

**Chittenden County Brownfields Program  
Site Nomination / Assistance Request Form**

*For information on types of assistance available and  
CCRPC's protocol for deciding if, and to what degree to assist a request, see:  
<http://www.ccrpcvt.org/our-work/economic-development/brownfields/>*

Site Name: Howard Plant VFW Post 782

Site's Street Address/Town/Zip Code: 176 S. Winooski Ave Burlington, VT 05401

Parcel Tax ID #: 03-0149413 Property Size (Acres): 0.58

Zoning District: Downtown Transition District

Describe current use(s): Members gather to connect with other combat veterans to find understanding, especially when transitioning back into the community after war. See attached for a complete description of use.

Describe former use(s): Parking Lot, Burlington Veterans Club, site of a blacksmith shop, undeveloped land use - Orchard

Are there plans for acquisition and/or redevelopment? ☒ Yes ☐ No

**If yes, attach a separate one to two-page document describing the anticipated benefits of the redevelopment** such as housing units, commercial development, jobs, economic impact, recreation, etc. (see Site Evaluation Criteria at link above for the types of information to provide).

Have studies been conducted to identify or assess contamination? ☒ Yes ☐ No

If yes, please identify the title, author and date of the report, and if available, send us a PDF: \_\_\_\_\_

VFW Hall 176 S. Winooski Ave Burlington 05401 | Phase I ESA Report | KAS, July 8, 2014

Potential contaminants include: ☒ Petroleum ☒ Other contaminants

What type(s) of site assessment or cleanup planning assistance are you seeking? Circle all that apply

☒ Phase I Environmental Site Assessment

☒ Phase II Environmental Site Assessment

☒ Soil Monitoring during Construction

☐ Archeological Site Assessment / Recon

☐ Historic Preservation issues

☒ Cleanup / Corrective Action Planning

☐ Other

*Property Owner Information:*

Name: Michelle Caver Signature: Michelle Caver

Mailing Address: 176 S. Winooski Ave

Phone: c: 518.928.4391 Email: vfw782@gmail.com or postcommander@vfw782.org

*Nomination Submitted By:*

Name or Office: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Please Return Site Nomination Form (via PDF is preferred) to:**

*Dan Albrecht, Senior Planner*

*Chittenden County Regional Planning Commission 110 West Canal St., Suite 202 Winooski, VT 05404*

*Phone: (802) 846-4490 Ext. \*29; Email: dalbrecht@ccrpcvt.org*



## **Howard Plant VFW Post 782 176 S. Winooski Avenue Burlington, VT 05401**

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### **Chittenden County Brownfields Program Assistance Request Form – supplemental information**

The Howard Plant VFW Post 782 intends to establish a partnership with Champlain Housing Trust to:

- Build a modern facility or renovate the existing one to support the Veterans of Foreign Wars mission
- Build affordable housing (owned by CHT) above the VFW program space

Since June 29, 1921, VFW Post 782 has served the veteran community and greater Burlington community as a nonprofit, veteran service organization. VFW Post 782's primary mission aims to help combat veterans transition back into the local community, eliminate unmet needs through identifying and accessing available resources and advocate for adequate responses to service gaps. The VFW has longstanding events and time honored traditions that bring veterans together in camaraderie in ongoing efforts to establish or sustain community connections as a preventative measure against the trappings of loneliness (substance abuse, depression, suicide). VFW posts work with the VA Hospital or VA outpatient clinics and other agencies to centralize supportive services as well as fill the gaps in services, especially addressing unmet needs that surface after hours.

It is also noteworthy to share, the VFW and Burlington's CEDO intend to collaborate by identifying spaces in a new VFW building to house businesses of entrepreneurs with access to modest amounts of capital.

Champlain Housing Trust will share more information about affordable housing plan once the feasibility studies (which include environmental site assessments) are completed.

