$ 875.00	$ 4,375.00		655.1202
Optional Underdrain 4" Dia.	1500	LF	$ 4.00	$ 6,000.00		605.1701
Underdrain Filter (Type II)	175	CY	$ 65.00	$ 11,375.00		605.1001
Geotextile Drainage Fabric	1000	SY	$ 2.00	$ 2,000.00		207.22
Bedding Material	156	CY	$ 40.00	$ 6,240.00		620.08
Utility Relocation Allowance	1	LS		$ 50,000.00		
					$ 224,890.00	
Utilities - Water						
12" HDPE Water Supply	750	LF	$ 45.00	$ 33,750.00		663.0711
Trench and Culvert Excavation	110	CY	$ 40.00	$ 4,400.00		663.1112
12" Butterfly Valve and Valve Box	5	EA	$ 720.00	$ 3,600.00		620.08
Back Fill (Select Granular Fill)	72	CY	$ 40.00	$ 2,880.00		203.07
Bedding Material	16	CY	$ 40.00	$ 640.00		203.02
					$ 45,270.00	
Lighting						
Ornamental Light Standards and Luminaries	13	EA	$ 3,000.00	$ 39,000.00		
Foundation for Lights 5' Depth	13	EA	$ 835.00	$ 10,855.00		
Light Hand Holes	13	EA	$ 735.00	$ 9,555.00		
Conduit Backfill Material	1500	LF	$ 15.00	$ 22,500.00		
Rigid Conduit 3"	1500	LF	$ 12.00	$ 18,000.00		
Lighting Controls Allowance	1	LS		$ 10,000.00		
					$ 109,910.00	
Subtotal					**$ 679,940.50**	
Design and Estimating Contingency			20%	$ 135,988.10		
Direct Cost Subtotal					$ 815,928.60	
General Conditions and Requirements			10%	$ 81,592.86		
Performance & Payment Bonds			1%	$ 8,975.21		
Insurances			1.2%	$ 10,877.96		
Permit			0.25%	$ 2,293.44		
Overhead and Profit			12.5%	$ 104,759.40		
Temporary Traffic Control			5%	$ 40,796.43		
Estimate Construction Cost					$ 1,065,223.90	
Soft Costs			20%	$ 213,044.78		
Construction/ Change Order Contingency			10%	$ 106,522.39		
Estimated Project Total Cost 2017					$ 1,384,791.07	
Escalation	2	YR	3.5%	$ 96,935.38		
Estimated Project Total Cost 2019					**$ 1,481,726.45**	



Appendix E

Tonawanda Opportunity Area

Green Infrastructure Report

Town of Tonawanda Opportunity Area (TOA)

Green Infrastructure

Guide and Toolkit



prepared by:

JOY KUEBLER
LANDSCAPE ARCHITECT, PC

for:

Town of Tonawanda

LABELLA Associates
Engineering
Architecture
Environmental
Planning

July 2017

This report was prepared for the Town of Tonawanda and the New York State Department of State with funds provided through the Brownfield Opportunity Areas Program

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All Photos and Illustration by Joy Kuebler Landscape Architect unless noted otherwise.

TOA Project Introduction

The Town of Tonawanda has received a grant from the New York State Department of State to prepare the Tonawanda Opportunity Area (TOA) plan to advance the redevelopment of strategic sites. The Town will focus on strategic sites along River Road, the Niagara River waterfront and other industrial areas in the nearly 2,400-acre crescent shape between Military Road and Sheridan Drive.

Prepared as part of the TOA project by Joy Kuebler Landscape Architect PC, for lead Consultant, Labella Associates, ***this document provides information on Green Infrastructure practices that can be used in the TOA as well as in any other community***.



What is Green Infrastructure

The practice of using natural processes in urban settings to reduce stormwater runoff volumes and improve water quality is known as "Green Infrastructure". A relatively new term, Green Infrastructure came about in response to years of "gray infrastructure" projects which uses catch basins and pipes to convey stormwater directly to adjacent waterways. Years ago, communities would install a catch basin and pipe to drain low lying areas to eliminate the mud and standing water from a site. These grew to become stormwater systems as more, and larger, pipes and catch basins were added. As more land was covered with impermeable surfacing such as roofs, concrete, and asphalt, the volume and speed of stormwater runoff increased dramatically. During a storm, waterways are now rapidly flooded with runoff carrying sediment, trash, and other pollutants from the streets. In addition, on a hot summer day the first flush of heated runoff water from roofs and paving can damage the ecology of those waterways.

There is a wide array of specific practices that are considered to be Green Infrastructure that re-create or mimic natural systems to clean, and reduce stormwater runoff. Green Infrastructure investment can enhance land values and community health, provide recreational opportunities and wildlife habitat and improve the appearance of an area.

Benefits of Green Infrastructure

Green Infrastructure practices are growing in popularity because they have numerous benefits for a community:

- **Reduce Flooding** – By directing stormwater through subsurface filters and back into the ground, the volume of total runoff during a high-intensity storm is greatly reduced. In addition, the flow of runoff is slowed thereby reducing the intensity of the initial stormwater surge.
- **Improve Runoff Water Quality** – Sediments and other impurities in stormwater are filtered by flowing through landscaped areas and subsurface gravels before ultimately reaching adjacent waterways.











- **Reduce the Frequency of Combined Sewer Overflow (CSO) Spills** – In some locations, untreated sewage and stormwater flow in the same pipes. To avoid flooding sewage treatment plants with a rush of stormwater during a storm event, the CSO systems are designed to "spill" excess volumes of combined sewage into waterways. However, Green Infrastructure helps keep stormwater out of the CSO system thereby reducing spills.
- **Pull Moisture from the Soil** – Plants, particularly trees, when actively growing reduces soil moisture through evapotranspiration. The resulting drier soil can absorb more stormwater thereby reducing flooding.
- **Improve Aesthetics** – Green Infrastructure practices such as rain gardens, street tree planting and permeable paving systems are more attractive than the conventional alternatives resulting in increased property values and enhanced investment.
- **Recharge Aquifers** – By giving stormwater time to percolate into the soil, Green Infrastructure practices will help gradually replenish water that is being depleted by being pumped from aquifers.
- **Lower Cost than Traditional Gray Infrastructure** - Most communities find it significantly more affordable to install Green Infrastructure elements rather than to upgrade sewage conveyance and treatment systems to improve water quality and reduce flood hazards.

Green Infrastructure Techniques

1. Permeable Paving

Most communities have thousands of acres of impervious paved surface. The cause of over-paving includes zoning that mandates minimum numbers of parking spaces without restricting the maximum, overly wide roads, and sprawl in general. The resulting over-paving of our communities causes rapid surges of stormwater during a storm event. One option to slow and filter runoff, and reduce its volume, is to install permeable paving. There are several types that are now commonly used as described below:

- **Permeable Asphalt –** Though it has been available since the 1970s, it is relatively new in common practice. Permeable asphalt includes a coarse stone aggregate with a low percentage of bitumen that create tiny gaps which allow water to penetrate. Underlying the permeable asphalt is a coarse washed stone base that has lots of void space to store water and allow it to flow underground. Though it is equally durable as conventional asphalt, some maintenance is required. By vacuuming the surface every two or three years, soil and organic fines are removed to maintain the porosity. There are some local installations of permeable asphalt that have had promising results. The City of Buffalo, in cooperation with the Buffalo Sewer Authority (BSA), used permeable asphalt in the parking lane on Clarendon Place just south of Delaware Park as a demonstration project. **See the chapter titled "Resources" for a technical breif paper on permeable asphalt by the Federal Highway Administration (FHWA).**





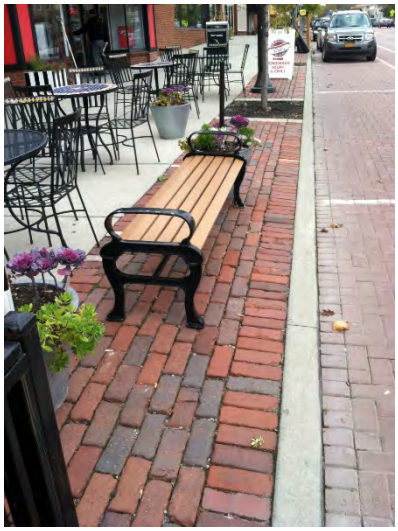
Photos Courtesy Buffalo Sewer Authority

- **Permeable Concrete** – Similar to pervious asphalt, permeable concrete is mixed with a stone aggregate that is free of sand to create a mix with a high percentage of voids, typically 15% to 25%, to allow water to flow freely to the coarse washed stone base below. There is very little difference in cost between permeable and conventional concrete and the life cycle is similar though it is generally recommended for use in parking lots and driveways rather than locations where heavy loads are expected. Permeable concrete has a more granular look and texture from traditional concrete though there are numerous surface treatment such as grinding and coloring that can alter its appearance.



Testing Permeable Concrete
Photo Courtesy SDRMCA

- **Permeable Unit Paving** – Many types of pavers are designed to be used to create permeable paving systems such as brick, precast concrete pavers, and stone. They are like conventional pavers but usually have a lug on the side that create a gap between individual pavers. This gap is filled with a fine gravel that water can flow through to the underlying clean gravel below. A major benefit of permeable unit pavers over other permeable systems is the variety of visual variations that can be used to create richly detailed driveways and walkways.



Brick Pavers can be used to Create Permeable Paving Systems – Photo Courtesy Experienced Brick



Permeable Unit Pavers in Parking Lane – Rock Street in Williamsville, NY

2. Bioswales and Rain Gardens

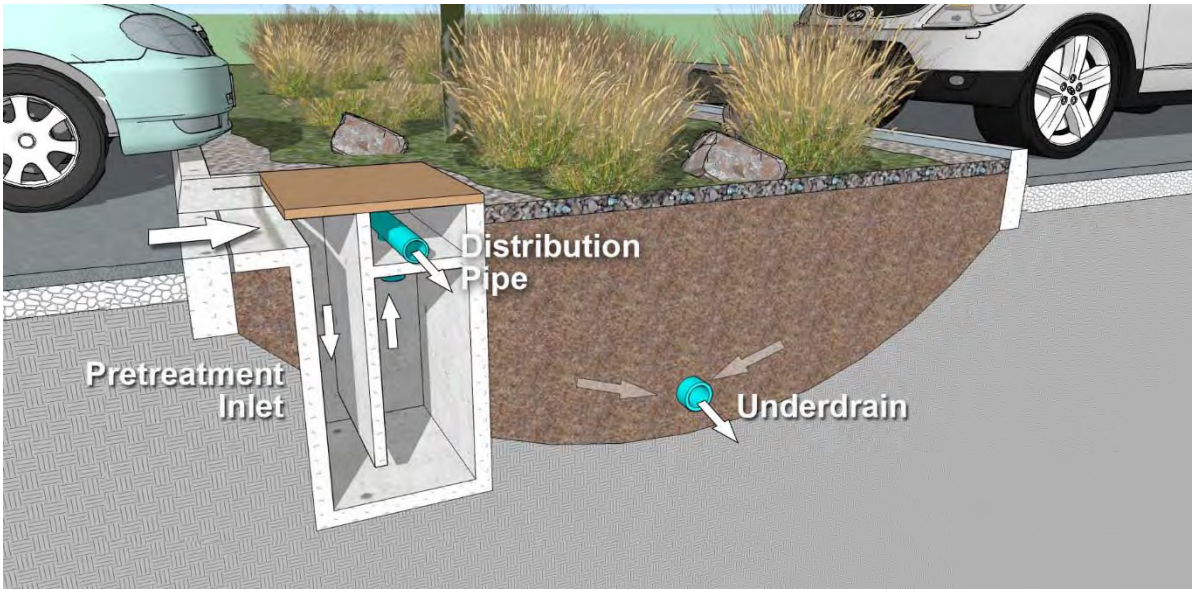
Besides looking attractive and benefitting wildlife, bioswales and rain gardens can filter stormwater, slow its runoff rate, and reduce its volume. The principles of rain gardens and bioswales are the same, to direct stormwater to a heavily-planted bed before allowing it to percolate into the soil and/or runoff into a storm drain system. The concept is simple though the details are critical to success.

In the illustration at right, a roadside bumpout rain garden planter is collecting runoff from the roadway. The rain garden is filled with a top layer of engineered soil mix designed to drain freely while retaining enough moisture to benefit the plants. Underlying the soil mix is a coarse, washed stone to store water. Opposite the inflow point is a drain to collect the overflow which occurs during major storm events. The overflow drain is connected to the street's storm drainage system.



Rain Garden Concept for Niagara Street by JKLA

Bioswales are similar to rain gardens except that they are linear in character, often edging parking lots or running alongside roads. The illustration below shows a bioswale with a pretreatment structure that collects sediment and oils before discharging the stormwater into the bioswales through a perforated distribution pipe



Bioswale with Pretreatment Structure Concept by JKLA

3. Trees

Trees have numerous benefits for a community including beautification, increased property values, the production of oxygen, cooling of the ground surface, prevention of soil erosion, and habitat and food for wildlife. However, they also collect rainwater in their canopies and their roots absorb water allowing the soils to absorb more stormwater. ***A full-grown tree will pull hundreds of gallons of water from the soil on a hot, dry day through evapotranspiration.*** Knowing this, tree planting has been deemed a very inexpensive measure to reduce stormwater runoff when compared to gray infrastructure alternatives. However, one downside is that in our northern climate, trees are dormant for several months of the year making them less effective during the winter months though they are an important component in an overall Green Infrastructure strategy. Another caveat is that the survival of trees in an urban setting can be limited. In a recent study in the City of Philadelphia, the overall survival of street trees 8-10 years after planting was 57%.[1] Fortunately, there is a wealth of research on urban tree planting techniques that will increase the survival and health of urban trees. Using structural soils or other techniques that allow air to penetrate and water to flow through the soils and by selecting appropriate species, urban tree health and longevity can be improved.

Given the numerous benefits of tree planting, including the reduction of stormwater runoff, many communities have increased their urban tree canopy by having tree planting programs or by requiring that a certain number of trees be planted as part of their zoning requirements. In 2014, the Town of Tonawanda commissioned a study, '*Town of Tonawanda Waterfront Corridor Landscape Design'* which has an overlapping study area with the Tonawanda Opportunity Area. The study includes site-specific landscape recommendations, including tree plantings, along with suggested funding sources. The study is available on the Town of Tonawanda Website.



Tree Provide Numerous Benefits Including Removing Soil Moisture

[1] Roman, Laura – University of Pennsylvania, Trends in Street Tree Survival, Philadelphia, PA 2006

4. Green Roofs

A green roof is simply a roof that is vegetated. ***A green roof will store stormwater, and slow and filter the surplus runoff.*** Other benefits include the production of oxygen, further insulation of the building roof, and they look great. The benefits to a community are great enough that the City of Toronto implemented a progressive requirement that many new buildings include a green roof. Adopted by the Toronto City Council in May 2009 the bylaw requires green roofs on new commercial, institutional and residential development with a minimum Gross Floor Area of 2,000 square meters. A later phase of the initiative came online in 2012 requiring industrial buildings to include a green roof but at a lower percentage of cover area that the other building uses. Besides the benefit to the community in the reduction in stormwater runoff, green roofs results in a reduction in energy consumption due to the insulating qualities. New York City and Chicago also provides incentives, including grant money, to building owners for the construction of green roofs.

Though an ancient practice, green roofs have recently had a world-wide surge in popularity due to advances in technology for soils, fasteners, and soils, and research on energy efficiency. In Western New York, there are several small applications now in operation. The office of the Landscape Architect that prepared this document has a green roof. One side of the building has a conventional asphalt shingle roof and the other has a green roof with each draining into separate rain barrels. According to Joy Kuebler, it's easy to see that the green roof has less runoff and cleaner water by observing the runoff in the rain barrels.



Green Roof with Rain Barrel at JKLA Design Studio

There are numerous proprietary systems for green roofs with the most common being a series of trays designed to interlock and attach to a sloped, or level, waterproof roofing material. The "soil" is often a blend of lightweight mineral materials such as pumice and organic matter to help hold moisture and provide nutrients for plants. The types of suitable plants for use on a green roof are limited since the rooftop growing environment can be subject to extreme heat, cold, and drying wind. Generally, the deeper the soil, there greater the variety of plants that can be included. Most commonly, sedums are used for their durability, wide range of flower and foliage colors, and their ability to grow in soil as shallow as four inches. Fortunately, sedums come in a wide variety of colors and heights that allow a designer to create an attractive arrangement using only sedums. Other hardy plants for green roofs include bulbs such as allium, hyacinths, and ornamental grasses. Most manufacturers offer pre-grown mats of green roof vegetation to eliminate the establishment period and get an immediate effect.



Pre-Planted Green Roof Tray – Photo Courtesy Liveroof Inc.



Green Roof Demonstration Project at the American Society of Landscape Architects Headquarters in Washington DC Photo Courtesy ASLA

5. Preservation of Greenspace

In the context of this report, ***green space is unpaved area not occupied by a structure where plants can grow.*** Greenspace does not have to be developed or improved in any way, it is simply open space where plants will grow and water can penetrate. As communities grow from undirected market forces, the amount of land occupied by paving and buildings typically increases, sometimes to the point where there is very little open greenspace remaining to have a functioning ecosystem. And without clear planning, greenspace is often only preserved if is in undevelopable due to wetlands, steep slopes or other limitations. Greenspace is beneficial for communities to include in future land use plans due to its ability to have plant communities, open soil areas and for its aesthetic benefits.



This Industrial Area Has Very Little Greenspace

Not all greenspace is equally beneficial, however. Undisturbed greenspace is very environmentally beneficial In the New York State Stormwater Management Design Manual, ***the first principle of the Green Infrastructure recommendation is the preservation of undisturbed green space.*** Sites that were once occupied by buildings or have been used as unpaved roads or storage yards and are left with heavily compacted soils are of lesser value to a community since very little stormwater can penetrate the ground and the low level of biodiversity. However, even in these low-value sites, there are certain hardy varieties of trees and shrubs (often invasive species) that can grow, and over time, recreate free draining soils. Within the TOA, sites should be planned and developed to preserve a certain percentage of open space for its myriad benefits including its ability to absorb and filter stormwater. Wherever feasible, low-value open space should be reclaimed by removing invasive species and replanting with native species.

6. Disconnecting Downspouts

New developments are rarely required (or allowed) to have roof leader connected directly to storm drain systems. Years ago, the out of sight - out of mind thinking was that this practice removed water from the site quickly regardless of the rapid, high volume of pollutant laden runoff that would enter adjacent waterways. And though many regulations have been changed to exclude this practice, there are some old-fashioned direct connections remaining. ***One of the most cost-effective Green Infrastructure practices is to disconnect existing roof leaders and downspouts*** that are connected directly to sanitary or storm drainage systems and instead, directing the runoff away from buildings, overland, to surface stormwater structures such as catch basins. By flowing over the ground surface, some of the runoff will be absorbed into the soil before reaching the storm drain system. Further, this runoff will be filtered by flowing overland, and on a hot day, cooled, before entering the storm drain system. In some cases, the specific site may make this process challenging such as cases where there is not positive drainage away from the building or if the ground surface between the downspout and the drainage structure is entirely impervious paving. Though there may be complications that can be addressed on a case by case basis, the practice of directing roof runoff overland is widely accepted by most communities in Western New York. For examples, the Town of Cheektowaga has implemented a time of sale inspection to confirm that roof leaders flow overland.



Roof Leaders from this Industrial Building can be Directed to a Rain Garden

As part of its Green Infrastructure program, the Buffalo Sewer Authority has a program called Rain Check which offers a downspout disconnection program that is free for city property owners located in strategic zones in the City. Also, Buffalo Sewer Authority and its partners are studying the impact of the downspout disconnection technique in the First Ward to see if it works to reduce water pollution. This study is called the Buffalo Sewer Authority Downspout Disconnection Pilot Program (D2P2).

7. Rain Water Storage

The practice of collecting and storing rainwater onsite for future use helps minimize the rapid runoff that results in flooding and keeps stormwater out of the combined sewer systems (CSOs) resulting in cleaner waterways. This is generally done on a residential scale with the use of rain barrels. The principle is that a rain barrel is connected to a downspout to collect roof runoff. As the barrel fills, it will eventually overflow and be directed back to the downspout or over the ground. To further increase storage capacity, a series of barrels can be connected so the runoff from one fills the next. The rain barrel has a spigot that can be opened and drained into a hose or watering can and used to irrigate plants. Tender plants such as seedlings do better with rainwater since it has not been treated with chlorine or other additives. Any sediment in the runoff will collect in the bottom of the barrel and can be eventually removed. ***Some communities will assist residents with the purchase of rain barrels since it is a cost-effective way to reduce water pollution and flooding.*** Locally, the Buffalo Sewer Authority's Rain Check program offers rain barrels to residential property owners in select districts of the City. The Buffalo Niagara RiverKeeper, a not-for-profit water quality advocacy group, sells rain barrels at a discounted rate to residents to further increase their use.



Rain Barrels in a Series
Photo Courtesy Buffalo Niagara RiverKeeper.

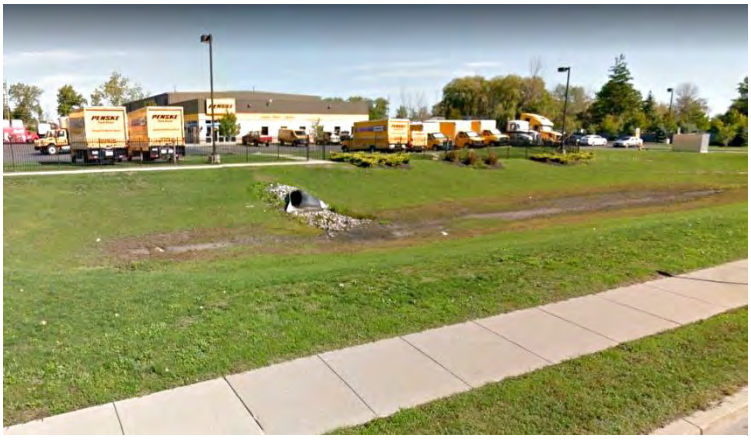
Rain water storage can also be done on a larger scale using cisterns which are the same principle as a rain barrel. This is common practice in drier regions of the country though it is illegal in some states where water rights, including rainwater, are highly contentious. Cistern can be placed above, or below, the ground and can be constructed of plastic, metal or even wood. Locally, the Town of Tonawanda had two cisterns installed at the Highway Department and Senior Center.



Above-Ground Rainwater Cistern
Photo Courtesy Rain Barrel World

8. Wetland Preservation/Construction

In the recent past, new developments often constructed stormwater detention ponds to meet New York State Stormwater Regulations that require balancing preconstruction runoff volumes with post-construction volumes. Typically, these consist of a steep-sided "bowl" with mowed slopes and a fence for safety. Using simple geometric shapes, it is easy to calculate the storage volume of the basins and the outflow pipes are easily sized to create a metered outflow. These detention ponds proved effective at reducing peak runoff volumes with an added benefit of reducing some sediment in runoff by allowing it to settle while the water was detained. The drawback to these common features is that they lack the ability to reduce some pollutants such as nitrogen, do not allow the reduction of runoff through evapotranspiration through plant foliage, are generally lacking in wildlife benefit, and are highly "engineered" in appearance. Recognizing these drawbacks, the most recent (January 2015) New York State Stormwater Management Design Manual (see below) encourages the use of green infrastructure practices. However, the NYS regulations do not specifically discuss the use of wetlands in lieu of detention ponds tough the prescribed practices often have the effect of creating wetlands. A 2004 EPA study'[2] examined the performance difference between constructed wetlands and retention pond. The study suggested that ***constructed wetlands outperformed retention pond for removal of total suspended solids and total nitrogen***. By constructing, or preserving existing, wetlands; rather than building traditional detention basins, a greater diversity of plants will be present which results in more wildlife habitat and a more natural and attractive appearance.

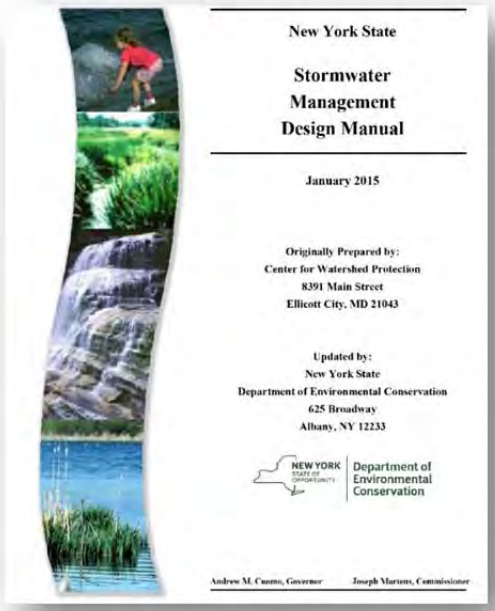


Detention/Retention ponds are often lacking in aesthetic appeal and wildlife benefit.

[2] CONSTRUCTED WETLANDS VS. RETENTION POND BMPS: MESOCOSM STUDIES FOR IMPROVED POLLUTANT MANAGEMENT IN URBAN STORMWATER TREATMENT, EPA Science Inventory, 2004, Struck et.al.

NYS Stormwater Reg's & Green Infrastructure

The State of New York recognizes the benefits of Green Infrastructure and is progressive in promoting its practices. In New York State, the owner or operator of a construction project that will involve soil disturbance of one or more acres must obtain coverage under the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity. To obtain this, they must prepare a Stormwater Pollution Prevention Plan (SWPPP). Guidance for preparation of this plan is provided in the *2015 New York State Stormwater Management Manual*.



The stated purpose of this manual is threefold:

- **To protect the waters** of the State of New York from the adverse impacts of urban stormwater runoff.
- **To provide design standards** on the most effective stormwater management approaches including:
    - Incorporation of Green Infrastructure achieved by infiltration, groundwater recharge, reuse, recycle, evaporation/evapotranspiration with Green Infrastructure techniques as a standard practice.
    - Design and implementation of standard stormwater management practices (SMPs) • Implementation of a good operation, inspection, and maintenance program.
- **To improve the quality of Green Infrastructure and SMPs** constructed in the State, specifically in regard to their performance, longevity, safety, ease of maintenance, community acceptance and environmental benefit.

Chapter 5 of the manual includes a detailed discussion of Green Infrastructure practices such as preserving undisturbed greenspace, reducing impervious cover, runoff reduction, sheet flow to bio swales, tree planting, disconnection of roof runoff, rain gardens. etc.

Local Green Infrastructure Projects

Following is a sample of projects that illustrate many of the practices of Green Infrastructure. At the writing of this report, some have been constructed and some are yet to be. All are at public sites within a short drive from the Town of Tonawanda and can be easily visited to get a personal impression.

1. Grace Plaza at UB – Amherst, NY

Located near Davis Hall at the University of Buffalo north campus, Grace Plaza was completed in the summer of 2015. It is a series of triangular shaped rain garden planters. Also included is permeable paving, highly permeable structural soils and a wetland recreation. The plaza has a very high diversity of plant types to increase seasonal colors and enhance bio-diversity for this highly visible location.




Rain Garden Plantings



Rain Garden Plantings

2. East Spring Street – Williamsville, NY

This project is located in the public right-of-way adjacent to the iconic Mill Building at the heart of the Village of Williamsville, New York. Construction was completed in the fall of 2016 and the plants have not fully-grown in at the writing of this report. The project was partially funded through the Green Innovations Grant Program (GIGP) which is administered by the New York State Environmental Facilities Corporation (EFC) and includes extensive rain garden planters designed to collect runoff from the street, permeable paving areas, both in the street and on the sidewalks, and a large "green wall" constructed from a fabric geogrid.


Rain Garden Planters During Construction

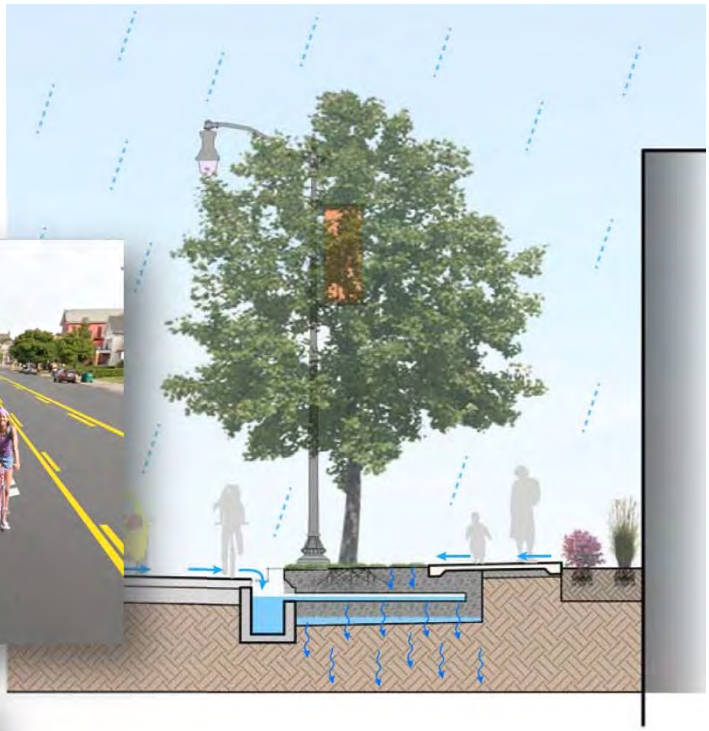

Green Wall



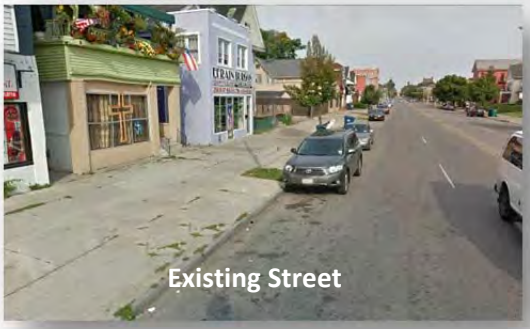
3. Niagara Street – Buffalo, NY

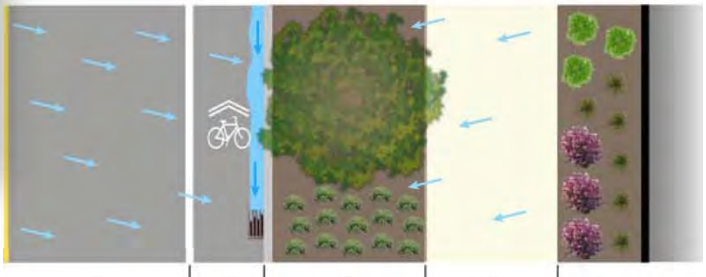
Extensive streetscape improvements are being made to lower Niagara Street in the City of Buffalo from Porter Street south. At the writing of this report, two phases are under construction with the first nearing completion and another in the planning stages. All phases include rain gardens at bumpouts at which are funded by the Buffalo Sewer Authority to control water pollution. The project design included the preparation of a Green Infrastructure Maintenance Manual that was distributed to adjacent landowners who agreed to maintain the rain gardens.





Rain Garden Section and Plan







Green Infrastructure Opportunities in the TOA

Previous chapters of this report have described a variety of Green Infrastructure practices. However, since this report was prepared as part of the Tonawanda Opportunity Area (TOA) plan, the question is ***what specific Green Infrastructure practices can be used in the TOA*** and how can they be implemented and paid for. The first recommendation is to ensure that local codes allow, and encourage, the Green Infrastructure practices previously described. The next questions are what practices local governments can implement in the public realm, and what practices should individual property owner be doing, to reduce flooding and protect water quality to benefit everyone.



Tonawanda Opportunity Area Boundary – Courtesy Labella Associates

Review of Local Codes

The Town of Tonawanda's ***codes pertaining to site planning and development should be reviewed to ensure that they are encouraging, and not specifically preventing, sustainable Green Infrastructure practices.*** While the State of New York laws pertaining to stormwater management must be adhered to, local zoning can be reviewed and amended as needed. Specific parts of the Town Zoning Codes that should be reviewed with regard to Green Infrastructure practices include:

- **Tree Planting Minimum Requirements** – The zoning code contains requirements for tree planting according to the various zoning districts which should be reviewed to ensure that the required density of tree planting is sufficient.
- **Open Space Minimum Percentage Requirements** – Current Town zoning has requirements for landscaped areas along site frontage but not an overall percentage of undeveloped (no paving or building) area. Consider requiring a percentage of the overall site to be unpaved or not occupied by buildings.
- **Downspout Connection Regulations** – According to the Town Code under § 165-14 Connections for Surface Runoff, "No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain, which in turn is connected directly or indirectly to a public sanitary sewer." A similar requirement for direct connection to a storm drain system should be considered for inclusion in the code.
- **Parking Maximum** – To prevent an excess of impervious surface, consider adjusting the parking requirements in the zoning code to set a maximum number of parking spaces that cannot be exceeded rather than the minimum now required. Another option is to allow additional parking beyond the prescribed number, provided that is a permeable surface.
- **Performance Standards for Green Infrastructure** – The Town Zoning Code includes a Performance Standards Use District which is intended to prescribe how a site performs (appropriate appearance with no odors, noise or excessive traffic, etc.) rather than dictating a use. Other, more traditional zoning districts include Performance Standards among other requirements. Consider including requirements for Green Infrastructure practices as part of the Performance Standards.

Green Infrastructure in the Public Realm

Given the goal of the TOA Plan to advance the development of strategic sites within the study area (and Town in general), the Town can implement ***Green Infrastructure practices on public land, such as rights-of-way, will will add value to the adjacent strategic sites and thereby help attract appropriate development.*** A secondary, more intangible benefit for neighboring properties, and the public in general, would be to remind all that their community is keeping up with the latest best practices in environmental awareness and restoration by implementing state of the art Green Infrastructure projects.

1. Roadside Applications

Green Infrastructure ***improvements in the right-of-way along roads in the TOA could be as simple as tree plantings.*** There are a wide variety of trees that are proven to be able to withstand the harsh wind, poor soil and salt spray that occur along roads and still look healthy and attractive. From an aesthetic perspective, in most applications it would be preferable to avoid a highly-regimented, linear pattern of a single tree species. It is generally better to plant trees in groupings using multiple species. Focusing plantings on the most visible areas near intersections and at property corners will create a more natural, less contrived, arrangement.



Mature Trees Can Pump Hundreds of Gallons of Water from the Soil Daily

The Town of Tonawanda has developed a forward-thinking ***Complete Streets Policy that encourages the planting of street trees*** since trees along roads are known to calm traffic and reduce vehicle speed. Complete Streets design is defined on the Town website *"as a balanced approach to roadway design and development that accommodates and facilitates convenient and comfortable access and mobility by all users, including current and projected users, particularly pedestrians, bicyclists, transit users, and individuals of all ages and abilities. Complete streets also play a role in making a community healthier, reducing transportation impacts on the environment and leading to private investment in a corridor."* At the writing of this report, the Town has written a draft Complete Streets Policy that will require private development that needs site plan review, *"to include any*

necessary complete streets transportation elements that allow all users to connect to the public transportation network." Further, *"Any capital project undertaken by the town within any complete block of the public right of way shall be designed such that the surface restoration shall be replaced in compliance with the latest design guidance …"* of the Complete Streets Guidelines.

It is also feasible to ***consider installing rain gardens or bioswales*** at key locations along roads in highly visible locations. While roadside ditches can simply be maintained to allow plants to grow, thereby creating a sort of bioswale, it would be of much greater benefit to create a true bioswale using the typical porous planting soil and gravel beds with a controlled outflow that is part of an efficient bioswale design. This will greatly increase the stormwater storage and filtering function. In more developed heavily paved areas where there are below-ground storm drainage systems such as at intersections or along parking areas, rain gardens may be a more practical Green Infrastructure measure.



This Newly-Planted Rain Garden Along East Spring Street in Williamsville, NY is Located Behind the Sidewalk. Note the Drain from the Road.

2. Parks and Greenspace Applications

Another option for including Green Infrastructure in the TOA that the Town can implement, is to include a percentage of the public land as either developed parks or as minimally developed (or undeveloped) greenspace. There is already one park within the TOA, namely Isle View Park. However, there are plans showing additional parks in the TOA such as development of the former landfill along the Niagara River known as Cherry Farm Park, and a parcel just north of the Grand Island Bridge known as Riverfront Park. Beyond developing parkland, preservation of the land along Two Mile Creek through a building/development setback would also be in keeping with a major principle of Green Infrastructure which is "the preservation of undisturbed open space".



Concept for Cherry Farm Park in Tonawanda. Image From Healthy Niagara Land Use Plan - Courtesy Harriman

Green Infrastructure in Private Developments

In some cases, private developers will recognize Green Infrastructure practices as attractive, cost-effective measures that help them comply with New York State's stormwater performance standards and voluntarily include them in their developments. Beyond this, the Town of Tonawanda can require that specific Green Infrastructure measures be included in new private developments, for the greater good of the community, through zoning requirements (see previous discussion on Review of Local Codes). Measures that are commonly prescribed in zoning are tree plantings, preservation of open space, and downspout disconnections. The chapter on Funding Opportunities includes some sources of funds for private entities.

The Case for Native Plants

The environmental benefits of Green Infrastructure practices can be further supplemented with the use of native trees, shrubs, and perennials in rain gardens and bioswales. Natives offer certain benefits that make it worthwhile to consider their use. First, ***native plants are perfectly adapted for the local climate and can grow and thrive using a minimum of fertilizers and pesticides.*** Many types can grow in the dynamic rain garden conditions where it is occasionally flooded and occasionally dry like a natural wetland. They also provide habitat for wildlife such as birds, butterflies and other beneficial insects, and a wide diversity of others since this fauna has evolved to rely on native plants. By contrast, some of the common exotics from nurseries have spread and are now classified as invasive species. Until recently plants such as Burning Bush, Norway Maple, Japanese Barberry, and Black Locust were sold at nurseries but now are regulated by the State since they can naturalize crowding out the more beneficial natives. Awareness of the benefits of native plants is increasing and demand has grown in recent years with the market responding. Many local nurseries now carry a selection of native plants and there are several regional nurseries that specialize in growing and selling native plants.



Native Plants Can Be Attractive in Rain Gardens

Typical Green Infrastructure Plan

Following is an illustrative plan for a hypothetical site showing a variety of Green Infrastructure techniques and how they can be integrated into the type of development that may occur in the TOA. Though the building in the illustration is a typical light industrial structure with a small administration building and warehouse, the techniques may be used in any land use.



Funding Opportunities

There are a variety of sources that the Town of Tonawanda can use to help pay for Green Infrastructure components. Most funding sources come under the category of water quality improvements since Green Infrastructure is a proven, cost effective way to reduce the flow of pollutants into waterways although there are flood reduction sources as well. Though there are some private funding sources, the biggest sources by far are federal and state government grants and loans. Most communities will hire a grant writing consultant to seek out and apply for these funds since they are keenly aware of current and upcoming funding opportunities and the logistics of applying. ***Following is a list of some of the more frequently used funding opportunities*** arranged by federal and state sources.

1. New York State Green Infrastructure Funding Sources

In April of 2017, New York State Governor Andrew Cuomo signed the $2.5 billion Clean Water Infrastructure Act. This act includes $1.5 billion in grants for local governments to improve water infrastructure. According to the Governor's website, "in addition to traditional infrastructure, funds are available for 'green' infrastructure', with $110 million dedicated for source water protection initiatives…"

One of the most commonly-used sources of funding is the Green Innovation Grant Program (GIGP). Though this is federal funding, it is routed through the EPA to the New York State Environmental Facilities Corporation (EFC). Funds are directed to the Clean Water State Revolving Fund (CWSRF) program which has a Green Project Reserve (GPR). Among the four categories of GPR is the Green Infrastructure component. EFC has chosen to meet the federal GPR requirements through the GIGP. There are numerous local projects that have received GIGP funds including East Spring Street in Williamsville, Riverworks in Buffalo (a private facility), South Long Street in Williamsville, and Lincoln Park in Tonawanda, among others.



RiverWorks is a Privately-Owned Facility Along the Buffalo River that Received a GIGP Grant to Reduce CSO Infiltration

2. Federal Green Infrastructure Funding Sources

The US Environmental Protection Agency (EPA) has an extensive list of federal funding that may include Green Infrastructure. https://www.epa.gov/green-infrastructure/green-infrastructure-funding-opportunities. In addition to the GIGP program listed under State Funding above, federal funding sources include, but are not limited to:

- **EPA Clean Water Act Nonpoint Source Grant** (Section 319 Grants) supports technical assistance, financial assistance, education, training, technology transfer, demonstration projects and monitoring to assess the success of specific nonpoint source implementation projects.
- **EPA Great Lakes Restoration Initiative Shoreline Cities Grants** are awarded to eligible shoreline cities to fund green infrastructure projects that will improve Great Lakes water quality. Though funding is uncertain at the writing of this report, funds are still in place for the short-term. The Town of Evans received a grant from this source in 2016.
- **DOE Weatherization and Intergovernmental Program** provides grants, technical assistance, and information tools to states, local governments, community action agencies, utilities, Indian tribes, and U.S. territories for their energy programs. The funding can be used to encourage installation of Green Infrastructure—such as green roofs—as part of the weatherization process.
- **HUD Community Development Block Grant (CDBG)** Program works to ensure the availability of decent affordable housing, provide services to the most vulnerable in our communities, and create jobs through expanding and retaining businesses. CDBG is a very flexible program and financed projects can incorporate Green Infrastructure into their design and construction.
- **DOE Energy Efficiency Savings** -Green Infrastructure can be integrated into project design to claim tax incentives and rebates. For example, in Eugene, Oregon, a new biofuel station built on an abandoned gas station site included a green roof, bioswales and rain gardens. Nearly $250,000 worth of tax credits reduced income and sales tax for the private company that built and operated the project.

Resources

Following is a list of helpful resources on the topic of Green Infrastructure:

- **Pervious Asphalt Technical Brief** by the Federal Highway Administration at: https://www.fhwa.dot.gov/pavement/asphalt/pubs/hif15009.pdf
- Onondaga County's **Save The Rain Program** has been a leader in the Green Infrastructure movement due to a need to clean up Onondaga Lake using cost-effective techniques. Their website has a wealth of information including case studies, sample details, and costs of common Green Infrastructure elements. http://savetherain.us/
- **Town of Tonawanda Waterfront Corridor Landscape Design** was a study completed in 2014 by Joy Kuebler Landscape Architect. The project area for this study overlaps with the Tonawanda Opportunity Area (TOA) project area. http://www.tonawanda.ny.us/document-center/public-works/301-waterfront-corridor-landscaping-final-report
- **New York State Stormwater Management Design Manual 2015** – Known as the bluebook, this is the bible of stormwater practices. Refer to Chapter 5 Green Infrastructure Practices: http://www.dec.ny.gov/docs/water_pdf/swdm2015chptr05.pdf
- **US Environmental Protection Agency Green Infrastructure Website** includes a page titled *'Community Solutions for Stormwater Management: A Guide for Voluntary Long-Term Planning'* as well as a list of Federal funding sources. https://www.epa.gov/green-infrastructure
- A local resource for the design of rain gardens was published by the WNY Stormwater Coalition and is titled **'Rain Gardens – A How-To Guide**' and is available at http://www2.erie.gov/dsm/sites/www2.erie.gov.dsm/files/uploads/pdfs/rain_garden_booklet.pdf
- **Green Values Stormwater Toolbox** is a calculator that helps people evaluate the long-term costs and effectiveness of green infrastructure approaches. http://www.cnt.org/tools/green-values-stormwater-toolbox
- **New York City's Department of Environmental Protection** (DEP) has a Green Infrastructure program promoting a variety of practices. The website is at http://www.nyc.gov/html/dep/html/stormwater/combined_sewer_overflow_bmps.shtml
- **NYSDEC Urban and Community Forestry** – New York State has an Urban and Community Forestry Program which supports and assists communities in comprehensive planning, management, and education to create healthy urban and community forests. http://www.dec.ny.gov/lands/4957.html



Appendix F

Tonawanda Opportunity Area

Cherry Farm Strategy

CHERRY FARM PARK
PARK DEVELOPMENT STRATEGY

Introduction

The Cherry Farm Park, at 4290 River Road in the Town of Tonawanda, is a former landfill. The 55 acre parcel includes half a mile of Niagara River waterfront with exceptional views of both the river and Grand Island.

Currently, the Potential Responsible Parties (PRPs) of site contamination at the property are General Motors, Honeywell and National Grid. The PRPs have implemented required site remediation, capped the landfill and conduct ongoing groundwater treatment at the site. Other maintenance activities such as mowing the grass are also assumed by the PRPs.

The Town of Tonawanda has developed concept plans to build a park at the property to take advantage of its location on, and access to, the Niagara River. Plans include walking trails, parking areas, a pavilion and landscaping.

