



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

Yes No

If yes, provide existing site number: _____

PART A (note: application is separated into Parts A and B for DEC review purposes) *BCP App Rev 10*

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #:

NAME Falls Bridge Development I LLC/Point Five Development Fayetteville LLC

ADDRESS 117 Highbridge Street

CITY/TOWN Fayetteville

ZIP CODE 13066

PHONE 315 420-1056

FAX

E-MAIL susan.poissant@hlc.com

Is the requestor authorized to conduct business in New York State (NYS)? Yes No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. **Please note:** If the requestor is an LLC, the members/owners names need to be provided on a separate attachment. **See Attachment 1**

Do all individuals that will be certifying documents meet the requirements detailed below? Yes No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of [DER-10: Technical Guidance for Site Investigation and Remediation](#) and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP.**

Section II. Project Description

1. What stage is the project starting at? Investigation Remediation

NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.

2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): Yes No

3. Please attach a short description of the overall development project, including: **See Attachment 2**

- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated.

Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (**please submit the information requested in this section in electronic format only**):

- 1. Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). **Please submit a separate electronic copy of each report in Portable Document Format (PDF). See Attachment 3 and enclosed UBS flash drive containing referenced documents**

2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum	X	X	
Chlorinated Solvents	X	X	
Other VOCs			
SVOCs	X	X	
Metals			
Pesticides			
PCBs			
Other*			

*Please describe: _____

3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:

- **SAMPLE LOCATION** See Attachment 4
- **DATE OF SAMPLING EVENT**
- **KEY CONTAMINANTS AND CONCENTRATION DETECTED**
- **FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE**
- **FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5**
- **FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX**

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

Yes No

4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):

- | | | | |
|---|---|---|---|
| <input type="checkbox"/> Coal Gas Manufacturing | <input checked="" type="checkbox"/> Manufacturing | <input type="checkbox"/> Agricultural Co-op | <input checked="" type="checkbox"/> Dry Cleaner |
| <input type="checkbox"/> Salvage Yard | <input type="checkbox"/> Bulk Plant | <input type="checkbox"/> Pipeline | <input checked="" type="checkbox"/> Service Station |
| <input type="checkbox"/> Landfill | <input type="checkbox"/> Tannery | <input type="checkbox"/> Electroplating | <input type="checkbox"/> Unknown |

Other: Car Wash

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME Waterside Commons				
ADDRESS/LOCATION 129 West Genesee Street				
CITY/TOWN Fayetteville		ZIP CODE 13066		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Village of Fayetteville, Town of Manlius				
COUNTY Onondaga		SITE SIZE (ACRES) 2		
LATITUDE (degrees/minutes/seconds) 43 ° 01 ' 45.40 "		LONGITUDE (degrees/minutes/seconds) 76 ° 00 ' 51.08 "		
Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed, please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.				
Parcel Address	See Attachment 5	Section No.	Block No.	Lot No. Acreage
FOUR PARCELS: SEE ATTACHED				
PROPERTY DESCRIPTION				
1. Do the proposed site boundaries correspond to tax map metes and bounds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, please attach an accurate map of the proposed site.				
2. Is the required property map attached to the application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (application will not be processed without map)				
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, identify census tract : _____ Percentage of property in En-zone (check one): <input type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input type="checkbox"/> 100%				
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, identify name of properties (and site numbers if available) in related BCP applications: _____				
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach relevant supporting documentation.				
7. Are there any lands under water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, these lands should be clearly delineated on the site map.				

Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas?
 If yes, identify here and attach appropriate information. Yes No

Easement/Right-of-way Holder

Description

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

Type

Issuing Agency

Description

Hazardous Waste ID No.

USEPA

Permit No. NYD981081367

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested. See Attachment 6**

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**? Yes No

Note: Questions 11 through 13 only pertain to sites located within the five counties comprising New York City

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? Yes No

If yes, requestor must answer questions on the supplement at the end of this form.