Brownfields Site Evaluation Criteria		
Project Name: VFW and Champlain Housing Trust, Mixed-Use Building		
Address/Project Location: 176 South Winooski Avenue, Burlington		
Applicant: VFW Post 782 and Champlain Housing Trust		
Reviewer: Dan Albrecht		
Required Characteristics	Possible Points	Scoring
Is the property owner willing to sign a Participation Agreement and Site Access	Yes = continue	Yes
Does the site meet DEC eligibility criteria for petroleum sites and/or EPA eligibility	No = Not eligible	Yes
Is the planned use consistent with current zoning?		Yes
Project Location (10 pts Total)		
Is the project located in Burlington or Winooski?	(Yes=2, No=0)	2
Is the project located in a Center, Enterprise, Metro, Suburban or Village Regional Planning Area (as identified in the most recently adopted regional plan)?	(Yes=2, No=0)	2
Is the project located within a designated state center? (Including areas with pending applications)	(Yes=2, No=0)	2
Does the project site have existing water, sewer, electric, transportation and/or natural gas infrastructure serving it?	(Yes=2, No=0)	2
Is the project located adjacent to another brownfields site?	(Yes=2, No=0)	2
Project Location Economic Conditions (5 pts Total)		
Is the project located in an area where the poverty rate is higher than the County-wide average?	(Yes=5, No=0)	5
2019 ACS Estimates Census Tract 10 rate of 18.9% vs. County rate of 12.1%		
Housing Potential (30 points total)		
Will site cleanup enable housing development in an area planned for high density housing or mixed-use development by the municipality?	Up to 10 points	10
Will site cleanup contribute to alleviating identified housing need as identified in relevant adopted municipal documents?		
Will site cleanup allow multiple housing units (in excess of what is already on site) to be built?	1/2 point per unit, 20 points maximum.	16
Commercial Potential (20 points total)		
Will site cleanup enable commercial development in an area planned for high density commercial or mixed-use development by the municipality and region?	Up to 20 points	10
Is the project a mixed-use project?		
Open Space and Recreation Potential (10 points total)		
Will site cleanup enable improvement or construction of a park in an area where it can be readily accessed by an underserved population?	Up to 10 points	0
Will site cleanup involve creating or improving open or recreational space as part of a housing or commercial project?		
Project Economic Impact (25 pts Total)		
Does the project have the potential to create or retain jobs?	1 point per FTE job, up to 10 points	3
If no direct jobs are created or retained, does the project lead to indirect job creation?	Up to 15 points	5
Does the project have other economic development benefits?		
Initial Score		59
100 points possible		
Bonus Categories		
If the project will enable housing unit construction, will a percentage of them be permanently affordable?	1/2 point per percentage point affordable, up to 20 points.	0
Is the developer/property owner willing to pay for the Phase I or pay for part of the Phase II or Corrective Action Plan?	(Yes=15, No=0)	10
Will site cleanup reduce contamination of surface water or groundwater?	(Yes = 10 No = 0)	10
Additional Notes:		
Bonus Score		20
45 points possible		
TOTAL SCORE		79

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# VFW Hall 176 So Winooski Avenue Burlington, Vermont 05401



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## PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

July 8, 2014  
KAS Project #506140343

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*Prepared for:*

Nick and Morrissey Development LLC  
29 Church Street, 3<sup>rd</sup> Floor  
Burlington, Vermont 05401



368 Avenue D, Suite 15  
PO Box 787  
Williston, VT 05495

[www.kas-consulting.com](http://www.kas-consulting.com)

802 383.0486 p  
802 383.0490 f



## TABLE OF CONTENTS

SECTION	PAGE
1.0 EXECUTIVE SUMMARY _____	2
2.0 INTRODUCTION _____	3
3.0 SITE DESCRIPTION _____	4
4.0 USER SUPPLIED INFORMATION _____	5
5.0 RECORDS REVIEW _____	7
6.0 SITE RECONNAISSANCE _____	11
7.0 INTERVIEWS _____	16
8.0 FINDINGS _____	16
9.0 OPINION _____	17
10.0 CONCLUSIONS _____	18
11.0 DEVIATIONS _____	19
12.0 ADDITIONAL SERVICES _____	20
13.0 REFERENCES _____	20
14.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS _____	22
15.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS _____	22
16.0 APPENDICIES _____	23



## **1.0 EXECUTIVE SUMMARY**

KAS, Inc. conducted a Phase I Environmental Site Assessment (ESA) at 176 South Winooski Avenue in the City of Burlington, Vermont. The ESA was conducted pursuant to the American Society of Testing and Materials (ASTM) *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (ASTM E 1527-13). This assessment was conducted for Nick & Morrissey Development, LLC of Burlington, Vermont. The owner of the property is Howard Plant Post No 782, Veterans of Foreign War. The user of this document is Nick & Morrissey Development, LLC.

The property is 0.58 acres and has a one rectangular commercial building which is 48' x 106' wide used as a VFW hall. A small storage shed building (less than 150 sq feet) is located at the northeastern corner of the property. Historically, it appears the property had been used as part of an orchard in the late 1800's and was later developed for use as a parking lot and recreation/veterans club. The property was reportedly also used as part of the City dump at one time.

Six recognized environmental conditions (RECs) were encountered:

- The presence of a vent pipe located on the northeast side of the on-site building along with snipped copper lines inside the building;
- The former presence of a gasoline underground storage tank (UST) on the property in 1926;
- The former presence of a coal vault on the property in 1942;
- The potential past use of the property as part of the City dump as reported by the owner's representative;
- The current presence of a gasoline filling station on the adjoining property to the north; and,
- The former presence of gasoline USTs on the adjoining properties to the north and east as identified on historic maps between the years of 1919 - 1989.