However, the Town, or a partner, would need to own the Cherry Farm property to develop the park and obtain grants for improvements. Consequently, a park development strategy and economic "business" model needs to be developed for the Town that takes into consideration the following:

- Town acquisition of the property;
- Continued operation and maintenance of the groundwater treatment operation;
- Liability of past environmental conditions at the site;
- Other maintenance costs;
- Loss of property tax revenue; and
- Strategies to offset ongoing maintenance costs with revenue streams.

The PRPs have provided the Town with an initial Term Sheet with the following conditions for transfer of ownership:

- Assume routine operation and maintenance (costs) responsibility:
    - Cap mowing
    - Operate groundwater pumping wells including cost of utilities
    - Pretreat extracted groundwater and accept groundwater into the Town's system at no cost to the PRPs

- PRP's would retain responsibility for:
    - Cap/remedy failure
    - Capital/non-routine costs

The primary issue, therefore, with development of the site as a park is defining a future financial model where ongoing maintenance costs are eliminated or reduced for the Town or a partner who owns the park.

Ongoing Maintenance Costs

The Town has met with a representative of the PRPs and determined that the ongoing costs at the site include:

- $160,000 for groundwater pumping and treatment costs
- $20,000 for mowing/property maintenance
- $10,000 for sewer use fees

The Town's consultant discussed these costs with a representative of the PRP's and he indicated these costs were good estimates. However, any financial model should include an annual contingency cost as well as an inflation factor.

Property Tax Revenue

The Cherry Farm site is currently assessed at $153,710 and the total annual property taxes are approximately $20,000. The property tax revenue figure includes school, town and county property taxes. If the Town or a non-profit assumes ownership of the site, revenue to offset the taxes will need to be generated.

Needed Revenues

To make the project feasible, at a minimum, the Town (or a partner) cannot incur additional annual operating expenses or liability with the project. In total, the Town (or partner) will need to assume an approximate total of $210,000 in new annual operating costs. With a 20 percent contingency, the annual cost would be approximately $250,000 annually.

One strategy is to install a solar array farm at the site or nearby. LaBella Associates has discussed the site with several solar providers and one is interested in the site or a similar site in the Town.

At a minimum, 15 acres is needed to make solar installations financially feasible according to engineers at LaBella Associates familiar with solar panel installations across Upstate New York. To generate revenue, the Town could enter into an agreement with a solar company to pay the Town an annual fee/rental for the property that hosts the solar array. LaBella is currently working on multiple solar array sites for a brownfield site owner and they are proposing $2,500/acre annually from the solar companies for use of the land. Therefore a minimum of 100 acres is needed to break even on the project.



The proposed Cherry Farm Park Improvement Plan

Strategic Approaches

There are three potential approaches that could potentially work but all would require concessions or assistance from multiple parties. The first two assume the conditions of the term sheet - the PRPs will not pay for ongoing maintenance and operations of the groundwater treatment. The third assumes the PRP's will maintain and operate the groundwater treatment.

Option 1: Place Solar on the NRG Fly Ash Site

The simplest approach is to use another privately owned property such as the 116 acre NRG Fly Ash property west of the site across River Road. With the recent closure of the NRG Huntley Plant nearby, the land is now excess property to NRG.

While the Town would not want to own the potential brownfield property, an agreement with NRG for use of 100 acres of the property, at no cost, would make the Cherry Farm Park a reality. A three way agreement with a solar provider would allow the Town to collect revenues from the solar array via NRG. The concession to donate the land by NRG could be a positive action to counteract the negative impacts the NRG Huntley closing has had on the Town. In addition, the leftover 16 acres on the property could host additional solar panels to produce $40,000 in revenue annually for NRG.

Option 2: Place Solar on the Former INS Site & NRG Site

The former INS Site at 4111 River Road was recently purchased by the County for the potential use of the site as a regional yard waste recycling facility. At this point the recycling facility is at its early stages and no definite plans or commitments have been made for the site.

However, the site is only 30 acres and would only generate $75,000 in revenue from solar panels. Therefore an additional 70 acres would be needed to break even. Again, use of the NRG Fly Ash site would be needed.

Option 3: Use Portions of the Cherry Farm Site and/or 4100 River Road for Solar

The Cherry Farm Site is 55 acres. The proposed Cherry Farm Park Improvement Plan prepared by the Cecil Group for the Waterfront Land Use Plan envisions using most of the site for park uses. However, a section of the park along River Road is not proposed for park uses under the plan.

If the Town reserved 20 acres along River Road, or a little over a third of the site for solar panels, it could generate $50,000 annually. The $50,000 could be used to offset the loss in property taxes and sewer use fees ($30,000). The remaining $20,000 could be used for mowing and maintenance at the site which the PRPs would not be responsible for anymore. Alternatively, to reduce solar on Cherry Farm, 4100 River Road, directly south of Cherry Farm, is an approximate 10 acre site that could host solar panels also.

This approach would only be feasible if the PRP's assumed the $200,000 in operation and maintenance of the groundwater treatment. As the PRP's are ultimately responsible for the remediation, this approach seems the most logical approach for them to have control over the treatment of the groundwater. This also avoids potential issues between the PRPs and the Town in the future regarding how the groundwater treatment was implemented.

Pro-forma

The pro-formas below show in spreadsheet format the information outlined for the different options. Options 1 & 2 are on one pro-forma table because they both assume 100 acres of a solar array.

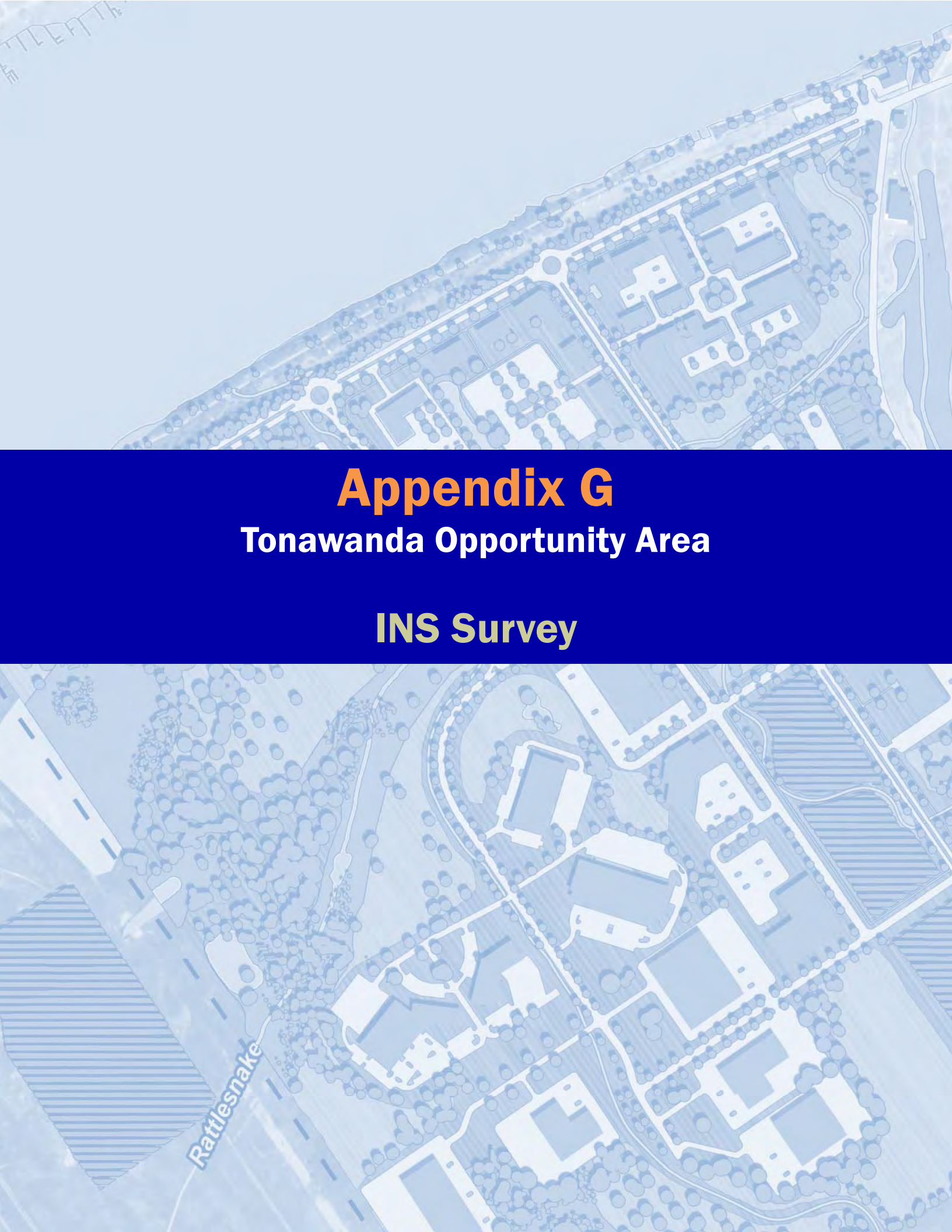
Both options assume, and any agreements with the solar companies should include, a three percent inflation factor. This includes the tax losses as well, but the real "lost taxes" will probably not increase at 3% annually as annual property tax or fee increases is not likely.

PRO FORMA - OPTIONS 1 & 2 - Term Sheet Conditions - 100 Acre Solar Array

Income	1	2	3	4	5	6	7	8	9	10
Solar Panel Income ($2,500/Acre)	250,000	257,500	265,225	273,182	281,377	289,819	298,513	307,468	316,693	326,193
Operating Expenses										
Groundwater Operation and Maint.	160,000	164,800	169,744	174,836	180,081	185,484	191,048	196,780	202,683	208,764
Mowing & Maintenance	20,000	20,600	21,218	21,855	22,510	23,185	23,881	24,597	25,335	26,095
Property Tax Loss	20,000	20,600	21,218	21,855	22,510	23,185	23,881	24,597	25,335	26,095
Sewer Tax Loss	10,000	10,300	10,609	10,927	11,255	11,593	11,941	12,299	12,668	13,048
Contingency	40,000	41,200	42,436	43,709	45,020	46,371	47,762	49,195	50,671	52,191
TOTAL	250,000	257,500	265,225	273,182	281,377	289,819	298,513	307,468	316,693	326,193
Net Operating Income	0	0	0	0	0	0	0	0	0	0

PRO FORMA - OPTION 3 - PRP/Town Partnership & 20 Acre Solar Array

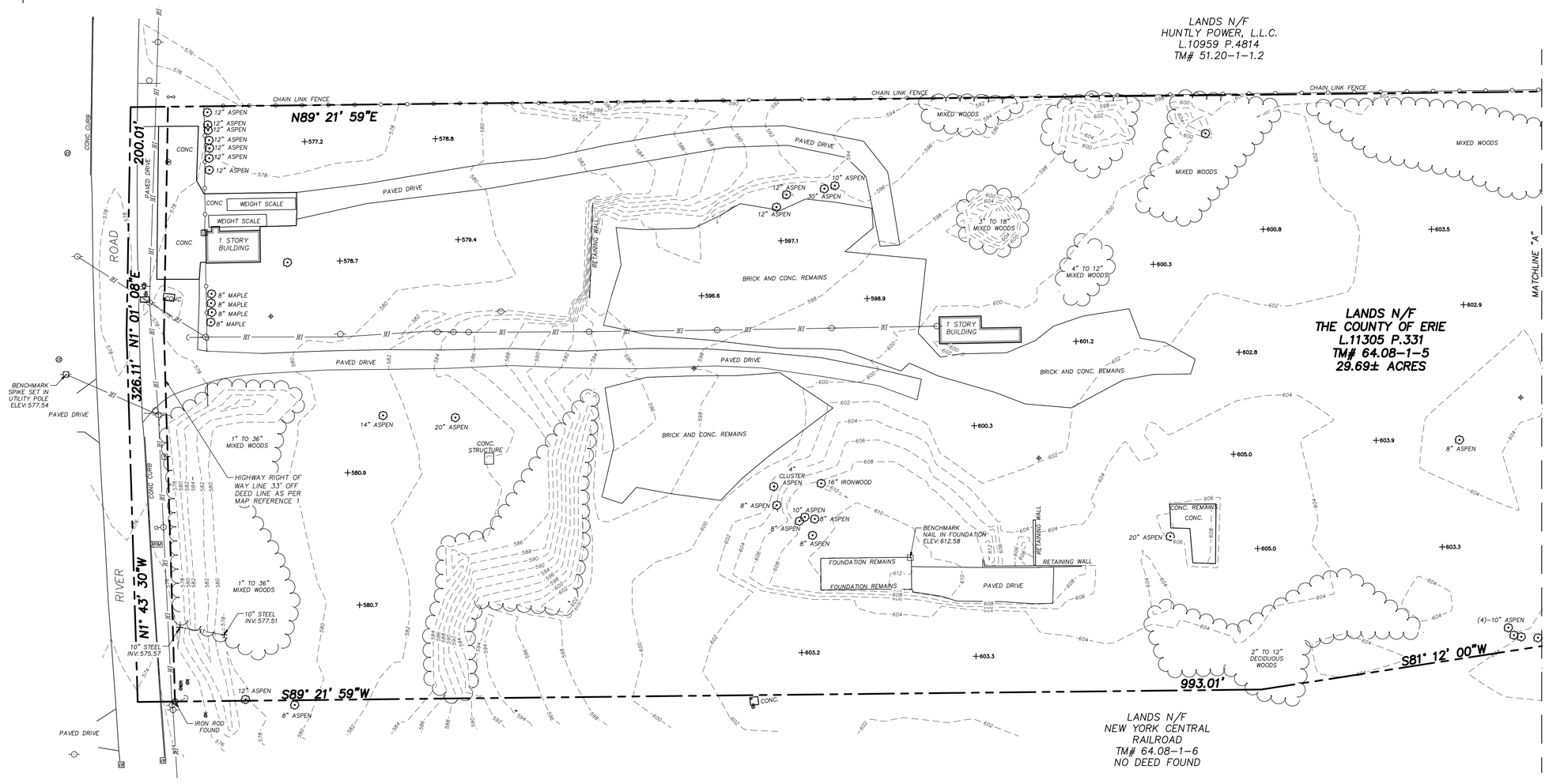
Income	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**
Solar Panel Income ($2,500/Acre)	50,000	51,500	53,045	54,636	56,275	57,964	59,703	61,494	63,339	65,239
Operating Expenses										
Groundwater Operation and Maint.	0	0	0	0	0	0	0	0	0	0
Mowing & Maintenance	20,000	20,600	21,218	21,855	22,510	23,185	23,881	24,597	25,335	26,095
Property Tax Loss	20,000	20,600	21,218	21,855	22,510	23,185	23,881	24,597	25,335	26,095
Sewer Tax Loss	10,000	10,300	10,609	10,927	11,255	11,593	11,941	12,299	12,668	13,048
Contingency	0	0	0	0	0	0	0	0	0	0
TOTAL	50,000	51,500	53,045	54,636	56,275	57,964	59,703	61,494	63,339	65,239
Net Operating Income	0	0	0	0	0	0	0	0	0	0

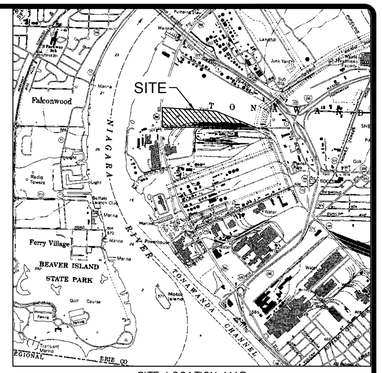


Appendix G

Tonawanda Opportunity Area

INS Survey





SITE LOCATION MAP
N.T.S.

LEGEND:

- MAILBOX
- UTILITY POLE
- GUY WIRE
- UTILITY POLE WITH LIGHT
- SANITARY MANHOLE
- CATCH BASIN
- UNKNOWN MANHOLE
- FIRE HYDRANT
- WATER VALVE
- GAS VALVE
- GAS METER
- TEL. PED.
- PHOTOGRAMMETRIC TARGET
- SIGN
- DECIDUOUS TREE
- IRON PIPE FOUND
- IRON ROD FOUND
- OVERHEAD ELECTRIC
- STORM LINE
- PROPERTY LINE

DEED REFERENCE:
1. JOSEPH L. MACIEJEWSKI TO THE COUNTY OF ERIE, DATED NOVEMBER 16, 2016, AND FILED IN THE ERIE COUNTY CLERKS OFFICE NOVEMBER 16 2017 AS LIBER 11305 PAGE 331.

MAP REFERENCE:
1. "MAP SHOWING SURVEY OF PROPERTY OWNED BY BUFFALO SLAG CO. INC." PREPARED BY LEON H. WENDAL P.E. & L.S., DATED OCTOBER 8, 1976,

50 0 25 50 100
(IN FEET)
1 inch = 50 ft.

NOTES:
1. HORIZONTAL DATUM REFERS TO NEW YORK STATE PLANE, WEST ZONE (NAD83).
2. VERTICAL DATUM REFERS TO NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
3. UNDERGROUND UTILITIES SHOW HEREON ARE BASED ON EVIDENCE VISIBLE AT GROUND LEVEL. THIS MAPPING DOES NOT PURPORT TO SHOW ALL UNDERGROUND UTILITIES ON SITE AND IS SUBJECT TO VERIFICATION BY EXCAVATION.
4. FIELD SURVEY WAS CONDUCTED BY M.J. ENGINEERING AND LAND SURVEYING, P.C. IN MARCH, 2017.
5. APPROXIMATELY 1'± OF SNOW/ICE COVER ON SITE DURING FIELD SURVEY. SOME PHYSICAL FEATURES MAY HAVE BEEN OBSCURED.

SUBMITTAL / REVISIONS

No.	DATE	DESCRIPTION	BY	REVIEWED BY:	DATE

PROJ. MANAGER:	GR
CHIEF DESIGNER:	
DESIGNED BY:	
DRAWN BY:	DV
CHECKED BY:	

DATE

DATE

THE ALTERATION OF THIS MATERIAL IN ANY WAY, UNLESS DONE UNDER THE DIRECTION OF A COMPARABLE PROFESSIONAL, (I.E.) ARCHITECT FOR AN ARCHITECT, ENGINEER FOR AN ENGINEER OR LANDSCAPE ARCHITECT FOR A LANDSCAPE ARCHITECT, IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW AND/OR REGULATIONS AND IS A CLASS "A" MISDEMEANOR.

Engineering and Land Surveying, P.C.
1533 Crescent Road - Clifton Park, NY 12065

TOPOGRAPHIC AND BOUNDARY SURVEY OF 4111 RIVER ROAD, TOWN OF TONAWANDA, ERIE COUNTY, STATE OF NEW YORK

SCALE:	1"=50'
CONTRACT No.:	
MJ PROJ. No.:	868.01
DATE:	3-27-2017

1 OF 3

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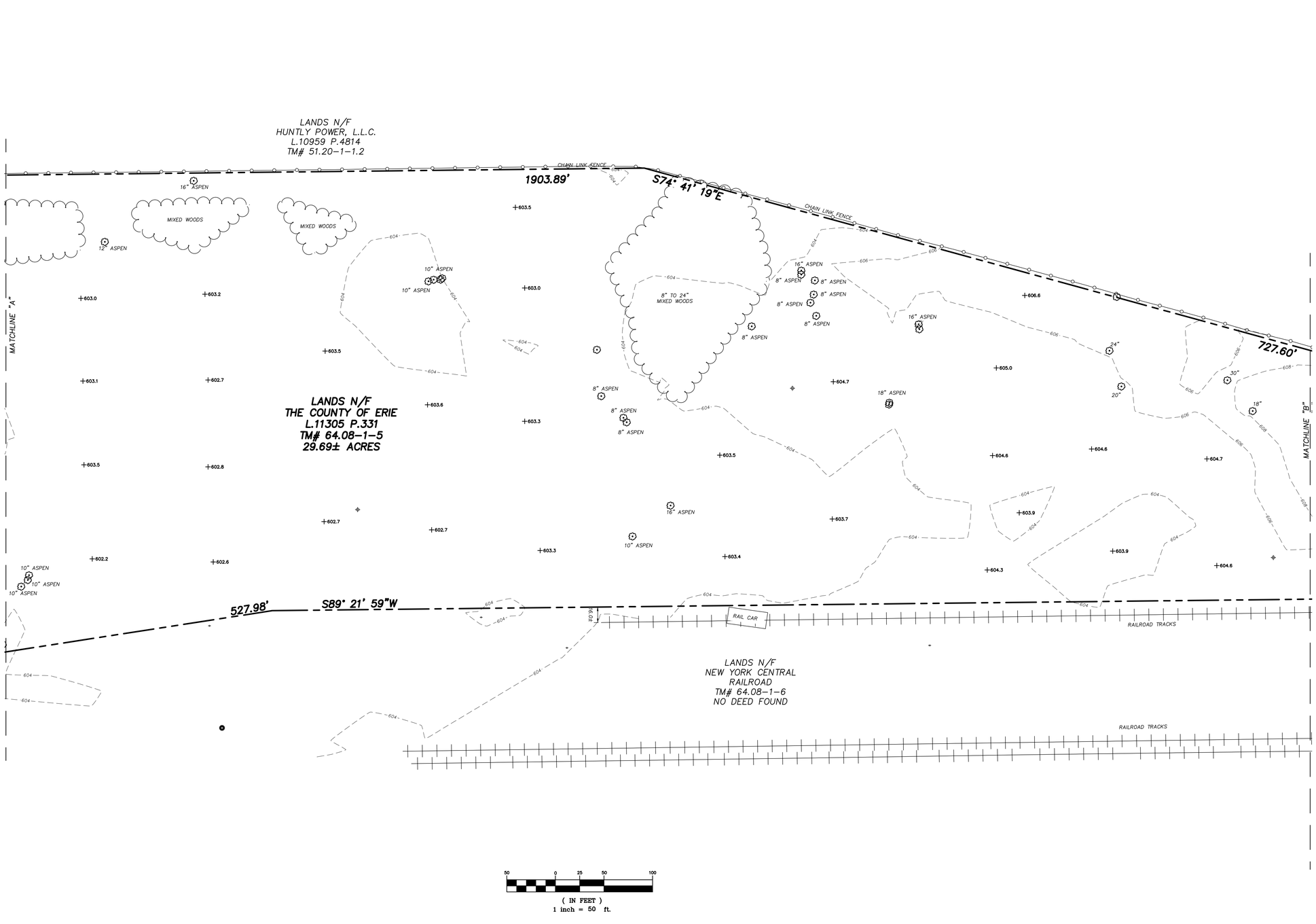

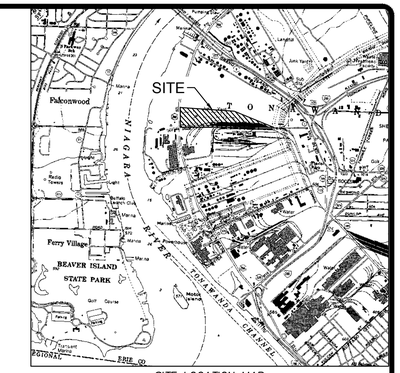

SITE LOCATION MAP
N.T.S.

SUBMITTAL / REVISIONS					
No.	DATE	DESCRIPTION	BY	REVIEWED BY:	DATE

PROJ. MANAGER:	GR
CHIEF DESIGNER:	
DESIGNED BY:	
DRAWN BY:	DV
CHECKED BY:	

DATE

DATE

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Engineering and Land Surveying, P.C.
1533 Crescent Road - Clifton Park, NY 12065

TOPOGRAPHIC AND BOUNDARY SURVEY OF
4111 RIVER ROAD,
TOWN OF TONAWANDA,
ERIE COUNTY, STATE OF NEW YORK

SCALE:	1"=50'
CONTRACT No.:	
MJ PROJ. No.:	868.01
DATE:	3-27-2017

2 OF 3

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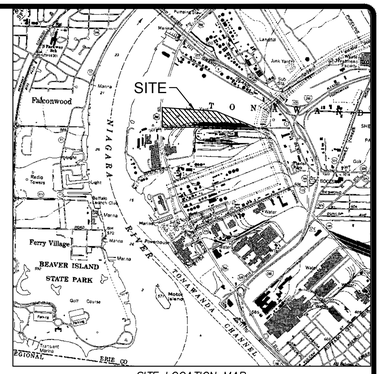

SITE LOCATION MAP
N.T.S.

911.90'

CHAIN LINK FENCE

MATCHLINE "B"

609.6

16" TO 20" MIXED WOODS

16" TO 30" MIXED WOODS

18" TO 30" MIXED WOODS

608.8

605.8

605.3

605.2

LANDS N/F
HUNTLY POWER, L.L.C.
L.10959 P.4814
TM# 51.20-1-1.2

LANDS N/F
THE COUNTY OF ERIE
L.11305 P.331
TM# 64.08-1-5
29.69± ACRES

S71° 53' 20"E

1791.22'

CHAIN LINK FENCE

N75° 56' 26"W 165.27'

CONC

RAILROAD TRACKS

LANDS N/F
NEW YORK CENTRAL
RAILROAD
TM# 64.08-1-6
NO DEED FOUND

1411.13'

RAILROAD TRACKS

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

SUBMITTAL / REVISIONS									
No.	DATE	DESCRIPTION	BY	REVIEWED BY:	DATE	PROJ. MANAGER:	GR		
						CHIEF DESIGNER:			
						DESIGNED BY:			
						DRAWN BY:	DV		
						CHECKED BY:			
								DATE	DATE

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Engineering and
Land Surveying, P.C.
1533 Crescent Road - Clifton Park, NY 12065

TOPOGRAPHIC AND BOUNDARY SURVEY OF 4111 RIVER ROAD, TOWN OF TONAWANDA, ERIE COUNTY, STATE OF NEW YORK

SCALE:	1"=50'
CONTRACT No.:	
MJ PROJ. No.:	868.01
DATE:	3-27-2017

3 OF 3

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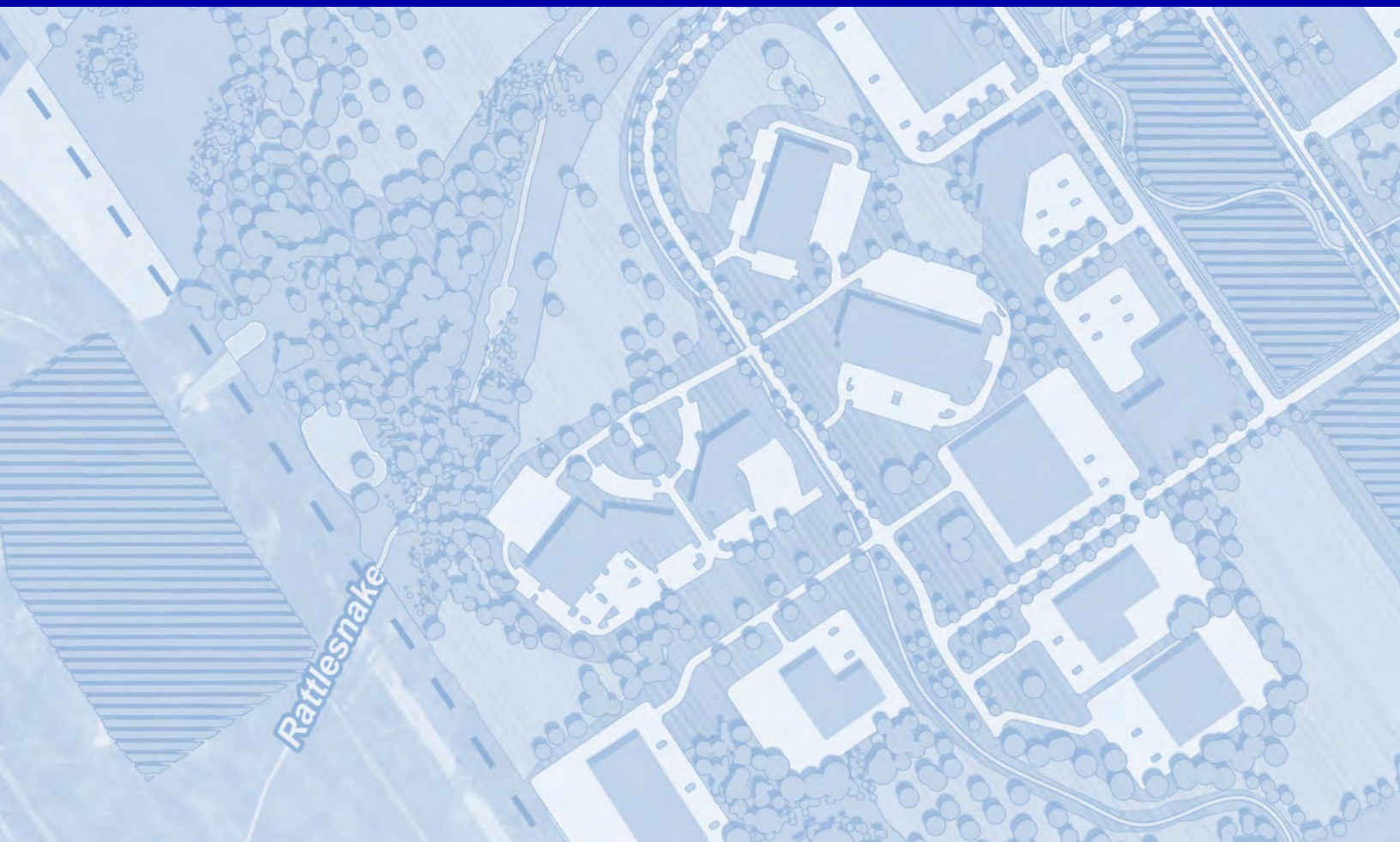
Appendix H

Tonawanda Opportunity Area

Phase I Reports



LABELLA Associates, D.P.C.
Engineering
Architecture
Environmental
Planning

Olympic Towers, 300 Pearl Street, Suite 130 | Buffalo, NY 14202 | p 716.551.6281 | f 716.551.6282 | www.labellapc.com

May 1, 2017

Mr. James Jones
Town of Tonawanda
2919 Delaware Avenue
Kenmore, New York 14217

RE: Phase I Environmental Site Assessment
185 & 189 Sawyer Avenue, Tonawanda, New York
LaBella Project No. 2151300

Dear Mr. Jones:

Attached, please find two hard copies and one pdf on CD of the Final Report for the Environmental Site Assessment at the above referenced facility. Please note the following:

1. The Final Report includes available information received to date.
2. Please review the report and contact us with any questions and comments you may have.

Feel free to contact us at your convenience at 716-768-4906.

Sincerely,

LABELLA ASSOCIATES, D.P.C.

Chris Kibler
Project Scientist
Environmental Professional

CK/KB/cm

Attachments

J:\TONAWANDA, TOWN OF\2151300 - BROWNFIELD OPPORTUNITY\ENVIRONMENTAL ASSESSMENTS\FOR KATIE\PHASE I'S FOR TONAWANDA BOA\185 & 189 SAWYER AVENUE\2151300_ PHASE I ESA_185&189 SAWYER AVE., TONAWANDA, NY_FINAL_5.1.17.DOCX

LABELLA Associates, D.P.C.
Engineering
Architecture
Environmental
Planning

Olympic Towers, 300 Pearl Street, Suite 130 | Buffalo, NY 14202 | p 716.551.6281 | f 716.551.6282 | www.labellapc.com

Phase I
Environmental Site Assessment

Location:

185 & 189 Sawyer Avenue
Tonawanda, New York

Prepared for:

Mr. James Jones
Town of Tonawanda
2919 Delaware Avenue
Kenmore, New York 14217

LaBella Project No. 2151300

May 1, 2017

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Appendices

LaBella Associates, D.P.C. (LaBella) has been contracted by the Town of Tonawanda to perform an All Appropriate Inquiry (AAI) Phase I Environmental Site Assessment (ESA) report for 185 & 189 Sawyer Avenue, Town of Tonawanda, Erie County, New York, hereinafter referred to as the "Site".

The findings of this report are based upon a preliminary assessment of the condition of the Site within the Scope of Work and objective described below as of the date of our site observations and documentation review. This assessment was prepared according to the American Society for Testing and Materials (ASTM) Standard Practice E1527-13 to satisfy the due diligence requirements set for the Town of Tonawanda. The information contained in this report is considered privileged and confidential and is intended solely for the use of the Town of Tonawanda, as it applies to the Site.

1.0 EXECUTIVE SUMMARY

Based on the results of this assessment, no apparent Historical Recognized Environmental Conditions (HRECs) or Controlled Recognized Environmental Conditions (CRECs) conditions have been identified associated with the Site at this time; however, the following apparent Recognized Environmental Conditions (RECs) have been identified associated with the Site at this time

SECTION # 5.5.8 – Historical Site Operations

The Site was historically utilized by Buffalo Wallcraft Co., Inc. (manufacturer of wallpaper) as well as Paint & Paper Makers, Inc. from at least 1950 through 1986 including two factory buildings and railroad tracks. While historical operations conducted at the Site prior to 1950 are relatively unknown, based on the nature of on-site construction and uses of the surrounding areas dating back to at least 1927, there is the potential for the Site to have been utilized for various additional commercially and/or industrially-related processes.

Based on the REC identified above, further assessment of the Site appears warranted at this time.

In addition, the following de minimis conditions were identified associated with the Site.

SECTIONS #6.1.2 & 6.2.10 – Petroleum Products & Solid Waste

Three 3.5-gallon containers partially filled with hydraulic oil are located within the north portion of Site Building 2. In addition, several piles of C&D debris including brick, concrete, asphalt, stone and old wooden dowels and rollers are located on the exterior of the Site proximate the east and south Site boundaries.

2.0 INTRODUCTION

2.1 Purpose

This investigation was requested to identify, to the extent feasible, Recognized Environmental Conditions in connection with the Site, including the identification of conditions indicative of releases and threatened releases of hazardous substances on, or in the vicinity of the Site. This AAI Phase I ESA report was conducted in general conformance with the Scope and Limitations of ASTM Standard Practice E1527-13.

The performance of ASTM Standard Practice E1527-13 is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs (defined below) and the potential liability for contamination to be present in connection with the Site recognizing reasonable limits of time and cost. It is also intended to add protection from CERCLA liability for innocent landowner defense, bona fide prospective purchaser, contiguous property owners and grantors who meet certain statutory requirements.

The objective of this AAI Phase I ESA was to determine the following, using our professional judgment, by means of the Scope of Work hereafter described.

1. A general description of the Site.
2. The current and historical usage of the Site and adjoining properties.
3. Whether RECs exist or have the potential to exist at the Site.
4. Whether Site conditions suggest further evaluation based on the presence or probable presence of such RECs.
5. Provide information which may assist the client in evaluating the fair market value of the Site.

The term Recognized Environmental Condition (REC) is defined by ASTM as the presence or likely presence of any hazardous substances (as currently defined by the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) including pollutants and contaminants) or petroleum products (excluded from the definition of hazardous substance and controlled substances; or the presence of petroleum products as defined by the Resource Conservation and Recovery Act, the Oil Pollution Act of 1990, and the Clean Water Act) in, on, or at a property due to release to the environment, under conditions indicative of a release to the environment, or under conditions that pose a material threat of a future release to the environment.

The term “Historical Recognized Environmental Condition” is defined by ASTM as a past release of any hazardous substance or petroleum product that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls.

The term “Controlled Recognized Environmental Condition” is defined by ASTM as resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.

The term “REC” is not intended to include “de minimis” conditions that generally do not present a threat to human 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 conditions are not Recognized Environmental Conditions or Controlled Recognized Environmental Conditions.

The term “data gap” means lack or inability to obtain information required by the standards and practices as defined in ASTM Standard Practice E1527-13 despite good faith efforts by the Environmental Professional and Environmental Analyst.

The term "Environmental Professional" is defined by ASTM as a person who possesses sufficient specific education, training, and experience necessary to exercise professional judgement to develop opinions and conclusions regarding conditions indicative of releases or threatened releases on, at, in or to a property, sufficient to meet the objectives and performance factors defined in the ASTM Standard Practice E1527-13 and §312.20 of 40 CFR §31.

2.2 Scope of Work

The major components of an AAI Phase I ESA report in conformance with ASTM Standard Practice E1527-13 include a visual inspection of the Site and adjoining properties; interviews and review of documents from past and present owners, occupants, managers, representatives and neighbors to the extent necessary; interviews with tribal and local government agency representatives; review of tribal, local and state records relative to the Site; and a review of tribal, local, state and federal standard environmental record sources relative to the Site. The findings and conclusions presented in this report are based on information gathered and limitations set forth in this report.

The Scope of Work performed in this assessment is limited to the areas described as follows:

1. Interview with the Property Manager, Mr. Peter Demakos, to evaluate the Site for the potential for environmental contamination to be present at the Site. Mr. Demakos has reportedly been associated with the Site for approximately four years.

2. Interviews with and/or record reviews of each of the following to obtain information directly regarding environmental concerns at or in the immediate vicinity of the Site, which is available directly by file or through general knowledge of the individual being interviewed. Information sources include:
    a. United States Environmental Protection Agency (USEPA)
    b. New York State Department of Environmental Conservation (NYSDEC), Region 9
    c. New York State Health Department (NYSDOH)
    d. Erie County Environmental Management Council (ECEMC)
    e. Town of Tonawanda Municipal Offices

3. Review of the following federal, state and local environmental records and databases to aid in the identification of conditions at or related to the Site and property, adjacent to or in the immediate vicinity of the Site, including:
    a. USEPA National Priority List (NPL) – 1.0 mile
    b. USEPA Delisted NPL – 0.5 mile
    c. USEPA Superfund Enterprise Management System (SEMS) and SEMS Archived Sites– 0.5 mile
    d. USEPA Resource Conservation and Recovery Act (RCRA) Corrective Action Sites (CORRACTS) Treatment, Storage, and Disposal Facility Listing (TSD) – 1.0 mile
    e. USEPA RCRA non-CORRACTS TSD – 0.5 mile
    f. USEPA RCRA Large, Small and Conditionally Exempt Small Quantity Generator Listing – Site and adjoining properties

g. National Response Center Emergency Response and Notification System Listing (ERNS) – Site only
h. Federal, state and local Institutional Controls/Engineering Controls and Land Use Restrictions - Site only
i. NYSDEC Registry of Inactive Hazardous Waste Disposal Sites (IHWDS) (state equivalent of NPL Sites) – 1.0 mile
j. NYSDEC Registry of Brownfield Cleanup Program (BCP), Voluntary Cleanup Program (VCP), Environmental Restoration Program (ERP) Sites – 0.5 miles
k. NYSDEC Hazardous Substance Waste Disposal Site Inventory (state equivalent of SEMS Sites) – 0.5 mile
l. NYSDEC Part 360 Permitted Solid Waste Disposal Facilities – 0.5 mile
m. Local Inventory of Waste Disposal Sites – 0.5 mile
n. NYSDEC Listing of Registered Petroleum Bulk Storage Facilities (PBS), Chemical Bulk Storage Facilities (CBS), and Major Oil Storage Facilities (MOSF) – Site and adjoining properties
o. NYSDEC Listing of Active Spills and Leaking Storage Tanks – 0.5 miles
p. United States Geological Survey (USGS) Topographic Quadrangle Map Buffalo NW, New York
q. United States Department of Agriculture (USDA) Erie County Soil Survey obtained from the Natural Resource Conservation Service (NRCS) website
r. Property survey map
s. Sanborn Fire Insurance maps
t. Aerial photographs of the area
u. Historical topographic maps
v. Local street directories

4. Site visit on February 21, 2017 by Ms. Katherine Bauer of LaBella to photograph the Site and to visually identify areas of concern as defined in the agreement.

5. Completion of LaBella's AAI Phase I ESA Site Reconnaissance Report.

6. Completion of a User Questionnaire completed by Mr. James Jones of the Town of Tonawanda.

2.3 Subsurface Risks/Unanticipated Hazardous Materials

This work for this report has been performed in accordance with generally accepted environmental engineering practices for the applicable region. The conclusion and recommendations of this report are based upon the opinion and judgment of an Environmental Professional (EP), and are dependent upon LaBella's knowledge, information supplied by the present owner and managers of the Site, and data and information solicited from governmental agencies. LaBella makes no other warranty or representation, either expressed or implied, nor is one intended to be included as part of its services, proposals, contracts, or reports.

In addition, LaBella cannot provide guarantees, certifications, or warranties that the property is or is not free of environmental impairment without a subsurface investigation involving drilling, vapor analysis, laboratory soil analysis, groundwater monitoring well installation, and laboratory groundwater analysis. Even with such a program, the data and samples from any given soil boring or monitoring well will indicate conditions that apply only at that particular location, and such conditions may not necessarily apply to the general Site as a whole.

2.4 Significant Assumptions

As a result of the unavailability or lack of receipt of information the following assumptions were made in order to complete the Scope of Work in the time frame desired by the Town of Tonawanda.

- Groundwater flow direction in the vicinity of the Site was estimated based on review of area topographic maps. Determination of site-specific groundwater flow direction typically requires installing at least three groundwater monitoring wells, surveying the wells, and collecting groundwater elevation data (refer to Section 3.2).

As stated in the Agreement, the Town of Tonawanda acknowledges this assumption and hereby agrees to release and hold LaBella harmless from any liability arising from or relating to any conclusions made or not made based on this assumption.

2.5 Limitations and Exceptions of Assessment

ASTM Standard Practice E1527-13 expressly recognized the fact that no ESA can wholly eliminate uncertainty regarding the potential for RECs in connection with a property. LaBella's work is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs in connection with the Site, and its Scope of Work reflects recognition of the reasonable limits of time and cost.

The actual presence of radon, lead-based paint, contaminants in drinking water [e.g., lead, volatile organic compounds (VOCs), "perfluorinated" compounds (PFCs), etc.], mold-related issues, electromagnetic frequencies, asbestos-containing building materials, polychlorinated byphenyl (PCB) caulk, wetlands, cultural and historic resources, ecological resources, and endangered species are not included in the Scope of Work of this assessment. Additionally, regulatory compliance, industrial hygiene, health and safety, indoor air quality and drinking water quality are not included in the Scope of Work of this assessment. Should The Town of Tonawanda want these services, LaBella can complete them; however, they are not included in the Scope of Work of the Phase I ESA.

It is further noted that due to post 9/11 terrorist related concerns, the NYSDEC has limited the availability of petroleum bulk storage (PBS), chemical bulk storage (CBS), and major oil storage facility (MOSF) details, and detailed spill information to the public. However, LaBella does have access to the addresses of current PBS, CBS, and MOSF locations accessed from the database from the NYSDEC website. In addition, this information can usually be acquired by a FOIL to the regulating agency to attempt to obtain this relevant and reasonably ascertainable environmental information for AAI Phase I ESA reports. If this information is not obtainable then it will be discussed as a data gap in Section 8.2.

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

1. Crawlspaces
2. Attics and roofs
3. Pipe chases or plenums
4. Spaces concealed by walls, floors, or ceilings
5. Materials concealed by paneling, carpeting, or wallpaper

The site visit was also limited to visual observations within the perimeter of the Site and other accessible areas only. Visual observations were limited at the time of the site visit due to dense vegetative growth and unsafe building conditions.

2.6 Special Terms and Conditions

The Town of Tonawanda and LaBella have agreed that the Scope of Work described in Section 2.3, and the Limitations and Exceptions described in Section 2.5 above, are acceptable to you and that to the fullest extent permitted by law, LaBella shall not be liable to you for limiting its investigation to the Scope of Work described. Based on the engagement and Scope of Work agreed upon, our evaluation of the Site is as presented herein.

2.7 User Reliance

The Town of Tonawanda may rely upon the findings of this report and should be aware of the agreed upon Scope of Work and the limitations associated with this Scope of Work.

3.0 SITE DESCRIPTION

The Site consists of approximately 4.1 acres of land located southeast of Sawyer Avenue, developed with one two-story, approximately 11,216 square-foot building (Site Building 1), constructed in at least 1954 and one single-story, approximately 14,475 square-foot building (Site Building 2), constructed in at least 1900. The Site Buildings occupy the north portion of the Site proximate Sawyer Avenue. Site Building 1 occupies the majority of the 189 Sawyer Avenue parcel and Site Building 2 occupies the northern third of the 185 Sawyer Avenue parcel. An asphalt paved driveway in very poor condition is located between the two Site Buildings running to the southeast of the Site before turning west to exit the Site. Several piles of construction and demolition debris are located on the Site proximate the driveway and to the southeast of Site Building 2. The Site Buildings are currently abandoned and in very poor condition. A small, active electrical substation operated by National Grid is located on the southwest corner of the Site on an easement.

3.1 Site Location and Legal Description

The parcels that comprise the Site are outlined in the table below. Property boundaries for the purpose of this assessment were obtained from the Landmax Data Systems, Inc. A map depicting the individual tax parcels that comprise the Site is located in the Figures and Photographs Appendix of this report.

