Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.

50 Century Hill Drive, Latham, NY 12110 518.786.7400 FAX 518.786.7299 www.ctmale.com



April 20, 2020 VIA EMAIL

Ms. Ruth Curley, Professional Engineer 1
Division of Environmental Remediation
NYSDEC, Bureau B
625 Broadway
Albany New York 12233-7016
Email: Ruth.Curley@dec.ny.gov

Re: Site Management Plan Periodic Review Report & IC/EC Submittal

Chalmers Building Site (NYSDEC Site No.: E429011)

21 - 41 Bridge Street and 32 Gilliland Avenue City of Amsterdam, Montgomery County, New York Reporting Period: March 31, 2017 to March 31, 2020

C.T. Male Project No. 18.8571

Dear Ms. Curley:

On behalf of KCG Development, C.T. Male Associates Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C. (C.T. Male) presents the Site-Wide Periodic Review Report (PRR) for the Chalmers Building Site in Amsterdam, New York. The PRR was prepared in accordance with NYSDEC approved Site Management Plan (SMP) dated July 2014 and PRR General Guidance. C.T. Male completed a site-wide visit on March 21, 2020 to observe the integrity of the cover system. This PRR is the second PRR for the Site since completetion of the remedial action in 2015. The first PRR was prepared by City of Amsterdam for the reporting period of December 1, 2015 to March 31, 2017.

Site Overview

The remedial action for the Chalmers Building Site was completed in 2015 and the Certificate of Compltion was issued on December 1, 2015. The Site consists of two (2) contiguous parcels more commonly referred to as Parcel A (2.54 acres – 21 to 41 Bridge Street) and Parcel B (0.77 acres – 32 Gilliland Avenue). A Boundary and Topographic Survey, last updated in January 2015, that was prepared as part of the Environmental Restoration Program Certificate of Completion, is attached as Figure 1. An updated Boundary Survey was completed in December 2019, which is attached as Figure 2.

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Change of Use Notification and Related

KCG Development submitted a Notification of Change of Use to NYSDEC on or about March 9, 2020. The change of use was related to the change of ownership from the City of Amsterdam to Chalmers Mill Lofts, L.P. on December 30, 2019 and related transfer of of the Certificate of Completion (COC). A Notice of COC and Ownership Change for the Site was filed in the Montgomery County Clerk's Office by Deed recorded in the Montgomery County Clerk's Office on January 3, 2020 under Instrument #2020-86413. A copy of the bargain and sale deed is provided as an attachment.

Evaluate Remedy Performance, Effectiveness and Protectiveness

The implemented remedy is achieving the remedial goals for the site. The surface cover, which is 12-inches of imported fill and demarcation layer, is providing protection of human health and the environment. The site's surface cover is in good condition.

IC/EC Plan Compliance Report

The listed Institutional Controls/Engineering Controls (IC/ECs) listed in the PRR are still applicable and required for the site. No action or changes are required for the IC/ECs.

Monitoring Plan Compliance Report

Monitoring requirements consist of annual site-wide inspections. The City of Amsterdam was responsible for performing annual inspections before the property transfer. Record of these inspections were not provided to Chalmers Mill Lofts, L.P. as part of the sale, therefore C.T. Male cannot certify that they were compliant with the SMP. Also, there were no severe weather conditions that could have affected ECs and therefore, there would have been no need for additional inspections performed during the reporting period.

Operation & Maintenance Plan Compliance Report

On March 21, 2020, the surface cover system was mostly grass cover and in fair to good condition. The fair condition refers to the area of the site that the surface vegatation is sparse and has minimal vehicle ruts in the southeast quandrant of the site. This condition does not affect the efficacy of the cover system in that it is stable and not eroding and the underlying existing soils are still protected from contact. Select photos taken during the

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site visit are presented as an attachment. The SMP inspection form was completed on the basis of the March 21st site visit and is attached.

Beyond the surface cover system, the Site does not rely on any mechanical systems such as sub-slab depressurization systems or air/sparge extraction systems to protect public health and the environment.

Overall PRR Conclusions and Recommendations

The following conclusions and recommendations relative to compliance with the SMP are provided:

- 1. Groundwater Use Restriction: Requirements were met during the reporting period.
- 2. Landuse Restriction: Requirements were met during the reporting period.
- 3. Site Management Plan: Requirements were met during the reporting period. Updates are warranted to the plan in order to list the change in the owner from the City of Amsterdam to Chalmers Mill Lofts LP and to change the NYSDEC contact from Mr. Larry Alden to Ms. Ruth Curley.
- 4. Monitoring Plan: Requirements were met during the reporting period.
- 5. IC/EC Plan: Requirements were met during the reporting period.
- 6. Cover System: Requirements were met during the reporting period. The southeast quandrant of the site could use some attention to improve the level of sparse vegetation.
- 7. Based on C.T. Male's evaluation of the components of the SMP, the remedy is achieving the remedial objectives for the site.
- 8. The frequency of the submittal of the PRR should not be changed at this time.
- 9. Site management shall be continued.

