Vol 2

ACTION ENVIRONMENTAL BOSTON

ASTM E 1527-13 PHASE I
ENVIRONMENTAL SITE ASSESSMENT

DUDLEY-MILLER PARK
483-487 DUDLEY STREET
ROXBURY, MASSACHUSETTS

AEB Project No. 3553
April 12, 2016

Prepared for User:

Dudley Neighbors, Inc.
504 Dudley Street
Roxbury, MA 02119

Attn.: Tony Hernandez
April 12, 2016

Tony Hernandez, Director of Operations & Stewardship
Dudley Neighbors, Inc.
504 Dudley Street
Roxbury, MA 02119

RISK MANAGEMENT FOR SOIL RECOMMENDED

Per your March 11, 2016, request, Action Environmental Solutions PLLC dba Action Environmental Boston (ACTION) has performed a Phase I Environmental Site Assessment (ESA) of the above-referenced property (Subject Property) in general accordance with ASTM Standard Method E1527-13. The goal of this Phase I assessment was to evaluate site history, existing observable conditions, current site use, and current and former uses of surrounding properties to identify the potential presence of "Recognized Environmental Conditions (RECs)" at the site, as defined in the ASTM E 1527-13 Standard.

The Conclusions of the Phase I ESA is that this assessment has revealed no evidence of RECs in connection the Subject Property.

A Historical REC was identified based on soil sampling results from a closed MassDep Site RTN 3-15249, at the abutting 11 Brook Avenue Property. The results indicate that background PAH compounds and residual TPH related to Urban Fill were detected in surficial and subsurface soil on the Subject Property. Potential human health risk may occur if contact is made with the soil at the Subject Property. Potential human exposure scenarios include residential use, utility work, recreational use, and gardening.

It is ACTION’s opinion that the following actions are recommended:

- Development of Health and Safety and/or Soil Management Plans that evaluate and manage risk associated with human exposure related to the presence of surficial and subsurface PAH and TPH contaminated soil.
- Should re-development generate excess soil that must be disposed off-site, the cost of disposal generally will be greater than if the soil was virgin, with all contaminant concentrations less than MCP Reportable Concentrations. Re-development generally should consider re-placement of urban fill at depth to minimize potential for future direct-contact exposure.

A PDF file of the Phase I ESA Report herewith is submitted. We appreciate the opportunity to be of service. If you have any questions or if we may be of any further service, please feel free to contact us at 781-893-9922.
Sincerely,
ACTION ENVIRONMENTAL BOSTON

Brian F. Koch, MS, PG
Senior Environmental Scientist

Genn A. Carlson PG, LSP
Senior Project Manager

Enclosures: Report
Invoice
ASTM E 1527-13 PHASE I
ENVIRONMENTAL SITE ASSESSMENT

DUDLEY-MILLER PARK
483-487 DUDLEY STREET
ROXBURY
MASSACHUSETTS

Prepared for User:
Dudley Neighbors, Inc.
504 Dudley Street
Roxbury, MA 02119
Attn.: Tony Hernandez

Prepared by:
Action Environmental Boston
184 Riverview Avenue
Waltham, MA 02453
Phone: 781-893-9922
Fax: 781-893-6622

Date Issued: April 12, 2016
SIGNATURE OF ENVIRONMENTAL PROFESSIONAL

The ASTM E 1527-13 Phase I Environmental Site Assessment (ESA) described herein was conducted by the undersigned, for Action Environmental Boston (ACTION). ACTION’s investigation consisted solely of the activities described in the introduction of this report in compliance with ASTM Standard Practice Designation E 1527-13. This report is subject to the Exceptions to Standards, and Limitations, described in the ASTM Standard, as provided in Sections 2.3 and 2.4, respectively, and the agreement between ACTION and the User, Dudley Neighbors, Inc.

I declare that, to the best of my professional knowledge and belief, I meet the definition of environmental professional as defined in §312.10 of 40 CFR 312. I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the Subject Property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Reviewed and edited by:

Brian F. Koch, MS, PG  
Senior Environmental Scientist

Glenn A. Carlson, PG, LSP  
Senior Project Manager

Individual qualifications for the environmental professional responsible for this Phase I ESA report are included in Appendix G.
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APPENDIX I

AERIAL PHOTOGRAPHS
Dudley-Miller Park
483-487 Dudley Street
Roxbury, MA 02119

Inquiry Number: 4568964.9
March 21, 2016
EDR Aerial Photo Decade Package

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Environmental Data Resources, Inc. (EDR) Aerial Photo Decade Package is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's professional researchers provide digitally reproduced historical aerial photographs, and when available, provide one photo per decade.