This Phase I ESA was performed and overseen by an environmental professional as defined by ASTM E-1527-13 and is believed to accurately represent the environmental condition of the property as of June 2014.



## **2.0 INTRODUCTION**

KAS, Inc. of Williston, Vermont (KAS) conducted a Phase I Environmental Site Assessment (ESA) of land and premises at 176 South Winooski Avenue in the City of Burlington, Chittenden County, Vermont (property; see Appendix A Site Location Map<sup>1</sup> and Appendix B Site Plan). The ESA was conducted pursuant to the American Society of Testing and Materials (ASTM) *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (ASTM E 1527-13). This assessment was conducted for Nick and Morrissey Development LLC of Burlington, Vermont. The owner of record of the property as of the date of this report is Howard Plant Post No. 782, Veterans of Foreign Wars, herein referred to as owner. The user of this document is Nick and Morrissey Development LLC.

### **2.1. Purpose**

The purpose of this ESA was to identify recognized environmental conditions (RECs), historic RECs and de minimis conditions in association with the property as defined and described in the ASTM standard.

### **2.2. Detailed Scope-of-Services**

KAS was engaged by client to conduct a Phase I ESA as defined in ASTM E 1527-13. The Phase I ESA work scope included the following elements:

- A general description of the site and vicinity, current property and adjoining property uses, and/or description of improvements.
- An evaluation of user supplied information including land records, liens, limitations, specialized knowledge, and valuation information.
- A review of practically reviewable regulatory and historic records in connection with the property.
- A site reconnaissance including general site setting, interior and exterior observations.
- Interviews with owner, site manager, occupants, local government officials and others as available.
- Presentation of Findings, Opinion, Conclusions, Deviations and the results of any out of scope contract obligations between client and KAS.

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<sup>1</sup> USGS, 1987



Unless otherwise stated in Section 12.0 of this document, no invasive environmental testing was conducted, and no assessment or testing of asbestos, lead paint, radon or other structural environmental hazards was conducted. If any of these tasks were contracted between KAS and client, the methodology, limitations and results of such tasks may be presented in Section 12.0 of this document.

### **3.0 SITE DESCRIPTION**

#### **3.1. Location**

The property consists of an approximately 0.58 acre parcel<sup>2</sup> on the east side of South Winooski Avenue approximately 200 feet from the intersection with Main Street. The property coordinates are 44° 28' 31.08" north latitude and 73° 12' 38.88" west longitude.<sup>3</sup> A site location map is included in Appendix A.

#### **3.2. Site and Vicinity General Characteristics**

The property is located in a predominantly commercial portion of the City of Burlington. Further towards the south is mixed commercial/residential development. South Winooski Avenue abuts the property on its west side. Nearby and adjoining properties host retail and commercial businesses. The nearest surface water is Lake Champlain, located nearly 3,000 feet to the west. The on-site topography is flat throughout the property. Depth to groundwater was not measured during this assessment but is likely less than 15 – 20 feet below grade based on nearby subsurface investigations. The groundwater flow direction beneath the property is most likely toward the west based on topography and location of nearby surface water. The predicted flow direction was not confirmed during this Phase I ESA.

#### **3.3. Current Use of the Property**

Property hosts one two story steel frame building believed to be constructed in the 1980's. The building is presently used as a VFW hall for veterans of foreign war. A wooden shed is located on the northeastern corner of the property. The exterior of the property was used for parking.

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<sup>2</sup> Burlington Planning & Zoning Map

<sup>3</sup> EDR, Page 5.





### **3.4. Descriptions of On-Site Structures, Roads and Other Improvements**

One, approximate 48' x 106' wide building was observed on the property. The building is a two-story commercial structure with slab on grade construction. One small wooden shed (< 150 sq feet) is located on the northeastern edge of the property. No evidence of the past on-site structures was observed. The balance of the property is a paved parking lot with a small green space area located off the paved surfaces.

The property is served by City of Burlington water supply and waste water disposal systems; overhead electrical service is provided by Green Mountain Power.

### **3.5. Current Uses of Adjoining Properties**

Current uses of adjoining properties at the time of the site reconnaissance were as follows:

North: Champlain Farms (retail) convenience store and gasoline station.

East: Parking lot

South: Commercial office building

West: South Winooski Avenue with a parking garage and commercial office buildings across street.

Past uses of adjoining properties for other than the listed uses were not visually evident during the site reconnaissance.