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Certifications

For each institutional or engineering control identified for the Site, I certify that all of the following statements are true:

- The inspection of the Site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under my direction;
- The institutional control and/or engineering control employed at this Site is unchanged from the date the control was put in place, or last approved by the Department;
- Nothing has occurred that would impair the ability of the control to protect the public health and environment;
- Nothing has occurred that would constitute a violation or failure to comply with any SMP for this control;
- 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;
- Use of the Site is compliant with the environmental easement;
- The engineering control systems are performing as designed and are effective;
- To the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the Site remedial program and generally accepted engineering practices; and
- The information presented in this report is accurate and complete.
- I certify that all information and statements in this certification form are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law. I, Jeffrey A. Marx, P.E., of C.T. Male Associates Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C., at 50 Century Hill Drive, Latham, New York

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12110, am certifying as KCG Development LLC (a.k.a. Chalmers Mill Lofts, LP) and I have been authorized and designated by the Site Owner to sign this certification for the Site.

If you have any questions, please feel free to contact me at (518) 786-7548 or <u>j.marx@ctmale.com</u>. We appreciate the opportunity to continue to work with you on this project.

Sincerely,

C.T. MALE ASSOCIATES

Jeffry A. May

Jeffrey A. Marx, P.E.

Project Manager / Sr. Environmental Engineer

Att Figure 1 - Boundary and Topographic Survey (2015)

Figure 2 - Boundary and Topographic Survey (2019)

