

**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: Perrywinkle's Fine Jewelry
Site's Street Address/Town/Zip Code: 227-235 Main Street, Burlington, VT 05401
Parcel Tax ID #: 049-3-107-000 Property Size (Acres): 0.95
Zoning District: Residential - High Density
Describe current use(s): Commercial - Jewelry retailer and outdoor gear warehouse

Describe former use(s): Residential and orchard in the late 1800's. Grist & steel mill with blacksmith shop in early 1900's.
Various commercial businesses in 1900's including auto sales & service, auto body shop and welding shop, among others.

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: Phase I ESA report dated December 2, 2022 prepared by KAS, Inc.

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

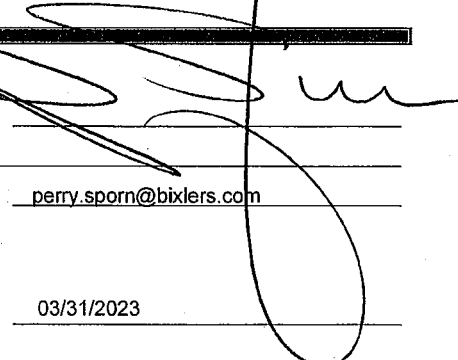
Archeological Site Assessment / Recon

Historic Preservation issues

Cleanup / Corrective Action Planning

Other

Property Owner Information:

Name: Winkledom, LLC Signature: 
Mailing Address: 227 Main Street, Burlington, VT 05401
Phone: 802-865-2624 Email: perry.sporn@bixlers.com

Nomination Submitted By:

Name or Office: Perry Sporn Date Submitted: 03/31/2023
Mailing Address: 227 Main Street, Burlington, VT 05401
Phone: 802-865-2624 Email: perry.sporn@bixlers.com

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*

WINKLEDOM, LLC

April 10, 2023

To Whom It May Concern:

This memo is to serve an accompanying document for a Phase II ESA application for 227-235 at Main Street, Burlington, VT. Our planned use for the property is a mixed use residential/hotel with parking on the lower level.

The anticipated benefits of the redevelopment are significant to the region's tourism since. The hotel will cater our store's clientele. Our store draws wealthy clients from throughout the USA and Canada and introduces them to the Vermont as a tourist or vacation home destination.

Sincerely,



Perry Sporn

State of Vermont
Department of Environmental Conservation
Waste Management & Prevention Division
1 National Life Drive – Davis 1
Montpelier, VT 05620-3704
(802) 461-6204
Caitlyn.Bain@vermont.gov

April 25, 2023

Winkledom, LLC
Attn: Perry Sporn
227 Main Street
Burlington, VT 05401

RE: Site Name; 227-235 Main Street, Burlington, VT; SMS Site #2023-5272

BROWNFIELDS REUSE AND LIABILITY LIMITATION ACT DETERMINATION OF ELIGIBILITY

Dear Perry Sporn,

The Vermont Department of Environmental Conservation (DEC) has determined that Winkledom, LLC is eligible to participate in the Brownfields Reuse and Environmental Liability Limitation Act “BRELLA” as a owner of the above referenced property. This determination is based on the application and supporting documentation submitted on March 10, 2023.

BRELLA provides participants with DEC staff assistance in the review and oversight of activities to investigate, abate, remediate and monitor, when necessary, a brownfields site. A Certificate of Completion is issued upon performance of all actions required to attain cleanup levels established in the corrective action plan developed for the property. Statutory liability protections become effective upon issuance of the Certificate of Completion. Forbearance from state enforcement action is in effect during BRELLA participation provided that all required activities are being implemented in good faith.

Submittal and approval of a corrective action plan will be required to adequately protect human health and the environment at this property. The above referenced SMS Site number should be included in all correspondence. A final redevelopment plan that shows the type and location of buildings and improvements, and describes their intended use, must be submitted with the proposed corrective action plan. BRELLA requires that the public be provided with an opportunity to comment on the proposed corrective action plan prior to approval. Experience has shown that early involvement of, and continued communication with the public is integral to ultimate project success. Please keep me involved in all site related activities that may inform corrective action at the site. Periodically we will hold technical review meetings with BRELLA participants to ensure successful completion of each project.

As a participant in BRELLA you are required to follow the statutory provisions for this program that are codified at 10 V.S.A. §6641-§6656. Specifically, under § 6644 - *General Obligations*, any person participating in the program shall do all the following:

- (1) Not provide any information required under this subchapter by fraud, intentional misrepresentation, failure to disclose material information, or providing false certification.



(2) Not engage in any activity that is inconsistent or interferes with monitoring, investigation, abatement, removal, or remediation activities or the conditions or restrictions in a certificate of completion.

