

Dan Albrecht

From: Liz Curry <curryliz21@gmail.com>
Sent: Friday, August 6, 2021 4:09 PM
To: Dan Albrecht; Clare Rock
Cc: Taylor Newton; Janice Ohlsson; Jeffrey Kantor; ShawS@wseinc.com
Subject: Re: brownfield funds
Attachments: Gmail - RE_PricingForUpdatedPhase IAssessment East Calais General Store (SMS #92-1283).pdf; 921283.East.Calais.2020.Summary.Report.6-09-2020.pdf; Facility ID 1579_SMS 92-1283_E. Calais Com. Trust_UST Closure Rpt_8.6.20.pdf; East_Calais_General_Store_Final_Phase_I_ESA_02192020.pdf; 1579.Rccrd'd.Land.Record.UST closure recorded 8.18.20.pdf; 2016-Site-Nomination-Form_EastCalaisGeneralStore_Signed.pdf; ECCT GeneralStore_BGSREDGrantApplication_072921.docx





Hello Dan and Clare,

Attached please find the signed application for CCRPC from the East Calais Community Trust. Also attached are the items requested in the application and in Dan's email message below:

1. Narrative explaining project history and economic impact (Building & Ground economic development grant application narrative)
2. Weston & Sampson Phase 1 Report pricing email from Steve Shaw, including Steve's contact info
3. Original Phase 1
4. Other DEC documents associated w/Phase 1 summary report and closeout letter

If there's anything else you need, please let me know. We greatly appreciate your consideration of this request!

Best Regards,
Liz
Liz Curry, she/her
CommonLand Solutions

 [802-578-5793](tel:802-578-5793)
 curryliz21@gmail.com
 <https://www.commonlandsolutions.com/>
 16 Crowley St, Burlington, VT 05401



On Thu, Aug 5, 2021 at 7:27 PM Liz Curry <curryliz21@gmail.com> wrote:
Clare, this is wonderful news! I'll fill out the one-pager and get that to you by COB Friday.

Really appreciate your help with networking this!

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: East Calais General Store

Site's Street Address/Town/Zip Code: 4520 VT Route 14, East Calais, VT 05650

Parcel Tax ID #: **144520**Property Size (Acres): .30 acres

Zoning District: Village

Describe current use(s): Most vacant, UST pulled, one apartment occupied, waiting for major recapitalization to return to former use without the gas service station.

Describe former use(s): General store, gas service station and three apartments.

Are there plans for acquisition and/or redevelopment? X 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). Please see attached grant application to VT Department of Buildings and Grounds Services, Regional Economic Development Program.

Have studies been conducted to identify or assess contamination? X__Yes_____No

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

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: East Calais Community Trust

Signature:

Mailing Address: PO Box 14, East Calais, VT 05650

Phone: **802-232-1028**

Email: jgohlsson@gmail.com

Nomination Submitted By:

Name or Office: _____ Date Submitted: _____

Mailing Address: _____

Phone: _____ Email: _____



Liz Curry <curryliz21@gmail.com>

RE: Phase IAssessment East Calais General Store (SMS #92-1283)

1 message

Shaw, Steven <ShawS@wseinc.com>
To: Liz Curry <curryliz21@gmail.com>

Tue, Aug 3, 2021 at 2:09 PM

Hi Liz,

I'm sorry for the delayed response—I was out the last few days. Yes, we can absolutely help you with this. The update will essentially be a completely new Phase I ESA based on the time since the last one. We can do this for \$2500 and it should take us about 2-3 weeks to complete once we get the signed proposal. Attached is the proposal and the User questionnaire (to be filled out by the User of the report—ECCT) and a questionnaire to be completed by the Owner of the property. These will be very similar, if not identical to the ones that were completed the first time the report was done, but we need to have updated copies.

Thank you!