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? Yes No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? Yes No

NOTE: If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: _____

BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)

Section V. Additional Requestor Information See Instructions for Further Guidance		DEC USE ONLY	
BCP SITE NAME: _____		BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Susan Poissant			
ADDRESS 117 Highbridge Street			
CITY/TOWN Fayetteville		ZIP CODE 13066	
PHONE 315 420-1056	FAX	E-MAIL susan.poissant@hlc.com	
NAME OF REQUESTOR'S CONSULTANT Ambient Environmental, Inc. (attn. James F. Blasting, PG)			
ADDRESS 7843 Karakul Lane			
CITY/TOWN Fayetteville		ZIP CODE 13066	
PHONE 315-263-3388	FAX	E-MAIL jim@ambient-env.com	
NAME OF REQUESTOR'S ATTORNEY Phillip Bousquet, Esq. (Bousquet Holstein)			
ADDRESS 110 West Fayette Street; One Lincoln Center			
CITY/TOWN Syracuse		ZIP CODE 13202	
PHONE 315.701.6309	FAX 315.423.2866	E-MAIL pbousquet@bhlawpllc.com	
Section VI. Current Property Owner/Operator Information – if not a Requestor			
CURRENT OWNER'S NAME		OWNERSHIP START DATE:	
See Attachment 7			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
CURRENT OPERATOR'S NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
<p>PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE". See Attachment 7</p> <p>IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.</p>			
Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)			
<p>If answering "yes" to any of the following questions, please provide an explanation as an attachment.</p> <p>1. Are any enforcement actions pending against the requestor regarding this site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>			

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. Yes No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. **See Attachment 8** Yes No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? Yes No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? Yes No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? Yes No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? Yes No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? Yes No
11. Are there any unregistered bulk storage tanks on-site which require registration? Yes No

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer* – be specific as to the appropriate care taken.

*The requestor is a Volunteer in that they never operated any business, enterprise, etc. at the site that generated waste or potentially resulted in environmental impairment. The former dry cleaner closed in 2012, the requestor acquired the property in 2014. The dentist office closed in 2012, the requestor acquired the property in 2015. The mobile phone sales store (125 Genesee St.) and the car wash (100 Fitch St.) were operational for a short period of time since the requestor acquired those parcels but there were no known releases of contaminants during that time. The requestor acquired properties for the sole purpose of developing the properties under the BCP. The requestor proactively addressed potential concerns by demolishing the former dry cleaner, removing a discovered cistern and enclosing the Site with fence along the perimeter.

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

- Previous Owner
- Current Owner
- Potential /Future Purchaser
- Other _____

Requestor owns most, but not all, of the parcels. See Attachment 9

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached?

- Yes
 - No
- See Attachment 9**

Note: a purchase contract does not suffice as proof of access.

Section VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List?
If yes, please provide relevant information as an attachment. Yes No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305?
If yes, please provide: Site # _____ Class # _____ Yes No
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____ Yes No
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. Yes No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10?
If yes, please provide: Order # _____ Yes No
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?
If yes, please provide explanation as an attachment. Yes No

Section IX. Contact List Information

To be considered complete, the application must include the Brownfield Site Contact List in accordance with [DER-23 / Citizen Participation Handbook for Remedial Programs](#). Please attach, at a minimum, the names and addresses of the following: **See Attachment 10**

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.

Section X. Land Use Factors

1. What is the current municipal zoning designation for the site? B2 (business)

What uses are allowed by the current zoning? (Check boxes, below)

Residential Commercial Industrial

If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: Residential Commercial Industrial Vacant Recreational (check all that apply)

Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date. See Attachment 11

3. Reasonably anticipated use Post Remediation: Residential Commercial Industrial (check all that apply) **Attach a statement detailing the specific proposed use. Please refer to Attachment 2**

If residential, does it qualify as single family housing? Yes No

4. Do current historical and/or recent development patterns support the proposed use?

Yes No

Area is commercial/residential. The subject Site is vacant (previously commercial).

5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.

Yes No

The site is zoned B2 (business). According to the Village of Fayetteville zoning map, all parcels are designated as Contemporary Business except 117 Highbridge, which is zoned Residential-Business.

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.

Yes No

The Site is in the Village of Fayetteville 'Lower Business District' as defined by the Village's August 2014 Comprehensive plan. The planned development is completely consistent with that Plan.

