TOWN OF BERWICK
11 Sullivan Street
Berwick, ME 03901

December 18, 2015

Mr. Frank Gardner
EPA Region 1
5 Post Office Square
Suite 100, Mail Code OSRR7-2
Boston, MA 02109-3912

Dear Mr. Gardner:

Enclosed please find the Town of Berwick's application for a $200,000 Cleanup Grant Application for the Prime Tanning Co., Inc. – Lot 1 site located at 20 Sullivan Street in Berwick, Maine. The Prime Tanning site, which is made up of ten primary lots, was the center of employment for Berwick's residents for more than the past 100 years. It previously was the symbol of pride and the American work ethic for Berwick as some of the best leather in the world came out of the mill. But the mill closed in 2008 after a slow death putting a total of 300 people out of work. Now the 11.69-acre site is nothing more than a blighted reminder to Berwick's residents of happier and better times. Since the mill's closure in 2008, the buildings have been vacant and unused. The main parcel, which includes Lot 1, is surrounded by ugly rusty corroding fence, the asphalt covered parking lots have weeds growing through the cracks, and the shuttered buildings are even uglier as the paint is peeling from the building in large sheets. In addition, the site has become a place for our young to trespass. In the recent past, trespassers have started a fire in the main building. While the fire was put out quickly, responses and continual monitoring of the property are burdensome to our police and fire departments budgets which are already strained due to the past recession and mill closing.

The fact that the site has not been redeveloped is causing other problems in town. There has been little private investment in Berwick's downtown around the Prime Tanning site. Consequently, the commercial tax base is stunted and not growing which puts an even greater strain on private taxpayers to bear the brunt of any spending increases. The town does not have the resources because of it reduced tax base and overall lack of discretionary funds. Concerns over the environmental condition of the site are keeping the site from being acquired and redeveloped.

In 2014, the Town acquired the Tannery property for back taxes and subsequently signed a development agreement with a private developer (Fund of Jupiter) to redevelop the site. Redevelopment for mixed use (commercial, residential, and greenspace) is the focus for the site as the downtown is underserved with commercial space, workforce housing, and greenspace. The redevelopment master plan calls for the removal of several buildings, repurposing and reusing others for light industrial (i.e., a brewery on Lot 1), construction of new housing, and construction of greenspace and trails in the center of the property that connect other greenways. An unnamed brook that is currently buried and runs in a culvert is also envisioned to be uncovered and day lighted to bring a sense of nature and rural character back to the site. The Prime Tannery smoke stack will be revitalized and left to pay homage to the town's industrial past. The goal of the Tannery's redevelopment is to remove blight, provide jobs, create decent housing, provide

greenspace and facilitate connectivity within the community. It will also create the "Main Street" that is so much desired for the residents of Berwick as well as serve as a catalyst for investment in other surrounding downtown buildings. However, this cleanup funding is needed to make this project a reality.

Berwick residents have stopped waiting for someone to come to our aide and have taken action. To this end, since 2103 we have formed the "Envision Berwick" committee, formed a Brownfields Advisory Committee, had two planning charrettes with the mill as a focus, completed a transportation study of the area around the mill, are in the process of developing a Tax Increment Financing (TIF) district centered the mill, and engaged area developers. We have also obtained three (3) EPA Cleanup Grants for Prime Tannery Lots 4, 5, and 6. Despite all this work, it is still not enough to guarantee our future success because more cleanup money is necessary to keep moving forward.

The overall implementation of this grant will be managed by the Town of Berwick with assistance from Southern Maine Planning & Development Commission, community stakeholders, community-based organizations, as well as officials of the Maine Department of Environmental Protection and EPA Brownfields staff. The only thing left is for EPA to award this funding and help us take the next step toward revitalizing Berwick. The following are required responses:

A. **Applicant Identification:** Town of Berwick, 11 Sullivan Street, Berwick, Maine 03901
B. **DUNS Number:** 612689554
C. **Funding Request:**
   i. **Grant Type:** Cleanup
   ii. **Federal Funds Requested:** $200,000. The Town of Berwick is requesting a cost-share waiver. Please see the page titled, "Hardship Waiver Request" included in this application package
   iii. **Contamination:** Hazardous Substances
D. **Location:** Berwick, Maine
E. **Property Information:** Prime Tanning Co., Inc., Tax Map U-4 Lot 146-1, 20 Sullivan Street, Berwick, ME 03901
F. **Contacts:**
i. **Project Director:** John Stoll, Planner, Town of Berwick, 11 Sullivan Street, Berwick, Maine 03901, Telephone: (207) 698-1101; fax (207) 698-5181; and email: planning@berwickmaine.org
ii. **Chief Executive:** Stephen G. Eldridge, MPA, Town Manager, Town of Berwick, 11 Sullivan Street, Berwick, Maine 03901, Telephone: (207) 698-1101; fax (207) 698-5181; and email: Townmanger@berwickmaine.org
G. **Date Submitted:** December 18, 2015
H. **Project Period:** 3 years; October 2016 through September 2019
I. **Population:**
   i. **Population of the Town of Berwick according to the U.S. Census 2010:** 7,242
J. **Other Factors Checklist:** Attached

Thank you for your consideration of the Town of Berwick's application. Please contact me with any questions or comments.

Sincerely,
Town of Berwick

Stephen G. Eldridge, MPA
Town Manager

COPY OF THE OTHER FACTORS CHECKLIST

Name of Applicant: **Town of Berwick, Maine**

Please identify (with an *X*) which, if any of the below items apply to your community or your project as described in your proposal. To be considered for an Other Factor, you must include the page number where each applicable factor is discussed in your proposal. EPA will verify these disclosures prior to selection and may consider this information during the selection process. If this information is not clearly discussed in your narrative proposal or in any other attachments, it will not be considered during the section process.

Other Factor	**Page #**
None of the Other Factors are applicable	
X- Community is 10,000 or less	1
Applicant is, or will assist, a federally recognized Indian tribe or United States Territory.	
Targeted brownfield sites are impacted by mine-scarred land	
X- Applicant demonstrates firm leveraging commitments for facilitating brownfield project completion by identifying amounts and contributors of funding in the proposal and have included documentation	8,9
X- Recent (2008 or later) significant economic disruption has occurred within community, resulting in a significant percentage loss of community jobs and tax base.	4
Applicant is one of 24 recipients, or a core partner/implementation strategy party, of a "manufacturing community" designation provided by the Economic Development Administration (EDA) under the Investing in Manufacturing Communities Partnership (IMCP). To be considered, **applicants must clearly demonstrate in the proposal the nexus between their IMCP designation and the Brownfield activities. Additionally, applicants must attach documentation** which demonstrate either designation as one the 24 recipients, or relevant pages from recipient's IMCP proposal which lists/describes the core partners and implementation strategy parties.	
Applicant is the recipient or a core partner of a HUD-DOT-EPA Partnership for Sustainable Communities (PSC) grant funding or technical assistance that is directly tied to the proposed Brownfields project, and can demonstrate that funding from a PSC grant/technical assistance has or will benefit the project area. Examples of the PSC rant or technical assistance include a HUD Regional Planning or Challenge grant, DOT Transportation Investment Generating Economic Recovery (TIGER), or EPA Smart Growth Implementation or Building Blocks Assistance, etc. To be considered, **applicants must attach documentation**.	
Applicant is a recipient of an EPA Brownfields Area-Wide Planning Grant	

1) Community Need

a) Targeted Community and Brownfields

Targeted Community Description: Downtown Berwick—colloquially known as 'Berwick Village'—is its own urbanized census-designated place (CDP) composed of just the downtown (nearly one-third of the Town) and does not include the rural portions of Berwick. It is located in southern Maine along the state's western border with New Hampshire, approximately 70 miles north of Boston and 45 miles southwest of Portland. The Town is primarily rural, but Berwick Village represents small town urban America. It is a diverse area home to races from across the globe, and nearly half of the targeted community lives in rental as opposed to owner-occupied housing and with children under the age of 18. The Village area transitions seamlessly into the abutting and much more urban municipality of Somersworth, NH—the downtown of which is only steps away and represents one of the State's densest.

In light of its 'gateway' status, arising from its convenient location straddling the line between urban and rural America, outlying sections of Berwick have in some respects become a suburban bedroom for nearby employment centers. In fact, at one point in Berwick's not too distant but much more prosperous past, the Town was the fastest growing in the State. At the core of this gateway Town, are the remnants of that more prosperous past. Stately albeit now somewhat dilapidated homes mix with multi-family housing units and modest single family homes, all of which sit in close proximity to the Town's former economic, social and commercial hub—the declining and now abandoned Prime Tanning Leather Tannery ("the Tannery"). The decline of the Tannery paralleled the overall decline of the downtown as property owners continue to defer investment in their properties until a clear path to revitalization is apparent. The average age of structures surrounding the Tannery is nearly a century, and their average assessed value is $161,000. A 2014 survey conducted by members of the Berwick Preservation and Heritage Committee revealed that many of the 43 multi-family buildings surrounding the tannery are neglected with old sofas in their parking lots and overflowing dumpsters. Fifty-five percent of the buildings around the Tannery are estimated to be in blighted condition contributing to the run-down nature of the downtown.

Demographic Information:

Targeted Community	Berwick	Berwick CDP	Maine	National
Population:	7,246[1]	2,187[1]	1,328,361[1]	311,536,594 [1]
Unemployment:	5.5%[3]	11.8%	5.8% [2]	5.3% [2]
Poverty Rate:	6.8%[3]	5.4%[3]	13.6% [3]	11.3% [1]
Percent Minority:	5.2%[3]	11.4%[3]	4.8% [3]	36.7% [1]
Median Household Income:	$63,264[3]	$63,750[3]	$48,453[3]	$53,046 [1]
Other: Percentage of Blighted Buildings[5]:	<2%[5]	**>55%[5]**	NA	NA

1 – 2010 U.S. Census data available at http://www.census.gov/
2 – Bureau of Labor Statistics and is available at www.bls.gov
3 – 5-year American Community Survey 2010-2014 U.S. Census Data and is available at: http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_12_5YR_DP03
4 – Quickfacts from the US Census, 2009 – 2013 - http://quickfacts.census.gov/qfd/states/23000.html
5 – Data based on December 2014 visual survey conducted by Berwick Preservation and Heritage Committee.

Description of Brownfields: The defunct Tannery site which is the subject of this grant application lies at the heart of Berwick's small downtown. It was the center of employment for Berwick residents and those

from surrounding communities for over 100 years, and served as a symbol of pride and work ethic as it produced some of the best tanned red, white, and blue leather in the world. Now the site is nothing more than an eyesore, health hazard, blight, and an impediment to the revitalization of Berwick.

The property is surrounded by a corroding chain-link fence. The sea of asphalt between the perimeter fence links and interior structures has weeds growing through the cracks and the appearance of what were already unattractive buildings has only declined due to vacancy, shuttered windows, and large sheets of peeling or cracked painted surfaces. There were more than 30 additions to the primary building throughout the Tannery's operations, which were added as the mill prospered and expanded. This lengthy history of sprawling building growth has covered areas where waste hides and tanning byproducts and other wastes were dumped. In addition, previous environmental work conducted at the property has identified chlorinated solvents, metals (primarily lead and chromium), polycyclic aromatic hydrocarbons (PAHs) and comingled petroleum contamination in the soil, groundwater, and soil gas that has impacted parts of the property. This contamination has placed the adjacent Salmon Falls River and therefore residents of the targeted community at risk.

There are at least six other potential Brownfields sites in Berwick, a high percentage of Brownfields for a community of only 7,246. These consist of two underutilized auto repair facilities, one gas station, an old Town water works facility, and three areas that contained former industrial properties. Most of these sites are in the downtown, are further contributing to the blight of the downtown, and are likely impacting Berwick's environment, human health, and public welfare.

Cumulative Environmental Issues: According to the pollution information website known as "Scorecard" (www.scorecard.org), the Tannery site leads the way in York County—Maine's most southern and second most heavily populated—in terms of Toxics Release Inventory (TRI) contaminants released to the environment (42,020 pounds). And, the Tannery leads the way by a not-insignificant margin: twenty-six thousand more pounds of contaminants have been released at the Tannery site than the next closest polluter. In fact, the Tannery released more TRI contaminants than the top 10 polluters on the list combined! While the Tannery is no longer in operation generating new pollutants, the existing contamination has not been addressed. In addition, many homes in downtown Berwick were constructed in the 1950s and suffer from lack of investment. This has led to environmental concerns about degraded lead-based paint.

Moreover, according to the February 2011 Salmon Falls Watershed Collaborative Action Plan, assessment data indicates the Salmon Falls River which runs through the heart of the targeted community is classified in certain areas as either "severely" or "marginally" impaired and does not support swimming or aquatic life due to Escherichia coli bacteria and low pH. The sources of bacteria and pH contamination causing impairment are unknown. Also both the intakes for the Berwick and Somersworth public water supplies are located in the river and on multiple instances did not comply with required Clean Water Act standards.

b) Impacts on the Targeted Community

Previous environmental assessment reports indicate that the Prime Tanning site has had deleterious effects on the environment around the Tannery. Past EPA-funded Brownfields site assessment work and a RCRA closure conducted at the Tannery several years ago at the site indicate the presence of volatile organic compounds (including chlorinated VOCs), PAHs, and metals (lead and chromium). These PAHs, metals, and VOC compounds have impacted the subsurface environment and make redevelopment of the site very difficult. Numerous undocumented releases have occurred over the years that have impacted the soil, groundwater, and sub-slab air beneath the buildings. Asbestos is also confirmed in building materials. This has raised concerns as to human health impacts to nearby

residents including minority populations (according to the 2010 census, downtown Berwick is home to races from across the globe including Africa, Asia and Latin America), youth (at the 2010 census, approximately 25% of homes in the downtown area housed children under 18), and women of child bearing age (at the 2010 census, nearly 37% of women in the targeted community were between the ages of 15 and 39). An unnamed brook that runs across the site was buried during the early construction of the Tannery and is now confined to a small culvert under the property. Burying the brook has had a significant negative impact on the brook biota and contamination present on the Tannery site may also be adversely impacting it and ultimately the Salmon Falls River.

According to www.scorecard.org, children of York County have an increased chance of high blood lead levels due to the high proportion (estimated by Berwick's Preservation and Heritage Committee in December 2014 to be 80.9% of the buildings around the Tannery of the pre-1980s housing stock), as compared to the nation (58% in US). Many of these houses have been converted into apartments and subsidized housing. Children living in the older housing stock surrounding the site already have a higher risk of high lead blood levels, but the presence of the Prime Tanning and other nearby Brownfields is increasing the risk. Scorecard also indicates York County has 17% of children under age of 5 living in poverty. Because Berwick's low cost housing stock is centered around the Tannery site, the Town's share of this population is also centered around the Tannery, with its associated risks. Additionally, the high prevalence of Brownfields in and around the targeted community has caused many downtown property owners to defer investment; the result is housing which is rundown and in dire need of repair. But Berwick doesn't have a rigorous ordinance to allow for code enforcement of blight, and blight is therefore prevalent.