Steve

Steven D. Shaw, PG

PROJECT MANAGER

direct: 802-244-5051 ext. 6003

mobile: 802-489-6103



Weston & Sampson

tel: 800-726-7766

westonandsampson.com

Facebook | Twitter | LinkedIn

facebook | twitter | linkedin

From: Liz Curry <curryliz21@gmail.com>**Sent:** Friday, July 30, 2021 12:18 PM

To: LaRosa, Steven <LaRosaS@wseinc.com>

Subject: Phase IAssessment East Calais General Store (SMS #92-1283)

Hello Steve,

I am working as a project development consultant with the East Calais Community Trust (ECCT). For the past year, I've assisted ECCT with assembling nearly all of the grant funding they need to begin construction. Much of the funding is from state and federal grant sources and because of this, we need to complete the Environmental Review process for various agencies.

To complete the environmental review, the VT Community Development Program in particular has requested that the Phase 1 report conducted by you in Feb. 2020 be updated.

I am attaching the reports that were produced subsequent to your Env Assessment, although I realize you know where to find these on the DEC website.

Could you please provide me with an estimate for the cost of an update? Would you be available in the next month or so to complete an update? We'll need to look for some funding to cover the cost but regardless, will need to produce it as one of the last steps in the environmental review.

Thanks, Steve.

Liz

Liz Curry, she/her

CommonLand Solutions

802-578-5793

curryliz21@gmail.com

<https://www.commonlandsolutions.com/>

[16 Crowley St, Burlington, VT 05401](#)



The contents of this e-mail and any attachments are the property of the Weston & Sampson companies. The e-mail contents are only to be used by the intended recipient of the e-mail. If you are not the intended recipient, then use, disclosure, copying, distribution or reliance on the e-mail is prohibited. All professional advice from us should be obtained in writing (not e-mail).

3 attachments**East Calais General Store_Scope.pdf**

164K

**AAI User Questionnaire.pdf**

358K

**Owner Questionnaire.pdf**

417K



Vermont Department of Environmental Conservation
Commissioner's Office
One National Life Drive, Davis 3 [phone] 802-828-1556
Montpelier, VT 05620-3520 [fax] 802-828-1541

Agency of Natural Resources

Certificate of Completion
Applicant – East Calais Community Trust
SMS # 92-1283
East Calais Store
4520 Vermont Route 14
Calais, Vermont

I. Purpose and Applicability

This Certificate of Completion (Certificate) is issued by the Agency of Natural Resources (Agency) pursuant to its authority under 10 V.S.A. Chapter 159, Subchapter 3 (Brownfields Reuse and Environmental Liability Limitation Act); and § 35-904 of the Investigation and Remediation of Contaminated Properties Rule. This Certificate serves as an institutional control mechanism with the purpose of protection of human health and the environment from a former release(s) of hazardous materials at or from the subject property. Section (VIII) of this Certificate creates legally enforceable restrictions on future uses of the subject property by the Applicant and Applicant's successors and assigns. Failure of the Applicant or any successors or assigns to maintain ongoing compliance with these restrictions may result in loss of liability protection afforded by 10 V.S.A. chapter 159, subchapter 3, and may be subject to additional enforcement action by the Agency pursuant to 10 V.S.A. chapter 201.

II. Legal Description of Property Subject to Certificate of Completion

This Certificate of Completion is issued for the East Calais Store property, SMS Site #92-1283, located at 4520 Vermont Route 14, Calais, VT. The property subject to this Certificate of Completion is detailed in the Calais Town Land Records Book #19, Page #304, and further detailed in Book #22, Page #192, and Book #24, Page #24.

III. Site History

The site consists of one (1) parcel totaling 0.3 acres in size and is being redeveloped as a mixed-use country store/community space with residential units. Immediately prior to redevelopment, the property was a country store with residential units and a gasoline filling station. Historical uses of the property include a country store, wood shop, gasoline filling station, and automobile repair facility. The property has been the location of the East Calais General Store since the early 1900s with gasoline dispensing dating back to at least 1948.

IV. History and Ownership of the Site in the Brownfield Reuse and Environmental Liability Limitation Act (BRELLA) Program

The East Calais Community Trust submitted an application to the Brownfields Reuse and Environmental Liability Limitation Act (BRELLA) program as a prospective purchaser of the East Calais Store property located at 4520 Vermont Route 14 in Calais, Vermont. The BRELLA application was signed on November 7, 2019. A determination of eligibility was granted on November 26, 2019. The East Calais Community Trust purchased the property on June 29, 2020.

