

NJDEP Environmental and Historic Review
Application for EDA and DCA/NEP Programs

1. Agency Name: DCA
2. Date of Application Submittal to DEP: 12/16/13
3. CDBG-DR Program: NEP
4. Application ID Number: NEP 7014-02325-0000-00
5. National Objective Description/Number: LMI
6. Grant Number: B-13-DS-34-0001
7. Applicant Name: Woodlands Residential LLC
8. Project Location: 257/261/263/265 (Street Address) 267/269/271 (Zip) 07017
Woodland Avenue (Municipality) East Orange
 (County) Essex (Block) 620 (Lot) 1.05/1.06/1.08/1.09/1.10/1.11

(A separate form with a unique Application ID number is required for each location.)

9. **Detailed Project Description**
 Provide a thorough description of the existing conditions at the site, work that will occur at the site, and the final project outcome. See Attachment A for directions.

10. **Change in Use**
 Will the project result in a change in use for the land or structure? If YES, please describe and document.

Examples:

- a. Residential use → Non-residential (commercial, industrial, or mixed use)
- b. Non-residential (commercial, industrial, or mixed use) → Residential

11. **Change in Size or Capacity**
 Will the project result in a change in size or capacity of any kind? If YES, describe the percentage increase in size, footprint, number or capacity. Include any increase to main building(s), ancillary structure(s), parking areas, landscaping, paving, discharges such as sewage (wastewater), solid waste (trash), or process discharges, etc.

Examples:

- a. Increase in retail space, restaurant or theater seating capacity with 30% larger footprint and additional parking spaces.
- b. Increase in production capacity of manufacturing facility by 15%
- c. Change in landscaping resulting in 25% more impervious surface/paving.

12. **Market Value (for multi-family rehabilitation projects only)**
 What is the estimated cost of the rehabilitation as a percentage of the estimated post-rehab value of the building? Attach documentation such as comparable housing prices.

Example:

The cost of the rehabilitation is currently projected at \$1,212,412. The estimated value of the property's 7 units of affordable housing is expected to be \$2,000,425. (Rehabilitation costs are 61% of the projected value at completion.)

13. **Right of Entry Form signed by property owner**

Initial Determination of Level of Review _____	SCM Initials _____
Reason for Initial Determination _____	
<i>This section is for DEP use.</i>	

Woodland Townhomes Project
Application for Environmental Review portion of the Stronger NJ Loan Program
November 25, 2013

1. Contact Information:

- a. Property Owner: Woodlands Residential, LLC
201-886-7800 Ext. 24
joe@thealpertgroup.com
- b. Project Representative: Joesph Alpert
201-886-7800 Ext. 24
joe@thealpertgroup.com

2. Project Description:

The Woodland Townhomes project will create 7 new affordable for-sale housing ubits in East Orange in Essex County.

The housing units will be new townhomes with 1,723 sq. ft., 3 bedrooms, hardwood floors and an attached 1 car garage. The homes will be built on vacant lots which will stabilize the Woodlands at Upsala neighborhood which is 100% residential.

Each home will be sold for \$150,000 to households with incomes between 50% AMI and 80% AMI. Special strategies will be employed to market the units to households impacted by Super Storm Sandy. All homebuyers will be required to complete a homeownership counseling program.

The project will be financed with a \$1,327,848 NEP loan and the developer's self-financing during construction. Proceeds from home sales will be used to repay the developer's construction advances.

The developer owns the site, has received all municipal approvals and is ready to start construction immediately.

3. Project Budget:

Acquisition	\$525,000
Architectural and Engineering	\$ 21,000
Appraisal	\$ 17,500
Attorney	\$ 35,000
Surveyor	\$ 7,000
Cost Certification	\$ 12,000
Marketing	\$ 25,000
Real Estate Taxes	\$ 28,000
Insurance	\$ 10,000
Interest	\$ 35,000

Sales Commissions	\$ 63,000
Building Permits	\$ 35,000
Construction	\$1,295,000
Developer Fee	\$269,348
Total Project Budget	\$2,377,848

Funding Sources:

Private Capital	\$1,050,000
NEP Loan	\$1,327,848

4. Site Plan enclosed.
5. Preliminary Assessment enclosed.
6. Miscellaneous:
 - a. City of East Orange Site Plan Approval
 - b. County of Essex Site Plan Approval
 - c. Site survey
 - d. Site Photo

10. Change in Use- Not Applicable

11. Change in Size or Capacity- Not Applicable

12. Market Value- Not Applicable

13. Right of Entry Form- Enclosed.

**PRELIMINARY ASSESSMENT
FORMER UPSALA COLLEGE – WEST CAMPUS
EAST ORANGE, NEW JERSEY**

Prepared for:

**Woodland Residential L.L.C.
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Hoboken, New Jersey 07060**

and

**The Alpert Group
1 Parker Plaza
Fort Lee, New Jersey 07024**

Prepared by:

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**August 2004
(Updated October 2005)**

**PRELIMINARY ASSESSMENT
FORMER UPSALA COLLEGE – WEST CAMPUS
EAST ORANGE, NEW JERSEY**

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**PRELIMINARY ASSESSMENT
FORMER UPSALA COLLEGE – WEST CAMPUS
EAST ORANGE, NEW JERSEY**

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**PRELIMINARY ASSESSMENT
FORMER UPSALA COLLEGE – WEST CAMPUS
EAST ORANGE, NEW JERSEY**

1.0 INTRODUCTION

1.1 Purpose

Potomac-Hudson Environmental, Inc. (PHEnv) conducted a Preliminary Assessment (PA) of the former Upsala College – West Campus property located on Prospect Street in East Orange, New Jersey. This report has been prepared in accordance with the requirements set forth in the New Jersey Department of Environmental Protection (NJDEP) Technical Requirements for Site Remediation (N.J.A.C. 7:26E) for a Preliminary Assessment.

The PA was conducted to provide the following information regarding the Property:

- Determine if the past or present owner or tenants are or were engaged in any activities involving the generation, storage, use, transportation or disposal of any hazardous or toxic substances or wastes at the Property;
- Identify site-specific environmental issues of concern, such as underground/aboveground storage tanks, visible surface soil contamination, and the potential for deposition of fill that may have contained hazardous substances;
- Identify land uses adjoining the property which have the potential to generate or contain hazardous substances or wastes; and
- Identify properties adjoining the property that have, due to existing environmental conditions, the potential to contaminate soil, surface water or ground water found on the subject property.

This report has been prepared by PHEnv on behalf of Woodland Residential, L.L.C. for the purpose of conducting environmental due diligence in order to identify areas of concern that require additional investigation.

1.2 Limitations and Exceptions of PA

It should be noted that all comments, findings, and conclusions contained in this PA are based upon: (i) site conditions at the time of PHEnv's initial reconnaissance and inspection conducted on April 25, 2004, and updated in April 2005 during the underground storage tank closures, (ii) review of written or illustrated historical documents as referenced herein, and (iii) information reported to PHEnv by others as referenced herein. All of the structures are in a state of disrepair and were difficult to inspect. None of the utilities were operational except for the electric service in the Music Building and electric and water service in the Library. Therefore, the inspection of properties was conducted via flashlight. In addition, due to the presence of debris or locked doors, many of the areas of the buildings were not accessible for inspection. While there are no indications that the information provided to PHEnv by others is suspect, PHEnv does not assume

responsibility for errors and omissions in the information so assembled to produce this PA. PHEnv did not perform a general survey of the conditions of the site soils, surface or groundwater, potable water, air, building materials (i.e., lead-based paint), or radon gas by sampling or laboratory analysis for this PA. Seven underground storage tanks (USTs) were removed and a site investigation/remedial action was conducted in accordance with NJDEP requirements. The results of the investigation are reported in a separate document (Site Investigation/Remedial Action Report, Underground Storage Tank Closures, Former Upsala College – West Campus, Potomac-Hudson Environmental, Inc., October 2005) that has been submitted to NJDEP for the closure of the tanks. Bulk samples for analysis of percent asbestos content were also obtained as part of a separate study and are reported in a separate document (Building Survey and Asbestos Sampling, Former Upsala College – West Campus, Potomac-Hudson Environmental, Inc., October 2004). Actual conditions of soil, surface water, groundwater, potable water, air and building materials can only be determined through sampling and laboratory analysis.

2.0 SITE DESCRIPTION

2.1 Location

The former Upsala College – West Campus property is presently abandoned and in a state of disrepair. The subject property is approximately 20 acres located on Block 620, Lots 1 and 31 – 34, and Block 630, Lots 1 – 6, 30 and 31 in East Orange, Essex County, New Jersey. The property is bounded by Franklin Street to the north, Prospect Street to the east, Springdale Avenue to the south and vacant land and other structures along Glenwood Avenue to the west. There are approximately 13 structures located on the property, six tennis courts, two basketball courts, and four parking lots located on the property. All buildings are abandoned and without power or water service except the Music Building which still has active electric service and the Library which has active electric and water service. Most windows and doorways have been boarded up by the City of East Orange. Driveways lead into the property from Prospect Street, Franklin Street and Springdale Avenue. The parking lots and driveways are primarily asphalt in a state of disrepair. The remaining ground cover consists of overgrown lawn and landscape areas. A small wooded area is present to the southwest of the library.

Based on the site visit and a topographic map prepared by LGA Engineering, Inc., the property gently slopes from east to west. The elevation of the site is at approximately 160 feet. A USGS topographic map is included as Figure 1. A Tax Map is included as Figure 2.

According to information provided in the Environmental Data Resources, Inc. (EDR) report (included in Appendix 6), the US Department of Agriculture (USDA) Soil Conservation Service National Cooperative Soil Survey indicates that the soil surface texture is variable. The soil falls within the component name Urban Land. The soil does not meet the requirements for a hydric soil and hence does not support wetlands. Depth to bedrock is usually greater than 10 inches. The properties and characteristics may differ greatly from place to place, and therefore, on-site evaluation is necessary for the specific site.

The closest surface waterway is the Watsessing Brook located approximately 1000 feet to the northwest of the site. The brook appears to flow from Second River which is located

approximately one mile to the northeast of the site. The Passaic River is located approximately 3 miles to the east of the Site. No site-specific information is available regarding the groundwater depth or flow direction; however, based on the topography, the groundwater flow direction in the immediate site vicinity is most likely toward Watsessing Brook to the northwest.