When delivered electronically by EDR, the aerial photo images included with this report are for ONE TIME USE ONLY. Further reproduction of these aerial photo images is prohibited without permission from EDR. For more information contact your EDR Account Executive.
APPENDIX J

USGS TOPOGRAPHIC MAPS
Dudley-Miller Park
483-487 Dudley Street
Roxbury, MA 02119

Inquiry Number:  4568964.4
March 21, 2016
EDR Historical Topo Map Report

Site Name: Dudley-Miller Park
483-487 Dudley Street
Roxbury, MA 02119
EDR Inquiry # 4568964.4

Client Name: Action Environmental Solutions PLLC.
184 Riverview Avenue
Waltham, MA 02453
Contact: Brian Koch

EDR Topographic Map Library has been searched by EDR and maps covering the target property location as provided by Action Environmental Solutions PLLC. were identified for the years listed below. EDR’s Historical Topo Map Report is designed to assist professionals in evaluating potential liability on a target property resulting from past activities. EDR's Historical Topo Map Report includes a search of a collection of public and private color historical topographic maps, dating back to the late 1800s.

Search Results:

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<th>Coordinates:</th>
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<td>Longitude: -71.073514 -71° 4' 25&quot; West</td>
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<td>UTM Y Meters: 4687720.76</td>
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Maps Provided:

- 2012
- 1987
- 1979
- 1970
- 1956
- 1954
- 1949
- 1946

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Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

2012 Source Sheets

Boston South
2012
7.5-minute, 24000

1987 Source Sheets

Boston South
1987
7.5-minute, 25000
Aerial Photo Revised 1978
Edited 1987

1979 Source Sheets

Boston South
1979
7.5-minute, 25000
Photo Revised 1979
Aerial Photo Revised 1975

1970 Source Sheets

Boston South
1970
7.5-minute, 24000
Aerial Photo Revised 1969
Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

1956 Source Sheets

- Boston South
  - 1956
  - 7.5-minute, 24000

1954 Source Sheets

- Boston South
  - 1954
  - 7.5-minute, 25000
  - Edited 1949

1949 Source Sheets

- Boston South
  - 1949
  - 7.5-minute, 31680
  - Edited 1949

1946 Source Sheets

- Boston South
  - 1946
  - 7.5-minute, 31680
Topo Sheet Key
This EDR Topo Map Report is based upon the following USGS topographic map sheets.

1944 Source Sheets

Boston South
1944
7.5-minute, 24000

1943 Source Sheets

Boston
1943
30-minute, 125000
Aerial Photo Revised 1939

1903 Source Sheets

Boston
1903
15-minute, 62500

1893 Source Sheets

Boston
1893
15-minute, 62500
This report includes information from the following map sheet(s).

SITE NAME: Dudley-Miller Park
ADDRESS: 483-487 Dudley Street
Roxbury, MA 02119
CLIENT: Action Environmental Solutions PLLC.
This report includes information from the following map sheet(s):

TP, Boston South, 1987, 7.5-minute

SITE NAME: Dudley-Miller Park
ADDRESS: 483-487 Dudley Street
Roxbury, MA 02119
CLIENT: Action Environmental Solutions PLLC.
Historical Topo Map

This report includes information from the following map sheet(s).

- TP, Boston South, 1979, 7.5-minute

**SITE NAME:** Dudley-Miller Park  
**ADDRESS:** 483-487 Dudley Street  
Roxbury, MA 02119  
**CLIENT:** Action Environmental Solutions PLLC.
This report includes information from the following map sheet(s).

TP, Boston South, 1970, 7.5-minute

SITE NAME: Dudley-Miller Park
ADDRESS: 483-487 Dudley Street
Roxbury, MA 02119

CLIENT: Action Environmental Solutions PLLC.
This report includes information from the following map sheet(s).

SITE NAME: Dudley-Miller Park
ADDRESS: 483-487 Dudley Street
Roxbury, MA 02119
CLIENT: Action Environmental Solutions PLLC.
This report includes information from the following map sheet(s).

SITE NAME: Dudley-Miller Park
ADDRESS: 483-487 Dudley Street
Roxbury, MA 02119
CLIENT: Action Environmental Solutions PLLC.
This report includes information from the following map sheet(s).