Link to Plan: <https://ecode360.com/documents/FA0988/public/527835224.pdf>

XI. Statement of Certification and Signatures

(By requestor who is an individual) _____

If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____

Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am Authorized Agent (title) of Falls Bridge Development I LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 4/3/2020

Signature: *Susan Poissant*

Print Name: Susan Poissant

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:
 - Chief, Site Control Section
 - New York State Department of Environmental Conservation
 - Division of Environmental Remediation
 - 625 Broadway
 - Albany, NY 12233-7020

FOR DEC USE ONLY

BCP SITE T&A CODE: _____

LEAD OFFICE: _____

XI. Statement of Certification and Signatures

(By requestor who is an individual) _____

If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____ Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am Authorized Agent (title) of Point Five Development Fayetteville LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 4/3/2020 Signature: *Susan Poissant*

Print Name: Susan Poissant

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:
 - Chief, Site Control Section
 - New York State Department of Environmental Conservation
 - Division of Environmental Remediation
 - 625 Broadway
 - Albany, NY 12233-7020

FOR DEC USE ONLY

BCP SITE T&A CODE: _____

LEAD OFFICE: _____

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY. Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

BCP App Rev 10

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Please answer questions below and provide documentation necessary to support answers.	
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information. <input type="checkbox"/> Yes <input type="checkbox"/> No	
2. Is the property upside down or underutilized as defined below?	Upside Down? <input type="checkbox"/> Yes <input type="checkbox"/> No Underutilized? <input type="checkbox"/> Yes <input type="checkbox"/> No
From ECL 27-1405(31):	
<p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p>	
From 6 NYCRR 375-3.2(l) as of August 12, 2016: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)	
375-3.2:	
<p>(l) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and</p> <p>(1) the proposed use is at least 75 percent for industrial uses; or</p> <p>(2) at which:</p> <p>(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;</p> <p>(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(iii) one or more of the following conditions exists, as certified by the applicant:</p> <p>(a) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or</p> <p>(c) there are no structures.</p>	
<p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.</p>	

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; the *New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below:**

Project is an Affordable Housing Project - Regulatory Agreement Attached;

Project is Planned as Affordable Housing, But Agreement is Not Yet Available* (*Checking this box will result in a “pending” status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);

This is Not an Affordable Housing Project.

From 6 NYCRR 375- 3.2(a) as of August 12, 2016:

(a) “Affordable housing project” means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants’ households annual gross income.

(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.

(3) “Area median income” means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

BCP Application Summary (for DEC use only)

Site Name: Waterside Commons
City: Fayetteville

Site Address: 129 West Genesee Street
County: Onondaga **Zip:** 13066

Tax Block & Lot
Section (if applicable):

Block:

Lot:

Requestor Name: Falls Bridge Development I LLC/Point Five Development Fayetteville LLC
City: Fayetteville

Requestor Address: 117 Highbridge Street
Zip: 13066 **Email:** susan.poissant@hlcos.com

Requestor's Representative (for billing purposes)

Name: Susan Poissant
City: Fayetteville

Address: 117 Highbridge Street
Zip: 13066

Email: susan.poissant@hlcos.com

Requestor's Attorney

Name: Phillip Bousquet, Esq. (Bousquet Holstein)
City: Syracuse

Address: 110 West Fayette Street; One Lincoln Center
Zip: 13202

Email: pbousquet@bhlawpllc.com

Requestor's Consultant

Name: Ambient Environmental, Inc. (attn. James F. Blasting, PG)
City: Fayetteville

Address: 7843 Karakul Lane
Zip: 13066

Email: jimbo@ambient-env.com

Percentage claimed within an En-Zone: 0% <50% 50-99% 100%

DER Determination: Agree Disagree

Requestor's Requested Status: Volunteer Participant

DER/OGC Determination: Agree Disagree
Notes:

For NYC Sites, is the Requestor Seeking Tangible Property Credits: Yes No

Does Requestor Claim Property is Upside Down: Yes No

DER/OGC Determination: Agree Disagree Undetermined

Notes:

Does Requestor Claim Property is Underutilized: Yes No

DER/OGC Determination: Agree Disagree Undetermined

Notes:

Does Requestor Claim Affordable Housing Status: Yes No Planned, No Contract

DER/OGC Determination: Agree Disagree Undetermined

Notes:

Attachment 1: LLC Members

Falls Bridge Development I LLC

7075 Manlius Center Rd

East Syracuse, NY 13057

Contact: Susan Poissant 315-420-1056 susan.poissant@hlcoss.com

Members:

Guy W. Hart Real Estate Corp. (25%)

Preston Development Corp. (25%)

RDL Development Corp. (25%)

Fant Development Corp. (25%)

Point Five Development Fayetteville LLC

7075 Manlius Center Rd

East Syracuse, NY 13057

Contact: Susan Poissant 315-420-1056 susan.poissant@hlcoss.com

Members:

Guy W. Hart Real Estate Corp. (19.75%)

Preston Development Corp. (19.75%)

RDL Development Corp. (19.75%)

Fant Development Corp. (19.75%)

Seaside LLC (21%)

NYS Department of State
Division of Corporations
Entity Information

The information contained in this database is current through February 18, 2020.