The Federal Emergency Management Agency (FEMA) flood electronic data provided in the EDR report (Community Panel Number 3401810005B) (included as Appendix 6) indicates that the site is not located in a flood zone. The National Wetlands Inventory electronic data coverage provided in the EDR indicates that the site is not located in a wetland area.

2.2 Current Uses of the Site

The approximate 20 acre property is presently abandoned and in a state of disrepair. All buildings are vacant, the majority of which are boarded and/or locked.

2.3 Historic Uses of the Site

Historical aerial photographs and maps were reviewed and personal interviews were conducted to determine historical uses at the site.

2.3.1 Aerial Photograph Review

PHEnv reviewed aerial photographs dated 1946, 1954, 1966, 1976, 1984, 1995 and 2003 to evaluate past uses that may have contributed to additional potential AOCs. Due to the scale and relative clarity of the photographs, details were not visible in all photographs. Copies of these photos are included in Appendix 1.

1946 Aerial Photograph

Although the quality of the aerial photograph is poor, it appears that the majority of the site is vacant wooded land occupied by a number of small structures. The surrounding area is developed by small structures, as well as a larger structure to the northwest of the site.

1954 Aerial Photograph

The 1954 aerial photograph indicates that the majority of the structures that are currently located on the site are present. The western portion of the property is vacant. The surrounding area appears similar to the 1946 aerial photograph.

1966 Aerial Photograph

The 1966 aerial photograph indicates that the property and surrounding area appear similar to the 1954 aerial photograph.

1976 Aerial Photograph

The 1976 aerial photograph indicates that the property and surrounding area are similar to the 1966 aerial photograph with the addition of the eight dormitory structures that were constructed on the western portion of the site.

1984 Aerial Photograph

The 1984 aerial photograph indicates that the subject property and surrounding area are similar to the 1976 aerial photograph.

1995 Aerial Photograph

The 1995 aerial photograph indicates that the property and surrounding area are similar to the 1984 aerial photograph except that the eight dormitory structures on the western portion of the site are no longer present.

2003 Aerial Photographs

Aerial photographs were taken in a north, east, south and westerly direction in December 2003 and again in the spring of 2004 by Woodland Residential L.L.C.. The aerials show the site buildings and features to be similar to the current site configuration. The Prospect House is not shown on the aerials.

2.3.2 Historic Map Review

PHEnv reviewed historical Sanborn maps that covered the subject property dated 1895, 1911, 1924, 1951, 1958, 1973, 1977 and 1986 and historic quadrangle maps dated 1900, 1903, 1905, 1943, 1955, 1970, 1981 and 1995. The maps were provided by EDR, Inc. Copies of the maps appear in Appendix 2.

1895 Sanborn Map

Only the northern portion of the site is shown on the 1895 Sanborn map. Eight small structures are shown on the northern portion of the site along Prospect Street. The surrounding property to the north of the site is mostly vacant land with a few scattered structures. Seabury Pharmacal Laboratories is shown to the northwest of the site on the north side of Franklin Street.

1911 Sanborn Map

The 1911 Sanborn map indicates that the site was occupied by 22 structures scattered throughout the property. The structures are mostly dwellings with a few garages. One of the buildings nearest to Glenwood Avenue is shown as a greenhouse. Buildings that appear to be the same as the present day structure include Kenbrook Hall, Prospect House and Student Services (see Figure 3 for the location of the buildings). Springdale Avenue is shown to the south, Prospect Street is shown to the east and Franklin Street is shown to the north. Dwellings are shown to the west of the site along Glenwood Avenue. Fernwood Road is shown to dead end at the western property boundary near the center of the site.

1924 Sanborn Map

The 1924 Sanborn map is of a much smaller scale and indicates that the site and surrounding area are similar to the 1911 map.

1951 Sanborn Map

The 1951 Sanborn map indicates that the site is now occupied by Upsala College. Kenbrook Hall is shown with the addition of the gym. Bremer and Nelsenius Halls are shown as the boys and girls dormitories. A dormitory (The Commons) is shown in the location of the current Chapel building. The building previously referred to as the Prospect House is shown as the Upsala College library. The Student Services building is shown as the Upsala College Offices. These structures are shown in the same configuration as at the present. The Music House is shown as a dwelling along Springdale Avenue. The current location of the Maintenance Building is shown as Horse Hall dormitories. The Faculty Residences (five dwellings) are shown in the current location of the four remaining Upsala Court residences. It appears that a fifth residence was located to the west of the existing four structures in the 1951 map. The greenhouse structure previously located along the western side of the property is no longer present. A number of other smaller dwellings and auto garages are scattered throughout the property.

A number of dwellings have been constructed along Fernwood Road and Franklin Avenue to the northwest of the property.

1958 Sanborn Map

Changes to the 1958 Sanborn map include the addition of the Student Center and associated dormitories at the present location of Froeberg Hall North and South. Five small structures were demolished in order to construct this new building. In addition, a garage structure has also been removed along the western portion of the property. Eight small structures remain in the northeast corner of the property and one along the western edge of the property. The Commons dormitory building appears to have been demolished and the new Chapel building has been constructed in its place. The remaining Upsala College buildings appear the same as in the 1951 map.

1973 Sanborn

The 1973 Sanborn map indicates that the eight small structures in the northeast corner of the property have been demolished and that the current library structure has been constructed. The one small dwelling along the western edge of the property still remains. The fifth Faculty Residence on the westernmost edge of the group of houses has been demolished in order to construct the eight dormitory buildings shown on the 1973 map. The remaining College buildings and surrounding properties appear similar to the 1958 map.

1977 and 1986 Sanborn Maps

The 1977 and 1986 Sanborn maps indicate that the Upsala College property and surrounding area appear similar to the 1973 map.

Historic Quadrangle maps dated 1900, 1903, 1905, 1943, 1955, 1970, 1981 and 1995

The scale for the historic quadrangles from the years 1900, 1903, 1905, 1943, 1955, 1970, 1981 and 1995 is such that site features were not discernable. However, quadrangles for the years 1900 through 1943 do not indicate that Upsala College was located on the property. Historic quadrangles starting in 1955 indicate that Upsala College was present.

2.3.3 City Directory

PHEnv requested City Directory abstracts from Environmental Data Resources, Inc. (EDR) at approximate five-year intervals for the subject property. Due to the size of the property, an address of 339 Prospect Street was utilized to conduct the search. Based on EDR's research beginning in 1920, Upsala College library was found in the 1936, 1942, 1948, 1952 and 1957 directories. A copy of EDR's research documentation is provided in Appendix 3.

2.3.4 Owner/Operator Information

PHEnv reviewed a title report prepared by Chicago Title Insurance Company. According to the report, the property is known as Lots 1, 31 through 34 in Block 620 and Lots 1 through 6, 30 and 31 in Block 630 on the tax map of the City of East Orange. The property was transferred from the East Orange Board of Education to the City of East Orange by deed dated September 12, 1996. The property was then transferred to Woodlands Residential, L.L.C. on March 16, 2005. A copy of each of the title reports are included in Appendix 4.

2.3.5 Interviews and File Reviews

PHEnv made written requests to a number of State, County, and local employees. Agencies and persons that were contacted regarding any information they may have on the subject Property included:

- East Orange Health Department – PHEnv submitted a file review request to the East Orange Health Department regarding information on environmental issues at the property. Based on a facsimile dated June 1, 2004 from Frank E. Habegget, Chief Inspector, there were no files available for the property.
- East Orange Building Department – PHEnv submitted a file review request to the East Orange Building Department regarding information on environmental issues at the property as well as to obtain any building plans for the site. As a result, a file review was conducted on July 30, 2004. The file contained reports on past asbestos abatements conducted in damaged areas in Froeberg Hall and Kenbrook Hall. Asbestos containing materials (ACMs) consisting of floor tiles, pipe insulation, and ceiling plaster were noted to have been abated in these two buildings in 1993 and 1994. An emergency cleanup was conducted in Kenbrook Hall in 1994. One of the ceilings was damaged due to severe weather and the results indicated that the plaster contained asbestos. Approximately 400 square feet (sf) of ceiling material and 400 sf of vinyl floor tiles were removed and disposed from the first floor. Pipe insulation (approximately 58 lf) was removed from the

basement of Froeberg Hall in 1993. In 1994, 67 sf of ceiling plaster, 2,450 sf of vinyl floor tiles and 180 sf of duct insulation was removed from the basement of Froeberg Hall. A permit for the removal of two 6,000 gallon fuel oil USTs in 1989 was also found in the file. These most likely were for the two tanks removed from Froeberg Hall (see NJDEP file review summary below).

- East Orange Fire Prevention Bureau – PHEnv submitted a file review request to the East Orange Fire Prevention Bureau regarding information on environmental issues at the property as well as to obtain any building plans for the site. A response has not been received as of the date of this report.
- East Orange Tax Assessor – A tax map of the site was obtained from the East Orange Tax Assessor office.
- Essex County Health Department - PHEnv submitted a file review request to the Essex County Health Department regarding information on environmental issues at the property. Based on a telephone response on May 28, 2004, there were no files available for the Property.
- Essex County Office of Environmental Affairs - PHEnv submitted a file review request to the Essex County Office of Environmental Affairs regarding information on environmental issues at the property. Based on a telephone response on May 28, 2004, there were no files available for the Property.
- Essex Regional Health Commission – PHEnv submitted a file review request to the Essex County Regional Health Department regarding information on environmental issues at the property. Based on a telephone response and facsimile from Anthony D’Agosto of the Health Department on June 2, 2004, the Regional Health Department mainly oversees the enforcement of underground storage tanks (UST), air pollution and water pollution. A review of their file produced a copy of air pollution permits for two boilers that were permitted and registered with the New Jersey Department of Environmental Protection (NJDEP). In addition, a copy of the NJDEP UST Registration permit No. 0246413 for six USTs at the site was also provided. The UST registration form indicates that there were at the time of registration four 5,000 gallon No. 2 heating oil USTs and two 6,000 gallon No. 2 heating oil USTs.
- New Jersey Department of Environmental Protection Databases – Several NJDEP databases were reviewed, including the UST registration database, UST Contaminated Sites database and the Known Contaminated Sites List (KCSL). No information was found related to the property on the UST Contaminated Sites database or the KCSL. The UST registration database indicated that the site has a UST registration No. 0246413 and was still listed as active even though the property is vacant. A Case No. 91-02-20-1640 was identified for the site with a No Further Action indicated to be granted on August 27, 1992. This case was related to the removal of a 550 gallon #2 heating oil UST in 1991 at 580 Springdale Avenue [located off-site] (see below).