SITE NAME: Dudley-Miller Park
ADDRESS: 483-487 Dudley Street
Roxbury, MA 02119
CLIENT: Action Environmental Solutions PLLC.

TP, Boston South, 1949, 7.5-minute
This report includes information from the following map sheet(s).

SITE NAME: Dudley-Miller Park
ADDRESS: 483-487 Dudley Street
Roxbury, MA 02119
CLIENT: Action Environmental Solutions PLLC.
This report includes information from the following map sheet(s).

- TP, Boston South, 1944, 7.5-minute

**SITE NAME:** Dudley-Miller Park  
**ADDRESS:** 483-487 Dudley Street  
**CLIENT:** Action Environmental Solutions PLLC.
This report includes information from the following map sheet(s).

SITE NAME: Dudley-Miller Park
ADDRESS: 483-487 Dudley Street
Roxbury, MA 02119
CLIENT: Action Environmental Solutions PLLC.
This report includes information from the following map sheet(s).

SITE NAME: Dudley-Miller Park
ADDRESS: 483-487 Dudley Street
Roxbury, MA 02119
CLIENT: Action Environmental Solutions PLLC.
This report includes information from the following map sheet(s).

SITE NAME: Dudley-Miller Park
ADDRESS: 483-487 Dudley Street
Roxbury, MA 02119
CLIENT: Action Environmental Solutions PLLC.
APPENDIX K

PROPERTY DEED
DEED

THE BOSTON REDEVELOPMENT AUTHORITY, a body politic and corporate established pursuant to Massachusetts General laws Chapter 121B as amended, with an address of One City Hall Square, Boston, MA 02201 (hereinafter the “Grantor”), in consideration of One ($1.00) Dollar paid, grants all of its right, title and interest to

DNI 5, Inc., a Massachusetts non-profit corporation, having a business address of 504 Dudley Street, Roxbury, MA 02119 (hereinafter the “Grantee”)

in and to the following parcels (hereinafter collectively referred to as the “Premises”):

PARCEL 1:

The vacant land, together with any improvements now or hereafter erected thereon, commonly known as MILLER PARK LOT 1, Boston, (Ward 8 Assessor’s Parcel Number 03122000) Suffolk County, Massachusetts


See Land Court Tax Lien case Docket No. 81003.

Said parcel contains approximately 1,239 square feet of land.

RETURN TO: BOSTON REDEVELOPMENT AUTHORITY
One City Hall Square, Boston, MA 02201
PARCEL 2:

The vacant land, together with any improvements now or hereafter erected thereon, commonly known as MILLER PARK LOT 2, Boston, (Ward 8 Assessor's Parcel Number 03125000) Suffolk County, Massachusetts
Being the same Premises described in a Judgment in Tax Lien Case against Turville Realty Inc., dated March 22, 1990 and recorded with Suffolk County Registry of Deeds in Book 16217, Page 306.

See Land Court Tax Lien case Docket No. 81002

Said parcel contains approximately 1,232 square feet of land.

PARCEL 3:

The vacant land, together with any improvements now or hereafter erected thereon, commonly known as 483 DUDLEY STREET, Boston, (Ward 8 Assessor's Parcel Number 03128000) Suffolk County, Massachusetts
Being the same Premises described in a Judgment in Tax Lien Case against REALTY BUILT COMPANY, INC., dated MARCH 26, 1969, and recorded with Suffolk County Registry of Deeds in Book 8276, Page 435.

See Land Court Tax Lien case Docket No. 44237.

Said parcel contains approximately 2,160 square feet of land.

PARCEL 4:

The vacant land, together with any improvements now or hereafter erected thereon, commonly known as 485 DUDLEY STREET, Boston, (Ward 8 Assessor's Parcel Number 03129000) Suffolk County, Massachusetts
Being the same Premises described in a Judgment in Tax Lien Case against Alfredo DeJesus, dated August 17, 1998 and recorded with Suffolk County Registry of Deeds in Book 24399 Page 96.

See Land Court Tax Lien case Docket No. 90591

Said parcel contains approximately 2,400 square feet of land.

PARCEL 5:
The vacant land, together with any improvements now or hereafter erected thereon, commonly known as

**DUDLEY STREET, LOT 1**, Boston, (Ward 8 Assessor's Parcel Number 03126000) Suffolk County, Massachusetts

Being the same Premises described in a Judgment in Tax Lien Case against Marvin Peck, dated February 22, 2008 and recorded with Suffolk County Registry of Deeds in **Book 43417, Page 83**.