According to the February 18, 2014, Berwick Downtown Vision Report and Implementation Plan "*Main streets are a town's economic and cultural hub and remind us of what we were and who we are today. Berwick does not have a Main Street. Berwick has 11 acres of ugly abandoned buildings in the heart of the downtown. These buildings are not only an enormous waste of potential, but a chilling reminder of how much we've lost as a community*". In a 2013 community-sponsored survey of over 500 respondents, **the redevelopment of Prime Tanning and making the downtown area more appealing was rated as the No. 1 concern for residents.** The survey concluded "*the vast majority of responses indicate a strong distaste for the downtown appearance. Respondents use adjectives such as "eyesore," "ugly," "embarrassment," and "shabby".*

According to the 2014 Vision Plan, the second biggest concern is the lack of greenspace and connectivity within the downtown. The vacant Tannery site leaves downtown Berwick with limited greenspace as well as limited connectivity for walking and biking, leaving automobile travel as the only workable alternative. In a recent Rural Active Living Assessment completed by the Choose to Be Healthy Coalition of York County in 2013, our existing recreation areas and greenspace are not located in or connected to the downtown, where they are needed most, and this is mostly due to the presence of the vacant Tannery lots. The disconnected nature of these opportunities prevents them from being fully used by the targeted community.

The area around the Tannery site is not just blighted, it contains some of our neediest and most sensitive populations from a human welfare perspective as well (see Berwick CDP in the table above). For instance, the area has a high rate of minority populations (compared to rest of Town and state) that are living in old housing, blighted housing suggesting environmental justice concerns for the community. **These sensitive populations are living in substandard housing, living within the blight of the downtown, and at a higher risk of being impacted by our Brownfields. They need jobs that are close to where they live, and desire a strong sense of place in the downtown including added businesses, greenspace, and connectivity between where they live, work, and**

play. These are the community needs with a major environmental justice component to them which will be addressed under this cleanup grant.

c) Financial Need

i. *Economic Conditions:* The cleanup of the Tannery is estimated to be over $2.0 million while the overall value of the property is less than $1 million and falling. Developers evaluating this property are unable to cover this additional cleanup cost due to tight market conditions, especially being located adjacent to sales tax free New Hampshire. This places the financial responsibility of implementing the cleanup on residents of Berwick. Berwick's does not have the financial capacity to undertake the cleanup of the Tannery site without EPA's assistance for the specific reasons detailed in the bullets below:

- Berwick relies heavily on local property taxes to fund all municipal service departments including the police and fire departments, a large portion of the schools, and any economic development and/or environmental protection projects that must be addressed. The Great Recession that gripped the nation in 2008 and subsequent years negatively impacted our operating budgets, leaving the Town with fewer taxes collected than expected and resultantly higher rates. For example, according to the Berwick Tax Assessor, Prime Tanning once provided as much $ 32,000 of our annual property taxes, but now provides $0, a significant hit to our annual operating and capital budgets. The tannery property (before it was subdivided) was once worth $2.5 million but its value has fallen and it is now only cumulatively worth $844K. The rest of the downtown's property values have followed falling in similar fashion. According to Berwick tax records, the number of property tax liens rose dramatically by more than 30% from 152 in 2008 to more than 200 two years after the tannery closed its doors. Since that time, the number of property tax liens have stayed above 200 demonstrating the severe financial 'pain' the closure and subsequent lack of investment has caused.
- We have the added burden of state income and sales taxes so there is little room to collect extra taxes from our residents or other businesses to fund any cleanup activities. As with all states, local tax monies paid (State & Federal) yield very little in return back to Berwick. And moreover, that portion of taxes which are supposed to be statutorily redistributed under the State's revenue sharing scheme has been raided by the State legislature leading to successively lower revenue collections in that regard as well. As a result, the Town has not only raised taxes, but also cut services and staff positions.

ii. *Economic Effects of Brownfields:* The presence of the Tannery site has had a significant impact on Berwick in a number of ways which have drastically and negatively impacted our economy. When the Tannery finally closed its doors in 2008 leading to the layoff of the last 150 workers, the mill had already been in a state of general disrepair for at least 10 years. The natural response was that area property owners deferred investments in their own properties and the neighborhood around it took on a run-down appearance. This pushed away new potential residents looking for well-kept housing opportunities. These conditions had a net negative impact for the Town because property values fell resulting in lower rents, and property investment stalled, resulting in reassessment and abatement requests and lower taxes collected. This costs the Town annually in unrealized taxes not to mention that there has been <u>no</u> tax revenue from the Tannery site itself, previously a major contributor to the tax base, because the owners stopped paying their property taxes and the water and sewer bills. Prime Tanning still owed the Town approximately $250,000 for back taxes and water/sewer services prior to the Town proactively acquiring the property by tax foreclosure in 2014. Private commercial businesses do not want to come to Berwick either because of the condition of the Tannery site and the blighted area surrounding it. This has caused those residents who do choose to live in downtown Berwick, especially minority populations, to be disproportionately impoverished compared to the rest of Berwick.

2) Project Description and Feasibility of Success

a) Project Description

i. *Existing Conditions:* The Prime Tanning property is located in the center of downtown Berwick at the intersections of School Street (Route 9), Sullivan Street, and Wilson Street. The Tannery occupies a superblock in the dead center of the Village, and has satellite sites nearby. In all, it occupies more than 50% of the targeted community in terms of land area, and its status is therefore inextricably linked to the fate of the targeted community and more importantly those who call it home. Due to its prominence in the most visible part of Town, the Tannery has been, and in many ways continues to be, the face of Berwick. The complexion of that face, however, has changed dramatically over time, with corresponding implications for the status of the targeted community. The Tannery property consists of 10 separate lots, 11 acres of land with 7 acres of buildings that are shuttered. There have been no tannery operations at the site since 2008 when the mill closed and Prime Tanning owners filed for bankruptcy protection. The only activities at the site since 2008 has been a RCRA closure and EPA funded Brownfields assessment work completed through funding provided by the Maine DEP and Southern Maine Planning and Development (SMPDC) Brownfields Assessment Program as well as submission of the site to the Maine DEP Voluntary Response Action Program (VRAP), the state's voluntary cleanup program. In 2014, the Town of Berwick acquired the Prime Tanning property for back property taxes owed (tax foreclosure).

In 2013, the Town, through a committee called the Berwick Downtown Vision Committee (DVC), developed a clear, sensible, consensus-driven plan to reduce blight and revitalize not just the Tannery site, but the entire downtown. This plan was adopted legislatively by the Town as a whole, and sets the stage for future regulatory adjustments and investments at the local level. Substantial input was provided from a community questionnaire that was sent to all Berwick residents and business leaders (500 of our residents responded), and also during the two well attended public design Charrettes that were held in May and June 2013. The information gathered during the Charrettes was then transformed into a unified vision (the Vision Plan) serving as an update to the Town's Master Plan for the downtown with assistance of a professional landscape architecture firm.

The community vision for the downtown is as follows: "*Berwick is a rural, riverside town that appreciates the importance of a connected, actively engaged community and proudly cultivates its unique strengths and small town character by:*

- *Promoting small business and creative outlets where local talent, entrepreneurship, and agriculture flourish;*
- *Fostering a healthy relationship with land and river through conservation, environmentally-minded development, substantial and functional green space, and responsible recreation;*
- *Creating a safe, friendly downtown where youth, families, and community come together."*

"*The Vision seeks to establish downtown as a center for community interaction, business activity, and outdoor recreation.*"

The outcomes of the Plan are to facilitate significant re-investment in the existing nearby downtown buildings, infill development in places, and the demolition of non-historic buildings which are counter to the vision. It also involves a re-discovery of the nearby Salmon Falls River by developing a river walk, active and passive parks with pavilions, and canoe and kayak launch facilities. The redeveloped river area is envisioned to be connected to the eventually redeveloped Tannery site for pedestrians via a walking trail. In turn, the Tannery site will be connected to nearby Penny Pond and the Town's ball fields via a northern extension of the walking trail.

In 2014, the Town acquired the Tannery property for back taxes and subsequently signed a development agreement with a private developer (Fund of Jupiter) to redevelop the site. Redevelopment for mixed use (commercial, residential, and greenspace) is the focus for the site as the

downtown is underserved with commercial space, decent housing, and greenspace. The redevelopment master plan calls for the removal of half of the non-historic buildings, repurposing and reusing the remaining buildings for retail and light industrial, construction of new convenience retail, construction of new housing, and construction of greenspace and trails in the center of the property. The unnamed brook that is currently buried and runs in a culvert is also envisioned to be uncovered and day lighted to bring a sense of nature and rural character back to the site. The Prime Tannery smoke stack will be revitalized and left to pay our homage to the town's industrial past. **The goal of the Tannery's redevelopment is to remove blight, provide jobs, create decent housing, provide greenspace and facilitate connectivity within the community. It will also create the "Main Street" that is so much desired for the residents of Berwick as well as serve as a catalyst for investment in other surrounding downtown buildings.**

The plan for the Tannery site involves the redevelopment of eight of the 10 lots. The $25 million redevelopment includes the following:

Lot 1 (69,041 total s.f.)	31,000 s.f. light industrial (reuse of existing building)
	8,000 s.f. office (reuse of existing building)
Lot 2 (90,491 total s.f.)	42.500 s.f. light industrial (reuse of existing building)
Lot 3 (38,468 total s.f.)	79,000 s.f. 3-story mixed use retail and residential (new construction)
Lot 4 (64,370 total s.f.)	69,000 s.f. "Main Street" and parking area (new construction)
Lot 5 (18,708 total s.f.)	8,500 s.f. convenience retail (new construction)
Lot 6 (39,689 total s.f.)	39,000 s.f. greenspace and trail (new construction)
Lot 7 (21,277 total s.f.)	52,000 s.f. 3-story mixed retail and residential (reuse and new constr.)
Lot 133 (121,968 total s.f.)	20,000 s.f. workforce and/or senior housing

The subject of this grant application is Tannery Lot 1 which will consist of abatement of asbestos and universal wastes, and installation of a soil cover system for residual contaminated soils. The site will be redeveloped with about 40,000 s.f. of light industrial space and office space. The Town is currently in discussions with a local brewery to redevelop both Lots 1 and 2 into beer brewery and brew pub. However, they cannot afford the cleanup and will not move forward with the redevelopment until the cleanup is complete.

Prior work has indicated the presence of VOCs (including chlorinated solvents), PAHs, and metals in the soil, chlorinated VOCs and non-chlorinated VOCs in ground water, and chlorinated VOCs in the subsurface soil gas at the site. There is also documented asbestos in the buildings. The Town will continue to work with our state and federal partners (Maine DEP and EPA) as well as our Brownfields Advisory Committee to implement the cleanup. Our Advisory Committee consists of various local community organizations, the Maine DEP, and the Brownfields staff of SMPDC. We have already hired through a competitive procurement a qualified environmental professional (QEP) to oversee and manage the cleanup in accordance with EPA and DEP standards. We will competitively bid the actual cleanup work in accordance with federal bidding requirements.

ii. Proposed Cleanup Plan: Remediation of the Tannery site will be consistent with the Analysis of Brownfields Cleanup Alternatives (ABCA) and consist of the removal and proper disposal of hazardous building materials (asbestos and universal wastes) in accordance with appropriate state and federal regulations. The remaining exterior residual contaminated soil will be remediated by the installation of an engineered barrier consisting of a mix of a soil, pavement, and concrete cover systems. Each remediation option will utilize standard construction techniques and can be implemented in a relatively short timeframe.

During construction, engineering controls will be utilized including dust suppression during construction activities and the use of temporary fencing to protect the public during construction activities. Once remediation is completed, institutional controls will be placed through the use of Maine's Uniform Environmental Covenant Act. A deed restriction will be implemented to prohibit the disturbance of the soil cover, the excavation of contaminated soil, and the extraction of groundwater from the Site. These restrictions will be documented through the Maine DEP Voluntary Response Action Program (VRAP), the state's voluntary cleanup program.

b) Task Description and Budget Table

The following is a description of each task that will be conducted under the cleanup program:

Task I: Cooperative Agreement Oversight / Engineering: Includes costs for the planning, engineering, design, bidding, and oversight of cleanup activities as well as programmatic management of the grant and attendance at the EPA National Brownfields Conference. This budget is further broken down as follows:

1. $1,000 for programmatic management of the grant including quarterly reports, and ACRES updates (14 hours at $70 per hour staff)
2. $1,000 for travel to the EPA Brownfields Conference
3. $15,000 for planning, engineering, design, and bidding (150 hours at $100 per hour QEP)
4. $15,000 for on-site oversight and documentation (150 hours at $100 per hour QEP)

It is estimated that the Town will provide grant management oversight and contractor coordination as an in-kind service at an estimated amount of $7,000 (100 hours at $70 per hour). Outputs for this include EPA Quarterly reports, quarterly ACRES updates, engineering bidding documents, and cleanup oversight field reports.

Task II: Public Meetings and Community Involvement: Includes development of a Community Relations Plan and finalizing the Analysis of Brownfields Cleanup Alternatives / Remedial Action Plan (ABCA/RAP), submitting the quality assurance project plan (QAPP), and submitting a VRAP application and work plan. In addition, this task involves the public involvement activities described in **Section 3.a**. This task estimates the following:

1. $2,000 for Town personnel to advertise and attend public meetings (28.5 hours at $70 per hour)
2. $10,000 for consultant time to finalize the ABCA/RAP and prepare the Community Relations Plan, QAPP and update VRAP documents, assist in the community outreach portion, and participate at the public meetings (100 hours at $100/hour)
3. $1,000 in supplies that will comprise newspaper advertising and presentation materials

The Town will provide additional coordination and community outreach support outside of the public meetings as an in-kind service at an estimated amount of $3,500 (50 hours at $70 per hour). Outputs for this task include the Community Relations Plan, ABCA/RAP, updated VRAP No Action Assurance Letter, handouts during public meetings, and meeting minutes.

Task III: Cleanup Activities: This task includes contractor costs for asbestos and universal waste abatement and capping of contaminated soil at the Site. This budget allocates all costs to contractual items to complete remediation activities at the Site and is further broken down as follows:

1. Approximately $75,000 for the removal of asbestos and universal wastes
2. Approximately $75,000 for the installation of the engineered soil, concrete and asphalt cover system.

Outputs for this task will include engineering oversight field reports that will be submitted to the Maine DEP for approval, asbestos abatement air clearance testing results, and bills of lading and/or waste manifests.

Task IV: Coordination and Final Reporting: Includes consultant costs for ongoing coordination with the EPA Brownfields Program and the Maine DEP Voluntary Response Action Program. Subtasks will include communications, submission of status reports, and a remediation summary report. This task estimates $5,000 for consultant time for preparing the remediation summary report (50 hours at $100 per hour). The Town will provide coordination and communications with the EPA and DEP as an in-kind service at an estimated amount of $3,500 (50 hours at $70 per hour). Outputs include the remediation summary report as well as a Certificate of Completion from the Maine DEP VRAP.