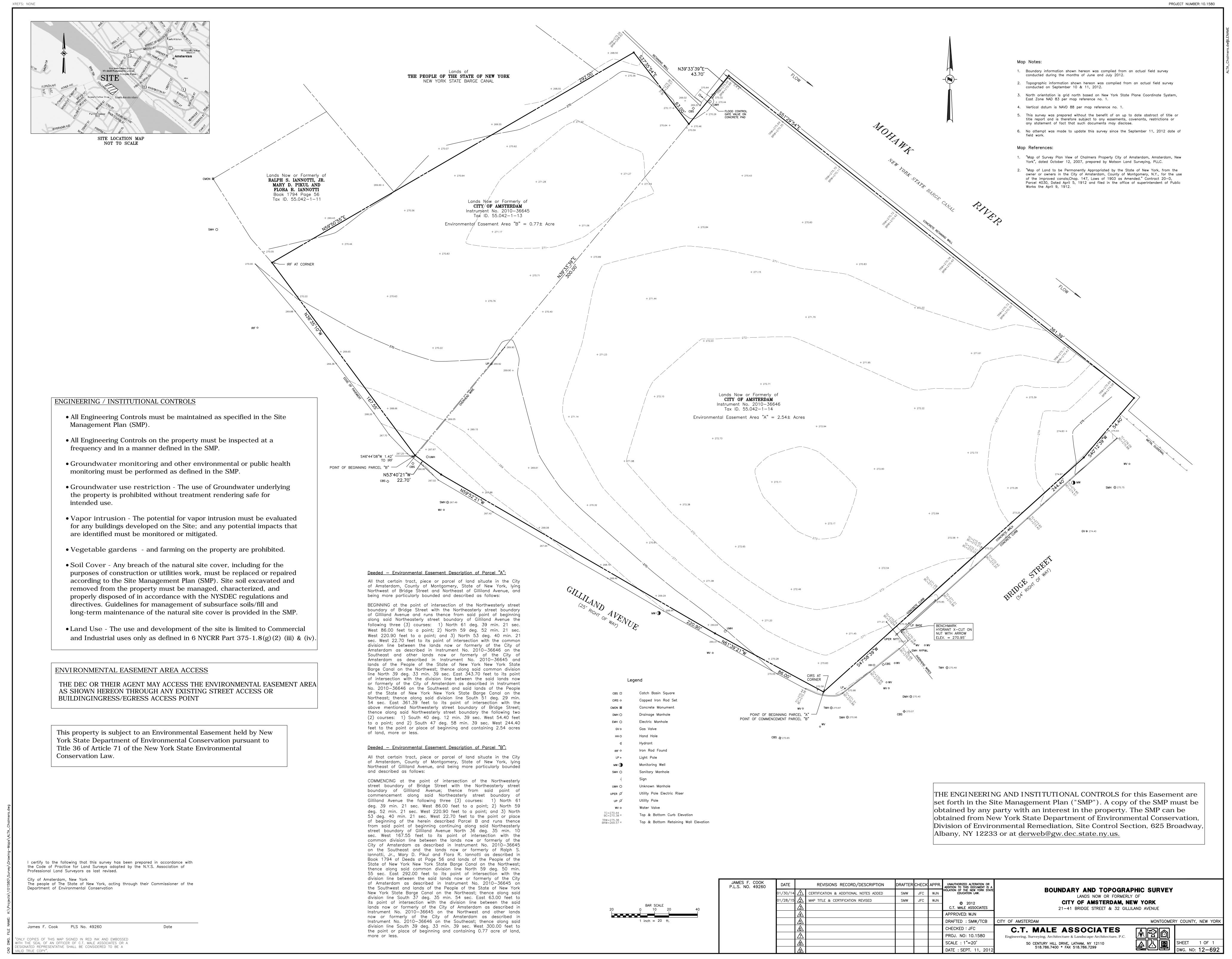
Recorded Deed

Site Visit Photos

Site Inspection Form

Periodic Review Report Certification Form

ec: Ms. Stacy Kaplowitz, KCG Development, LLC



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XREFS: NONE PROJECT NUMBER: 18.8060 MAP NOTES: MAP REFERENCES: 1. Boundary and topographic information shown hereon was compiled from an actual field survey 1. "Boundary and Topographic Survey, Lands now or formerly of, City of Amsterdam, New conducted during the month of January, 2018 & February, 2018. York, 21-41 Bridge Street & 32 Gilliland Avenue", prepared by C.T. Male Associates, P.C., dated MON NYSDEC September 11, 2012 last revised January 28, 2015, dwg. no 12-692. 2. Field evidence used to establish the boundary shown hereon also includes additional monumentation not shown due to the scale of the drawing. 2. "Map of Lands to be Permanently Appropriated by the State of New York, from the owner or O CIRF NYSDEC . owners in the City of Amsterdam, County of Montgomery, N.Y., for the use of the improved 3. North orientation and bearing base per Map Reference No. 1, NAD 83. UP W/TRANS canals; Chap. 147, Laws of 1903 as Amended." Contract 20-D, Parcel 4030, Dated April 5, 2015 and filed in the office of superintendent of Public Works April 9, 1912. **→** 267.85 4. Objects shown on this drawing with a distance indicating how far that object is from a particular 6' HIGH CHAIN LINK FENCE — LOCATION line, lie on the same side of the line that the offset distance is written. 0.28' TO IRF 3. "Map of Administrative Survey of Lands and Permanent Easements taken used by the People of THE PEOPLE OF THE STATE OF NEW YORK the State of New York as Part of the South Amsterdam Flood Control Project, situate in City of **~** S37°35'54"E 5. Vertical datum shown was taken from Map Reference No. 1, NAVD 88. NEW YORK STATE BARGE CANAL Amsterdam, County of Montgomery, State of New York", prepared by New York State Department of Environmental Conservation, dated June 24, 2013, map no. 12728(S2). 6. Prior to and during the course of this survey this geographic area accumulated approximately 4 inches of packed snow and ice. Therefore the undersigned cannot certify that some object or 43.70' 4. "Map of Administrative Survey of Lands and Permanent Easements taken used by the People of feature has been omitted or that there is an elevation error consistent with the depth of the snow the State of New York as Part of the South Amsterdam Flood Control Project, situate in City of pack. However every effort to provide a complete plotting of the conditions has been made. Amsterdam, County of Montgomery, State of New York", prepared by New York State Department of Environmental Conservation, dated January 6, 2016, map no. 12728A(S2). 7. The locations of underground improvements or encroachments, if any exist or are shown hereon, 5. New York State Department of Transportation Acquisition Map, Contract T-12, Amsterdam Pedestrian Bridge, Parcel No. 6349, Parcel No. 6353 and Parcel No. 6351, dated June 6, 2011. 8. The location of underground improvements or encroachments, if any exist, or as shown hereon, are not certified. There may be underground utilities, the existence of which is not known to the 6. "Boundary and Topographic Survey, 55-59 Bridge Street, prepared for, The City of undersigned. Size and location of all underground utilities and structures must be verified by the Amsterdam", prepared by C.T. Male Associates, P.C., dated July 6, 2011, dwg. no. 11-356. appropriate authorities. Dig Safely New York must be notified prior to conducting test borings, SITE LOCATION MAP excavation and construction. 7. "Right of Way Survey Bridge Street Boundary Survey" City of Amsterdam, Montgomery County, (NOT TO SCALE) New York, prepared by Azimuth Surveying & Cartography, Dated April 1, 2008. 9. This survey does not constitute a record search by C.T. Male Associates Engineering, Surveying Architecture and Landscape Architecture, D.P.C. to determine ownership or easements of record. 8. "Map of Survey Plan View of Chalmers Property City of Amsterdam, Amsterdam, New York", For all information regarding easements, rights of way and title of record, the surveyor relied dated October 12, 2007, prepared by Matson Land Surveying, PLLC. N37°54'32"W – 0.08' TO IRF upon title commitment number NCS-876884-INDY, prepared by First American Title Insurance Company, dated November 1, 2017. BENCHMARK SET ON NUT HEAD OF ARROW ON HYDRANT 10. Parcel may be subject to an unplottable sewer easement described in Vol. 178 of Deeds at Page (a)48" INV. IN=256.13 (b)18" INV. IN=258.44 458.(Item 7) ELEVATION=271.05 (c)48" INV. OUT=255.51 11. Parcel is subject to an Environmental Easement as described in Instrument No. + 270.78 2015-63895.(Item 8) + 271.19 + 270.67 12. Parcel is subject to an easement as described in Instrument No. 2016-69485.(Item 9) 13. Parcel is subject to an easement as shown on Map No. 12728(S2) and revised by Map No. 12728A(S2).(Item 10) Lands Now or Formerly of RALPH S. IANNOTTI, JR. 14. A field delineation for wetlands and other waters of the U.S. was performed by C.T. 269.85 + MARY D. PIKUL AND Male staff on August 13, 2018 in accordance with the 1987 U.S. Army Corps of FLORA R. IANNOTTI Engineers (Corps) Methodology and its Northeast-Northcentral Regional .95 L UP NM 5 NYT 5 Book 1794 Page 56 supplement. No wetlands were identified with the project area. The ordinary high Tax ID. 55.042-1-11 water mark (OHWM) of the Mohawk River was determined to correspond to the base of the existing concrete retaining wall. + 271.28 −S51°42'49"E PARCEL B 0.10' TO IRF Lands Now or Formerly of CITY OF AMSTERDAM TOP OF CASING=272.0 Instrument No. 2010-36645 + 270.90 Tax ID. 55.042-1-13 + 271.24 $AREA=33,522\pm SQ. FT. OR 0.770\pm ACRE$ + 271.30 GRASS AREA + 271.56 + 271.21 + 271.85 PARCEL A Lands Now or Formerly of CITY OF AMSTERDAM Instrument No. 2010-36646 Tax ID. 55.042-1-14 AREA=110,165± SQ. FT. OR 2.529± ACRES TOTAL PARCEL AREA=143,684± SQ. FT. OR 3.299± ACRES + 272.25 + 269.52 **DESCRIPTION** LANDS NOW OR FORMERLY OF THE CITY OF AMSTERDAM CITY OF AMSTERDAM, COUNTY OF MONTGOMERY, STATE OF NEW YORK AREA = 2.54 ACRES OF LAND All that certain tract, piece or parcel of land situate in the City of Amsterdam, County of Montgomery, State of New