See Land Court Tax Lien case Docket No. 123055.

Said parcel contains approximately 3,800 square feet of land.

**PARCEL 6:**

The vacant land, together with any improvements now or hereafter erected thereon, commonly known as **DUDLEY STREET, LOT 2**, Boston, (Ward 8 Assessor's Parcel Number 03127000) Suffolk County, Massachusetts

Being the same Premises described in a Judgment in Tax Lien Case against Marvin Peck, dated October 11, 2005 and recorded with Suffolk County Registry of Deeds in **Book 38444, Page 6**.

See Land Court Tax Lien case Docket No. T.L. 123053

Said parcel contains approximately 3,200 square feet of land.

The Premises are conveyed subject to the following restrictions, which shall inure to the benefit of the Grantor herein (City of Boston) and which the Grantee herein by acceptance of this deed for themselves, their heirs, devisees, administrators, executors, legal representatives, successors and assigns covenants to perform:

The Premises are to be used and maintained for commercial or mixed use, with construction limited in accordance with the successful proposal for development of this parcel as determined by the Grantor herein in response to the Request for Proposals the Grantor intends to issue.

The Grantor reserves the right to select the developer which will construct the building, after a full and fair public process by requesting proposals for the development. The City also reserves the right to select the developer which will construct the building on the parcel in the event that the initially designated developer is unable or unwilling to perform, after a full and fair public process by requesting proposals for the
development.

In addition,

a) The Premises shall not be used for unsightly storage or any hazardous purpose;

b) The Premises may not be conveyed, alienated or transferred for the duration of the
covenants, conditions and restrictions set forth herein unless approved by the City;

and

c) No conveyance, alienation or transfer of the Premises shall be valid in the absence of a
Certificate of Compliance issued by the City and until and unless said certificate of
Compliance shall have been duly recorded, at Grantee’s expense, with the Suffolk
County Registry of Deeds.

This conveyance is subject to the following right of reversion in the City:
Title to the Premises being conveyed herein shall automatically revert to the City upon
the recording in the Suffolk County Registry of Deeds and/or Suffolk Registry District
of the Land Court, as appropriate, of a Certificate signed by the Director of the
Department of Neighborhood Development of the City of Boston certifying that one or
more of the following has occurred:

(1) the Grantee has failed to promptly, punctually and faithfully perform, discharge
or comply with any of the Grantee’s obligations in accordance with this deed
to the Premises, the requirements of the proposed Request for Proposals, the
successful applicant’s response to the Request for Proposals and maintain the
Premises in good order and condition;

(2) Failure to commence construction of the successful applicant’s development of
the parcel in strict compliance with the response to the request for proposal
within two years of the date of recording of this deed and completed within
one year thereafter;

(3) dissolution, termination of existence, insolvency, business failure, appointment
of a receiver of any property of, assignment for the benefit of creditors by, or
the commencement of any proceeding under any bankruptcy or insolvency
laws by or against Grantee;

(4) a change in use of the premises to a use other than the uses allowed by the
restrictions above and

(5) the Grantee or any occupants of the premises have failed to maintain the
property in a clean, orderly and attractive manner, with landscaping and
fencing as appropriate, free of any inappropriate infestation.

By acceptance and recording of this Deed, the Grantee accepts and agrees to the
provisions of the above-described right of reversion ("Right of Reversion").
This Right of Reversion shall expire on completion of construction of the improvements of the Premises, evidenced by a Certificate of Completion signed by the City in a form suitable for recording.

Grantee agrees to report annually to City on its use of the Premises in order to insure compliance and proper maintenance of the Premises.
IN WITNESS WHEREOF, the Boston Redevelopment Authority has caused these presents to be executed in its name and behalf this 19 day of December, 2013.

Approved as to form:

Kevin Morrison
General Counsel

BOSTON REDEVELOPMENT AUTHORITY

By: Peter Meade
Director

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss

On this 19 day of December, 2013, before me, the undersigned Notary Public, personally appeared the above-named Peter Meade, proved to me by satisfactory evidence of identification, being my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by her voluntarily for its stated purpose, as the duly authorized Director of City of the Boston Redevelopment Authority.

My Commission Expires:
Qualified in the Commonwealth of Massachusetts

Bileen E. Brophy
Notary Public
Commonwealth of Massachusetts
My Commission Expires
January 30, 2015