Prime Tanning Lot 1 Hazardous Substance Cleanup Budget					
Budget Categories	*1. Cooperative Agreement Oversight & Engineering*	*2. Public Meetings and Community Involvement*	*3. Cleanup Activities*	*4. Coordination and Reporting*	*Total*
Personnel	$1,000	$2,000	$0	$0	$3,000
Travel	$1,000	$0	$0	$0	$1,000
Equipment	$0	$0	$0	$0	$0
Supplies	$0	$1,000	$0	$0	$1,000
Contractual	$30,000	$10,000	$150,000	$5,000	$195,000
Total Federal Funding	$32,000	$13,000	$150,000	$5,000	$200,000
Cost Share	$7,000	$3,500	$26,000	$3,500	$40,000

c) Ability to Leverage

The Berwick voters appropriated $25,000 in 2012 to support the Downtown Vision Committee which paid for a community questionnaire, a town led charrette, and the Vision Plan to which this site is central. The Vision Plan is now leveraging the funds listed in the following table to ensure the successful redevelopment of the Tannery Site. Please see our letters of leveraged commitments which are included in **Attachment D.**

Funds to Leverage/Source	**How Funding Will Be Used**	**Value ($)**
Three (3) EPA Brownfields Cleanup Grants (Lots 4, 5, and 6)	Will fund the removal and proper disposal of hazardous building materials (asbestos and universal wastes), excavation and disposal of source area contamination (VOCs and chromium), and installation of an engineered barrier over residual contaminated soils consisting of a mix of a soil, pavement, and concrete cover systems.	$600,000

Funds to Leverage/Source	How Funding Will Be Used	Value ($)
Workforce Housing Coalition of Greater Seacoast	Facilitated a planning design charrette in October 2015 that included the Tannery Site and the Estabrook School site (adjoining the Tannery) as a focus for workforce housing opportunities. They are continuing to provide outreach to affordable housing developers to redevelop the site and are providing support to the Town in negotiations for redevelopment.	$5,000
In-Kind Services Brownfields Grant-Town of Berwick	Berwick will be providing in-kind services throughout the life of the grant during assessment, cleanup, and redevelopment.	$17,705
Town of Berwick	Upgrade street lighting and utilities on and in vicinity of the Tannery site (including in-ground electric, water, and sewer service. These funds will come from a Tax Increment Financing (TIF) fund that the Town is currently implementing to pay for utility upgrades around the Tannery. It may also allow for credit enhancement agreements to be established.	$500,000
Private Investment (Funds of Jupiter)	Private funds to facilitate redevelopment once cleanup is complete.	$10,000,000

3) <u>Community Engagement and Partnerships</u>

a) Plan for Involving Targeted Community & Other Stake holders…

The Town of Berwick has engaged the community during the visioning process and will continue to involve the community throughout every aspect of this grant from cleanup to redevelopment. This project simply will not be effective without an involved and engaged community. Our plan to engage the community is as follows:

1. <u>Developing a Brownfields Advisory Committee</u> – The Town has set-up a Brownfields Advisory Committee made up of select Town staff, members of the Downtown Vision Committee, our community-based organizations, private interests, and Berwick residents. The Advisory Committee is chaired by the Berwick Town Manager. The Advisory Committee will continue to play a significant role in the community outreach portions of the program. Meetings will be held quarterly in the Town Hall.

2. <u>Hosting Public Information Forum/Meetings</u> - The Town of Berwick will host one initial public forum about the Prime Tanning site to continue to educate the public on the EPA Brownfields process so that community members can understand what is happening to the property, what it may mean for them, and engage them in an interactive conversation involving active listening to questions and provision of feedback. It will also serve to review the Draft ABCA for the property and solicit public input and health concerns regarding the cleanup. This forum will be held prior to initiating cleanup work and during the 30-day comment period for the ABCA. One additional public meeting will be held during the cleanup to communicate progress of the cleanup to the community and to solicit any input and health concerns from area residents regarding the cleanup. Technical staff will be available to discuss the meaning of the technical results to the public. Please note that 99% of residences in the target area speak English, therefore translation of material into other languages will only be done as needed. Any other special needs (handicap, etc.) will be accommodated during the meetings.

3. Getting the Word Out - A multimedia approach is being employed to advertise meetings, encourage community participation, and provide responses to community concerns, including announcements via local newspaper, e-mail, the Town of Berwick website. In addition, Berwick uses the Downtown Vision Committee Facebook page and Twitter account to get out instant news about the project including meeting dates and times. All public forums/meetings will be held in the Berwick Town Hall in the selectman's chambers and be held at a time where the working public will have opportunity to participate. The meetings will also be recorded by Berwick Community Public Television staff and aired on Berwick's public access television channel and rebroadcast online so that the public which cannot attend may be kept informed of the progress of the grant and activities at the site.

b) Partnerships with Government Agencies

Your Local/State/Tribal Environmental and Health Agencies as Applicable to your state and local procedures: Berwick, Maine has an appointed local health officer in its Town Manager, who will be intimately involved in the brownfield advisory committee; the Town will also work with the Maine Department of Environmental Protection (Maine DEP), Maine Health and Human Services, in addition to the Town of Berwick's Brownfields Advisory Committee throughout the 3 year Brownfields grant period and beyond. Berwick will partner with these entities to share information on threats to human health and the environment associated with the Prime site, including providing guidance on impact of lead-based paint on children under 5 years old. Notice will be made during public forums/meetings regarding work activities that are scheduled to be completed. Public notices shall include contact information so that concerned citizens can call with questions and/or concerns during the assessment and redevelopment.

Maine DEP staff will serve on the Brownfields Advisory Committee, participate in technical discussions on the ABCA and engineering documents, plan for safely and effectively implementing the cleanup, as well as review and comment on the QAPP, the ABCA/RAP, and remediation summary reports. Through the Maine DEP Brownfields Voluntary Response Action Program, liability protections are granted to developers and future owners in regards to existing known environmental contamination. By working with Maine DEP, the Town, community, and developer will understand the liabilities and limitations associated with the site.

Other relevant federal, state, and local governmental agencies: Berwick will work with EPA on this Grant. The EPA Project Officer and Quality Assurance staff will be integral to ensure that the work is done appropriately. In addition, Berwick will work with Southern Maine Planning and Development Commission (SMPDC) on this project. SMPDC is our regional planning commission with extensive EPA funded Brownfields experience and will support Berwick in a number of ways. They are retained to assist with the management of the grant to ensure compliance with all requirements, serve on the Brownfields Advisory Committee, and also assist Berwick by helping to find additional fund leveraging sources to help complete the project.

c) Partnerships with Community Organizations

We will rely on the following community organizations to implement this project. Letters of commitment from our project partners have been included in **Attachment C**.

- The Workforce Housing Coalition of the Greater Seacoast (WHCGS) is a non-profit community organization focused on advocating for workforce housing in our region. They will serve Berwick by conducting outreach seminars that will be shown on Berwick TV on the value and importance of workforce housing, facilitated a design charrette for workforce housing in the downtown, will serve on the Brownfields Advisory Committee, and will continue to provide outreach

to affordable housing developers to redevelop the site and are providing support to the Town in negotiations for redevelopment. For this work, WHCGS has committed $5,000 in professional services toward an outreach task.

- Economic Development Berwick is a non-profit community based 'ad hoc' committee made up town residents. Their focus is to facilitate economic redevelopment at the Tannery. They will assist Berwick by getting the word out to developers and looking for development opportunities that fit the town's vision plan for the Tannery. They have been instrumental in identifying and engaging tenants at the site including a proposed brewery, a housing developer, and a college. In addition, representatives from this organization will also sit on the Advisory Committee.

- Sustainability Berwick is a non-profit Berwick based community organization whose focus is recommending and implementing sustainable solutions for Berwick. The organization is actively performing water quality monitoring the Salmon Falls River with support from the State of New Hampshire Department of Environmental Services and assisting with recommending sustainable solutions for storm water management in town. They will be represented on the Brownfields Advisory Committee and assist the Envision Berwick committee by recommending land use ordinance changes focused on sustainability. This will greatly affect the nature and scope of the redevelopment of the Tannery site.

- Choose to be Healthy Coalition which is a non-profit community organization and part of York Hospital focused on healthy lifestyles choices for Maine residents and tobacco and substance abuse prevention. They recently committed a Rural Active Living Assessment for Berwick in 2013 which suggested more walking opportunities for our residents. As such, they have committed to serve on the Brownfields Advisory Committee to advocate for the redevelopment to include greenspace and walking trails which would connect the Town's opportunities increasing the healthy lifestyle choices.

- Conservation Law Foundation is a non-profit community organization that uses the law, science, policymaking, and the business market to help communities find pragmatic, innovative solutions to New England's toughest environmental problems. CLF will serve on the Brownfields Advisory Committee to be resource for understanding the challenges associated with releasing and revitalizing the unnamed brook beneath the Tannery site and provide guidance on funding sources for project implementation.

4) Project Benefits

a) Health and/or Welfare and Environment

i. *Health and/or Welfare Benefits:* Berwick has a long history—in fact it's over three centuries old—and during that time many important events have occurred in town that have made our residents proud; but none of these events will compare to the day that the Prime Tanning site is finally redeveloped. In all of York County and Southern Maine there is no other project like Prime Tanning that can wholly change the surrounding community forever. Rarely does an entire downtown get a "do over." As such, there are tremendous project benefits that will be realized from a redeveloped Tannery site.

Based on the proposed Master Plan provided by the developer, the redeveloped Prime Tanning Site will create a new "Main Street" in downtown Berwick, approximately 70,000 square feet (s.f.) of light industrial space on Lot 1 & Lot 2, 8,000. s.f. of office space on Lot 1, 30 units of workforce housing, 45,000 s.f. retail, 2 acres of greenspace, a new Main Street, and new connections to other recreational opportunities including the Salmon Falls River, Penny Pond and the Town's recreational fields. Future site occupants and adjacent residents will realize health benefits from reduced/eliminated toxicity

associated with the reduction of contaminants from water, soil and air. The redevelopment of the Tannery will serve as a catalyst for investment in other blighted buildings and substandard housing in the downtown. This should indirectly help lower lead blood levels in children. The fresh new building stock and redeveloped existing buildings will also help attract new businesses to Berwick. This will create significant welfare and economic benefits besides the obvious removal of blight. **Ultimately, the redevelopment of Prime Tanning will result in a reduction of over 80% of the blight in downtown Berwick over the next 10 years.**

ii. *Environmental Benefits:* A cleaned up and redeveloped Tannery site will lead to the environmental benefit from the physical remediation of contaminants from 11 acres in our downtown. Cleanup will help to make the residents and sensitive populations become healthier because the identified contamination migration and/or exposure pathways will be properly mitigated. The assurance of CERCLA and state liability protections that will come from participation in the Maine Voluntary Response Action Program will also allow private developers to get comfortable with investing private equity in the site and allow for the successful redevelopment of the site in accordance with the Town's vision. Removal of uncertainty removes investment risk, and investment is key to the future success of the downtown environment on multiple fronts. The remediation of the site as well as the daylighting of the unnamed brook at the site will also result in water quality improvements to the Salmon Falls River which is a public water source for Berwick and other communities.

b) Environmental Benefits from Infrastructure Reuse/Sustainable Reuse

i. *Planning, Policies, or Other Tools:* To help ensure that the redevelopment of the Tannery is sustainable, the Town of Berwick in the form of the DVC Vision and Implementation Plan has called for the following to be incorporated: (1) Incentives for rehabilitation, improvement and weatherization of existing structures in the downtown; (2) Updates to the Zoning Ordinance that ensure the goals of the DVC Vision Plan are achieved, including advancing ordinances that promote density in the downtown (e.g., legal in-law apartments, identification and protection for 'buildings of value', and establish permissible live-work spaces); (3) Tax incentives and/or other mechanisms that promote the conservation of the downtown character; and (4) Establishment of a Growth Boundary that will limit sprawl, focus on the downtown, and protect rural areas of town. To this end, Berwick DVC has drafted nine (9) ballot questions for the Town's voters' consideration. Most are related to limiting future blight and facilitating the development of the Tannery.

While the Prime Tanning buildings are very old and uniquely suited to the tanning of leather, the DVC Vision Plan calls for developing a plan to selectively rehabilitate and re-purpose portions of buildings to "*integrate the face of the future with the past*". As such, it is estimated that up to 150,000 s.f. of the existing buildings (about 50%) would be saved and adaptively reused. Depending on the finished redevelopment, the current Vision Plan calls for saving the roadways around the Tannery site with the addition of a new "Maine Street" through the center of the site. Water and sewer connection conveyances will be saved and modified to connect to the new buildings. To quickly facilitate a healthier Berwick, green remediation practices and adaptation to climate change are considered during development of the ABCA and cleanup design to ensure the environmental footprint of the implemented remedies are minimized and the long term cleanup is resilient to climate change.

ii. *Integrating Equitable Development or Livability Principles:* In addition to creating affordable housing opportunities and the creation and connection of public greenspace in the center of the Tannery site, the DVC Vision Plan calls for making smart growth along with livability principles a priority, not just for the site, but for the entire downtown because it will help create a more sustainable community.

Examples of how livability principles have been planned into the redevelopment of the Tannery site and downtown are listed below:

- Encouraging a walkable community is at the very heart of the DVC Vision Plan. The Tannery is at the heart of the downtown and a redeveloped site will encourage people to get out of their cars and walk more.
- The plan calls for Berwick to be more neighborly by encouraging respect of architectural history of the town, promoting density, and fostering the synergies that can arise from increased human interaction.
- The Tannery redevelopment will require in-fill development and is located along the local bus route (Coast Bus line) through Berwick putting residents closer to better transportation choices.
- The Tannery includes 20,000 s.f. of workforce and/or senior affordable housing to allow current residents to not be displaced by the redevelopment and older residents to age in place close to their families and friends.
- The upper floors of the new building or redeveloped buildings on the Tannery are planned for 30 new housing units that will also provide additional opportunities for workforce housing.
- The cleanup of the Tannery site will reduce the over toxicity of the downtown soil, groundwater, and air. In addition, the Town of Berwick will request that the cleanup contractor(s) use green remediation practices so the cleanup will quickly contribute to a greener and healthier Berwick.
- A portion of the unnamed brook that run across the Site will also be daylighted as a part of this project.

c) Economic and Community Benefits

i. *Economic or Other Benefits:* The redevelopment of the Tannery site will result in tangible economic benefits. In this regard, we expect that the fresh new building stock that will come from the redevelopment of the Tannery site will attract new businesses to Berwick and create over 100 new jobs (developer estimate). Based on our understandings of the economics of the area, the Town Assessing Agent expects that this redevelopment will leverage between $10,000,000 and $20,000,000 in private investment. This type of redevelopment is expected to increase Berwick property values around the site immediately by as much as 10% and bring in between $65,000 and $90,000 per year in property taxes for the Tannery site once it is back on the tax rolls and redeveloped in accordance with the Master Plan. In addition, the second and third stories of most of the buildings will become workforce housing opportunities for young professionals who work in Town or other nearby urban centers, one of which is walking distance from the site.