Legal Address	Tax Account Number	Property Use Code	Acreage
185 Sawyer Avenue	65.13-1-5	449- Storage	3.67
189 Sawyer Avenue	65.09-6-7	710- Manufacturing	0.43

3.2 Site and Vicinity Characteristics

The Site is located within an urban area. According to the 7.5-minute Buffalo NW, New York quadrangle USGS Map, the Site consists of generally level land. The USGS map indicates that the Site is developed with the current Site Buildings and railroad tracks. The USGS map indicates that the nearest water body is the Niagara River located approximately 2,925 feet southwest of the Site. Based on interpretation of the USGS topographic map, groundwater flow at the Site appears to be to the west-southwest. According to the USDA Erie County Soil Survey obtained from the Natural Resource Conservation Service (NRCS) website, soils at the Site consist mainly of Urban land. Urban land consists of areas where the original soil surface has been covered with impervious surfaces, such as asphalt, concrete, or buildings. In most areas the underlying soil material has been cut away or covered with fill from adjacent areas.

3.3 Present Ownership and Use

Based on Erie County records and Landmax Data Systems, Inc., the Site is currently owned by 185 & 189 Sawyer LLC. The Site currently consists of abandoned commercial structures and fallow land.

3.4 Site Improvements

3.4.1 Structures and Improvements

The Site is improved with two structures as detailed in the table below.

	Structure #1	Structure #2
Legal Address	189 Sawyer Avenue	185 Sawyer Avenue
Tax Account Number	65.09-6-7	65.13-1-5
Square Footage	11,216	14,475
Foundation Type	Slab-on-grade	Slab-on-grade
Number of Stories	Two	One
Construction Date	At least 1900	At least 1954
Current Use	Abandoned building	Abandoned building
Hereinafter referred to as	Site Building 1	Site Building 2

3.4.2 Roads

The Site is not bordered by any public thoroughfares.

3.4.3 Current Site Utilities

The Site is not currently connected to public utilities but such are available for connection if desired.

3.4.4 Current Use of the Adjoining Properties

The Site is bordered by the following properties.

Direction	Occupant (Address)
North	Niagara Mohawk Power Corporation land (0 Sawyer)
East	Buffalo Bio Diesel (225 Sawyer)
South	CSX Transportation Railroad (0 Town of Tonawanda)
West	Goetz Energy, Alfa Laval (87, 91, & 93 Sawyer)

Refer to Section 5.2 for additional information regarding the east and west adjoining properties.

4.0 USER PROVIDED INFORMATION

In accordance with the ASTM E1527-13, a "User" is defined as the party seeking to complete an environmental site assessment of the property. If the user is aware of any specialized knowledge or experience that is material to RECs in connection with the Site, it is the user's responsibility to communicate any information based on such specialized knowledge or experience to the environmental professional. The User Questionnaire was completed by Mr. James Jones of the Town of Tonawanda. A copy of the User Questionnaire is included in Appendix 7.

4.1 Title Records

According to the ASTM Standard Practice E1527-13, "the user should either engage a title company or title professional to undertake a review of reasonably ascertainable land title records and lien records for environmental liens or activity and use limitations currently recorded against or relating to the property or to negotiate such an engagement of a title company or title professional as an addition to the Scope of Work to be performed by the Environmental Professional."

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Are land title records available for review?	The User reported land title records are not available for review.

4.2 Environmental Liens or Activity and Use Limitations

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Did a search of *recorded land title records* identify any environmental liens filed or recorded against the *property* under federal, tribal, state or local law?	The User did not report environmental liens currently recorded against or relating to the property. In addition, the User did not report any activity or use limitations currently recorded against or relating to the property.
Did a search of *recorded land title records* identify any AULs, such as *engineering controls*, land use restrictions or *institutional controls* that are in place at the *property* and/or have been filed or recorded against the *property* under federal, tribal, state or local law?	The User is not aware of any AULs, such as engineering controls, land use restriction, or institutional controls that are in place at the Site and/or have been filed or recorded in a registry under federal, state, or local law.

4.3 Specialized Knowledge

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Does the *User* of this *ESA* have any specialized knowledge or experience related to the *property* or nearby properties? For example, is the *User* involved in the same line of business as the current or former *occupants* of the *property* or an *adjoining property* so that the *User* would have specialized knowledge of the chemicals and processes used by this type of business?	The User does not have any specialized knowledge or experiences related to the property or nearby properties.

4.4 Commonly Known or Reasonably Ascertainable Information

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Is the *User* aware of commonly known or *reasonably ascertainable* information about the *property* that would help identify conditions indicative of releases or threatened releases?	The User is unaware of commonly known or reasonably ascertainable information about the property that would help to identify conditions indicative of releases or threatened releases.
Based on the *User's* knowledge and experience related to the *property* are there any *obvious* indicators that point to the presence or likely presence of releases at the *property*?	Based on the User's knowledge and experiences related to the Site, the User of this ESA is not aware of obvious indicators that point to the presence or likely presence of contamination at the Site.

4.5 Valuation Reduction for Environmental Issues

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Does the purchase price being paid for the *property* reasonably reflect the fair market value of the *property*?	The User did not report a below fair market value.
If the *User* concluded that there is a difference, has the *User* considered whether the lower purchase price is because contamination is known or believed to be present at the *property*?	The User did not report a below fair market value.

4.6 Reason for Performing Phase I ESA

According to ASTM E1527-13, either the User shall make known to the environmental professional the reason why the User wants to have the Phase I ESA preformed or, if the User does not identify the purpose of the Phase I ESA, the environmental professional shall assume the purpose is to qualify for the Landowner Liability Protections under the Brownfields Amendments. The User reported the Phase I ESA was performed as part of Step 2 of the Town of Tonawanda Brownfield Opportunity Area.

5.0 STANDARD ENVIRONMENTAL RECORD SOURCES – FEDERAL AND STATE

Federal, state and local environmental records were reviewed as a part of this assessment, in accordance with ASTM E1527-13 standard. Listings identified within the standard search radius outlined in ASTM E1527-13 are detailed in their respective sections below. Each listing identified was reviewed by LaBella and evaluated. Copies of the regulatory records documentation are included in Appendix 1.

5.1 Site Listings

No regulatory listings were identified associated with the Site.

5.2 Adjacent Property Listings

Adjacent North – Across from 182 Sawyer Avenue

One closed NYSDEC Spill listing (# 0812293) was identified associated with the north adjoining property, addressed as "across from 182 Sawyer Avenue." A copy of the listing is included in Appendix 1. The flow of groundwater at the property appears to be to the west-southwest and away from the Site. According to the closed NYSDEC Spill Report Form, dated February 1, 2009, a puddle of what appeared to be gear oil was discovered on the side of the road across from 182 Sawyer Avenue proximate a ditch which flows in a westerly direction. The release was properly cleaned and following re-inspection of the release by the NYSDEC, no further action was deemed necessary and the spill was assigned a closed status on June 17, 2009. Based on the closed status of this spill listing, there are no apparent RECs associated with the north adjacent spill listing at this time.

Adjoining East– Buffalo Bio Diesel – 225 Sawyer Avenue

Regulatory listings were identified associated with the east adjoining property addressed as 225 Sawyer Avenue. Copies of the listings are included in Appendix 1. The property was occupied by Buffalo Bio Diesel. The apparent flow of groundwater at the property appears to be to the west-southwest and towards the Site. The listings are summarized in the table below.

Listing	Identification # (Facility Name: Address)
State Listed Spill Site	Spill # 9000748 (closed), Spill # 1201083 (closed), Spill # 1201948 (closed), Spill # 1203492 (closed), Spill # 1204359 (closed), Spill # 1206611 (closed), Spill # 1206753 (inactive), Spill # 1212842 (closed), Spill # 1301344 (closed), Spill # 1304499 (closed), Spill # 1502685 (closed), Spill # 1512052 (closed) and Spill # 1607838 (closed)

NYSDEC Spill #9000748 (closed)

According to the closed NYSDEC Spill Report Form #9000748, dated April 21, 1990, a fire at the facility led to acidic runoff being released to the ground surface. The NYSDEC received the MSDS for the chemicals involved, and upon review deemed the runoff had been neutralized. The NYSDEC deemed no further action was necessary and the spill was assigned a closed status on June 13, 1990.

NYSDEC Spill #1201083 (closed)

According to the closed NYSDEC Spill Report Form #1201083, dated April 1, 2012, while transferring used cooking oil into a tanker truck, a hose broke off due to high-pressure releasing approximately 600 gallons of used cooking oil to the ground surface. Buffalo Bio Diesel utilized their vacuum-truck to clean up approximately 3,000 gallons of water and used cooking oil. The impacted soil was excavated and placed in a pile, which was bio-remediated on-site. Upon completion of bio-remediation, the soil was spread out on-site. The NYSDEC deemed no further action was necessary and the spill was assigned a closed status on December 3, 2012.

NYSDEC Spill #1201948 (closed)

According to the closed NYSDEC Spill Report Form #1201948, dated May 29, 2012, approximately 15 gallons of shortening oil was released to the ground surface due to a leaking container. The impacted soil was scraped up and placed in an on-site compost pile for bio-remediation. The NYSDEC deemed no further action was necessary and the spill was assigned a closed status on May 29, 2012.

NYSDEC Spill #1203492 (closed)

According to the closed NYSDEC Spill Report Form #1203492, dated June 11, 2012, approximately 25 gallons of shortening oil was released to concrete flooring due to a faulty valve. The release was vacuumed up and re-used in the facility. The release did not reach any floor drains. The NYSDEC deemed no further action was necessary and the spill was assigned a closed status on June 11, 2012.

NYSDEC Spill #1204359 (closed)

According to the closed NYSDEC Spill Report Form #1204359, dated August 1, 2012, approximately ten gallons of used vegetable oil was spilled out of a drum onto a concrete pad. The release was cleaned up and re-used within the facility. The NYSDEC deemed no further action was necessary and the spill was assigned a closed status on August 2, 2012.

NYSDEC Spill #1206611 (closed)

According to the closed NYSDEC Spill Report Form #1206611, dated October 4, 2012, approximately 20 gallons of used vegetable oil was released to concrete flooring due to a defective gauge. The release was vacuumed up and re-used in the facility. The release did not reach any floor drains. The NYSDEC deemed no further action was necessary and the spill was assigned a closed status on October 4, 2012.

NYSDEC Spill #1206753 (inactive)

According to the inactive NYSDEC Spill Report Form #1206753, dated October 9, 2012, while transferring used cooking oil into a tanker truck, the hose came off due to high pressure releasing approximately 300 gallons of used cooking oil to the ground. Buffalo Bio Diesel used their vacuum hose to clean up approximately 280 gallons of used cooking oil for re-use within the facility. The impacted soil was excavated and placed in the compost pile to be bio-remediated on-site. The NYSDEC deemed no further action was necessary and the spill was assigned a closed status on October 9, 2012.

NYSDEC Spill #1212842 (closed)

According to the closed NYSDEC Spill Report Form #1212842, dated November 30, 2012, approximately ten gallons of vegetable oil was released to soil due to a driver leaving a valve open. The impacted soil was excavated and placed in the compost pile to be bio-remediated on-site. The NYSDEC deemed no further action was necessary and the spill was assigned a closed status on December 3, 2012.

NYSDEC Spill #1301344 (closed)

According to the closed NYSDEC Spill Report Form #1301344, dated May 9, 2013, approximately 30 gallons of used vegetable oil was released to concrete flooring due to a defective hose. The release was cleaned up and placed in the compost pile to be bio-remediated on-site. The NYSDEC deemed no further action was necessary and the spill was assigned a closed status on May 9, 2013.

NYSDEC Spill #1304499 (closed)

According to the closed NYSDEC Spill Report Form #1304499, dated July 24, 2013, approximately 55 gallons of used vegetable oil was released to concrete flooring when a drum fell off a forklift. The release was cleaned up and re-used in the facility. The NYSDEC deemed no further action was necessary and the spill was assigned a closed status on July 26, 2013.

NYSDEC Spill #1502685 (closed)

According to the closed NYSDEC Spill Report Form #1502685, dated June 10, 2015, approximately 25 gallons of vegetable grease was released to the soil. The release was reported as cleaned up and recycled within the facility. The NYSDEC deemed no action was necessary and the spill was assigned a closed status on August 25, 2015.

NYSDEC Spill #1512052 (closed)

According to the closed NYSDEC Spill Report Form #1512052, dated March 19, 2015, a caller reported approximately 100, 55-gallon drums that are not properly sealed and left unattended, causing numerous releases of vegetable grease to the soil especially during the summer. The NYSDEC inspected the driveway, front parking lot and rear parking lot on May 24, 2016 and found no releases. The NYSDEC deemed no further action was necessary and the spill was assigned a closed status on May 25, 2016.

NYSDEC Spill #1607838 (closed)

According to the closed NYSDEC Spill Report Form #1607838, dated November 10, 2016, oily material was observed during the inspection of the roadside ditch along Sawyer Avenue by Erie County. NYSDEC inspected the storm drain and surrounding area, and found a staging area with a concrete pad for drums and containers of cooking grease near the storm drain. Buffalo Bio Diesel cleared out the ditch, cleaned the staging area, and moved the drums to a different staging area. Further inspection at a later date found evidence of the previously-identified oily material. The NYSDEC deemed no further action was necessary and the spill was issued a closed status on December 22, 2016.

Based on the nature of the Spill listings and their closed/inactive status, there are no apparent RECs associated with the east adjoining spill listings at this time.

Adjoining West – 87 Sawyer Avenue

Regulatory listings were identified associated with the west adjoining property addressed as 87 Sawyer Avenue. Copies of the listings are included in Appendix 1. The property was occupied by various commercial and industrial operations. The apparent flow of groundwater at the property appears to be to the west-southwest and away from the Site. The listings are summarized in the table below.

Listing	Identification # (Facility Name: Address)
State Listed Registered PBS Facility	NYSDEC PBS Registration #9-429031 and #9-600507
State Listed Spill Site	Spill # 8702321 (closed), Spill # 9101906 (closed), Spill # 9103953 (closed), Spill # 9514925 (inactive), Spill # 0075445 (inactive) and Spill # 1609494 (active)

NYSDEC PBS #9-429031

The following table summarizes the NYSDEC PBS Facility Information listing associated with the property.

Tank No.	Location	Capacity (gallons)	Product Stored	Tank Type	Secondary Containment	Date Installed	Status
1	Underground	8,000	Kerosene	Steel/Carbon Steel/Iron	None	July 1, 1981	Closed-Removed (October 19, 2000)
2	Underground	6,000	Other	Steel/Carbon Steel/Iron	None	July 1, 1981	Closed-Removed (October 19, 2000)
3	Underground	10,000	#2 fuel oil	Steel/Carbon Steel/Iron	None	July 1, 1981	Closed-Removed (October 19, 2000)
4	Underground	12,000	#6 fuel oil	Steel/Carbon Steel/Iron	None	July 1, 1981	Closed-Removed (October 19, 2000)

NYSDEC PBS #9-600507

According to the Public Officers Law Section 87.2 (f), current information is not available through a FOIL request based on the potential of the disclosed information to "endanger the life or safety of any person." As such, specific information regarding the amount and the contents of the tanks at this facility associated with PBS listing #9-600507 is unavailable at this time.

NYSDEC Spill #9101906 (closed)

According to the closed NYSDEC Spill Report Form #9101906, dated May 16, 1991, a truck backed over a cable causing a pole and transformer to fall and release approximately 15 gallons of non-PCB oil to the soil. NIMO collected and sampled the associated spill debris. Analytical results confirmed that the transformer oil was non-PCB oil. The spill was properly cleaned and disposed of using NIMO standard disposal protocol and the NYSDEC deemed no further action required. The spill was issued a closed status on June 4, 1991.

NYSDEC Spill #9103953 (closed)

According to the closed NYSDEC Spill Report Form #9103953, dated July 16, 1991, a 10,000-gallon underground storage tank (UST), an 8,000-gallon UST, and a 6,000-gallon UST all failed tank tightness tests. Thereafter, while uncovering the 10,000-gallon UST for retesting, kerosene contamination was observed in the soils proximate the tank. The contaminated soil was excavated and staged on plastic at the property. The subsequent tank tightness test on the 10,000-gallon UST once again failed. Following such, a bio-remediation program was implemented and completed on the stockpiled soils. As of January 1992 all of the aforementioned USTs passed tank tightness testing. As a result, the NYSDEC deemed no further action was required and the spill was issued a closed status on September 7, 1993.

NYSDEC Spill #9514925 (inactive)

According to the inactive NYSDEC Spill Report Form #9514925, dated February 1, 1996, a site assessment conducted in 1996 found petroleum-related contamination above NYSDEC Spills Technology and Remediation Series (STARS) guidance levels at the property. The NYSDEC reviewed the report along with a previous report conducted in 1991 and also identified exceedances of groundwater standards for hydrocarbons in groundwater samples collected at the property. The NYSDEC requested that four specific areas of soil at the property be resampled by way of toxicity characteristic leaching procedure. Analytical results did not identify any constituent concentrations. While this information was taken into consideration, as there were known concentrations of hydrocarbons previously identified in the groundwater at the property, the NYSDEC issued this spill an inactive status on March 8, 1996.

NYSDEC Spill #0075445 (inactive)

According to the inactive NYSDEC Spill Report Form #0075445, dated October 19, 2000, petroleum-related soil contamination was discovered during the removal of a 12,000-gallon UST, a 10,000-gallon UST, an 8,000-gallon UST, and a 6,000-gallon UST. Approximately 500 tons of associated contaminated soil was removed and properly disposed of. Post-excavation sampling of the excavation found minor exceedances of soil cleanup guidance levels. As such, the NYSDEC issued this spill an inactive status on January 1, 2001.

NYSDEC Spill #1609494 (active)

According to the active NYSDEC Spill Report Form #1609494, dated January 12, 2017, a cap and valve was not properly secured on a delivery truck fuel line resulting in the release of approximately 30 gallons of diesel fuel to the pavement and soil. Absorbents were placed to clean the paved area and approximately five tons of impacted soil was scraped up and staged on-site. Due to the on-going cleanup efforts, this spill is classified as “active” as of January 13, 2017.

Based on the closed/inactive status of a majority of the spill listings, the ongoing remediation of the active spill listing and the apparent flow of groundwater to the west and away from the Site, there are no apparent RECs related to west adjacent regulatory listings at this time. However, as with any Site located in the immediate vicinity of a property with PBS listings and several reported NYSDEC Spills including one active Spill, the Town of Tonawanda should be aware of the potential for the migration of residual subsurface impairment to the Site from this west adjoining property.

5.3 ASTM Standard Regulatory Database Listings

5.3.1 USEPA National Priority List (last updated November 29, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	1.0 mile	No listings	No listings

5.3.2 USEPA Delisted National Priority List (last updated November 29, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.3 USEPA SEMS (last updated October 13, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.4 USEPA SEMS ARCHIVED (last updated October 13, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
4	0.50 mile	1	Polymer Applications Inc – NYD045170701 (3445 River Road)
		2	Sawyer Avenue Pesticide Response – NYC200400406 (300 Sawyer Avenue)
		3	Ashland Distribution Company-Tonawanda, NY – NYD000688630 (3701 River Road)
		4	Huntley Generating Station – NYD0980783476 (3500 River Road)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Groundwater Flow – Towards/Away From the Site	REC (Yes/No)	Additional Information/Rationale
1	1,000 – Southwest	West-southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west-southwest and away from the Site and the distance of this facility from the Site.

Reference Number	Approximate Distance from Site (feet) – Direction	Groundwater Flow – Towards/Away From the Site	REC (Yes/No)	Additional Information/Rationale
2	880 – Northeast	West-southwest – Towards the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
3	1,055 – North	West-southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west-southwest and away from the Site and the distance of this facility from the Site.
4	2,200 – Southwest	West-southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west-southwest and away from the Site and the distance of this facility from the Site.

Copies of the listings are included in Appendix 1.

5.3.5 USEPA RCRA CORRACTS (last updated January 20, 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
2	1.0 mile	1	Allied Corporation – NYD051816262 (3821 River Road)
		2	Peroxychem – NYD074033101 (35 Sawyer Avenue)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Groundwater Flow – Towards/Away From the Site	REC (Yes/No)	Additional Information/Rationale
1	2,200 – Northwest	West-southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west-southwest and away from the Site and the distance of this facility from the Site.
2	565 – West	West-southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west-southwest and away from the Site and the distance of this

				facility from the Site.

Copies of the listings are included in Appendix 1.

5.3.6 RCRA Treatment, Storage, and Disposal Facilities – non-CORRACTS (last updated January 20, 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.7 USEPA RCRA Generators (last updated January 20, 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # - CESQG/SQG/LQG (Address)
0	Site and Adjoining Properties	No listings	No listings

5.3.8 National Response Center ERNS (last updated February 14, 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	Site only	No listings	No listings

5.3.9 Federally Listed Sites with Institutional and/or Engineering Controls (last updated January 25 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	Site only	No listings	No listings

5.3.10 State Listed Facilities with Institutional and/or Engineering Controls (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
0	Site only	No listings	No listings

5.3.11 State Listed Inactive Hazardous Waste Disposal Facilities (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
12	1.0 mile	1	Allied Chemical-Special Chemical Division – 915003A (3875 River Road)
		2	Allied Chemical-Special Chemical Division – 915003B (3821 River Road)
		3	Allied Chemical-Special Chemical Division – 915003C (3821 River Road)
		4	Dunlop Tire and Rubber – 915018 (3333 River Road)
		5	E.I. DuPont Company – 915019 (3115 River Road)
		6	O-Cel-O Products – 915042 (305 Sawyer Avenue)
		7	Polymer Applications – 915044 (3445 River Road)
		8	Shanco Plastics and Chemicals – 915048 (Wales Avenue and Kenmore Avenue)
		9	Tonawanda Coke – 915055 (3875 River Road)
		10	Roblin Steel (formerly Wickwire Spencer) – 915056 (4000 River Road)
		11	3M O-Cel-O Sponge Plant – 915148 (305 Sawyer Avenue)
		12	Tonawanda Forge Site – 915274 (2390 Kenmore Avenue)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Groundwater Flow – Towards/Away From the Site	REC (Yes/No)	Additional Information/ Rationale
1	3,345 – Northwest	West-southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west-southwest and away from the Site and the distance of this facility from the Site.
2	2,200 – Northwest	West-southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west-southwest and away from the Site and the distance of this facility from the Site.
3	2,200 – Northwest	West-southwest – Away from the	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to

		Site		the west-southwest and away from the Site, the distance of this facility from the Site and the status of the listed facility.
Reference Number	**Approximate Distance from Site (feet) – Direction**	**Groundwater Flow – Towards/Away From the Site**	**REC (Yes/No)**	**Additional Information/ Rationale**
4	265 – South	West-southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west-southwest and away from the Site and the distance of this facility from the Site.
5	2,565 – Southeast	West-southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west-southwest and away from the Site and the distance of this facility from the Site.
6	455 – West	West-southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west-southwest and away from the Site and the distance of this facility from the Site.
7	1,000 – Southwest	West-southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west and away from the Site and the distance of this facility from the Site.

Reference Number	**Approximate Distance from Site (feet) – Direction**	**Groundwater Flow – Towards/Away From the Site**	**REC (Yes/No)**	**Additional Information/ Rationale**
8	2,935 – Northeast	West-southwest – Towards the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site and the status of the listed facility.
9	3,365 – Northwest	West-southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west-southwest and away from the Site and the distance of this facility from the Site.
10	2,785 – Northwest	West-southwest – Away from the	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to

		Site		the west-southwest and away from the Site and the distance of this facility from the Site.
Reference Number	**Approximate Distance from Site (feet) – Direction**	**Groundwater Flow – Towards/Away From the Site**	**REC (Yes/No)**	**Additional Information/ Rationale**
11	455 – West	West-southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west-southwest and away from the Site and the distance of this facility from the Site.
12	4,350 – Southeast	West-southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west-southwest and away from the Site and the distance of this facility from the Site.

Copies of the listings are included in Appendix 1.

5.3.12 State Listed Voluntary Cleanup Program Facilities (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.13 State Listed Brownfield Cleanup Program Facilities (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
1	0.50 mile	1	Former Polymer Application Site – C915044 (3445 River Road)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Groundwater Flow – Towards/Away From the Site	REC (Yes/No)	Additional Information/ Rationale
1	1,000 – Southwest	West-southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west-southwest and away from the Site and the distance of this facility from the Site.

Copies of the listings are included in Appendix 1.

5.3.14 State Listed Environmental Restoration Program Facilities (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.15 State Listed Hazardous Substance Waste Disposal Sites (last updated 1998)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
0	0.50 mile	No listings	No listings

It should be noted that hazardous substance waste disposal sites are not currently available in a searchable web-based database. However, hazardous substance waste disposal sites were obtained from the NYSDEC on December 1, 1998. As of the date of this report submission, updates to this listing have not been provided by the NYSDEC.

5.3.16 State Listed Part 360 Solid Waste Disposal Facilities (last updated February 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
1	0.50 mile	1	NRG Huntley – Permit # 9-1464-00089000010 (Huntley Power LLC, River Road)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Groundwater Flow – Towards/Away From the Site	REC (Yes/No)	Additional Information/ Rationale
1	2,045 – Southwest	West-southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west-southwest and away from the Site and the distance of this facility from the Site.

A copy of the listing is included in Appendix 1.

5.3.17 Local Inventory of Solid Waste Disposal Locations (provided by the Erie County Environmental Management Council – February 16, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Erie County Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.18 NYSDEC Major Oil Storage Facilities (updated nightly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name: Address – MOSF Identification #
0	Site and adjoining properties only	No listings	No listings

5.3.19 NYSDEC Chemical Bulk Storage Facilities (updated nightly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name: Address – CBS Identification #
0	Site and adjoining properties only	No listings	No listings

5.3.20 NYSDEC Petroleum Bulk Storage Facilities (updated nightly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name: Address – PBS Identification #
2	Site and adjoining properties only	1-2	Goetz Energy Corporation: 85-87 Sawyer Avenue – #9-429031 and #9-600507 Refer to Section 5.2 for further information.

Copies of the NYSDEC PBS Facility Information Reports are included in Appendix 1.

5.3.21 NYSDEC Active and Closed/Inactive Spill Listings (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Listing Number	Facility Name: Address – Spill # (status)
1 active 19 closed/inactive	Active listings: 0.25 mile Closed/inactive listings: Site and adjoining properties only	1	WNY Barrel & Drum: 225 Sawyer Avenue – Spill # 9000748 (closed)
		2	Buffalo Bio Diesel: 225 Sawyer Avenue – Spill # 1201083 (closed)
		3	Buffalo Bio Diesel: 225 Sawyer Avenue – Spill # 1201948 (closed)
		4	Buffalo Bio Diesel-Storage Co: 225 Sawyer Avenue –Spill # 1203492 (closed)
		5	Buffalo Bio Diesel: 225 Sawyer Avenue – Spill # 1204359 (closed)
		6	Buffalo Bio Diesel: 225 Sawyer Avenue – Spill # 1206611 (closed)
		7	Buffalo Bio Diesel: 225 Sawyer Avenue – Spill # 1206753 (inactive)
		8	Buffalo BioDiesel: 225 Sawyer Avenue – Spill # 1212842 (closed)

Number of Listed Sites	Search Radius	Listing Number	Facility Name: Address – Spill # (status)
		9	Buffalo BioDiesel: 225 Sawyer Avenue – Spill # 1301344 (closed)
		10	Parking Lot: 225 Sawyer Avenue – Spill # 1304499 (closed)
		11	Buffalo Bio Facility: 225 Sawyer Avenue – Spill # 1502685 (closed)
		12	Buffalo BioDiesel: 225 Sawyer Avenue – Spill # 1512052 (closed)
		13	Roadside Ditch IFO: 225 Sawyer Avenue – Spill # 1607838 (closed)
		14	Broskin Enterprises, Inc.: 87 Sawyer Avenue - Spill # 8702321 (closed)
		15	Niagara Mohawk.: 87 Sawyer Avenue - Spill # 9101906 (closed)
		16	Goetz-FMC.: Sawyer Avenue – Spill # 9103953 (closed)
		17	Goetz Energy.: 87 Sawyer Avenue – Spill # 9514925 (inactive)
		18	Goetz Energy.: 87 Sawyer Avenue - Spill # 0075445 (inactive)
		19	Commercial.: 87 Sawyer Avenue – Spill # 1609494 (active)
		20	Gear oil in puddle on side of road: across from 182 Sawyer – Spill # 0812293 (closed)

Due to the urban nature of the area in which the Site is located, the search radius has been reduced from 0.50 mile to 0.25 mile, per ASTM E1527-13. Refer to Section 5.2 for further information.

5.3.22 Assessment of the Potential for Soil Vapor Intrusion

Vapor intrusion is the entry of volatile organic compounds (VOCs) to indoor air from underlying contamination in soil and groundwater. Based on the results of this assessment, no information was obtained suggesting the presence of a soil vapor intrusion concern at the Site at this time. However, should subsurface impact be encountered in the future, the potential for soil vapor intrusion should be evaluated at that time.

5.4 Additional Environmental Record Sources

5.4.1 Review of Previous Environmental Reports

No previous Phase I ESA, Transaction Screen report, or other previous environmental reports were obtained or were reasonably ascertainable for review.

5.4.2 Other Records

No other records were obtained or were reasonably ascertainable for review.

5.5 Historical Use Information on the Property and Adjoining Properties

LaBella attempted to review reasonably ascertainable and readily available standard sources of historical information as defined by the ASTM Standard Practice E1527-13 in order to identify all obvious usages of the Site back to the first developed use or 1940, whichever is earlier (i.e., the historical research objective according to ASTM). Uses of the properties adjoining the Site are identified in this report only to the extent that this information is revealed in the course of researching the Site itself and were determined at the discretion of the Environmental Analyst. As such, LaBella reviewed only as many of these sources as necessary to achieve the historical research objective. It should be noted that the lack of availability of reasonably ascertainable and readily available standard ASTM required sources have the potential to affect the findings of this assessment and can impact the ability of the Environmental Professional or Analyst to identify recognized environmental conditions and may result in a data failure (defined in Section 8.2.1 of this report). A data failure may represent a significant data gap. Data failures and data gaps are identified, defined, and evaluated for their significance in Section 8.2 of this report.

Standard historical sources LaBella attempted to review are outlined in the table below.

Section	Historical Source	Date(s)	Source/Comments
5.5.1	Sanborn Fire Insurance Maps	1950, 1968, 1986	EnviroSite Corporation
5.5.2	Aerial Photographs	1927, 1938, 1942, 1951, 1958, 1966, 1985, 1990, 1995, 2005, 2015	Erie County Soil and Water Conservation District and Google Earth
5.5.3	Municipal Records	Not applicable	Town of Tonawanda
5.5.4	Recorded Land Title Records	Not consulted	Not provided to LaBella for review.
5.5.5	Historical Topographic Maps	1880, 1901, 1909, 1948	Buffalo Erie County Public Library
5.5.6	Local Street Directories	1981, 1985, 1990, 1995, 2000, 2006	Buffalo Erie County Public Library

5.5.1 Sanborn Fire Insurance Maps

Site

The apparent usages of the Site, as depicted by the Sanborn maps, are summarized in the table below.

Apparent Address	Date	Apparent Usage(s)/Occupant(s)
Unaddressed at Sawyer Avenue	1950, 1968 and 1986	Buffalo Wallcraft Co. Inc. (wallpaper manufacturing) and Paint & Paper Makers Inc. including offices, two factory buildings and railroad tracks

Adjacent Properties

The apparent usages of properties, as depicted by the Sanborn maps, located adjoining to the Site are summarized in the table below.

Property/Address	Date	Apparent Usage(s)/Occupant(s)
North Adjoining	1950, 1968 and 1986	Niagara Falls Power Co. transmission line right of way
South Adjoining	1950, 1968 and 1986	Railroad tracks
East Adjoining	1950	Not depicted on map
	1968 & 1986	Empty container warehouse
West Adjoining	1950, 1968 and 1986	Buffalo Pipe & Foundry Corp. including railroad tracks, a foundry, a scrap iron yard and sand sheds

Copies of the Sanborn maps are included in Appendix 2.

5.5.2 Aerial Photography

The table below outlines observations of the Site and adjoining/adjacent properties obtained from the review of aerial photographs.

Date	Observations
1927, 1938, 1942 and 1951	Site: Developed with Site Building 2 including pre-existing portions of the building, and fallow land North: Undeveloped, disturbed soil South: Railroads East: Undeveloped West: Apparent industrial complex
1958, 1966	Site: Developed with Site Building 1 and Site Building 2 including pre-existing portions of the building, and fallow land North: Undeveloped, disturbed soil South: Railroads East: Two apparent commercial/industrial buildings West: Apparent industrial complex
1985 and 1990	Site: Developed with the current Site Buildings and fallow land North: Undeveloped, disturbed soil South: Railroads East: Two apparent commercial/industrial buildings West: Apparent industrial complex
1995, 2005, 2015	Site: Developed with the current Site Buildings, an apparent electrical substation and fallow land North: Undeveloped, disturbed soil South: Railroads East: Two apparent commercial/industrial buildings West: Apparent industrial complex

Copies of the aerial photographs are included in Appendix 3.

5.5.3 Municipal Records

Review of the Town of Tonawanda's assessment file for the Site indicated the Site was historically owned by James Dichristopher Nunzio, Sawyer Industrial Park, Sweeney Steel Service, Michael Sweeney and Norman Livingstone. Town of Tonawanda records indicate that several on-site buildings were demolished between 1981 and 1983. In addition, limited assessment information was obtained from the Landmax Data Systems, Inc. website. This information is outlined in Sections 3.1 and 3.4.1. Copies of these records are included in Appendix 6.

5.5.4 Recorded Land Title Records

Title records were not provided, and as such not reviewed as part of this Phase I ESA report. Refer to Section 4.1 for additional details.

5.5.5 Historical Atlases and Topographic Maps

The table below outlines observations of the Site and adjoining/adjacent properties obtained from the review of available historical atlases.

Date	Observations
1880, 1901 and 1909	The Site and surrounding areas do not identify development. However, according to municipal records, structures existed at the Site as early as 1900.
1948	The Site is developed with current Site Building 1 and Site Building 2 including pre-existing portions of the building. Telephone and transmission lines are located to the north of the Site. Multiple railroad tracks are located south of the Site. The east adjoining property is undeveloped except for a railroad track. The west adjoining property is occupied by an industrial complex with railroad tracks.

Copies of the historical topographic maps are included in Appendix 2.

5.5.6 Local Street Directories

Listings identified associated with the Site and adjoining/adjacent properties in the Polk Buffalo Northwest street directories are detailed in the table below.

Year	Historical Use
1981	Site: Unlisted (185 & 189 Sawyer) North: Unlisted (0 Sawyer) South: Unlisted (0 Town of Tonawanda) East: Unlisted (225 Sawyer) West: Frontier Delivery Service(87 Sawyer)
1985	Site: Sweeney Steel additional space (191 Sawyer) North: Unlisted (0 Sawyer) South: Unlisted (0 Town of Tonawanda) East: Western New York Barrel & Drum Co Inc mfr steel & fiber containers (225 Sawyer) West: Vacant / Sweeney Steel Service Corp steel fabricating, Metal Purchasing Co Inc (87 & 91 Sawyer)
1990	Site: Unlisted (185 & 189 Sawyer)

	North: Unlisted (0 Sawyer) South: Unlisted (0 Town of Tonawanda) East: Western New York Barrel & Drum Co Inc mfr steel & fiber containers (225 Sawyer) West: Sweeney Steel Service Corp steel fabricating (87 Sawyer)
Year	**Historical Use**
1995	Site: Vacant (185 & 189 Sawyer) North: Unlisted (0 Sawyer) South: Unlisted (0 Town of Tonawanda) East: Western New York Barrel & Drum Co Inc mfr steel & fiber containers (225 Sawyer) West: Goetz Energy additional space / Sweeney Steel Service Corp steel fabricating (87 & 91 Sawyer)
2000	Site: Unlisted (185 & 189 Sawyer) North: Unlisted (0 Sawyer) South: Unlisted (0 Town of Tonawanda) East: Not Verified (225 Sawyer) West: Not Verified / Pyramid Steel (87 & 91 Sawyer)
2006	Site: Unlisted (185 & 189 Sawyer) North: Unlisted (0 Sawyer) South: Unlisted (0 Town of Tonawanda) East: No Current Listing (225 Sawyer) West: Crossett Inc trucking / Storagemobility of Buffalo LLC movers (87 & 91 Sawyer)

Copies of the street directories are included in Appendix 2.

5.5.7 Summary of Historical Information

Based on the historical records reviewed, it appears that the Site was undeveloped from at least 1880 to at least 1900. Site Building 1 was developed as of at least 1954 while Site Building 2 was developed as of at least 1900. Several pre-existing structures have been historically located at the Site. Town of Tonawanda records indicate that several on-site buildings were demolished between 1981 and 1983. The Site was historically utilized by Buffalo Wallcraft Co., Inc. (manufacturer of wallpaper) as well as Paint & Paper Makers, Inc. from at least 1950 through 1986 including two factory buildings and railroad tracks, and for storage in at least 1985. The Site Buildings are currently vacant and in very poor condition. While historical operations conducted at the Site prior to 1950 are relatively unknown, based on the nature of on-site construction and uses of the surrounding areas dating back to at least 1927, there is the potential for the Site to have been utilized for various additional commercially and/or industrially-related processes.

The north adjoining properties were undeveloped from at least 1880 until the time of this report and have been historically owned by Niagara Falls Power Co. and Niagara Mohawk Power Corp. utilized as a transmission line right-of-way. The east adjoining property was undeveloped from at least 1880 until 1951 and was historically utilized for the manufacturing and storage of steel and fiber containers from between at least 1958 and 1995. The east adjoining property is currently used by Buffalo Bio Diesel. The south adjoining property was undeveloped from at least 1880 to at least 1901. Railroad tracks have

historically occupied the south adjoining property from at least 1909 to the time of this report. The west adjoining property was undeveloped from at least 1880 to at least 1909. The west adjoining property was first developed prior to 1927 and has been utilized as the Buffalo Pipe & Foundry Corporation including a foundry, scrap iron yard, sand sheds and railroad tracks, various steel fabricating operations and a trucking company. Refer to Section 5.2 for further information regarding the west adjoining property.

6.0 SITE RECONNAISSANCE

Conducted by: Ms. Katherine Bauer, Environmental Analyst

Date of site visit: February 21, 2017

Representative photographs from the site visit are included in the Figures and Photographs section of this report. In addition, observations discussed in this Section are outlined on Figure 3 in the Figures and Photographs section of this report. Site visit limitations are outlined in Section 2.5 above. Copies of the field notes taken during the site visit are included in Appendix 4.

6.1 Interior Observations

6.1.1 Historical Usage

Observed	Additional Information
Yes	Rollers and dowel rods are located within the Site Buildings supporting the historical use of the Site for wallpaper manufacturing.

6.1.2 Hazardous Substances and Petroleum Products in Connection with Identified Usages

Observed	Additional Information
Yes	Three 3.5-gallon containers partially filled with hydraulic oil are located within the north portion of Site Building 2.

6.1.3 Storage Tanks

Noted	Additional Information
No	No apparent aboveground or underground storage tanks were observed within the Site Buildings at the time of the site visit.

6.1.4 Odors

Noted	Additional Information
No	No apparent strong, pungent, or noxious odors were noted within the Site Buildings at the time of the site visit.

6.1.5 Pools of Liquid(s)

Observed	Additional Information
No	No apparent pools, sumps, or standing water containing liquids likely to be hazardous substances or petroleum products were observed within the Site Buildings at the time of the site visit.

6.1.6 Unidentified Substance Containers

Observed	Additional Information
No	No apparent unidentified substance containers were observed within the Site Buildings at the time of the site visit.

6.1.7 Heating and Cooling

Fuel Source	Additional Information
No fuel source	The Site Buildings are not heated. Sanborn maps indicated that the former fuel source for the Site Buildings was steam fueled by coal

6.1.8 Stains and Corrosion

Observed	Additional Information
No	No apparent staining was observed within the Site Buildings at the time of the site visit.

6.1.9 Drains and Sumps

Observed	Additional Information
Yes	One floor drain is located within the north portion of the Site Building 2. The discharge point of the drain is unknown. No leaks, stains, spills, or unusual odors were noted in the vicinity of the floor drain at the time of the site visit.

6.1.10 Polychlorinated Bi-phenyls (PCBs) Containing Equipment

Observed	Additional Information
No	No apparent electrical or hydraulic equipment potentially containing PCBs were observed within the Site Building at the time of the site visit.

6.1.11 Elevators and Lifts

Observed	Additional Information
No	No apparent lifts or elevators were observed within the Site Buildings at the time of the site visit.

6.2 Exterior Observations

6.2.1 Historical Usage

Observed	Additional Information
No	No apparent indicators (i.e., signs, equipment, etc.) were observed on the exterior of the Site at the time of the site visit which would indicate historical usages of the Site.

6.2.2 Hazardous Substances and Petroleum Products in Connection with Identified Usages

Observed	Additional Information
No	No apparent hazardous substances or petroleum products were observed on the exterior of the Site at the time of the site visit.

6.2.3 Storage Tanks

Noted	Additional Information
No	No apparent indications of aboveground or underground storage tanks (e.g., fill ports,

	vent pipes, access ways) were observed on the exterior of the Site at the time of the Site visit.

6.2.4 Odors

Noted	Additional Information
No	No apparent strong, pungent, or noxious odors were noted on the exterior of the Site at the time of the site visit.

6.2.5 Pools of Liquid(s)

Observed	Additional Information
No	No apparent pools, sumps, or standing water containing liquids likely to be hazardous substances or petroleum products were noted on the exterior of the Site at the time of the site visit.

6.2.6 Unidentified Substance Containers

Noted	Additional Information
No	No apparent unidentified substance containers were observed on the exterior of the Site at the time of the site visit.

6.2.7 Pits, Ponds, or Lagoons

Observed on the Site	Additional Information
No	No apparent pits, ponds, or lagoons were observed at the Site at the time of the site visit.

6.2.8 Stained Soil or Pavement

Observed on the Site	Additional Information
No	No apparent stained soils or pavement were observed at the Site at the time of the site visit.

6.2.9 Stressed Vegetation

Observed on the Site	Additional Information
No	No apparent stressed vegetation was observed at the time of the site visit.

6.2.10 Solid Waste

Observed on the Site	Additional Information
Yes	Several piles of construction and demolition (C&D) debris including brick, concrete, asphalt, stone and old wooden dowels and rollers are located on the exterior of the Site proximate the east and south Site boundaries.

6.2.11 Wastewater

Observed on the Site	Additional Information
No	Wastewater does not appear to be discharged on the exterior of the Site.

6.2.12 Wells

Observed on the Site	Additional Information
No	No apparent wells were observed on the exterior of the Site at the time of the site visit or reported to be located on the Site.

6.2.13 Septic Systems

Observed on the Site	Additional Information
No	No apparent indications of on-Site septic systems or cesspools were observed on the Site at the time of the site visit.

6.2.14 Polychlorinated Bi-phenyls (PCBs) Containing Equipment

Observed	Additional Information
Yes	A small, active electrical substation operated by National Grid is located on the southwest corner of the Site. The substation is reportedly located within an easement and appeared to be in good condition at the time of the site visit.

7.0 INTERVIEWS

7.1 Property Manager

Mr. Peter Demakos was interviewed as part of this assessment. According to information obtained through the interview, the Site Buildings are currently vacant and were historically utilized by a wallpaper company. The notes from the interview are included in Appendix 5.

7.2 Local Government Officials

A FOIL request was submitted to the Town of Tonawanda municipal offices on January 31, 2017 requesting copies of assessment and building departments records on file for the Site. No permits of environmental concern were identified for the Site from the Building Department. Copies of the FOIL request and records are included in Appendix 6.

Assessment Department

Information obtained from the review of assessment records is outlined in the table below.

Category	Comment
Address	185 and 189 Sawyer Avenue
Tax identification number	65.13-1-5 and 65.09-6-7
Acreage	4.1
Zoning code	449 (storage) and 710 (manufacturing)
Owner	185 & 189 Sawyer LLC

7.3 Tribal Records

There do not appear to be any Native American Sovereign Territories on or within one mile of the Site. In accordance with ASTM Standard Practice E1527-13, tribal records will only be reviewed if the subject Site falls on or within one mile of Native American Sovereign Territory. Therefore, tribal government representatives were not contacted as part of this AAI Phase I ESA report.

7.4 New York State Department of Environmental Conservation

A FOIL request was submitted to the NYSDEC on January 31, 2017. No records were identified associated with the Site. Refer to Section 5.2 for regulatory records associated with nearby properties. A copy of the FOIL request is included in Appendix 6. Copies of the regulatory records associated with nearby properties are included in Appendix 1.