- New Jersey Department of Environmental Protection – A request was submitted under the Open Public Records Act (OPRA) to the NJDEP offices in Trenton and the Bureau of Field Operations in West Orange regarding environmental and hazardous material issues on the property. Based on a telephone call, the Bureau of Field Operations in West Orange did not have any information related to the site.

Based on the OPRA request, the office in Trenton had a file related to the site. A file review conducted by PHEnv on December 23, 2003 revealed the following information.

Three different Site Remediation case files were reviewed at the NJDEP offices in Trenton. The files indicated that the Upsala College property is currently listed as a registered underground storage tank (UST) site (UST# 0246413). There were formerly four #2 heating oil USTs in use at the site (two 5,000 gallon capacity USTs and two 6,000 gallon capacity USTs). An additional two 5,000 gallon capacity USTs are indicated to have been capped off either in the mechanical room or boiler room. All USTs are indicated to have been registered in 1993 and are of bare steel construction with no overfill or spill protection. There was no indication that these USTs have been updated in recent years. Based on our understanding of the project area, only three of these tanks appear to be located on the West Campus property that is the subject of this PA.

An NJDEP case number 88-12-26-1055 was indicated to have been related to two leaking 6,000 gallon capacity USTs located behind Froeberg Hall. Observations of odors and oil were found in the nearby sewer and Wassessing Brook. The spill required cleanup of the sewer and the brook. The incident was investigated by the NJDEP and the Suburban Regional Health Commission in 1988. Two Notices of Violation (NOVs) were issued for the site in 1988 and 1989 for non-compliance and discharges. According to an internal NJDEP memorandum, the two 6,000 gallon USTs were removed in May 1989. During removal, excessive pitting and some soil contamination was observed. No other documentation regarding the cleanup was found in the NJDEP files, but assumedly the file was administratively closed since no further action or correspondence was required.

An NJDEP case number 89-04-19-0810 was indicated to have been related to overfilling of a UST (location unknown) during the filling operation. Reportedly the heating oil came out of the vent pipe and ran over the ground surface.

An NJDEP case number 91-02-20-1640-35 was indicated to have been related to the removal of a 550 gallon #2 heating oil UST in 1991 (location unknown). The 550 gallon UST was indicated to have no holes upon removal. Post-excavation soil sampling indicated the highest total petroleum hydrocarbon concentration to be 19.4 ppm. The NJDEP was notified on the basis of this soil concentration. Field screening of the soil did not indicate any elevated readings, therefore the soil (approximately 18 tons) was reused on site. An internal NJDEP memorandum dated April 27, 1992 indicated that no further action was required.

Reference was made to the college having eight of their thirteen USTs tested in 1988. A reference was also made to the removal of a 275 gallon heating oil UST located near one of the houses on the property. The location of the other potential USTs was not found in the material reviewed.

A Civil Administrative Action was filed by the US Environmental Protection Agency (EPA) in October 1987 due to various violations of the Toxic Substances Control Act (TSCA) related to PCB transformers located at the site. No other information related to this incident was found in the file.

2.4 Adjacent Land Uses

2.4.1 Existing

Property uses immediately surrounding the subject property consist of the following:

- Residential to the north, south and west,
- An industrial use further to the northwest, and
- High School (former Upsala College – East Campus) to the east.

2.4.2 Historical

Based on a review of historic aerial photographs dating back to 1946 and historic maps dating back to 1895, the area surrounding the subject property generally consisted of residential structures, commercial structures, and a pharmaceutical laboratory to the northwest of the site.

3.0 SITE RECONNAISSANCE

3.1 Interior/Exterior Survey

PHEnv personnel conducted an initial reconnaissance of the subject property and adjacent areas on April 25, 2004. Site conditions were also noted during a subsequent visit in April 2005 during the removal of the underground storage tanks. During the initial site reconnaissance, Josh Wuestneck of Woodland Residential, L.L.C. and Joseph Alpert of The Alpert Group, accompanied PHEnv personnel. The purpose of the site reconnaissance was to note conditions with respect to indicators of hazardous materials. The following conditions were noted as described below. Representative photographs are included as Appendix 5. A site plan showing the building locations is provided as Figure 3.

All of the structures are in a state of disrepair and were difficult to inspect. None of the utilities were operational except for the electricity in the Music Building and electric and water in the Library. Therefore, the inspection of properties was conducted via flashlight. In addition, due to the presence of debris or locked doors, many of the areas of the buildings were boarded up not accessible for inspection. In general, all outside landscaped areas were overgrown and many asphalt areas were cracked.

Although much of the grounds were overgrown, there was no evidence of monitoring wells located on the Site.

The buildings inspected include the following:

- Music House

- Kenbrook Hall
- Bremer Hall
- Chapel
- Nelsenius Hall
- Student Services
- Library
- Froeberg South and Froeberg North
- Upsala Court Residences (four houses)
- Maintenance Building and Shed

Based on the site visit, the Prospect House is no longer present between the Chapel and Student Services Building. The structure reportedly caught fire and was subsequently demolished. Based on the previous building survey, the Prospect House had a gas boiler and an older boiler with asbestos coating. A 550 gallon UST was also noted to be present on the survey. UST vents and fills were noted at the southwest and northeast corners of the building. Since the building was demolished after the fire, these findings could not be verified during the site inspection. Based on the geophysical survey conducted in July 2004 (see section 3.3), evidence of a tank was not found in the area of the former Prospect House footprint. It is unknown as to whether the UST was removed as part of the demolition. The Building Department records did not contain any information related to the Prospect House.

Music House

The music house is an approximate 60 year old residence that was used for music and art classes. The structure is two stories with a one story addition and full basement. The exterior of the building is brick and wood frame. The building was boarded up and access was gained through a freed doorway. Fluorescent lights were noted in the building. Radiators were also present. The surrounding area consists of lawn on all four sides. A circular asphalt driveway was previously located on the east side.

Kenbrook Hall

Kenbrook Hall is an approximate 90 year building that consists of three stories with a full basement. The building was boarded up and access was gained into Kenbrook Hall through a doorway on the north side of building. The building was previously a single family residence. The building had most recently been used for executive meeting space and administrative offices. Kenbrook exterior consists of brick with wood trim. The Viking Club is a one and one-half story addition with slab on grade and a high ceiling attached to the southwest side of Kenbrook. The addition was reportedly constructed in the 1950's and was used as a gymnasium area. The exterior is brick veneer. Access to the Viking Club portion was gained through a window on the east side of the Hall. The surrounding area consists of lawn/landscapes areas on the east, south and west sides. An asphalt pavement driveway is located on the north side. Approximately 21 parking spaces are located along the drive to the north of Kenbrook Hall.

Bremer Hall

Bremer Hall is an approximate 45 year old four story building that was used as a student dormitory. A central stairwell separates the building into two portions with rooms off a central

corridor. A small boiler room was accessed by a separate stairwell on the southwest corner of the building. Laundry and lounge rooms were located on the lower level and bathrooms were located on each floor. Fluorescent lights were noted in the building. Radiators were also present in the dormitory rooms. The exterior of the building is brick siding and aluminum clad wood trim with a slate tile roof and dormers on the fourth floor. All of the windows in the building were missing. The surrounding area consists of lawn with asphalt pavement sidewalks.

Chapel

The Chapel is an approximate 40 year old structure that was used as an assembly hall, chapel and offices. Access was gained through a boarded up doorway on the south side of the building. The building consists of a two story structure with one story above and one below grade. A partial basement is also present. Fluorescent lights were noted in the building. The exterior of the building is brick siding and wood siding. The surrounding area consists of lawn with asphalt pavement walkways.

Nelsenius Hall

Nelsenius Hall is an approximate 50 year old four story building that was used as a student dormitory. Access was gained through a doorway. The building is a virtual twin of Bremer Hall. A central stairwell separates the building into two portions with rooms off a central corridor. Laundry and lounge rooms were located on the lower level and bathrooms were located on each floor. Fluorescent lights were noted in the building. Radiators were also present. The exterior of the building is brick siding and aluminum clad wood trim with a slate tile roof and dormers on the fourth floor. The surrounding area consists of lawn with asphalt pavement sidewalks.

Student Services

The Student Services structure is approximately 80 years old and consists of three stories plus a full basement. Dormers are present on the third floor. Fluorescent lights were noted in the building. The exterior of the building is wood siding and the roof contains slate tiles. The surrounding area consists of concrete and asphalt walkways. Access was gained through a doorway. The building was previously a single family house that was most recently used for staff office space at the college.

Library

The library is an approximate 30 year old building and consists of five (two double height and one single height) stories with a partial basement. Access was gained from the basement into the rest of the building. Fluorescent lights were noted in the building. The exterior of the building consists mainly of brick veneer with wood trim. The surrounding area consists of two asphalt paved parking lots on the north side, lawn with asphalt pavement and concrete sidewalks on the east and south sides. A large chiller unit was located on the west side of the building.

Froeberg South and Froeberg North

Froeberg Hall is an approximate 35 year old structure consisting of three stories and a full basement with north and south wings. The central foyer consists of two stories with a full basement. Fluorescent lights were noted in the building. The surrounding area consists of lawn with asphalt pavement sidewalks on the east side. Asphalt pavement driveways are present on

the north and south sides and asphalt pavement parking is present on the west side. Access to a boiler room was observed through a small hatchway.

Upsala Court Residences (four houses)

The Upsala Court Residences consist of four separate single residences that are approximately 75 years old. Each building consists of two stories with an attic and full basement. The buildings were numbered as follows: i) southeast building #60, ii) northeast building #61, iii) southwest building #62 and iv) northwest building #63. Buildings 60 and 63 both had walk-up access to the attics. These were used as college staff housing. All buildings were boarded up; however, access was gained to each building by removing the boarding on the front door. Fluorescent lights were noted in each building. The exteriors consist of wood frame with wood shakes. A small porch was present on the east side of each building. The surrounding area consists of overgrown grass area.