(3) Provide access to and cooperate with the secretary and any person liable pursuant to section 6615 of this title acting subject to the approval of the secretary for investigation, abatement, removal, remediation, or monitoring activities at the property. The grant of access and all other provisions that the secretary determines necessary may be memorialized in the form of an interest in real property that runs with the land and is binding against successors and assigns.

(4) Comply with all rules and procedures required by the secretary and obtain all necessary permits, certifications, and other required authorizations prior to beginning any site investigation or corrective action plan activities.

(5) If an innocent current owner, pay any additional costs of the secretary's review and oversight of the site investigation or corrective action plan, or both.

(6) Provide the secretary with all documents and information relating to the performance of the investigation, abatement, removal, remediation, and monitoring activities.

(7) Defend, indemnify, save, and hold harmless the state from all claims and causes of action related to, or arising from, acts or omissions of the applicant in performing the site investigation and corrective action plan except in the case of either of the following:

(A) Reimbursement of fees or costs improperly required by and paid to the secretary by the eligible person or successor.

(B) A cause of action related to the state's liability pursuant to subsection 6615(a) of this title.

Failure to adhere to the requirements dictated in the BRELLA statute may result in removal from the BRELLA program and all liability protection.

On behalf of the Vermont DEC, please accept my congratulations on this determination of eligibility. We greatly appreciate your interest and wish you success with your project. Brownfields redevelopment projects such as yours continue to revitalize and strengthen Vermont towns and communities. I am here to help make your project as effective and uncomplicated as possible. Please contact me if I can be of any assistance in this regard or to discuss any funding options that may be available for your project. I can be reached at 802-461-6204 and e-mail at Caitlyn.Bain@vermont.gov.

Sincerely,



Caitlyn Bain, Environmental Analyst
Sites Management Section
Waste Management and Prevention Division

cc: Sarah Bartlett, VTDEC (electronically)
Kristie Farnham, ACCD (electronically)
Dan Albrecht, CCRPC (electronically)
Jeremy Roberts, KAS (electronically)



589 Avenue D, Suite 10
PO Box 787
Williston, VT 05495

www.kas-consulting.com

802.383.0486 p

802.383.0490 f

March 30, 2023

Mr. Perry Sporn
Winkledom, LLC
227 Main Street
Burlington, VT 05401

RE: Work Scope and Cost Proposal, Phase II Environmental Site Assessment,
Perrywinkle's Fine Jewelry, 227-235 Main Street, Burlington, Vermont

Dear Mr. Sporn:

Per your request, KAS, Inc. (KAS) has provided the following work scope and cost proposal to conduct a Phase II Environmental Site Assessment (ESA) at the Perrywinkle's Fine Jewelry property located at 227-235 Main Street, Burlington, Vermont (the "Site" or "property"). The work scope has been developed based on KAS' knowledge of the Site and the findings of a Phase I ESA completed in November 2022. The property has been enrolled and accepted into the State of Vermont Brownfields Reuse Environmental Liability Limitation Act (BRELLA) program and KAS understands the intent is to redevelop a portion of the property into residential housing.

The Phase I ESA identified the following recognized environmental conditions (RECs) in connection with the subject property:

- REC 1: The historical presence of two gasoline underground storage tanks (USTs) in 1942 near the northeastern boundary of the subject property;
- REC 2: The historical presence of two gasoline USTs between 1938 – 1989 along the western/southwestern portion of the subject property;
- REC 3: The historical commercial / industrial type uses of the subject property including an automobile sales & service shop, an auto body shop, a welding shop and a steel mill; and,
- REC 4: The potential for historical fill / contaminants to be present in shallow soils beneath the subject property based on its location and past use as an orchard.

KAS will perform the following work as part of the Phase II ESA:

Work Plan Preparation

KAS will prepare a work plan for review and approval by Winkledom, LLC and the Vermont Department of Environmental Conservation (VT DEC). At this time, it is assumed the funding source received will not require a site-specific quality assurance project plan (SSQAPP) addendum for approval by the VT DEC and the US EPA. KAS will prepare a work plan to meet the requirements of a site investigation as outlined in the VT DEC Investigation and Remediation of Contaminated Properties Rule (I-Rule) dated July 6, 2019. Following submittal of



Mr. Perry Sporn
March 30, 2023
Page 2

the work plan, KAS will respond to comments and make revisions as deemed necessary to obtain final approvals.

Health and Safety Plan (HASP) Preparation and Project Notifications

A site-specific HASP will be prepared and implemented to govern the safety aspects of the job in accordance with the Vermont Occupational Safety and Health Administration (VOSHA) requirements. Prior to intrusive subsurface work, KAS will contact Dig-Safe at least 48 hours in advance of subsurface work so that member utility mark outs can be made and will coordinate with the City of Burlington Public Works to locate service utility lines and other lines that may exist at the Site and which may not be marked by Dig-Safe.