7.5 New York State Department of Health

A FOIL request was submitted to the NYSDOH on January 31, 2017. A letter dated March 20, 2017, stated that the NYSDOH acknowledged LaBella's FOIL request and has initiated a records search. On April 17, 2017, LaBella received an extension letter stating the NYSDOH is still processing the FOIL request and should provide a response by May 30, 2017. As of the date of this report submission, a response has not been received from the NYSDOH. Any pertinent information received as a result of this FOIL request will be included as a Letter of Addendum. A copy of the FOIL request is included in Appendix 6.

8.0 FINDINGS, OPINIONS AND CONCLUSIONS

We have performed a Phase I ESA in conformance with the scope and limitations of ASTM Practice E1527-13 for 185 & 189 Sawyer Avenue, Town of Tonawanda, Erie County, New York, the Site.

8.1 Findings

Any exceptions to, or deletions from, this practice are described in Section 2.5 of this report. Based on the results of this assessment, the following RECs have been identified associated with the Site at this time.

SECTION # 5.5.8 – Historical Site Operations

The Site was historically utilized by Buffalo Wallcraft Co., Inc. (manufacturer of wallpaper) as well as Paint & Paper Makers, Inc. from at least 1950 through 1986 including two factory buildings and railroad tracks. While historical operations conducted at the Site prior to 1950 are relatively unknown, based on the nature of on-site construction and uses of the surrounding areas dating back to at least 1927, there is the potential for the Site to have been utilized for various additional commercially and/or industrially-related processes.

8.1.1 Additional Findings

Based on the results of this assessment, no apparent HRECs or CRECs conditions have been identified associated with the Site at this time; however, the following de minimis conditions have been identified associated with the Site at this time

SECTIONS #6.1.2 & 6.2.10 – Petroleum Products & Solid Waste

Three 3.5-gallon containers partially filled with hydraulic oil are located within the north portion of Site Building 2. In addition, several piles of C&D debris including brick, concrete, asphalt, stone and old

wooden dowels and rollers are located on the exterior of the Site proximate the east and south Site boundaries.

8.2 Data Failures and Data Gaps

8.2.1 Data Failures

ASTM E1527-13 defines a data failure as a failure to achieve the historical research objectives of AAI even after reviewing the standard historical sources that are reasonably ascertainable and likely to be useful. Specifically, the historical research objectives include identifying all obvious uses of the Site from the present, back to the Site's first developed use, or back to 1940, whichever is earlier.

A data failure was not encountered within Scope of Work of this assessment.

8.2.2 Data Gaps

ASTM E1527-13 defines a data gap as a lack of or an inability to obtain information required by this practice despite *good faith* efforts by the *environmental professional* to gather such information. Data gaps may result from incompleteness in any of the activities required by this practice, including, but not limited to site reconnaissance, interviews, data failure, or lack of a User Questionnaire.

A data gap was encountered within the Scope of Work of this assessment. This data gap includes the lack of FOIL response from the NYSDOH. Any pertinent information received as a result of this FOIL request will be included as a Letter of Addendum.

8.3 Opinion of Findings

Based on the findings of this assessment, further investigation appears warranted at this time.

9.0 DEVIATIONS

No deviations were made to the report, other than the Limitations and Exceptions as stated in Section 2.5.

10.0 ADDITIONAL SERVICES

No additional services were provided or agreed upon as part of this assessment.

11.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

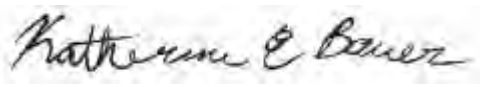
We declare that, to our knowledge and belief, we meet the definition of Environmental Professional as defined in ASTM Standard Practice E1527-13 and §312.20 of 40 CFR §312. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting at the subject property.

We have developed and performed the Scope of Work for this assessment in conformance with the standards, practices, and limitations set forth in ASTM Standard Practice E1527-13.



Chris Kibler
Project Scientist
Environmental Professional

The following representative of LaBella assisted in the completion of this report.



Katherine Bauer
Environmental Analyst

CK/KB/cm

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12.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

Chris Kibler | Project Scientist (Environmental Professional)

Chris is a Project Scientist responsible for the coordination and successful completion of Phase I and II ESAs. Working with financial institutions, attorneys, private developers and municipalities, he conducts ESAs in support of real estate transactions and brownfield redevelopment initiatives. Mr. Kibler's experience includes historical and regulatory records review; field sampling and data collection using a variety of techniques and equipment; the review and evaluation of field and laboratory analytical data; and the preparation of technical reports defining potential environmental liabilities and, if warranted, remedial options.

Katherine Bauer | Environmental Analyst

Katherine is an Environmental Analyst with one year of experience conducting Phase I Environmental Site Assessments. The site assessments include evaluation of environmental liability associated with properties, and Katherine provides efficient analysis and completion of environmental reports for financial institutions, attorneys and private developers.

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LABELLA Associates, D.P.C.
Engineering
Architecture
Environmental
Planning

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May 1, 2017

Mr. James Jones
Town of Tonawanda
2919 Delaware Avenue
Kenmore, New York 14217

RE: Phase I Environmental Site Assessment
3800 River Road, Tonawanda, New York
LaBella Project No. 2151300

Dear Mr. Jones:

Attached, please find two hard copies and one pdf on CD of the Final Report for the Environmental Site Assessment at the above referenced facility. Please note the following:

1. The Final Report includes available information received to date.
2. Please review the report and contact us with any questions and comments you may have.

Feel free to contact us at your convenience at 716-768-4906.

Sincerely,

LABELLA ASSOCIATES, D.P.C.

Chris Kibler
Project Scientist
Environmental Professional

CK/KB/cm

Attachments

J:\TONAWANDA, TOWN OF\2151300 - BROWNFIELD OPPORTUNITY\ENVIRONMENTAL ASSESSMENTS\FOR KATIE\PHASE I'S FOR TONAWANDA BOA\3800 RIVER ROAD\2151300_PHASE I ESA_3800 RIVER RD., TONAWANDA, NY PHASE I_FINAL_5.1.17.DOCX

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Phase I
Environmental Site Assessment

Location:

3800 River Road
Tonawanda, New York

Prepared for:

Mr. James Jones
Town of Tonawanda
2919 Delaware Avenue
Kenmore, New York 14217

LaBella Project No. 2151300

May 1, 2017

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LaBella Associates, D.P.C. (LaBella) has been contracted by Town of Tonawanda to perform an All Appropriate Inquiry (AAI) Phase I Environmental Site Assessment (ESA) report for 3800 River Road, Town of Tonawanda, Erie County, New York, 14150, hereinafter referred to as the "Site".

The findings of this report are based upon a preliminary assessment of the condition of the Site within the Scope of Work and objective described below as of the date of our site observations and documentation review. This assessment was prepared according to the American Society for Testing and Materials (ASTM) Standard Practice E1527-13 to satisfy the due diligence requirements set for Town of Tonawanda. The information contained in this report is considered privileged and confidential and is intended solely for the use of Town of Tonawanda, as it applies to the Site.

1.0 EXECUTIVE SUMMARY

Based on the results of this assessment, no apparent Historical Recognized Environmental Conditions (HREC), Controlled Recognized Environmental Conditions (CREC) or de minimis conditions have been identified associated with the Site at this time; however, the following apparent Recognized Environmental Conditions (RECs) have been identified associated with the Site at this time.

SECTIONS # 5.1, 5.4, 5.5 & 7.4 – Historical Site Operations

One New York State Department of Environmental Conservation (NYSDEC) Inactive Hazardous Waste Disposal Site (IHWDS) listing (#915055) was identified associated with the Site. IHWDS #915055 is split into three operable units (OU1-OU3) which comprise the overall Tonawanda Coke facility. OU1 and OU2 are associated with the main Tonawanda Coke plant facility located east adjacent to the Site across River Road. The Site itself is listed as OU3. Coke manufacturing began at the main facility in as early as 1917. The Site was historically utilized for transferring coal from the Niagara River to the main plant facility via conveyor belts. In 1972, the Erie County Health Department granted Allied Chemical permission to dispose of waste at the Site including refuse, wood, scrap polyethylene and ceramic saddle packing from refining equipment. The disposal of coke/coal, fly ash cinders and coal tar sludge have also been documented at the Site. Tonawanda Coke purchased the Site and east adjacent parcels in 1978 and continued coke manufacturing operations. While the main Tonawanda Coke facility is still utilized for Coke production, the Site is no longer utilized by the company and has become overgrown with vegetation including the presence of an abandoned conveyor system, pump station, a former aboveground storage tank (AST) farm and other vacant industrial structures. A drainage ditch associated with the overall Coke facility traverses the Site and discharges into the Niagara River per a NYSDEC Storm Pollutant Discharge Elimination System (SPDES)-approved permit. Several investigations have been conducted at the Site and east adjacent parcels dating back to 1981 which have identified widespread contamination of several media. Previous investigations of the Site (OU3) have identified the following contamination:

- Surface soil samples were collected for analysis of volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals and cyanide; several SVOCs were detected above Industrial Use Soil Cleanup Objectives (SCOs);
- Subsurface soil samples were collected from test pits (petroleum-type odors were observed in two of the test pits advanced) for analysis of VOCs, SVOCs, metals and cyanide; only one SVOC and Arsenic in one location were detected above Industrial Use SCOs;

- Ditch and Niagara River sediments were collected for analysis of SVOCs; several SVOCs were detected in the Niagara River sediments above Industrial Use SCOs; and,
- Groundwater samples were collected from monitoring wells for analysis of VOCs, SVOCs, metals and cyanide; only one VOC and cyanide were detected above applicable NYSDEC groundwater standards.

Additional investigation was conducted at the Site in September 2016 to support the development of a Feasibility Study. This investigation included the collection and laboratory analysis of surface soil, subsurface soil, ditch sediments and Niagara River sediments. A majority of the samples were analyzed for SVOCs and metals with a subset of samples collected and analyzed for VOCs, polychlorinated biphenyls (PCBs) and pesticides. Following submission of the draft Feasibility Study to the NYSDEC, it was determined that a subsequent investigation of the Site was necessary in order to attempt to finalize the Feasibility Study per a 2016 Order of Consent and Administrative Settlement. As a result, an investigation was conducted in November 2016 by GHD where the primary focus was to further assess the surface soil, subsurface soil, Niagara River and drainage ditch sediment, soil near and around the AST tank farm (berms), the contents of the three ASTs associated with the tank farm and the extent of coal/coke/breeze material near the Niagara River. The findings of this investigation were identified in a Draft Confirmation Investigation Report and included the following:

- SVOC contamination was identified in surface soils on the north and west portions of the Site typically proximate observable coal or coke. These materials are not considered hazardous. GHD concluded that the presence of these materials could be addressed through a Site Management Plan which would establish protocols for handling such material if encountered in the future;
- SVOC contamination was identified in the subsurface soils in a few locations at the Site proximate observable coal, coke or coal tar above Industrial Use SCOs for total SVOCs. These materials are not considered hazardous. GHD concluded that the presence of these materials could be addressed through a Site Management Plan which would establish protocols for handling such material if encountered in the future;
- SVOC contamination was identified in the Niagara River sediment closest to the shore and proximate the drainage ditch outfall. GHD concluded that removal of the contaminated sediment would be appropriate;
- SVOC and metal contamination was identified in the drainage ditch sediment. GHD recommended keeping the ditch in its natural state rather than remediating such so as to not destroy the natural habitat. If remediation was to take place within the ditch, GHD recommended rather than physically attempting to remove the contaminants, a reduction in future release of sediment was more practical. This could be accomplished through the installation of an in-line sedimentation basin in the ditch at a location proximal to the Niagara River to minimize the potential for future sediment discharge from the Site;
- Tar was confirmed to be present within the three ASTs as well as within the berm material surrounding the ASTs. This material reportedly qualifies for recycling within the Tonawanda Coke plant. The extent of tar impact to the soil underlying the berms was not confirmed; however, it did not appear that there was any lateral migration of the tar beyond the berms. As a result, GHD concluded that the amount of impacted material in the tank area was limited; and,
- The area of the coal/coke/breeze material was determined to be up to five feet thick, relatively free of impurities and could be readily delineated from the underlying soil. GHD concluded that this material qualifies for recycling within the Tonawanda Coke plant.

GHD anticipated that following review and acceptance of this Confirmation Investigation Report by the NYSDEC, a Proposed Remedial Action Plan and Record of Decision (ROD) could be issued for the Site. As of the date of this report, it is unknown if the Draft Confirmation Investigation Report was submitted to the NYSDEC for review and comment. As such, the current status of on-going remediation at the Site under the direction of the NYSDEC is unknown.

SECTIONS # 5.2 & 5.5 – Adjoining/Adjacent Property Uses

Adjoining/Adjacent property uses have historically included and to some extent currently include, various commercial and/or industrial-type operations including but not limited to a wastewater treatment plant, storage tank farms, chemical manufacturing plants, coke manufacturing, petroleum plants, steel facilities and automotive repair facilities dating back as far as at least the 1920s. Several NYSDEC regulatory listings have been identified associated with the adjoining/adjacent properties related to releases, violations and contamination of various media.

Based on the findings of this assessment, further investigation appears warranted at this time.

2.0 INTRODUCTION

2.1 Purpose

This investigation was requested to identify, to the extent feasible, Recognized Environmental Conditions in connection with the Site, including the identification of conditions indicative of releases and threatened releases of hazardous substances on, or in the vicinity of the Site. This AAI Phase I ESA report was conducted in general conformance with the Scope and Limitations of ASTM Standard Practice E1527-13.

The term, Recognized Environmental Condition (REC), is defined by ASTM as the presence or likely presence of any hazardous substances (as currently defined by the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) including pollutants and contaminants) or petroleum products (excluded from the definition of hazardous substance and controlled substances; or the presence of petroleum products as defined by the Resource Conservation and Recovery Act, the Oil Pollution Act of 1990, and the Clean Water Act) in, on, or at a property due to release to the environment, under conditions indicative of a release to the environment, or under conditions that pose a material threat of a future release to the environment.

The term “REC” is not intended to include “de minimis” conditions that generally do not present a threat to human 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 conditions are not Recognized Environmental Conditions or Controlled Recognized Environmental Conditions.

The term “data gap” means lack or inability to obtain information required by the standards and practices as defined in ASTM Standard Practice E1527-13 despite good faith efforts by the Environmental Professional and Environmental Analyst.

The performance of ASTM Standard Practice E1527-13 is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs and the potential liability for contamination to be present in connection with the Site recognizing reasonable limits of time and cost. It is also intended to add protection from CERCLA liability for innocent landowner defense, bona fide prospective purchaser, contiguous property owners and grantors who meet certain statutory requirements.

The objective of this AAI Phase I ESA was to determine the following, using our professional judgment, by means of the Scope of Work hereafter described.

1. A general description of the Site.
2. The current and historical usage of the Site and adjoining properties.
3. Whether RECs exist or have the potential to exist at the Site.
4. Whether Site conditions suggest further evaluation based on the presence or probable presence of such RECs.
5. Provide information which may assist the client in evaluating the fair market value of the Site.

2.2 Subsurface Risks/Unanticipated Hazardous Materials

This work for this report has been performed in accordance with generally accepted environmental engineering practices for this region. The conclusion and recommendations of this report are based upon our opinion and judgment, and are dependent upon LaBella's knowledge, information supplied by the present owner and managers of the Site, and data and information solicited from governmental agencies. LaBella makes no other warranty or representation, either expressed or implied, nor is one intended to be included as part of its services, proposals, contracts, or reports.

In addition, LaBella cannot provide guarantees, certifications, or warranties that the property is or is not free of environmental impairment without a subsurface investigation involving drilling, vapor analysis, laboratory soil analysis, groundwater monitoring well installation, and laboratory groundwater analysis. Even with such a program, the data and samples from any given soil boring or monitoring well will indicate conditions that apply only at that particular location, and such conditions may not necessarily apply to the general Site as a whole.

2.3 Scope of Work

The major components of an AAI Phase I ESA report include a visual inspection of the Site and adjoining properties; interviews and review of documents from past and present owners, occupants, managers, representatives and neighbors to the extent necessary; interviews with tribal and local government agency representatives; review of tribal, local and state records relative to the Site; and a review of tribal, local, state and federal standard environmental record sources relative to the Site. The findings and conclusions presented in this report are based on information gathered and limitations set forth in this report.

The Scope of Work performed in this assessment is limited to the areas described as follows:

1. Interviews with and/or record reviews of each of the following to obtain information directly regarding environmental concerns at or in the immediate vicinity of the Site, which is available directly by file or through general knowledge of the individual being interviewed. Information sources include:

a. United States Environmental Protection Agency (USEPA)
b. NYSDEC, Region 9
c. New York State Health Department (NYSDOH)
d. Erie County Environmental Management Council (ECEMC)
e. Town of Tonawanda Municipal Offices

2. Review of the following federal, state and local environmental records and databases to aid in the identification of conditions at or related to the Site and property, adjacent to or in the immediate vicinity of the Site, including:
    a. USEPA National Priority List (NPL) – 1.0 mile
    b. USEPA Delisted NPL – 0.5 mile
    c. USEPA Superfund Enterprise Management System (SEMS) and SEMS Archived Sites– 0.5 mile
    d. USEPA Resource Conservation and Recovery Act (RCRA) Corrective Action Sites (CORRACTS) Treatment, Storage, and Disposal Facility Listing (TSD) – 1.0 mile
    e. USEPA RCRA non-CORRACTS TSD – 0.5 mile
    f. USEPA RCRA Large, Small and Conditionally Exempt Small Quantity Generator Listing – Site and adjoining properties
    g. National Response Center Emergency Response and Notification System Listing (ERNS) – Site only
    h. Federal, state and local Institutional Controls/Engineering Controls and Land Use Restrictions - Site only
    i. NYSDEC Registry of Inactive Hazardous Waste Disposal Sites (IHWDS) (state equivalent of NPL Sites) – 1.0 mile
    j. NYSDEC Registry of Brownfield Cleanup Program (BCP), Voluntary Cleanup Program (VCP), Environmental Restoration Program (ERP) Sites – 0.5 miles
    k. NYSDEC Hazardous Substance Waste Disposal Site Inventory (state equivalent of SEMS Sites) – 0.5 mile
    l. NYSDEC Part 360 Permitted Solid Waste Disposal Facilities – 0.5 mile
    m. Local Inventory of Waste Disposal Sites – 0.5 mile
    n. NYSDEC Listing of Registered Petroleum Bulk Storage Facilities (PBS), Chemical Bulk Storage Facilities (CBS), and Major Oil Storage Facilities (MOSF) – Site and adjoining properties
    o. NYSDEC Listing of Active Spills and Leaking Storage Tanks – 0.5 miles
    p. United States Geological Survey (USGS) Topographic Quadrangle Map Buffalo NW, New York
    q. United States Department of Agriculture (USDA) Erie County Soil Survey obtained from the Natural Resource Conservation Service (NRCS) website
    r. Previous environmental assessments
    s. Aerial photographs of the area
    t. Local plat maps

u. Local street directories

Due to the limited timeframe available to conduct this assessment, not all responses have been received from Freedom of Information Law (FOIL) requests that were submitted as a part of this report as of the date of this report submission. Any pertinent information obtained as part of the FOIL requests will be included in a Letter of Addendum (refer to Section 7.0).

3. Site visit on March 3, 2017 by Ms. Katherine Bauer of LaBella to photograph the Site and to visually identify areas of concern as defined in the agreement.

4. Completion of LaBella's AAI Phase I ESA Site Reconnaissance Report.

5. Completion of a User Questionnaire completed by Mr. James Jones of the Town of Tonawanda.

2.4 Significant Assumptions

As a result of the unavailability or lack of receipt of information the following assumption was made in order to complete the Scope of Work in the time frame desired by the Town of Tonawanda.

- Groundwater flow direction in the vicinity of the Site was estimated based on review of area topographic maps. Determination of site-specific groundwater flow direction typically requires installing at least three groundwater monitoring wells, surveying the wells, and collecting groundwater elevation data (refer to Section 3.2).

As stated in the Agreement, Town of Tonawanda acknowledges this assumption and hereby agrees to release and hold LaBella harmless from any liability arising from or relating to any conclusions made or not made based on this assumption.

2.5 Limitations and Exceptions of Assessment

ASTM Standard Practice E1527-13 expressly recognized the fact that no ESA can wholly eliminate uncertainty regarding the potential for RECs in connection with a property. LaBella's work is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs in connection with the Site, and its Scope of Work reflects a recognition of the reasonable limits of time and cost.

The work for this report has been performed in accordance with generally accepted environmental engineering practices for this region. The conclusion and recommendations of this report are based upon LaBella's opinion and judgment, and are necessarily dependent on information supplied by the individuals, entities, and agencies described in Section 2.3. LaBella makes no other warranty or representation, either expressed or implied, nor is one intended to be included as part of its services, proposals, contracts, or reports.

The actual presence of radon, lead-based paint, lead in drinking water, mold-related issues, electromagnetic frequencies, asbestos-containing building materials, wetlands, cultural and historic resources, ecological resources, and endangered species are not included in the Scope of Work of this assessment. Additionally, regulatory compliance, industrial hygiene, health and safety, and indoor air quality are not included in the Scope of Work of this assessment.

It is further noted that due to post 9/11 terrorist related concerns, the NYSDEC has limited the availability of petroleum bulk storage, chemical bulk storage, and major oil storage facility details, and detailed spill information to the public. However, LaBella does have access to the addresses of current PBS, CBS, and MOSF locations accessed from the database from the NYSDEC website. In addition, this information can usually be acquired by a FOIL to the regulating agency to attempt to obtain this relevant and reasonably ascertainable environmental information for AAI Phase I ESA reports. If this information is not obtainable then it will be discussed as a data gap in Section 8.2.1.

Visual observations were limited at the time of the site visit due to size, snow cover, vegetative growth, and topographic conditions at the Site. It should be noted that the site visit was limited to visual observations from the Site boundary perimeter. Areas of the Site that were inaccessible were left to the judgment and discretion of the Environmental Analyst conducting the site visit.

2.6 Special Terms and Conditions

Town of Tonawanda and LaBella have agreed that the Scope of Work described in Section 2.3, and the Limitations and Exceptions described in Section 2.5 above, are acceptable to you and that to the fullest extent permitted by law, LaBella shall not be liable to you for limiting its investigation to the Scope of Work described. Based on the engagement and Scope of Work agreed upon, our evaluation of the Site is as presented herein.

2.7 User Reliance

Town of Tonawanda may rely upon the findings of this report and should be aware of the agreed upon Scope of Work and the limitations associated with this Scope of Work.

3.0 SITE DESCRIPTION

The Site consists of approximately 25.99 acres of vacant industrial land located west of River Road and east of the Niagara River. The Site is fenced off and overgrown with vegetation. A gravel driveway is located along the north Site boundary. The remnants of three rusted aboveground storage tanks (ASTs), a coal conveyer belt, and apparent derelict industrial structures were observed in the 2015 aerial photography of the Site as discussed in Section 5.5.2 below.

3.1 Site Location and Legal Description

The parcel that comprises the Site is outlined in the table below. Property boundaries for the purpose of this assessment were obtained from the Landmax Data Systems, Inc. website. A map depicting the tax parcel that comprises the Site is located in the Figures and Photographs Appendix of this report.

Legal Address	Tax Account Number	Property Use Code	Acreage
3800 River Road	64.12-4-3	340 – Vacant Industrial Land	25.99

3.2 Site and Vicinity Characteristics

The Site is located within an urban area. According to the 7.5-minute Buffalo Northwest, New York quadrangle USGS Map, the Site consists of slightly sloping land to the west. The USGS map depicts three aboveground storage tanks, a conveyer and a small structure on-site as well as a drainage ditch associated with the larger Tonawanda Coke plant east adjacent, flowing through the Site in a northeast

to southwest direction and into the Niagara River. Based on interpretation of the USGS topographic map, groundwater flow at the Site appears to generally be to the west. According to the USDA Erie County Soil Survey obtained from the Natural Resource Conservation Service (NRCS) website, soils at the Site consist mainly of Urban land. Urban land consists of areas where the original soil surface has been covered with impervious surfaces, such as asphalt, concrete, or buildings. In most areas the underlying soil material has been cut away or covered with fill from adjacent areas.

3.3 Present Ownership and Use

Based on the Town of Tonawanda records, the Site is currently owned by Tonawanda Coke Corporation. The Site is currently vacant industrial land.

3.4 Site Improvements

3.4.1 Structures and Improvements

There are reportedly derelict industrial structures located on the Site per the 2015 aerial photography.

3.4.2 Roads

The Site is bordered by River Road to the east.

3.4.3 Current Site Utilities

Public utilities are available for connection to the Site.

3.4.4 Current Use of the Adjoining Properties

The Site is bordered by the following properties.

Direction	Occupant
North	Suit-Kote Corporation and Niagara River World
East	Niagara Mohawk Power Corporation
South	Erie County Water Authority and Niagara Mohawk Power Corporation
West	Niagara River

4.0 USER PROVIDED INFORMATION

In accordance with the ASTM E1527-13, a "User" is defined as the party seeking to complete an environmental site assessment of the property. If the user is aware of any specialized knowledge or experience that is material to RECs in connection with the Site, it is the user's responsibility to communicate any information based on such specialized knowledge or experience to the environmental professional. The User Questionnaire was completed by Mr. James Jones of the Town of Tonawanda. A copy of the User Questionnaire is included in Appendix 7.

4.1 Title Records

According to the ASTM Standard Practice E1527-13, "the user should either engage a title company or title professional to undertake a review of reasonably ascertainable land title records and lien records for environmental liens or activity and use limitations currently recorded against or relating to the

property or to negotiate such an engagement of a title company or title professional as an addition to the Scope of Work to be performed by the Environmental Professional."

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Are land title records available for review?	The User reported land title records are not available for review.

4.2 Environmental Liens or Activity and Use Limitations

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Did a search of *recorded land title records* identify any environmental liens filed or recorded against the *property* under federal, tribal, state or local law?	The User did not report environmental liens currently recorded against or relating to the property. In addition, the User did not report any activity or use limitations currently recorded against or relating to the property.
Did a search of *recorded land title records* identify any AULs, such as *engineering controls*, land use restrictions or *institutional controls* that are in place at the *property* and/or have been filed or recorded against the *property* under federal, tribal, state or local law?	The User is not aware of any AULs, such as engineering controls, land use restriction, or institutional controls that are in place at the Site and/or have been filed or recorded in a registry under federal, tribal, state, or local law.

4.3 Specialized Knowledge

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Does the *User* of this *ESA* have any specialized knowledge or experience related to the *property* or nearby properties? For example, is the *User* involved in the same line of business as the current or former *occupants* of the *property* or an *adjoining property* so that the *User* would have specialized knowledge of the chemicals and processes used by this type of business?	The User does not have any specialized knowledge or experiences related to the property or nearby properties.

4.4 Commonly Known or Reasonably Ascertainable Information

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Is the *User* aware of commonly known or *reasonably ascertainable* information about the *property* that would help identify conditions indicative of releases or threatened releases?	The User is unaware of commonly known or reasonably ascertainable information about the property that would help to identify conditions indicative of releases or threatened releases.

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Based on the *User's* knowledge and experience related to the *property* are there any *obvious* indicators that point to the presence or likely presence of releases at the *property*?	The User is indicated that as a result of historical coke manufacturing conducted at the Site, the NYSDEC is currently conducting an on-going investigation at the Site.

4.5 Valuation Reduction for Environmental Issues

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Does the purchase price being paid for the *property* reasonably reflect the fair market value of the *property*?	The User did not report a below fair market value purchase price.
If the *User* concluded that there is a difference, has the *User* considered whether the lower purchase price is because contamination is known or believed to be present at the *property*?	The User did not report a below fair market value purchase price.

4.6 Reason for Performing Phase I ESA

According to ASTM 1527-13, either the User shall make known to the environmental professional the reason why the User wants to have the Phase I ESA preformed or, if the User does not identify the purpose of the Phase I ESA, the environmental professional shall assume the purpose is to qualify for the Landowner Liability Protections under the Brownfields Amendments. The User reported the Phase I ESA was performed as part of Step 2 of the Town of Tonawanda Brownfield Opportunity Area.

5.0 STANDARD ENVIRONMENTAL RECORD SOURCES – FEDERAL AND STATE

Federal, state and local environmental records were reviewed as a part of this assessment, in accordance with ASTM 1527-13 standard. Listings identified within the standard search radius outlined in ASTM 1527-13 are detailed in their respective sections below. Each listing identified was reviewed by LaBella and evaluated. Copies of the regulatory records documentation are included in Appendix 1.

5.1 Site Listings

One NYSDEC IHWDS listing (#915055) was identified associated with the Site. A copy of the listing is included in Appendix 1. IHWDS #915055 is split into three operable units (OU1-OU3) which comprise the overall Tonawanda Coke facility. OU1 and OU2 are associated with the main Tonawanda Coke plant facility located east adjacent to the Site across River Road; refer to Section 5.2 below. The Site itself is listed as OU3. Coke manufacturing began at the main facility in as early as 1917. The Site was historically utilized for transferring coal from the Niagara River to the main plant facility via conveyor belts. In 1972, the Erie County Health Department granted Allied Chemical permission to dispose of waste at the Site including refuse, wood, scrap polyethylene and ceramic saddle packing from refining equipment. The disposal of coke/coal, fly ash cinders and coal tar sludge have also been documented at the Site. Tonawanda Coke purchased the Site and east adjacent parcels in 1978 and continued coke manufacturing operations. While the main Tonawanda Coke facility is still utilized for Coke production, the Site is no longer utilized by the company and has become overgrown with vegetation including the

presence of an abandoned conveyor system, pump station, a former aboveground storage tank farm and other vacant industrial structures. A drainage ditch associated with the overall Coke facility traverses the Site and discharges into the Niagara River per a NYSDEC SPDES-approved permit. Several investigations have been conducted at the Site and east adjacent parcels dating back to 1981 which have identified widespread contamination of several media. Previous investigations of the Site (OU3) have identified the following contamination:

- Surface soil samples were collected for analysis of VOCs, SVOCs, metals and cyanide; several SVOCs were detected above Industrial Use SCOs;
- Subsurface soil samples were collected from test pits (petroleum-type odors were observed in two of the test pits advanced) for analysis of VOCs, SVOCs, metals and cyanide; only one SVOC and Arsenic in one location were detected above Industrial Use SCOs;
- Ditch and Niagara River sediments were collected for analysis of SVOCs; several SVOCs were detected in the Niagara River sediments above Industrial Use SCOs; and,
- Groundwater samples were collected from monitoring wells for analysis of VOCs, SVOCs, metals and cyanide; only one VOC and cyanide were detected above applicable NYSDEC groundwater standards.

Additional investigation was conducted at the Site in September 2016 to support the development of a Feasibility Study. This investigation included the collection and laboratory analysis of surface soil, subsurface soil, ditch sediments and Niagara River sediments. A majority of the samples were analyzed for SVOCs and metals with a subset of samples collected and analyzed for VOCs, PCBs and pesticides. Following submission of the draft Feasibility Study to the NYSDEC, it was determined that a subsequent investigation of the Site was necessary in order to attempt to finalize the document per a 2016 Order of Consent and Administrative Settlement. Such occurred in November 2016; refer to Section 5.4 for further information.

5.2 Adjoining Property Listings

Adjacent East – Tonawanda Coke

Two NYSDEC IHWDS listings (#915055 and #915003A) were identified associated with the east adjacent property addressed as 3875 River Road. Copies of these listings are included in Appendix 1. IHWDS #915055 is split into three operable units (OU1-OU3) which comprise the overall Tonawanda Coke facility. OU1 and OU2 are associated with the main Tonawanda Coke plant facility located east adjacent to the Site across River Road. The Site itself is listed as OU3; refer to Section 5.1 above. Coke manufacturing began at the main facility in as early as 1917. Additional operations which have been conducted at the main plant included coke production, light oil distillation, ammonia recovery and benzene, toluene, and xylene extraction. The plant contains coke ovens, supporting structures and numerous coal/coke piles. Tonawanda Coke purchased the east adjacent parcels in 1978 and continued coke manufacturing operations. OU1 is located in the northeast corner of the main plant. Specific wastes known to be buried in OU1 include coal tar sludge, wood shavings impregnated with iron oxide, fly ash and cinders. Disposal of these materials reportedly occurred prior to Tonawanda Coke's acquisition of OU1 in 1978. OU2 encompasses a majority of the remainder of the main plant area. In 1977, an unknown quantity of brick, rubble, and related demolition waste were disposed of in OU2. Several investigations have been conducted at the Site and east adjacent parcels dating back to 1981 which have identified widespread contamination of several media. Previous investigations of the OU1 and OU2 have identified the following contamination:

- OU1
  - Surface soil samples were collected for analysis of VOCs, SVOCs and metals; two SVOCs were detected above Industrial Use SCOs;
  - Subsurface soil samples were collected from soil borings and test pits for analysis of VOCs, SVOCs and metals; no analytes were detected above Industrial Use SCOs; and,
  - Groundwater samples were collected from monitoring wells for analysis of VOCs, SVOCs, metals and cyanide; several VOCs, SVOCs and cyanide were detected above applicable NYSDEC groundwater standards.

- OU2
  - Surface soil samples were collected for analysis of VOCs, SVOCs and metals; two SVOCs were detected above Industrial Use SCOs;
  - Subsurface soil samples were collected from soil borings and test pits for analysis of VOCs, SVOCs and metals; no analytes were detected above Industrial Use SCOs; and,
  - Groundwater samples were collected from monitoring wells for analysis of VOCs, SVOCs, metals and cyanide; one VOCs, one SVOC and cyanide were detected above applicable NYSDEC groundwater standards.

In March 2008, it was determined that OU1 and OU2 do not present a current or potential threat to public health or the environment and a "No Further Action" ROD was issued by the NYSDEC. The ROD requires that Tonawanda Coke restrict access to OU1 and OU2, and that an environmental easement be filed to control the future use of OU1 and OU2. As of the date of this listing, this easement is yet to be executed.

Adjoining North – Suit-Kote Tonawanda

Regulatory listings were identified associated with the north adjoining property, addressed as 3900 river Road. Copies of the listings are included in Appendix 1. The property was occupied by Suit-Kote Tonawanda Asphalt Terminal. The apparent flow of groundwater at the property appears to be to the west and away from the Site. The listings are summarized in the table below.

Listing	Identification # (Facility Name: Address)
Federal RCRA CESQG	USEPA Handler ID: NYD980664445 (Suit-Kote Tonawanda: 3900 River Road)
State Listed MOS Facility	NYSDEC MOSF Registration #9-1400 (Suit-Kote Tonawanda Asphalt Terminal: 3900 River Road)

Federal RCRA CESQG - NYD980664445

The property is a listed RCRA Conditionally Exempt Small Quantity Generator (CESQG). The presence of the property on this listing implies that the property generates 100 kilograms or less per month of hazardous waste, or 1 kilogram or less per month of acutely hazardous waste. This listing does not imply the release of hazardous waste has occurred to the subsurface of the property.

State Listed MOS Facility - #9-1400

There is one NYSDEC Major Oil Storage Facility (MOSF) Listing associated with the property adjoining to the north of the Site. However, according to the Public Officers Law Section 87.2 (f) this information is

not available through a FOIL request based on the potential of the disclosed information to "endanger the life or safety of any person." As such, specific information regarding the amount and the contents of the tanks at this facility are unavailable at this time.

Adjoining North – Roblin Steel (Former Wickwire Spencer)

Regulatory listings were identified associated with the north adjoining property, addressed as 4000 River Road. Copies of the listings are included in Appendix 1. The property was occupied Roblin Steel (formerly Wickwire Spencer). The apparent flow of groundwater at the property appears to be to the west and away from the Site. The listings are summarized in the table below.

Listing	Identification # (Facility Name: Address)
Federal RCRA CESQG	USEPA Handler ID: NYD986907723 (EnviroTek II PRP Group: 4000 River Road)
State Listed IHWDS	NYSDEC Site Code: #915056 (Roblin Steel (formerly Wirewick Spencer): 4000 River Road)
State Listed Spill Site	Spill # 8601156 (closed), Spill # 8804429 (closed) Spill # 9107739 (closed), Spill # 0703649 (closed)

Federal RCRA CESQG – NYD986907723

The property is a listed RCRA CESQG. The presence of the property on this listing implies that the property generates 100 kilograms or less per month of hazardous waste, or 1 kilogram or less per month of acutely hazardous waste. This listing does not imply the release of hazardous waste has occurred to the subsurface of the property.

State Listed IHWDS - #915056

There is one NYSDEC IHWDS Listing associated with the property adjoining to the north of the Site. The Roblin Steel property is located at 4000 River Road in the Town of Tonawanda, Erie County. Within the area of the Roblin Steel property is a "sub site" known as the "Envirotek II facility." The Envirotek II facility consisted of a 2.5-acre parcel that operated as a chemical waste treatment and disposal facility during the 1980's by Envirotek Ltd. This listing was subdivided into four OUs, three of which were associated with the Envirotek II portion of the site. The four operable units were defined as follows: OU 1: Envirotek II – boiler house waste; OU 2: Envirotek II - VOC-impacted soils; OU 3: Envirotek II - groundwater; and OU 4: Roblin Steel. Operable Unit 4 includes all of the Roblin Steel property outside of the Envirotek II portion of the property.

Between 1990 and 1993, the Potentially Responsible Parties (PRPs) for the property conducted remedial measures including removal of drums, liquid wastes, solid wastes, and laboratory-pack containers; decontamination of process vessels, tanks, concrete pits, buildings and equipment; and removal of approximately 175 tons of VOC-contaminated soil. Between 1999 and 2001 the PRPs completed a Remedial Investigation at the Envirotek II portion of the property to further define the nature and extent of contamination resulting from Envirotek activities. Shallow groundwater (OU 3) in the vicinity of the former Envirotek facility is contaminated with chlorinated solvents. Contaminated groundwater, however, is not reaching the Niagara River, and is attenuating naturally. In 2003 and 2004 the PRPs completed Interim Remedial Measures at the three operable units associated with the Envirotek II portion of the property. In 2005 the NYSDEC issued a ROD for the Envirotek II portion of the property.

In 2007 a Remedial Investigation of the Roblin Steel property not impacted by Envirotek activities (Operable Unit 4) was completed. Although minor soil contamination was encountered, the presence of hazardous waste was not documented. As a result, remedial action was not required at OU4 and the property was subsequently reclassified as "Class 4" (no further action required; however, continued monitoring of the property is necessary). On July 30, 2012 the NYSDEC issued a Certificate of Completion for NYSDEC IHWDS #915056. An environmental easement has been filed for the entire Roblin site that will address any residual contamination that may be excavated during future redevelopment, requires subslab depressurization systems in any buildings constructed over the remnants of the known Envirotek II groundwater plume, requires groundwater monitoring, restricts use of the property to commercial or industrial uses, and provides periodic certification of the remedy. Long-term groundwater monitoring confirms that the groundwater plume associated with the Envirotek II portion of the property continues to shrink. Long-term groundwater monitoring is completed by the property owner, with the perimeter fence maintained as necessary to provide site security. The next groundwater monitoring event is scheduled for 2020.

NYSDEC Spill #8601156 (closed)

According to the closed NYSDEC Spill Report Form #8601156, dated May 19, 1986, this spill involved a report of three waste oil ASTs leaking approximately 100 gallons of waste oil to the ground surface. The released oil was analyzed for disposal purposes and subsequently cleaned prior to disposal. The NYSDEC issued a closed status to the spill on December 17, 1986.

NYSDEC Spill #8804429 (closed)

According to the closed NYSDEC Spill Report Form #8804429, dated August 18, 1988, approximately 100 gallons of therminol was released to the asphalt surface due to equipment failure. About 15 gallons were recovered included approximately 11 tons of contaminated soil for proper off-site disposal. The NYSDEC issued a closed status to the spill on December 20, 1988.

NYSDEC Spill #9107739 (closed)

According to the closed NYSDEC Spill Report Form #9107739, dated October 18, 1991, a caller reported an unknown amount of oil seeping into the Niagara River near the factory. The NYSDEC inspected the area behind 4000 River Road and found no evidence of a spill. The shoreline along the river was free of oil contamination. As a result, the NYSDEC issued a closed status to the spill on October 21, 1991.

NYSDEC Spill #0703649 (closed)

According to the closed NYSDEC Spill Report Form #0703649, dated June 28, 2007, approximately 35 gallons of petroleum was released from a tanker truck's vent line while loading hot liquid asphalt. Approximately 30 gallons of product was recovered while approximately five gallons was released to the stone pavement. The contaminated stone was scraped up and placed into three 55-gallon drums for proper off-site disposal. The NYSDEC deemed no further action necessary and issued a closed status to the spill on October 5, 2007.

Adjoining North – Niagara River World, Inc.

One NYSDEC RCRA CESQG listing (NYD986900074) was identified associated with the north adjoining property, addressed as 4002 River Road. A copy of the listing is included in Appendix 1. The property is occupied by Niagara River World Inc. The apparent flow of groundwater at the property appears to be

to the west and away from the Site. The presence of the property on this listing implies that the property generates 100 kilograms or less per month of hazardous waste, or 1 kilogram or less per month of acutely hazardous waste. This listing does not imply the release of hazardous waste has occurred to the subsurface of the property.

Adjoining South – Jerome D. Van De Water-Water Treatment Plant

One NYSDEC Chemical Bulk Storage (CBS) listing (#9-000174) was identified associated with the south adjoining property, addressed as 3750 River Road. A copy of the listing is included in Appendix 1. The property is occupied by the Jerome D. Van De Water-water treatment plant. The apparent flow of groundwater at the property appears to be to the west and away from the Site. According to the Public Officers Law Section 87.2 (f) this information is not available through a FOIL request based on the potential of the disclosed information to "endanger the life or safety of any person." As such, specific information regarding the amount and the contents of the tanks at this facility are unavailable at this time.

Adjacent East – Allied Chemical-Special Chemicals Division

Regulatory listings were identified associated with the east adjacent property, addressed as 3821 River Road. Copies of the listings are included in Appendix 1. The property was occupied by Allied Chemical-special chemicals division. The apparent flow of groundwater at the property appears to be to the west and towards the Site. The listings are summarized in the table below.

Listing	Identification # (Facility Name: Address)
Federal RCRA TSDF (non-CORRACTS)	USEPA Registry ID: NYD051816262
State Listed IHWDS	NYSDEC Site Codes: 915003B and 915003C

Federal RCRA TSDF (non-CORRACTS) – NYD051816262

The property is a listed RCRA TSDF (non-CORRACTS) facility potentially subject to corrective action under discretionary authority.

State Listed IHWDS - #915003B and 915003C

A disposal pit was utilized at this property in the 1950s and 1960s for the disposal of spent catalyst-containing chromium compounds, polyethylene, chlorinated polyethylene and coal tar. Remedial actions took place in 1991 including the removal of chromium-contaminated soil and fill, and coal tar from the pit. Groundwater contamination has been identified proximate the pit area; however, such are likely associated with north adjoining Tonawanda Coke operations.

5.3 ASTM Standard Regulatory Database Listings

5.3.1 USEPA National Priority List (last updated November 29, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	1.0 mile	No listings	No listings

5.3.2 USEPA Delisted National Priority List (last updated November 29, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.3 USEPA SEMS (last updated October 13, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.4 USEPA SEMS ARCHIVED (last updated October 13, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
2	0.50 mile	1	Ashland Distribution Company-Tonawanda, NY - #110000326763 (3701 River Road)
		2	Huntley Generating Station - #109 00326709 (3500 River Road)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Groundwater Flow – Towards/Away From the Site	REC (Yes/No)	Additional Information/Rationale
1	2,146 – Southeast	West – Towards the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
2	1,760 – South	West – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west and away from the Site and the distance of this facility from the Site.

Copies of the listings are included in Appendix 1.

5.3.5 USEPA RCRA CORRACTS (last updated January 20, 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
1	0.5 mile	1	Peroxychem LLC – NYD074033101 (35 Sawyer Avenue)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Groundwater Flow – Towards/Away From the Site	REC (Yes/No)	Additional Information/Rationale
1	2,790 – Southeast	West – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west and away from the Site and the distance of this facility from the Site.

Copies of the listings are included in Appendix 1.

5.3.6 RCRA Treatment, Storage, and Disposal Facilities – non-CORRACTS (last updated January 20, 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
1	0.50 mile	1	Allied Chemical-Special Chemicals Division-NYD051816262 (3821 River Road) Refer to Section 5.2.

5.3.7 USEPA RCRA Generators (last updated January 20, 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # - SQG/LQG (Address)
3	Site and Adjoining Properties	1	Envirotek II PRP Group – NYD986907723 – CESQG (4000 River Road) Refer to Section 5.2.
		2	Niagara River World – NYD986900074 – CESQG (River Road) Refer to Section 5.2.
		3	Suit-Kote Tonawanda – NYD980664445 – CESQG (3900 River Road) Refer to Section 5.2.