The redevelopment of the Tannery site will also result in tangible non-economic benefits. Berwick's Vision Plan includes the creation of a 2-acre public Greenspace in the center of the site. The center greenspace with fringing mixed-use development which is meant to symbolize the Town's renewal and reflect the civic pride found in the community. The public Greenspace will include certain amenities such as open grassy areas, hard surface walking paths, public art, large shade trees, benches, picnic tables, ornamental lighting, and a small play area which are important recreational opportunities identified by the Choose to be Healthy Coalition. An important element of the park is that it will be connected to the nearby Salmon Falls waterfront and a local pond and the Berwick ball fields approximately 1/3 mile away via a hard surface walking path. Because it was identified as a 'touchstone' of the community during the Charrette process, the old Prime Tanning smoke stack will be preserved and dedicated as a reminder of the importance of our industrial heritage. An important component of the Greenspace will be the releasing and revitalization of the approximately 1,000 feet of the unnamed

brook that is culverted beneath the site. This will be done with support from the Conservation Law Foundation, one of our community organizations for this project. This will allow access to the stream and ensure the rural character of Town is conveyed to downtown.

ii. *Job Creation Potential: Partnerships with Workforce Development Programs:* The Prime Tanning redevelopment project is anticipated to generate over 100 jobs. While there are no Brownfields job training grantees in our area, hiring local as a part of the assessment, cleanup, and during the redevelopment work is very important to us. We will also partner with York County Career Center in nearby Springvale, Maine to raise awareness about the impending environmental work at the Tannery site in an attempt to find competent environmental staff to support the project. In addition, the Town will bid the actual cleanup to local subcontractors from Berwick as a first priority because we are rich in the trades.

5) Programmatic Capability and Past Performance

a) Programmatic Capability

Berwick's organizational structure is as follows: the Town Manager is in direct charge of all municipal offices in Berwick including the Planning Department, Assessor's Office, Finance Office, Police and Fire Departments, and Town Clerk's Office. As such, the Town Manger will be directly responsible for overseeing this grant. A description of the grant roles and experience of each staff involved is included below:

Project Oversight: Town Manager Stephen Eldridge is eminently qualified to oversee the management of this grant. He is the chief executive and administrative official in Berwick. He manages all town staff and all departments. Mr. Eldridge has worked in town government since 1999 (town administration). He is currently overseeing the Town's three current cleanup grants and has prior experience with Brownfields project from his work in Lisbon, Maine where he served as the Town Manager and partnered with the Androscoggin Valley Council of Governments (AVCOG) Brownfields program.

Project Management: Mr. John Stoll, Berwick Town Planner, will serve as the project director for this grant. Mr. Stoll has 5.5 years of experience working as a planner for Berwick, Maine; the City of Sanford, Maine; and the City of Aberdeen, South Dakota. Mr. Stoll was exposed to EPA funded Brownfields assessment work through his work in Sanford, Maine, which recently completed a very similar project. Mr. Stoll is currently managing the three EPA Cleanup Grants that were awarded in FY15. The work is underway and headed toward a tremendous success.

To provide Programmatic Support of the grant, the Town will retain Mr. Chuck Morgan of Southern Maine Planning & Development Commission (SMPDC) to assist Mr. Stoll. Mr. Morgan is a 25-year veteran of promoting economic development and managing both federal and State grant programs including U.S. EPA, U.S. Economic Development Administration, and Maine Department of Economic and Community Development within Maine. He is responsible for the implementation of the SMPDC Brownfields Program since 2004 including over $1.4 million in both Brownfields Hazardous Substance and Petroleum Assessment funds and their Brownfields Cleanup RLF Program since 2007, closing more than $3,000,000 in loans and $1,500,000 in subgrants.

Grant Support: The financial management of all grants administered by the Town's is done by Ms. Maureen Finger who serves as the Finance Director. Ms. Finger has been working in this capacity in towns and cities across Maine since 1999 and has more than 20 years of general municipal finance experience.

Berwick already has retained Mr. Bryan Dench of Skelton, Taintor and Abbott to assist with the legal aspect of the Tannery site. Mr. Dench has tremendous experience with Brownfield properties in Maine having assisted the City of Sanford with the acquisition of the Sanford Mill in 2009.

Procurement: In the case where additional expertise is required (i.e. environmental contracting), the Town utilizes a competitive procurement process for obtaining this expertise. This will consist of setting up a proposal review committee, receiving proposals from multiple firms, evaluating the firms based on established criteria, and awarding the contract to the firm that best meets those criteria.

b) Audit Findings

The Town of Berwick had no adverse audit findings.

c) Past Performance and Accomplishments

i) Currently or Has ever Received an EPA Brownfields Grant

1. **Compliance with Grant Requirements**: Town of Berwick was awarded 3 EPA Brownfields Cleanup Grants in FY15. The grants for awarded for Lot 4, 5 and 6 which are also associated with the Prime Tanning Site. The grants were awarded this past spring and have end dates of September 30, 2018. The current balance of each grant is $195,157. This cleanup work is geared toward cleaning up identified polycyclic aromatic hydrocarbon soil contamination, asbestos and lead associated with various building components and cleaning up contamination under buildings associated with these lots. An aggressive schedule has been developed because the developer is interested in beginning redevelopment as lots are cleaned up because there is interest from a Maine-based company to redevelop Lot 1 as a brewery and a restaurant. We fully expect have Lot 4, 5, and 6 be cleaned up and fully drawn-down by the fall/winter of 2016.

All work completed to date has been in compliance with the Cooperative Agreement. Commensurate with our wishes and those of the interested redevelopment party, the QEP is moving quickly forward toward cleaning up these lots. As such, the town expects that it will competitively hire a cleanup contractor by February/March 2016 and the initial phases of the cleanup work are expected to be completed by this coming summer (2016). ACRES has been updated with our latest information for the three open grants (Lots 4, 5, and 6).

2. **Accomplishments:** To date, the town has hired a Qualified Environmental Professional (QEP), the Brownfields Advisory Committee has met, we conducted a Brownfields 101 to educate the public on the Brownfields cleanup process and approach during a public Selectman meeting which was also aired on local television, we conducted a workforce housing charrette in October 2015, our grant partners are helping get the word out to inform and engage to public, and many elements of the cleanup planning have begun. All the above work was accurately reelected in ACRES. By summer 2016, we will have accomplished the following on all three EPA cleanup grants: ABCA approved by EPA/MEDEP; CRP in-place; 3-5 Brownfields Advisory Committee meeting held; SHPO requirements Met; 1.6 acres cleaned up on Lot 4, 0.42 acres cleaned up on Lot 5, and 0.90 acres cleaned up on Lot 6; and redevelopment underway (Lot 4 to become a new Main Street for the town and Lot 5 and 6 to become commercial retail space).

ATTACHMENT A
THRESHOLD DOCUMENTATION

ATTACHMENT A - THRESHOLD DOCUMENTATION

1. **Applicant Eligibility**

a. Eligible Entity:

The Town of Berwick is Municipal Corporation organized under the Statutory Town Manager Plan (Town Meeting-Board of Selectmen-Town Manager style of government). We do not have a municipal charter, but rather default to the State law as per Town Meeting action from 1949. The Town was incorporated within the State of Maine in 1713.

b. Site Ownership:

The Town of Berwick owns the entire Prime Tanning Site. The property was acquired from Prime Tanning, Inc. on December 15, 2014 through property tax foreclosure. The Town of Berwick has sole ownership as indicated by the fee simple title recorded deed.

2. **Letter from the State Environmental Authority**

Attachment B is the letter from the Maine Department of Environmental Protection acknowledging that the Town of Berwick intends to submit this grant application for cleanup funds associated Berwick Prime Tanning site.

3. **Site Eligibility**

a. Basic Site Information:

(a) Name: Prime Tanning Co., Inc. – Tax Map U-4, Lot 146-1
(b) Address: 20 Sullivan Street
(c) Current Owner: Town of Berwick
(d) Town is current owner

b. Status & History of Contamination at the Site:

(a) The site is contaminated with hazardous substances

(b) Currently the property is vacant and shuttered. There have been no tannery operations since at least 2008. Leather tanning has been the most dominant use since the property was first developed. Records indicate that the site has been used for leather tanning on and off for nearly the past 100 years. Previous reports have documented that the Prime Tanning Site historically has had many uses extending back more than 100 years. Past property uses include: woolen milling, sash and door manufacturing, reed manufacturing, carriage manufacturing, shoe manufacturing, and leather tanning.

(c) Prior work has indicated the presence of VOCs (including chlorinated solvents), PAHs, and metals in the soil, chlorinated VOCs and non-chlorinated VOCs in ground water, and chlorinated VOCs in the subsurface soil gas at the site. There is also documented asbestos in the buildings.

(d) The site became contaminated due to its 100-year industrial use as a tannery and other industrial operations. The extent of contamination is confined to the boundaries of the Prime Tanning site.

c. Sites Ineligible for Funding:

Review of available records pertaining to the site reveals the following about the Prime Tanning site:

(a) The Prime Tanning Site is not listed or proposed for listing on the National Priorities List.

(b) The site is not currently subject to any unilateral administrative orders, court orders, administrative orders, or judicial consents decrees issued to or entered into by parties under CERCLA.

(c) The property is not subject to the jurisdiction, custody, or control of the United States Government.

d. Sites Requiring a Property-Specific Determination:

Based on our review of the property-specific determination criteria, the Town of Berwick has determined that this Site is not subject to this determination review process for the following reasons:

- There are no planned or on-going removal actions under CERCLA at the site,
- The site has not been issued or entered into a unilateral administrative order, court order, and administrative order on consent, or judicial consent decree or to which a permit has been issued by the United States or an authorized state under RCRA, FWPCA, TSCA, or SDWA,
- The site is not subject to RCRA corrective action to which a corrective action permit or order has been issued or modified to require the implementation or corrective measures,
- The site is not a land disposal unit that has submitted a RCRA closure notification or is subject to closure requirement specified in a closure plan or permit, in fact, the site went through the RCRA closure process previously,
- There has been no documented release of PCBs requiring that site be subject to TSCA remediation, and
- The site is not receiving monies from cleanup from the LUST Trust Fund.

The Tannery site has been entered into Southern Maine Planning and Development and the State of Maine's EPA funded Brownfields programs and has not required a property-specific determination each of those times and nothing at the site appears to have changed.

e. Environmental Assessment Required for Cleanup Proposals:

Several Environmental Assessment have been completed at the Site including the following:

Previous environmental assessment activities at the Site include the following:

- October 2007, Phase I Environmental Site Assessment (ESA), ENSR Corp.
- June 14, 2010, Phase I ESA, Ransom Environmental
- August 26, 2010, PCB Caulk Screen, Summit Environmental
- September 1, 2010, Asbestos Identification Survey
- October 15, 2010, Phase II ESA, St. Germain-Collins
- January 6, 2011, Preliminary Feasibility Study, Summit Environmental
- January 18, 2011, Supplemental Site Investigation, St. Germain-Collins
- May 25, 2012, Phase I ESA, St. Germain-Collins
- August 9, 2013, Phase I ESA Update, St. Germain-Collins

f. CERCLA §107 Liability:

The Town of Berwick is eligible for one of the liability defenses under CERCLA under the local government exclusion for involuntarily acquiring the property for owed taxes.

g. Enforcement or Other Actions:

The Town of Berwick is not aware of, nor has the Town discussed, any outstanding environmental enforcement actions related to this subject property with the current owners of the property (Prime Tanning Co., Inc.). Further, the Town of Berwick is not aware, or received or been furnished copies, of any inquiries or orders from any state or federal agencies related to the contamination of, or hazardous substances at, the subject property.

h. Information on Liability and Defenses/Protections:

i) Information on the Property Acquisition: The Town of Berwick acquired the Site from Prime Tanning, Inc. on December 15, 2014 through property tax foreclosure. The Town of Berwick has sole ownership as indicated by the fee simple title through recorded deed. The Town of Berwick has no affiliation with Prime Tanning, Inc.

ii) Timing and/or Contribution toward Hazardous Substances Disposal: All disposal occurred prior to the Town's acquisition of the Site. The Town has never arranged for the disposal of hazardous substances at the Site, or transported hazardous substances to the Site.

iii) Pre-Purchase Inquiry: As stated in Item 3e above, several pre-purchase inquires have been conducted. Each of the personnel who completed the assessments meet the qualifications of "environmental professional" as defined in the EPA rule for "All Appropriate Inquiry." Please note that while a Phase I ESA was not completed within 180 days prior to acquiring the Site, the Town is eligible for one of the liability defenses under CERCLA under the local government exclusion for involuntarily acquiring the property for owed taxes.

iv) Post-Acquisition Uses: The Site is currently vacant and is largely not in use. There are no applicable current or prior users during the time of ownership of the Site by the Town of Berwick.

v) Continuing Obligations: The Town of Berwick is not aware of any continuing releases or threatened releases at the Site. All contaminants of concern at the Site are contained to the Site building and Sit soils. The area is largely asphalt paved and the Site building remains locked with only authorized access to prevent future releases of hazardous substances as a result of vandalism and trespassing and exposure to the public.

The Town of Berwick commits to complying with all land-use restrictions and future institutional controls, assisting and cooperating with those performing the cleanup and providing access to the property, complying with all information requests and administrative subpoenas that may be issued in connection with the property, and providing all legally required notices.

i. Petroleum Sites: The Town of Berwick is not requesting funding for the cleanup of petroleum contamination at this time.

4. **Cleanup Authority and Oversight Structure**

a. Cleanup Oversight: The Site is entered into the Maine DEP Voluntary Response Action Program, Maine's voluntary cleanup program. Under the Voluntary Response Action Program, the Maine DEP provides technical review and comment on all plans, reports, and activities pertaining to cleanup of the Site.

The Town will also hire qualified environmental professional (QEP) prior to implementing remediation activities at the Site. The consultant will obtain and evaluate remediation contractor bids, coordinate and oversee remediation activities, and document the remedial actions pertinent to the Maine DEP Voluntary Response Action Program. The Town's procurement procedures will be consistent with 40 CFR Part 30.

b. Adjacent Property Access: Site contamination is confined to the Site building and adjoining property access is not anticipated to be required. However, in the event that contamination is discovered on adjacent or neighboring properties, then the Town is committed to take the necessary steps to mitigate this contamination as well.

5. **Cost Share**

i) Source of Cost Share Funds: As required, the Town will use in-kind services to meet the 20% cost share.

ii) Cost Share Waiver: The Town acknowledges the 20% cost share for this cleanup grant, however this would place an undue financial hardship on the Town. Therefore, the Town is petitioning the EPA to waive 100% of the required cost share. Please see the attached document titled, "**Hardship Waiver Request**" included as **Attachment I**.

6. **Community Notification**

The Town of Berwick conducted a public meeting on Monday, December 15, 2014 at 6:30 PM to gather comments on the draft Brownfields Cleanup Grant application being submitted to the federal EPA and the draft Analysis of Brownfields Cleanup Alternatives (ABCA) for the cleanup of the Prime Tanning site. The meeting was held at the Berwick Town Hall as part of a regularly scheduled Selectman's meeting. Approximately 34 people from the public attended. We did not receive any formal comments from the public. However, general comments from the public were very positive and supportive of the grant application. The required documentation including a copy of the meeting advertisement, a summary of comments received, responses to public comments, the meeting notes and sign-in sheet for the public meeting are included in **Attachment E**. A copy of the draft Analysis of Brownfields Cleanup Alternatives is included as **Attachment F**.

