

## **Chapter 17: Hazardous Materials**

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### **A. PROPOSED ZONING ACTION (GENERIC ANALYSIS)**

#### **INTRODUCTION**

The objective of the hazardous materials assessment is to determine if any of the projected and potential development sites identified as part of the MOD Zoning Area may have been adversely affected by current or historical uses at or adjacent to the sites that could lead to a potential increased exposure of hazardous materials to people or the environment or whether the increased exposure would lead to significant public health impacts or environmental damage.

#### **EXISTING CONDITIONS**

The Proposed MOD Zoning Area is comprised of 34 parcels totaling 105 acres. Based on a review of historic aerials, the MOD Zoning Area has a history of agricultural, commercial, and residential uses and a hotel was previously located on the Evergreen Manor site. Based on a review of the New York State Environmental Quality Mapper, the NYSDEC EAF Mapper, and NYSDEC's Environmental Site Remediation Database, no known sites with the potential to contain hazardous materials were identified in the MOD Zoning Area.

#### **FUTURE WITHOUT THE PROPOSED ACTION (NO-BUILD CONDITION)**

In the Future without the Proposed Action, no known changes affecting hazardous materials would be expected to occur within the Proposed MOD Zoning Area.

#### **PROBABLE IMPACTS OF THE PROPOSED ZONING (BUILD CONDITION)**

The Proposed MOD Zoning is not anticipated to adversely impact hazardous materials as it does not directly authorize a specific development. Any projects proposed under MOD Zoning would be required to complete a site-specific SEQRA analysis which would include A Phase I Environmental Site Assessment and an analysis of the project's potential to result in hazardous materials impacts.

#### **MITIGATION**

All projects proposed under MOD Zoning would be required to complete a site-specific SEQRA analysis to identify the potential for hazardous materials impacts. As part of the environmental review, a Phase I Environmental Site Assessment and an analysis of the project's potential to result in hazardous materials impacts will be conducted. If any impacts are identified, modification to

the project or mitigation would be required to avoid or lessen the potential for significant adverse impacts.

## **B. MOD DEVELOPMENT PLAN**

### **EXISTING CONDITIONS**

#### *EVERGREEN*

The Evergreen Manor Project Site is comprised of a 17-acre parcel improved with an abandoned two-story wood frame structure (former Evergreen Manor hotel) and a 1 to 2-story wood frame dwelling occupied by the property's caretaker, and an 11-acre vacant parcel. Together the two parcels total 28 acres. A Phase I Environmental Site Assessment (ESA) was completed in February 2016 on the 17-acre parcel by Team Environmental Consultants, Inc. (TEAM) (**see Appendix 17**).

The TEAM investigation included a review of a Phase I ESA prepared in November 2013 by DRE Environmental Inc. The 2013 ESA identified two Recognized Environmental Conditions (RECs), an inactive approximately 1,000-gallon heating oil aboveground storage tank (AST) adjacent to the former hotel structure and an existing dump area consisting of a car, car parts, appliances and other household materials existing within the southwest corner of the property near the wetland area.

During the TEAM investigation, no leaks or degradation were observed in the proximity of the 1,000-gallon AST tank. A 275-gallon heating oil AST and furnace was also identified within the basement of the two-dwelling unit structure. No odors or visual evidence of surface stains were observed proximate to the AST or furnace at the time of the inspection. No exposed or friable asbestos containing materials (ACM) were observed during the inspection of the accessible interior building areas. Based on the age of the existing structures, the Applicant will perform a formal asbestos inspection and required abatement prior to the issuance of any demolition permits.

The property was not identified within any Environmental Data Resources (EDR) environmental databased reviewed by TEAM. Two properties listed on the New York State Spills Database (Spills) and twenty-two New York Leaking Storage Tank (LUST) sites were identified within one-eighth to one-quarter mile of the property. Based on the databases, the Spills sites were both listed as "closed".

#### *GYRODYNE*

The Gyrodyne Project Site is comprised of a 13.8-acre parcel improved with approximately 30,000 sf of medical office and a residential building that is occupied by a medical office. Two single family residential are also located on the project site.