5.3.8 National Response Center ERNS (last updated February 16, 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	Site only	No listings	No listings

5.3.9 Federal Listed Sites with Institutional and/or Engineering Controls (last updated January 25, 2007)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	Site only	No listings	No listings

5.3.10 State Listed Facilities with Institutional and/or Engineering Controls (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
0	Site only	No listings	No listings

5.3.11 State Listed Inactive Hazardous Waste Disposal Facilities (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
11	1.0 mile	1	Tonawanda Coke - #915055 (3875 River Road) Refer to Sections 5.1 and 5.2.
		2	Roblin Steel (formerly Wickwire Spencer) - #915056 (4000 River Road) Refer to Section 5.2.
		3	Allied Chemical – Special Chemical Div. - #915003A (3875 River Road) Refer to Section 5.2.
		4	Allied Chemical – Special Chemical Div. - #915003B (3821 River Road) Refer to Section 5.2.
		5	Allied Chemical – Special Chemical Div. - #915003C (3821 River Road) Refer to Section 5.2.
		6	River Road Site - #915031 (4100 River Road)

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
		7	Polymer Applications - #915044 (3445 River Road)
		8	Niagara Mohawk-Cherry Farm - #915063 (River Road near 4000 River Road)
		9	Niagara Mohawk-Huntley Station - #915076 (River Road)
		10	O-Cel-O Products - #915042 (305 Sawyer Avenue)
		11	3M O-Cel-O Sponge Plant - #915148 (305 Sawyer Avenue)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Groundwater Flow – Towards/Away From the Site	REC (Yes/No)	Additional Information/ Rationale
6	3,060 – North	West – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west and away from the Site and the distance of this facility from the Site.
7	3,860 – Southeast	West – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west and away from the Site and the distance of this facility from the Site.
8	3,065 – North	West – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west and away from the Site and the distance of this facility from the Site.
9	1,760 – South	West – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west and away from the Site and the distance of this facility from the Site.
10	3,930 – Southeast	West – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west and away from the Site and the distance of this facility from the Site.
11	3,930 – Southeast	West – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to

				the west and away from the Site and the distance of this facility from the Site.

Copies of the listings are included in Appendix 1.

5.3.12 State Listed Voluntary Cleanup Program Facilities (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.13 State Listed Brownfield Cleanup Program Facilities (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.14 State Listed Hazardous Substance Disposal Facilities (last updated 1998)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
0	0.50 mile	No listings	No listings

It should be noted that hazardous substance waste disposal sites are not currently available in a searchable web-based database. However, hazardous substance waste disposal sites were obtained from the NYSDEC on December 1, 1998. As of the date of this report submission, updates to this listing have not been provided by the NYSDEC.

5.3.15 State Listed Part 360 Solid Waste Disposal Facilities (last updated February 2006)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
1	0.50 mile	1	NRG Huntley – 360 Permit # 9-1464-00089000010 (3500 River Road)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Groundwater Flow – Towards/Away From the Site	REC (Yes/No)	Additional Information/ Rationale
1	1,760 – South	West – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the west and away from the Site and the distance of this facility from the

				Site.

A copy of the listing is included in Appendix 1.

5.3.16 Local Inventory of Solid Waste Disposal Locations (provided by the Erie County Environmental Management Council – February 16, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Erie County Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.17 NYSDEC Major Oil Storage Facilities (updated nightly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name: Address – MOS Identification #
1	Site and adjoining properties only	1	Suit-Kote Tonawanda Asphalt Terminal: 3900 River Road - #9-1400 Refer to Section 5.2.

5.3.18 NYSDEC Chemical Bulk Storage Facilities (updated nightly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name: Address – CBS Identification #
1	Site and adjoining properties only	1	Jerome D. Van De Water Treatment Plant: 3750 River Road - #9-000174 Refer to Section 5.2.

5.3.19 NYSDEC Petroleum Bulk Storage Facilities (updated nightly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name: Address – PBS Identification #
0	Site and adjoining properties only	No listings	No listings

5.3.20 NYSDEC Active and Closed/Inactive Spill Listings (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Listing Number	Facility Name: Address – Spill # (status)
0 active 4 closed/inactive	Active listings: 0.25 mile Closed/inactive listings: Site and adjoining properties only	1	Roblin Industrial Park: 4000 River Road - #8601156 (closed)
		2	Marathon Petroleum: 4000 River Road - #8804429 (closed)
		3	Old Wickwire Factory: 4000 River Road - #9107739 (closed)
		4	Terminal: 4000 River Road – #0703649 (closed)

Due to the urban nature of the area in which the Site is located, the search radius has been reduced from 0.50 mile to 0.25 mile, per ASTM 1527-13. Refer to Section 5.2. for further information associated with the aforementioned spill listings.

5.3.21 Assessment of the Potential for Soil Vapor Intrusion

Vapor intrusion is the entry of VOCs to indoor air from underlying contamination in soil and groundwater. Based on the results of this assessment, historical VOC contamination has been documented at the Site. As a result, should subsurface impact be encountered during future Site development, the potential for soil vapor intrusion should be evaluated at that time including the potential for implementation of vapor mitigation measures.

5.4 Additional Environmental Record Sources

5.4.1 Review of Previous Environmental Reports

LaBella reviewed the following environmental reports. Copies of the reports are included in Appendix 8.

- Field Investigation Report, prepared by the NYSDEC, dated September 8, 2016
- Draft Confirmation Investigation Report for Site 108 – Tonawanda Coke Corporation, prepared by GHD, dated November 4, 2016

Field Investigation Report

Based on the contents of the report, the Site is not currently being utilized. The Site was observed to be overgrown with vegetation and included three ASTs, a coal conveyor belt, and a few rusted structures. NYSDEC personnel performed a gamma walkover survey of specific areas of the Site and four pieces of identified slag material were subsequently collected from the Site surface and advanced test pits to determine if Technologically Enhanced Naturally Occurring Radiological Material (TENORM) was present in the slag material. The bagged samples were screened with a meter and compared to background concentrations of material collected proximate River Road. Based on a concentration comparison, the NYSDEC indicated that the slag material identified at the Site was not of concern.

Draft Confirmation Investigation Report

Based on the contents of the report, the primary focus of this investigation was to further assess the surface soil, subsurface soil, Niagara River and drainage ditch sediment, soil near and around the AST tank farm (berms), the contents of the three ASTs associated with the tank farm and the extent of coal/coke/breeze material near the Niagara River. The findings of this investigation included the following:

- SVOC contamination was identified in surface soils on the north and west portions of the Site typically proximate observable coal or coke. These materials are not considered hazardous. GHD concluded that the presence of these materials could be addressed through a Site Management Plan which would establish protocols for handling such material if encountered in the future;
- SVOC contamination was identified in the subsurface soils in a few locations at the Site proximate observable coal, coke or coal tar above Industrial Use SCOs for total SVOCs. These materials are not considered hazardous. GHD concluded that the presence of these materials could be addressed through a Site Management Plan which would establish protocols for handling such material if encountered in the future;
- SVOC contamination was identified in the Niagara River sediment closest to the shore and proximate the drainage ditch outfall. GHD concluded that removal of the contaminated sediment would be appropriate;
- SVOC and metal contamination was identified in the drainage ditch sediment. GHD recommended keeping the ditch in its natural state rather than remediating such so as to not destroy the natural habitat. If remediation was to take place within the ditch, GHD recommended rather than physically attempting to remove the contaminants, a reduction in future release of sediment was more practical. This could be accomplished through the installation of an in-line sedimentation basin in the ditch at a location proximal to the Niagara River to minimize the potential for future sediment discharge from the Site;
- Tar was confirmed to be present within the three ASTs as well as within the berm material surrounding the ASTs. This material reportedly qualifies for recycling within the Tonawanda Coke plant. The extent of tar impact to the soil underlying the berms was not confirmed; however, it did not appear that there was any lateral migration of the tar beyond the berms. As a result, GHD concluded that the amount of impacted material in the tank area was limited; and,
- The area of the coal/coke/breeze material was determined to be up to five feet thick, relatively free of impurities and could be readily delineated from the underlying soil. GHD concluded that this material qualifies for recycling within the Tonawanda Coke plant.

5.4.2 Other Records

No other records were obtained or were reasonably ascertainable for review.

5.5 Historical Use Information on the Property and Adjoining Properties

LaBella attempted to review reasonably ascertainable and readily available standard sources of historical information as defined by the ASTM Standard Practice E1527-13 in order to identify all obvious usages of the Site back to the first developed use or 1940, whichever is earlier (i.e., the historical research objective according to ASTM). Uses of the properties adjoining the Site are identified in this report only to the extent that this information is revealed in the course of researching the Site itself and were determined at the discretion of the Environmental Analyst. As such, LaBella reviewed only as

many of these sources as necessary to achieve the historical research objective. It should be noted that the lack of availability of reasonably ascertainable and readily available standard ASTM required sources have the potential to affect the findings of this assessment and can impact the ability of the Environmental Professional or Analyst to identify recognized environmental conditions and may result in a data failure (defined in Section 8.2.1 of this report). A data failure may represent a significant data gap. Data failures and data gaps are identified, defined, and evaluated for their significance in Section 8.2 of this report.

Standard historical sources LaBella attempted to review are outlined in the table below.

Section	Historical Source	Date(s)	Source/Comments
5.5.1	Sanborn Fire Insurance Maps	Not applicable	EnviroSite Corporation Sanborn map coverage does not appear to include the Site and surrounding area.
5.5.2	Aerial Photographs	1927, 1938, 1942, 1951, 1958, 1966, 1985, 1990, 1995, 2005, 2015	Erie County Soil and Water Conservation District and Google Earth
5.5.3	Property Tax Files	Not applicable	Town of Tonawanda municipal offices
5.5.4	Recorded Land Title Records	Not applicable	Not provided to LaBella for review.
5.5.5	Historical Plat Maps	1880, 1909	Buffalo Erie County Public Library
5.5.6	Local Street Directories	1981, 1985, 1990, 1995, 2000, 2006, 2010, 2016	Buffalo Erie County Public Library
5.5.7	Building Department Records	Not applicable	Town of Tonawanda municipal offices

5.5.1 Sanborn Fire Insurance Maps

Sanborn fire insurance maps do not appear to provide coverage to the Site and surrounding properties. As such, Sanborn fire insurance maps were not reviewed as part of this Phase I ESA. A copy of the "No Coverage" letter obtained from EnviroSite Corporation is included in Appendix 2.

5.5.2 Aerial Photography

The table below outlines observations of the Site and adjoining/adjacent properties obtained from the review of aerial photographs.

Date	Observations
1927	Site: Undeveloped land, some disturbed soil apparently associated with construction to the north and a recently filled-in Rattlesnake Creek along the Niagara River North: Undeveloped land, disturbed soil apparently associated with construction South: Undeveloped land, disturbed soil apparently associated with a recently filled-in Rattlesnake Creek and agricultural land East: Erie Canal West: Niagara River
1938	Site: Undeveloped land, some disturbed soil apparently associated with

	construction to the north North: Undeveloped land, disturbed soil apparently associated with construction South: Undeveloped land East: Disturbed soil apparently associated with a recently filled-in Erie Canal and agricultural land West: Niagara River
Date	**Observations**
1942	Site: Undeveloped land, some disturbed soil apparently associated with construction, coal conveyor belt North: Industrial South: Undeveloped land, disturbed soil East: Disturbed soil apparently associated with construction, apparent stockpiling West: Niagara River
1951	Site: Undeveloped land, coal conveyor belt North: Industrial including a storage tank farm South: Undeveloped land, disturbed soil East: Undeveloped land and apparent stockpiling West: Niagara River
1958	Site: Three large ASTs, coal conveyor belt, apparent structures proximate northwest corner and west end of coal conveyor belt, disturbed soil, apparent ditch bisects Site from northeast corner to southwest corner North: Industrial including storage tank farm, disturbed soil South: Undeveloped land East: Industrial West: Niagara River
1966	Site: Three large ASTs, coal conveyor belt, apparent structures proximate northwest corner and west end of coal conveyor belt, disturbed soil, apparent ditch bisects Site from northeast corner to southwest corner North: Industrial including storage tank farm, disturbed soil South: Undeveloped land, disturbed soil East: Industrial West: Niagara River
1985, 1990 and 1995	Site: Three large ASTs, coal conveyor belt, apparent structures proximate northwest corner and west end of coal conveyor belt, disturbed soil proximate Site center, apparent ditch bisects Site from northeast corner to southwest corner, apparent staining in ditch and proximate west portion of Site North: Industrial including storage tank farm South: Apparent water treatment plant with pond East: Industrial West: Niagara River
2005 and 2015	Site: Three large rusted ASTs, coal conveyor belt, apparent structure proximate west end of coal conveyor belt, apparent ditch bisects Site from northeast corner to southwest corner which appears ponded in

	three areas North: Industrial including storage tank farm, disturbed soil and an apparent vehicle storage area South: Apparent water treatment plant with pond East: Industrial West: Niagara River

Copies of the aerial photographs are included in Appendix 3.

5.5.3 Property Tax files

A FOIL request was submitted to the Town of Tonawanda on January 31, 2017. Based upon records reviewed, no records of environmental concern were identified associated with the Site. Copies of the FOIL request and records obtained are included in Appendix 6. In addition, limited assessment information was obtained from the Landmax Data Systems, Inc. website. This information is outlined in Sections 3.1 and 3.4.1. Copies of these records are also included in Appendix 6.

5.5.4 Recorded Land Title Records

Title records were not reasonably ascertainable as part of the Scope of Work of this assessment, and as such, were not provided and reviewed as part of this Phase I ESA report. Refer to Section 4.1 for additional details.

5.5.5 Historical Atlases

1880 and 1909 Historical Atlases

The Site was comprised of portions of two parcels, owned by two separate entities. The Site appears to have been undeveloped. The Erie Canal borders the east boundary of the Site and the Niagara River is located to the west. Rattlesnake Creek splits the east portion of the Site from the west portion (Rattlesnake Island).

Copies of the historical atlases are included in Appendix 2.

5.5.6 Local Street Directories

Listings identified associated with the Site and adjoining/adjacent properties in the Polk Buffalo Northwest street directories are detailed in the table below.

Year	Historical Use
1981	Site: Unlisted (3800 River) North: Ascension Chemical Of Am Corp mfg, Marathon Oil Company, Green A P Refractories Co, River Chemical Inc, Rupp Rigging Corp, Bigelow Pitak Corp (4000 River) South: Erie County Water Authority water treatment plant (3750 River) East: Unlisted (0 River) West: Niagara River
1985	Site: Unlisted (3800 River) North: Roblin Industrial Park, International Trucking Inc, Marathon Oil Company, Green A P Refractories Co, Rupp Rigging Corp (4000 River)

	South: Erie County Water Authority water treatment plant (3750 River) East: Unlisted (0 River) West: Niagara River
Year	**Historical Use**
1990	Site: Unlisted (3800 River) North: Niagara River World Industrial Park, Cojay Transport trucking, Marathon Oil Company, Green A P Refractories Co, Gibraltar Steel (4000 River) South: Erie County Water Authority (3750 River) East: Unlisted (0 River) West: Niagara River
1995	Site: Unlisted (3800 River) North: Niagara River World Industrial Park, Semmerling Fence & Supply, Marathon Oil Company, Green A P Refractories Co, Gibraltar Steel (4000 River) South: Erie County Water Authority treatment plant (3750 River) East: Unlisted (0 River) West: Niagara River
2000	Site: Unlisted (3800 River) North: Niagara River World Industrial Park, Frontier Tire Co, Hamilton's Small Engine Repair, Marathon Ashland Petroleum, Merchants Meadows (4000 River) South: Erie County Water Authority waste management (3750 River) East: Unlisted (0 River) West: Niagara River
2006	Site: Unlisted (3800 River) North: Niagara River World Industrial Park, Ajax-Smith Inc, Five West Enterprises Inc, Marathon Petroleum Co, Merchants Metals, Parts Channel Inc, Turning Point Industries Inc (4000 River) South: Unlisted (3750 River) East: Unlisted (0 River) West: Niagara River
2010	Site: Unlisted (3800 River) North: Niagara River World, Ajax-Smith Inc, Frontier Tire Co, Marathon Petroleum Co, Merchants Metals, Parts Channel Inc, Turning Point Industries Inc (4000 River) South: Erie County Water Authority (3750 River) East: Unlisted (0 River) West: Niagara River
2016	Site: Unlisted (3800 River) North: Niagara River World, Marathon Petroleum Co, Merchants Metals, Keystone Automotive Industries (4000 River) South: Erie County Water Authority (3750 River) East: Unlisted (0 River) West: Niagara River

Copies of the street directories are included in Appendix 2.

5.5.7 Building Department Records

According to the Town of Tonawanda, the town has no record of permits, waste disposal, or records of environmental concern on file for the Site. Copies of the records reviewed are included in Appendix 6.

5.5.8 Summary of Historical Information

Based on the historical records reviewed, the Site consisted of undeveloped land from between at least 1880 and 1938. It appears that Rattlesnake Creek, which transected the west portion of the site in a south to north direction, was filled-in between 1909 and 1927, and that the Site was first developed by at least 1942 with a coal conveyor belt. Apparent associated outbuildings and three large ASTs were constructed by at least 1958 along with an apparent drainage ditch which bisects the Site from the northeast corner to the southwest corner proximate the Niagara River. By 1995, the Site appears to have been left to go fallow with obvious signs of abandonment by 2005. As of the time of this report the Site is listed as a vacant industrial property. Refer to Sections 5.1 and 5.4 for further information associated with the history of the Site.

Adjoining/Adjacent property uses have historically included various commercial and/or industrial-type operations including but not limited to a wastewater treatment plant, storage tank farms, chemical manufacturing plants, coke manufacturing, petroleum plants, steel facilities and automotive repair facilities dating back as far as at least the 1920s. Refer to Section 5.2 for further information associated with select adjoining/adjacent historical operations.

6.0 SITE RECONNAISSANCE

Conducted by: Ms. Katherine Bauer, Environmental Analyst

Accompanied by: Mr. James Jones of the Town of Tonawanda

Date of site visit: March 3, 2017

Representative photographs from the site visit are included in the Figures and Photographs section of this report. Site visit limitations are outlined in Section 2.5 above. It should also be noted that the site visit was limited to visual observations from the Site boundary perimeter. Copies of the field notes taken during the site visit are included in Appendix 4.

6.1 Interior Observations

As indicated above, the site visit was limited to visual observations from the Site boundary perimeter. As a result, the interior of the derelict industrial structures noted in the 2015 aerial photography were not observed at the time of the site visit.

6.2 Exterior Observations

6.2.1 Historical Usage

A brick structure apparently associated with the coal conveyor belt was observed on the northeast portion of the Site.

6.2.2 Hazardous Substances and Petroleum Products in Connection with Identified Usages

No apparent hazardous substances or petroleum products were observed on the Site at the time of the site visit.

6.2.3 Storage Tanks

No apparent indications of underground storage tanks (e.g., fill ports, vent pipes, access ways) were observed on the Site at the time of the Site visit. However, the remnants of three large ASTs were observed on the 2015 aerial photographs of the Site.

6.2.4 Odors

Noted	Additional Information
No	No apparent strong, pungent, or noxious odors were noted on the Site at the time of the site visit.

6.2.5 Pools of Liquid(s)

Observed	Additional Information
No	No apparent pools, sumps, or standing water containing liquids likely to be hazardous substances or petroleum products were noted on the Site at the time of the site visit.

6.2.6 Unidentified Substance Containers

No apparent unidentified substance containers were observed on the Site at the time of the site visit.

6.2.7 Pits, Ponds, or Lagoons

Observed on the Site – Type	Additional Information
No	No apparent pits, ponds, or lagoons were observed at the Site at the time of the site visit.

6.2.8 Stained Soil or Pavement

Observed on the Site - Type	Additional Information
No	No apparent stained soils or pavement were observed at the Site at the time of the site visit.

6.2.9 Stressed Vegetation

Observed on the Site	Additional Information
No	No apparent stressed vegetation was observed at the time of the site visit.

6.2.10 Solid Waste

Observed on the Site	Additional Information
No	No apparent solid waste disposal areas were observed at the time of the site visit.

6.2.11 Wastewater

Observed on the Site	Additional Information
Yes	Surface water created at the main Tonawanda Coke plant located east adjacent to the Site and River Road, is collected by a storm water collection system and directed to a drainage ditch which traverses the Site and discharges to a small embayment of the Niagara River. A NYSDEC SPDES permit exists for the permission of this discharge.

6.2.12 Wells

Observed on the Site - Type	Additional Information
No	No apparent wells were observed on the Site at the time of the site visit or reported to be located on the Site.

6.2.13 Septic Systems

Observed on the Site	Additional Information
No	No apparent indications of on-Site septic systems or cesspools were observed on the Site at the time of the site visit.

6.2.14 Polychlorinated Bi-phenyls (PCBs) Containing Equipment

No apparent electrical or hydraulic equipment reportedly containing PCBs were observed on the exterior portion of the Site at the time of the site visit.

7.0 INTERVIEWS

7.1 Owner

LaBella attempted to interview the owner associated with the Site; however, no such information has been obtained to date from this entity associated with the Site.

7.2 Local Government Officials

Refer to Sections 5.5.3 and 5.5.7.

7.3 Tribal Records

There do not appear to be any Native American Sovereign Territories on or within one mile of the Site. In accordance with ASTM Standard Practice E1527-13, tribal records will only be reviewed if the subject Site falls on or within one mile of Native American Sovereign Territory. Therefore, tribal government representatives were not contacted as part of this AAI Phase I ESA report.

7.4 New York State Department of Environmental Conservation

LaBella interviewed Mr. Ben McPherson, Project Manager with the NYSDEC on February 3, 2017, to discuss the on-going remediation associated with the Site. Mr. McPherson indicated that the Site addressed as 3800 River Road is part of Superfund Site # 915055 known as OU 3 AKA Site #108. Additional information and previous studies conducted on-site were provided by the NYSDEC and are summarized in Sections 5.1 and 5.4.1. Copies of the FOIL request and response are included in Appendices 1 and 6.

7.5 New York State Department of Health

A FOIL request was submitted to the NYSDOH on January 31, 2017. An acknowledgement was received on March 20, 2017. As of the date of this report submission, a complete response has not been received from the NYSDOH. Any pertinent information received as a result of this FOIL request will be included as a Letter of Addendum. A copy of the FOIL request is included in Appendix 6.

8.0 FINDINGS, OPINIONS AND CONCLUSIONS

We have performed a Phase I ESA in conformance with the scope and limitations of ASTM Practice E 1527-13 for 3800 River Road, Town of Tonawanda, Erie County, New York, 14150, the Site.

8.1 Findings

Any exceptions to, or deletions from, this practice are described in Section 2.5 of this report.

Based on the results of this assessment, the following RECs have been identified associated with the Site at this time.

SECTIONS # 5.1, 5.4, 5.5 & 7.4 – Historical Site Operations

One NYSDEC IHWDS listing (#915055) was identified associated with the Site. IHWDS #915055 is split into three operable units (OU1-OU3) which comprise the overall Tonawanda Coke facility. OU1 and OU2 are associated with the main Tonawanda Coke plant facility located east adjacent to the Site across River Road. The Site itself is listed as OU3. Coke manufacturing began at the main facility in as early as 1917. The Site was historically utilized for transferring coal from the Niagara River to the main plant facility via conveyor belts. In 1972, the Erie County Health Department granted Allied Chemical permission to dispose of waste at the Site including refuse, wood, scrap polyethylene and ceramic saddle packing from refining equipment. The disposal of coke/coal, fly ash cinders and coal tar sludge have also been documented at the Site. Tonawanda Coke purchased the Site and east adjacent parcels in 1978 and continued coke manufacturing operations. While the main Tonawanda Coke facility is still utilized for Coke production, the Site is no longer utilized by the company and has become overgrown with vegetation including the presence of an abandoned conveyor system, pump station, a former aboveground storage tank farm and other vacant industrial structures. A drainage ditch associated with the overall Coke facility traverses the Site and discharges into the Niagara River per a NYSDEC SPDES-approved permit. Several investigations have been conducted at the Site and east adjacent parcels dating back to 1981 which have identified widespread contamination of several media. Previous investigations of the Site (OU3) have identified the following contamination:

- Surface soil samples were collected for analysis of VOCs, SVOCs, metals and cyanide; several SVOCs were detected above Industrial Use SCOs;
- Subsurface soil samples were collected from test pits (petroleum-type odors were observed in two of the test pits advanced) for analysis of VOCs, SVOCs, metals and cyanide; only one SVOC and Arsenic in one location were detected above Industrial Use SCOs;
- Ditch and Niagara River sediments were collected for analysis of SVOCs; several SVOCs were detected in the Niagara River sediments above Industrial Use SCOs; and,

- Groundwater samples were collected from monitoring wells for analysis of VOCs, SVOCs, metals and cyanide; only one VOC and cyanide were detected above applicable NYSDEC groundwater standards.

Additional investigation was conducted at the Site in September 2016 to support the development of a Feasibility Study. This investigation included the collection and laboratory analysis of surface soil, subsurface soil, ditch sediments and Niagara River sediments. A majority of the samples were analyzed for SVOCs and metals with a subset of samples collected and analyzed for VOCs, PCBs and pesticides. Following submission of the draft Feasibility Study to the NYSDEC, it was determined that a subsequent investigation of the Site was necessary in order to attempt to finalize the Feasibility Study per a 2016 Order of Consent and Administrative Settlement. As a result, an investigation was conducted in November 2016 by GHD where the primary focus was to further assess the surface soil, subsurface soil, Niagara River and drainage ditch sediment, soil near and around the AST tank farm (berms), the contents of the three ASTs associated with the tank farm and the extent of coal/coke/breeze material near the Niagara River. The findings of this investigation were identified in a Draft Confirmation Investigation Report and included the following:

- SVOC contamination was identified in surface soils on the north and west portions of the Site typically proximate observable coal or coke. These materials are not considered hazardous. GHD concluded that the presence of these materials could be addressed through a Site Management Plan which would establish protocols for handling such material if encountered in the future;
- SVOC contamination was identified in the subsurface soils in a few locations at the Site proximate observable coal, coke or coal tar above Industrial Use SCOs for total SVOCs. These materials are not considered hazardous. GHD concluded that the presence of these materials could be addressed through a Site Management Plan which would establish protocols for handling such material if encountered in the future;
- SVOC contamination was identified in the Niagara River sediment closest to the shore and proximate the drainage ditch outfall. GHD concluded that removal of the contaminated sediment would be appropriate;
- SVOC and metal contamination was identified in the drainage ditch sediment. GHD recommended keeping the ditch in its natural state rather than remediating such so as to not destroy the natural habitat. If remediation was to take place within the ditch, GHD recommended rather than physically attempting to remove the contaminants, a reduction in future release of sediment was more practical. This could be accomplished through the installation of an in-line sedimentation basin in the ditch at a location proximal to the Niagara River to minimize the potential for future sediment discharge from the Site;
- Tar was confirmed to be present within the three ASTs as well as within the berm material surrounding the ASTs. This material reportedly qualifies for recycling within the Tonawanda Coke plant. The extent of tar impact to the soil underlying the berms was not confirmed; however, it did not appear that there was any lateral migration of the tar beyond the berms. As a result, GHD concluded that the amount of impacted material in the tank area was limited; and,
- The area of the coal/coke/breeze material was determined to be up to five feet thick, relatively free of impurities and could be readily delineated from the underlying soil. GHD concluded that this material qualifies for recycling within the Tonawanda Coke plant.

GHD anticipated that following review and acceptance of this Confirmation Investigation Report by the NYSDEC, a Proposed Remedial Action Plan and ROD could be issued for the Site. As of the date of this report, it is unknown if the Draft Confirmation Investigation Report was submitted to the NYSDEC for review and comment. As such, the current status of on-going remediation at the Site under the direction of the NYSDEC is unknown.

SECTIONS # 5.2 & 5.5 – Adjoining/Adjacent Property Uses

Adjoining/Adjacent property uses have historically included and to some extent currently include, various commercial and/or industrial-type operations including but not limited to a wastewater treatment plant, storage tank farms, chemical manufacturing plants, coke manufacturing, petroleum plants, steel facilities and automotive repair facilities dating back as far as at least the 1920s. Several NYSDEC regulatory listings have been identified associated with the adjoining/adjacent properties related to releases, violations and contamination of various media.

8.1.1 Additional Findings

Based on the results of this assessment, no apparent Historic Recognized Environmental Conditions, Controlled Recognized Environmental Conditions, or de minimis conditions have been identified associated with the Site at this time.

8.2 Data Failures and Data Gaps

8.2.1 Data Failures

ASTM 1527-13 defines a data failure as a failure to achieve the historical research objectives of AAI even after reviewing the standard historical sources that are reasonably ascertainable and likely to be useful. Specifically, the historical research objectives include identifying all obvious uses of the Site from the present, back to the Site's first developed use, or back to 1940, whichever is earlier.

A data failure was not encountered within Scope of Work of this assessment.

8.2.2 Data Gaps

ASTM E1527-13 defines a data gap as a lack of or an inability to obtain information required by this practice despite *good faith* efforts by the *environmental professional* to gather such information. Data gaps may result from incompleteness in any of the activities required by this practice, including, but not limited to site reconnaissance, interviews, data failure, or lack of a User Questionnaire.

Data gaps were encountered within the Scope of Work of this assessment. The first data gap includes the lack of response from the NYSDOH. The receipt of relevant environmental information as a result of FOIL requests has the ability to change the Findings and Conclusions of this report. The second data gap includes the Site visit limitations discussed in Section 2.5. The third data gap includes the lack of interview response from the current Site owner. Based on the completed FOIL response from the NYSDEC, which is handling the direct oversight of on-going remediation at the Site, these data gaps do not appear significant.

8.3 Opinion of Findings

Based on the findings of this assessment, further investigation appears warranted at this time.

9.0 DEVIATIONS

No deviations were made to the report, other than the Limitations and Exceptions as stated in Section 2.5.

10.0 ADDITIONAL SERVICES

No additional services were provided or agreed upon as part of this assessment.

11.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

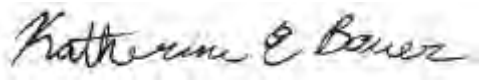
We declare that, to our knowledge and belief, we meet the definition of Environmental Professional as defined in ASTM Standard Practice E1527-13 and §312.20 of 40 CFR §312. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting at the subject property.

We have developed and performed the Scope of Work for this assessment in conformance with the standards, practices, and limitations set forth in ASTM Standard Practice E1527-13.



Chris Kibler
Project Scientist
Environmental Professional

The following representative of LaBella assisted in the completion of this report.



Katherine Bauer
Environmental Analyst

CK/KB/cm

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12.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

Chris Kibler | Project Scientist (Environmental Professional)

Chris is a Project Scientist responsible for the coordination and successful completion of Phase I and II Environmental Site Assessments (ESAs). Working with financial institutions, attorneys, private developers and municipalities, he conducts ESAs in support of real estate transactions and brownfield redevelopment initiatives. Mr. Kibler's experience includes historical and regulatory records review; field sampling and data collection using a variety of techniques and equipment; the review and evaluation of field and laboratory analytical data; and the preparation of technical reports defining potential environmental liabilities and, if warranted, remedial options.

Katherine Bauer | Environmental Analyst

Katherine is an Environmental Analyst with one year of experience conducting Phase I Environmental Site Assessments. The site assessments include evaluation of environmental liability associated with properties, and Katherine provides efficient analysis and completion of environmental reports for financial institutions, attorneys and private developers.

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Environmental
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May 1, 2017

Mr. James Jones
Town of Tonawanda
2919 Delaware Avenue
Kenmore, New York 14217

RE: Phase I Environmental Site Assessment
4999 and 5101 River Road, Tonawanda, New York
LaBella Project No. 2151300

Dear Mr. Jones:

Attached, please find two hard copies and one pdf on CD of the Final Report for the Environmental Site Assessment at the above referenced facility. Please note the following:

1. The Final Report includes available information received to date.
2. Please review the report and contact us with any questions and comments you may have.

Feel free to contact us at your convenience at 716-768-4906.

Sincerely,

LABELLA ASSOCIATES, D.P.C.

Chris Kibler
Project Scientist

CK/KB/cm

Attachments

J:\TONAWANDA, TOWN OF\2151300 - BROWNFIELD OPPORTUNITY\ENVIRONMENTAL ASSESSMENTS\FOR KATIE\PHASE I'S FOR TONAWANDA BOA\4999 & 5101 RIVER ROAD\2151300_PHASE I ESA_4999&5101 RIVER RD., TONAWANDA, NY_FINAL_5.1.2017.DOCX

LABELLA Associates, D.P.C.
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Environmental
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Olympic Towers, 300 Pearl Street, Suite 130 | Buffalo, NY 14202 | p 716.551.6281 | f 716.551.6282 | www.labellapc.com

Phase I
Environmental Site Assessment

Location:

4999 and 5101 River Road
Tonawanda, New York

Prepared for:

Mr. James Jones
Town of Tonawanda
2919 Delaware Avenue
Kenmore, New York 14217

LaBella Project No. 2151300

May 1, 2017

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LaBella Associates, D.P.C. (LaBella) has been contracted by the Town of Tonawanda to perform an All Appropriate Inquiry (AAI) Phase I Environmental Site Assessment (ESA) report for 4999 and 5101 River Road, Town of Tonawanda, Erie County, New York, hereinafter referred to as the "Site".

The findings of this report are based upon a preliminary assessment of the condition of the Site within the Scope of Work and objective described below as of the date of our site observations and documentation review. This assessment was prepared according to the American Society for Testing and Materials (ASTM) Standard Practice E1527-13 to satisfy the due diligence requirements set for the Town of Tonawanda. The information contained in this report is considered privileged and confidential and is intended solely for the use of the Town of Tonawanda, as it applies to the Site.

1.0 EXECUTIVE SUMMARY

Based on the results of this assessment, no apparent Recognized Environmental Conditions (RECs), Historical Recognized Environmental Conditions (HREC), Controlled Recognized Environmental Conditions (CREC) or de minimis conditions have been identified associated with the Site at this time.

2.0 INTRODUCTION

2.1 Purpose

This investigation was requested to identify, to the extent feasible, Recognized Environmental Conditions in connection with the Site, including the identification of conditions indicative of releases and threatened releases of hazardous substances on, or in the vicinity of the Site. This AAI Phase I ESA report was conducted in general conformance with the Scope and Limitations of ASTM Standard Practice E1527-13.

The performance of ASTM Standard Practice E1527-13 is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs (defined below) and the potential liability for contamination to be present in connection with the Site recognizing reasonable limits of time and cost. It is also intended to add protection from CERCLA liability for innocent landowner defense, bona fide prospective purchaser, contiguous property owners and grantors who meet certain statutory requirements.

The objective of this AAI Phase I ESA was to determine the following, using our professional judgment, by means of the Scope of Work hereafter described.

1. A general description of the Site.
2. The current and historical usage of the Site and adjoining properties.
3. Whether RECs exist or have the potential to exist at the Site.
4. Whether Site conditions suggest further evaluation based on the presence or probable presence of such RECs.
5. Provide information which may assist the client in evaluating the fair market value of the Site.

The term Recognized Environmental Condition (REC) is defined by ASTM as the presence or likely presence of any hazardous substances (as currently defined by the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) including pollutants and contaminants) or petroleum

products (excluded from the definition of hazardous substance and controlled substances; or the presence of petroleum products as defined by the Resource Conservation and Recovery Act, the Oil Pollution Act of 1990, and the Clean Water Act) in, on, or at a property due to release to the environment, under conditions indicative of a release to the environment, or under conditions that pose a material threat of a future release to the environment.

The term "Historical Recognized Environmental Condition" is defined by ASTM as a past release of any hazardous substance or petroleum product that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls.

The term "Controlled Recognized Environmental Condition" is defined by ASTM as resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.

The term "REC" is not intended to include "de minimis" conditions that generally do not present a threat to human 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 conditions are not Recognized Environmental Conditions or Controlled Recognized Environmental Conditions.

The term "data gap" means lack or inability to obtain information required by the standards and practices as defined in ASTM Standard Practice E1527-13 despite good faith efforts by the Environmental Professional and Environmental Analyst.

The term "Environmental Professional" is defined by ASTM as a person who possesses sufficient specific education, training, and experience necessary to exercise professional judgement to develop opinions and conclusions regarding conditions indicative of releases or threatened releases on, at, in or to a property, sufficient to meet the objectives and performance factors defined in the ASTM Standard Practice E1527-13 and §312.20 of 40 CFR §31.

2.2 Scope of Work

The major components of an AAI Phase I ESA report in conformance with ASTM Standard Practice E1527-13 include a visual inspection of the Site and adjoining properties; interviews and review of documents from past and present owners, occupants, managers, representatives and neighbors to the extent necessary; interviews with tribal and local government agency representatives; review of tribal, local and state records relative to the Site; and a review of tribal, local, state and federal standard environmental record sources relative to the Site. The findings and conclusions presented in this report are based on information gathered and limitations set forth in this report.

The Scope of Work performed in this assessment is limited to the areas described as follows:

1. Interviews with and/or record reviews of each of the following to obtain information directly regarding environmental concerns at or in the immediate vicinity of the Site, which is available directly by file or through general knowledge of the individual being interviewed. Information sources include:

a. United States Environmental Protection Agency (USEPA)
b. New York State Department of Environmental Conservation (NYSDEC), Region 9
c. New York State Department of Health (NYSDOH)
d. Erie County Department of Environment and Planning (ECDEP)
e. Town of Tonawanda Municipal Offices

2. Review of the following federal, state and local environmental records and databases to aid in the identification of conditions at or related to the Site and property, adjacent to or in the immediate vicinity of the Site, including:
    a. USEPA National Priority List (NPL) – 1.0 mile
    b. USEPA Delisted NPL – 0.5 mile
    c. USEPA Superfund Enterprise Management System (SEMS) and SEMS Archived Sites– 0.5 mile
    d. USEPA Resource Conservation and Recovery Act (RCRA) Corrective Action Sites (CORRACTS) Treatment, Storage, and Disposal Facility Listing (TSD) – 1.0 mile
    e. USEPA RCRA non-CORRACTS TSD – 0.5 mile
    f. USEPA RCRA Large, Small and Conditionally Exempt Small Quantity Generator Listing – Site and adjoining properties
    g. National Response Center Emergency Response and Notification System Listing (ERNS) – Site only
    h. Federal, state and local Institutional Controls/Engineering Controls and Land Use Restrictions - Site only
    i. NYSDEC Registry of Inactive Hazardous Waste Disposal Sites (IHWDS) (state equivalent of NPL Sites) – 1.0 mile
    j. NYSDEC Registry of Brownfield Cleanup Program (BCP), Voluntary Cleanup Program (VCP), Environmental Restoration Program (ERP) Sites – 0.5 miles
    k. NYSDEC Hazardous Substance Waste Disposal Site Inventory (state equivalent of SEMS Sites) – 0.5 mile
    l. NYSDEC Part 360 Permitted Solid Waste Disposal Facilities – 0.5 mile
    m. Local Inventory of Waste Disposal Sites – 0.5 mile
    n. NYSDEC Listing of Registered Petroleum Bulk Storage Facilities (PBS), Chemical Bulk Storage Facilities (CBS), and Major Oil Storage Facilities (MOSF) – Site and adjoining properties
    o. NYSDEC Listing of Active Spills and Leaking Storage Tanks – 0.5 miles
    p. United States Geological Survey (USGS) Topographic Quadrangle Map Tonawanda, New York
    q. United States Department of Agriculture (USDA) Erie County Soil Survey obtained from the Natural Resource Conservation Service (NRCS) website
    r. Aerial photographs of the area
    s. Historical atlases
    t. Historical topographic maps

u. Local street directories

Due to the limited timeframe available to conduct this assessment, not all responses have been received from Freedom of Information Law (FOIL) requests that were submitted as a part of this report as of the date of this report submission. Any pertinent information obtained as part of the FOIL requests will be included in a Letter of Addendum (refer to Section 7.0).

3. Site visit on March 3, 2017 by Ms. Katherine Bauer of LaBella to photograph the Site and to visually identify areas of concern as defined in the agreement.

4. Completion of LaBella's AAI Phase I ESA Site Reconnaissance Report.

5. Completion of a User Questionnaire completed by Mr. James Jones of the Town of Tonawanda.

2.3 Subsurface Risks/Unanticipated Hazardous Materials

This work for this report has been performed in accordance with generally accepted environmental engineering practices for the applicable region. The conclusion and recommendations of this report are based upon the opinion and judgment of an Environmental Professional (EP), and are dependent upon LaBella's knowledge, information supplied by the present owner and managers of the Site, and data and information solicited from governmental agencies. LaBella makes no other warranty or representation, either expressed or implied, nor is one intended to be included as part of its services, proposals, contracts, or reports.

In addition, LaBella cannot provide guarantees, certifications, or warranties that the property is or is not free of environmental impairment without a subsurface investigation involving drilling, vapor analysis, laboratory soil analysis, groundwater monitoring well installation, and laboratory groundwater analysis. Even with such a program, the data and samples from any given soil boring or monitoring well will indicate conditions that apply only at that particular location, and such conditions may not necessarily apply to the general Site as a whole.

2.4 Significant Assumptions

As a result of the unavailability or lack of receipt of information the following assumptions were made in order to complete the Scope of Work in the time frame desired by the Town of Tonawanda.

- Groundwater flow direction in the vicinity of the Site was estimated based on review of area topographic maps. Determination of site-specific groundwater flow direction typically requires installing at least three groundwater monitoring wells, surveying the wells, and collecting groundwater elevation data (refer to Section 3.2).

As stated in the Agreement, the Town of Tonawanda acknowledges this assumption and hereby agrees to release and hold LaBella harmless from any liability arising from or relating to any conclusions made or not made based on this assumption.

2.5 Limitations and Exceptions of Assessment

ASTM Standard Practice E1527-13 expressly recognized the fact that no ESA can wholly eliminate uncertainty regarding the potential for RECs in connection with a property. LaBella's work is intended to

reduce, but not eliminate, uncertainty regarding the potential for RECs in connection with the Site, and its Scope of Work reflects recognition of the reasonable limits of time and cost.

The actual presence of radon, lead-based paint, contaminants in drinking water [e.g., lead, volatile organic compounds (VOCs), "perfluorinated" compounds (PFCs), etc.], mold-related issues, electromagnetic frequencies, asbestos-containing building materials, polychlorinated byphenyl (PCB) caulk, wetlands, cultural and historic resources, ecological resources, and endangered species are not included in the Scope of Work of this assessment. Additionally, regulatory compliance, industrial hygiene, health and safety, indoor air quality and drinking water quality are not included in the Scope of Work of this assessment. Should Client want these services, LaBella can complete them; however, they are not included in the Scope of Work of the Phase I ESA.

It is further noted that due to post 9/11 terrorist related concerns, the NYSDEC has limited the availability of petroleum bulk storage (PBS), chemical bulk storage (CBS), and major oil storage facility (MOSF) details, and detailed spill information to the public. However, LaBella does have access to the addresses of current PBS, CBS, and MOSF locations accessed from the database from the NYSDEC website. In addition, this information can usually be acquired by a FOIL to the regulating agency to attempt to obtain this relevant and reasonably ascertainable environmental information for AAI Phase I ESA reports. If this information is not obtainable then it will be discussed as a data gap in Section 8.2.

Visual observations were limited at the time of the site visit due to size, snow cover, vegetative growth, and topographic conditions at the Site. It should be noted that the site visit was limited to visual observations from the Site boundary perimeter. Areas of the Site that were inaccessible were left to the judgment and discretion of the Environmental Analyst conducting the site visit.

2.6 Special Terms and Conditions

The Town of Tonawanda and LaBella have agreed that the Scope of Work described in Section 2.3, and the Limitations and Exceptions described in Section 2.5 above, are acceptable to you and that to the fullest extent permitted by law, LaBella shall not be liable to you for limiting its investigation to the Scope of Work described. Based on the engagement and Scope of Work agreed upon, our evaluation of the Site is as presented herein.

2.7 User Reliance

The Town of Tonawanda may rely upon the findings of this report and should be aware of the agreed upon Scope of Work and the limitations associated with this Scope of Work.

3.0 SITE DESCRIPTION

The 92.4-acre Site consists of undeveloped, wooded/fallow land. A gravel roadway transects the Site from the north to south Site boundary.

3.1 Site Location and Legal Description

The parcels that comprise the Site are outlined in the table below. Property boundaries for the purpose of this assessment were obtained from the Landmax Data Systems, Inc. website (Landmax). A map

depicting the individual tax parcels that comprise the Site is located in the Figures and Photographs Appendix of this report.