ATTACHMENT B

LETTER FROM THE STATE AUTHORITY

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

AVERY T. DAY
ACTING COMMISSIONER

December 8, 2015

Mr. Frank Gardner
EPA Region 1
5 Post Office Square
Suite 100, Mailcode: OSRR7-2
Boston, Massachusetts 02109-3912

Dear Mr. Gardner:

The Maine Department of Environmental Protection's ("Department") Bureau of Remediation and Waste Management acknowledges that the Town of Berwick plans to conduct cleanups and is applying for federal Brownfields grant funds.

John Stoll of the Town of Berwick has developed an application requesting site-specific federal Brownfields Cleanup funding for three parcels of property at the former Prime Tanning property in Berwick.

If the town receives funding, the Department's Voluntary Response Action Program ("VRAP") staff will provide review and comment on feasibility studies and remedial workplans, and will provide oversight (as necessary) of contractor's work at the properties. Upon successful completion of remedial activities at a property, the VRAP will provide protections from Department enforcement actions by issuing a Commissioner's Certificate of Completion.

Please feel free to call me directly at (207) 287-4854 should you have any questions regarding this letter.

Sincerely,

Nicholas J. Hodgkins
Voluntary Response Action Program
Division of Remediation
Maine Department of Environmental Protection

Pc: Dorrie Paar, USEPA
John Stoll, Town of Berwick

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

website: www.maine.gov/dep

ATTACHMENT C
LETTERS OF COMMITMENT FROM COMMUNITY ORGANIZATIONS

WORKFORCE
HOUSING COALITION
OF THE GREATER SEACOAST
Opening Doors to Vibrant Communities

December 17, 2015

Mr. Stephen Eldridge
Town Manager
Town Hall
11 Sullivan Street
Berwick, Maine 03901

RE: Prime Tanning Property
FY16 US EPA Brownfields Cleanup Grants

Dear Mr. Eldridge:

On behalf of the Workforce Housing Coalition of the Greater Seacoast I am writing to articulate our supports the Town of Berwick's application for three (3) FY2016 EPA Brownfields Cleanup grants to remove the environmental hazards at the Prime Tanning Property. It is clear that the proposed redevelopment of the site into a mixed use development would greatly help Berwick become a more rounded community. We were very excited to recently work with the Town on the Workforce Housing Charrette that included the Prime Tanning Site. We are also excited to see so much momentum in Town.

It is our understanding that the work will result in the cleanup and redevelopment of more than 11 acres in your downtown which will create much needed mixed use space which could result in wonderful workforce housing opportunities. As such, Workforce Housing Coalition of the Greater Seacoast can assist Berwick by committing to do the following:

1. Participate on the Brownfields Advisory Committee which will meet on a quarterly basis at the Berwick Town Hall.
2. Conducting outreach efforts aimed at increasing the awareness and value of workforce housing in Berwick. We will partner with Berwick TV to expand the outreach efforts provided that the Town supports this approach and gets the word out about our recent 2015 planning charrette which focused on the Estabrook School Site and Prime Tanning.

We estimate that the above described level of involvement is worth approximately $5,000 in our services.

On behalf of the Workforce Housing Coalition of the Greater Seacoast, good luck with your grant application! Please do not hesitate to call me at (207) 272-5617 if you have any questions or comments regarding this letter or how we can help Berwick.

Sincerely,
Workforce Housing Coalition of the Greater Seacoast

Robin Comstock

Robin A. Comstock
Executive Director

Sustainable
Berwick

December 7, 2015

Mr. Stephen Eldridge
Town Manager
Town Hall
11 Sullivan Street
Berwick, Maine 03901

RE: Prime Tanning Property, EPA Grant Application

Dear Mr. Eldridge:

On behalf of Sustainable Berwick, I am writing to express my support for the Town of Berwick's three $200,000 Site-Specific FY16 Brownfields Assessment Grants that would help remediate substantial portions of the eleven acres of unused industrial land in the center of our downtown- the former home of Prime Tanning. Sustainable Berwick is a group of citizens working to enhance the quality of life within our community by building and supporting on-the-ground initiatives that increase our environmental, cultural and economic capacity.

Our current projects include generating a renewable energy plan for the downtown village district that truly represents our resilient and unique downtown vision, continuing to facilitate Berwick's successful winter farmers market series, and maintaining a citizen-led river monitoring program.

Sustainable Berwick hopes to continue to build a better Berwick by supporting this grant application and committing to participate on the Brownfields Advisory Committee which, I understand, will meet on a quarterly basis at the Berwick Town Hall. During these meetings, we will advocate for low impact development techniques, maximized all-season public and community space, and other sustainability-related addendums from the 2014 Berwick Comprehensive Plan Vision Report.

If there are any questions or comments on Sustainable Berwick's participation in this project, please do not hesitate to contact me at serena.galleshaw@gmail.com or 603.767.5893.

Sincerely,

Serena Galleshaw
Sustainable Berwick

BERWICK ECONOMIC DEVELOPMENT-
A CITIZENS COOPERATIVE

December 16, 2015

Mr. Stephen Eldridge
Town Manager
Town Hall
11 Sullivan Street
Berwick, Maine 03901

RE: Prime Tanning Property, EPA Grant Application

Dear Mr. Eldridge:

Berwick Economic Development - A Citizens Cooperative is pleased to support the Town of Berwick's three $200,000 Site-Specific FY16 Brownfields Assessment Grants applications. It is our understanding that these grants are an essential tool to provide a portion of the funds necessary to remediate three lots of the former Prime Tanning property. As you are aware, the Berwick Economic Development - A Citizens Cooperative is a newly formed 'ad hoc' community organization working to identify development opportunities to redevelopment the Prime Tanning Site and other underutilized properties in Berwick. Our recent efforts have defined potential redevelopment interest by a beverage company, a branch Educational College Campus, and a leading Maine housing developer. However, redevelopment is not possible without environmental remediation we have not found a developer yet that is eager to pay for the cost of remediation.

Berwick Economic Development - A Citizens Cooperative commits to support this project by continuing our extensive outreach to assist the community find the right developers for Prime Tanning Site. We will provide updates to you when we find potential redevelopers. We estimate the value of these services to be approximately $22,500 which we happy donate to the town. We also commit to participate on the Brownfields Advisory Committee which, I understand, will meet on a quarterly basis at the Berwick Town Hall.

If there are any questions or comments on Berwick Economic Development Citizens Cooperative's participation in this project, please

do not hesitate to contact me at kmgray16@yahoo.com or Frank Underwood at lindafrank4@comcast.net

Sincerely,

BERWICK ECONOMIC DEVELOPMENT - A CITIZENS COOPERATIVE

Kevin M. Gray
Chairman

Frank Underwood
Vice-Chairman

York Hospital
A Not-for-Profit Community Health Care Center Since 1904.

Choose To Be Healthy COALITION
Creating a healthier Southern York County

November 21, 2015

Mr. Stephen Eldridge
Town Manager
Town Hall
11 Sullivan Street
Berwick, Maine 03901

RE: Prime Tanning Property, EPA Grant Application

Dear Mr. Eldridge:

I am writing to express my support for the Town of Berwick's Brownfields Cleanup Grant for the Prime Tanning Property. Choose to Be Healthy Coalition is a non-profit comprehensive community health coalition that works to protect and improve the health of Mainers. As such, we are excited to hear of Berwick's Downtown Vision Plan and this grant endeavor because elements of the proposed redevelopment including the canoe/kayak launch area, the walking paths through Prime, and the skating rink will promote healthy lifestyles. This was a need outlined in our recent 2013 Rural Active Living Assessment.

In consideration of this exciting project, Choose to be Healthy Coalition is happy to commit to participate on the Brownfields Advisory Board so that we can advocate for redevelopment design elements that provide opportunities for increased physical activity for Berwick's residents.

Please do not hesitate to call me at (207) 351-2658 if you have any questions or comments regarding this letter of support and good luck with the grant opportunity.

Very Truly,

Sue Patterson, RD

Sue Patterson, RD
Choose to Be Healthy Coalition at York Hospital
c/o York Hospital
15 Hospital Drive
York, Maine 03909

www.ctbh.org

Great Bay-Piscataqua WATERKEEPER®
A program of Conservation Law Foundation

27 North Main Street
Concord, NH 03301-4930
603.225.3060
www.clf.org | jbarnum@clf.org

November 22, 2015

Mr. Stephen Eldridge
Town Manager
Town Hall
11 Sullivan Street
Berwick, Maine 03901

RE: Prime Tanning Property: FY16 US EPA Brownfields Cleanup Grants

Dear Mr. Eldridge:

On behalf of the Conservation Law Foundation (CLF), I am writing to express our support to the Town of Berwick as you apply for a $600,000 of EPA Brownfields cleanup grant to remove hazards at the Prime Tanning Property. An important consideration for CLF is that this project contains a stream revitalization component because downstream is the Piscataqua River and Great Bay which are water resources that we work hard to protect though our WATERKEEPER program. This program is working to restore the health of our waters by building a strong voice for the Great Bay estuary; securing needed protections under the Clean Water Act; advancing policies and innovative solutions; and by being the 'eyes and ears' of the estuary to stop illegal pollution. After reviewing Berwick's Downtown Vision Plan and talking to people about this project, it is clear that proposed redevelopment—including stream revitalization—are in-line with our goals. In consideration of this, CLF would like to help Berwick by committing to do the following during execution of the Brownfields project and during future redevelopment of the property:

1. Participate on the Brownfields Advisory Committee which will meet at least quarterly. During these meetings we will advocate for proper revitalization of the stream.
2. Conducting outreach efforts aimed at increasing the awareness of the value of the stream revitalization and the impact on the waters downstream including the Piscataqua River and Great Bay.

If you have any questions or comments on CLF's participation in this project, please do not hesitate to call me at (603) 770-3201.

Sincerely,

Jeff Barnum
Great Bay-Piscataqua Waterkeeper
Conservation Law Foundation

clf
conservation law foundation
For a thriving New England

WATERKEEPER® ALLIANCE
MEMBER

ATTACHMENT D

DOCUMENTATION INDICATING THAT LEVERAGED FUNDS ARE COMMITTED

The Fund of Jupiter, LLC
234 Fayetteville Street Mall, 6th Floor
Raleigh, NC 27601-1320

December 2, 2105

BY E-MAIL: townmanager@berwickmaine.org
Town of Berwick
c/o Steve Eldridge, Town Manager
Sullivan Square
P.O. Box 696
Berwick, ME 03901

Re: Brownfields Grant Application

Dear Steve:

I am the managing member of The Fund of Jupiter, LLC (the "Fund"), which is the proposed developer of the former Prime Tanning property located in downtown Berwick, Maine. Pursuant to an Agreement for Rehabilitation and Sale of Real Estate in November 12, 2014, by and between the Town of Berwick (the "Town") and the Fund, the Fund has the right and option to purchase the property from the Town. The Town estimates the purchase price to be approximately $260,000.00, and currently intends to exercise that option if grants are awarded and the property is environmentally rehabilitated. Moreover, the Town has the right to "put" the property back to the Fund in the event the Fund does not exercise its purchase option.

Please be advised that if the grants are awarded and the grant funding is implemented such that the property is rehabilitated, the Fund intends not only to exercise its purchase option, but also to play an instrumental role in the redevelopment of the property. The Fund estimates that redevelopment will require at least $10 million in investment. The Fund intends to manage, orchestrate, and facilitate the necessary investment. It is expected that capital will come from a variety of sources, including investments by one or more additional equity partners, borrowing by the Fund and/or its future development partners, grant funds awarded by state, local, and Federal governments, revenue generated by tax increment financing, and investments of debt and/or equity capital by the Fund.

Very truly yours,
The Fund of Jupiter, LLC

By: Mark K. Kehaya
Its: Managing Member

RAC:mjh
cc: Rip Patten (by e-mail: rpatten@crederellc.com)

WORKFORCE
HOUSING COALITION
OF THE GREATER SEACOAST
Opening Doors to Vibrant Communities

December 17, 2015

Mr. Stephen Eldridge
Town Manager
Town Hall
11 Sullivan Street
Berwick, Maine 03901

RE: Prime Tanning Property
FY16 US EPA Brownfields Cleanup Grants

Dear Mr. Eldridge:

On behalf of the Workforce Housing Coalition of the Greater Seacoast I am writing to articulate our supports the Town of Berwick's application for three (3) FY2016 EPA Brownfields Cleanup grants to remove the environmental hazards at the Prime Tanning Property. It is clear that the proposed redevelopment of the site into a mixed use development would greatly help Berwick become a more rounded community. We were very excited to recently work with the Town on the Workforce Housing Charrette that included the Prime Tanning Site. We are also excited to see so much momentum in Town.

It is our understanding that the work will result in the cleanup and redevelopment of more than 11 acres in your downtown which will create much needed mixed use space which could result in wonderful workforce housing opportunities. As such, Workforce Housing Coalition of the Greater Seacoast can assist Berwick by committing to do the following:

1. Participate on the Brownfields Advisory Committee which will meet on a quarterly basis at the Berwick Town Hall.
2. Conducting outreach efforts aimed at increasing the awareness and value of workforce housing in Berwick. We will partner with Berwick TV to expand the outreach efforts provided that the Town supports this approach and gets the word out about our recent 2015 planning charrette which focused on the Estabrook School Site and Prime Tanning.

We estimate that the above described level of involvement is worth approximately $5,000 in our services.

On behalf of the Workforce Housing Coalition of the Greater Seacoast, good luck with your grant application! Please do not hesitate to call me at (207) 272-5617 if you have any questions or comments regarding this letter or how we can help Berwick.

Sincerely,
Workforce Housing Coalition of the Greater Seacoast

Robin Comstock

Robin A. Comstock
Executive Director

BERWICK ECONOMIC DEVELOPMENT-
A CITIZENS COOPERATIVE

December 16, 2015

Mr. Stephen Eldridge
Town Manager
Town Hall
11 Sullivan Street
Berwick, Maine 03901

RE: Prime Tanning Property, EPA Grant Application

Dear Mr. Eldridge:

Berwick Economic Development - A Citizens Cooperative is pleased to support the Town of Berwick's three $200,000 Site-Specific FY16 Brownfields Assessment Grants applications. It is our understanding that these grants are an essential tool to provide a portion of the funds necessary to remediate three lots of the former Prime Tanning property. As you are aware, the Berwick Economic Development - A Citizens Cooperative is a newly formed 'ad hoc' community organization working to identify development opportunities to redevelopment the Prime Tanning Site and other underutilized properties in Berwick. Our recent efforts have defined potential redevelopment interest by a beverage company, a branch Educational College Campus, and a leading Maine housing developer. However, redevelopment is not possible without environmental remediation we have not found a developer yet that is eager to pay for the cost of remediation.

Berwick Economic Development - A Citizens Cooperative commits to support this project by continuing our extensive outreach to assist the community find the right developers for Prime Tanning Site. We will provide updates to you when we find potential redevelopers. We estimate the value of these services to be approximately $22,500 which we happy donate to the town. We also commit to participate on the Brownfields Advisory Committee which, I understand, will meet on a quarterly basis at the Berwick Town Hall.