York, lying Northwest of Bridge Street and Northeast of Gilliland Avenue, and being more particularly bounded BENCHMARK SET ON NUT HEAD OF ARROW ON HYDRANT ELEVATION=270.78 and described as follows: BEGINNING at the point of intersection of the Northwesterly street boundary of Bridge Street with the Northeasterly street boundary of Gilliland Avenue and runs thence from said point of beginning along said Northeasterly street boundary of Gilliland Avenue the following three (3) courses: 1) North 61 deg. 39 min. 21 sec. West 86.00 feet to a point; 2) North 59 deg. 52 min. 21 sec. West 220.90 feet to CONCRETE PAD — BENCHMARK SET ON NUT HEAD OF ARROW W/CONTROL PANEL ON-HYDRANT ELEVATION=272.01 a point; and 3) North 53 deg. 40 min. 21 sec. West 22.70 feet to its point of intersection with the common division line between the lands now or formerly of the City of Amsterdam as described in Instrument No. 2010-36646 on the Southeast and other lands now or formerly of the City of Amsterdam as described in Instrument No. 2010-36645 and lands of the People of the State of New York (b)18" INV. IN=264.14 (c)18" INV. OUT=264.03 WMH RIM=269.78 New York State Barge Canal on the Northwest; thence along said common division line North 39 deg. 33 min. 39 sec. East 343.70 feet to its point of intersection INV. TO TOP OF VALVE=267.48 with the division line between the said lands now or formerly of the City of LEGEND: (b)8" INV. THRU=258.17 Amsterdam as described in Instrument No. 2010-36646 on the Southwest and said lands of the People of the State of New York New York State Barge Canal on 15" INV. IN=267.07 the Northeast; thence along said division line South 51 deg. 29 min. 54 sec. East TF=270.10 (a)12" INV. IN=265.5 (b)18" INV. IN=264.4 361.39 feet to its point of intersection with the above mentioned Northwesterly (a)4" INV. IN=261.56 (b)8" INV. IN=259.56 (c)8" INV. IN=258.84 (d)8" INV. OUT=258.67 street boundary of Bridge Street; thence along said Northwesterly street (c)18" INV. OUT=264.3 boundary the following two (2) courses: 1) South 40 deg. 12 min. 39 sec. West 54.40 feet to a point; and 2) South 47 deg. 58 min. 39 sec. West 244.40 feet to the point or place of beginning and containing 2.54 acres of land, more or less. Subject to any covenants, easements or restrictions of record. Electric Hand Hole Electric Manhole **DESCRIPTION** PARCEL B LANDS NOW OR FORMERLY OF THE CITY OF AMSTERDAM CBS — TF=270.68 12" INV. OUT=267.65 CITY OF AMSTERDAM, COUNTY OF MONTGOMERY, STATE OF NEW YORK **— — — — →** AREA = 0.77 ACRE OF LANDHYD 🍳 All that certain tract, piece or parcel of land situate in the City of Amsterdam, County of Montgomery, State of New York, lying Northeast of Gilliland Avenue, IRF O Iron Rod Found 12" INV. OUT=267.26 FULL OF SNOW and being more particularly bounded and described as follows: COMMENCING at the point of intersection of the Northwesterly street boundary of MON 🛛 Bridge Street with the Northeasterly street boundary of Gilliland Avenue; thence (a)12" INV. IN=FULL OF SNOW (b)12" INV. IN=266.13 from said point of commencement along said Northeasterly street boundary of smh O Sanitary Manhole (c)12" INV, OUT=266.04 Gilliland Avenue the following three (3) courses: 1) North 61 deg. 39 min. 21 sec. Top & Bottom Curb Elevation West 86.00 feet to a point; 2) North 59 deg. 52 min. 21 sec. West 220.90 feet to W/TELEPHONE a point; and 3) North 53 deg. 40 min. 21 sec. West 22.70 feet to the point or Top & Bottom Retaining Wall Elevation place of beginning of the herein described Parcel B and runs thence from said → DMH W/OIL SEPARATOR + 270.22 Unknown Manhole point of beginning continuing along said Northeasterly street boundary of Gilliland (a)18" INV. IN=261.51 EDGE OF SNOW (b)18" INV. OUT=261.37 Avenue North 36 deg. 35 min. 10 sec. West 167.55 feet to its point of intersection Lands Now or Formerly of with the common division line between the lands now or formerly of the City of PEOPLE OF THE STATE Amsterdam as described in Instrument No. 2010-36645 on the Southeast and the Utility Pole w/Electric Riser OF NEW YORK lands now or formerly of Ralph S. Iannotti, Jr., Mary D. Pikul and Flora R. Iannotti 267.92 + 269.12 Water Manhole as described in Book 1794 of Deeds at Page 56 and lands of the People of the FROZEN SWALE State of New York New York State Barge Canal on the Northwest; thence along said common division line North 59 deg. 50 min. 55 sec. East 292.00 feet to its (c)18" INV. OUT=265.18 point of intersection with the division line between the said lands now or formerly Underground Electric Paint of the City of Amsterdam as described in Instrument No. 2010-36645 on the _____ G _____ Underground Gas Paint HIGHWAY BOUNDARY -Southwest and lands of the People of the State of New York New York State Barge PER MAP REFERENCE NO. 7 Canal on the Northeast; thence along said division line South 37 deg. 35 min. 54 sec. East 63.00 feet to its point of intersection with the division line between the 18" INV. OUT=265.69 said lands now or formerly of the City of Amsterdam as described in Instrument WILLIAM J. NETTLETON REVISIONS RECORD/DESCRIPTION NAUTHORIZED ALTERATION OR No. 2010-36645 on the Northwest and other lands now or formerly of the City of P.L.S. NO. 49513 DITION TO THIS DOCUMENT IS A PLATION OF THE NEW YORK STATE **BOUNDARY & TOPOGRAPHIC SURVEY** Amsterdam as described in Instrument No. 2010-36646 on the Southeast; thence ADDED MAP NOTE NO. 14 REGARDING WETLAND DELINEATION along said division line South 39 deg. 33 min. 39 sec. West 300.00 feet to the LANDS NOW OR FORMERLY OF ADD DESCRIPTIONS FOR PARCELS "A" AND "B" point or place of beginning and containing 0.77 acre of land, more or less. © 2018 **CITY OF AMSTERDAM, NEW YORK** Subject to any covenants, easements or restrictions of record. C.T. MALE ASSOCIATES 21-41 BRIDGE STREET & 32 GILLILAND AVENUE APPROVED: WJN CITY OF AMSTERDAM MONTGOMERY COUNTY, NEW YORK DRAFTED: SMW CHECKED : JM C.T. MALE ASSOCIATES PROJ. NO : 18.8060 Engineering, Surveying, Architecture & Landscape Architecture, D.P.C. "ONLY COPIES OF THIS MAP SIGNED IN RED INK AND EMBOSSED WITH THE SEAL OF AN OFFICER OF C.T. MALE ASSOCIATES OR A SCALE: 1"=20' SHEET 1 OF 1 50 CENTURY HILL DRIVE, LATHAM, NY 12110 DESIGNATED REPRESENTATIVE SHALL BE CONSIDERED TO BE A VALID 518.786.7400 * FAX 518.786.7299 DATE: JAN. 24, 2018