Legal Address	Tax Account Number	Property Use Code	Acreage
4999 River Road	52.05-1-6	340 (Industrial Vacant)	90.41
5101 River Road	52.05-1-5	340 (Industrial Vacant)	1.99

3.2 Site and Vicinity Characteristics

The Site is located within an industrial and commercial area. According to the 7.5-minute Tonawanda, New York quadrangle USGS Map, the Site consists of generally level land. The USGS map indicates that a tributary transects the south portion of the Site in a southwest to northeast direction. Based on interpretation of the USGS topographic map, groundwater flow at the Site appears to generally be to the north-northeast. According to information obtained from the Natural Resource Conservation Service (NRCS) website, soils at the Site consist mainly of Cayuga silt loam (3-8% and 8-15% slopes), Odessa-Lakemont complex (0-3% slopes) and Wayland soils complex (0-3% slopes).

3.3 Present Ownership and Use

Based on Landmax, the Site is currently owned by Ashland Oil & Refining Co. (4999 River Road) and Goetz Oil Corporation (5101 River Road). The Site currently consists of undeveloped, wooded/fallow land.

3.4 Site Improvements

3.4.1 Structures and Improvements

The Site is currently undeveloped and therefore unimproved.

3.4.2 Roads

The Site is bordered by River Road to the north.

3.4.3 Current Site Utilities

The Site is currently undeveloped; however, all public utilities are available for connection to the Site.

3.4.4 Current Use of the Adjoining Properties

The Site is bordered by the following properties.

Direction	Occupant (Address)
North beyond River Road	Niagara River pathway
East	Undeveloped, wooded land
South	FedEx Trade Networks warehouse
West	Undeveloped, fallow land and landfill

Refer to Section 5.2 for additional information regarding the west adjoining property.

4.0 USER PROVIDED INFORMATION

In accordance with the ASTM E1527-13, a "User" is defined as the party seeking to complete an environmental site assessment of the property. If the user is aware of any specialized knowledge or experience that is material to RECs in connection with the Site, it is the user's responsibility to communicate any information based on such specialized knowledge or experience to the environmental professional. The User Questionnaire was completed by Mr. James Jones of the Town of Tonawanda. A copy of the User Questionnaire is included in Appendix 7.

4.1 Title Records

According to the ASTM Standard Practice E1527-13, "the user should either engage a title company or title professional to undertake a review of reasonably ascertainable land title records and lien records for environmental liens or activity and use limitations currently recorded against or relating to the property or to negotiate such an engagement of a title company or title professional as an addition to the Scope of Work to be performed by the Environmental Professional."

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Are land title records available for review?	The User reported land title records are not available for review.

4.2 Environmental Liens or Activity and Use Limitations

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Did a search of *recorded land title records* identify any environmental liens filed or recorded against the *property* under federal, tribal, state or local law?	The User did not report environmental liens currently recorded against or relating to the property. In addition, the User did not report any activity or use limitations currently recorded against or relating to the property.
Did a search of *recorded land title records* identify any AULs, such as *engineering controls*, land use restrictions or *institutional controls* that are in place at the *property* and/or have been filed or recorded against the *property* under federal, tribal, state or local law?	The User is not aware of any AULs, such as engineering controls, land use restriction, or institutional controls that are in place at the Site and/or have been filed or recorded in a registry under federal, state, or local law.

4.3 Specialized Knowledge

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Does the *User* of this *ESA* have any specialized knowledge or experience related to the *property* or nearby properties? For example, is the *User* involved in the same line of business as the current or former *occupants* of the *property* or an *adjoining property* so that the *User* would have specialized knowledge of the chemicals and processes used by this type of business?	The User referenced documentation associated with Site regulatory listings; refer to Section 5.1 below.

4.4 Commonly Known or Reasonably Ascertainable Information

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Is the *User* aware of commonly known or *reasonably ascertainable* information about the *property* that would help identify conditions indicative of releases or threatened releases?	The User referenced documentation associated with Site regulatory listings; refer to Section 5.1 below.
Based on the *User's* knowledge and experience related to the *property* are there any *obvious* indicators that point to the presence or likely presence of releases at the *property*?	The User referenced documentation associated with Site regulatory listings; refer to Section 5.1 below.

4.5 Valuation Reduction for Environmental Issues

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Does the purchase price being paid for the *property* reasonably reflect the fair market value of the *property*?	The User did not report a below fair market value.
If the *User* concluded that there is a difference, has the *User* considered whether the lower purchase price is because contamination is known or believed to be present at the *property*?	The User did not report a below fair market value.

4.6 Reason for Performing Phase I ESA

According to ASTM E1527-13, either the User shall make known to the environmental professional the reason why the User wants to have the Phase I ESA preformed or, if the User does not identify the purpose of the Phase I ESA, the environmental professional shall assume the purpose is to qualify for the Landowner Liability Protections under the Brownfields Amendments. The User reported the Phase I ESA was performed as part of Step 2 of the Town of Tonawanda Brownfield Opportunity Area.

5.0 STANDARD ENVIRONMENTAL RECORD SOURCES – FEDERAL AND STATE

Federal, state and local environmental records were reviewed as a part of this assessment, in accordance with ASTM E1527-13 standard. Listings identified within the standard search radius outlined in ASTM E1527-13 are detailed in their respective sections below. Each listing identified was reviewed by LaBella and evaluated. Copies of the regulatory records documentation are included in Appendix 1.

5.1 Site Listings

One regulatory listing was identified associated with the Site. A copy of the listing is included in Appendix 1. A southern portion of the Site known as "Tonawanda North, Unit 2" was identified as a United States Environmental Protection Agency (USEPA) Formerly Utilized Sites Remedial Action Program (FUSRAP). Technologically Enhanced Naturally Occurring Radioactive Material (TENORM) was previously buried in this area of the Site in the 1970s. A NYSDEC Record of Decision (ROD) was signed for the Site in 1998. In 1999, more than 52,250 tons of TENORM was excavated from the area of "Unit 2" and properly shipped off-site for disposal at an approved radioactive waste disposal facility. During removal activities sampling at the Site by the U.S. Army Corps of Engineers (USACE) indicated that contamination of the on-site creek sediment had occurred associated with the TENORM material. The area of the on-site creek was added to the original ROD in 2004. In 2005 more than 33,280 tons of TENORM-contaminated sediment was excavated from the creek and properly shipped off-site for disposal at an approved radioactive waste disposal facility. Following remediation of the creek all pathways of exposure had been addressed in the on-site area of "Unit 2" and no further response was required to protect human health and the environment. This area of the Site was deemed suitable for unrestricted urban residential use. The project use of the Site was for commercial or industrial purposes. No monitoring, maintenance or site inspections are required for "Unit 2."

Based on remedial activities completed at the Site associated with the area of "Unit 2," there are no apparent RECs related to this regulatory listing identified associated with the Site this time.

5.2 Adjacent Property Listings

Adjoining West – Seaway/Niagara Landfill, Inc.

One regulatory listing was identified associated with the west adjoining property addressed as River Road, Tonawanda, New York. A copy of the listing is included in Appendix 1. The property is occupied by a landfill. The apparent flow of groundwater at the property appears to generally be to the north-northwest and away/towards the Site.

State Listed Inactive Hazardous Waste Disposal Site (IHWDS) and USEPA FUSRAP Site

The west adjoining property was identified as a NYSDEC IHWDS (Site Code: 915074). This landfill accepted wastes from municipalities and industries through western New York. Approximately 6,000 cubic yards of TENORM was disposed of at this landfill in the 1970s. A leachate collection system was added to the landfill in 1988. The landfill stopped receiving wastes in 1993. Closure of a majority of the property occurred in 1995. The portions of the property which had received TENORM are still in need of a final cap. The current status of this listing indicates that the USACE is currently evaluating various closure scenarios for the area of the property which contain TENORM. The property is currently in a 30-year post-closure monitoring and maintenance program. Leachate is sampled monthly and surface and groundwater are sampled semi-annually.

Based on the on-going remediation at the property and the identification of a responsible party in addition to the known remediation which has occurred at the Site associated with the aforementioned TENORM contamination, there are no apparent RECs related to the west adjoining regulatory records at this time. Refer to Section 5.1 for further information.

5.3 ASTM Standard Regulatory Database Listings

5.3.1 USEPA National Priority List (last updated November 24, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	1.0 mile	No listings	No listings

5.3.2 USEPA Delisted National Priority List (last updated November 24, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.3 USEPA SEMS (last updated October 13, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
1	0.50 mile	1	United Refining Company-Tonawanda Terminal-EPA Registry ID 110004363260 (4545 River Road, Tonawanda, New York)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Groundwater Flow – Towards/Away From the Site	REC (Yes/No)	Additional Information/Rationale
1	2,400 – Southwest	North-northeast – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.

A copy of the listing is included in Appendix 1.

5.3.4 USEPA SEMS ARCHIVED (last updated October 13, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.5 USEPA RCRA CORRACTS (last updated January 20, 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	1.0 mile	No listings	No listings

5.3.6 RCRA Treatment, Storage, and Disposal Facilities – non-CORRACTS (last updated January 20, 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.7 USEPA RCRA Generators (last updated January 20, 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # - CESQG/SQG/LQG (Address)
0	Site and Adjoining Properties	No listings	No listings

5.3.8 National Response Center ERNS (last updated February 16, 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	Site only	No listings	No listings

5.3.9 Federally Listed Sites with Institutional and/or Engineering Controls (last updated March 20, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	Site only	No listings	No listings

5.3.10 State Listed Facilities with Institutional and/or Engineering Controls (provided by the NYSDEC)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
0	Site only	No listings	No listings

A FOIL request was submitted to the NYSDEC on January 31, 2017. As of the date of this report submission, a response has not been received. Any pertinent information received as a result of this FOIL request will be included as a Letter of Addendum (refer to Section 7.6).

5.3.11 State Listed Inactive Hazardous Waste Disposal Facilities (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
12	1.0 mile	1	Riverview Industrial Center-915225 (5335 River Road, Tonawanda, New York)
		2	Veterans Park-915078 (Niagara Street, Tonawanda, New York)
		3	Consolidated Freightway-915083 (877 Niagara Street, Tonawanda, New York)
		4	Ashland Petroleum Corporation-915008A (4545 River Road, Tonawanda, New York)
		5	Ashland Tank 75-915008B (4625 River Road, Tonawanda, New York)
		6	Ashland Petroleum Corporation-915008C (4545 River Road, Tonawanda, New York)
		7	Ashland Petroleum Corporation-915061 (4545 River Road, Tonawanda, New York)
		8	5565 River Road Site-915239 (5565 River Road, Tonawanda, New York)
		9	Niagara Mohawk-Cherry Farm-915063 (River Road, Tonawanda, New York)
		10	Niagara Mohawk-Huntley Station-915076 (River Road, Tonawanda, New York)
		11	Tonawanda Coke-915055 (3875 River Road, Tonawanda, New York)
		12	Allied Chemical-Special Chemical Division-915003A (3875 River Road, Tonawanda, New York)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Groundwater Flow – Towards/Away From the Site	REC (Yes/No)	Additional Information/ Rationale
1	1,550 – Northeast	North-northeast – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
2	4,900 – Northeast	North-northeast – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
3	3,490 – Northeast	North-northeast – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
4	2,400 – Southwest	North-northeast –	No	The listing does not appear to represent a REC to the Site based on

		Away from the Site		the distance of this facility from the Site.
Reference Number	**Approximate Distance from Site (feet) – Direction**	**Groundwater Flow – Towards/Away From the Site**	**REC (Yes/No)**	**Additional Information/ Rationale**
5	2,730 – Northwest	North-northeast – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
6	2,400 – Southwest	North-northeast – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
7	2,400 – Southwest	North-northeast – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
8	2,560 – Northeast	North-northeast – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
9	5,260 – Southwest	North-northeast – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
10	5,060 – Southwest	North-northeast – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
11	5,270 – Southwest	North-northeast – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
12	5,270 – Southwest	North-northeast – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.

Copies of the listings are included in Appendix 1.

5.3.12 State Listed Voluntary Cleanup Program Facilities (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.13 State Listed Brownfield Cleanup Program Facilities (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
2	0.50 mile	1	Tank 75-C915008B (4625 River Road, Tonawanda, New York)
		2	4630 River Road-C915258 (4630 River Road, Tonawanda, New York)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Groundwater Flow – Towards/Away From the Site	REC (Yes/No)	Additional Information/ Rationale
1	2,730 – Northwest	North-northeast – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
2	1,900 – Northwest	North-northeast – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.

Copies of the listings are included in Appendix 1.

5.3.14 State Listed Environmental Restoration Program Facilities (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
1	0.50 mile	1	Riverview Industrial Center-E915225 (5335 River Road, Tonawanda, New York)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Groundwater Flow – Towards/Away From the Site	REC (Yes/No)	Additional Information/ Rationale
1	1,550 – Northeast	North-northeast – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.

A copy of the listing is included in Appendix 1.

5.3.15 State Listed Hazardous Substance Waste Disposal Sites (last updated 1998)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
1	0.50 mile	1	Ashland Petroleum Corporation-HS9005 (4545 River Road, Tonawanda, New York)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Groundwater Flow – Towards/Away From the Site	REC (Yes/No)	Additional Information/ Rationale
1	2,400 – Southwest	North-northeast – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.

A copy of the listing is included in Appendix 1.

5.3.16 State Listed Part 360 Solid Waste Disposal Facilities (last updated February 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.17 Local Inventory of Solid Waste Disposal Locations (provided by the ECDEP – March 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Erie County Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.18 NYSDEC Major Oil Storage Facilities (updated nightly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name: Address – MOSF Identification #
0	Site and adjoining properties only	No listings	No listings

5.3.19 NYSDEC Chemical Bulk Storage Facilities (updated nightly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name: Address – CBS Identification #
0	Site and adjoining properties only	No listings	No listings

5.3.20 NYSDEC Petroleum Bulk Storage Facilities (updated nightly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name: Address – PBS Identification #
0	Site and adjoining properties only	No listings	No listings

5.3.21 NYSDEC Active and Closed/Inactive Spill Listings (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Listing Number	Facility Name: Address – Spill # (status)
2 active 0 closed/inactive	Active listings: 0.50 mile Closed/inactive listings: Site and adjoining properties only	1	Holly Akers: 4635 River Road, Tonawanda, New York-Spill #1400055 (active)
		2	Buffalo Niagara River Keeper: 4700 River Road, Tonawanda, New York-Spill #1013010 (active)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Overburden Groundwater Flow Direction	REC (Yes/No)	Additional Information and/or Rationale
1	2,700 – Southwest	North-northeast – Away from the Site	No	This listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
2	1,670 – West	North-northeast – Away from the Site	No	This listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.

Copies of the listings are included in Appendix 1.

5.3.22 Assessment of the Potential for Soil Vapor Intrusion

Vapor intrusion is the entry of volatile organic compounds (VOCs) to indoor air from underlying contamination in soil and groundwater. Based on the results of this assessment, no information was obtained suggesting the presence of a soil vapor intrusion concern at the Site at this time.

5.4 Additional Environmental Record Sources

5.4.1 Review of Previous Environmental Reports

No previous Phase I ESA, Transaction Screen report, or other previous environmental reports were obtained or were reasonably ascertainable for review.

5.4.2 Other Records

No other records were obtained or were reasonably ascertainable for review.

5.5 Historical Use Information on the Property and Adjoining Properties

LaBella attempted to review reasonably ascertainable and readily available standard sources of historical information as defined by the ASTM Standard Practice E1527-13 in order to identify all obvious usages of the Site back to the first developed use or 1940, whichever is earlier (i.e., the historical research objective according to ASTM). Uses of the properties adjoining the Site are identified in this report only to the extent that this information is revealed in the course of researching the Site itself and were determined at the discretion of the Environmental Analyst. As such, LaBella reviewed only as many of these sources as necessary to achieve the historical research objective. It should be noted that the lack of availability of reasonably ascertainable and readily available standard ASTM required sources have the potential to affect the findings of this assessment and can impact the ability of the Environmental Professional or Analyst to identify recognized environmental conditions and may result in a data failure (defined in Section 8.2.1 of this report). A data failure may represent a significant data gap. Data failures and data gaps are identified, defined, and evaluated for their significance in Section 8.2 of this report.

Standard historical sources LaBella attempted to review are outlined in the table below.

Section	Historical Source	Date(s)	Source/Comments
5.5.1	Sanborn Fire Insurance Maps	Not available	EnviroSite Corporation Not available for review.
5.5.2	Aerial Photographs	1938, 1942, 1951, 1958, 1966, 1985, 1990, 1995, 2005 and 2015	Erie County Soil and Water Conservation District and Google Earth
5.5.3	Municipal Records	Not applicable	Town of Tonawanda municipal offices
5.5.4	Recorded Land Title Records	Not available	Not provided to LaBella for review.
5.5.5	Historical Atlases	1880 and 1909	Buffalo Erie County Public Library
5.5.6	Local Street Directories	1981, 1985, 1990, 1995, 2000, 2006, 2010 and 2016	Buffalo Erie County Public Library

5.5.1 Sanborn Fire Insurance Maps

Sanborn Fire Insurance maps do not appear to provide coverage to the Site and surrounding properties. As such, Sanborn Fire Insurance maps were not reviewed as part of this Phase I ESA. A copy of the "No Coverage" letter obtained from EDR is included in Appendix 2.

5.5.2 Aerial Photography

The table below outlines observations of the Site and adjoining/adjacent properties obtained from the review of aerial photographs.

Date	Observations
1938, 1942, 1951, 1958 and 1966	Site: Undeveloped wooded/fallow land with land disturbance on the south portion of the Site North: Niagara River pathway South: Undeveloped, wooded/fallow land East: Undeveloped, wooded/fallow land West: Undeveloped wooded/fallow
1985, 1990 and 1995	Site: Undeveloped wooded/fallow land with land disturbance on the south portion of the Site; refer to Section 5.1 for additional information North: Niagara River pathway South: Undeveloped, wooded/fallow land East: Undeveloped, wooded/fallow land West: Undeveloped wooded/fallow and disturbed land, and a landfill
2005	Site: Site undergoing remediation including a settling pond and a stockpile area; refer to Section 5.1 for additional information North: Niagara River pathway South: Undeveloped, wooded/fallow land East: Undeveloped, wooded/fallow land West: Undeveloped wooded/fallow and disturbed land, and a landfill
2015	Site: Undeveloped, wooded/fallow land North: Niagara River pathway South: Commercial East: Undeveloped, wooded/fallow land West: Undeveloped wooded/fallow land and a landfill

Copies of the aerial photographs are included in Appendix 3.

5.5.3 Municipal Records

A FOIL request was submitted to the Town of Tonawanda municipal offices on January 31, 2017. A property card identified two permits for the installation of two crude oil storage tanks in 1977 and 1978; however, these permits were associated with the property card prior to the Site being split away into a new SBL No. in 2012. As a result, the tanks are not associated with the Site and are likely associated with a nearby west property. No other records of environmental concern were identified associated with the Site. Copies of the FOIL request and records obtained are included in Appendix 6.

In addition, limited assessment information was obtained from the Landmax Data Systems, Inc. website. This information is outlined in Sections 3.1 and 3.4.1. Copies of these records are included in Appendix 6.

5.5.4 Recorded Land Title Records

Title records were not provided, and as such not reviewed as part of this Phase I ESA report. Refer to Section 4.1 for additional details.

5.5.5 Historical Atlases

The table below outlines observations of the Site and adjoining/adjacent properties obtained from the review of available historical atlases.

Date	Observations
1880 and 1909	The Site and surrounding areas appear undeveloped and owned by several private individuals.

Copies of the historical atlases are included in Appendix 2.

5.5.6 Local Street Directories

Listings identified associated with the Site and adjoining/adjacent properties in the Buffalo Erie County Public Library street directories are detailed in the table below.

Year	Historical Use
1981, 1985 and 1990	Site: Not listed Adjoining/adjacent: Niagara landfill
1995, 2000, 2006, 2010 and 2016	Site: Not listed Adjoining/adjacent: Not listed

Copies of the street directories are included in Appendix 2.

5.5.7 Summary of Historical Information

Based on the historical records reviewed, the Site has consisted of undeveloped wooded/fallow land since at least 1880, including areas of disturbance between at least 1938 and 2005. Refer to Section 5.1 for further information regarding the historical disturbance of the Site.

Adjoining/adjacent properties have included the Niagara River pathway, wooded/fallow land, commercial-type operations and a landfill. Refer to Section 5.2 for further information regarding the west adjoining landfill.

6.0 SITE RECONNAISSANCE

Conducted by: Ms. Katherine Bauer, Environmental Analyst

Accompanied by: Mr. James Jones of the Town of Tonawanda

Date of site visit: March 3, 2017

Representative photographs from the site visit are included in the Figures and Photographs section of this report. In addition, observations discussed in this Section are outlined on Figure 3 in the Figures and Photographs section of this report. Site visit limitations are outlined in Section 2.5 above. Copies of the field notes taken during the site visit are included in Appendix 4.

6.1 Interior Observations

The Site currently consists of undeveloped, wooded/fallow land.

6.2 Exterior Observations

6.2.1 Historical Usage

Observed	Additional Information
No	No apparent indicators (i.e., signs, equipment, etc.) were observed on the exterior of the Site at the time of the site visit which would indicate historical usages of the Site.

6.2.2 Hazardous Substances and Petroleum Products in Connection with Identified Usages

Observed	Additional Information
No	No apparent hazardous substances or petroleum products were observed on the exterior of the Site at the time of the site visit.

6.2.3 Storage Tanks

Noted	Additional Information
No	No apparent indications of aboveground or underground storage tanks (e.g., fill ports, vent pipes, access ways) were observed on the exterior of the Site at the time of the Site visit.

6.2.4 Odors

Noted	Additional Information
No	No apparent strong, pungent, or noxious odors were noted on the exterior of the Site at the time of the site visit.

6.2.5 Pools of Liquid(s)

Observed	Additional Information
No	No apparent pools, sumps, or standing water containing liquids likely to be hazardous substances or petroleum products were noted on the exterior of the Site at the time of the site visit.

6.2.6 Unidentified Substance Containers

Noted	Additional Information
No	No apparent unidentified substance containers were observed on the exterior of the Site at the time of the site visit.

6.2.7 Pits, Ponds, or Lagoons

Observed on the Site	Additional Information
No	No apparent pits, ponds, or lagoons were observed at the Site at the time of the site visit.

6.2.8 Stained Soil or Pavement

Observed on the Site	Additional Information
No	No apparent stained soils or pavement were observed at the Site at the time of the site visit.

6.2.9 Stressed Vegetation

Observed on the Site	Additional Information
No	No apparent stressed vegetation was observed at the time of the site visit.

6.2.10 Solid Waste

Observed on the Site	Additional Information
No	No apparent solid waste disposal areas were observed on the exterior of the Site at the time of the site visit.

6.2.11 Wastewater

Observed on the Site	Additional Information
No	Wastewater does not appear to be discharged on the exterior of the Site.

6.2.12 Wells

Observed on the Site	Additional Information
No	No apparent wells were observed on the exterior of the Site at the time of the site visit or reported to be located on the Site.

6.2.13 Septic Systems

Observed on the Site	Additional Information
No	No apparent indications of on-Site septic systems or cesspools were observed on the Site at the time of the site visit

6.2.14 Polychlorinated Bi-phenyls (PCBs) Containing Equipment

Observed	Additional Information
No	No apparent electrical or hydraulic equipment reportedly containing PCBs were observed on the exterior of the Site at the time of the site visit.

7.0 INTERVIEWS

7.1 Owner

LaBella attempted to interview the various owners associated with the Site; however, no such information has been obtained to date from these individuals or entities associated with the Site.

7.2 Local Government Officials

Refer to Section 5.5.3.

7.3 Tribal Records

There do not appear to be any Native American Sovereign Territories on or within one mile of the Site. In accordance with ASTM Standard Practice E1527-13, tribal records will only be reviewed if the subject Site falls on or within one mile of Native American Sovereign Territory. Therefore, tribal government representatives were not contacted as part of this AAI Phase I ESA report.

7.4 New York State Department of Environmental Conservation

A FOIL request was submitted to the NYSDEC on January 31, 2017. Refer to Sections 5.1 and 5.2 for records associated with the Site and adjoining properties. A copy of the Foil request is included in Appendix 6. Copies of the records obtained are included in Appendix 1.

7.5 New York State Department of Health

A FOIL request was submitted to the NYSDOH on January 31, 2017. An acknowledgement was received on March 20, 2017. On April 17, 2017, LaBella received an extension letter stating the NYSDOH is still processing this FOIL request and expect to provide a response to LaBella by approximately May 30, 2017. As of the date of this report submission, a complete response has not been received. Any pertinent information received as a result of this FOIL request will be included as a Letter of Addendum. A copy of the FOIL request is included in Appendix 6.

8.0 FINDINGS, OPINIONS AND CONCLUSIONS

We have performed a Phase I ESA in conformance with the scope and limitations of ASTM Practice E1527-13 for 4999 and 5101 River Road, Town of Tonawanda, Erie County, New York, the Site.

8.1 Findings

Any exceptions to, or deletions from, this practice are described in Section 2.5 of this report. Based on the results of this assessment, no apparent RECs have been identified associated with the Site at this time.

8.1.1 Additional Findings

Based on the results of this assessment, no apparent HRECs, CRECs, or de minimis conditions have been identified associated with the Site at this time.

8.2 Data Failures and Data Gaps

8.2.1 Data Failures

ASTM E1527-13 defines a data failure as a failure to achieve the historical research objectives of AAI even after reviewing the standard historical sources that are reasonably ascertainable and likely to be useful. Specifically, the historical research objectives include identifying all obvious uses of the Site from the present, back to the Site's first developed use, or back to 1940, whichever is earlier.

A data failure was not encountered within Scope of Work of this assessment.

8.2.2 Data Gaps

ASTM E1527-13 defines a data gap as a lack of or an inability to obtain information required by this practice despite *good faith* efforts by the *environmental professional* to gather such information. Data gaps may result from incompleteness in any of the activities required by this practice, including, but not limited to site reconnaissance, interviews, data failure, or lack of a User Questionnaire.

Data gaps were encountered within the Scope of Work of this assessment. The first data gap includes the lack of response from the NYSDOH. The receipt of relevant environmental information as a result of FOIL requests has the ability to change the Findings and Conclusions of this report. However, it should be noted that the review of Standard State and Federal regularity database listings during the course of this Phase I ESA did not identify environmental concerns relative to the Site; therefore, changes are not anticipated. The second data gap includes the Site visit limitations discussed in Section 2.5. The third data gap includes the lack of interview response from the current Site owners. These data gaps do not appear to be significant based on the known current and/or historical operations conducted at the Site.

8.3 Opinion of Findings

Based on the findings of this assessment, no further investigation appears warranted at this time.

9.0 DEVIATIONS

No deviations were made to the report, other than the Limitations and Exceptions as stated in Section 2.5.

10.0 ADDITIONAL SERVICES

No additional services were provided or agreed upon as part of this assessment.

11.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

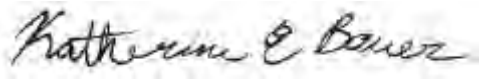
We declare that, to our knowledge and belief, we meet the definition of Environmental Professional as defined in ASTM Standard Practice E1527-13 and §312.20 of 40 CFR §312. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting at the subject property.

We have developed and performed the Scope of Work for this assessment in conformance with the standards, practices, and limitations set forth in ASTM Standard Practice E1527-13.



Chris Kibler
Project Scientist
Environmental Professional

The following representative of LaBella assisted in the completion of this report.



Katherine Bauer
Environmental Analyst

CK/KB/cm

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12.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

Chris Kibler | Project Scientist (Environmental Professional)

Chris is a Project Scientist responsible for the coordination and successful completion of Phase I and II ESAs. Working with financial institutions, attorneys, private developers and municipalities, he conducts ESAs in support of real estate transactions and brownfield redevelopment initiatives. Mr. Kibler's experience includes historical and regulatory records review; field sampling and data collection using a variety of techniques and equipment; the review and evaluation of field and laboratory analytical data; and the preparation of technical reports defining potential environmental liabilities and, if warranted, remedial options.

Katherine Bauer | Environmental Analyst

Katherine is an Environmental Analyst with one year of experience conducting Phase I Environmental Site Assessments. The site assessments include evaluation of environmental liability associated with properties, and Katherine provides efficient analysis and completion of environmental reports for financial institutions, attorneys and private developers.

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LABELLA Associates, D.P.C.
Engineering
Architecture
Environmental
Planning

Olympic Towers, 300 Pearl Street, Suite 130 | Buffalo, NY 14202 | p 716.551.6281 | f 716.551.6282 | www.labellapc.com

May 1, 2017

Mr. James Jones
Town of Tonawanda
2919 Delaware Avenue
Kenmore, New York 14217

RE: Phase I Environmental Site Assessment
5601, 5603, 5605, 5609 and 5611 River Road and 650 Two Mile Creek Road
LaBella Project No. 2151300

Dear Mr. Jones:

Attached, please find two hard copies and one pdf on CD of the Final Report for the Environmental Site Assessment at the above referenced facility. Please note the following:

1. The Final Report includes available information received to date.
2. Please review the report and contact us with any questions and comments you may have.

Feel free to contact us at your convenience at 716-768-4906.

Sincerely,

LABELLA ASSOCIATES, D.P.C.

Chris Kibler
Project Scientist
Environmental Professional

CK/KB/cm

Attachments

J:\TONAWANDA, TOWN OF\2151300 - BROWNFIELD OPPORTUNITY\ENVIRONMENTAL ASSESSMENTS\FOR KATIE\PHASE I'S FOR TONAWANDA BOA\5601, 5603, 5605, 5611 RIVER ROAD AND 650 TWO MILE CREEK ROAD\2151300_PHASE I ESA_RIVER RD. & 2-MILE CR._TONAWANDA BOA_FINAL_5.1.2017.DOCX

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Phase I
Environmental Site Assessment

Location:

5601, 5603, 5605, 5609 and 5611 River Road and
650 Two Mile Creek Road
Tonawanda, New York

Prepared for:

Mr. James Jones
Town of Tonawanda
2919 Delaware Avenue
Kenmore, New York 14217

LaBella Project No. 2151300

May 1, 2017

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LaBella Associates, D.P.C. (LaBella) has been contracted by the Town of Tonawanda to perform an All Appropriate Inquiry (AAI) Phase I Environmental Site Assessment (ESA) report for 5601, 5603, 5605, 5609 and 5611 River Road and 650 Two Mile Creek Road, City and Town of Tonawanda, Erie County, New York, hereinafter referred to as the "Site".

The findings of this report are based upon a preliminary assessment of the condition of the Site within the Scope of Work and objective described below as of the date of our site observations and documentation review. This assessment was prepared according to the American Society for Testing and Materials (ASTM) Standard Practice E1527-13 to satisfy the due diligence requirements set for the Town of Tonawanda. The information contained in this report is considered privileged and confidential and is intended solely for the use of the Town of Tonawanda, as it applies to the Site.

1.0 EXECUTIVE SUMMARY

Based on the results of this assessment, no apparent Historical Recognized Environmental Conditions (HRECs) or Controlled Recognized Environmental Conditions (CRECs) conditions have been identified associated with the Site at this time; however, the following apparent Recognized Environmental Conditions (RECs) have been identified associated with the Site at this time

SECTION # 5.2 – West Adjoining State Listed Inactive Hazardous Waste Disposal Site

A west adjoining property addressed as 5565 River Road is currently registered as a New York State Department of Environmental Conservation (NYSDEC) state listed Inactive Hazardous Waste Disposal Site (IHWDS) (NYSDEC Site Code 915239). The apparent flow of groundwater at the property appears to generally be to the north-northeast and towards the Site. Several mounds of fly ash and piles of 55-gallon drums (mostly empty) were previously observed located throughout this property. As a result, a Site Characterization was conducted by the NYSDEC in 2011 including a test pitting program and collection of samples for laboratory analysis. Identified contaminants included polychlorinated biphenyls (PCBs) and metals in the surface soils, polycyclic aromatic hydrocarbons (PAHs), PCBs and metals in the subsurface industrial fill and volatile organic compounds (VOCs), PCBs and metals in the drum waste which inadvertently contaminated sediment in two of the creeks at the property that flow toward and through the Site. The condition of groundwater at the property had not yet been evaluated as of the current status of this listing. Subsequently, a remedial investigation was conducted at the property in 2013 with supplemental remedial investigation work completed in 2015. The current status of this listing indicates that the remedial investigation report is still in preparation.

Based on the REC identified above, further assessment of the Site appears warranted at this time.

In addition, the following de minimis conditions were identified associated with the Site.

SECTION #6.2.10 – Solid Waste

Several mounds of C&D debris including brick, concrete, asphalt, stone and wood are located throughout the Site. In addition, several mounds of fill material reportedly consisting of off-site virgin soils are located throughout the Site. A permit reportedly exists for the excavation and storage of soil at the Site parcel addressed as 5603 River Road.

2.0 INTRODUCTION

2.1 Purpose

This investigation was requested to identify, to the extent feasible, Recognized Environmental Conditions in connection with the Site, including the identification of conditions indicative of releases and threatened releases of hazardous substances on, or in the vicinity of the Site. This AAI Phase I ESA report was conducted in general conformance with the Scope and Limitations of ASTM Standard Practice E1527-13.

The performance of ASTM Standard Practice E1527-13 is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs (defined below) and the potential liability for contamination to be present in connection with the Site recognizing reasonable limits of time and cost. It is also intended to add protection from CERCLA liability for innocent landowner defense, bona fide prospective purchaser, contiguous property owners and grantors who meet certain statutory requirements.

The objective of this AAI Phase I ESA was to determine the following, using our professional judgment, by means of the Scope of Work hereafter described.

1. A general description of the Site.
2. The current and historical usage of the Site and adjoining properties.
3. Whether RECs exist or have the potential to exist at the Site.
4. Whether Site conditions suggest further evaluation based on the presence or probable presence of such RECs.
5. Provide information which may assist the client in evaluating the fair market value of the Site.

The term Recognized Environmental Condition (REC) is defined by ASTM as the presence or likely presence of any hazardous substances (as currently defined by the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) including pollutants and contaminants) or petroleum products (excluded from the definition of hazardous substance and controlled substances; or the presence of petroleum products as defined by the Resource Conservation and Recovery Act, the Oil Pollution Act of 1990, and the Clean Water Act) in, on, or at a property due to release to the environment, under conditions indicative of a release to the environment, or under conditions that pose a material threat of a future release to the environment.

The term “Historical Recognized Environmental Condition” is defined by ASTM as a past release of any hazardous substance or petroleum product that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls.

The term “Controlled Recognized Environmental Condition” is defined by ASTM as resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.

The term “REC” is not intended to include “de minimis” conditions that generally do not present a threat to human 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 conditions are not Recognized Environmental Conditions or Controlled Recognized Environmental Conditions.

The term "data gap" means lack or inability to obtain information required by the standards and practices as defined in ASTM Standard Practice E1527-13 despite good faith efforts by the Environmental Professional and Environmental Analyst.

The term "Environmental Professional" is defined by ASTM as a person who possesses sufficient specific education, training, and experience necessary to exercise professional judgement to develop opinions and conclusions regarding conditions indicative of releases or threatened releases on, at, in or to a property, sufficient to meet the objectives and performance factors defined in the ASTM Standard Practice E1527-13 and §312.20 of 40 CFR §31.

2.2 Scope of Work

The major components of an AAI Phase I ESA report in conformance with ASTM Standard Practice E1527-13 include a visual inspection of the Site and adjoining properties; interviews and review of documents from past and present owners, occupants, managers, representatives and neighbors to the extent necessary; interviews with tribal and local government agency representatives; review of tribal, local and state records relative to the Site; and a review of tribal, local, state and federal standard environmental record sources relative to the Site. The findings and conclusions presented in this report are based on information gathered and limitations set forth in this report.

The Scope of Work performed in this assessment is limited to the areas described as follows:

1. Interviews with and/or record reviews of each of the following to obtain information directly regarding environmental concerns at or in the immediate vicinity of the Site, which is available directly by file or through general knowledge of the individual being interviewed. Information sources include:
    a. United States Environmental Protection Agency (USEPA)
    b. NYSDEC, Region 9
    c. New York State Department of Health (NYSDOH)
    d. City and Town of Tonawanda Municipal Offices

2. Review of the following federal, state and local environmental records and databases to aid in the identification of conditions at or related to the Site and property, adjacent to or in the immediate vicinity of the Site, including:
    a. USEPA National Priority List (NPL) – 1.0 mile
    b. USEPA Delisted NPL – 0.5 mile
    c. USEPA Superfund Enterprise Management System (SEMS) and SEMS Archived Sites– 0.5 mile
    d. USEPA Resource Conservation and Recovery Act (RCRA) Corrective Action Sites (CORRACTS) Treatment, Storage, and Disposal Facility Listing (TSD) – 1.0 mile
    e. USEPA RCRA non-CORRACTS TSD – 0.5 mile

f. USEPA RCRA Large, Small and Conditionally Exempt Small Quantity Generator Listing – Site and adjoining properties
g. National Response Center Emergency Response and Notification System Listing (ERNS) – Site only
h. Federal, state and local Institutional Controls/Engineering Controls and Land Use Restrictions - Site only
i. NYSDEC Registry of Inactive Hazardous Waste Disposal Sites (IHWDS) (state equivalent of NPL Sites) – 1.0 mile
j. NYSDEC Registry of Brownfield Cleanup Program (BCP), Voluntary Cleanup Program (VCP), Environmental Restoration Program (ERP) Sites – 0.5 miles
k. NYSDEC Hazardous Substance Waste Disposal Site Inventory (state equivalent of SEMS Sites) – 0.5 mile
l. NYSDEC Part 360 Permitted Solid Waste Disposal Facilities – 0.5 mile
m. Local Inventory of Waste Disposal Sites – 0.5 mile
n. NYSDEC Listing of Registered Petroleum Bulk Storage Facilities (PBS), Chemical Bulk Storage Facilities (CBS), and Major Oil Storage Facilities (MOSF) – Site and adjoining properties
o. NYSDEC Listing of Active Spills and Leaking Storage Tanks – 0.5 miles
p. United States Geological Survey (USGS) Topographic Quadrangle Map Tonawanda, New York
q. United States Department of Agriculture (USDA) Erie County Soil Survey obtained from the Natural Resource Conservation Service (NRCS) website
r. Previous Phase I Environmental Site Assessments for 5605 and 5611 River Road, Tonawanda, New York, prepared by TVGA Consultants, dated September 2009
s. Aerial photographs of the area
t. Historical atlases
u. Local street directories

Due to the limited timeframe available to conduct this assessment, not all responses have been received from Freedom of Information Law (FOIL) requests that were submitted as a part of this report as of the date of this report submission. Any pertinent information obtained as part of the FOIL requests will be included in a Letter of Addendum (refer to Section 7.0).

3. Site visit on March 3, 2017 by Ms. Katherine Bauer of LaBella to photograph the Site and to visually identify areas of concern as defined in the agreement.

4. Completion of LaBella's AAI Phase I ESA Site Reconnaissance Report.

5. Completion of a User Questionnaire completed by Mr. James Jones of the Town of Tonawanda.

2.3 Subsurface Risks/Unanticipated Hazardous Materials

This work for this report has been performed in accordance with generally accepted environmental engineering practices for the applicable region. The conclusion and recommendations of this report are

based upon the opinion and judgment of an Environmental Professional (EP), and are dependent upon LaBella's knowledge, information supplied by the present owner and managers of the Site, and data and information solicited from governmental agencies. LaBella makes no other warranty or representation, either expressed or implied, nor is one intended to be included as part of its services, proposals, contracts, or reports.

In addition, LaBella cannot provide guarantees, certifications, or warranties that the property is or is not free of environmental impairment without a subsurface investigation involving drilling, vapor analysis, laboratory soil analysis, groundwater monitoring well installation, and laboratory groundwater analysis. Even with such a program, the data and samples from any given soil boring or monitoring well will indicate conditions that apply only at that particular location, and such conditions may not necessarily apply to the general Site as a whole.

2.4 Significant Assumptions

As a result of the unavailability or lack of receipt of information the following assumptions were made in order to complete the Scope of Work in the time frame desired by the Town of Tonawanda.

- Groundwater flow direction in the vicinity of the Site was estimated based on review of area topographic maps. Determination of site-specific groundwater flow direction typically requires installing at least three groundwater monitoring wells, surveying the wells, and collecting groundwater elevation data (refer to Section 3.2).

As stated in the Agreement, the Town of Tonawanda acknowledges this assumption and hereby agrees to release and hold LaBella harmless from any liability arising from or relating to any conclusions made or not made based on this assumption.

2.5 Limitations and Exceptions of Assessment

ASTM Standard Practice E1527-13 expressly recognized the fact that no ESA can wholly eliminate uncertainty regarding the potential for RECs in connection with a property. LaBella's work is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs in connection with the Site, and its Scope of Work reflects recognition of the reasonable limits of time and cost.

The actual presence of radon, lead-based paint, contaminants in drinking water [e.g., lead, volatile organic compounds (VOCs), "perfluorinated" compounds (PFCs), etc.], mold-related issues, electromagnetic frequencies, asbestos-containing building materials, polychlorinated byphenyl (PCB) caulk, wetlands, cultural and historic resources, ecological resources, and endangered species are not included in the Scope of Work of this assessment. Additionally, regulatory compliance, industrial hygiene, health and safety, indoor air quality and drinking water quality are not included in the Scope of Work of this assessment. Should Client want these services, LaBella can complete them; however, they are not included in the Scope of Work of the Phase I ESA.

It is further noted that due to post 9/11 terrorist related concerns, the NYSDEC has limited the availability of petroleum bulk storage (PBS), chemical bulk storage (CBS), and major oil storage facility (MOSF) details, and detailed spill information to the public. However, LaBella does have access to the addresses of current PBS, CBS, and MOSF locations accessed from the database from the NYSDEC website. In addition, this information can usually be acquired by a FOIL to the regulating agency to

attempt to obtain this relevant and reasonably ascertainable environmental information for AAI Phase I ESA reports. If this information is not obtainable then it will be discussed as a data gap in Section 8.2.

The site visit was also limited to visual observations within the perimeter of the Site and other accessible areas only. Visual observations were limited at the time of the site visit due to size, snow cover, vegetative growth, and topographic conditions. In addition, the interior of the Site Building was not observed at the time of the Site visit as access was not available to such. Areas of the Site that were inaccessible were left to the judgment and discretion of the Environmental Analyst conducting the site visit.

2.6 Special Terms and Conditions

The Town of Tonawanda and LaBella have agreed that the Scope of Work described in Section 2.3, and the Limitations and Exceptions described in Section 2.5 above, are acceptable to you and that to the fullest extent permitted by law, LaBella shall not be liable to you for limiting its investigation to the Scope of Work described. Based on the engagement and Scope of Work agreed upon, our evaluation of the Site is as presented herein.

2.7 User Reliance

The Town of Tonawanda may rely upon the findings of this report and should be aware of the agreed upon Scope of Work and the limitations associated with this Scope of Work.

3.0 SITE DESCRIPTION

The 17.7-acre Site is developed with one single-story approximately 5,000 square foot building (Site Building) constructed in 2002. The Site Building is currently utilized associated with Al's Tree Service. Exterior portions of the Site included wooded/fallow land and several mounds of construction and demolition debris (C&D debris) (i.e. brick, stone, concrete, asphalt and wood) and fill material (i.e. reportedly off-site virgin soils, per Mr. Jones) through the Site. A water-monitoring outbuilding is also located on the northern portion of the Site reportedly associated with the south adjoining Town of Tonawanda wastewater treatment plant.

3.1 Site Location and Legal Description

The parcels that comprise the Site are outlined in the table below. Property boundaries for the purpose of this assessment were obtained from the Landmax Data Systems, Inc. website. A map depicting the individual tax parcels that comprise the Site is located in the Figures and Photographs Appendix of this report.

Legal Address	Tax Account Number	Property Use Code	Acreage
5601 River Road	52.06-3-4	341 (Vacant Industrial w/improvements)	1.64
5603 River Road	52.06-3-5	340 (Vacant Industrial)	8.63
5605 River Road	52.10-2-1.1	340 (Vacant Industrial)	0.6
5609 River Road	52.10-2-1.2	484 (Commercial use-small building)	1.58
5611 River Road	52.10-2-1.3	340 (Vacant Industrial)	1.98

Legal Address	Tax Account Number	Property Use Code	Acreage
650 Two Mile Creek Road	52.49-4-1.1	340 (Vacant Industrial)	3.27

3.2 Site and Vicinity Characteristics

The Site is located within a rural area. According to the 7.5-minute Tonawanda, New York quadrangle USGS Map, the Site consists of variably sloping land. The USGS map indicates two tributaries transect the site in a southwest to northeast direction towards the Niagara River. Based on interpretation of the USGS topographic map, groundwater flow at the Site appears to be variable but generally flow north-northeast towards the Niagara River. According to information obtained from the Natural Resource Conservation Service (NRCS) website, soils at the Site consist mainly of Cayuga silt loam (3-8% slopes) and wayland soils (0-3% slopes).

