



DEPARTMENT OF
PUBLIC WORKS, PARKS & STREETS



BYRON W. BROWN
MAYOR

STEVEN J. STEPNIAK
COMMISSIONER

PETER J. MERLO, P.E.
CITY ENGINEER

November 6, 2013

Mr. David Locey
New York State Department of Environmental Conservation
270 Michigan Avenue
Buffalo, NY 14203-2915

**Re: Property Owner Survey: Site Management Periodic Review
Trinidad Park
Site: B00083
237 Kensington Avenue, Buffalo, NY 14214**

Dear Mr. Locey:

The Department of Public Works, Parks and Streets (DPW) is submitting this letter as a supplement to the enclosed Property Owner Survey for the subject site. The DPW felt it was important to document details of the property owner survey as the reporting period extends from August 10, 2009 to September 26, 2013. The details are as follows:

1. The City filled in an abandoned wading pool with a crushed stone and asphalt topping in the Fall of 2012. The work did not penetrate into the original concrete of the wading pool.
2. The Deed Restrictions were filed on March 4, 2013. They were not in place for the entire reporting period, however to the best of the DPW's knowledge, they are in place at this time.

If you have any questions, don't hesitate to contact my office at 851-9632.

Very truly yours,

Peter J. Merlo, P.E.
City Engineer

By: Michael J. Finn, P.E.
Principal Engineer

Enclosure

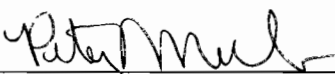

PJM/MJF

cc. Andy Rabb – City of Buffalo DPW Deputy Commissioner for Parks and Recreation



**Enclosure 1
Institutional and Engineering Controls - Property Owner Survey**



	Site Details	Box 1
Site No.	B00083	
Site Name Trinidad Park		
Site Address: 237 Kensington Avenue		Zip Code: 14214
City/Town: Buffalo (C)		
County: Erie		
Site Acreage: 1.5		
Reporting Period: August 10, 2009 to September 26, 2013		
		YES NO
1. Is the information above correct?		<input checked="" type="checkbox"/> <input type="checkbox"/>
If NO, include handwritten above or on a separate sheet.		
2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?		<input type="checkbox"/> <input checked="" type="checkbox"/>
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?		<input type="checkbox"/> <input checked="" type="checkbox"/>
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?		<input type="checkbox"/> <input checked="" type="checkbox"/>
If you answered YES to questions 2, 3 or 4, include documentation with this form.		
5. Is the site currently undergoing development?		<input type="checkbox"/> <input checked="" type="checkbox"/>
		Box 2
		YES NO
6. Is the current site use consistent with the use(s) listed below? Restricted-Residential, Commercial, and Industrial		<input checked="" type="checkbox"/> <input type="checkbox"/>
7. Are all Institutional Controls (ICs) in place and functioning as designed?		<input checked="" type="checkbox"/> <input type="checkbox"/>
 Signature of Propert Owner		 Date

SITE NO. B00083

Box 3

Description of Institutional Controls

Parcel

Owner

Institutional Control

089.67-4-20

City of Buffalo

Ground Water Use Restriction
Soil Management Plan
Landuse Restriction

In accordance with the Record of Decision dated March 31, 2003, the following institutional controls are in place:

- i) Deed restrictions on the site restricting its use for public recreation only and prohibiting the use of the groundwater as a potable or process water source;
- ii) Deed restrictions include the requirement that the soils management procedures (Appendix D of the February 2003 Site Investigation Remedial Alternatives Report) are followed, to address any future excavation or soil disturbance activities that may occur on the site; and
- iii) The City of Buffalo will submit an Annual Report to the NYSDEC certifying that these institutional controls are still in place and are still effective.

Box 4

Description of Engineering Controls

None Required

Not Applicable/No EC's

Periodic Review Report (PRR) Survey Statements

For each Institutional or Engineering control listed in Boxes 3 and/or 4, by checking "YES" below I believe all of the following statements to be true:

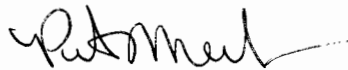
(a) the Institutional Control(s) and/or Engineering Control(s) employed at this site remain unchanged since the date that the Control was put in-place, or was last approved by the Department;

(b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;

(c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control; and

(d) if a Site Management Plan (SMP) exists, nothing has occurred that would constitute a violation or failure to comply with the SMP for this Control.

YES NO



Signature of Property Owner

11/6/13

Date