## **4.0 USER SUPPLIED INFORMATION**

### **4.1. Title Records**

KAS reviewed chain of title information for the property at the Burlington City Clerk's office on June 24, 2014. The property history was ascertained as follows. A tabular summary of the property ownership history is included in Table 4-1. The property records could not be found beyond 1945.



Table 4-1 Property Ownership Summary				
Grantor	Grantee	Book	Page	Date
City of Burlington	Howard Plant Post No. 782, Veterans of Foreign Wars	266	257	7/6/79
Quit Claim Deed of the United States of America	City of Burlington	114	512	4/26/45

#### **4.2. Environmental Liens or Activity and Use Limitations**

No environmental liens or activity and use limitations were discovered during review of land records. User was not aware of the existence of environmental liens or activity and use limitations in connection with the property.

#### **4.3. Specialized Knowledge**

User provided the following specialized knowledge regarding the property: see Section 7.0.

#### **4.4. Commonly Known or Reasonably Ascertainable Information**

User provided the following commonly known or reasonable ascertainable information regarding the property: See Section 7.0.

#### **4.5. Valuation Reduction for Environmental Issues**

User provided no information relative to valuation reduction for environmental issues because the property ownership is not being transacted.

#### **4.6. Owner, Property Manager, and Occupant Information**

User identified the property owner, manager and occupants as follows: Howard Plant Post No 782, owner and manager.

#### **4.7. Reasons for Performing Phase I**

User provided the following reason(s) for conducting this Phase I ESA: to facilitate the completion of a property transaction.



#### **4.8. Other User Supplied Information and Documentation**

User provided no other information and documentation.

### **5.0 RECORDS REVIEW**

#### **5.1. Standard Environmental Record Sources**

##### *5.1.1 Regulatory Database Search*

KAS contracted with Environmental Data Resources, Inc. (EDR) to perform a review of state and federal regulatory records during this Phase I ESA. A full copy of the EDR Report is included in Appendix E. A summary of the pertinent data contained in the EDR report is presented below.

##### Property

The property is not included in the EDR report for any of the searched environmental databases.

##### Immediately Adjoining Sites

The Champlain Farms Shell station located at 219 Main Street (adjoining to the north) is included in the EDR report as a UST registry property, and a RCRA / Manifest property. It appears there were three USTs removed from this property in 1987 and three new ones installed at the same time. The condition of the tanks is listed as being poor. No additional information on this property was found in the EDR report.

##### Other Sites

HP Hood, Inc, located at 187 South Winooski Avenue, is included in the EDR report as a RCRA conditionally-exempt small quantity generator of hazardous waste site and a pulled UST site. The EDR information indicates that various hazardous wastes were generated at this location, including paints, flammable and corrosive wastes, metals, as well as various non-regulated wastes. No violations were reported. It appears as many as five USTs were pulled at this property between 1987 and 1990. No spills were reported and the tanks were listed as being in good condition.



Fletcher Allen Health Care located at 199 Main Street is included in the EDR report as a conditionally exempt small quantity RCRA generator site for shipment of various hazardous wastes.

The Burlington Fire Department at 136 So Winooski Avenue is listed in the EDR report as a pulled UST site. According to the report one 5,000 gallon fuel oil UST and one 2000 gallon gasoline UST was removed from the property. The condition of the fuel oil tank was not reported and the condition of the gasoline tank is listed as fair. No additional information is provided.

The City Market/Former Police Station located at 82 So Winooski Avenue is listed in the EDR report as being a pulled UST, leaking UST and Brownfields site. Several USTs were removed from the property and contamination was identified from an abandoned gasoline UST. Subsurface investigations were completed and no further action was requested by the DEC.

A number of other properties appear in the EDR report for one or more of the searched environmental databases. Generally, none of these appear to be situated such that they would present tangible environmental impact to the property.

## **5.2. Additional Environmental Record Sources**

None

## **5.3. Physical Setting Sources**

### **5.3.1 USGS Topographic Maps**

The most recent USGS topographic quadrangle map<sup>4</sup> was reviewed during this assessment and depicts the property with no structures. However, due to the heavy development in Burlington this topographic map does not show all structures in the area.

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<sup>4</sup> USGS, 1987.



### 5.3.2 State Geological Maps

Bedrock in the vicinity of the property consists of white marble and gray limestone of the Shelburne Formation.<sup>5</sup> The overburden deposits in the area of the property are mapped as glacial till.<sup>6</sup>

## 5.4. Historical Use Information on the Property and Adjoining Properties

### 5.4.1 Standard Historical Sources

#### Aerial Photographs

KAS reviewed aerial photographs of the property from 1999 and circa 2012. The 1999 photo<sup>7</sup> shows the property developed with one rectangular structure. Adjoining properties appear to be larger commercial buildings. A gas station is located to the north. The circa 2012 photo<sup>8</sup> is similar to the 1999 photo except the building to the northeast is no longer present.