Maintenance Building and Shed

The maintenance building is an approximate 75 years old structure consisting of three stories with an attic and partial basement. An addition was constructed on the west side of the building. The first floor consisted of former shop area, while the two upper floors consisted of office/classroom areas. Access was gained through a door on the south side of the building. The building has been used as a classroom and meeting space and most recently as a maintenance shop and storage facility. Fluorescent lights were noted in the building. The exterior consists of wood siding and trim. The building was in very poor condition. The surrounding area consists of asphalt pavement on the south and east sides and lawn area on the north side. A hazardous materials storage shed was located to the southwest of the main building.

3.2 Hazardous Materials/Hazardous Wastes

During the site inspection, the following indications of hazardous materials/hazardous wastes were found.

Music House

A dark room located in the basement of the music building contained numerous small containers of developers for photography. Many of the containers appeared empty. Other types of arts and crafts supplies were also noted in the basement area. An open bucket of oil was observed next to the furnace in the basement.

Kenbrook Hall

A 2/3 full container of sodium hydroxide was observed in the boiler room.

Bremer Hall

No specific indications of hazardous materials were found.

Chapel

No specific indications of hazardous materials were found.

Nelsenius Hall

No specific indications of hazardous materials were found.

Student Services

No specific indications of hazardous materials were found.

Library

One drum of a water treatment compound and several drums of floor cleaners were found in the basement.

Froeberg South and Froeberg North

No specific indications of hazardous materials were found.

Upsala Court Residences (four houses)

No specific indications of hazardous materials were found except for several cans of paint. An area of spills/leaks underneath a 275 gallon AST in the basement on Upsala Court Residence #62 was noted on the concrete floor in the basement.

Maintenance Building and Shed

The maintenance building was noted in the building survey to have a hazardous storage shed containing gasoline, engine oils and related liquids. Based on the site visit, there were two 55 gallon drums, approximately 15 five gallon containers (floor cleaners and other), three gas cans and one 20 gallon drum located in the shed. The labels were all in poor condition. However, it appeared that several of the containers contained antifreeze. The floor of the shed was stained and discolored. A 275 gallon above ground storage tank (AST) was located outside the shed above the ground surface. The tank appeared to be partially full of oil. Although not labeled, this AST may have contained waste oil from vehicle maintenance at the college. Inside the maintenance building several paint cans were found. Woodland Residential L.L.C. has indicated that all hazardous materials and the AST and it's contents will be disposed by a qualified contractor in accordance with all applicable regulations.

Other Hazardous Materials Noted

A number of spills were noted in the EDR database report and NJDEP file. Several involved #2 heating oil (88-12-26-1055 regarding removal of two leaking 6,000 gallon USTs at Froeberg Hall; 89-04-19-0810 regarding overflow of UST at Beck Hall – on East Campus; 91-02-20-1640-35 regarding removal of 550 gallon #2 heating oil UST at 580 Springdale Avenue [not located on Site] which had a No Further Action internal NJDEP memorandum; spill of oil that was cleaned up by Nutley HazMat on 8/4/1997). One involved the spill of one gallon of 35% solution hydrogen peroxide (92-9-8-1022-19). One involved abandoned chemicals in a laboratory (possibly located off-site on the former East Campus) that were thought to be reacting (8/17/1995). One involved a potential natural gas leak and fire (3/29/1998).

3.3 Underground/Aboveground Storage Tanks (UST/AST)

Based on the site visit and information obtained from the building survey prepared by Wilson Woodridge Architects, the majority of the buildings had a UST at one time. Based on file reviews conducted at the NJDEP, East Orange Building Department and Essex Regional Health Commission, only six USTs were registered with NJDEP under facility #0246413, three of which are located on the West Campus. The other three USTs were located on the East Campus,

which is not part of this PA. The remaining four tanks were subsequently registered with NJDEP in under facility #0246413.

Two 6,000 gallon USTs were removed from the Froeberg building in May 1989 after they were found to be leaking. Documentation regarding a full cleanup was not found in the NJDEP file. Another 275 gallon UST was indicated to have been removed in 1988; however the exact location was not noted. Information in the NJDEP file indicated that 8 of 13 tanks were tested in 1988.

Based on an historical list of remaining USTs/ASTs (undated), as well as a geophysical survey and tank removal program conducted at the Site, the following No. 2 heating oil tanks were present on the West Campus:

Building	Year Built	UST/AST Size (gallons)	Current Status
Maintenance	1940	550 gallon UST and 275 gallon AST in shed (possible waste oil)	UST Removed April 2005; AST to be removed prior to demolition
Student Services	1932	550	Removed April 2005
Prospect House*	1930	550*	unknown
Upsala Court Residences (4)	1942	250 (AST in basement of #62 based on site visit) and 550 gallon UST behind #60	UST removed April 2005; AST to be removed prior to demolition
Music House	1930	550	Removed April 2005
Chapel	1963	Connected to Froeberg Hall USTs	Lines remain in place; the lines will be removed by a qualified contractor and any impacted soil encountered during the removal will be disposed in accordance with all applicable regulations
Library	1964	6,000 (UST registered tank #2)	Removed April 2005
Bremer Hall (shared with Kenbrook)	1945	5,000 (UST registered tank #6)	Removed April 2005
Nelsenius Hall	1948	5,000 (UST registered tank #5)	Removed April 2005

* Note: Prospect House is no longer present due to fire. Unknown whether UST was removed during demolition.

2004-2005 UST Investigations and Closures

Based on the site inspection, a limited site investigation was conducted in July 2004 in order to determine the presence, size and potential for leaks to have occurred from the USTs for each of the buildings. A geophysical survey was conducted in order to identify the exact location and size of each tank. A back hoe was then used to dig an exploratory test pit in the vicinity of each tank in order to determine if soil contamination existed based on visual observation only. Based

on the site inspection and limited investigation, the following information was found. A list of the tanks remaining on the Site and information found during the test pit program is presented as Table 1.

Music House

The list of remaining tanks at the college indicated that a 550 gallon UST was present. A vent pipe and fill port were found in the grass area on the northeast side of the building. The fill pipe was bent. The grass area around the fill pipe was stained/distressed indicating a possible overflow or spill of oil. The fill pipe was opened and the distance to the bottom of the tank was measured at six feet from the ground surface (four foot diameter tank). The tank was full of an oil/water mixture. Petroleum odors were noted in the soil next to the tank.

Kenbrook Hall

A vent pipe was observed along the north side of the building near the asphalt driveway. The fill port was located in the asphalt driveway between Kenbrook and Bremer Hall. The building was most recently heated by gas. A 5,000 gallon UST (six feet in diameter) was found between Kenbrook Hall and Bremer Hall next to a large tree. One to two inches of liquid was present in the tank. The tank was apparently shared by the two buildings (shared with Bremer Hall). No petroleum odors were noted in the test pit conducted next to the tank.

Bremer Hall

The list of remaining tanks at the college indicated that a 5,000 gallon UST was present (and registered with NJDEP). This tank was shared with Kenbrook Hall (see above). The building was most recently heated by gas.

Chapel

The list of remaining tanks at the college indicated that a UST of unknown size was present. Neither a fill port or vent pipe could be located. The building was most recently heated by gas. Based on the site investigation, lines were traced from the boiler room of the Chapel to the boiler room of Froeberg Hall to the west. The tanks formerly at Froeberg Hall (removed in 1989) were shared with the Chapel. No other tanks were found associated with the Chapel. Petroleum odors were noted along one excavation along the lines to Froeberg. According to Woodland Residential, L.L.C., these lines will be removed by a qualified contractor and any impacted soil encountered during the removal will be disposed of in accordance with all applicable regulations.

Nelsenius Hall

The list of remaining tanks at the college indicated that a 5,000 gallon UST was present (and registered with NJDEP). A vent pipe was observed along the north side of the building. A fill port was located in the grass area on the north side of the building. The building was most recently heated by gas. Based on the site investigation, a six foot diameter tank was found containing 4 inches of liquid. No petroleum odors were noted in the test pit.

Student Services

The list of remaining tanks at the college indicated that a 550 gallon UST was present. A vent pipe and fill pipe were found on the northeast side of the building. A four foot diameter tank was found with 8 to 9 inches of liquid. No petroleum odors were noted in the test pit.

Library

The list of remaining tanks at the college indicated that a 6,000 gallon UST was present (and registered with NJDEP). A vent and fill pipe are located in the grass area on the west side of the building to the north of the chiller unit. The building was most recently heated by a gas/oil fired system. An eight foot diameter tank was found with 71 inches of liquid. The top of the tank was 2.5 feet below ground surface. No petroleum odors were noted in the test pit.

Froeborg South and Froeborg North

The building was most recently heated by a gas/oil fired system. Two 6,000 gallon USTs were removed in 1989 as previously discussed. The NJDEP file did not have specific information regarding the closure of the tanks, although the presumption is that the file was closed.

Upsala Court Residences (four houses)

The list of remaining tanks at the college indicated that three 250 gallon USTs were present. Based on the site inspection, a vent pipe was noted on the exterior of two of the buildings (south side of #60 and northeast corner of #62). A 250 gallon aboveground storage tank (AST) was observed in the basement of building #62. The tank appeared to be empty and there was heavy staining on the concrete floor beneath the tank. This AST should be removed and disposed in accordance with all applicable regulations prior to demolition. A 550 gallon UST was located at the rear (south side) of Building #60 and contained 26 inches of liquid. No petroleum odors were noted in the test pit. An oil furnace was noted in building #60 and #62. Gas furnaces were noted in buildings #61 and #63.

Maintenance Building and Shed

The list of remaining tanks at the college indicated that a 550 gallon UST was present. A vent pipe and fill port were found in the grass area on the south side of the building. The fill pipe was opened and the distance to the bottom of the tank was measured at six feet from the ground surface (four foot diameter tank). The tank appeared to contain approximately 21 inches of liquid. Petroleum odors were noted in the test pit conducted next to the tank. A 275 gallon AST was observed outside the shed to the southwest of the maintenance building. This AST may have contained waste oil from vehicle maintenance at the college. According to Woodland Residential, L.L.C., this AST will be removed and disposed in accordance with all applicable regulations prior to demolition.

In April 2005, the seven remaining USTs were removed in accordance with NJDEP UST regulations and well as the NJDEP TRSR. The closure of the USTs was addressed in a separate report (Site Investigation/Remedial Action Report, Underground Storage Tank Closures, PHEnv, October 2005). Closure of the USTs was handled by the appropriate licensed tank contractors.