Three separate Phase I Environmental Site Assessments (ESA) were completed for the Gyrodyne Project Site (**see Appendix 17**). One separate EAS was prepared for each existing use on the property. The first Phase I ESA was completed in April 2008 by Freudenthal & Elkowitz Consulting Group, Inc. for the medical offices located at 1985 Crompond Road (Section 33.12; Block 1; Lot 3). The property is currently developed with five buildings that are utilized as a multi-tenant medical office complex, with associated parking lots and lawn/landscaped areas. The site inspection identified the presence of two 275-gallon aboveground storage tanks (ASTs) within the

mechanical equipment room that provides heating fuel for one of the three buildings. The other two buildings are heated by natural gas-fired equipment. No evidence of spills or leaks were observed in the vicinity of the tanks at the time of inspection. The subject property is listed on the LTANKS database related to three closed spill incidents listed between 1992 and 2000. Based on the results of the site inspection, records review and interviews, it was determined that there were no Recognized Environmental Conditions (RECs) identified with regard to the subject property. RECs are those conditions which could adversely affect the environmental integrity of the property.

The second Phase I ESA was completed on August 4, 2008 by Freudenthal & Elkowitz Consulting Group, Inc. for the residential property located at 1987 Crompond Road (Section 33.12; Block 1; Lot 2). The site is currently developed with a two-story residential home, equipped with a partial basement and an enclosed porch. Based on the results of the site inspection, records review and interviews, it was determined that there were two RECs associated with the subject site. The first REC documented was an on-site sanitary disposal system and a floor drain that have the potential to impact the subsurface. However, given the nature of the current and historic building use it is unlikely that the floor drain and/or on-site sanitary system, would present a significant risk to the subsurface. The second REC was a closed NYSDEC spill (No. 00-00585) which was attributed to the former Schriber Estate, which once occupied the property and adjacent parcels to the north and south prior to its subdivision. The spill was reportedly due to a tank tightness test failure. Due to the short duration of the spill investigation and lack of documentation maintained by the NYSDEC, it was determined that this spill was minor.

The third Phase I was completed on May 7, 2009 by Tim Miller Associates, Inc. for the residential property located at 1989 Crompond Road (section 33.12; Block 1; Lot 1) The site is currently developed with a three-story residential structure and a detached garage. The property was not identified as a hazardous materials generator or storage site. Review of potential subsurface contamination focused primarily upon past and present residential and commercial activities associated with the storage and handling of bulk quantities of chemicals, petroleum products, and waste products. The investigation revealed no RECs on or near the subject property that are known to have adversely affected the subject property.

## **PROBABLE IMPACTS OF MOD DEVELOPMENT PLAN**

### *EVERGREEN*

The Evergreen Manor Project will engage properly licensed contractors to remove any inactive and active heating oil ASTs and materials found within the dump area on the property. An asbestos survey will be performed to determine if there is any ACM present in the existing buildings that will be disturbed during demolition activities.

### *GYRODYNE*

The Phase I ESAs conducted for the Gyrodyne Project Site did not identify any RECs on or near the property that would be expected to result in adverse impacts to the site. The reports indicated that all ASTs should be removed from the property when future development occurs. Suspect asbestos-containing material (ACM) floor tile was observed throughout the existing medical buildings, and suspect ACM pipe insulation was observed in the basement of the residence located at 1987 Crompond Road. Due to the age of the building, it is possible that roofing and other

building materials may contain asbestos. An asbestos survey will be performed to determine if there is any ACM present in the existing buildings that will be disturbed during demolition activities.

## **MITIGATION**

### *EVERGREEN*

The removal of any ASTs, ACM and other materials within the dump area and existing structures on the Evergreen Manor Site will be conducted in accordance with applicable, local, county and state regulations by licensed contractors, as required. Any required asbestos abatement will be conducted prior to demolition activities.

### *GYRODYNE*

The removal of any ASTs, ACM and other materials within the dump area and existing structures on the Gyrodyne Site will be conducted in accordance with applicable, local, county and state regulations by licensed contractors, as required. Any required asbestos abatement will be conducted prior to demolition activities