Ground Penetrating Radar Survey

KAS and its geophysical contractor will conduct a ground penetrating radar (GPR) survey in the approximate areas where the former gasoline USTs were indicated to be present at the Site on historical Sanborn Fire Insurance maps. This includes the northeastern boundary of the Site and near the western/southwestern portion of the property. The survey will extend up to the roadway as much as possible without disrupting traffic flow. The GPR survey will utilize utility scan equipment to detect buried metal objects. Magnetic signals will be transmitted at approximately 8-inch intervals along lines spaced 5 feet apart. The data will be processed and interpreted in the field to select areas for subsequent GPR analysis. The GPR fieldwork will be completed in one day and preliminary results should be available at the time the survey is conducted. Final interpreted results will be submitted to KAS in a written summary report.

If the GPR survey indicates a buried tank is likely to be present at the Site, KAS will coordinate to have the UST(s) properly removed and assessed. If this situation comes to light, KAS will prepare a separate work plan and cost estimate for review.

Soil Boring Advancement / Soil Assessment

KAS will assess soils throughout the Site with a focus on the following areas to investigate the RECs:

- Along the northeastern portion of property where a former gasoline UST resided (REC 1);
- Along the western / southwestern portion of the property where former gasoline USTs resided (REC 2); and,
- Various locations within the parking lot around the property building (RECs 3 & 4).

Seven (7) soil borings will be advanced using a track mounted 6011DT Geoprobe drill rig owned and operated by KAS. The soils will be logged by the drilling supervisor, who will also use a photoionization detector (PID) to screen the soils for the presence of volatile organic compounds (VOCs) during drilling. The soil borings will be advanced below the groundwater table, which is estimated to be at approximately 15 feet below grade (bg) based on nearby subsurface investigations.



Mr. Perry Sporn
March 30, 2023
Page 3

One sample will be collected from each boring location from the depth of maximum perceived contamination as noted with PID readings, staining, or olfactory evidence. If no contamination is noted then the sample will be obtained from the soil/groundwater interface. These soil samples will be submitted for laboratory analysis of VOCs via EPA Method 8260C and RCRA 8 Metals via EPA Method 6020.

At each boring location, KAS will also collect one discrete laboratory analytical sample from shallower soils for laboratory analysis of lead, arsenic, polycyclic aromatic hydrocarbons (PAHs) and polychlorinated biphenyls (PCBs) which are all common contaminants in historical fill (urban fill). Where a noticeable distinction between a fill and native layer is identified, those distinct layers will be chosen for the sampling and analysis. If historical fill is encountered and is noted to range in depth, various sampling depth intervals will be chosen to evaluate the horizontal and vertical distribution of contaminants. In general, it is anticipated four of the samples will be collected from 0 – 6" and three will be collected from 6 – 18". However, where a noticeable distinction between a fill and native layer is identified, those distinct layers will be chosen for the sampling and analysis.

One duplicate sample will be collected for all parameters and a laboratory prepared trip blank sample will be kept with the samples and analyzed for VOCs. All samples will be transported under chain of custody procedures to Eastern Analytical Laboratories of Concord, New Hampshire (EAL) for laboratory analysis.

Groundwater Sampling

Assuming groundwater is encountered, a total of five (5) 2" PVC groundwater monitoring wells will be installed at the Site using the 6011DT Geoprobe drill rig at the following locations:

- At the soil boring advanced along the northeastern corner of the Site where a former gasoline UST resided;
- At the soil boring advanced along the southern/southwestern portion of the Site where the former gasoline USTs resided; and,
- At three of the other five soil boring locations as determined by the overseeing KAS scientist.

The monitoring wells will be developed and surveyed after installation. KAS will conduct groundwater sampling a minimum of two weeks following well installation. Prior to groundwater sample collection, the depth to water will be measured in each monitoring well from the top of casing reference point. The monitoring wells will be sampled utilizing low flow sampling methods with submersible pumps and disposable tubing. Groundwater samples will be analyzed for VOCs via EPA Method 8260C and RCRA 8 metals via EPA Method 6020. One duplicate sample will be collected for all parameters and a laboratory prepared trip blank sample will be kept with the samples and analyzed for VOCs. The samples will be transported under chain of custody procedures to EAL for laboratory analysis.