3.3 Present Ownership and Use

Based on the City and Town of Tonawanda assessment records, the Site is currently owned by the following individuals.

Legal Address	Owner
5601 River Road	Con-way Transportation
5603 River Road	3679 River Road, Inc.
5605 River Road	Nick Magliarditti
5609 River Road	Robert W. Ward
5611 River Road	Nick Magliarditti
650 Two Mile Creek Road	Brian J. MacDonald

Portions of the Site are currently utilized as Al's Tree Service and for storage of mounds of C&D debris and fill material.

3.4 Site Improvements

3.4.1 Structures and Improvements

The Site is improved with one structure as detailed in the table below.

	Structure #1
Square Footage	5,000
Foundation Type	Slab-on-grade
Number of Stories	Single
Construction Date	2002
Current Use	Al's Tree Service
Hereinafter referred to as	Site Building

3.4.2 Roads

The Site is bordered by the following public thoroughfares.

Direction	Public Thoroughfare
North	River Road
East	Two Mile Creek Road

3.4.3 Current Site Utilities

Structure	Site Building
Heating/Cooling Source	Not connected
Potable Water Source	Municipal
Sanitary Wastewater Disposal	Not connected
Non-Sanitary Wastewater Disposal	Not connected

3.4.4 Current Use of the Adjoining Properties

The Site is bordered by the following properties.

Direction	Occupant (Address)
North beyond River Road	Niagara River pathway
East (beyond Two Mile Creek Road)	Trucking company, fireman's park, City of Tonawanda material storage and wooded/fallow land (park, wooded/fallow land and residential)
South	Wooded/fallow land and Town of Tonawanda wastewater treatment plant
West	Trucking company and wooded/fallow land

Refer to Section 5.2 for additional information regarding the east and west adjoining properties.

4.0 USER PROVIDED INFORMATION

In accordance with the ASTM E1527-13, a "User" is defined as the party seeking to complete an environmental site assessment of the property. If the user is aware of any specialized knowledge or experience that is material to RECs in connection with the Site, it is the user's responsibility to communicate any information based on such specialized knowledge or experience to the environmental professional. The User Questionnaire was completed by Mr. James Jones of the Town of Tonawanda. A copy of the User Questionnaire is included in Appendix 7.

4.1 Title Records

According to the ASTM Standard Practice E1527-13, "the user should either engage a title company or title professional to undertake a review of reasonably ascertainable land title records and lien records for environmental liens or activity and use limitations currently recorded against or relating to the property or to negotiate such an engagement of a title company or title professional as an addition to the Scope of Work to be performed by the Environmental Professional."

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Are land title records available for review?	The User reported land title records are not available for

4.2 Environmental Liens or Activity and Use Limitations

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Did a search of *recorded land title records* identify any environmental liens filed or recorded against the *property* under federal, tribal, state or local law?	The User did not report environmental liens currently recorded against or relating to the property. In addition, the User did not report any activity or use limitations currently recorded against or relating to the property.
Did a search of *recorded land title records* identify any AULs, such as *engineering controls*, land use restrictions or *institutional controls* that are in place at the *property* and/or have been filed or recorded against the *property* under federal, tribal, state or local law?	The User indicated that a storm water pollution prevention plan and permit for excavation and storage of material exists for the Site parcel addressed as 5603 River Road.

4.3 Specialized Knowledge

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Does the *User* of this *ESA* have any specialized knowledge or experience related to the *property* or nearby properties? For example, is the *User* involved in the same line of business as the current or former *occupants* of the *property* or an *adjoining property* so that the *User* would have specialized knowledge of the chemicals and processes used by this type of business?	The User indicated that the west adjacent property addressed as 5565 River Road is a Superfund property currently undergoing investigation. Refer to Section 5.2 for further information.

4.4 Commonly Known or Reasonably Ascertainable Information

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Is the *User* aware of commonly known or *reasonably ascertainable* information about the *property* that would help identify conditions indicative of releases or threatened releases?	The User indicated that the Site parcel addressed as 5603 River Road is utilized for soil storage.
Based on the *User's* knowledge and experience related to the *property* are there any *obvious* indicators that point to the presence or likely presence of releases at the *property*?	Based on the User's knowledge and experiences related to the Site, the User of this ESA is not aware of obvious indicators that point to the presence or likely presence of contamination at the Site.

4.5 Valuation Reduction for Environmental Issues

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Does the purchase price being paid for the *property* reasonably reflect the fair market value of the *property*?	The User did not report a below fair market value.

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
If the *User* concluded that there is a difference, has the *User* considered whether the lower purchase price is because contamination is known or believed to be present at the *property*?	The User did not report a below fair market value.

4.6 Reason for Performing Phase I ESA

According to ASTM E1527-13, either the User shall make known to the environmental professional the reason why the User wants to have the Phase I ESA preformed or, if the User does not identify the purpose of the Phase I ESA, the environmental professional shall assume the purpose is to qualify for the Landowner Liability Protections under the Brownfields Amendments. The User reported the Phase I ESA was performed as part of Step 2 of the Town of Tonawanda Brownfield Opportunity Area.

5.0 STANDARD ENVIRONMENTAL RECORD SOURCES – FEDERAL AND STATE

Federal, state and local environmental records were reviewed as a part of this assessment, in accordance with ASTM E1527-13 standard. Listings identified within the standard search radius outlined in ASTM E1527-13 are detailed in their respective sections below. Each listing identified was reviewed by LaBella and evaluated. Copies of the regulatory records documentation are included in Appendix 1.

5.1 Site Listings

No regulatory listings were identified associated with the Site.

5.2 Adjacent Property Listings

Adjoining East – Con-Way Transportation

Regulatory listings were identified associated with the east adjoining property addressed as 877 Niagara Street, Tonawanda, New York. Copies of the listings are included in Appendix 1. The property was occupied by a trucking facility. The apparent flow of groundwater at the property appears to generally be to north-northeast and away from the Site. The listings are summarized in the table below.

NYSDEC PBS #9-382809/CBS #9-000401

The following table summarizes the NYSDEC PBS Facility Information listing associated with the property.

Tank No.	Location	Capacity (gallons)	Product Stored	Tank Type	Secondary Containment	Date Installed	Status
WO-1	Underground	10,000	Waste oil	Steel/Carbon Steel/Iron	None	12/1/1970	Closed/Removed 8/8/2005
MO2	Underground	5,000	Lube oil	Fiberglass Reinforced Plastic (FRP)	Double-Walled	6/1/1998	Closed/Removed 12/6/2007
K1	Aboveground	500	Kerosene	Steel/Carbon Steel/Iron	None	1/1/1985	Closed/Removed 4/1/1993
HO-1	Underground	10,000	Other	Steel/Carbon Steel/Iron	None	1/1/1970	Tank converted to non-regulated

use

Tank No.	Location	Capacity (gallons)	Product Stored	Tank Type	Secondary Containment	Date Installed	Status
GO2	Underground	1,000	Lube oil	FRP	Double-Walled	6/1/1998	Closed/Removed 12/6/2007
GO1	Underground	3,000	Lube oil	Steel/Carbon Steel/Iron	None	1/1/1970	Closed/Removed 5/1/1998
G1	Underground	10,000	Gasoline	Steel/Carbon Steel/Iron	None	1/1/1970	Closed prior to 3/1991
FA1	Aboveground	495	Other	Steel/Carbon Steel/Iron	Diking	9/1/1999	Closed/Removed 1/1/2004
D9	Aboveground	30,000	Diesel	Steel/Carbon Steel/Iron	Diking	12/1/1986	In service
D8	Aboveground	30,000	Diesel	Steel/Carbon Steel/Iron	Diking	12/1/1986	In service
D7	Aboveground	30,000	Diesel	Steel/Carbon Steel/Iron	Diking	12/1/1986	Out of service
D6	Aboveground	30,000	Diesel	Steel/Carbon Steel/Iron	Diking	12/1/1986	Out of service
D5	Underground	10,000	Diesel	Steel/Carbon Steel/Iron	None	1/1/1970	Closed prior to 3/1991
D4	Underground	10,000	Diesel	Steel/Carbon Steel/Iron	None	1/1/1970	Closed prior to 3/1991
D3	Underground	20,000	Diesel	Steel/Carbon Steel/Iron	None	1/1/1980	Closed prior to 3/1991
D2	Underground	20,000	Diesel	Steel/Carbon Steel/Iron	None	1/1/1980	Closed prior to 3/1991
D1	Underground	20,000	Diesel	Steel/Carbon Steel/Iron	None	1/1/1980	Closed prior to 3/1991
AF1	Underground	5,000	Other	Steel/Carbon Steel/Iron	None	1/1/1970	Tank converted to non-regulated use 7/1/1992
AF2	Underground	2,500	Other	FRP	None	6/1/1998	Closed/Removed 12/5/2007

35 NYSDEC closed/inactive Spills

According to the closed/inactive NYSDEC Spill Report Forms, 35 spills have been reported for the east adjoining property between 1987 and 2014. A majority of the spills involved minor releases of petroleum products and/or hazardous substances at the property, all of which were properly cleaned per NYSDEC requirements and issued a status of closed or inactive. Specific items of note include the proper removal of two oil/water separators and three underground storage tanks (USTs) in 1999, a Phase 2 investigation of the property in 2005 which identified minor residual petroleum contamination in the soil to be left-in-place proximate the building at the property, the proper closure-in-place of one UST in 2005 and the proper removal of three additional USTs in 2008. All identifiable, associated contaminated soil practical for removal was properly executed during these historical removal events. Post-confirmatory sample results associated with the removal events were sufficient per the NYSDEC and all associated spills were assigned a closed or inactive status.

State Listed IHWDS-NYSDEC Site Code: 915083

Foundry sand was historically dumped at this property. Investigations including laboratory sampling of this material were conducted in the 1980s and 1990s. Based on laboratory analysis, the NYSDEC determined that no hazardous waste associated with disposal was located at this property and no further action was necessary.

Based on the closed/inactive status of the spill listings and the apparent general flow of groundwater to the north-northwest and away from the Site, there are no apparent RECs related to east adjoining regulatory listings at this time. However, as with any Site located in the immediate vicinity of a property with PBS listings and several reported NYSDEC Spills, the Town of Tonawanda should be aware of the potential for the migration of residual subsurface impairment to the Site from this east adjoining property.

Adjacent West – R&L Carriers

Regulatory listings were identified associated with the west adjacent property addressed as 555 River Road, Tonawanda, New York. A copy of the listing is included in Appendix 1. The property is occupied by a trucking company. The apparent flow of groundwater at the property appears to generally be to the north-northeast and towards the Site.

NYSDEC PBS #9-600540

The following table summarizes the NYSDEC PBS Facility Information listing associated with the property.

Tank No.	Location	Capacity (gallons)	Product Stored	Tank Type	Secondary Containment	Date Installed	Status
1	Aboveground	12,000	Diesel	Steel/Carbon Steel/Iron	Modified Double-Walled	9/1/2001	In service
2	Underground	1,000	Gasoline	Steel/Carbon Steel/Iron	None	Unknown	Closed/Removed 8/6/2007
3	Underground	550	Waste Oil	Steel/Carbon Steel/Iron	Diking	9/1/2001	In service

Federal RCRA CESQG (USEPA Handler ID NYR000226449)

The property is a listed RCRA Conditionally Exempt Small Quantity Generator (CESQG). The presence of the property on this listing implies that the property generates 100 kilograms or less per month of hazardous waste, or 1 kilogram or less per month of acutely hazardous waste. This listing does not imply the release of hazardous waste has occurred to the subsurface of the property.

No releases or violations were identified associated with the west adjoining property. As such, there are no apparent RECs related to the west adjoining regulatory records at this time.

Adjoining West – PIE Nationwide, Inc.

One regulatory listing was identified associated with the west adjoining property addressed as 5555 River Road, Tonawanda, New York. A copy of the listing is included in Appendix 1. The property is occupied by a commercial company. The apparent flow of groundwater at the property appears to generally be to the north-northeast and towards the Site.

NYSDEC PBS #9-018155

The following table summarizes the NYSDEC PBS Facility Information listing associated with the property.

Tank No.	Location	Capacity (gallons)	Product Stored	Tank Type	Secondary Containment	Date Installed	Status
1	Underground	10,000	Gasoline	Steel/Carbon Steel/Iron	None	7/1/1969	Closed prior to 3/1991
2	Underground	15,000	#2 Fuel Oil	Steel/Carbon Steel/Iron	None	7/1/1969	Closed prior to 3/1991
3	Underground	12,500	#2 Fuel Oil	FRP	None	6/1/1979	Closed prior to 3/1991
4	Underground	12,500	#2 Fuel Oil	FRP	None	6/1/1979	Closed prior to 3/1991
5	Underground	500	Other	Steel/Carbon Steel/Iron	None	7/1/1969	Closed/Removed 8/21/2007

No releases or violations were identified associated with the west adjoining property. As such, there are no apparent RECs related to the west adjoining regulatory records at this time.

Adjoining West – 5565 River Road Site

One regulatory listing was identified associated with the west adjacent property, addressed as 5565 River Road, Tonawanda, New York. A copy of the listing is included in Appendix 1. The property is undeveloped. The apparent flow of groundwater at the property appears to generally be to the north-northeast and towards the Site.

State Listed IHWDS NYSDEC Site Code: 915239

A west adjoining property addressed as 5565 River Road is currently registered as a NYSDEC state listed IHWDS (NYSDEC Site Code 915239). Several mounds of fly ash and piles of 55-gallon drums (mostly empty) were previously observed located throughout this property. As a result, a Site Characterization was conducted by the NYSDEC in 2011 including a test pitting program and collection of samples for laboratory analysis. Identified contaminants included PCBs and metals in the surface soils, PAHs, PCBs and metals in the subsurface industrial fill and VOCs, PCBs and metals in the drum waste which inadvertently contaminated sediment in two of the creeks at the property. The condition of groundwater at the property had not yet been evaluated as of the current status of this listing. Subsequently, a remedial investigation was conducted at the property in 2013 with supplemental remedial investigation work completed in 2015. The current status of this listing indicates that the remedial investigation report is still in preparation.

5.3 ASTM Standard Regulatory Database Listings

5.3.1 USEPA National Priority List (last updated November 29, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	1.0 mile	No listings	No listings

5.3.2 USEPA Delisted National Priority List (last updated November 29, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.3 USEPA SEMS (last updated October 13, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.4 USEPA SEMS ARCHIVED (last updated October 13, 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.5 USEPA RCRA CORRACTS (last updated January 20, 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
2	1.0 mile	1	NYSDEC Spaulding Fibre Co., Inc.-NYD002104404 (310 Wheeler Street, Tonawanda, New York)
		2	GE International-NYD067539940 (Milens Road, Tonawanda, New York)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Groundwater Flow – Towards/Away From the Site	REC (Yes/No)	Additional Information/Rationale
1	4,226 – Northeast	North – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
2	4,570 – Southwest	Northwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.

Copies of the listings are included in Appendix 1.

5.3.6 RCRA Treatment, Storage, and Disposal Facilities – non-CORRACTS (last updated January 20, 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.7 USEPA RCRA Generators (last updated January 20, 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # - CESQG/SQG/LQG (Address)
1	Site and Adjoining Properties	1	Refer to Section 5.2.

5.3.8 National Response Center ERNS (last updated February 16, 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	Site only	No listings	No listings

5.3.9 Federally Listed Sites with Institutional and/or Engineering Controls (last updated March 26, 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	Site only	No listings	No listings

5.3.10 State Listed Facilities with Institutional and/or Engineering Controls (provided by the NYSDEC – February 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
0	Site only	No listings	No listings

5.3.11 State Listed Inactive Hazardous Waste Disposal Facilities (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
7	1.0 mile	1-2	Refer to Section 5.2
		3	Riverview Industrial Center-915225 (5335 River Road, Tonawanda, New York)

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
		4	Veterans Park-915078 (Niagara Street, Tonawanda, New York)
		5	Seaway/Niagara Landfill, Inc.-915074 (River Road, Tonawanda, New York)
		6	Ashland Tank 75-915008B (4625 River Road, Tonawanda, New York)
		7	Ashland Petroleum Corporation-915008A (4545 River Road, Tonawanda, New York)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Groundwater Flow – Towards/Away From the Site	REC (Yes/No)	Additional Information/ Rationale
3	1,540 – Southwest	North – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
4	1,710 – Northeast	North – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
5	4,245 – Southwest	North – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
6	5,230 – Southwest	North – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.
7	5,000 – Southwest	North – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the distance of this facility from the Site.

Copies of the listings are included in Appendix 1.

5.3.12 State Listed Voluntary Cleanup Program Facilities (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.13 State Listed Brownfield Cleanup Program Facilities (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.14 State Listed Environmental Restoration Program Facilities (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.15 State Listed Hazardous Substance Waste Disposal Sites (last updated 1998)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
0	0.50 mile	No listings	No listings

It should be noted that hazardous substance waste disposal sites are not currently available in a searchable web-based database. However, hazardous substance waste disposal sites were obtained from the NYSDEC on December 1, 1998. As of the date of this report submission, updates to this listing have not been provided by the NYSDEC.

5.3.16 State Listed Part 360 Solid Waste Disposal Facilities (last updated February 2016)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.17 Local Inventory of Solid Waste Disposal Locations (provided by the NYSDOH-March 2017)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Erie County Identification # (Address)
0	0.50 mile	Not available	Not available

A FOIL request was submitted to the NYSDOH on January 31, 2017. An acknowledgement was received by the NYSDOH on March 20, 2017. As of the date of this report submission, a complete response has not been received. Any pertinent information received as a result of this FOIL request will be included as a Letter of Addendum (refer to Section 7.6).

5.3.18 NYSDEC Major Oil Storage Facilities (updated nightly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name: Address – MOSF Identification #
0	Site and adjoining properties only	No listings	No listings

5.3.19 NYSDEC Chemical Bulk Storage Facilities (updated nightly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name: Address – CBS Identification #
1	Site and adjoining properties only	1	Refer to Section 5.2.

5.3.20 NYSDEC Petroleum Bulk Storage Facilities (updated nightly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name: Address – PBS Identification #
3	Site and adjoining properties only	1-3	Refer to Section 5.2.

5.3.21 NYSDEC Active and Closed/Inactive Spill Listings (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Listing Number	Facility Name: Address – Spill # (status)
0 active 35 closed/inactive	Active listings: 0.50 mile/0.25 mile Closed/inactive listings: Site and adjoining properties only	1-35	Refer to Section 5.2.

5.3.22 Assessment of the Potential for Soil Vapor Intrusion

Vapor intrusion is the entry of volatile organic compounds (VOCs) to indoor air from underlying contamination in soil and groundwater. Based on the results of this assessment, no information was obtained suggesting the presence of a soil vapor intrusion concern at the Site at this time. However, should subsurface impact be encountered in the future, the potential for soil vapor intrusion should be evaluated at that time.

5.4 Additional Environmental Record Sources

5.4.1 Review of Previous Environmental Reports

LaBella reviewed the following environmental reports. Copies of the reports are included in Appendix 8.

- Phase I Environmental Site Assessment reports for 5605 and 5611 River Road, Tonawanda, New York, prepared by TVGA Consultants (TVGA) dated September 2009

Based on the contents of these reports, mounds of fill material (i.e. concrete, brick and gravel mixed with soil) were observed throughout the Site parcel addressed at 5605 River Road. No RECs were identified associated with the parcels addressed as 5605 and 5611 River Road.

5.4.2 Other Records

No other records were obtained or were reasonably ascertainable for review.

5.5 Historical Use Information on the Property and Adjoining Properties

LaBella attempted to review reasonably ascertainable and readily available standard sources of historical information as defined by the ASTM Standard Practice E1527-13 in order to identify all obvious usages of the Site back to the first developed use or 1940, whichever is earlier (i.e., the historical research objective according to ASTM). Uses of the properties adjoining the Site are identified in this report only to the extent that this information is revealed in the course of researching the Site itself and were determined at the discretion of the Environmental Analyst. As such, LaBella reviewed only as many of these sources as necessary to achieve the historical research objective. It should be noted that the lack of availability of reasonably ascertainable and readily available standard ASTM required sources have the potential to affect the findings of this assessment and can impact the ability of the Environmental Professional or Analyst to identify recognized environmental conditions and may result in a data failure (defined in Section 8.2.1 of this report). A data failure may represent a significant data gap. Data failures and data gaps are identified, defined, and evaluated for their significance in Section 8.2 of this report.

Standard historical sources LaBella attempted to review are outlined in the table below.

Section	Historical Source	Date(s)	Source/Comments
5.5.1	Sanborn Fire Insurance Maps	Not available	EnviroSite Corporation Not available for review.
5.5.2	Aerial Photographs	1938, 1942, 1951, 1958, 1966, 1985, 1990, 1995, 2005 and 2015	Erie County Soil and Water Conservation District and Google Earth
5.5.3	Municipal Records	Not applicable	City and Town of Tonawanda Municipal Offices
5.5.4	Recorded Land Title Records	Not available	Not provided to LaBella for review.
5.5.5	Historical Atlases	1880 and 1909	Buffalo Erie County Public Library
5.5.6	Local Street Directories	1981, 1985, 1990, 1995, 2000, 2006, 2010 and 2016	Buffalo Erie County Public Library

5.5.1 Sanborn Fire Insurance Maps

Sanborn Fire Insurance maps do not appear to provide coverage to the Site and surrounding properties. As such, Sanborn Fire Insurance maps were not reviewed as part of this Phase I ESA. A copy of the "No Coverage" letter obtained from EDR is included in Appendix 2.

5.5.2 Aerial Photography

The table below outlines observations of the Site and adjoining/adjacent properties obtained from the review of aerial photographs.

Date	Observations
1931	No coverage for the Site and surrounding areas
1942 and 1951	Site: Site: Wooded/fallow land North: Niagara River Pathway South: Wooded/fallow land East: Wooded/fallow land West: Wooded/fallow land
1958 and 1966	Site: Site: Several mounds of C&D debris and fill material and wooded/fallow land North: Niagara River Pathway South: Wooded/fallow land East: Disturbed areas, residential and wooded/fallow land West: Wooded/fallow land
1985	Site: Several mounds of C&D debris and fill material and wooded/fallow land North: Niagara River Pathway South: Wooded/fallow land East: Trucking company, fireman's park, City of Tonawanda stockpile area, residential and wooded/fallow land West: Trucking company and wooded/fallow land
1990	No coverage of Site and surrounding areas
1995	Site: Several mounds of C&D debris and fill material and wooded/fallow land North: Niagara River Pathway South: Wooded/fallow land East: Trucking company, fireman's park, City of Tonawanda stockpile area, residential and wooded/fallow land West: Trucking company and wooded/fallow land
2005 and 2015	Site: Developed with the Site Building (commercial), several mounds of C&D debris and fill material and wooded/fallow land North: Niagara River Pathway South: Water treatment plant and wooded/fallow land East: Trucking company, fireman's park, City of Tonawanda stockpile area, residential and wooded/fallow land West: Trucking company and wooded/fallow land

Copies of the aerial photographs are included in Appendix 3.

5.5.3 Municipal Records

Foil requests were submitted to the City and Town of Tonawanda Clerk's offices on January 31, 2017. No records of environmental concern were identified within the City or Town of Tonawanda records reviewed for the Site. Copies of the FOIL requests and records obtained area included in Appendix 6.

In addition, limited assessment information was obtained from the Landmax Data Systems, Inc. website. This information is outlined in Sections 3.1 and 3.4.1. Copies of these records are included in Appendix 6.

5.5.4 Recorded Land Title Records

Title records were not provided, and as such not reviewed as part of this Phase I ESA report. Refer to Section 4.1 for additional details.

5.5.5 Historical Atlases

The table below outlines observations of the Site and adjoining/adjacent properties obtained from the review of available historical atlases.

Date	Observations
1880 and 1909	Site and surrounding areas appear owned by private individuals and do not exhibit development at those times.

Copies of the historical atlases are included in Appendix 2.

5.5.6 Local Street Directories

Listings identified associated with the Site and adjoining/adjacent properties in the Buffalo Erie County Public Library street directories are detailed in the table below.

Year	Historical Use
1981, 1985, 1990, 1995 and 2000	Site: Not listed Adjoining/adjacent: Trucking company, Tonawanda wastewater treatment plant and residential
2006, 2010 and 2016	Site: Al's Tree Service (650 Two Mile Creek Road) Adjoining/adjacent: Trucking companies, Tonawanda wastewater treatment plant and residential

Copies of the street directories are included in Appendix 2.

5.5.7 Summary of Historical Information

Based on the historical records reviewed, the Site consisted of undeveloped, wooded/fallow land from between 1880 and 2002 and was developed with the current Site Building utilized as Al's Tree Service from at least 2002 through present. Several mounds of C&D debris and/or fill material have been located throughout the Site since at least approximately 1958.

Adjoining/adjacent properties have included the Niagara River pathway, parks, wooded/fallow land, dwellings, the City of Tonawanda's stockpile area, the Town of Tonawanda wastewater treatment plant

and two trucking companies, east and west adjoining to the Site. Refer to Section 5.2 for further information associated with the east and west adjoining properties.

6.0 SITE RECONNAISSANCE

Conducted by: Ms. Katherine Bauer, Environmental Analyst

Accompanied by: Mr. James Jones of the Town of Tonawanda

Date of site visit: March 3, 2017

Representative photographs from the site visit are included in the Figures and Photographs section of this report. In addition, observations discussed in this Section are outlined on Figure 3 in the Figures and Photographs section of this report. Site visit limitations are outlined in Section 2.5 above. Copies of the field notes taken during the site visit are included in Appendix 4.

6.1 Interior Observations

The interior of the Site Building was not inspected at the time of the Site visit. The Site Building is reportedly utilized as part of Al's Tree Service.

6.2 Exterior Observations

6.2.1 Historical Usage

Observed	Additional Information
No	No apparent indicators (i.e., signs, equipment, etc.) were observed on the exterior of the Site at the time of the site visit which would indicate historical usages of the Site.

6.2.2 Hazardous Substances and Petroleum Products in Connection with Identified Usages

Observed	Additional Information
No	No apparent hazardous substances or petroleum products were observed on the exterior of the Site at the time of the site visit.

6.2.3 Storage Tanks

Noted	Additional Information
No	No apparent indications of aboveground or underground storage tanks (e.g., fill ports, vent pipes, access ways) were observed on the exterior of the Site at the time of the Site visit.

6.2.4 Odors

Noted	Additional Information
No	No apparent strong, pungent, or noxious odors were noted on the exterior of the Site at the time of the site visit.

6.2.5 Pools of Liquid(s)

Observed	Additional Information
No	No apparent pools, sumps, or standing water containing liquids likely to be hazardous substances or petroleum products were noted on the exterior of the Site at the time of the site visit.

6.2.6 Unidentified Substance Containers

Noted	Additional Information
No	No apparent unidentified substance containers were observed on the exterior of the Site at the time of the site visit.

6.2.7 Pits, Ponds, or Lagoons

Observed on the Site	Additional Information
No	No apparent pits, ponds, or lagoons were observed at the Site at the time of the site visit.

6.2.8 Stained Soil or Pavement

Observed on the Site	Additional Information
No	No apparent stained soils or pavement were observed at the Site at the time of the site visit.

6.2.9 Stressed Vegetation

Observed on the Site	Additional Information
No	No apparent stressed vegetation was observed at the time of the site visit.

6.2.10 Solid Waste

Observed on the Site	Additional Information
Yes	Several mounds of C&D debris (i.e. brick, stone, concrete, asphalt and wood) and fill material (i.e. reportedly off-site virgin soils, per Mr. Jones) are located throughout the Site. According to Mr. Jones, a permit exists for the excavation and stockpiling of soil at the Site parcel addressed as 5603 River Road.

6.2.11 Wastewater

Observed on the Site	Additional Information
No	Wastewater does not appear to be discharged on the exterior of the Site.

6.2.12 Wells

Observed on the Site	Additional Information
No	No apparent wells were observed on the exterior of the Site at the time of the site visit or reported to be located on the Site.

6.2.13 Septic Systems

Observed on the Site	Additional Information
No	No apparent indications of on-Site septic systems or cesspools were observed on the Site at the time of the site visit

6.2.14 Polychlorinated Bi-phenyls (PCBs) Containing Equipment

Observed	Additional Information
No	No apparent electrical or hydraulic equipment reportedly containing PCBs were observed on the exterior of the Site at the time of the site visit.

7.0 INTERVIEWS

7.1 Owner

LaBella attempted to interview the various owners associated with the Site; however, no such information has been obtained to date from these individuals or entities associated with the Site.

7.2 Local Government Officials

Refer to Section 5.5.3.

7.3 Tribal Records

There do not appear to be any Native American Sovereign Territories on or within one mile of the Site. In accordance with ASTM Standard Practice E1527-13, tribal records will only be reviewed if the subject Site falls on or within one mile of Native American Sovereign Territory. Therefore, tribal government representatives were not contacted as part of this AAI Phase I ESA report.

7.4 New York State Department of Environmental Conservation

A FOIL request was submitted to the NYSDEC on January 31, 2017. According to the NYSDEC, after a diligent search, no records could be located for the Site; however, refer to Section 5.2 for further information regarding the adjoining properties. A copy of the FOIL request is included in Appendix 6. Copies of the records obtained are included in Appendix 1.

7.5 New York State Department of Health

A FOIL request was submitted to the NYSDOH on January 31, 2017. As of the date of this report submission, a response has not been received. Any pertinent information received as a result of this FOIL request will be included as a Letter of Addendum. A copy of the FOIL request is included in Appendix 6.

8.0 FINDINGS, OPINIONS AND CONCLUSIONS

We have performed a Phase I ESA in conformance with the scope and limitations of ASTM Practice E1527-13 for 5601, 5603, 5605, 5609 and 5611 River Road and 650 Two Mile Creek Road, City and Town of Tonawanda, Erie County, New York, the Site.

8.1 Findings

Any exceptions to, or deletions from, this practice are described in Section 2.5 of this report. Based on the results of this assessment, the following RECs have been identified associated with the Site at this time.

SECTION # 5.2 – West Adjoining State Listed IHWDS

A west adjoining property addressed as 5565 River Road is currently registered as a NYSDEC state listed IHWDS (NYSDEC Site Code 915239). The apparent flow of groundwater at the property appears to generally be to the north-northeast and towards the Site. Several mounds of fly ash and piles of 55-gallon drums (mostly empty) were previously observed located throughout this property. As a result, a Site Characterization was conducted by the NYSDEC in 2011 including a test pitting program and collection of samples for laboratory analysis. Identified contaminants included PCBs and metals in the surface soils, PAHs, PCBs and metals in the subsurface industrial fill and VOCs, PCBs and metals in the drum waste which inadvertently contaminated sediment in two of the creeks at the property that flow toward and through the Site. The condition of groundwater at the property had not yet been evaluated as of the current status of this listing. Subsequently, a remedial investigation was conducted at the property in 2013 with supplemental remedial investigation work completed in 2015. The current status of this listing indicates that the remedial investigation report is still in preparation.

8.1.1 Additional Findings

Based on the results of this assessment, no apparent HRECs or CRECs conditions have been identified associated with the Site at this time; however, the following de minimis conditions have been identified associated with the Site at this time

SECTION #6.2.10 – Solid Waste

Several mounds of C&D debris including brick, concrete, asphalt, stone and wood are located throughout the Site. In addition, several mounds of fill material reportedly consisting of off-site virgin soils are located throughout the Site. A permit reportedly exists for the excavation and storage of soil at the Site parcel addressed as 5603 River Road.

8.2 Data Failures and Data Gaps

8.2.1 Data Failures

ASTM E1527-13 defines a data failure as a failure to achieve the historical research objectives of AAI even after reviewing the standard historical sources that are reasonably ascertainable and likely to be useful. Specifically, the historical research objectives include identifying all obvious uses of the Site from the present, back to the Site's first developed use, or back to 1940, whichever is earlier.

A data failure was not encountered within Scope of Work of this assessment.

8.2.2 Data Gaps

ASTM E1527-13 defines a data gap as a lack of or an inability to obtain information required by this practice despite *good faith* efforts by the *environmental professional* to gather such information. Data gaps may result from incompleteness in any of the activities required by this practice, including, but not limited to site reconnaissance, interviews, data failure, or lack of a User Questionnaire.

Data gaps were encountered within the Scope of Work of this assessment. The first data gap includes the lack of response from the NYSDOH. The receipt of relevant environmental information as a result of FOIL requests has the ability to change the Findings and Conclusions of this report. However, it should be noted that the review of Standard State and Federal regularity database listings during the course of this Phase I ESA did not identify environmental concerns relative to the Site; therefore, changes are not anticipated. The second data gap includes the Site visit limitations discussed in Section 2.5. The third data gap includes the lack of interview response from the current Site owners. These data gaps do not appear to be significant based on the known current and/or historical operations conducted at the Site.

8.3 Opinion of Findings

Based on the findings of this assessment, further investigation appears warranted at this time.

9.0 DEVIATIONS

No deviations were made to the report, other than the Limitations and Exceptions as stated in Section 2.5.

10.0 ADDITIONAL SERVICES

No additional services were provided or agreed upon as part of this assessment.

11.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

We declare that, to our knowledge and belief, we meet the definition of Environmental Professional as defined in ASTM Standard Practice E1527-13 and §312.20 of 40 CFR §312. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting at the subject property.

We have developed and performed the Scope of Work for this assessment in conformance with the standards, practices, and limitations set forth in ASTM Standard Practice E1527-13.



Chris Kibler
Project Scientist
Environmental Professional

The following representative of LaBella assisted in the completion of this report.



Katherine Bauer
Environmental Analyst

CK/KB/cm

J:\TONAWANDA, TOWN OF\2151300 - BROWNFIELD OPPORTUNITY\ENVIRONMENTAL ASSESSMENTS\FOR KATIE\PHASE I'S FOR TONAWANDA BOA\5601, 5603, 5605, 5611 RIVER ROAD AND 650 TWO MILE CREEK ROAD\2151300_PHASE I ESA_RIVER RD. & 2-MILE CR._TONAWANDA BOA_FINAL_5.1.2017.DOCX

12.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

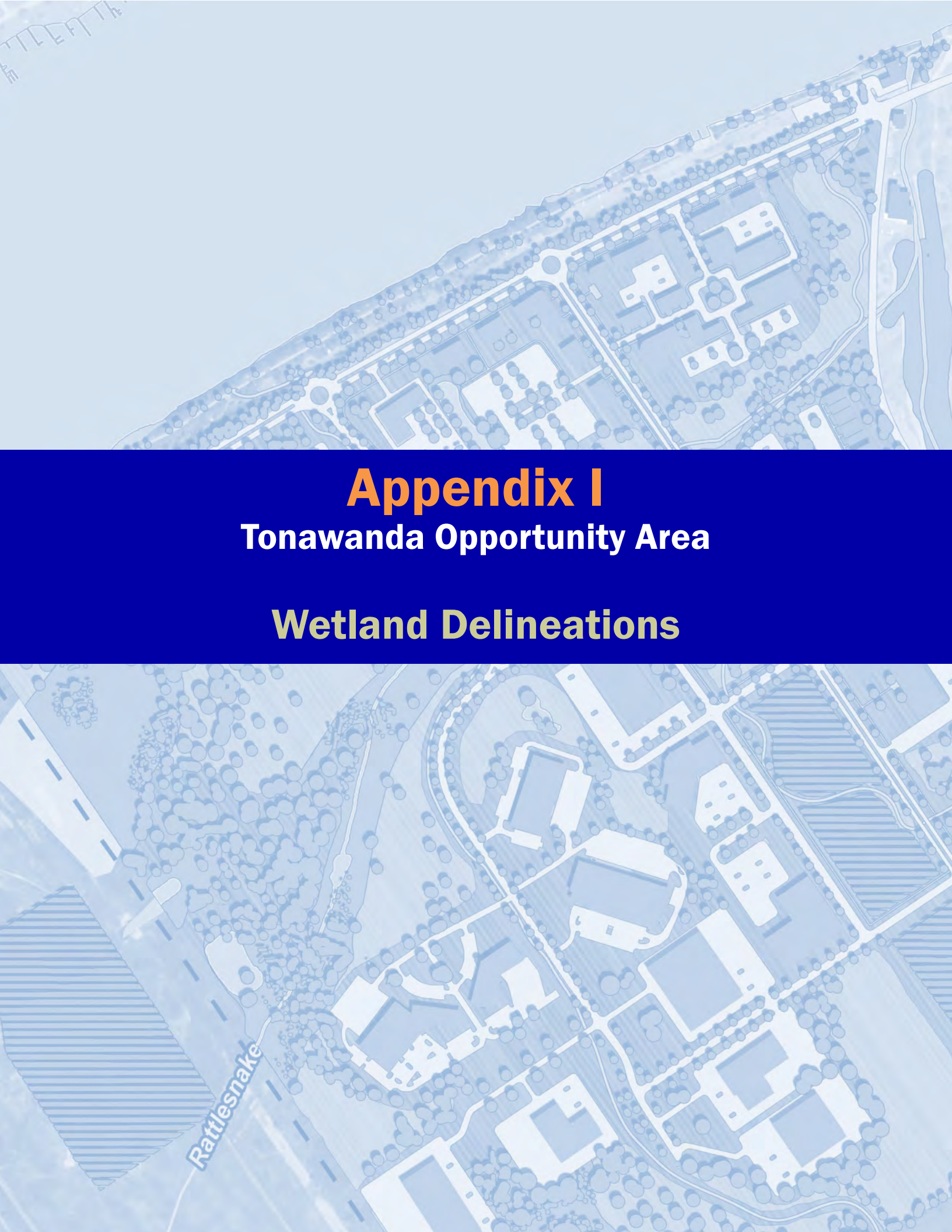
Chris Kibler | Project Scientist (Environmental Professional)

Chris is a Project Scientist responsible for the coordination and successful completion of Phase I and II ESAs. Working with financial institutions, attorneys, private developers and municipalities, he conducts ESAs in support of real estate transactions and brownfield redevelopment initiatives. Mr. Kibler's experience includes historical and regulatory records review; field sampling and data collection using a variety of techniques and equipment; the review and evaluation of field and laboratory analytical data; and the preparation of technical reports defining potential environmental liabilities and, if warranted, remedial options.

Katherine Bauer | Environmental Analyst

Katherine is an Environmental Analyst with one year of experience conducting Phase I Environmental Site Assessments. The site assessments include evaluation of environmental liability associated with properties, and Katherine provides efficient analysis and completion of environmental reports for financial institutions, attorneys and private developers.

J:\TONAWANDA, TOWN OF\2151300 - BROWNFIELD OPPORTUNITY\ENVIRONMENTAL ASSESSMENTS\FOR KATIE\PHASE I'S FOR TONAWANDA BOA\5601, 5603, 5605, 5611 RIVER ROAD AND 650 TWO MILE CREEK ROAD\2151300_PHASE I ESA_RIVER RD. & 2-MILE CR._TONAWANDA BOA_FINAL_5.1.2017.DOCX



Appendix I

Tonawanda Opportunity Area

Wetland Delineations

Environmental Design & Research,
Landscape Architecture, Engineering & Environmental Services, D.P.C.
217 Montgomery Street, Suite 1000, Syracuse, New York 13202
P. 315.471.0688 • F. 315.471.1061 • www.edrdpc.com

October 25, 2017

Edward Flynn, AICP
Planning Division Director
Labella Associates, D.P.C
300 State Street
Rochester, NY 14614
Sent via email: eflynn@labellapc.com

RE: Wetland Reconnaissance – Town of Tonawanda Nomination Study
Town on Tonawanda, Erie County, New York
EDR Project No. 16112

Dear Mr. Flynn:

At the request of Labella Associates D.P.C., Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (EDR) conducted a wetland reconnaissance site visit at 11 parcels for potential sites of Phase I Environmental Site Assessments located in the Town of Tonawanda, Erie County, New York. This memorandum summarizes our review of background data, field visit and methodology, and findings.

Review of Background Data

EDR's review of existing wetland databases (National Wetland Inventory [NWI] and New York State Department of Environmental Conservation [NYSDEC] mapped wetlands and streams) indicate there are five NWI mapped wetlands intersecting the parcels of study. NYSDEC wetland and stream mapping shows no state-mapped wetlands intersecting/or within the vicinity of the parcels under investigation. NYSDEC stream mapping indicates the presence of a Class B protected stream intersecting parcel 33 (see Figure 2).

Field Visit and Methodology

On October 5th and 6th, 2017, an EDR field biologist visited the Project Site to perform a wetland reconnaissance site visit to determine if wetland or streams were present within the parcels of study. The identification of potential wetland areas was made based on the methodology described in the USACE Wetland Delineation Manual (Environmental Laboratory, 1987). The determination of potential wetland areas was also guided by the methodologies presented in the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0) (USACE, 2012). Attention was given to the identification of potential hydrologic connections between wetlands and areas that could influence their jurisdictional status.

Findings

The wetland reconnaissance site visit revealed wetlands are present in the northern sector of the Project Site. Several parcels (11,12, and 33) are traversed by wetland features (see Figure 2 and 3). The character and description of each approximate wetland is described below and in Table 1.

Approximate Wetland 1 is a forested wetland (PFO) approximately 22 acres in size (See Figure 3). This wetland feature contains hydric vegetation including sensitive fern (Onoclea sensibilis), rush species (Juncus spp.), dogwood species (Cornus spp.), speckled alder (Alnus incana), and Red Maple (Acer rubrum) in the tree layer. The northwestern edge nearest to River Road is dominated by common reed (Phragmites) and sensitive fern. Soil samples revealed saturation, redox conditions, and the presence of surface water.

Approximate Wetland 2 is a palustrine emergent (PEM) wetland approximately 4 acres in size and is dominated by common reed with dogwood species along the southern edges. This wetland is part of a NYSDEC Class B protected stream segment which drains in a northeastern direction towards approximate wetland 3. Soil samples revealed saturation, redox conditions, and the presence of surface water.

Approximate Wetland 3 is also a PEM wetland approximately 0.13 acre in size dominated by common reed and dogwood species (Cornus spp.). Soil sampling indicate saturation, redox conditions, and the presence of surface water. Additionally, Approximate Wetland 3 appears to receive hydrology from a 15-acre NWI mapped PEM wetland 500 feet to the southwest, which is shows hydrologic connections to Approximate Wetland 2.

Hydrology characteristics for all of the approximate wetlands consisted of some surface water, soil saturation beginning at the surface, and drainage patterns.

Table 1. Approximate Wetlands

Approximate Wetland	Wetland Type[1]	Wetland Area (acres)	Intersecting Parcels	Federal Jurisdiction[2]	State Jurisdiction[3]
1	PFO	22	11, 12	Yes	No
2	PEM	4	11	Yes	No
3	PEM	0.13	33	Yes	No

1 Wetland community types noted are based upon the Cowardin et al classification system: PFO = Palustrine Forested, and PEM = Palustrine Emergent.
2 Based on visual observation of hydrologic connectivity in the field, and review of available aerial and spatial data.
3 Based on area of delineated wetland, and existing NYSDEC mapping of freshwater wetlands. Final jurisdictional determination to be made by the NYSDEC.

Parcel Character

Parcels 32-36 & 61 appear to be utilized for storage of fill/construction materials which may influence wetland character. On April 28, 2017, EDR's visual team captured aerial images via drone of parcels 32-33 for the developer's forum. When compared to the parcel character investigated on the October 5-6 site visit, the size of fill piles are much larger than in the aerial images from earlier in the year.

Parcel 71 is currently under construction for a stream diversion/remediation project. Tonawanda Coke Corp. denied EDR field biologists access to the parcel. Based on NWI mapping and aerial imagery (Figure 2), riverine wetland is likely present on the parcel, although stream diversion systems have likely altered local hydrology.

Parcel 76 & 77 contain no evidence of wetland features. The parcels are occupied by vacant structures, rubble piles, and fill. Dominant vegetation species include sumac (Rhus sp.), common reed, and Quaking aspen (Populus tremuloides).

Conclusion

Based on the results of the wetland reconnaissance, there are three wetland areas located in the northern sector of the Project Site. The approximate wetland characteristics are mainly emergent, with one wetland (Approximate Wetland 1) containing forested wetland characteristics. No wetland features exhibit a distinct connection to other waters of the United States. Approximate Wetland 1 ultimately drains northeast to Two Mile Creek, a tributary of the Niagara River. According to Section 404 of the Clean Water Act, and specifically the Raponos vs. the United States & Carabell vs. the United States court cases, the USACE will assert jurisdiction over wetlands that are directly connected to non-navigable tributaries connected to a traditional navigable water. Since Two Mile Creek is a non-navigable tributary that drains to a traditional navigable water (i.e., Niagara River), any wetlands that drain into Two Mile Creek (i.e., Approximate Wetland 2 and 3) will be considered jurisdictional. Additionally, resulting from the Raponos vs. the United States & Carabell vs. the United States court cases, wetlands adjacent to non-navigable tributaries will require fact-specific analysis to determine if they have significant nexus with a traditional navigable water. Based on EDR's experience with the USACE, the agency will incorporate proximity to jurisdictional wetlands and streams, as well as hydrologic and ecological factors, when determining jurisdiction. Therefore, Approximate Wetlands 1, 2, 3, do not exhibit a direct hydrologic connection to other waters of the U.S., they will likely be considered jurisdictional by the USACE due to their proximity to jurisdictional waters of the U.S. To further identify jurisdictional wetlands on-site, a formal wetland delineation must be completed during the growing season.