MONTGOMERY COUNTY - STATE OF NEW YORK BRITTANY L. KOLBE, COUNTY CLERK P O BOX 1500, FONDA, NY 12068

COUNTY CLERK'S RECORDING PAGE ***THIS PAGE IS PART OF THE DOCUMENT - DO NOT DETACH***

INSTRUMENT #: 2020-86413

Receipt#: 2020304614

Clerk: AM

Rec Date: 01/03/2020 12:04:23 PM

Doc Grp: RP Descrip: DEED

Num Pgs:

Rec'd Frm: FIRST AMERICAN TITLE INSURANCE Sub Total: COMPANY - NCS INDIANAPOLIS

CITY OF AMSTERDAM THE NEW YORK Party1:

Party2: CHALMERS MILL LOFTS LP

Town: CITY OF AMSTERDAM Recording:

Cover Page 5.00 Recording Fee 30.00 Cultural Ed Records Management - Coun 1.00 Records Management - Stat 4.75 5.00 TP584 RP5217 - County RP5217 All others - State 9.00 241.00

310.00 Sub Total:

Transfer Tax Transfer Tax

1200.00

1200.00

1510.00 Total: **** NOTICE: THIS IS NOT A BILL

***** Transfer Tax *****
Transfer Tax #: 681
Transfer Tax

Transfer Tax

Total:

1200.00

1200.00

I hereby certify that the within and foregoing was recorded in the Montgomery County Clerk's Office

Bittery Trouble

Record and Return To:

ELECTRONICALLY RECORDED BY SIMPLIFILE

Brittany L. Kolbe Montgomery County Clerk

THIS IS NOT AN INVOICE

THIS INDENTURE made the 28 day of December, 2019

BETWEEN, THE CITY OF AMSTERDAM, NEW YORK a municipality and body politic in the State of New York, having its principal place of business at 61 Church Street, Amsterdam, New York 12010, party of the first part, and

CHALMERS MILL LOFTS, LP, a New York limited partnership, having its principal place of business at 9333 N. Meridian Street, Suite 230, Indianapolis, IN 46260, party of the second part,

WITNESSETH, that the party of the first part, in consideration of the sum of ONE & MORE DOLLARS (\$1.00 & More), lawful money of the United States, paid by the said party of the second part, doth hereby grant and release unto the said party of the second part, its successors and assigns forever,

SEE DESCRIPTION ATTACHED ON SCHEDULE A HERETO.