If there are any questions or comments on Berwick Economic Development Citizens Cooperative's participation in this project, please

do not hesitate to contact me at kmgray16@yahoo.com or Frank Underwood at lindafrank4@comcast.net

Sincerely,

BERWICK ECONOMIC DEVELOPMENT - A CITIZENS COOPERATIVE

Kevin M. Gray
Chairman

Frank Underwood
Vice-Chairman

Town of Berwick
11 Sullivan Street
Berwick, Maine 03901-0696

Board of Selectmen
Tom Wright – Chair
Bob Crichton – V. Chair
Edward Ganiere
Mark Prendergast
Joshua Plante

Office of the Town Manager
11 Sullivan Street
Berwick, ME 03901

December 1, 2015

RE: In-Kind Services as Leveraged Funds for the EPA, Application of Brownfield Cleanup Grant Funding

The Town of Berwick has professional staff which will be utilized in the administration of any grant awarded by the US EPA related to the brownfield cleanup project at the old Prime Tanning site located in the downtown region of Berwick. During the fiscal year 2016-2017 which ends on June 30, 2017 the following staff will be activate participants in the administration and oversight of the cleanup project.

Town Manager – Present annual cost to the town -$131,142 which includes benefits

Town Finance Director – Present annual cost to the town - $93,428 which includes benefits.

Town Planner - Present annual cost to the town - $82,349 which includes benefits.

Other costs associated with the in-kind services will be the support by the Berwick Police Department for maintaining security of the site while equipment is on site as well as protection of the site during the cleanup process.

Patrolmen –Present annual cost to the town -$76,000 which includes wages and benefits.

If and when the grant is awarded it will be used in subsequent fiscal years until the cleanup is completed. Therefore there may be a cost of living increase based on the Northeast Annual COLA percent increase which may represent a minimum of 2%.

Based on the staff salaries the town anticipates that there will be an in-kind contribution of time used in the administration and general management and use of the grant funding. The general tasks that are

Town of Berwick
11 Sullivan Street
Berwick, Maine 03901-0696

Board of Selectmen
Tom Wright – Chair
Bob Crichton – V. Chair
Edward Ganiere
Mark Prendergast
Joshua Plante

coordinating all of the consultant work with staff and general contractors. This encompasses RFP oversight, daily contact with the consultant and interested parties throughout the project and making sure that the project is in compliance with all federal grant auditing guidelines and any other incidental efforts. This also includes associated costs that the town incurs such as office space, light and heat bills, interest fees, paper and office supplies used. All these costs will be borne by the town.

The estimated cost of in-kind services that the town expects to use is based on an average of the three position wages or hourly rate of $52.46. The estimated time required to perform the duties of each administration position is (conservatively) approximately three weeks each or 337.5 hours total for a total in-kind contribution of $17,705.25. As stated this will be a conservative figure as there are numerous unforeseen items that may not be accounted for that will surface throughout the project time-line. This project is on the top of the list of priorities for the staff, elected officials and citizens of Berwick committed to improving the community health and its economic future.

Sincerely,

Stephen G. Eldridge, MPA
Town Manager

ATTACHMENT E
COMMUNITY OUTREACH DOCUMENTATION

MEMORANDUM

Date: December 17, 2015

To: File

From: John Stoll
Town of Berwick
Planning Department
11 Sullivan Street
Berwick, ME
planning@berwickmaine.org

CC: File

Subject: Community Notification
Cleanup of the Prime Tanning Site – U-4, Lot 146-1; Lots 146-2, 146-3, & 146-7; and Lot 133
EPA Brownfields Cleanup Grant Application
Preliminary Analysis of Brownfields Cleanup Alternatives (ABCA)

The Town of Berwick (Berwick) is applying for three EPA Brownfields Cleanup grants of $200,000 each for the remediation of three (3) separate sites: Tax Map U-4, Lot 146-1; Tax Map U-4, Lots 146-2, 146-3, & 146-7; and Tax Map U-4, Lot 133 located within the Prime Tanning Property located at 20 Sullivan Street and 34 Sullivan Street in Berwick, Maine owned by the Town of Berwick. As part of the application, a draft Preliminary Analysis of Brownfields Cleanup Alternatives (ABCA) was prepared for this cleanup. As part of the Community Notification requirements of the grant applications, this memorandum provides the required documentation to meet the Community Notification requirements.

Public Comment Period

Berwick held a public comment period for the draft grant applications and draft Preliminary ABCA from December 4 through December 18, 2015.

Advertisement for Solicitation of Public Comments

The public notice for notification to the public and solicitation of public comments were placed in the Foster's Daily Democrat newspaper on December 3, 2015, notifying the public of the availability of the draft grant applications and draft Preliminary ABCA, the date of the public meeting and how to submit comments on the draft grant applications and draft Preliminary ABCA. A copy of this public notice is attached to this memorandum.

Location of Grant Applications for Review

The grant application was available for review at the Berwick Town Hall, Planning Department, located at 11 Sullivan Street in Berwick, Maine.

Public Meeting/Meeting Notes

One public meeting was held regarding the Brownfields Cleanup grant applications and draft Preliminary ABCA on December 15, 2015 at 6:30 PM. A Sign-In log from the meeting is attached. Several comments/questions on the grant applications and draft Preliminary ABCA were received at the meeting, which are summarized below in Public Comments Received.

Public Comments Received

The only public comments received on the grant application and draft Preliminary ABCA during the comment period were entered during the official public hearing. Those received public comments/questions are summarized here:

Rip Patton of Credere Engineering, LLC presented the application for 3 Brownfields Grants in Berwick, ME at the following locations: Tax Map U-4, Lot 146-1; U-4, Lot 146-2, 3, & 7; and U-4, Lot 133. All of these grants are for property associated with the former Prime Tanning Site. Rip Patton answered the questions below at the public hearing.

1.) Selectman Mark Pendergast: Why do you need to remove slabs of concrete if you are just going to put up a new building?

> **Answer:** We have to remove the buildings/concrete in order to access the soil in order to investigate/remediate. Residual contaminated soil can remain in place. We want to remove source areas that are causing other contamination.

2.) Selectman Joshua Plante: Do you feel confident that there are enough additional sources of funding to cover additional costs not covered by the Brownfields Grants?

> **Answer:** There are other sources of funding through Southern Maine Planning and Development to cover those additional costs.

3.) Selectman Joshua Plante: Do you have any understanding of how much soil contamination there is on the site?

> **Answer:** I would estimate 400 tons of contaminated soil needs to be removed.

4.) Selectman Mark Pendergast: Where does that (the contaminated soil) go?

> **Answer:** A turnkey landfill in Rochester, NH. If the soil fails a certain analysis it must be disposed of out of state.

5.) Selectman Mark Pendergast: It can't be incinerated on site?

> **Answer:** The scale you would need to justify the costs wouldn't be enough.

6.) Selectman Robert Crichton: Can demolished buildings be ground up and used for fill?

Answer: That is a possibility and one of the options that we are analyzing but I don't have an answer at this time.

7.) Selectman Mark Pendergast: As you're going to do this are we going to run water and sewer lines to the buildings? Once you pave it are we just going to dig it up again to put those in place?

Answer: We have it sequenced so that the project is phased to hold the final cover system until the end use is decided. We've taken that into consideration.

8.) Selectman Mark Pendergast: Will the site be fenced?

Answer: It's fenced now and we will maintain the fence. When buildings come down fences will be erected to prevent entry into the site.

9.) You mentioned other sources of funding for these projects, how does that work?

Answer: There are two sources of funding; one is through Southern Maine Planning and Development. They receive an annual allocation of funds to sub grant out. SMPDC also has over 3 million in loans that they can help the Town with. We feel that additional funding could be acquired within six months. The longest time frame would be within a year.

10.) Paul Boisvert, Berwick Planning Board: If the "paper" subdivision needs to be amended how will that process work, does it need to be recorded in Alfred?

Answer: A new proposed subdivision will be delivered to the Planner for Planning Board review on January 7, 2016. The subdivision lot lines are being adjusted to line up with existing building walls on the site.

11.) Selectman Mark Pendergast: Are we looking at over a year for the first phase?

Answer: Site assessment and building demolition could be completed by the end of the summer, but the final use determination could take longer. So the 3rd phase could be a longer process.

OBITUARIES/NATION/WORLD

Margaret Ann Smith

DOVER – Margaret Ann Smith, 73, of Dover, passed peacefully on Sunday, November 29, 2015 at the Rockingham County Nursing Home in Brentwood.

She was born December 22, 1941 in Brentwood, a daughter of the late Charles and Elizabeth (Felch) Knowles.

Margaret was raised in Seabrook and attended Hampton Academy. She made her home in Exeter and Somersworth before moving to Dover in 2001.

She was employed as an assembler for 8 years at Complex in Exeter, for 6 years at Micromed of Portsmouth and was also employed for Churchill Medical Systems, formerly of Dover.

Margaret was well known in Exeter as the neighborhood babysitter, caring and nurturing many area children. She enjoyed reading, doing puzzles and painting on velvet. More than anything, Margaret loved children and caring for her family.

She is survived by her sons Albert W. Smith of Portland, Maine., Keith W. Smith of Epping and Shane S. Smith of Dover, her daughter Robin Witham and her husband Roy of Rochester, her brothers Alan Knowles and his wife Judy and Bruce Knowles and his wife Dianne, all of Epping and Charles Knowles of Brentwood, her sisters, Raeleen Dickens and husband Richard of Exeter, Georgia Fitzpatrick and husband John of Seabrook and Betty Ames of Lewiston, Maine., 1 grandchild, 2 great grandchildren, many nieces, nephews and cousins.

SERVICES: Services will be held at 10 a.m., on Thursday, December 3, 2015 in the Remick & Gendron Funeral Home-Crematory, 811 Lafayette Road., Hampton. Burial will be on Friday at 11 a.m., in the Elmwood Cemetery, Seabrook. Relatives and friends are respectfully invited. Please visit www.RemickGendron.com to view Margaret's memorial website, sign her tribute wall or for directions.

George Norbert O'Malley

DOVER – George Norbert O'Malley, 72, of Summerville, S.C., husband of Beverly J. Sale O'Malley, passed away Wednesday, November 25, 2015 at his residence.

Mr. O'Malley was born February 17, 1943 in Dover, N.H., a son of George Leo O'Malley and Helen Lauretta Lafond O'Malley.

He was a US Navy Veteran and was the owner of Fairway Appraisals. He was also a member of the South Carolina Professional Appraisers Coalition.

Survivors include his wife, Beverly O'Malley of Summerville; two sons, George P. O'Malley and Joseph P. O'Malley; two daughters, Belinda Christine Tough and Deborah M. May; thirteen grandchildren, George L. O'Malley, Aimee E. O'Malley, Tiffani R. O'Malley, Alexander P. O'Malley, Joseph J. O'Malley, Anthony N. O'Malley, Kendall R. Tough, Katelin C. Tough, Taylor E. O'Malley, Amber Ward, Irelynn Ward, Tonya M. May and Michael J. May.

SERVICES: A memorial service will be held Saturday, December 5, 2015 in PARKS FUNERAL HOME CHAPEL at 2 PM. Burial will be private. In lieu of flowers, memorials may be made to the Wounded Warrior Project, PO Box 758518, Topeka, KS 66675. [illegible]rrangements by Parks [illegible]uneral Home, 130 West 1st [illegible]orth Street, Summerville, [illegible]C, 29483. http://www.[illegible]arksfuneralhome.com/

Sandra Lee Gahan

SOMERSWORTH – Sandra Lee Gahan, 57, of Somersworth, N.H., passed away Monday night, November 30, 2015. She was born on December 25, 1957 in Dover N.H. She was the daughter of Frances Burdell Haines Gray and Harold Haines. She leaves behind her husband Michael A. Gahan and five sons. Scott Lobdell and wife Michele; Sean Lobdell and wife Jamie; Seth Lobdell and Wife Lulani; Steven Gahan and wife Robin; and Riah Gahan, and her grandchildren Jack, Nathan, Juliana, Kadance, Dakota. Sandra also leaves behind her brothers Randy Haines, Rickey Haines, Ray Haines, and two sisters Cheryl Molton and Joann Porzio.

She fought a brave and courageous fight with cancer. She had many friends that will miss her along with many aunts, uncles, cousins, nieces and nephews. She enjoyed Bingo, Keno and her favorite T.V. shows. She was loved by so many people.I want to thank hospice for all they did for her.

SERVICES: At her request there will be no services. Memorials may be made to the cancer society or hospice.

Dorothy Cassell

Dover – Dorothy Cassell, 86, died Tuesday, December 1, 2015 at Riverside Rest Home after a period of failing health.

Born in Dover July 3, 1929 the daughter of Harold and Irene (Carpenter) Cassell, was a graduate of Dover Schools and has lived here all of her lifetime.

She was a well-known tour guide and was employed at the University of New Hampshire. She was a member of the Council on World Affairs, the Appalachian Mountain Club, was an accomplished hiker and received a certificate from the Governor of N.H., for climbing all the 4000 foot peaks in N.H. She was a volunteer at the Wentworth-Douglass Hospital and the Dover Friendly Kitchen.

Dorothy was a member of St. John United Methodist Church where she taught Sunday School for many years and worked the public suppers at the church.

She is survived by dear friend Susan Laplante, nieces Kim Plante, Gail Pierce and nephews Gary, Glen and Grant Simmons. She was predeceased by her brother David Cassell and sisters Florence Simmons and Irene Haney.

SERVICES: There are no calling hours. Graveside funeral service will be held 1 p.m., Monday, December 7, at Pine Hill Cemetery with Rev. Mark Monson Alley officiating. Arrangements are by the Tasker Funeral Home, 621 Central Ave. Please go to www.taskerfh.com to sign the on-line guest book.

PHILADELPHIA

Bail system changes sought

By Errin Haines Whack
The Associated Press

PHILADELPHIA — More than 7,800 men and women sit in Philadelphia's overcrowded jails, three-quarters of them languishing while they await trial under a bail system that critics call outmoded and that cities — and the White House — are working to change.

Hundreds in the nation's fifth-largest city would be free, including nonviolent and first-time offenders, if there were alternatives to bail, a recent tally of the daily jail population showed. People accused of crimes here have historically faced some of the country's longest waits for their cases to be heard.

It's a national issue that is increasingly seen not just a moral imperative, but also as an economic one, with the costs a huge burden on municipal budgets. The Philadelphia jail system puts the cost of housing an inmate at $120 a day, or nearly a million dollars at the current jail population. For those awaiting trial, at an average of six months, the total cost would be more than $126 million.

NEW AP TEST

Trash floats in the Meriti River, which flows into Guanabara Bay in Rio de Janeiro, Brazil on Nov. 5. The dozens of rivers that crisscross metropolitan Rio dump hundreds of millions of liters of raw sewage into the bay each day. By the governmentís own estimate, just half of the cityís wastewater flowing into the bay is treated. AP PHOTO/ SILVIA IZQUIERDO

Rio's Olympic water consistently contaminated

By Brad Brooks
The Associated Press

RIO DE JANEIRO — The Olympic waters in this city are more widely contaminated by sewage than previously known and pose a greater threat to athletes' health ahead of next year's games, according to new results from tests commissioned by The Associated Press.