The closure of four UST's at the Site, Upsala Court, Bremer/Kenbrook, Nelsenius and the Library did not indicate that these UST's had leaked. All field observations and analytical data indicated that soil contamination is not present above any NJDEP Soil Cleanup Criteria (SCC). Based on these facts no further remediation is proposed for these locations.

The closure of the three USTs located at the Site, Student Services Building, Music Building and the Maintenance Building indicated that the tanks had leaked and that soil in the area of the tanks had become contaminated at concentrations above NJDEP SCC. Remedial actions conducted at the three locations resulted in the generation of 194.09 tons of contaminated soil that was ultimately taken offsite for disposal. Samples obtained subsequent to the conduct of the remedial actions indicated that all concentrations were below NJDEP SCC. Based upon the soil remediation conducted and the subsequent results, no further soil remediation is proposed for these locations.

Based upon Site conditions and not having met the criteria for a groundwater investigation in the TRSR a groundwater investigation was not warranted for the Student Services tank location. As a result no further groundwater remediation is proposed for this location.

The groundwater investigation conducted at the Music Building tank location indicated that all concentrations were below applicable NJDEP GWQC. As a result, groundwater was not impacted and a no further groundwater remediation is proposed for this location.

The groundwater investigation conducted at the Maintenance Building tank location initially indicated a 0.15 ug/l exceedance of the benzene GWQC as the only exceedance of the GWQC. The results of analysis on a second sample collected within 30 days of the original reported a ND value at an MDL of 0.4 ug/l, well below the GWQC of 1 ug/l. Given the very marginal exceedance of the GWQS for the first sample and a ND value reported for the second sample, averaging to a concentration (0.657 ug/l) below the GWQC, it is PHEnv's professional opinion that groundwater was not impacted at this location and that no further groundwater remediation is proposed for this location.

As a result of all work conducted at the Site and the results which indicate that the Site is in compliance with all applicable NJDEP soil and groundwater cleanup standards, Woodland Residential, L.L.C. is requesting that a No-Further-Action status be approved by NJDEP for the underground storage tank closures.

3.4 PCBs

Transformers were noted in the building survey either in mechanical rooms or outside buildings. Based on the site visit, the following transformers were noted:

Music House

There was no evidence of transformers associated with the Music House.

Kenbrook Hall

A dry type Class AA transformer (#9T23B3874) was noted in the basement.

Bremer Hall

A pad mounted transformer was noted on the southwest side of the building (GE, 122 gallons of oil, SN#H256780-68P). A pit was noted next to the transformer. There was no evidence of spills around this transformer; however, the heavy overgrowth made it difficult to observe the ground surface. The previous building survey prepared by Wilson Woodridge Architects, P.A. and Matrix Environmental Services, Inc. (undated) indicated that a transformer was noted in the basement.

Chapel

The previous building survey indicated that a transformer was noted in the basement. No other evidence of a transformer was noted.

Nelsenius Hall

The previous building survey indicated that a transformer was noted in the basement. No other evidence of a transformer was noted.

Student Services

There was no evidence of transformers associated with the Student Services building.

Library

A large chiller unit (interior not accessible) was present outside the west side of the library building. No other evidence of transformers was observed.

Froeberg South and Froeberg North

No evidence of transformers was found during the site inspection.

Upsala Court Residences (four houses)

A pole mounted transformer (pole #61722) was noted in the court yard area between the four residences. Older black transformer pots were noted on public utility poles located in the vacant area to the west of the residences where previous dormitories were located. There was no evidence of spills around these transformers; however, the heavy overgrowth made it difficult to observe the ground surface.

Maintenance Building and Shed

Two pad-mounted transformers were observed in the heavy vegetation to the southwest of the maintenance building. These transformers appeared to have been placed there from another location. There was no evidence of spills around these transformers; however, the heavy overgrowth made it difficult to observe the ground surface.

3.5 Asbestos

All buildings remaining on the property are indicated to be between 30 and 90 years old. Therefore, there is a strong potential for asbestos containing materials (ACM) to be present. The building survey prepared by Wilson Woodridge Architects, P.A. and Matrix Environmental Services, Inc. indicated items such as plaster walls and ceilings, acoustic drop ceiling panels,

asphalt roofing shingles, and asbestos insulation on boilers. In addition, there is likely to be pipe insulation and floor tiles, among other things, that also may contain asbestos.

The site inspection indicated that potential asbestos containing materials were most likely present to some extent in all buildings inspected. Due to the state of disrepair of most buildings, potential ACMs were mostly all damaged. Areas of ceiling tiles were missing and lying on the floor. Pipe and boiler insulation was noted to be mostly damaged and in places, lying on the floor due to scavengers removing all copper pipe from the buildings and leaving the pipe insulation behind. Floor tiles were broken or missing. Due to the presence of debris in some areas, it was not possible to completely evaluate the potential for ACM to be present in all rooms.

A separate asbestos investigation has been initiated independent of the PA. Based on the site visit, a separate sampling and analysis program was conducted to determine the actual presence of asbestos in each of the buildings. The findings of the asbestos sampling and analysis program are included in a separate report (Building Inspection and Asbestos Sampling, PHEnv, October 2004). Based on the sampling program, the following ACMs were identified in the buildings. Due to the presence of large areas of debris of certain areas, the presence of potential ACMs could not be verified in all areas. Debris consisted of garbage, building materials, and in some cases, human excrement.

- In general, all of the pipe and joint insulation, as well as the boiler and air plenum insulation materials, contained asbestos. Some of the gasket and flue insulations also contained asbestos. Many of the pipes may be present within the walls, and were not accessible for sampling or observation. It should also be noted that most of the copper pipes within the buildings have been removed by salvagers and therefore, a lot of the pipe and joint insulation material was found lying on the floor and not present on the piping runs, therefore, making it impossible to quantify. In addition, some of the removed pipe insulation lying on the floor was pulverized by foot traffic.
- In Froeberg Hall, the spray-on plaster material on the ceilings in the hallways and several of the common area rooms in the north and south wings on all floors (kitchen, study, etc.) were found to contain asbestos. The plaster walls and ceilings in Kenbrook Hall, the Music Building and two of the four Upsala Court Residences (Buildings #61 and #63) were also found to contain asbestos. In addition, the cement within the lathe in the walls also contained asbestos in the Music Building and two of the four Upsala Court Residences sampled for this material (Buildings #60 and #61). Also, a gray paper-like insulation material found in the attic floor of Building #61 of Upsala Court Residences also contained asbestos.
- Ceiling tiles in the Library were found to contain asbestos.
- Fire-proof insulation within doors contained asbestos in the Library and Music Building.
- Kickboard and mastic found in Nelsenius Hall in all rooms and hallways was found to contain asbestos.

- Floor tiles in many of the buildings contained asbestos. Mastic and some roofing shingles and felt materials were found to contain asbestos. It should be noted that non-friable materials, such as floor tiles, mastics and roofing materials, were not re-analyzed by a TEM methodology. Therefore, additional floor tiles, mastics and roofing materials may be considered asbestos. Under NESHAPS, a Category I non-friable ACM means asbestos containing gaskets, packings, resilient floor coverings and asphalt roofing products containing greater than one percent asbestos as determined using the method specified in Appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy (PLM). A regulated asbestos-containing material (RACM) under NESHAPS need not be removed prior to demolition if it is a Category I non-friable ACM that is not in poor condition and is not friable. Therefore, these materials which are not in poor condition, or have not become, or will become, friable during demolition, need not be removed prior to demolition, but must be handled in accordance with all applicable local, state and federal regulations and work practices for safe removal in order to insure that they do not become friable during removal. If a roofing material is considered ACM (is friable or in poor condition), the removal contractor must follow all appropriate notification and work practice requirements under NESHAPS, including emission control and disposal of the materials.

Under NESHAPS, all RACM materials must be removed prior to demolition in accordance with all applicable local, state and federal regulations. In addition, there were several different types of materials that are considered universal wastes, which must also be disposed/recycled in accordance with all applicable regulations prior to demolition.

Abatement for asbestos is currently being handled by the appropriate licensed asbestos contractors.

3.6 Lead-Based Paint

Due to the age of the buildings, lead-based paint may be present. The paint in most buildings was noted to be in poor condition, with many areas of peeling and flaking. It is beyond the scope of this PA report to further evaluate this lead paint potential.

3.7 Radon

According to information provided by the New Jersey Department of Environmental Protection regarding radon tier levels, East Orange is located in a New Jersey Tier 3 (low potential) radon area. According to the US Environmental Protection Agency (USEPA) radon information, Essex County is located in a Zone 2 (moderate potential) radon area with radon levels between 2 to 4 pCi/L.

4.0 RECORDS REVIEW

4.1 Computer Records Search

To identify potential impacts to the property, Environmental Data Resources, Inc. (EDR) conducted a federal and state database search for the subject property and the area immediately surrounding the property in accordance with American Society of Testing Materials (ASTM)

requirements plus one-quarter mile due to the size of the property. The database report is provided in Appendix 6. The databases and radii searched are:

Database	Description*	Radius Miles
Federal ASTM Standard		
NPL	National Priority List	1.125
Proposed NPL	Proposed National Priority List	1.125
CERCLIS	Comprehensive Environmental Response, Compensation & Liability Information System	0.625
CERC-NFRAP	CERCLIS No Further Remedial Action Planned	0.375
CORRACTS	Corrective Action Report	1.125
RCRIS-TSD	Resource Conservation & Recovery Information System	0.625
RCRIS Lg. Quan. Gen.	Large Quantity Generator	0.375
RCRIS Sm. Quan. Gen.	Small Quantity Generator	0.375
ERNS	Emergency Response Notification System	0.125
State ASTM Standard		
State Haz. Waste	Known Contaminated Sites in NJ	1.125
State Landfill	Solid Waste Facility Directory	0.625
LUST	Regulated UST Contamination Sites	0.5
UST	Underground Storage Tank Data	0.375
SWRCY	Approved Class B Recycling Facilities	0.625
Federal ASTM Supplemental		
CONSENT	Superfund (CERCLA) Consent Decrees	1.125
ROD	Records of Decision	1.125
Delisted NPL	National Priority List Deletions	1.125
FINDS	Facility Index System	0.125
HMIRS	Hazardous Materials Information Reporting System	0.125
MLTS	Material Licensing Tracking System	0.125
MINES	Mines Master Index File	0.375
NPL Liens	Federal Superfund Liens	0.125
PADS	PCB Activity Database System	0.125
DOD	Department of Defense Sites	1.125
INDIAN RESERVATION	Indian Reservations	1.125
US BROWNFIELDS	Listing of Brownfields Sites	0.625
RAATS	RCRA Administrative Action Tracking System	0.125
TRIS	Toxic Chemical Release Inventory System	0.125
TSCA	Toxic Substances Control Act	0.125
SSTS	Section 7 Tracking System	0.125

Database	Description*	Radius Miles
FTTS	FIFRA/TSCA Tracking System	0.125
State/Local ASTM Supplemental		
NJ Major Facilities	List of Major Facilities	0.625
NJ Spills	Spills	0.125
NJ Release	Hazardous Material Incident Database	0.125
NJ PF	Publicly Funded Cleanups Site Status Report	0.125
CHROME	Chromate Chemical Production Waste Sites	0.625
NJPDES	NJ Pollutant Discharge Elimination System Dischargers	0.125
HIST LF	Solid Waste Facility Directory	0.625
EDR Proprietary Historical Database		
Gas Stations/Dry Cleaners	Gas Stations/Dry Cleaners	0.250
Coal Gas	Former Manufactured Coal Gas Sites	1.125
Brownfields Databases		
US BROWNFIELDS	Listing of Brownfields Sites (USEPA)	0.625
Brownfields	Brownfields Databases (NJDEP)	0.625
AUL	Sites with Closed Case with Restrictions	0.375

* See Description of Databases Searched in the EDR report for complete definitions.