TOGETHER with the appurtenances and all the estate and rights of the said party of the first part in and to the said premises.

TO HAVE AND TO HOLD the above granted premises unto the said party of the second part, its successors and assigns forever.

AND the said party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, will receive the consideration for this conveyance and will hold the right to receive such consideration as trust fund to be applied first for the purpose of paying the improvement before using any part of the total of the same for any other purpose.

This conveyance is made in compliance with Section 509 and 510(A)(1) or (2) of the Not-For-Profit Corporation Law of the State of New York, and does not constitute all or substantially all of its assets

THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 36 OF ARTICLE 71 OF THE ENVIRONMENTAL CONVERSATION LAW

IN WITNESS WHEREOF, the party of the first part has caused these presents to be duly signed on the day and year first above written.

THE CITY OF AMSTERDAM, NEW YORK

a municipality and body politic in the State of New York

Name: Hon. Michael

Title: Mayor

STATE OF NEW YORK

day of December, in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Hon. Michael Villa, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

> Notary Public ria∃i ∈\$ votary Public, State of New No. 4607383 Qualified in Montgomery County

ommission Expires Sept. 30, 20

SCHEDULE A

PARCEL A LANDS NOW OR FOMERLY OF THE CITY OF AMSTERDAM CITY OF AMSTERDAM, COUNTY OF MONTGOMERY, STATE OF NEW YORK AREA = 2.54± ACRES OF LAND

All that certain tract, piece or parcel of land situate in the City of Amsterdam, County of Montgomery, State of New York, lying Northwest of Bridge Street and Northeast of Gilliland Avenue, and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the Northwesterly street boundary of Bridge Street with the Northeasterly street boundary of Gilliland Avenue and runs thence from said point of beginning along said Northeasterly street boundary of Gilliland Avenue the following three (3) courses: 1) North 61 deg. 39 min. 21 sec. West 86.00 feet to a point; 2) North 59 deg. 52 min. 21 sec. West 220.90 feet to a point; and 3) North 53 deg. 40 min. 21 sec. West 22.70 feet to its point of intersection with the common division line between the lands now or formerly of the City of Amsterdam as described in Instrument No. 2010-36646 on the Southeast and other lands now or formerly of the City of Amsterdam as described in Instrument No. 2010-36645 and lands of the People of the State of New York New York State Barge Canal on the Northwest; thence along said common division line North 39 deg. 33 min. 39 sec. East 343.70 feet to its point of intersection with the division line between the said lands now or formerly of the City of Amsterdam as described in Instrument No. 2010-36646 on the Southwest and said lands of the People of the State of New York New York State Barge Canal on the Northeast; thence along said division line South 51 deg. 29 min. 54 sec. East 361.39 feet to its point of intersection with the above mentioned Northwesterly street boundary of Bridge Street; thence along said Northwesterly street boundary the following two (2) courses: 1) South 40 deg. 12 min. 39 sec. West 54.40 feet to a point; and 2) South 47 deg. 58 min. 39 sec. West 244.40 feet to the point or place of beginning and containing 2.54 acres of land, more or less.

Subject to any covenants, easements or restrictions of record.

PARCEL B LANDS NOW OR FOMERLY OF THE CITY OF AMSTERDAM CITY OF MONTGOMERY, STATE OF NEW YORK AREA = 0.77± ACRE OF LAND

All that certain tract, piece or parcel of land situate in the City of Amsterdam, County of Montgomery, State of New York, lying Northeast of Gilliland Avenue, and being more particularly bounded and described as follows:

COMMENCING at the point of intersection of the Northwesterly street boundary of Bridge Street with the Northeasterly street boundary of Gilliland Avenue; thence from said point of commencement along said Northeasterly street boundary of Gilliland Avenue the following three (3) courses: 1) North 61 deg. 39 min. 21 sec. West 86.00 feet to a point; 2) North 59 deg. 52 min. 21 sec. West 220.90 feet to a point; and 3) North 53 deg. 40 min. 21 sec. West 22.70 feet to the point or place of beginning of the herein described Parcel B and runs thence from said point of beginning continuing along said Northeasterly street boundary of Gilliland Avenue North 36 deg. 35 min. 10 sec. West 167.55 feet to its point of intersection with the common division line between the lands now or formerly of the City of Amsterdam as described in Instrument No. 2010-36645 on the Southeast and the lands now or formerly of Ralph S. Iannotti, Jr., Mary D. Pikul and Flora R. Iannotti as described in Book 1794 of Deeds at Page 56 and lands of the People of the State of New York New York State Barge Canal on the Northwest; thence along said common division line North 59 deg. 50 min. 55 sec. East 292.00 feet to its point of intersection with the division line between the said lands now or formerly of the City of Amsterdam as described in Instrument No. 2010-36645 on the Southwest and lands of the People of the State of New York New York State
Barge Canal on the Northeast; thence along said division line South 37 deg. 35 min. 54 sec. East 63.00 feet to its point of intersection with the division line between the said lands now or formerly of the City of Amsterdam as described in Instrument No. 2010-36645 on the Northwest and other lands now or formerly of the City of Amsterdam as described in Instrument No. 2010-36646 on the Southeast, thence along said division line South 39 deg. 33 min. 39 sec. West 300.00 feet to the point or place of beginning and containing 0.77 acre of land, more or less.