Selected Entity Name: FALLS BRIDGE DEVELOPMENT I LLC

Selected Entity Status Information

Current Entity Name: FALLS BRIDGE DEVELOPMENT I LLC

DOS ID #: 3114575

Initial DOS Filing Date: OCTOBER 18, 2004

County: ONONDAGA

Jurisdiction: NEW YORK

Entity Type: DOMESTIC LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

FALLS BRIDGE DEVELOPMENT I LLC

7075 MANLIUS CENTER RD

EAST SYRACUSE, NEW YORK, 13057

Registered Agent

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by [viewing the certificate](#).

***Stock Information**

# of Shares	Type of Stock	\$ Value per Share
-------------	---------------	--------------------

No Information Available

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
OCT 18, 2004	Actual	FALLS BRIDGE DEVELOPMENT I LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State. **NOTE:** New York State does not issue organizational identification numbers.

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through February 18, 2020.

Selected Entity Name: POINT FIVE DEVELOPMENT FAYETTEVILLE LLC

Selected Entity Status Information

Current Entity Name: POINT FIVE DEVELOPMENT FAYETTEVILLE LLC

DOS ID #: 3384548

Initial DOS Filing Date: JULY 05, 2006

County: ONONDAGA

Jurisdiction: NEW YORK

Entity Type: DOMESTIC LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

POINT FIVE DEVELOPMENT FAYETTEVILLE LLC

7075 MANLIUS CENTER ROAD

EAST SYRACUSE, NEW YORK, 13057

Registered Agent

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by [viewing the certificate](#).

*Stock Information

# of Shares	Type of Stock	\$ Value per Share
-------------	---------------	--------------------

No Information Available

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
JUL 05, 2006	Actual	POINT FIVE DEVELOPMENT FAYETTEVILLE LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State. **NOTE:** New York State does not issue organizational identification numbers.

Attachment 2: Description of Waterside Commons Development Project

The Waterside Commons Site at 129 West Genesee Street in the Village of Fayetteville, Town of Manlius, Onondaga County (the Site) is located at the corner of West Genesee and Highbridge Street in Fayetteville. This is primarily a commercial area that includes restaurants, coffee shops, spas and salons, professional offices, and service business. The closest residence is approximately 350 feet south of the center of the Site and a municipal park is located approximately 250 feet northeast of the Site. A large shopping center (Town Centre of Fayetteville) is located approximately 0.15 miles west of the Site. Limestone Creek borders the Site to the east.

The Site is currently mostly vacant, with an office building currently located in the southwest portion of the Site (address: 117 Highbridge Street). The Site formerly included a dry cleaner, retail sales building, dental office, and car wash; the structures associated with those businesses were demolished in late fall 2019. The current office building at 117 Highbridge was constructed in the late 1970s. Previous Site use included light manufacturing (dating back to the late 1800s), and gas station/automobile repair (dating back to the early 1900s).

Past use of the Site by others has resulted in environmental impairment, including the assumed presence of Underground Storage Tanks (USTs) as evidenced by a recent Ground Penetrating Radar survey and Site observations; the presence of a cistern containing dry cleaning waste (recently removed); and the documented presence of petroleum-related compounds and chlorinated solvents in soil and groundwater.

The Applicant intends to develop this currently-vacant and impaired property as a mixed retail and residential space (see below). To facilitate site development, the Applicant will conduct a Remedial Investigation (RI) to determine the nature and extent of contamination. Based on the results of the RI, the Applicant will prepare a Remedial Action Work Plan (RAWP) and, upon completion of public comment and approval by NYSDEC, will implement the RAWP to remediate the Site for intended use.

The RI Work Plan is being submitted with this application. Estimated Project Schedule is as follows:

- Begin/Complete the RI- Spring 2020
- Begin/Complete the RA- Summer/Fall 2020
- Receive Certificate of Completion- December 2020.