TP = Target property

The EDR report indicates that the Site was listed on several databases (NJ SPILLS, UST, RCRIS-SQG, FINDS, LUST, and FTTS INSP). A number of spills were noted in the EDR database report as described in Section 3.2. Under the UST database, three home heating oil tanks not in use were identified at 339 Prospect Avenue (UST No. 90415). Three additional USTs were identified under UST No. 024641. A leaking UST was noted for the New Campus High School which is located to the east of the Site. A second leaking UST (550 gallon home heating oil) was noted on Springdale Avenue in 1991 (Case No. 91-02-20-1640-35). Upsala College was identified as a small quantity generator with no violations.

The properties identified nearest to the Upsala College are indicated to be between one-eighth to one-quarter mile to the south of the Site. Four of them are related to the presence of home heating oils tanks, one of which was indicated to have been removed. The fifth property is listed as a RCRIS-SQG site with no violations found. Although these are all located in the assumed upgradient direction, there was no indication in the EDR database that these properties have impacted the Upsala College site.

None of the remaining properties identified in the search appear to be located proximal to the site. In total, there are four RCRIS-SQG, two SHWS, one LUST, six UST and eleven gas station/dry cleaner listings located within one-eighth to one-quarter mile of the Site. There are four SHWS, eleven LUST, eleven UST, one NJ Major Facility and one CHROME listing within

one-quarter to one-half mile of the Site. There are two NPL, two CERCLIS, twenty-four SHWS, two ROD, one HISTORIC LANDFILL, and one Coal Gas listing within one-half to one-mile of the Site. Beyond one mile there are three NPL, two CERCLIS, thirty-six SHWS, twelve LUST, seventeen UST, three ROD, one NJ Major Facility and one CHROME listing.

The Glen Ridge Radium NPL site is located between one-half to one mile to the north of the Site. This property is undergoing investigation and remediation under USEPA oversight. Radioactive material believed to be radium-processing waste was used as fill, resulting in unacceptable levels of radon gas and its decay products in a number of private residences. Based on the distance and potential down-gradient location, this property is not likely to impact the Upsala College Site.

A summary of facilities identified by the database search and located within the distances searched can be found in the complete EDR report in Appendix 6. Refer to the EDR report for a complete description of these listings.

It is beyond the scope of this report to further evaluate the contamination potential presented by the proximity of these neighboring properties.

4.2 Previous Environmental Investigations/Reports

A Building and Property Survey (undated) prepared by Wilson Woodridge Architects, P.A. and Matrix Environmental Services, Inc. was reviewed for information related to each of the buildings located on the site. This information has been incorporated in to the appropriate sections of this report.

File reviews conducted at NJDEP and the East Orange Building Department revealed information related to the Site (see section 2.3.5). This information has been incorporated in to the appropriate sections of this report.

5.0 FINDINGS AND CONCLUSIONS

5.1 Findings

On the basis of the foregoing interviews, site reconnaissance, document search, and the resulting information assembled, PHEnv offers the following summary of findings regarding the subject property:

- Based on a review of historic aerial photographs dating back to 1946 and historical maps dating back to 1895, Site consisted of mostly vacant land with several scattered residential buildings from around 1895 through approximately the early 1950's when the college was constructed. Additions and deletions to the college campus were made through the years. The surrounding area has consisted of residential and commercial uses, as well as the Seabury Pharmacal Laboratories to the northwest of the Site since at least 1895.

- Many of the structures are in a state of disrepair and were difficult to inspect. Utilities were all off except for electric service in the Music House and electric and water service in the Library, making inspection of all areas difficult.
- Based on file reviews conducted at the NJDEP, East Orange Building Department and Essex Regional Health Commission, only six USTs were previously registered with NJDEP under #0246413, three of which are located on the West Campus. The other three USTs were located on the East Campus which is not part of this PA. The remaining four tanks located on the West Campus have subsequently been registered with NJDEP and removed along with the others previously registered. Two 6,000 gallon USTs were removed from the Froeberg building in May 1989 after they were found to be leaking. Documentation regarding the cleanup was limited in the NJDEP file although the file has been inactive for approximately 16 years. Another 275 gallon UST was indicated to have been removed in 1988; however the exact location was not noted. Information in the NJDEP file indicated that 8 of 13 tanks were tested in 1988. Based on the information for the Site, the remaining seven No. 2 heating oil tanks on-site were removed in April 2005 and include:
 - Music House – 550 gallon
 - Kenbrook Hall – 5,000 gallon (shared with Bremer Hall)
 - Nelsenius Hall – 5,000 gallon
 - Student Services – 550 gallon
 - Library – 6,000 gallon
 - Upsala Court Residences (four houses) – 550 gallon UST associated with building #60; there is also one 250 gallon AST in basement of building #62 which will be removed prior to demolition according to Woodland Residential, L.L.C.;
 - Maintenance Building and Shed – 550 gallon; there is also a 275 gallon AST located next to maintenance shed which will be removed prior to demolition according to Woodland Residential L.L.C.

A site investigation/remedial action was conducted during the tank removals. All field observations and analytical data for the Upsala Court, Bremer/Kenbrook, Nelsenius and the Library USTs indicated that soil contamination is not present above any NJDEP SCC. Based on these facts no further remediation is proposed for these locations.

Contaminated soil at the Student Services Building, Music Building and the Maintenance Building USTs was excavated and disposed off-site. Samples obtained subsequent to the conduct of the remedial actions indicated that all concentrations were below NJDEP SCC. Based on the results of a groundwater investigation conducted at these three locations, no further groundwater remediation is proposed for these locations.

- A number of spills were noted in the EDR database report and NJDEP file. Several involved #2 heating oil (88-12-26-1055 regarding removal of two leaking 6,000 gallon USTs at Froeberg Hall). One involved the spill of one gallon of 35% solution hydrogen peroxide (92-9-8-1022-19) (location unknown). One involved abandoned chemicals in a laboratory that were thought to be reacting (8/17/1995) (location unknown). One involved a potential natural gas leak and fire (3/29/1998) (location unknown).

- Pad-mounted transformers were observed outside Bremer Hall and the Maintenance Building. There was no evidence of spills around these transformers; however, the heavy overgrowth made it difficult to observe the ground surface. A pole-mounted transformer was noted in the court of the Upsala Residences, as well as several in the vacant area located to the west of the residences. The potential for oil leaks/spills in the area of all transformers should be investigated. In addition, transformers were noted in the basements of a number of the buildings.
- A number of spills were noted in the EDR database report and NJDEP file. Several involved #2 heating oil (88-12-26-1055 regarding removal of two leaking 6,000 gallon USTs at Froeberg Hall; 89-04-19-0810 regarding overfill of UST at Beck Hall – on East Campus; 91-02-20-1640-35 regarding removal of 550 gallon #2 heating oil UST at 580 Springdale Avenue which had a No Further Action internal NJDEP memorandum; spill of oil that was cleaned up by Nutley HazMat on 8/4/1997). One involved the spill of one gallon of 35% solution hydrogen peroxide (92-9-8-1022-19). One involved abandoned chemicals in a laboratory that were thought to be reacting (8/17/1995). One involved a potential natural gas leak and fire (3/29/1998).
- There were no monitoring wells observed on the site.
- All buildings remaining on the property are indicated to be between 30 and 90 years old. Therefore, suspect materials were sampled in each building for the presence of asbestos containing materials as part of a separate study. Based on the sampling program, ACMs were identified in a variety of materials in the buildings. Most materials observed were in poor condition.
- Due to the age of the buildings, lead-based paint may be present. It is beyond the scope of this PA report to further evaluate this lead paint potential.
- Based on the site inspection, several types of hazardous materials/hazardous wastes were observed in the various buildings on the Site, such as photographic developers and arts supplies, sodium hydroxide, oil, water treatment compound, floor cleaners, antifreeze, possible waste oil, paint and other household type cleaning products. An area of spills/leaks underneath a 275 gallon AST in the basement on Upsala Court Residence #62 was noted on the concrete floor in the basement. Although there were no other spills noted, due to the conditions encountered during the site visit (no light, numerous areas of debris making access difficult), there may be spill areas that were not readily visible at that time.
- Based on the EDR report, Upsala College is listed on several databases (NJ SPILLS, UST, RCRIS-SQG, FINDS, LUST, and FTTS INSP). A number of spills were noted on the property. Under the UST database, three home heating oil tanks not in use were identified at 339 Prospect Avenue (UST No. 90415) and three additional USTs were identified under UST No. 024641. A leaking UST was noted for the New Campus High School which is located to the east of the Site. A second leaking UST (550 gallon home

heating oil) was noted on Springdale Avenue in 1991 (Case No. 91-02-20-1640-35). Upsala College was identified as a small quantity generator with no violations.

The properties identified nearest to the Upsala College are indicated to be between one-eighth to one-quarter mile to the south of the Site. Four of them are related to the presence of home heating oils tanks, one of which was indicated to have been removed. The fifth property is listed as a RCRIS-SQG site with no violations found. Although these are all located in the assumed upgradient direction, there was no indication in the EDR database that these properties have impacted the Upsala College site.