#### Fire Insurance Maps

Available Sanborn insurance mapping was acquired and examined during this assessment and the observations are summarized in Table 5-1.<sup>9</sup> Copies of these maps are included in Appendix D.

Table 5-1: Summary of Sanborn Map Observations	
Year	Listing (North Winooski street #)
1885	Property is not developed. Surrounding properties to the north have residences. Property to the west and south is not shown as being developed.
1889	Property is not developed. The general vicinity of the property is listed as Orchard. Property to the north and west have various commercial buildings (meat shop, county jail, woodworking, blacksmith, and court house among others).
1894	Property is not developed. The general vicinity of the property is listed as Orchard. Property to the north and west have various commercial buildings (store, county jail, woodworking, blacksmith, and court house among others). Properties to the south are residential.
1900	Property is not developed. Property to the north, west and east have various commercial buildings (store, county jail, woodworking, blacksmith, grist mill and court house among others). Properties to

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<sup>5</sup> Centennial Geologic Map of Vermont.

<sup>6</sup> Surficial Geologic Map of Vermont.

<sup>7</sup> USGS, 1999.

<sup>8</sup> Google Earth Image.

<sup>9</sup> EDR.



	the south are residential.
1906	Property is not developed. The adjacent property to the north has an automobile agency. Property to the west and east have various commercial buildings (theater, store, county jail, grist mill and court house among others). Properties to the south are residential.
1912	The property is undeveloped with a blacksmith shop immediately adjoining to the northwest. The adjacent property to the north has a garage and liquor store. Property to the west and east have various commercial buildings (theater, store, county jail, grist mill and court house among others). Properties to the south are residential.
1919	The property is undeveloped with a blacksmith shop immediately adjoining to the northwest. The adjacent property to the north has a garage and auto repair with underground gasoline tanks. Property to the west and east have various commercial buildings (theater, store, county jail, grist mill and court house among others). Properties to the south are residential.
1926	The property is undeveloped with a blacksmith shop immediately adjoining to the northwest. One underground gasoline tank is shown on or immediately adjoining the property. The adjacent property to the north has a garage and auto repair with underground gasoline tanks. Property to the west and east have various commercial buildings. Properties to the south are residential.
1938	One small building is shown on the northwest corner of the property. A black smith shop is shown immediately north of this small building. The adjacent property to the north has a garage and auto repair with underground gasoline tanks. The adjacent property to the east is shown as containing two underground gasoline tanks. Other nearby properties are similarly developed as in 1926.
1942	One large structure identified as a recreation building is located on the property. A coal vault is located to the north of this building. Two garages with underground gasoline tanks are located adjacent to the north. The adjacent properties to the east are shown as garages containing underground gasoline tanks. Other nearby properties are similarly developed as in 1938.
1950	One large structure identified as Burlington Veterans Club is located on the property. A filling station is located adjacent to the north. The adjacent properties to the east are shown as garages containing underground gasoline tanks. Other nearby properties are similarly developed as in 1942.
1960	Generally the same as 1950
1978	The property is shown as being vacant and used for parking. The remaining area is generally the same as in 1960 except the county jail and movie theater are no longer present nearby.
1989	One rectangular structure identified as VFW is located on the property. A filling station is located adjacent to the north. The adjacent property to the east is shown as a commercial building containing underground gasoline tanks. Other nearby properties are similarly developed as in 1978 except a large commercial building with underground parking is located to the west across S Winooski Avenue.

### Historic USGS Topographic Maps

Two historic USGS topographic quadrangle maps were reviewed during this assessment. The 1906 and 1948 maps show the property undeveloped. The 1906 map shows the nearby properties generally developed with structures.<sup>10</sup>

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<sup>10</sup> UNH on line collections.



### Street Directory Information

Available City directory information was acquired and examined during this assessment and the observations are summarized in Table 5-2.<sup>11</sup>

Table 5-2: Summary of City Directory Listings	
Year	Property Listing
1967	No listing for 176; Burlington Veterans Club is listed as 172 S Winooski Ave
1973	Same as 1967
1990	Veterans of Foreign Wars
1999	No listing
2003	Occupant listed as unknown
2008	No listing
2013	No listing

## **6.0 SITE RECONNAISSANCE**

### **6.1. Methodology and Limiting Conditions**

On June 24, 2014, Jeremy Roberts, EP of KAS conducted a site reconnaissance to inspect the property for indications of environmental risks or hazardous conditions. A completed site inspection checklist is included in Appendix G. KAS was unaccompanied during the site reconnaissance. Photographs of the property are included in Appendix C.