V. Site Investigation Activities; Reports

The Vermont Department of Environmental Conservation (VTDEC) has received the following reports regarding site investigation activities:

- *Preliminary Site Investigation Report* dated January 4, 1993 by Lincoln Applied Geology
- Semi-annual, annual, and biennial monitoring reports from 1993 through 2020 by Lincoln Applied Geology
- *Corrective Action Plan* dated March 24, 2010 by Lincoln Applied Geology
- *Phase I Environmental Site Assessment Report* dated February 19, 2020 by Weston & Sampson
- *2020 Long Term Monitoring Report* dated June 9, 2020 by Lincoln Applied Geology
- *Underground Storage Tank Closure Assessment* dated August 4, 2020 by Ross Environmental Associates
- *Phase II Environmental Site Assessment Report* dated September 10, 2020 by Weston & Sampson
- *Long Term Monitoring Plan* dated September 29, 2020 by Lincoln Applied Geology

The VT DEC has reviewed these reports, as well as other sampling data pertaining to the site, and determined that site investigation and remediation activities are complete. During Phase II site investigation activities, the mechanic's pit in the far northern portion of the building was investigated with no contaminants detected above any standards or screening values. Soil vapor was sampled during the biennial groundwater sampling event and any detections of contaminants in soil vapor were below residential soil vapor screening values. Groundwater continues to be contaminated at concentrations exceeding the Vermont Groundwater Enforcement Standards (VGES) with naphthalene and trimethylbenzenes exceeding VGES in monitoring well MW-2. Concentrations of these contaminants have been shown to be decreasing in MW-2 when compared to the previous round's concentrations. During the removal of the gasoline underground storage tank (UST) and associated fuel dispenser island, soil samples were collected from beneath the UST and beneath the pump island; no volatile organic compounds (VOCs) were detected above laboratory detection limits. Following the removal of the kerosene aboveground storage tank (AST) and associated dispenser, two 55-gallon drums of contaminated soil were removed from below the AST. Photoionization detector readings of soils at the bottom of that excavations were below 2 parts per million by volume (ppmv).

VI. Corrective Action and Remedial Activities

A *Corrective Action Plan* was submitted to the VTDEC on March 24, 2010. The Corrective Action Plan proposed to implement an in-well system to enhance the biodegradation of petroleum contaminants in groundwater. The Corrective Action Plan was ultimately not approved and long term monitored natural attenuation was selected as a remedy going forward by the Agency on August 4, 2010. Groundwater sampling to track monitored natural attenuation has continued on a biennial basis. The following environmental issues remain on-site:

- Groundwater contamination at concentrations exceeding the Vermont Groundwater Enforcement Standards in groundwater monitoring well MW-2.

A *Long Term Monitoring Plan* for this site was prepared by Lincoln Applied Geology and dated September 29, 2020; this plan documents the expectations for continued site management following the issuance of the Certificate of Completion.

Based on the findings in the reports referenced in Section V of this document, and pursuant to the completion of activities identified in Section VI, the VTDEC has determined that no further investigation, abatement, removal, or remediation are required to adequately protect human health and the environment. This decision is supported by the following findings:

- The planned redevelopment of the site will not cause, contribute to, worsen, or delay any releases or threatened releases on hazardous materials on the site.
- The releases that are not abated, removed, or remediated (i.e. residual contamination) do not pose an unacceptable risk to human health and the environment.
- The long-term site monitoring, maintenance, and/or reporting requirements outlined in the *Long Term Monitoring Plan*, in addition to the restrictions on future uses of the site detailed in Section VI of this document, are adequate to ensure the effectiveness of the remedial or corrective actions taken and to prevent sensitive receptor exposure to any residual on-site contamination.

VII. Substantial Completion

This Certificate of Completion is issued upon substantial completion, due to additional long term monitoring and that is required at this site; detailed below:

After the completion of corrective action activities, the following environmental issues remain on-site:

- Contaminated groundwater remains at the site requiring long term monitoring as documented in the long term monitoring plan.