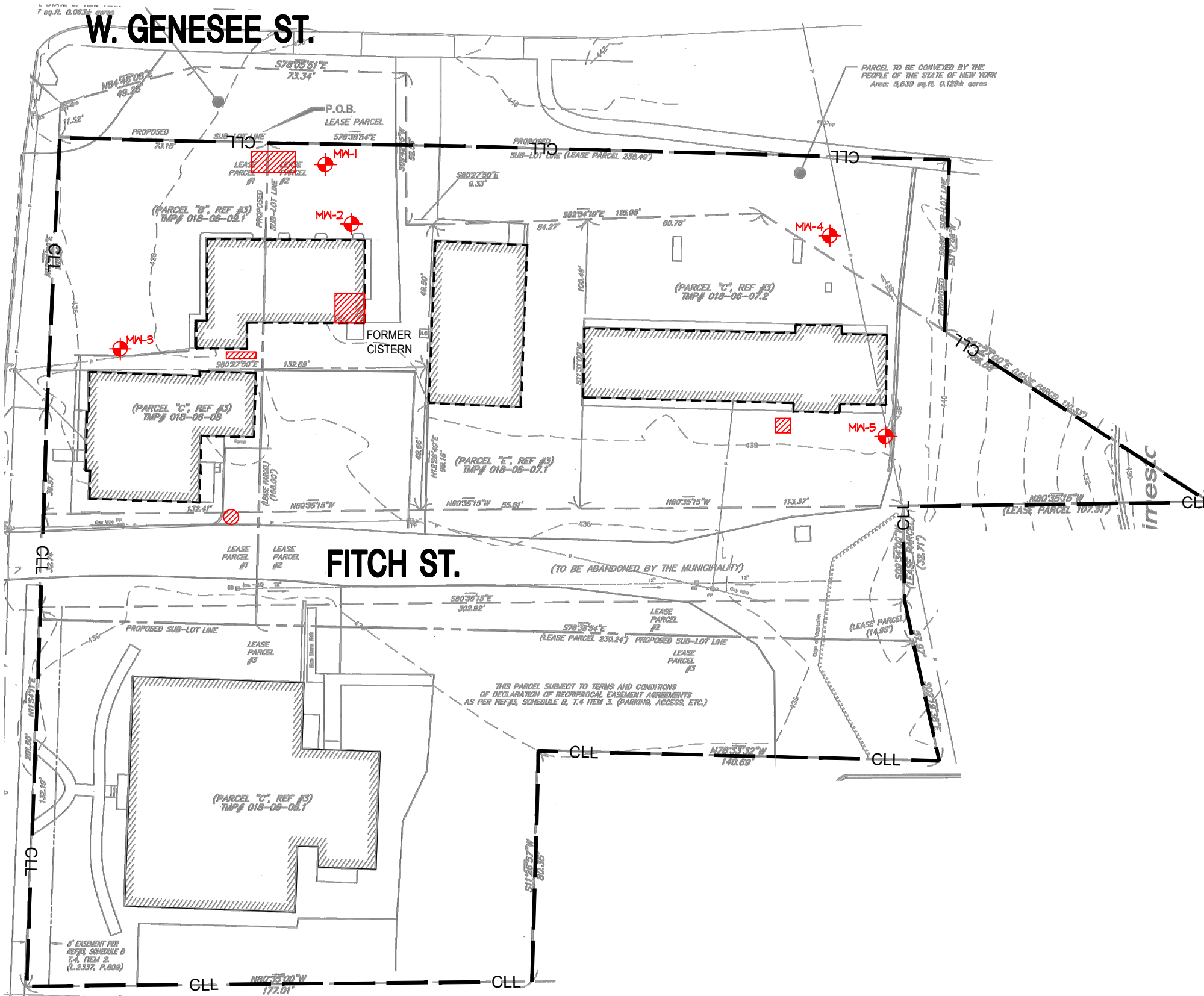
Upon completion of remediation, the Site will be redeveloped by constructing a 10,000-12,500 building on this two-acre Site, with retail space on the first floor and four floors of apartments above (see image below). Number and sizes of apartments will vary depending on the demand. It is anticipated that construction will start in summer/fall 2020. This project will invigorate a currently vacant and environmentally-distressed property and will hopefully lead to redevelopment and improvements of adjacent and nearby properties. The project will create an estimated 30-50 jobs during construction and 30 permanent full-time-equivalent jobs when completed.