Subject to any covenants, easements or restrictions of record.



01.jpg 03/21/2020



03.jpg 03/21/2020



02.jpg 03/21/2020



04.jpg 03/21/2020



05.jpg 03/21/2020



07.jpg 03/21/2020



06.jpg 03/21/2020



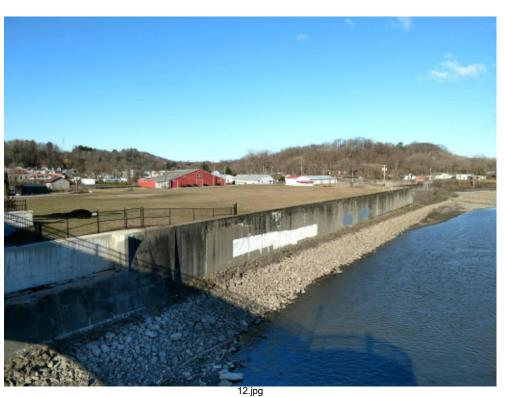
08.jpg 03/21/2020











11.jpg 03/21/2020

12.jpg 03/21/2020

CHALMERS BUILDING ERP SITE Site Management Plan Inspection Form

Date 3/21/2020
Inspection Personnel: Jeffrey A. Marx, P.E.
Weather Conditions: 46°, Sunny
The site investigations determined that semi-volatile organic compounds (SVOCs), PCBs and metals were identified as contaminants of concern within the Site's surface soil; SVOCs and metals were identified as contaminants of concern within the Site's subsurface soil; volatile organic compounds (VOCs), SVOCs and metals were identified as contaminants of concern within the Site's groundwater; and VOCs (including petroleum hydrocarbons, chlorinated hydrocarbons and others) were identified within sub-slab vapor.
Currently, protection of public health and the environment to contaminated media is provided by an engineered soil cover system consisting of a one-foot thick soil cover system underlain by geotextile filter fabric.
This SMP Inspection Form will be utilized to observe the Chalmers Building parcels located at 21 - 41 Bridge Street and 32 Gilliland Avenue to document that the Engineering Controls are intact and are serving to protect public health and the environment from underlying contamination.
Attachments to this Inspection Form must include a Site Plan for the site.
Cover System Observation Questions
1. Has the overall condition of the cover system changed from the previous inspection (if first inspection, respond with N/A) Yes□No⊠
If Yes, provide detail below and identify on a Site Plan, and attach

CHALMERS BUILDING ERP SITE Site Management Plan Inspection Form (continued)

2. Is soil cover system adequately vegetated to prevent erosion If No, provide detail below and identify locations on a Site Plan,	Yes∏ No⊠ and attach			
The vegetative gaves is arrows and there are minor vehicle mute in the se	uth oost			
The vegetative cover is sparse and there are minor vehicle ruts in the so quadrant of the site, but the adequacy of the cover system is still sufficie				
quadrant of the site, but the adequacy of the cover system is still suffice	z11 t.			
3. Is there evidence that the soil cover system has been eroded by wind and/or water	Yes No			
If Yes, provide detail below and identify locations on a Site Plan,	and attach			
4. Is there evidence that the soil cover system has been breached (i.e., areas where surface appears patched, signs of excavation)	Yes No No			
If Yes, provide detail below and identify locations on a Site Plan,	and attach			
5. Is there evidence that the asphalt cover systems has	Yes No			
5. Is there evidence that the asphalt cover systems has been breached (i.e., areas where surface appears patched, signs of excavation)	resno			
If Yes, provide detail below and identify locations on a Site Plan,	and attach			
in 165, provide detail below and identify locations off a site I lan,	and attach			
NT-(A1:1.1-				
Not Applicable	Thot Applicable			

CHALMERS BUILDING ERP SITE Site Management Plan Inspection Form (continued)

6. Have photographs been taken of the cover system for inclusion in the site inspection report.	Yes No
If No, give reason below	
List below other relevant information such as results of interview with the site and what activities may have breached the cover system inspection.	1 ()
No evidence of cover system breach. No interviews performed.	