None of the remaining properties identified in the search appear to be located in close proximity to the site. In total, there are four RCRIS-SQG, two SHWS, one LUST, six UST and eleven gas station/dry cleaner listings located within one-eighth to one-quarter mile of the Site. There are four SHWS, eleven LUST, eleven UST, one NJ Major Facility and one CHROME listing within one-quarter to one-half mile of the Site. There are to NPL, two CERCLIS, twenty-four SHWS, two ROD, one HISTORIC LANDFILL, and one Coal Gas listing within one-half to one-mile of the Site. Beyond one mile there are three NPL, two CERCLIS, thirty-six SHWS, twelve LUST, seventeen UST, three ROD, one NJ Major Facility and one CHROME listing.

The Glen Ridge Radium NPL site, located between one-half to one mile to the north of the Site, is undergoing investigation and remediation under USEPA oversight. Based on the distance and potential down-gradient location, this property is not likely to impact the Upsala College Site.

5.2 Conclusions/Recommendations

Based on the findings of this PA as indicated herein, several areas of concern (AOCs) were noted. The AOCs are as follows:

- The seven remaining USTs were closed in accordance with NJDEP regulations and will be deregistered. The results of the tank closure program are included in a separate report (Site Investigation/Remedial Action Report, Underground Storage Tank Closures, PHEnv, October 2005) that will be submitted to NJDEP in order to obtain a No Further Action for the tank closures.
- The sampling for asbestos in the buildings was addressed in a separate sampling survey and report (Building Inspection and Asbestos Sampling, PHEnv, October 2004). Abatement for the identified asbestos containing materials is currently being handled by the appropriate licensed asbestos contractors for demolition purposes in order to comply with the National Emissions Standards for Hazardous Air Pollutants (NESHAP, 40 CFR Part 61).
- Three pad-mounted transformers and several pole-mounted transformers were noted on the Site. Although there was no evidence of spills around these transformers, the heavy overgrowth made it difficult to observe the ground surface. According to Woodland Residential, L.L.C., PSE&G will be responsible for de-energizing and removing all

transformers identified at the Site. Presumably, if stains are noted in the vicinity of the outside transformers, PSE&G will deal with them accordingly.

- According to Woodland Residential, L.L.C., the ASTs remaining in the basement of Upsala Court residence #62 and in the shed located adjacent to the Maintenance Building, as well as all other hazardous materials, will be properly disposed off-site by a qualified contractor in accordance with all applicable local and state regulations prior to demolition.
- Since many of the structures are in a state of disrepair and difficult to inspect due to the absence of light, care should be taken when the buildings are eventually demolished to locate any additional potential areas of concern at that time and address them accordingly.

6.0 REFERENCES

- Building and Property Survey. Wilson Woodridge Architects, P.A. and Matrix Environmental Services, Inc. Undated.
- Building Survey and Asbestos Sampling, Former Upsala College – West Campus. Potomac-Hudson Environmental, Inc. October 2004.
- Environmental Data Resources, Inc. Inquiry Number 1175640.2s. April 21, 2004 (database report, city directory abstract, aerial photographs and historic maps)
- East Orange Building Department
- East Orange Fire Prevention Bureau
- East Orange Health Department
- East Orange Tax Assessor
- Essex County Health Department
- Essex County Office of Environmental Affairs
- Essex Regional Health Commission
- New Jersey Department of Environmental Protection.
- Site Investigation/Remedial Action Report, Underground Storage Tank Closures, Former Upsala College – West Campus. Potomac-Hudson Environmental, Inc. October 2005.
- United States Geological Survey (U.S.G.S.), Orange, NJ, 7.5-Minute Topographic Quadrangle Map, 1995.

CITY OF EAST ORANGE, NEW JERSEY
East Orange Planning Board

ORIGINAL

5-27-76 Hearing
Approval File



RESOLUTION NUMBER: - 05

WHEREAS, Woodland Residential, L.L.C. (the "Applicant"), having an address of One Parker Plaza, Fort Lee, New Jersey, filed an application with the Planning Board of the City of East Orange for the residential redevelopment of the former Upsala College Site, measuring approximately 19 ½ acres in size, along Prospect Street and otherwise known as Block 620, Lots 1, 31-34 and Block 630, Lots 1-6 and 30-31 (the "Property") on the tax map for the City of East Orange; and

WHEREAS, preliminary and final major subdivision approval of the Property into 68 lots is required to effectuate the proposed residential redevelopment of the Property into 51 single family dwellings and 17 townhouses;

WHEREAS, the Applicant, having presented proofs that adequate notice of the hearing on this application was published in an official newspaper of this municipality and that notice of the hearing was served on all property owners within 200 feet of the Property; and

WHEREAS, representatives/experts of the Applicant testified in support of the application, as set forth below;

WHEREAS, various members of the Board questioned the representatives/experts of the Applicant; and

WHEREAS, members of the public were given the opportunity to question the representatives/experts of the Applicant and/or offer statements on the application; and

WHEREAS, all the facts and data contained in the submitted application and testimony at the hearing are incorporated herein as Findings of Fact of this Board as if set forth herein at length; and

WHEREAS, the Board hereby makes the following Findings of Fact and Conclusions of Law;

Conclusions of Law:

ORIGINAL

1. The Property is approximately 19 1/2 acres in size and is located within the UR-5 Upsala Redevelopment Area of the City of East Orange.
2. The Applicant proposes to demolish the remaining deteriorating Upsala College structures on the Property, and redevelop the Property for residential use through the construction of 51 single family dwellings and 17 townhouses.
3. The proposed redevelopment will also include the creation of a cul-de-sac and additional roadways, landscaping, lighting, signage, drainage and additional site improvements.
4. The Applicant seeks preliminary and final major subdivision of the property into 68 lots.
5. The remaining aspects of the redevelopment will comply with the requirements of the Upsala Area Redevelopment Plan; and therefore site plan and variance approvals and/or waivers are not required.
6. The Applicant purchased the Property in 2004 following designation by the City of East Orange as redeveloper for the Property and negotiation of a Redevelopment Agreement with respect to same. Applicant seeks to substantially improve and upgrade the Property through the completion of the redevelopment.
7. The Board hereby finds that this application meets the criteria for the preliminary and final major subdivision approval requested by the applicant in connection with the application and pursuant to the subdivision ordinance of the City of East Orange and N.J.S.A. 40:55D-48 and 40:55D-50 of the Municipal Land Use Law (the "MLUL").
8. The purposes of the MLUL are advanced through the redevelopment and upgrading of the Property and granting the application would result in the return of this important parcel of property to productive use and its connection to other significant redevelopment efforts in the immediate vicinity.
9. The Board hereby finds that the proposed redevelopment will provide adequate site circulation and parking, particularly in light of the creation of the two (2) new roadways and the provision of sufficient parking.
10. Hence, the Board hereby finds that the Applicant has met the criteria for the preliminary and final major subdivision approval requested. The Board also finds

ORIGINAL

that the application otherwise requested. The Board also finds that the application otherwise meets the requirements of the Upsala Area Redevelopment Plan.

11. The Board further finds that the application furthers the goals of the Upsala Area Redevelopment Plan, specifically, to ensure the highest and best use for the former West Campus of Upsala College; to recognize and protect the stability of surrounding neighborhoods in order to ensure a positive impact of the area at maximum and a neutral impact on the area at minimum; and to create a livable, walkable, pedestrian-scale community that includes services and amenities to ensure the durability of the neighborhood.

NOW THEREFORE BE IT RESOLVED, that the Planning Board of the City of East Orange, based upon the findings and conclusions aforesaid, and upon the Laws established in the City of East Orange, State of New Jersey, hereby grants the application for relief as requested and proposed in the plans submitted by the Applicant and accepted into evidence by this Board as follows:

1. Preliminary and final major subdivision approval, as set forth herein; and
2. Any other relief necessary for the use set for the in this application to proceed.

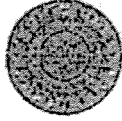
BE IT FURTHER RESOLVED THAT this approval incorporates the acknowledgements set forth in the Minutes of the Site Plan Review Advisory Committee Meeting held on Tuesday, April 19, 2005.

BE IT FURTHER RESOLVED THAT this relief is granted upon the following conditions:

1. That the Applicant shall comply with all of the requirements of the building department, township engineer, police department, fire department, health department, and any other relevant municipal agencies or officials; and
2. The Applicant shall comply with all applicable safety, fire and construction codes and any other applicable codes or regulations.

CITY OF EAST ORANGE
East Orange Planning Board

ORIGINAL



PLANNING BOARD CASE NO. UPS-Woodland Heights Subdiv
RESOLUTION PAGE TWO

Members	Aye	Nay	N.V.	A.B.	E.X.
Robert L. Brower [Ⓞ]	X				
Corlotta Hicks	X				
Everett T. Felder	X				
Carol T. Jenkins	X				
Cooper [Ⓞ]	X				
Barbara J. Weaver [Ⓞ]	X				

Members	Aye	Nay	N.V.	A.B.	E.X.
Jesse Jeffries	X				
Everett Jennings	ABSENT				
Joyce C. Gore [Ⓞ]	X				
Lloyd Abdul-Rahman	X				
Bonnie M. Brown [Ⓞ]	X				

X: Indicates Vote
A.B.: Absent
N.V.: Not Voting (Abstained)
E.X.: Excused or Ineligible

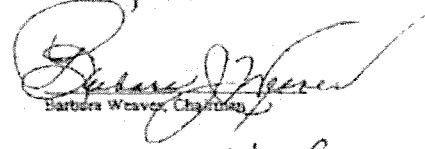
Form and Legality:

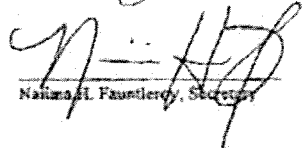
- Ⓞ Mayor or Mayor's Representative
- Ⓞ City Council Representative
- Ⓞ Planning Board Chairperson
- Ⓞ Planning Board Vice-Chairperson
- Ⓞ Planning Board Alternate

Presented: June 1, 2005

Adopted: June 15, 2005


Robert L. Brower, Esq., Council


Barbara Weaver, Chairperson


Naima H. Fauntleroy, Secretary

5-00767-0023-00 Approval File



COUNTY OF ESSEX
DEPARTMENT OF PUBLIC WORKS

ESSEX COUNTY PLANNING BOARD
900 BLOOMFIELD AVENUE
VERONA, NEW JERSEY 07044-1393

☎ (973) 226-8506
☎ (973) 226-7469

JOSEPH N. DIVINCENZO, Jr.
COUNTY EXECUTIVE

Joseph Alessi
Chairman

Peter Scarpelli
Secretary

June 29, 2005

Naiima H. Fauntleroy, Sec.
East Orange Planning Board
City of East Orange
44 City Hall Plaza
East Orange, NJ 07019

RE: Application #SUB 03-0605/36-K-118
Woodlands Residential, LLC
Prospect Street & Springdale Avenue
Blocks 620 / 630; Lots 1, 31-34 / 1-6, 30 & 31

Dear Secretary:

At a meeting of the Essex County Planning Board held on June 28th, 2005 the Board **Approved** the above-mentioned application subject to the following:

- Final Plat and/or Deed shall be filed according to Map Filing Law to include monuments on new lot(s), if required.