### **6.2. General Site Setting**

#### *6.2.1 Current Uses*

The property is a 0.58 acre flat parcel located near the corner of Main Street and S Winooski Avenue. The property has a rectangular shaped building which is approximately 48' x 106' wide and is used as a VFW hall. A small shed is located at the northeastern corner used for storage of lawn and building maintenance equipment/materials as well as wheelchairs/crutches.

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<sup>11</sup> EDR.



#### 6.2.2 *Past Uses*

Differing past property uses were not visually evident during the reconnaissance.

#### 6.2.3 *Current and Past Uses of the Adjoining Properties*

Current uses of adjoining properties at the time of the site reconnaissance were as follows:

North: Champlain Farms convenience store and gasoline service station

East: Parking lot

South: Commercial building (Riser Management Services & Safe Harbor Health Center)

West: South Winooski Avenue with a parking garage and commercial buildings directly across.

Past uses of adjoining properties for other than the listed uses were not visually evident during the site reconnaissance.

#### 6.2.4 *Current and Past Uses in the Surrounding Area*

The general area is heavily developed with retail and office uses as well as residential apartment buildings. The property is located just south of Main Street which runs through the center of Burlington. Farther south there are residential neighborhoods in greater magnitude. The area is served by Vermont gas systems natural gas. No industrial development is present in the immediate vicinity. There is a gasoline station on the adjacent parcel to the north.

#### 6.2.5 *Geologic, Hydrogeologic and Topographic Conditions*

The property and surrounding properties are generally flat and developed. A gradual slope to the east begins at the corner of Main Street and So Winooski Avenue. The depth to groundwater is unknown but is likely less than 15-20' depth based on environmental investigations conducted in the area. Lake Champlain is located approximately 3000 feet to the west. Groundwater flow is most likely toward the west. There were no exposed bedrock outcrops or surface water bodies encountered on the property.





#### 6.2.6 *General Description of Structures*

One, approximate 48' x 106' wide building was observed on the property. The building is a two-story commercial structure with slab on grade construction. One small wooden shed (< 150 sq feet) is located on the northeastern edge of the property. No evidence of the past on-site structures was observed.

#### 6.2.7 *Roads*

So Winooski Avenue abuts the property on its west side.

#### 6.2.8 *Potable Water Supply*

The property is reportedly served by a municipal water system. No indications of an on-site water supply were observed during the site reconnaissance.

#### 6.2.9 *Sewage Disposal System*

The property is reportedly served by a municipal wastewater disposal system. No evidence of an on-site septic system was observed during the site reconnaissance.

### 6.3. *Interior and Exterior Observations*

#### 6.3.1 *Current and Past Usage*

The inside of the buildings were inspected. Current use of the large rectangular building is for a VFW hall. The small shed is used for storage of outdoor maintenance equipment/materials and wheelchairs/crutches.

#### 6.3.2 *Hazardous Substances and Petroleum Products and Unidentified Containers*

Several cans of paint, paint thinner, primer and sealant were noted inside the northern most portion of the storage shed. The cans appeared to be stored properly and no adverse environmental conditions were noted.



### 6.3.3 *Storage Tanks*

A vent pipe was noted on the northeastern side of the VFW building. The pipe may indicate the presence of an underground storage tank. Copper lines were noted coming up through the floor inside the utility closet in the VFW building in close proximity to the vent line outside the building.

### 6.3.4 *Odors*

None noted.

### 6.3.5 *Pools of Liquid*

None noted.

### 6.3.6 *Drums*

A 55-gallon steel drum was located on the exterior grounds near the shed. The contents of the drum were not labeled but it did have a Warning label with Baker Commodities, Inc. listed at the contact. The top of the drum was not secure and inside it appeared to contain some water. The use of this drum was not clear based on visual inspection. No adverse environmental conditions were noted.

### 6.3.7 *PCBs*

None noted.

## 6.4. *Interior Observations*

### 6.4.1 *Heating and Cooling*

The building appeared to be heated with natural gas and cooled via electricity.

### 6.4.2 *Stains and Corrosion*

None noted.



#### 6.4.3 *Drains and Sumps*

A floor drain was noted inside the bathroom space and inside the utility closet near the furnace. It was not clear where the drains are connected to based on the visual inspection.

### 6.5. Exterior Observations

#### 6.5.1 *Pits, Ponds and Lagoons*

None noted.

#### 6.5.2 *Stained Soil or Pavement*

None noted.

#### 6.5.3 *Stressed Vegetation*

None noted.

#### 6.5.4 *Solid Waste*

None noted.

#### 6.5.5 *Drains and Waste Water*

None noted.

#### 6.5.6 *Wells*

None noted.