Enclosure 2 NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION Site Management Periodic Review Report Notice Institutional and Engineering Controls Certification Form



Sit	e No.	Site Details E429011	Box 1		
Sit	e Name Ch	nalmers Building			
Cit Co	e Address: y/Town: An unty:Montg e Acreage:	omery			
Re	porting Peri	od: March 31, 2017 to March 31, 2020			
			YES	NO	
1.	Is the infor	mation above correct?	X		
	If NO, inclu	ude handwritten above or on a separate sheet.			
2.		or all of the site property been sold, subdivided, merged, or undergone a mendment during this Reporting Period?	X		
3.		been any change of use at the site during this Reporting Period CRR 375-1.11(d))?	X		
4.	•	federal, state, and/or local permits (e.g., building, discharge) been issued e property during this Reporting Period?		X	
		wered YES to questions 2 thru 4, include documentation or evidence mentation has been previously submitted with this certification form.			
5.	Is the site	currently undergoing development?		X	
			Box 2		
			YES	NO	
6.		ent site use consistent with the use(s) listed below? al and Industrial	X		
7.	Are all ICs	/ECs in place and functioning as designed?	X		
	IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.				
A	A Corrective Measures Work Plan must be submitted along with this form to address these issues.				
		Not Applicable			
Sig	nature of Ov	vner, Remedial Party or Designated Representative Date			

SITE NO. E429011 Box 3

Description of Institutional Controls

Parcel Owner Institutional Control

055.42-1-13 City of Amsterdam
Chalmers Mill Lofts, LP as of December 28, 2019 Ground Water Use Restriction

Landuse Restriction
Site Management Plan

Soil Management Plan Building Use Restriction

Monitoring Plan IC/EC Plan O&M Plan

The property may only be used for commercial or industrial use.

The property may not be used for a higher level of use without additional remediation and amendment of the Environmental Easement.

Future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP.

The use of the groundwater underlying the property as a source of potable or process water is prohibited without treatment rendering it safe for intended use.

The potential for vapor intrusion must be evaluated for any buildings developed at the property, and any potential impacts that are identified must be monitored or mitigated.

Vegetable gardens and farming on the property are prohibited.

The property owner or remedial party will periodically submit to NYSDEC a written statement that certifies that: (1) controls employed at the property are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; and, (2) nothing has occurred that impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP.

55.42-1-14 — City of Amsterdam—

Chalmers Mill Lofts, LP as of December 28, 2019 O&M Plan

Ground Water Use Restriction Landuse Restriction Site Management Plan

Soil Management Plan Building Use Restriction Monitoring Plan IC/EC Plan

The property may only be used for commercial or industrial use.

The property may not be used for a higher level of use without additional remediation and amendment of the Environmental Easement.

Future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP.

The use of the groundwater underlying the property as a source of potable or process water is prohibited without treatment rendering it safe for intended use.

The potential for vapor intrusion must be evaluated for any buildings developed at the property, and any potential impacts that are identified must be monitored or mitigated.

Vegetable gardens and farming on the property are prohibited.

The property owner or remedial party will periodically submit to NYSDEC a written statement that certifies

that: (1) controls employed at the property are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; and, (2) nothing has occurred that impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP.

Box 4

Description of Engineering Controls

<u>Parcel</u> <u>Engineering Control</u>

055.42-1-13

Cover System

One-foot thick soil cover over the entire site

55.42-1-14

Cover System

One-foot thick soil cover over the entire site

Box	5
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	Periodic Review Report (PRR) Certification Statements			
1.	I certify by checking "YES" below that:			
	a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;	lirection of, and		
	b) to the best of my knowledge and belief, the work and conclusions described in this certificatio are in accordance with the requirements of the site remedial program, and generally accepted	generally accepted		
	engineering practices; and the information presented is accurate and compete. YES NO			
	X			
2.	If this site has an IC/EC Plan (or equivalent as required in the Decision Document), for each Institutional or Engineering control listed in Boxes 3 and/or 4, I certify by checking "YES" below that all of the following statements are true:	al		
	(a) the Institutional Control and/or Engineering Control(s) employed at this site is 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;	d		
	(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;			
	(d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and			
	(e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document			
	YES NO			
	f X			
	IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.			
	A Corrective Measures Work Plan must be submitted along with this form to address these issues.			
	Not Applicable			
	Signature of Owner, Remedial Party or Designated Representative Date			

IC CERTIFICATIONS SITE NO. E429011

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1,2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

l Stacy	Kaplowitz at	9333 N. Meridian Street, Suit	e 230, Indianapolis, IN 46260
print name		print business addres	SS
am certifying as	KCG Development, LLC	(a.k.a Chalmers Mill Lofts, LP)	(Owner or Remedial Party)
	ed in the Site Details Section	on of this form.	
Stacy A	aplowitz		4/22/20
Signature of Owr Rendering Certifi	ner, Remedial Party, or Delication	signated Representative	Date

IC/EC CERTIFICATIONS

Box 7

Qualified Environmental Professional Signature

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

C.T. Male Associates Engineering, Surveying,

Architecture, Landscape Architecture & Geology, D.P.C.,

Jeffrey A. Marx, PE at 50 Century Hill Dr., Latham, New York 12110

print name print business address

KCG Development, LLC am certifying as a Qualified Environmental Professional for the (a.k.a Chalmers Mill Lofts, LP)

(Owner or Remedial Party)

Signature of Qualified Environmental Professional, for

the Owner or Remedial Party, Rendering Certification

4/22/2020

Date