Any changes to the approved plans must be resubmitted to the Essex County Planning Board for further review and/or approval.

If you have any questions, please direct them to Thomas Ries, Planning Board Liaison Engineer at (973) 226-8500, extension 262.

Sincerely,

Peter Scarpelli
Secretary

PS:MA:

cc: Dennis R. Sedaille, Asst. County Engineer
Eric Ballou, PE, LGA Engineering, Inc.

PROJECT INFORMATION

WOODLANDS AT UPSALA

PROJECT LOCATION:
 BLOCK 620, LOTS 1.01 - 1.07
 287 WEST WOODLAND AVENUE
 CITY OF EAST ORANGE,
 ESSEX COUNTY, NJ

CALL ERIC BALLBOU
 813.681.1100
 200 WOODLAND AVENUE
 EAST ORANGE, NJ 07027



CERTIFICATE OF AUTHORIZATION #A24833306
 ERIC BALLBOU, P.E.
 135 WEST 23RD STREET, SUITE 200
 NEW YORK, NY 10011

EXEMPT FROM THE PROFESSIONAL SEAL REQUIREMENTS OF THE PROFESSIONAL ENGINEERING AND SURVEYING ACT OF 1992

ERIC BALLBOU, P.E.
 (P.E. 0427)

REVISIONS

NO.	DATE	DESCRIPTION
1	08/13/07	INITIAL RELEASE
2	08/28/07	OWNER E-ENG
3	09/13/07	OWNER E-ENG
4	09/13/07	OWNER E-ENG
5	09/13/07	OWNER E-ENG
6	09/13/07	OWNER E-ENG
7	09/13/07	OWNER E-ENG
8	09/13/07	OWNER E-ENG
9	09/13/07	OWNER E-ENG
10	09/13/07	OWNER E-ENG
11	09/13/07	OWNER E-ENG
12	09/13/07	OWNER E-ENG
13	09/13/07	OWNER E-ENG
14	09/13/07	OWNER E-ENG
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49	09/13/07	OWNER E-ENG
50	09/13/07	OWNER E-ENG

PLAN INFORMATION

WOODLAND TOWNHOMES

PLOT PLAN

1 OF 1



KEY MAP
NOT TO SCALE

- GENERAL NOTES
1. BEING KNOWN AND DESIGNATED AS LOTS 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, 1.07, 1.08, 1.09, 1.10, 1.11, 1.12, 1.13, 1.14, 1.15, 1.16, 1.17, 1.18, 1.19, 1.20, 1.21, 1.22, 1.23, 1.24, 1.25, 1.26, 1.27, 1.28, 1.29, 1.30, 1.31, 1.32, 1.33, 1.34, 1.35, 1.36, 1.37, 1.38, 1.39, 1.40, 1.41, 1.42, 1.43, 1.44, 1.45, 1.46, 1.47, 1.48, 1.49, 1.50, 1.51, 1.52, 1.53, 1.54, 1.55, 1.56, 1.57, 1.58, 1.59, 1.60, 1.61, 1.62, 1.63, 1.64, 1.65, 1.66, 1.67, 1.68, 1.69, 1.70, 1.71, 1.72, 1.73, 1.74, 1.75, 1.76, 1.77, 1.78, 1.79, 1.80, 1.81, 1.82, 1.83, 1.84, 1.85, 1.86, 1.87, 1.88, 1.89, 1.90, 1.91, 1.92, 1.93, 1.94, 1.95, 1.96, 1.97, 1.98, 1.99, 2.00, 2.01, 2.02, 2.03, 2.04, 2.05, 2.06, 2.07, 2.08, 2.09, 2.10, 2.11, 2.12, 2.13, 2.14, 2.15, 2.16, 2.17, 2.18, 2.19, 2.20, 2.21, 2.22, 2.23, 2.24, 2.25, 2.26, 2.27, 2.28, 2.29, 2.30, 2.31, 2.32, 2.33, 2.34, 2.35, 2.36, 2.37, 2.38, 2.39, 2.40, 2.41, 2.42, 2.43, 2.44, 2.45, 2.46, 2.47, 2.48, 2.49, 2.50, 2.51, 2.52, 2.53, 2.54, 2.55, 2.56, 2.57, 2.58, 2.59, 2.60, 2.61, 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RIGHT-OF-ENTRY PERMIT and RELEASE OF INFORMATION
NEIGHBORHOOD ENHANCEMENT PROGRAM (NEP)

Grantee Name: Woodlands Residential LLC	
NEP Property Address: 257/261/263/265/267/269/271 Woodland Avenue	
Municipality: East Orange	County: Essex
Telephone #: 201-886-7800 Ext 24	
Email: Joe@TheAlpertGroup.com	

The undersigned (Grantee) hereby unconditionally authorizes New Jersey Department of Community Affairs (NJCA), the New Jersey Department of Environmental Protection (NJDEP), and its environmental and historic preservation review contractors and their respective assigns, employees, agents, and contractors (collectively, the "NEP Program Managers") to have the right of access and to enter in and onto the property described above for the purpose of performing property and environmental and historic preservation review inspections and/or taking sample materials for specialized testing, for the purposes of participating in the NEP.

Grantee understands and agrees:

- 1) No inspections and repairs will be performed until this Right of Entry Permit (ROE) is completed in full.
- 2) Granting full access for the purpose of inspections and construction activities to the NJCA, NJDEP, and the NEP Program Managers, and their employees, agents, contractors and/or representatives to the property and/or a damaged structure is a requirement of the NEP Program.
- 3) Environmental and historic preservation reviews are a requirement of federal Housing and Urban Development grant funding. Compliance with that funding requirement requires that NJDEP and its contractors be granted full access for the purpose of environmental and historic preservation inspection activities. Inspection activities will primarily consist of external inspections of the property.
- 4) *Time Period:* The ROE shall expire 5 years after a Certificate of Occupancy is issued for the subject property.
- 5) *Inspections:* The ROE authorizes inspections of the subject NEP lot and structure. Grantee understands that the NJDEP, its employees, agents, contractors and/or representatives, in their sole discretion, shall determine the extent of the required inspections for environmental and historic preservation reviews. Grantee understands that more than one (1) inspection may be required, and agrees to provide access for any subsequent or all inspections.
- 6) *Photos:* Grantee understands and authorizes the NJCA, NJDEP, and its contractors, and NEP Program Managers, their employees, agents, contractors and/or representatives to take photos, digital likenesses, and audio/video recordings of the subject property and damages, and authorizes the use of such items for the purposes of promotion of the NEP Program on the DCA website, newsletters, news releases, or other media outlets.
- 7) *Sampling:* Grantee understands and authorizes the NJCA, NJDEP and its contractors, and the NEP Program Managers and their inspectors to collect samples (ex; drywall compound, floor tile, piping insulation, paint, ceiling tile, soil, etc. *this is not an all inclusive list*) of housing materials for purposes of testing for potentially hazardous materials (including lead paint, asbestos, mold, etc) in accordance with the requirements of local, state, and federal authorities.
- 8) *Access :* Grantee understands that the NJCA, NJDEP and the NEP Program Managers, their employees, agents, contractors and/or representatives shall have full access to the subject NEP lot and structure at all times during the inspection and construction phase .
- 9) *Disclosures:* By signing this ROE, Grantee acknowledges that work may be destructive to limited small amounts/areas of the current structure for test sample purposes.

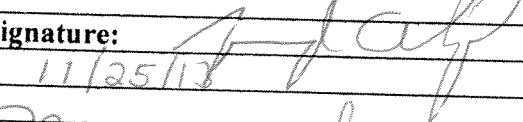
10) *Waiver and Hold Harmless*: The undersigned will indemnify and hold harmless the NJDCA, NJDEP, and its representatives, and NEP Program Managers, their employees, agents, contractors and /or representatives for any and all liability, loss, damage, or destruction of any type whatsoever to the above described property or to personal property and fixtures situated thereon, or for bodily injury or death to persons on the property, and hereby releases, discharges and waives any and all liability, claims, demands, damages, injuries, losses, penalties, fines, costs, causes of action, judgments, expenses, as well as any and all actions, either legal or equitable, which the undersigned has, or that might arise, of any nature whatsoever and by whomever made, or may have, by reason of or incident to any action of aforesaid NEP Program Managers taken to accomplish the aforementioned purpose.

11) *Authority*: Grantee represents and warrants that Grantee has full power and authority to execute and fully perform Grantee's obligations under this ROE. If Grantee is an entity, Grantee also represents and warrants that Grantee has such power and authority pursuant to its governing instruments, without the need for any further action, and that the person(s) executing this ROE on behalf of the Grantee are the duly designated agent(s) of the Grantee and are authorized to do so. Grantee expressly represents and warrants that fee title to the Premises is vested solely in Grantee.

12) *Information Sharing*: Information is collected to make it possible for the NJDCA, NJDEP, and NEP Program Managers, their employees, agents, contractors and/or representatives to enter the Grantee's property. Information submitted may be shared with other government agencies (Federal, State and City), their contractors, subcontractors and employees, as well as with vested agencies performing inspections and/or repairs, for official use only in accordance with the purposes stated in this ROE.

Signature(s) and Witness

For the considerations and purposes set forth herein, I/we hereby set my/our hand(s) and seal(s) this 25th day of November, 2013.

Grantee Signature:	
Date:	<u>11/25/13</u>
Witness:	<u>Maureen Sersi</u>