#### 6.5.7 *Septic Systems*

None noted. A steel pipe was sticking up out of the ground along the front side of the building. It was not clear what the pipe was used for but it could possibly be associated with a sewer cleanout.



## **7.0 INTERVIEWS**

### **7.1. Interview with Property Owner**

KAS interviewed Mr. Robert Colby, commander of VFW Post 782, on July 7, 2014. Mr. Colby was unaware of any environmental issues associated with the property. He indicated the property was previously used as a Veterans Club which he believes burned down. Prior to that he has been told the property was used as part of the City dump. The current building was constructed in ~ 1980/81. Mr. Colby indicated the drum located outside is used for storage of kitchen grease and is picked up for disposal periodically. He is not aware of any undergrounds storage tanks currently or historically present on the property.

### **7.2. User Interview**

Mr. Jeff Nick of Nick & Morrissey Development LLC was interviewed as the designate for the document user. Mr. Nick was unaware of environmental liens, activity and use limitations, chemical or petroleum spills or releases, environmental cleanups or obvious indications of contamination associated with the property.

### **7.3. Interview with Local Government Officials**

KAS called the Burlington City Fire Department on July 7, 2014 and was told that the department does not have anything on record for the property other than a dumpster fire in 2007.

## **8.0 FINDINGS**

KAS has made the following findings during this Phase I ESA:

- The property is a 0.58 acre parcel owned by Howard Plant Post No. 782, VFW. There is a 48' x 106' rectangular building, used as a VFW hall, and small (< 150 sq foot) shed building located on the property. Previously there was a similar size building used as a recreation club. Prior to that an orchard and parking lot were identified as the property uses on historical maps.
- The adjoining property to the north, Champlain Farms Shell station, is listed as a UST registry property, and a RCRA / Manifest property. It appears there were



three USTs removed from this property in 1987 and three new ones installed at the same time. The condition of the tanks is listed as being poor. No environmental investigations appear to have been conducted at this property.

- Based on a review of historic Sanborn Maps a gasoline underground storage tank was present at the northwest corner of the property in 1926. A coal vault was located on the property in 1942. Underground storage tanks were identified on adjacent properties to the north and east between 1919 – 1989.
- A 55-gallon steel drum was located on the exterior grounds near the shed. The contents of the drum were not labeled but according to the owner it contained kitchen grease. No adverse environmental conditions were noted.
- A vent pipe was noted on the northeastern side of the VFW building possibly indicating the presence of an underground storage tank. Copper lines were noted coming up through the floor inside the utility closet in the VFW building in close proximity to the vent line outside the building.
- Several cans of paint, paint thinner, primer and sealant were noted inside the northern most portion of the storage shed. The cans appeared to be stored properly and no adverse environmental conditions were noted.
- According to the owner's representative, he has been told the property was historically used as part of the City dump.

## **9.0 OPINION**

KAS has determined that six RECs exist on the property as indicated in Section 10.0. Other historical uses of the property and adjoining properties do not appear to present tangible environmental risk to the property based on information gathered during this assessment. The de minimis quantities of paints, thinners, primers and sealants in the shed building and drum storage outside the building are not a REC at present due to no indications of current, historic or imminent leakage.

The presence of a vent pipe on the northeast side of the building along with snipped copper lines inside the building indicates the likely presence of an UST. The indication of historic gasoline USTs on and immediately adjacent to the property presents a tangible environmental risk to the property. Potential contamination on the property as a result of any current or historic nearby UST cannot be ruled out.

A coal vault was reportedly present on the property in 1942 and according to the owner the property may have been used as part of the City dump historically. The historic storage of coal on the property and the potential historic use of the property



as a dump resulted in a situation in which a release of hazardous substances or petroleum products may have occurred to the environment.

### **9.1 Additional Investigation**

No additional investigations are deemed necessary to ascertain the presence or absence of RECs. Per ASTM E 1527-13, this opinion regarding additional investigations is only intended to convey those additional investigations that may be necessary to ascertain the presence or absence of a REC. It does not convey any recommendation relative to the need to perform a Phase II ESA or other assessment activities at the property.

## **10.0 CONCLUSIONS**

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527 of 176 So Winooski Avenue, Burlington, Vermont, the property. Any exceptions to, or deletions from, this practice are described in Section 11.0 of this report. This assessment has revealed no evidence of recognized environmental conditions in connection with the property except for the following:

- The presence of a vent pipe located on the northeast side of the on-site building along with snipped copper lines inside the building;
- The former presence of a gasoline underground storage tank (UST) on the property in 1926;
- The former presence of a coal vault on the property in 1942;
- The potential past use of the property as part of the City dump as reported by the owner's representative;
- The current presence of a gasoline filling station on the adjoining property to the north; and,
- The former presence of gasoline USTs on the adjoining properties to the north and east as identified on historic maps between the years of 1919 - 1989.