Expanded analysis of Rio's waterways shows that high viral and in some cases bacterial counts are found not just along shorelines where raw sewage runs into waterbodies, but far offshore where athletes will compete in sailing, rowing and canoeing.

That means there is no dilution factor in the bay or lagoon where events will take place.

"It's going to increase the exposure of the people who come into contact with those waters," said Kristina Mena, a U.S. expert in waterborne viruses. "If we saw those levels here in the United States on beaches, officials would likely close those beaches."

In July, the AP reported that its first round of tests showed viruses causing stomach and respiratory illnesses and more rarely heart and brain inflammation at levels up to 1.7 million times what would be considered highly alarming in the U.S. or Europe.

The report prompted sports officials to promise they would do their own viral testing. Those pledges took on further urgency in August, after pre-Olympic rowing and sailing events in Rio led to illnesses among athletes nearly double the acceptable limit in the U.S.

Nevertheless, Olympic and World Health Organization officials have flip-flopped [illegible]mises to carry out their own viral testing in the wake of the AP's July report.

At issue are two kinds of testing.

Brazilian, Olympic and WHO officials now say Brazil needs only to conduct testing for bacterial "markers" of pollution to determine water quality. That's the standard for nations around the globe to monitor waterbodies, mostly because it's been historically easier and cheaper.

"The health and safety of athletes is always a top priority and there is no doubt that water within the field of play meets the relevant standards," the Rio 2016 Olympic organizing committee said in an emailed statement Tuesday. "Rio 2016 follows the expert advice of the World Health Organization, whose guidelines for Safe Recreational Water Environments recommend classifying water through a regular program of microbial water quality testing."

However, in recent years technological advances have made it simpler and less expensive to monitor viral levels, too.

Studies dating back decades have shown little to no correlation between the levels of bacteria pathogens in water, which quickly break down in salty and sunny conditions like those in tropical Brazil, and the presence of viruses, which have been shown to last for months, and in some cases years.

Rio's waterways, like those of many developing nations, are extremely contaminated because most of the city's sewage is untreated, flowing into Guanabara Bay, the Rodrigo Freitas Lagoon and the famous Copacabana Beach.

Rio won the right to host the Olympics based on a lengthy bid document that promised to clean up the city's scenic waterways by improving sewage sanitation, a pledge that was intended to be one of the event's biggest legacies.

Brazilian officials now acknowledge that won't happen.

The AP's first published results were based on samples taken along the shores of the lagoon where rowing and canoeing events will be held. Other samples were drawn from the marina where sailors enter the water and in the Copacabana Beach surf, where marathon and triathlon swimming will take place.

PLEASE RECYCLE THIS PAPER

Legal Notice
TOW[illegible] OF N[illegible]RTH[illegible]OD
P[illegible]LIC[illegible]OTI[illegible]E

To all interested and aggrieved person[illegible] [illegible]notified of the following:
The Northwood Planning Board will m[illegible] [illegible]n Hall Thursday, December 17, 2015 at 6:30 p.m. to consider the following:

CASE: 15-07: John Ovadek, 1064 First [illegible]pike. Map 217/Lot 45. Applicant seeks a major site plan review application for an 82 [illegible]elf-storage facility.

CASE: 15-08: Millstone Realty Trust, 1090 [illegible]t NH Turnpike. Map 217/Lot 35. Applicant seeks an amendment to an existing major site plan that would extend excavation operations through 2020.

The agenda to include any other business that may properly come before the board at this time.

PM-00161736

Legal Notice
Public Meeting Notice

The Town of Berwick will be conducting a public meeting on Tuesday, December 15, 2015 at 6:30 PM to gather comments on the draft Brownfields Cleanup Grant application and draft Analysis of Brownfields Cleanup Alternatives (ABCA) being submitted to the federal EPA for three (3) separate Sites located within the Prime Tanning Property located at 20 and 33 Sullivan Street in Berwick, Maine owned by the Town of Berwick. The meeting will be held at the Berwick Selectmen's Meeting Room located at 11 Sullivan Street in Berwick. The draft grant application and ABCA will be available for public review and comment in the Berwick Town Hall Planning Department located at 11 Sullivan Street in Berwick from December 4, 2014 through December 18, 2015. An electronic version can also be emailed to any interested party. Please contact John Stoll at (207) 698-1101 Ext. 115 or planning@berwickmaine.org to receive a copy or to submit formal comments on the draft documents.

PM-00161092

Legal Notice
INVITATION TO BID
MECHANICAL AND PLUMBING MAINTENANCE
WAKEFIELD SCHOOL DISTRICT

The SAU #64 Office is soliciting bids for Mechanical and Plumbing Maintenance for the WAKEFIELD SCHOOL DISTRICT. There will be a mandatory walkthrough on Thursday, December 10, 2015 at 9:30AM at the Paul School, 60 Taylor Way, Wakefield, NH 03872. Bid specifications can be obtained at the SAU #64 Office, the Paul School or the SAU #64 website: www.sau64.org. Bids are due by 4:00 p.m., 16th day of December 2015, and may be mailed or delivered to the SAU #64 Office, 18 Commerce Way, Unit 1, Milton, NH 03851. Bids are to be sealed and clearly marked, **"Mechanical and Plumbing Maintenance RFP".**

E-mail, fax, or other forms of the proposal will not be accepted. Proposals received after the closing date and time will not be accepted.

REJECTION/AWARD OF PROPOSALS: The School District reserves the right to accept or reject any or all proposals, to negotiate with any or all Bidders, and to waive any informalities in the Request for Proposals process, and to enter into an agreement with the Bidder whom the School District in its sole discretion determines is in the best interests of the School District even though the Bidder may not submit the lowest bid or proposal. Bidders shall be responsible for any and all expenses that they may incur in preparing their proposals.

WITHDRAWAL OF ANY PROPOSALS is prohibited for a period of one-hundred eighty (180) days after the proposal due date.

PM-00158750

Legal Notice
School Administrative Unit #44,
Joint School Board
23A Mountain Avenue, Northwood, NH 03261
PUBLIC HEARING NOTICE
Per RSA 194-C:10
The SAU#44 Joint Board will meet to approve the 2016-2017 Budgets for SAU#44 & Preschool Program on:
Thursday, December 10, 2015 • 6:00 p.m. • SAU#44 Office

SAU#44 OPERATING BUDGET

Administration & Staff	$	684,234.00
Employee Benefits		336.339.00
Support Services		14,938.00
Operations	$	147,541.98
Furniture & Equipment	$	4,000.00
Professional Dues & Fees	$	6,950.00
Total SAU#44 Budget:	$	1,194,002.98

STEP BY STEP P[illegible]SCHOOL BUDG[illegible]
Total Step by Step Pr[illegible] Budget: [illegible]095.00
GRANTS
Sau#44 is the [illegible] for the School Districts of Northwood, Nottingham and Strafford.

PM-00161726

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VISA MasterCard
PM-00160280

In Memoriam
Carmen (Dion) Hamel
Born December 15, 1927
Died December 3, 1965

Our Mom
A little tribute,
small and tender
Just to say
we still remember.
Your loving children
Ron, Jean, Bob, Janet, Joan

PM-00161089

TOWN OF NEWMARKET, N.H. EST. DEC. 15, 1727
TOWN OF NEWMARKET
TOWN BUDGET
PUBLIC HEARING
December 14, 2015
7:00 p.m.
Town Hall Auditorium

PM-00161684

Legal Notice
TOWN OF FARMINGTON
REQUEST FOR PROPOSAL
TOWN SURPLUS VEHICLES

The Town of Farmington, N.H. invites the submission of bid proposals to purchase and remove six, vehicles that were recently taken out of service by the Town. A list of the vehicles and details on the bidding process can be obtained on the Town Website: www.farmington.nh.us or by calling 603-755-2208.

PM-00161402

BOARD OF SELECTMEN/BOARD OF ASSESSORS
MEETING AGENDA
December 15, 2015
6:30 pm

I. ROLL CALL AND PLEDGE OF ALLEGIANCE

II. MINUTES
- a. Minutes from BOS regular meeting, December 1, 2015

III. FIRST PUBLIC COMMENT

IV. PUBLIC HEARING
- a. Brownfields Application for 2016

V. REPORTS OF COMMITTEES
- a. BCTV Committee
- b. Envision Berwick Committee (EBC)

VI. APPOINTMENTS / PRESENTATIONS / OTHER GUESTS
- a. Welcoming new Town Clerk – Patricia Murry
- b. Appointments for Code Enforcement; Land Use Code Enforcement Officer; Building Inspector & Plumbing Inspector – Joseph Rousselle
- c. Appointment for Regular Member of the Board of Appeals
  John Campbell and Diane Morrill
- d Appointment for Alternate Member of the Board of Appeals
  Patricia Boisvert
- e. Appointment for Coast Board of Directors
  John Stoll
- f. Appointment for Southern Maine Planning Development
  John Stoll

VII. UNFINISHED BUSINESS
- a. Opening Equipment Bids

VIII. COMMUNICATIONS

IX. APPROVAL OF WARRANTS

X. NEW BUSINESS
- a. Firm Selection on Berwick Stormwater Improvement Project for 2016
- b. Pre - Foreclosure Listing

XI. QUITCLAIM DEEDS AND / OR INSTALLMENT CONTRACTS
- a. Quitclam Deed on R006 / 001 for Tax Acquired Property

XII. ABATEMENTS / SUPPLEMENTALS – None Planned

XIII. SECOND PUBLIC COMMENT

XIV. EXECUTIVE SESSION – None Planned

XV. OTHER BUSINESS / NON - AGENDA ITEMS

XVI. ADJOURNMENT

12/15

6:30 p.m.

Brownfields 2016 Public Hearing
Sign In sheet

Name (Printed)	Signature
John Stoll	
Ken Raine	
Eleanor Murphy	Eleanor Murphy
Frank Underwood	
Paul Boisvert	
Dennis Dupuis	
Terri Wright	
Richard Moore	
Judi Currie	
Stephen Eldridge	
Josh Plante	
Thomas J. Wright	
Robert E Grichton	
Edward L Ganiere	
Mark Pendergast	
Lynn Shearer	
Patricia Murray	Patricia Murray

ATTACHMENT F

DRAFT ANALYSIS OF BROWNFIELDS CLEANUP ALTERNATIVE

DRAFT Analysis of Brownfields Cleanup Alternatives

Prime Tanning Facility
Lots 1, 2, 3, 7, and 133
Sullivan & Wilson Streets
Berwick, Maine

Prepared for:

Town of Berwick
11 Sullivan Street
Berwick, Maine 03901

December 18, 2015

In Reference to:
Credere Project No. 13001175

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1. INTRODUCTION AND BACKGROUND

1.1 SITE LOCATION

The former Prime Tanning Facility is located at 20, 29, 34 and 35 Sullivan Street in Berwick, Maine. The Prime Tanning Facility is located in the center of downtown Berwick at the intersections of School Street (Route 9), Sullivan Street, and Wilson Street. The Prime property consists of 10 separate lots, 11 acres of land with 7 acres of buildings that are shuttered. There have been no tannery operations at the site since 2008 when the mill closed and Prime Tanning owners filed for bankruptcy protection. In 2014, the Town of Berwick acquired the Prime Tanning property for over 5 years of owed back property taxes. This Analysis of Brownfields Cleanup Alternatives concerns three lots (Lots 1, 2, 3, 7 and 133) on the central and norther portions of the Prime Tanning Facility properties. This Analysis of Brownfields Cleanup Alternatives (ABCA) has been prepared to support cleanup that will occur on these lots which will be funded by EPA Brownfields Cleanup Grants. The following is a summary of how lots will be 'bundled' in the FY16 EPA Brownfields Cleanup Applications:

Lot Bundles by EPA Cleanup Grant
Lot 1
Lots 2, 3, and 7
Lot 133

These cumulative lots will hereafter be referred to as "the Site".

1.2 PREVIOUS SITE USES AND PREVIOUS CLEANUP AND REMEDIATION

The larger Prime Tanning Facility is located in the downtown district of Berwick, which is mixed residential and commercial in use. Manufacturing operations began on the Site as early as 1877 and continued until 2008. The Site has been unoccupied since that time. Other historical occupants of the Site include a wool pulling works facility, a sash and door manufactory, a reed manufactory, a carriage manufactory, an oil company, a laundry facility, a shoe factory, and a lumber company.

Five underground storage tanks (USTs) were formerly maintained at the Prime Tanning Facility, and have all reportedly been removed between 1986 and 1994. These include one 1,000-gallon gasoline UST; one 8,000-gallon diesel UST; one 500-gallon No. 2 fuel oil UST; one 250-gallon No. 2 fuel oil UST; and one 1,000-gallon No. 2 fuel oil UST. It is unclear from the records if where these USTs were located on the Site. According to Maine DEP records, gasoline contaminated soil was excavated, aerated, and reused during the closure of the gasoline UST in 1987. Records are limited for the removal and closure of the remaining USTs, and petroleum contamination from releases from these USTs may remain on the Site.

The entire Prime Tanning facility underwent a Resource Conservation and Recovery Act (RCRA) Hazardous Waste Closure in 2008 and 2009. This work reportedly included cleaning the trench system within the buildings; assessment and remediation of hazardous waste storage areas and dye/dry weigh areas; shutdown and remediation of the wastewater treatment plant at the facility; locating and properly disposing buried tannery waste hides; and inventorying and removing remaining stored wastes.

1.3 SITE ASSESSMENT FINDINGS

Previous environmental assessment activities at the Site include the following:

- October 2007, Phase I Environmental Site Assessment (ESA), ENSR Corp.
- June 14, 2010, Phase I ESA, Ransom Environmental
- August 26, 2010, PCB Caulk Screen, Summit Environmental
- September 1, 2010, Asbestos Identification Survey
- October 15, 2010, Phase II ESA, St. Germain-Collins
- January 6, 2011, Preliminary Feasibility Study, Summit Environmental
- January 18, 2011, Supplemental Site Investigation, St. Germain-Collins
- May 25, 2012, Phase I ESA, St. Germain-Collins
- August 9, 2013, Phase I ESA Update, St. Germain-Collins

Based on these assessments, the following findings were identified for the Site:

- Government spill reports documenting petroleum and chemical releases at the Site; significant chemical and oil staining present in the main tannery building in proximity to trench drains whose connection to the sewer system could not be confirmed; and the limited information regarding former USTs indicate that petroleum or hazardous substances may have been released to the surface or subsurface at the Site. The trenches were reportedly cleaned, but petroleum or hazardous substances may have been released to the subsurface at the Site through cracks/penetrations in the floors and trenches.
- The documented presence of remaining buried tannery waste hides as identified in the 2010 Phase II ESA indicate that buried solid waste may remain at the Site.
- The presence of contaminants exceeding applicable standards has been documented at the Site in soil (polycyclic aromatic hydrocarbons (PAHs)), groundwater (methyl-tert-butyl ether (MTBE) and vinyl chloride (VC)), and soil vapor (tetrachloroethene (PCE) and trichloroethene (TCE)). PAHs in soil are a Site-wide condition. One or more source areas of

chlorinated volatile organic compounds (VOCs) are likely present underneath the current buildings on the Site. However, no VOCs were identified on Lot 133.