Mr. Perry Sporn
March 30, 2023
Page 4

Soil Gas Sampling

KAS will advance one (1) additional soil boring on the exterior of the building for the installation of a soil gas well and will install three (3) sub-slab soil gas points through the concrete slab of the existing building to evaluate the potential for vapor intrusion. The building exterior boring will be advanced using KAS' 6011DT Geoprobe to a depth of approximately 4 – 5 feet bg using a 0.25" stainless steel pipe. The installation depth will be dependent on the planned depth of future building slabs and the depth to saturated soils at the boring location. Each interior sub-slab soil gas point will be installed using a hammer drill and will be finished with a Cox-Colvin vapor pin. The sub-slab soil gas point locations will be chosen based on discussions with the property owner and generally will be in locations that are hidden and where the floor is unfinished.

Following installation, a discrete soil vapor sample will be collected from the four soil gas points at least 24 hours after the devices are installed. The devices will first be purged of three to five volumes of air with a calibrated low-flow pump. A maximum 4-hour sampling will then be conducted using a dedicated 6-liter Summa vacuum canister and flow regulator. The soil gas samples will be collected for laboratory analysis of VOCs in air via EPA Method TO-15. One outdoor air sample will be collected in an upwind location of the general sampling area. Lastly, an air quality sample will be collected from each point with a PID.

Sampling information will be recorded on a sampling data sheet in accordance with KAS' Soil Vapor Sampling Procedure. Quality Assurance/Quality Control measures will be taken to ensure that the sample collected from each soil gas point is representative of the soil gas and not the atmosphere above it. Helium will be used as a tracer gas to verify the quality and integrity of each soil gas point's seal to the ambient air. A helium detector will be used on-site to verify the integrity of the seal.

The samples will be transported under chain of custody procedures to Pace Laboratories in East Longmeadow, MA for analysis. The laboratory detection limits will meet current VT standards for vapor intrusion at a residential property.

Summary Report Preparation

KAS will prepare a report for review and approval by Winkledom, LLC and the VT DEC. The report will be prepared and reviewed by environmental professionals and will satisfy the requirements outlined in the I-Rule.

Project Schedule

KAS is prepared to perform this work in a timely manner and we are currently adequately staffed to dedicate the necessary time and resources to this project. The schedule below provides an estimate of KAS' implementation time requirements. The Phase II ESA will take approximately 90 days once authorized. Work plan approval may take up to 30 days depending on the VT DEC's work load. The schedule depicts a 4-week time period during which the field work is anticipated to be completed. KAS will work closely with all parties to make sure the work is completed in as short a time frame as possible.



Mr. Perry Sporn
March 30, 2023
Page 5

Phase II ESA Work Plan Review / Approval: By June 15, 2023
Drilling / Soil, Groundwater, and Soil Vapor Assessment: By July 15, 2023
Laboratory Analysis: By August 10, 2023
Data Evaluation / Reporting: By September 15, 2023

Project Organization and Staffing

The project will be managed and overseen by Jeremy Roberts, P.G. Mr. Roberts will be responsible for project management, communications, document preparation, scheduling and implementation of field work, and report writing. Mr. Roberts will be assisted by KAS' staff of environmental professionals and field technicians, primarily in the performance of field work.

Cost Proposal

Task	Price
Work plan, Coordination	\$ 1,400
Premark / Ground Penetrating Radar Survey	\$ 1,200
Soil Borings / Soil Sampling / MW & Soil Gas Well Installation	\$ 10,590
Groundwater & Soil Gas Sampling	\$ 2,030
Laboratory Analysis	\$ 7,935
<u>Data Analysis & Reporting</u>	<u>\$ 5,115</u>
Total estimated pricing	\$ 28,270

All pricing is presented subject to the following assumptions:

- Free and easy access to the Site.
- Laboratory samples will be submitted on standard turnaround time basis.
- Costs do not include site investigations or remediation beyond those presented in the work plan document.

Project MBR.WBE Fair Share Information

All of the work except the GPR survey and laboratory analysis will be performed by KAS which is a certified WBE (Vermont Agency of Transportation) and a registered WBE (Vermont Department of Environmental Conservation).

KAS would very much like to conduct this work and we appreciate the opportunity to present this proposal. Please call if you have any questions.

Sincerely,

Jeremy Roberts, P.G.
Principal / Environmental Program Manager

Enc/ cc: Site Plan w/ Proposed Sample Locations
KAS #511220689

Perrywinkle's Fine Jewelry

227-235 Main Street
Burlington, VT 05401

Former Motel &
Tattoo Shop

Memorial
Auditorium

Legend

- 📍 227 Main St
- 📍 Courthouse Plaza
- 🟡 Former gasoline UST areas as indicated on Sanborn Fire Insurance maps

Subject Property

● Proposed Soil Boring / Monitoring Wells

■ Proposed Soil Gas Monitoring Points

Champlain Farms
Gas Station

Residence

Ski Shop

VFW

Residential
Properties

227 Main St

Residential
Properties

Google Earth

Image Landsat / Copernicus

200 ft

