

BRELLA PROGRAM APPLICATION CHECKLIST

Submit this checklist with your completed application.

- **All items on this checklist are REQUIRED for your application to be considered.****
- Completed application form with necessary attachments (reuse plans, etc.)
- Full estimated project schedule (including redevelopment milestones and all necessary environmental work.)
- Deed with legal description/metes and bounds for the property to be enrolled. (You may need to look past the most recent property deed to procure one that includes a full legal description.)
- Proof of publication of the *Notice of Application to Brownfields Reuse and Environmental Liability Limitation Act Program* in a local newspaper. (Public notice template can be located here.)
- Check made payable to "State of Vermont" for the \$500 application fee. The check must include a note indicating that it is for a BRELLA application and include the SMS Site # in the check memo.
- Completed and notarized application signature and certification.



BROWNFIELDS ENVIRONMENTAL LIABILITY LIMITATION ACT (BRELLA) PROGRAM APPLICATION

A. APPLICANT INFORMATION

- 1. Name of Applicant*: City of St. Albans
- 2. Applicant Address: PO Box 867, St. Albans, VT 05478
- 3. Applicant Telephone: 802-524-1500 ext. *259
- 4. Applicant E-mail Address: c.sawyer@stalbansvt.com

5. Applicant's legal interest in the property to be enrolled:

- Owner
 Purchaser
 Other

If the applicant is not the current owner, please provide a brief description of the applicant's interest in the property – e.g. through a purchase and sales agreement, an option agreement, etc.

Potential purchaser with a signed purchase and sales agreement.

6. Name and address of current property owner (if applicant is not the owner):

JOLLEY ASSOCIATES, 54 LO. WELDEN ST., ST. ALBANS, VT 05478

7. Applicant's contact person for purpose of application

Chip Sawyer

8. Applicant organization type:

- Sole Proprietor/Individual
- Partnership
- Corporation
- Other

*Please note that the applicant name listed here must exactly match the entity (owner or prospective purchaser) that will be listed on the Certificate of Completion. Any changes to the applicant name (i.e. through the formation of a new LLC, etc.) will necessitate the submittal of a new application and associated fee.

9. If applicant is not a sole proprietor/individual, list names and addresses of partners, owners, or officers, as applicable:

Applicant is a municipality. Mayor: Timothy Smith. City Council: Marie Bessette, Timothy Hawkins, Kate Laddison, Michael McCarthy, James Pelkey, Chad Spooner.

B. PROPERTY INFORMATION

1. E911 Property Address: 112, 118, and 120 Federal St., St. Albans, VT 05478
2. SPAN # (if known): 549-173-10528, 549-173-10510, 549-173-10513
3. DEC SMS Site # (if one has been assigned): 2020-4963
4. Size of Property (in acres): 0.97
5. Has there been an environmental assessment of the property? (If yes, AND if VTDEC does not already have the reports on file, include copies of all environmental assessments and investigation reports with this application.)



Yes



No

6. Describe the physical characteristics of the property:

Grassed vacant lot

7. Describe the current use of the property, and the extent to which the property is currently utilized:

Vacant lot.

8. Provide all known information about the operational history of the property, including any state or federal cleanup and/or enforcement activities:

The property was developed with houses sometime between 1864 and 1884. Residential use continued on the property until the buildings were demolished between 2012 and 2016. The property was also used as a salvage yard and contained aboveground storage tanks (ASTs) for fuel distribution from the early 2000s until circa 2015.

9. Describe all known releases and threatened releases concerning the property, and the risks to human health and the environment presented by the releases and/or threatened releases:

There are no known releases.

The past use of the property as a salvage yard is considered a REC. Uses of this sort can lead to elevated levels of metals, polycyclic aromatic hydrocarbons (PAHs), petroleum, and other chemicals in soils and/or groundwater on the property.

The previous ASTs on the property are not considered RECs. The ASTs were modern and no spills were reported in association with the ASTs.

C. PROPERTY REUSE

1. Describe your plans for reuse of the property. Attach any conceptual site plans or other relevant documents related to the proposed redevelopment/reuse:

The City of St. Albans intends to remediate and prepare this site for sale to the neighboring cooperative dairy creamery (Dairy Farmers of America). Dairy Farmers of America is proposing to redevelop the property to be multipurpose. It is DFA's intent to construct a building that will maximize the site. In DFA's initial plans, the building will be approximately 12,000 square feet in size. The primary use of the facility will be a mix of retail, offices and meeting space. At this time, no industrial use is being contemplated, however DFA may choose to incorporate some limited food production. The property will be open to the public. This project is intended to complement the current Dairy Farmers of America operations on neighboring lots to the north.