Current Site Conditions (February 2020):

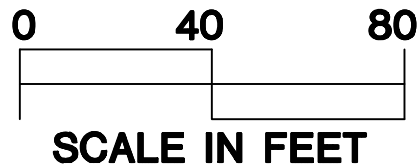


Image of Planned Development:





EXISTING CONDITIONS & SITE PREPARATION NOTES		X-FAYETTEVILLE-NOTES
	APPROXIMATE PROJECT LIMITS	
	GPR ANOMALY (2020)	
	BUILDING REMOVED 2019	
	2005 6"Ø SOIL BORING/MONITORING WELL	



PREPARED FOR:
AMBIENT ENVIRONMENTAL, INC.
PREPARED BY:
KEPLINGER FREEMAN
ASSOCIATES

DRAWING TITLE	SITE PLAN PROJECT # 200103ENVA	
PROJECT NAME	W. GENESEE ST., FAYETTEVILLE N.Y. WATERSIDE COMMONS	

DRAWING NUMBER	
L-01	
DRAWN BY	CHECKED
VER	SLF
DATE	PROJECT
02/25/20	40024

ATTACHMENT 3: PREVIOUS ENVIRONMENTAL REPORTS

(Note- full reports are provide on USB drive in PDF Format)

Report

Phase I Environmental
Site Assessment
West Genesee Street
Village of Fayetteville
County of Onondaga, New York

→ Complete Report Provided in PDF Format (USB drive provided)



July 2005



Stearns & Wheeler
Companies

Report



→ Complete Report Provided in PDF format (usb drive provided)