Please contact our office if you have any questions or require additional information.

Sincerely,

Ben Brazell
Principal of Environmental

Attachments:

- Figure 1: Project Site
- Figure 2: Mapped Wetlands and Streams
- Figure 3: Approximate Wetland Boundary



Town of Tonawanda BOA

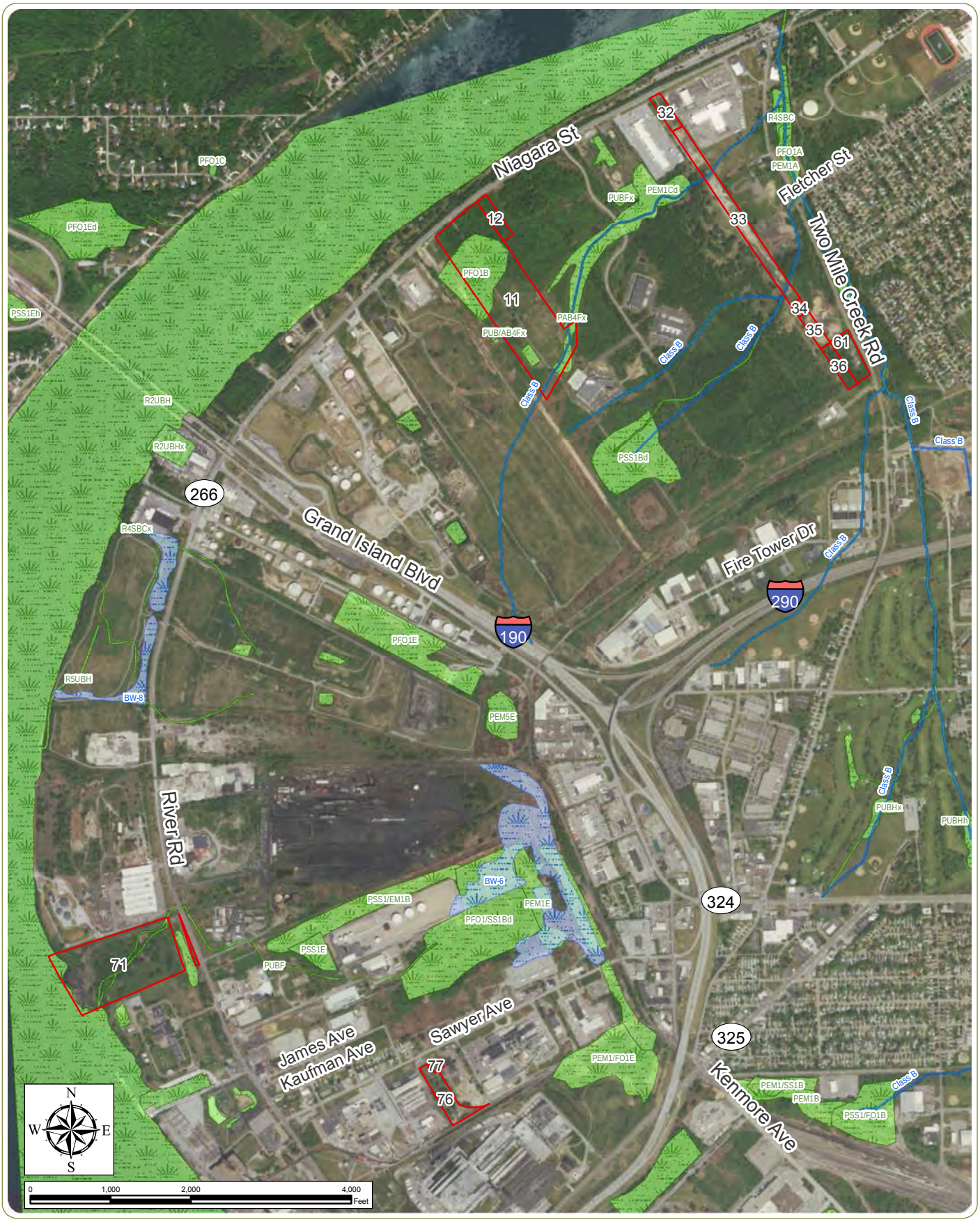
Town of Tonawanda - Erie County, New York

Figure 1: Project Site

Parcel Boundary

Notes: 1. Basemap: ESRI ArcGIS Online "World Imagery" map service.
2. This map was generated in ArcMap on October 25, 2017.
3. This is a color graphic. Reproduction in grayscale may misrepresent the data.

www.edrdpc.com



Town of Tonawanda BOA

Town of Tonawanda - Erie County, New York

Figure 2: Mapped Wetlands and Streams

Notes: 1. Basemap: ESRI ArcGIS Online "World Imagery" map service.
2. This map was generated in ArcMap on October 25, 2017.
3. This is a color graphic. Reproduction in grayscale may misrepresent the data.

- NYSDEC Protected Stream
- NWI Mapped Wetland
- NYSDEC Mapped Wetland
- Parcel Boundary

www.edrdpc.com



Town of Tonawanda BOA

Town of Tonawanda - Erie County, New York

Figure 3: Approximate Wetland Boundary

Wetland Continues

Culvert Connection

Approximate Wetland

Parcel Boundary

Notes: 1. Basemap: ESRI ArcGIS Online "World Imagery" map service.
2. This map was generated in ArcMap on October 25, 2017.
3. This is a color graphic. Reproduction in grayscale may misrepresent the data.

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www.edrdpc.com



Appendix J

Tonawanda Opportunity Area

Developers Forum Site Packages

Potential Development Sites

Tonawanda Developers' Forum

May 2, 2017



Contact: James Hartz, Department of Planning & Development, 716-871-8847 ext. 1, jhartz@tonawanda.ny.us

www.tonawandaopportunity.com

Potential Development Sites

Site/ Address	Site Size	Owner	Map Site ID
Spaulding Commerce Park	~ 42.0 acres available	City of Tonawanda	1
North Youngmann Commerce Center	~ 18.7 acres available	Town of Tonawanda	2
185 Sawyer Ave	~ 4.0 acres	185 & 189 Sawyer LLC	3
189 Sawyer Ave	~ 0.4 acres		
NRG Huntley	~ 93.5 acres	Huntley Power LLC	5
Niagara Riverworld	~ 50.0 acres	Niagara River World Inc.	6
4001 River Rd	~ 9.85 acres	Braxner LLC	7
INS Site Frontage	~ 5.0 acres available	Erie County	8
United Refining Frontage	~ 6.5 acres potentially available	United Refining Co.	10
Riverview Solar Technology Park	~ 200 acres	TM Montante Development	11
295 Fire Tower Dr	~ 61,075 SF warehouse for lease	Scott D. Bangert	12
199 Fire Tower Dr	~ 24,912 SF warehouse/ flex space for lease	Fire Tower Realty LLC	13

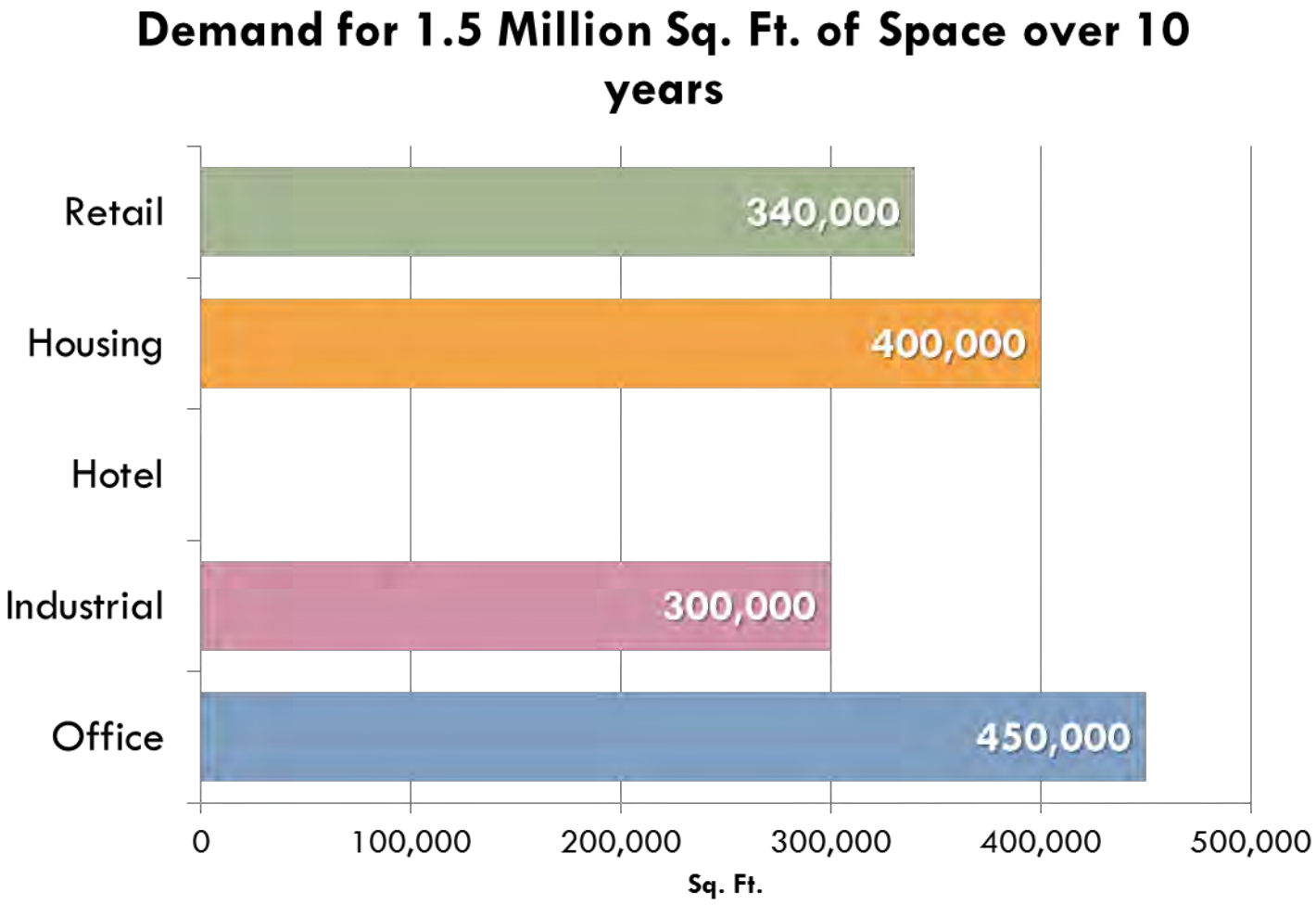
Potential Sites Map



Market Information

Demand - Next Decade

Tonawanda Opportunity Area



1

Spaulding Commerce Park

Address: 332 Wheeler St
375 Hinds St

Size: Approximately 42 acres of vacant, shovel-ready business park

Zoning: SCD: Spaulding Commerce Park

Uses Allowed: SCD: Mixed Use (Office and Light Industrial)

Availability: The properties are owned by the City of Tonawanda and are available immediately for purchase. Acreage and parcel breakouts are flexible.

Features:

- Development ready (GEIS completed, complete utility infrastructure, all permits, and design guidelines in place)
- Easy access to Downtown , I-190, I-290, two international airports, and three bridges to Canada
- Nearby Rail
- Special incentives including NY Power Authority Hydropower Zone, Empire Zone, and potential NYS Excelsior Program Benefits

Site/Environmental History:

- Contact the City or Erie County Department of Planning for basic environmental histories on the sites



Properties Available



Contact: Rick Davis, Mayor, City of Tonawanda, 716-695-8645, Mayor@tonawandacity.com

Spaulding Commerce Park



TARGETED USES

- Offices
- Light Industrial Uses



2

North Youngman Commerce Center

Size: Approximately 18.7 acres of vacant, shovel-ready industrial/flex park

Zoning: WID: Waterfront Industrial

Uses Allowed: Light industrial, wholesale, warehousing, research facilities, business offices, and medical professional buildings

Availability: The properties are owned by the Town of Tonawanda and are available immediately for purchase. Acreage and parcel breakouts are flexible.







Features:

- Shovel Ready with all utilities telecommunications on site with sufficient capacity for large users.
- Easy access to Downtown , I-190, I-290, two international airports, and three bridges to Canada
- High visibility from the I-290
- Special incentives including NY Power Authority Hydropower Zone, and potential NYS Grant and Tax incentives.

Site/Environmental History:

- Contact the Town for basic environmental histories on the sites

Contact: James Hartz, Department of Planning & Development, 716-871-8847 ext. 1, jhartz@tonawanda.ny.us

North Youngman Commerce Center



TARGETED USES

- Offices
- Research
- Light Industrial
- Warehousing
- Flex Tech



3

185 & 189 Sawyer Ave.

Lot Size: 4.38 acres

Zoning: G-I, General Industrial

Uses Allowed: Any use is allowed with the exception of residential uses, hotels/motels, institutional uses and hospitals.

Assessed Value: $96,000

Owner: 185 & 189 Sawyer LLC

Features:

- Nearby Rail
- Adjacent to Dunlop Corp.
- Access to River Road and easy access to I-190.

Site/Environmental History:

- A limited Phase 1 Environmental Analysis was completed on the property recently by the Town and is available to interested developers.



Contact: James Hartz, Department of Planning & Development, 716-871-8847 ext. 1, jhartz@tonawanda.ny.us

185 & 189 Sawyer Ave.



TARGETED USES

- Heavy Industrial
- Research Facilities
- Warehouse

5

3500 River Road

Site Size:	93.5 Acres
Zoning:	G-I, General Industrial

Uses Allowed: Any use is allowed with the exception of residential uses, hotels/motels, institutional uses and hospitals.

Assessed Value:	$2,835,000
Owner:	Huntley Power LLC

Features:

- 3,500 lineal feet of waterfront
- Direct access to I-190
- Rail siding on site and access to mainline
- Adjacent to Dunlop plant
- Adjacent to marina

Site/Environmental History:

- No environmental data is available at this time





Contact: James Hartz, Department of Planning & Development, 716-871-8847 ext. 1, jhartz@tonawanda.ny.us

3500 River Road



TARGETED USES

- Retail
- Restaurants
- Offices
- Market Rate Multi-Family Housing
- Light Industrial
- Research
- Warehouse/Distribution

6

4002 River Road

Niagara RiverWorld

Site Size: 50 Acres

Zoning: W-I, Waterfront Industrial

Uses Allowed: Light industrial, wholesale, warehousing, research facilities, business offices, and medical professional buildings

Assessed Value: $530,000

Features:

- Includes fully occupied/leased 250,000 sq. ft. warehouse
- 1,700 lineal feet of waterfront
- 1,900 feet of River Road frontage
- Easy access to I-190 and I-290 interchanges.
- 1,000 lineal feet Niagara River docking area
- Adjacent to Erie Canal Trail

Site/Environmental History:

- Site environmental records are available upon request of the property owner including a NYSDEC Certificate of Completion.

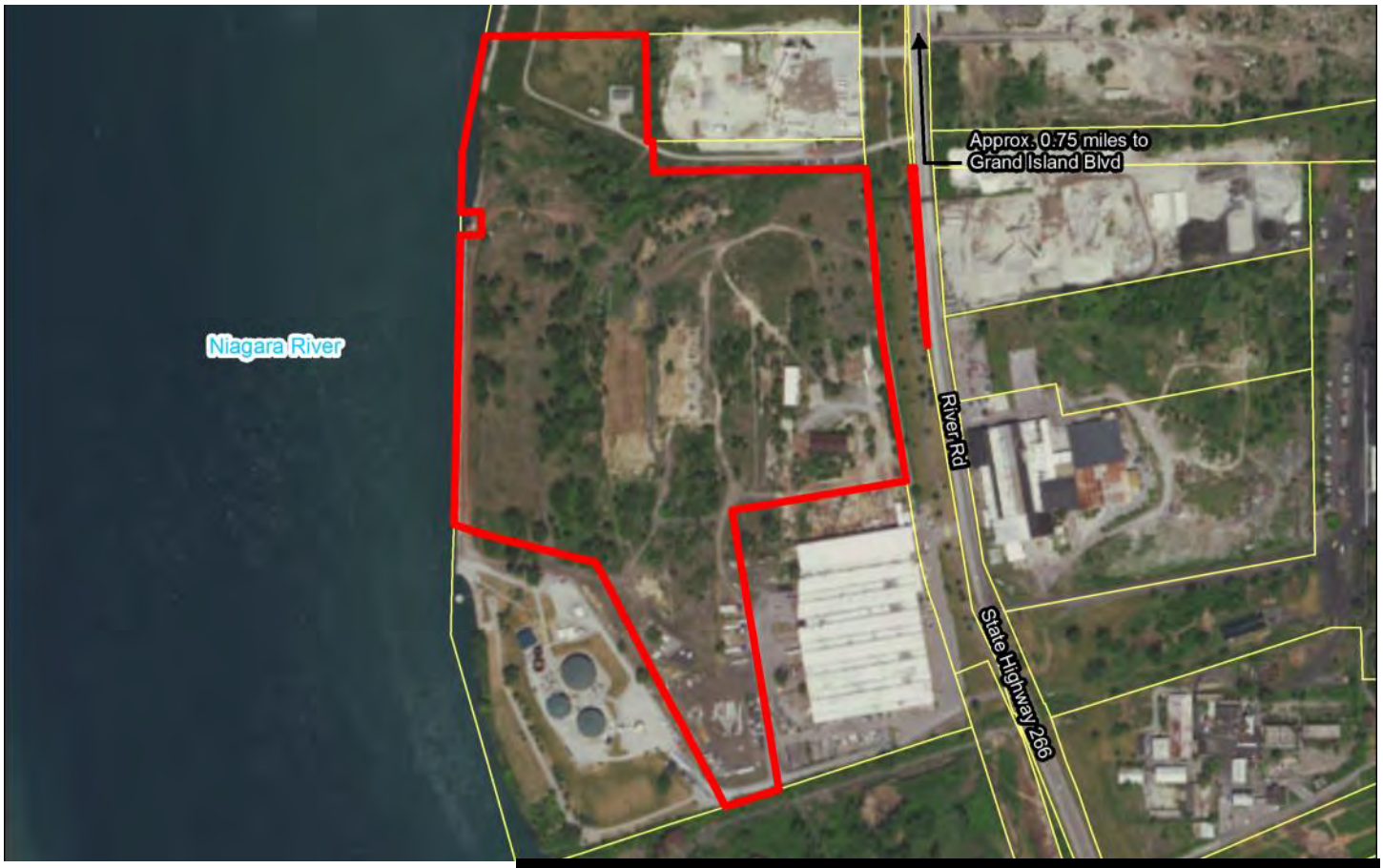


Rendering of Potential Site Development



Contact: James Hartz, Department of Planning & Development, 716-871-8847 ext. 1, jhartz@tonawanda.ny.us

4000-4002 River Road



Rendering of Potential Site Development



TARGETED USES

- Light Industrial
- Research
- Warehouse/Distribution

7

4001 River Road

Site Size: 9.85 Acres

Zoning: G-I, General Industrial

Uses Allowed: Any use is allowed with the exception of residential uses, hotels/motels, institutional uses and hospitals.

Assessed Value: $148,000

Owner: Braxner, LLC

Features:

- 285 ft. of River Road Frontage
- Easy access to I-190 and I-290 interchanges.
- Vacant land with no environmental records

Site/Environmental History:

- There are no known environmental records for this site





Contact: James Hartz, Department of Planning & Development, 716-871-8847 ext. 1, jhartz@tonawanda.ny.us

4001 River Road



TARGETED USES

- Light Industrial
- Research
- Warehouse/Distribution

8

411 River Road

Site Size: 30 acres total; the County is willing to consider proposals for development on up to 15 acres of River Road Frontage

Zoning: G-I, General Industrial

Uses Allowed: Any use is allowed with the exception of residential uses, hotels/motels, institutional and hospitals.

Assessed Values: $393,200 (entire 30 acre parcel)

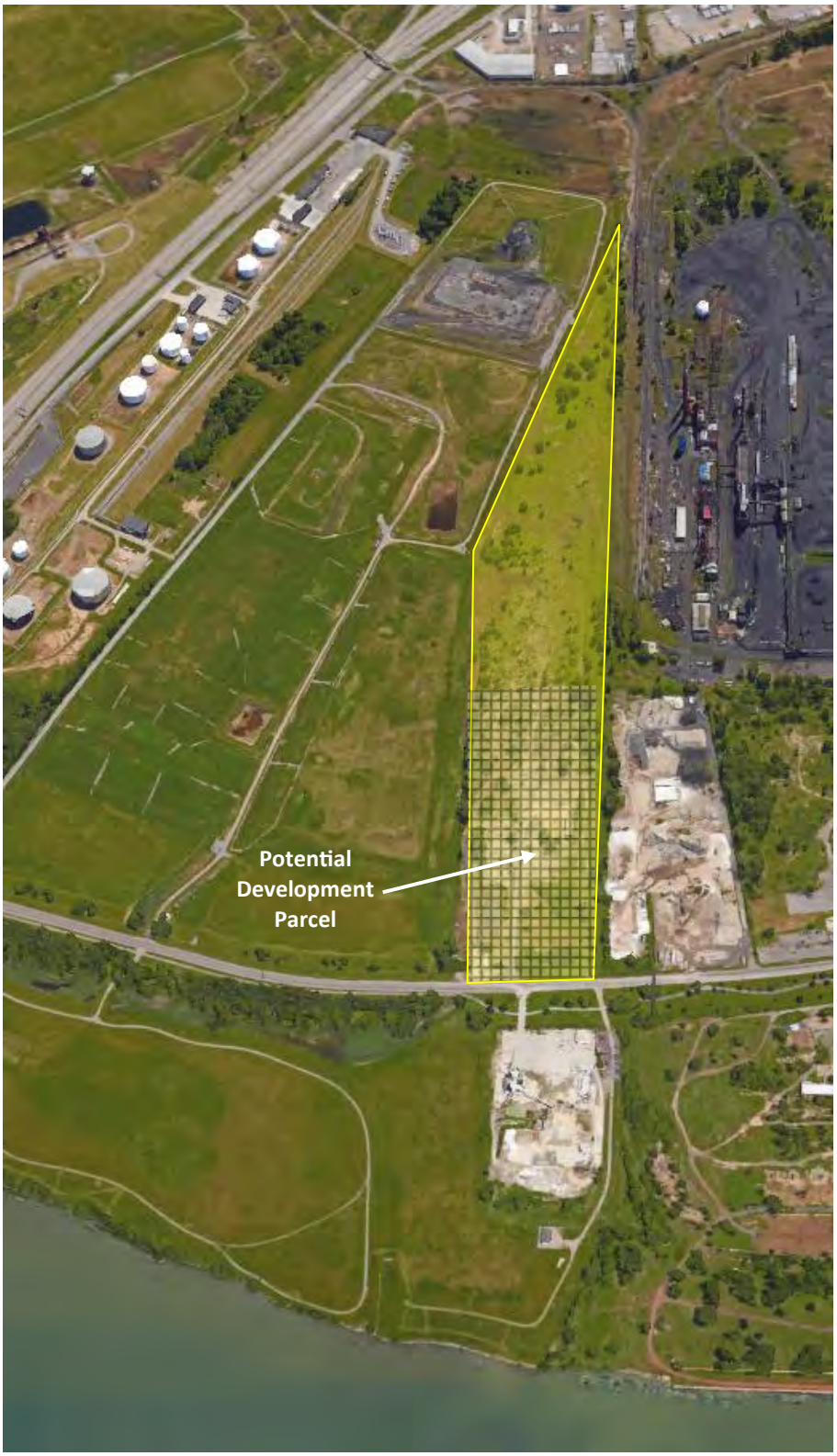
Owner: Erie County

Features:

- 525 ft. of River Road Frontage
- Easy access to I-190 and I-290 interchanges.
- Vacant land with no environmental records

Site/Environmental History:

- A Phase 1 and Phase II Environmental Assessment were prepared for the site prior to Erie County's purchase of the property. Based on the findings the site has been remediated and tires and other refuse has been removed.



Contact: James Hartz, Department of Planning & Development, 716-871-8847 ext. 1, jhartz@tonawanda.ny.us

4111 River Road



TARGETED USES

- Light Industrial
- Research
- Warehouse/Distribution

10

4545 River Road

Waterfront Parcels

Lot Size: Approximately 6.5 acres south of River Road

Zoning: WMU - Waterfront Mixed Use (waterfront property); RHC - Retail Highway Commercial (south of River Road)

Uses Allowed: Parks, marinas, motel/hotel, retail, restaurants, mixed use (WMU); Restaurants, gas stations, motels/hotels (RHC)

Assessed Value: $772,000 (entire 118 acre parcel)

Features:

- 1500 Lineal Feet of Niagara River Waterfront and River Road frontage (waterfront property)
- Exceptional access to I-190, I-290, Sheridan Drive and Grand Island Bridge
- Direct access to Erie County Trail system

Site/Environmental History:

- Contact the Town of Tonawanda for environmental information for the sections of the property available for potential development.





Contact: James Hartz, Department of Planning & Development, 716-871-8847 ext. 1, jhartz@tonawanda.ny.us

4545 River Road

Waterfront Parcels



TARGETED USES

- Retail
- Restaurants
- Mixed Use
- Service Stations w/ Design Controls

11

Riverview Solar Technology Park

Lots Available on 200 acre Business Park:

Waterfront Commercial: 5 lots available ranging from 4-11 acres

Commercial, Clean and Light Manufacturing: 8 lots available ranging from 7.5-10 acres

Zoning: Waterfront Industrial (WI) and Waterfront Business (WB)

Uses Allowed: Light industry, warehouses, research, offices, retail (WI); Offices, research, assembly 7 laboratories (WB)

Owner: TM Montante

Features:

- Solar Architecture & reduced energy costs
- 1400 LF of River Road frontage
- Access to Erie County Trail System and Isle View Park
- Build to Suit & Shovel Ready
- Exceptional access to I-190, I-290, Sheridan Drive and Grand Island Bridge

Site/Environmental History: Contact TM Montante





Contact: James Hartz, Department of Planning & Development, 716-871-8847 ext. 1, jhartz@tonawanda.ny.us

Riverview Solar Technology Park



TARGETED USES

- Flex Offices
- Class A Office
- Light Industrial / Warehouse
- Small scale retail
- Research/Laboratories

12

295 Fire Tower Drive

Lot Size: 3.08 acres

Building Size: 61,075 sq. ft.; 14,000 sq. ft. minimum divisible lease

Zoning: Waterfront Industrial District

Uses Allowed: Light industry, warehouses, research, offices, retail

Broker: Cushman Wakefield / Pyramid Brokerage

Features:

- Easy access to I-190 and I-290
- 7 dock doors, 800 amp power, newly renovated office space
- 16' 8" - 24' clear height





Contact: James Hartz, Department of Planning & Development, 716-871-8847 ext. 1, jhartz@tonawanda.ny.us

295 Fire Tower Drive



TARGETED USES

- Manufacturing
- Fabrication
- Distribution
- Warehouse

13

199 Fire Tower Drive

Lot Size: 5 acres

Building Size: 24,912 sq. ft.;

Zoning: Waterfront Industrial District

Uses Allowed: Light industry, warehouses, research, offices, retail

Broker: Cushman Wakefield / Pyramid Brokerage

Features:

- Easy access to I-190 and I-290
- 1 dock door, 800 amp power, ample parking
- 14' - 18' clear height





Contact: James Hartz, Department of Planning & Development, 716-871-8847 ext. 1, jhartz@tonawanda.ny.us

295 Fire Tower Drive



TARGETED USES

- Manufacturing
- Fabrication
- Distribution
- Warehouse

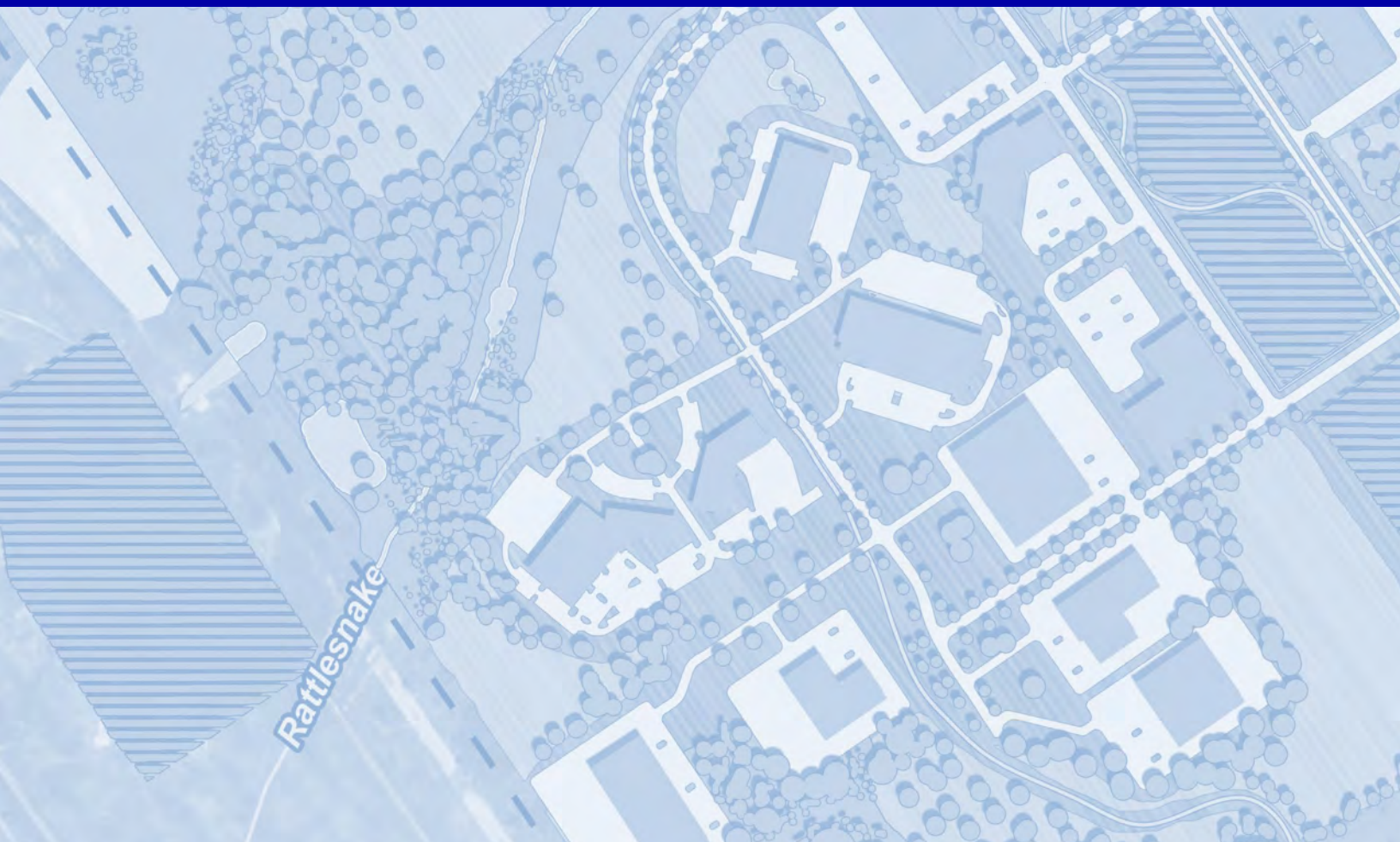
NOTES



Appendix K

Tonawanda Opportunity Area

Correspondence with Agencies



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program
625 Broadway, Fifth Floor, Albany, NY 12233-4757
P: (518) 402-8935 | F: (518) 402-8925
www.dec.ny.gov

March 5, 2018

Kailee Van Brunt
LaBella Associates
300 Pearl Street, Suite 130
Buffalo, NY 14202

Re: Tonawanda Opportunity Area Nomination Plan and GEIS
County: Erie Town/City: City of Tonawanda, Tonawanda

Dear Ms. Van Brunt:

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

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur at the project site, or in its vicinity.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

Our database is continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 9 Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Andrea Chaloux

Andrea Chaloux
Environmental Review Specialist
New York Natural Heritage Program

150

The following state-listed animals have been documented in the vicinity of the project site.

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed or are candidates for federal listing.

For information about any permit considerations for the project, contact the Permits staff at the NYSDEC Region 9 Office. For information about potential impacts of the project on these species, and how to avoid, minimize, or mitigate any impacts, contact the Wildlife Manager.

A listing of Regional Offices is at http://www.dec.ny.gov/about/558.html.

The following species has been documented within 850 feet of the project site.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*FEDERAL LISTING*	
Birds				
Peregrine Falcon *Breeding*	*Falco peregrinus*	Endangered		13467

The following species has been documented within 0.8 mile of the project site. Individual animals may travel 1 mile from documented locations.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*FEDERAL LISTING*	
Birds				
Bald Eagle *Breeding*	*Haliaeetus leucocephalus*	Threatened		14934

This report only includes records from the NY Natural Heritage database.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NYSDEC at www.dec.ny.gov/animals/7494.html.

The following rare plants, rare animals, and significant natural communities have been documented at the project site, or in its vicinity.

We recommend that potential onsite and offsite impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following animal assemblage is of conservation concern to the state. Project activities should be conducted so as not to disturb or impact wintering waterfowl on the Niagara River.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*HERITAGE CONSERVATION STATUS*

Animal Assemblages

Waterfowl Winter Concentration Area

Upper Niagara River, just west of the project site and within the project site, 1994-01-25: About 20 miles of a main channel river, with depths to 30 feet. Waterfowl use of the area each winter is influenced by the extent of ice cover. Three shallow sections serve as major feeding locations within this area: the shallow shoal area from Motor Island to upstream of Strawberry Island is less than 6 feet below mean low water, and it contains beds of submergent aquatic vegetation (e.g., wild celery) and patches of emergent wetland vegetation along the shore. The wide shallow section from the western ends of Buckhorn and Navy Islands to the beginning of the rapids above Niagara Falls is less than 10 feet below mean low water, and it has a sparsely vegetated bedrock substrate and extensive undisturbed areas with no excavation or filling. The open water off of North Buffalo Harbor ranges from 20 to less than 6 feet below mean low water, with several reefs and breakwaters. 6681

The following plants are listed as Endangered or Threatened by New York State, and are considered rare by the New York Natural Heritage Program, and so are a vulnerable natural resource of conservation concern.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*HERITAGE CONSERVATION STATUS*

Vascular Plants

Stiff Flat-topped Goldenrod	*Solidago rigida var. rigida*	Threatened	Imperiled in NYS

Grand Island East, north of project site, 2006-09-13. 6031

Tonawanda Isle View Slopes, within the northern portion of the project site and just northeast of the project site, 1993-08-27: Dry gravelly soil. Road embankment between road and parking lot. Vegetation typifies old successional field. Weedy species are present. 9378

Southern Blue Flag	*Iris virginica*	Endangered	Critically Imperiled in NYS

Beaver Island, southwest of project site, 2012-06-07: The plant is reproducing in a small but well-protected marsh. 2542

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, from NatureServe Explorer at www.natureserve.org/explorer, and from USDA's Plants Database at http://plants.usda.gov/index.html (for plants).

Information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org. For descriptions of all community types, go to www.dec.ny.gov/animals/97703.html for Ecological Communities of New York State.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 9
270 Michigan Avenue, Buffalo, NY 14203-2915
P: (716) 851-7165 | F: (716) 851-7168
www.dec.ny.gov

June 11, 2018

Ms. Kailee Van Brunt, AICP
300 Pearl Street
Suite 130
Buffalo, New York 14202

Environmental Review
Tonawanda Opportunity Area
Nomination Plan and GEIS
City and Town of Tonawanda

Dear Ms. Van Brunt:

In response to your March 19, 2018 letter regarding the above-noted, please be advised of the following:

1. It appears that portions of this project are located within New York State regulated wetland Freshwater Wetlands (FWW) BW-6 and BW-8 and their regulated 100-foot-wide adjacent areas. It is recommended that a delineation be requested for FWW BW-8 due to the time that has elapsed since the previous delineation. Please note that a Freshwater Wetlands Permit pursuant to Article 24 of the New York State Environmental Conservation Law will be required by this office for work done in a Freshwater Wetland or its regulated 100-foot adjacent area. We recommend that a meeting be held with Department staff to ensure proposed projects can meet permitting standards.

2. Note that if the proposed project disturbs the bed or banks of the Niagara River or Two Mile Creek (within 50 feet of the ordinary high water mark), then an Article 15, Title 5, Protection of Waters Permit will be required from this Department. Please note that there are constructed reefs/submerged aquatic vegetation beds along the Niagara River shoreline bordering Cherry Farm. The Department will be interested in protecting these reefs and submerged vegetated areas of the river and habitat in and adjacent to the river and creek.

3. It is noted that the project is located on a Brownfield Opportunity Area. Project design must be coordinated with Mr. Chad Staniszewski of the Department's Division of Environmental Remediation to ensure compliance with the Site Management Plan for this BCP site. Mr. Staniszewski may be reached at telephone number: (716) 851-7220.

4. If project activities involve land disturbance of 1 acre or more, the project sponsor, owner or operator is required to obtain a State Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002). This General Permit requires the project sponsor, owner or operator to control stormwater runoff according to a Stormwater Pollution Prevention Plan (SWPPP), which is to be prepared prior to filing a Notice of Intent (NOI) and prior to commencement of the project. More information on General Permit GP-0-15-002, as well as the NOI form, is available on the Department's website at www.dec.ny.gov/chemical/43133.html. Information on permitting requirements and preparation of a necessary Stormwater Pollution Prevention Plan (SWPPP) is available on the Department's website at www.dec.ny.gov/chemical/8468.html.

   The City and Town of Tonawanda are designated as MS4 communities. The project sponsor, owner or operator of a construction activity that is subject to the requirements of regulated, traditional land use control MS4 shall have their SWPPP reviewed and accepted by the MS4 community. The "MS4 SWPPP Acceptance" form must be signed by the principle executive officer or ranking elected official from the MS4 community, or by a duly authorized representative of that person, and submitted along with the NOI, to the Department at NOTICE OF INTENT, NYSDEC, Bureau of Water Permits, 625 Broadway, 4th Floor, Albany, New York 12233-3505, telephone: 518/402-8111 to receive Department approval before construction commences.

5. Please note that if any portion of this proposed project requires a sanitary sewer connection that is designed to convey 2,500 gallons/day or more of municipal sewage, it is therefore be considered a sanitary sewer extension. The Erie County Health Department, 503 Kensington Avenue, Buffalo, New York 14214, telephone: 716/961-6800 will act as our agent and will be the approving agency.

   As such, this office would require a detailed Downstream Sewer Capacity Analysis to be performed and submitted for the 4400 North French Road Multi-Family Building as part of the Project's Engineering Report. Recent wet weather flow monitoring data and proposed new development flow should be analyzed relative to theoretical capacity at key nodes in the downstream sewer system and at pump stations (if any) to determine if capacity exists.

   Recent wet weather system flow data can consist of:

   - Comprehensive information from recent Sanitary Sewer System Evaluation Studies, or

- Wet weather data collected at (minimum of 3) key downstream nodes specified by the municipality.

  - This dated information can consist of instantaneous flow measurements, or continuous flow or sewer depth measurements obtained during significant wet weather events, preferably during high groundwater conditions. Peak sewer flow recording methods are an acceptable method to collect this information.

  - Depth or flow measurements should continue until a significant wet weather event occurs, but would not have to extend beyond three months. A significant wet weather event is considered to be a daily rainfall amount of ½" or greater.

The Downstream Sewer Capacity Analysis must also contain a narrative and a detailed map showing the downstream routing of sewers from the proposed project site to the Wastewater Treatment Plant. Line sizes, theoretical capacity, and pump stations must be identified and included in the analysis.

This Downstream Sewer Capacity Analysis, as well as any required infiltration and inflow (I/I) rehabilitation offset work at a 4:1 ratio, should be part of the Project's Engineering Report. These items must be received as part of a complete sanitary sewer extension plan submission from the municipality (sewer owner) that signs the "Application for Approval of Plans" form. If adequate capacity is not available, the sewer extension will not be approved until an acceptable remediation plan is developed.

The above guidance will help in the preparation of a complete Sewer Extension submission, which will facilitate our review. If you have any questions or require additional information, please contact our office, NYSDEC, Region 9 Buffalo Office, Division of Water, telephone: 716/851-7070), or the Erie County Health Department.

6. We have reviewed the available information in the New York State Natural Heritage Program databases on known occurrences of rare or state-listed animals and plants, of significant natural communities, and other significant habitats. Occurrences of Bald Eagle, *Haliaeetus leucocephalus,* and Peregrine Falcon, *Falco peregrinus*, were found in the vicinity of the project site. If populations of the endangered or threatened species are found to be in the project area, project modification should be considered to avoid or minimize impact. Additionally, if your project or action is within or near an

area with a rare animal, a permit may be required if the species is listed as endangered or threatened and the department determines the action may be harmful to the species or its habitat.

7. Portions of the project site are located on hydric soils. The project sponsor should contact the United States Department of the Army, Corps of Engineers' Buffalo District Office (COE), telephone: 716/879-4330, concerning COE regulatory jurisdiction to determine if project components involve federally regulated wetlands or other approvals from that agency.

8. Most of the proposed project area appears to be within an archaeologically sensitive area. As part of the SEQR process, the Municipality should evaluate this concern, unless it can be verified by appropriate documentation that the site has been significantly disturbed in a way that would destroy potential artifacts. Please recognize that normal agricultural activities, such as plowing, would not constitute such land disturbance. If there are any questions regarding this, contact OPRHP (telephone: 518/237-8643). Note: If any of the described Department approvals are required, an appropriate archaeological investigation must be conducted in order to satisfy the New York State Historic Preservation Act.

Thank you for the opportunity to review this project. Please recognize that we are available to discuss any of the above issues/concerns. If you have any questions regarding this letter, please contact Ms. Kerri Pickard- DePriest of my staff or me at 716/851-7165.

Sincerely,

David S. Denk
Regional Permit Administrator

KPD: jr

ecc: Mr. Charles Rosenburg, NYSDEC Division of Fish and Wildlife
Mr. Chad Staniszewski, NYSDEC, Environmental Remediation

NEW YORK STATE OF OPPORTUNITY. Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

March 16, 2018

Mrs. Kailee Van Brunt
Planner
LaBella Associates, D.P.C.
300 Pearl Street
Suite 130
Buffalo, NY 14202

Re: DOS
Tonawanda Opportunity Area Nomination Plan and Generic Environmental Impact Statement
Tonawanda, Erie County, NY
18PR01016

Dear Mrs. Van Brunt:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6NYCRR Part 617).

In terms of the OPRHP's concerns for existing and potential archaeological sites within the Tonawanda Opportunity Area, we cannot provide official comments on the proposed plans until they have been finalized and submitted to our office for official review. However, the OPRHP can offer the following generalized comments about our concerns for archaeological resources within the proposed Opportunity Area:

The Tonawanda Opportunity Area is entirely within an established archaeologically sensitive area for Precontact Sites, as several archaeological sites have been previously identified within and adjacent to the proposed Master Plan Area. Additionally, the proposed Master Plan Area includes environmentally sensitive landscapes that may contain unidentified archaeological cultural resources. Additional sites may be identified during the Section 14.09 State review process.

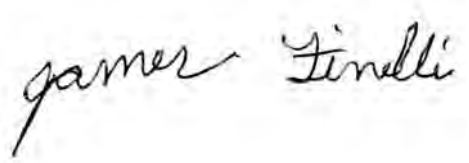
The OPRHP has concerns for ground disturbing impacts related to the currently proposed construction projects, or any such projects that may be proposed for this area in the future.

While four previously conducted surveys have occurred within the proposed Tonawanda Opportunity Area, these were comparatively limited in scope, and specific to the proposed projects for which they were completed. Thus, the OPRHP recommends that as the individual projects come to realization, they be submitted to our office for regularity review.

In terms of concerns for built resources the OPRHP can offer the following generalized comments: The plan area includes unevaluated industrial resources, such as the Wickwire-Spencer Steel Company Plant. Once formal projects are submitted additional information will be required to assess these undetermined resources. Additional built resources may also be identified during the Section 14.09 State review process. Thus, the OPRHP recommends that as the individual projects come to realization, they be submitted to our office for review.

Feel free to contact me with any questions or concerns at 518-268-2215 or james.finelli@parks.ny.gov.

Sincerely,



James Finelli
Historic Preservation Program Analyst via e-mail only