D. PROJECT SCHEDULE

1. Use the attached table to detail the redevelopment and remediation schedule. (Write NA for anything that doesn't apply. If necessary, you may opt to attach a schedule as a separate document in lieu of the included table.)

PROJECT SCHEDULE*		
Task	Anticipated Date Range	Notes
<i>Environmental Tasks</i>		
Phase I ESA	September - October 2020	Previous Phase 1 issued on March 1, 2019, but an update is needed.
Phase II ESA/Site Investigation	June 28, 2019	
Supplemental Site Investigation	October - November 2020	An additional Phase 2 ESA is underway.
Evaluation of Corrective Action Alternatives (and/or EPA ABCA)	January - March 2021	
Corrective Action Plan development and approval	March - May 2021	
Corrective Action Plan Implementation	May - November 2021	
Acquisition of Property	City in December 2020, DFA in December 2021	
Project Completion	November 2022	Completion of DFA development
<i>Permits</i>		
(i.e. Stormwater, Wastewater, Act 250, Asbestos/Lead, TSCA, or other State and Federal permits)		
Stormwater Construction permit for corrective action plan	April - May 2021	
Water and Wastewater permits for DFA development	January-February 2022	
Stormwater Construction permit for DFA development	January-February 2022	
Act 250 Permit for DFA development	January-April 2022	Assuming that DFA must add this development to their existing permit 6F0634.
Stormwater management permit	N/A	Stormwater management permit not required, due to size of lot.
<i>Funding</i>		
(Application for and receipt of any project critical funding sources. Please also note any funding related deadlines.)		
City tax increment financing, estimated at \$500,000	Preparing for bond vote in March 2021.	
Federal clean-up funds from NRPC RLF and VT Brownfields Revitalization Fund	Depending on TIF bond vote and CAP estimates.	For the City's remediation and site preparation activities.
<i>Other</i>		

*Enrollment in the BRELLA program protects the applicant from State enforcement action so long as the applicant is working "in good faith" (i.e. within the approved schedule). Please note that VTDEC must be informed of any significant changes to the schedule included in your BRELLA application.

E. SIGNATURE AND CERTIFICATION

I, the undersigned, being first duly sworn do attest upon my oath as follows:

- A. I agree to comply with the requirements of the Brownfields Reuse and Environmental Liability Limitation Act (10 V.S.A. §6641 et seq.), and understand and agree that failure to comply may result in disqualification from the program and voiding of the protections from liability provided by the Act.
- B. I have accurately disclosed all information currently known to me, or in my possession or control, which related to releases or threatened releases of hazardous materials at the property for which the application is submitted.
- C. I represent that:
 1. **as a prospective purchaser**, neither the applicant, nor any of its principals, owners, directors, affiliates, or subsidiaries:
 - a. currently holds or ever held an ownership interest in the property or in any related fixtures of appurtenances, excluding a secured lender's holding indicia of ownership in the property primarily to assure the repayment of a financial obligation;
 - b. directly or indirectly caused or contributed to any releases of hazardous materials at the property;
 - c. currently operates or controls, or ever operated or controlled the operation, at the property, of a facility for the storage treatment, or disposal of hazardous materials from which there was a release;
 - d. disposed of, or arranged for the disposal of hazardous materials at the property, or;
 - e. generated hazardous materials that were disposed of at the property; **or**
 2. **as a current owner**, neither the applicant, nor any of its principals, owners, directors, affiliates, or subsidiaries:
 - a. held an ownership interest in the property or in a related fixtures of appurtenances, excluding a secured lender's holding indicia of ownership in the property primarily to assure the repayment of a financial obligation, **at the time** of any disposal of hazardous materials on the property;
 - b. directly or indirectly caused or contributed to any releases or threatened releases of hazardous materials on the property;
 - c. operated, or controlled the operation, at the property of a facility for the storage, treatment, or disposal of hazardous materials at the property;
 - d. disposed of, or arranged for the disposal of hazardous materials at the property; **or**
 - e. generated the hazardous materials that were disposed of at the property.
- D. I certify under penalty of law that this application and all attachments were personally prepared by me or prepared under my direction or supervision. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment pursuant to 13 V.S.A. §3016.

Dated this 1st day of October, 2020 at St. Albans, VT

Chip Sawyer Digitally signed by Chip Sawyer
Date: 2020.10.01 15:22:31
-04'00'

Applicant Signature

Chip Sawyer, Director of Planning & Development

Name and Title (printed)

Subscribed and sworn to before me this 1st day of October, 2020 at

St. Albans, Vermont.



Sara Gabaree

Notary Public

Commission Expires: 1/31/2021