A recognized environmental condition is defined in ASTM E 1527 as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property:

- 1) due to release to the environment;



- 2) under conditions indicative of a release to the environment; or
- 3) under conditions that pose a material threat of a future release to the environment.

De minimis conditions are not recognized environmental conditions.

## **11.0 DEVIATIONS**

### **11.1. Deviations/Data Gaps**

Noted deviations to the ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM E 1527-13) included: none. Data gaps were not identified. A reasonably complete property history was developed using existing information, from the time of apparent first development.

### **11.2. Significant Assumptions**

KAS undertook performance of this Phase I ESA according to the following assumptions: None.

### **11.3. Limitations and Exclusions**

KAS has prepared this Phase I ESA report in accord with ASTM E 1527-13 using the best efforts of Environmental Professionals and information available at the time of preparation. This report is intended to convey a point-in-time environmental evaluation of the property, as well as relevant information on past uses. The user of this document must recognize the limitations inherent in conducting a Phase I ESA, as stated in ASTM E 1527-13, which include but are not necessarily limited to:

- This document does not address regulatory compliance issues and KAS makes no assurances relative to the federal, state or local regulatory compliance of the property (ref. Section 1.4).
- Uncertainty Not Eliminated: No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized environmental conditions in connection with a property, and this practice recognizes reasonable limits of time and cost (ref. Section 4.5.1).



- All appropriate inquiry as defined by ASTM E 1527-13 is not an exhaustive assessment of a property (ref. Section 4.5.2).
- A variable level of inquiry may be conducted depending on the specific characteristics and features of the property and the information developed during the course of the assessment (ref. Section 4.5.3).
- An assessment meeting or exceeding the requirements of ASTM E 1527-13 and completed less than 180 days prior to the date of acquisition or intended transaction is presumed to be valid (ref. Section 4.6).
- All appropriate inquiry as defined by ASTM E 1527-13 is not exhaustive and does not require assessment of historic uses more frequently than every five years (ref. Section 8.3.2.1).

#### **11.4. Special Contractual Conditions**

None.

#### **11.5. User Reliance**

This report is for the use and benefit of client as defined herein. Affiliates of client, and third parties authorized in writing by KAS and client, may rely upon this report to the extent that client is entitled to do so, provided said parties agree to abide by the limitations and exclusions as stated herein.

#### **12.0 ADDITIONAL SERVICES**

None requested or rendered.

#### **13.0 REFERENCES**

1. United States Geological Survey (USGS) map of Burlington, Vermont, 1987, acquired on line at [www.msrmaps.com](http://www.msrmaps.com)
2. City of Burlington Zoning & Planning Maps obtained from Mr. Jeff Nick via email.
3. Environmental Data Resources, Inc. EDR/FirstSearch Database Report acquired by KAS on June 25, 2014.
4. City of Burlington, Vermont land records, accessed in person at City Hall, Church Street, Burlington, Vermont.
5. Doll et. al. Bedrock Geologic Map of Vermont, 1961, Surficial Geologic Map of Vermont, 1970, on file at KAS' offices.





6. Aerial Photograph of Burlington, Vermont, April 1999, viewed on line at <http://msrmaps.com>
7. Library of Congress Web site, <http://www.loc.gov/rr/geogmap/sanborn/>
8. Historic USGS Topographic Map of Burlington, Vermont acquired from the University of New Hampshire on line at <http://docs.unh.edu>
9. KAS, property owner interview with Robert Colby on July 7, 2014.
10. Document user interview with Jeff Nick on July 7, 2014.
11. KAS, Telephone interview with the City of Burlington Fire Department on July 7, 2014.



#### **14.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONAL**

I hereby certify that this Phase I Environmental Site Assessment report, as presented, is a complete and accurate record of our findings, to the best of my knowledge.

Prepared by:

A handwritten signature in dark ink, appearing to read 'JR', is positioned above a horizontal line.

Jeremy Roberts, Inspector, Environmental Professional

#### **15.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONAL**

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental professional as defined in §312.10 of 40 CFR §312. I have the specific qualifications based on education, training and experience to assess a property of the nature, history and setting of the subject property. I have developed and performed the All Appropriate Inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

A handwritten signature in dark ink, appearing to read 'JR', is positioned above a horizontal line.

Jeremy Roberts, Inspector, Environmental Professional



## **16.0 APPENDICIES**

- A. Site Location Map
- B. Site Plan
- C. Site Photographs
- D. Historical Research Documentation
- E. Regulatory Records Documentation
- F. Interview Documentation
- G. Site Reconnaissance Checklist
- H. Qualifications of Environmental Professionals