VIII. Land Use Restrictions

Pursuant to 10 V.S.A. § 6652(b) and § 35-904 of the Investigation and Remediation of Contaminated Properties Rule, the Agency is requiring the implementation of certain Land Use Restrictions at this site based on the remaining environmental issues as outlined in this Certificate. Such use restrictions are necessary for construction, operation, and maintenance of the response actions at the site and to ensure that future activities at the site do not interfere with the response actions or in any way increase the ecological, human, or environmental risks at the site. The release of liability afforded by 10 V.S.A. § 6653 and this Certificate shall be contingent on ongoing compliance with the land use restrictions identified below: such release of liability shall not extend to any failure to comply with any of these restrictions.

LAND USE RESTRICTIONS

- A. East Calais Community Trust and all successors and assigns, shall not take or authorize any of the following activities or actions on the site without the prior express written consent from the Agency of Natural Resources:
 1. Construction activities which will materially change hydrogeologic conditions or will likely cause migration of contaminated groundwater;
 2. Installation of water supply wells;
 3. Any other use that may impact or adversely affect the implementation, construction, operation, and maintenance of the remedy;
- B. East Calais Community Trust, and all successors and assigns, shall ensure that the integrity of all site remedial infrastructure, including the groundwater monitoring wells are maintained per long-term site monitoring, maintenance, and/or reporting requirements outlined in the *Long Term Monitoring Plan* is conducted.

East Calais Community Trust, and all successors and assigns, shall permit Agency personnel to access the site at all reasonable times to inspect compliance with the land use restrictions identified herein, as well as to assess the need for, planning, or implementing additional response actions at or near the site. These environmental restrictions and rights of access shall run with the land, and any portion thereof, in perpetuity. East Calais Community Trust shall incorporate these Land Use Restrictions, in full or by reference, into all leases, licenses, occupancy agreements, or any other instrument of transfer by which a right to use the Parcel, or any portion thereof, is conveyed.

These Land Use Restrictions may be modified or terminated in whole or in part only upon written agreement between East Calais Community Trust, its successors or assigns, and the Agency, signed by the Agency and recorded in the Land Records in Calais, Vermont. The Agency may terminate, in whole or in part, these Restrictions when the Agency, in its sole discretion, determines that termination is necessary or that the purposes for which these Restrictions were created have been achieved.

IX. Long Term Operation, Monitoring, Maintenance and Reporting

As detailed in the *Long Term Monitoring Plan*, monitoring of concentrations of petroleum-related compounds shall continue on a biennial basis. The sampling shall be completed in accordance with the *Long Term Monitoring Plan* and Subchapter 9 of the Investigation and Remediation of Contaminated Properties Rule with the next anticipated groundwater monitoring even taking place in the Spring of 2022.

X. Certificate of Completion; Release of Liability

The rights, obligations, covenants, and restrictions granted in this Certificate of Completion shall run with the land, and any portion thereof, and shall be binding on the Agency of Natural Resources and successor Agency, and shall inure to the benefit of East Calais Community Trust and its authorized representatives, successors and assigns. All required assessment has been completed at this site and no further active remediation is required, with exception of the requirements in Sections VIII and IX of this document and as provided in 10 V.S.A. § 6653:

This Certificate of Completion has been issued upon substantial completion of the corrective action at the site. All supporting documentation and exhibits shall be recorded in the Calais Land Records for this property. Recording shall be completed in accordance with § 35-904(d) of the Investigation and Remediation of Contaminated Properties Rule. Once recording is complete and copies of all recorded documentation is provided to the Agency, the protection from liability provided in 10 V.S.A. § 6641, et. al. is in effect, pursuant to 10 V.S.A. § 6653, failure to comply with the land use restrictions and/or the general obligations established in section 10 V.S.A. § 6644 shall be a basis for loss of liability protection afforded by this Certificate.

Signed: _____



Date: _____

12/2/2020

Peter Walke, Commissioner
Department of Environmental Conservation

CALAIS TOWN CLERK'S OFFICE
Rec'd for record Dec 2 20 20 AD
at 11 o'clock 00 minutes A M
Recorded in Book 54 Page 716
Attest: Julie Roberts Town Clerk