**Subsurface Investigation
West Genesee Street
Village of Fayetteville
County of Onondaga, New York**

March 2006



Stearns & Wheeler
Companies

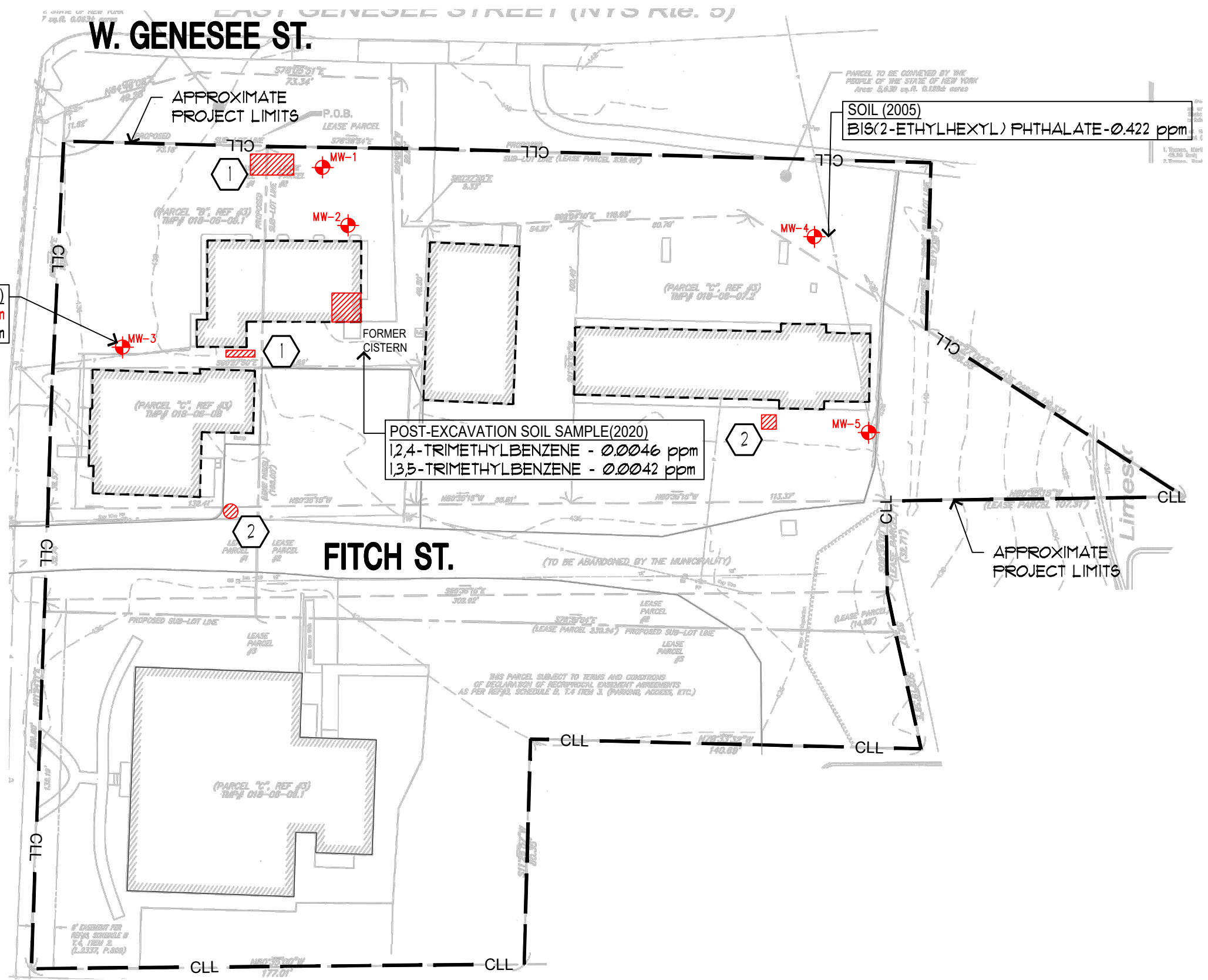
ATTACHMENT 4: PREVIOUS SAMPLING LOCATION AND DATA MAPS

(Note- full reports with data are provide on USB drive in PDF Format)

W. GENESEE ST.

HIGHBRIDGE ST.

FITCH ST.



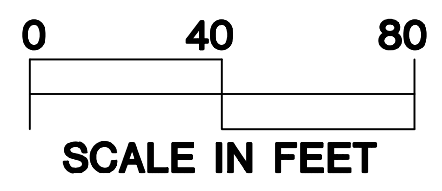
EXISTING CONDITIONS & SITE PREPARATION NOTES

SOILS

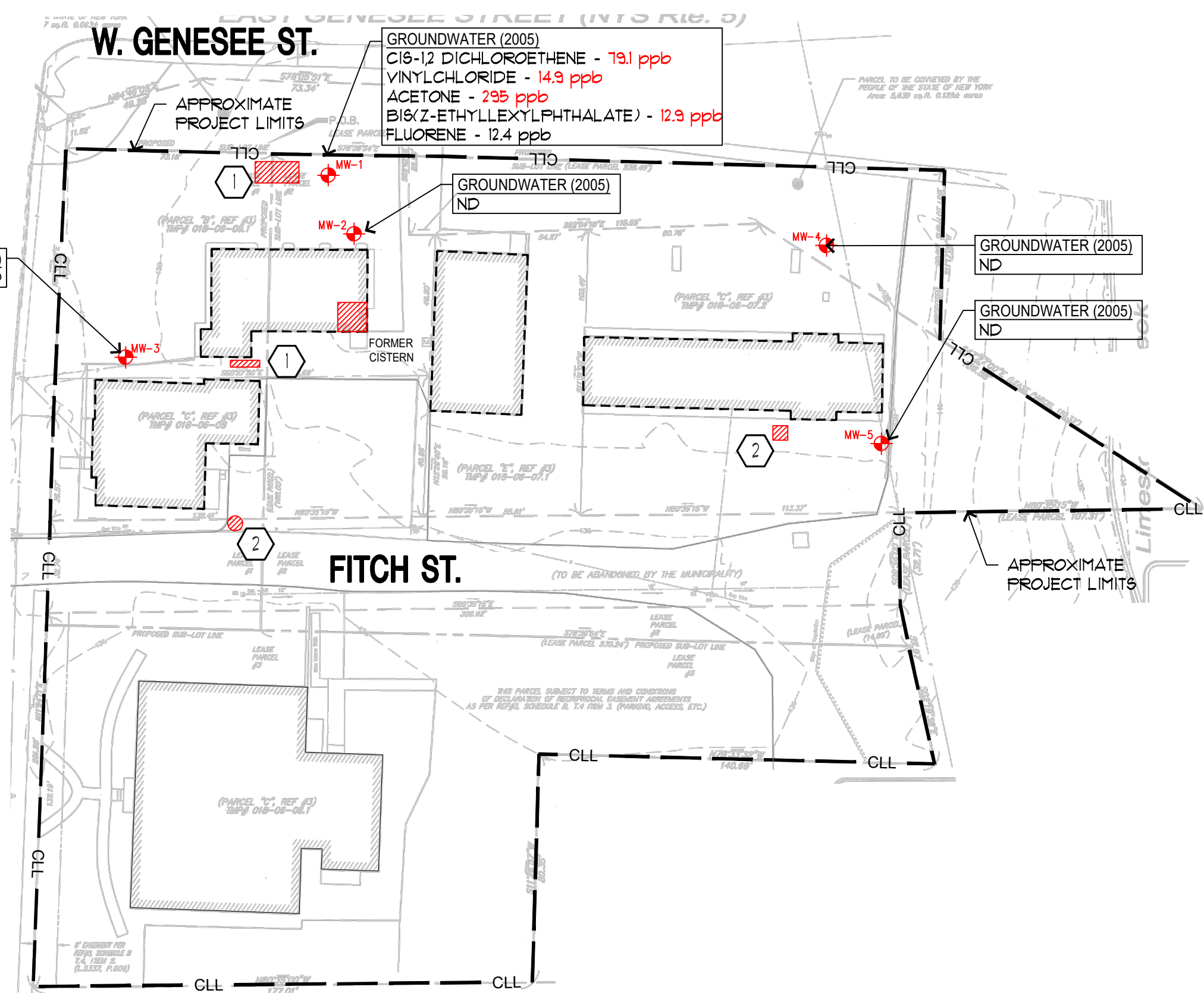
- CLL APPROXIMATE PROJECT LIMITS
- GPR ANOMALY (2020)
- BUILDING REMOVED 2019
- GPR SIGNAL: POTENTIAL UST
- GPR SIGNAL: POTENTIAL DRY WELL
- 2005 S4W SOIL BORING/MONITORING WELL