- Asbestos-containing materials (ACM) were identified throughout the Site building
- Universal and hazardous wastes in the form of potentially polychlorinated biphenyl (PCB)-containing fluorescent light ballasts and mercury-containing fluorescent light bulbs.

1.4 PROJECT GOAL

In 2014, the Town acquired the Prime property for back taxes and subsequently signed a development agreement with a private developer (Funds of Jupiter) to redevelop the site. Redevelopment for mixed use (commercial, residential, and greenspace) is the focus for Prime as the downtown is underserved with commercial space, decent housing, and greenspace. Redevelopment master plan calls for the removal of certain buildings, reuse of others for retail and light industrial, construction of new convenience retail, construction of new housing, and construction of greenspace and trail in the center of the property. An unnamed brook that is currently buried and runs in a culvert will be partially released and day lighted to bring a sense of nature and rural character back to the Site. The goal of the Prime redevelopment is to remove blight, provide jobs, create decent housing, provide greenspace and facilitate connectivity within the community. It will also create a new "Main Street" that is so much desired for the residents of Berwick as well as serve as a catalyst for investment in other surrounding downtown buildings.

The current plan for the Prime site involves the redevelopment of some portions of the buildings and demolition of others. The $25 million redevelopment includes the following:

Lot 1 (69,041 total s.f.)	31,000 s.f. light industrial (reuse of existing building)
	8,000 s.f. office (reuse of existing building)
Lot 2 (90,491 total s.f.)	42.500 s.f. light industrial (reuse of existing building)
Lot 3 (38,468 total s.f.)	79,000 s.f. 3-story mixed use retail and residential (new construction)
Lot 4 (64,370 total s.f.)	69,000 s.f. "Main Street" and parking area (new construction)
Lot 5 (18,708 total s.f.)	8,500 s.f. convenience retail (new construction)
Lot 6 (39,689 total s.f.)	39,000 s.f. greenspace and trail (new construction)
Lot 7 (21,277 total s.f.)	52,000 s.f. 3-story mixed retail and residential (reuse and new constr.)
Lot 133 (+/-121,968 s.f.)	20,000 s.f. workforce and/or senior housing

2. APPLICABLE REGULATIONS AND CLEANUP STANDARDS

2.1 CLEANUP OVERSIGHT AND RESPONSIBILITY

The cleanup will be overseen by an environmental professional in coordination with the Maine Department of Environmental Protection (DEP). The Site will additionally be entered into the Maine DEP Voluntary Response Action Program (VRAP). All documents prepared for the Site will be submitted to the Maine DEP.

2.2 CLEANUP STANDARDS FOR MAJOR CONTAMINANTS

The cleanup standards for the Site will be the Maine DEP RAGs "Residential", "Commercial Worker", "Park User", and "Excavation/Construction Worker" exposure scenarios for soil and Maine CDC MEGs for groundwater.

2.3 LAWS AND REGULATIONS APPLICABLE TO THE CLEANUP

Laws and regulations that are applicable to this cleanup include the Brownfields Revitalization Act, the Federal Davis-Bacon Act, state environmental laws, and Town by-laws. Federal, state, and local laws regarding procurement of contractors to conduct the cleanup will be followed. In addition, all appropriate permits and notifications will be obtained prior to commencement of the work.

3. EVALUATION OF CLEANUP ALTERNATIVES

Based on the planned redevelopment of the Site, including the abatement by removal of all asbestos, and the removal and proper disposal of all Universal Waste are considered presumptive remedies, and cleanup alternatives were not considered for these contaminants and/or tasks.

To address contamination at the Site, three different cleanup alternatives were considered and are described below:

- Alternative 1 - No Action:
- Alternative 2 - Soil Removal: Demolition of Site buildings to access contamination beneath the buildings. Full removal of all contaminated soil to meet applicable standards; Activity and Use Limitations (AULs) to prohibit extraction of groundwater; and vapor barrier systems to be installed in any buildings on the Site.
- Alternative 3 - Limited Soil Removal and Soil Covering: Demolition of Site buildings to access contamination beneath the buildings on Lot 3. Source removal and disposal of VOC impacted soil, petroleum saturated soil, and buried tannery solid waste (hides) that fail Toxicity characteristic leaching procedure (TCLP) analysis for chromium or other metals; limited removal and disposal of PAH impacted soil as needed during redevelopment; site-wide soil cover system installation on open areas around buildings that will not be removed and in areas where buildings are removed; AULs to prevent excavation of contaminated soil and to prohibit extraction of groundwater; and vapor barrier systems to be installed in any buildings on the Site.

3.1 ANALYSIS OF CLEANUP ALTERNATIVES

To satisfy the U.S. Environmental Protection Agency (EPA) requirements, the effectiveness, ease of implementability, resiliency to climate change, and cost of each alternative were considered prior to selecting a recommended cleanup alternative.

3.1.1 Effectiveness

- Alternative 1 - No Action: This alternative is not effective in controlling or preventing the exposure of receptors to contamination at the Site.
- Alternative 2 - Soil Removal: This alternative is effective as all contaminants in soil and building materials would be removed from the Site, permanently mitigating the risk from these contaminants. Institutional controls (AULs) and engineering controls (vapor barriers in buildings) are proven and are effective, and would limit future exposure to contaminated groundwater at the Site.

- Alternative 3 - Limited Soil Removal and Soil Covering: This alternative is effective as all contaminants in building materials would be removed from the Site, permanently mitigating the risk from these contaminants. Source areas of soil contamination would be removed and all remaining residual soil contamination would be covered with a covering system sufficient to prevent exposure. Institutional controls (AULs) and engineering controls (soil cover systems and vapor barriers in buildings) are proven and are effective, and would limit future exposure to contaminated soil, groundwater, and vapor at the Site.

3.1.2 Feasibility and Ease of Implementation

- Alternative 1 - No Action: This alternative is easy to implement as no actions will be conducted.
- Alternative 2 - Soil Removal: This alternative would utilize standard techniques for the abatement of hazardous building materials, the removal and disposal of contaminated soil and solid waste, and the implementation of institutional controls and engineering controls. This alternative is technically practical and easily implementable.
- Alternative 3 - Limited Soil Removal and Soil Covering: This alternative would utilize standard techniques for the abatement of hazardous building materials, the removal and disposal of contaminated soil, and the implementation of institutional controls and engineering controls. This alternative would require long-term maintenance, but redevelopment Site design features can be incorporated into the soil cover system to increase the ease of implementation on this alternative. This alternative is technically practical, easily implementable, and feasible at the Site.

3.1.3 Resiliency to Climate Change

- Alternative 1 - No Action: This alternative will not be resilient to climate change.
- Alternative 2 - Soil Removal: This alternative would completely remove the contaminated soils and therefore would be resilient to climate change.
- Alternative 3 - Limited Soil Removal and Soil Covering: This alternative would remove source area soils and be covered with an engineered marker layer (soil, pavement, or concrete). This marker layer will be located a healthy distance above the groundwater table and a sufficient distance from the adjacent Salmon Falls River making this alternative resilient to climate change.

3.1.4 Cost Effectiveness

- Alternative 1 - No Action: There would be no cost associated with Alternative 1.
- Alternative 2 - Soil Removal: The cost of Alterative 2 is estimated to be between $1,600,000 - $2,000,000.

- Alternative 3 - Limited Soil Removal and Soil Covering: The cost of Alternative 3 is estimated to be approximately $650,000.

3.2 RECOMMENDED CLEANUP ALTERNATIVE

The recommended cleanup alternatives for each type of identified contamination at the Site are presented below:

The recommended cleanup alternative is Alternative 3 - Limited Soil Removal and Soil Covering Alternative. Alternative 1 - No Action cannot be recommended since it does not address site risks. Alternative 3 - Limited Soil Removal and Soil Covering is less expensive than excavating soils and disposing them offsite in Alternative 2 - Soil Removal. The implementation of Alternative 2 - Soil Removal is slightly easier than that of Alternative 3 - Limited Soil Removal and Soil Covering, however, both alternatives are technically practical, easily implementable, and feasible at the Site. For these reasons, Alternative 3 - Limited Soil Removal and Soil Covering is the recommended alternative.

ATTACHMENT G
DOCUMENTATION OF NONPROFIT STATUS
(NOT APPLICABLE)

ATTACHMENT H

DOCUMENTATION OF APPLICANT ELIGIBILITY

PLEASE NOTE THAT THIS ATTACHMENT HAS BEEN LEFT INTENTIONALLY BLANK BECAUSE THE APPLICANT IS A TOWN AND THIS INFORMATION IS NOT REQUIRED FOR TOWN, CITIES, ETC…

ATTACHMENT I

JUSTIFICATION FOR CLEANUP COST SHARE WAIVER

Hardship Waiver Request

The Town of Berwick is seeking a Hardship Waiver for 55% of the 20% cost share required as part of the December 2015 Brownfield Gant Application process. The Town will provide in-kind contributions for the remaining 44% of the shared costs required, as outlined in a separate letter detailing how this figure—which equates to $17,705.25—was derived. In support of this request the Town of Berwick presents the following information.

1. Below is a table of current data that includes both the Town's and Target Community's unemployment rates, as well as their Per Capita Incomes according to the 20132014 American Community Survey/American Fact Finder.

	Town of Berwick	**Berwick CDP Target Community**
Unemployment:	5.5%	11.8%
Poverty Rate of Unemployed:	25.5%	60.2%
Per Capita Income	$27,123	$29,442

As shown above, while Berwick's unemployment rate as a whole is not terrible, the target community within the Town (the census designated place which correlates with the downtown area around the Tannery which is the subject of this grant application), has nearly 10% of its eligible workforce without work. Moreover, nearly one quarter of those individuals are impoverished. Therefore, the unemployment figures shown above are not merely structural; that is, they do not merely represent people in between jobs. Instead, they represent, to a significant degree, a segment of the Town which is not employed and for a prolonged period of time has been unable to find employment or employment which pays a livable wage.

The creation of new economic activities at the Tannery site will be a substantial benefit to the community. In addition to basic unemployment and per capita income statistics, also important to note are the following facts with respect to the Town's ability to pay:

When the Tannery closed down in 2008, 152 tax liens were filed on residential homes for failure to make timely property tax payments. The year before it was 150. In the following years, between 2009 and 2014, the average has increased to 204. There is a very clear and negative correlation between the closure of the Tannery site which is the subject of this grant application, and the ability of Berwick residents—who will ultimately be responsible for paying required cost share components of any grant awarded—to pay their tax bills. This correlation may be placed in starker relief, however, by the following additional facts:

- Not only did the closure of this industrial firm result in loss of employment, it also created a need to fill the void of property tax payments avoided by the closed company. At present, the taxes owed on the site total more than $250,000 through the end of fiscal year 2015. That means the people of Berwick have had to pay a greater share of the municipal tax burden with fewer jobs to available to generate the income required. The spinoff effects of this are dramatic.

- The Tannery's closure not only required Berwick residents to pay a greater share of municipal bills with hundreds of fewer employment opportunities, it also increased the overall expense of municipal operations in absolute terms, as follows:

    - Because the Tannery served as the single biggest supplier of volunteer firefighters during the day, by allowing its workforce to abandon post in order to respond to alarms, its closure necessitated switching from an all-volunteer fire department to a fire department replete with full-time employees and full-time benefit packages. To showcase the impact this has had on the budget, consider the following:

      In fiscal year 2008, prior to closure, the Fire Department budget was $297,577.00. The following year its budget increased by $62,292.00, and then by $105,726 in addition to that. The increases have been steady ever since, and the budget today is $610,238.00, more than double the figure allowed by the freely available resource of volunteer firefighters available during the mill's full operation. The people of Berwick have contested this budget increase loudly, but the fact of the matter is that even with the full-time staff it provides, responses to fire and Emergency Service calls are still unpredictable and often met by mutual aid responders from other communities, with longer wait times.

- In addition, the crime rate in and around the downtown area where the Tannery was situated has skyrocketed since its closure, necessitating greater police response, but police staffing levels have remained stagnant despite the increased need. There is simply no ability to raise the money from tax payers without causing an exodus of lifelong residents. To be more specific, the Department has witnessed a steady increase in calls of 5% per year over the last decade, much of which relates to problems associated with downtown drug use and housing problems around the Tannery. Despite this, it has not hired a new officer since 2004 due to Town budget limitations. Even then, it was a part-time officer who spends 85% of his time in the local school district working for three towns instead of Berwick alone. Prior to 2004, the Department has not increased its staffing levels since 1989, despite an obvious need to do so.

- Moreover, its capital reserves for road funding are entirely insufficient to maintain the miles upon miles of public ways the Town is legally obligated to. In addition, the Town determined in 2012 it could no longer afford to staff a director of public works, or Town Engineer, so both positions are vacant and the status of roads in need of repair is only getting worse. Additionally, the State of Maine's statutorily required revenue sharing program has been disregarded by the present state administration, thus withholding from Berwick hundreds of thousands of dollars that should legally have been available to supplement property tax revenues. Therefore, the Town has had to increase property taxes and cut municipal services in order to accommodate for these deficiencies in other traditional funding sources.

  Between Fiscal Years 2013 and 2014, for example, state revenue sharing to the Town of Berwick decreased $110,228. The following year it decreased a further $28,720.00.

As the above factors illustrate, Berwick has been through a dramatic period of transition, sparked by the closure of the very mill which this grant application seeks to return to productive use, that has squeezed nearly every available penny out of its tax payers—a majority of whom are residential property owners as opposed to commercial or industrial entities. The Town not only lost $34,425.00 in annual property taxes when the mill closed, it also had hundreds of fewer people employed to pay the bills necessary to make up the difference. At the same time, the State of Maine has recently substantially decreased statutory revenue sharing, creating yet another significant amount of money the tax payers have had to make up for through increased taxation or reduction in services. Furthermore, the closure of the mill has led to incidental costs as well, including a full-time staffed fire department with corresponding budget increases, and an increase in crime for which new officers are not able to be hired. At the same time, miles of Berwick's road infrastructure are in need of immediate attention, but there is neither the money the pay for the improvements nor a staff position to plan for the improvements that must occur.

In short, the Town of Berwick is in a state where its long-time residents cannot afford to live here any longer, as many emphasize through recounting anecdotes to illustrate the point. Taxes have steadily risen and/or municipal services have been cut. This grant application is the Town's attempt to restore stability and diversification to its local economy while simultaneously cleaning up the environment.

If a cost share waiver is not granted, this grant application will still move forward, but at a much greater hardship to the people of Berwick. The required cost share will be paid out of in-kind services because any revenue is sorely needed for other municipal purposes.

ATTACHMENT J

PROPERTY-SPECIFIC DETERMINATION REQUEST

(NOT APPLICABLE)

ATTACHMENT K
PETROLEUM ELIGIBILITY DETERMINATION
(NOT APPLICABLE)