NOTES:

- SOIL DATA IS FOR SAMPLES COLLECTED 12/16/05.
- POST EXCAVATION SOIL SAMPLE COLLECTED 1/13/20.
- RED INDICATE EXCEEDANCE OF RESIDENTIAL SCO_s (SOIL).
- FORMER CISTERN WAS REMOVED AND SOIL SAMPLE COLLECTED 1/13/20.
- ONLY DETECTED ANALYTES ARE SHOWN.
- CISTERN POST-EXC SAMPLE ANALYZED FOR CP-51 LIST ONLY; NOT INCLUDING PCE AND BREAKDOWN PRODUCTS



PREPARED FOR: AMBIENT ENVIRONMENTAL, INC. PREPARED BY: KEPLINGER FREEMAN ASSOCIATES	DRAWING TITLE SITE CONDITIONS PLAN: SOIL PROJECT # 200103ENVA	DRAWING NUMBER L-02	
	PROJECT NAME W. GENESEE ST., FAYETTEVILLE N.Y. WATERSIDE COMMONS	DRAWN BY VER	CHECKED SLF
		PROJECT 40024	



GROUNDWATER (2005)
 C18-12 DICHLOROETHENE - 79.1 ppb
 VINYLCHLORIDE - 14.9 ppb
 ACETONE - 295 ppb
 BIS(Z-ETHYLHEXYLPHTHALATE) - 12.9 ppb
 FLUORENE - 12.4 ppb

GROUNDWATER (2005)
 ND

GROUNDWATER (2005)
 ND

GROUNDWATER (2005)
 ND

GROUNDWATER (2005)
 ND

FITCH ST.

HIGHBRIDGE ST.

W. GENESEE ST.

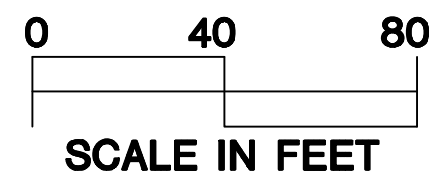
EXISTING CONDITIONS & SITE PREPARATION NOTES

GROUNDWATER

- APPROXIMATE PROJECT LIMITS
- GPR ANOMALY (2020)
- BUILDING REMOVED 2019
- GPR SIGNAL: POTENTIAL UST
- GPR SIGNAL: POTENTIAL DRY WELL
- 2005 S4W SOIL BORING/MONITORING WELL

NOTES:

- GROUNDWATER DATA IS FOR SAMPLES COLLECTED 12/23/05.
- RED *S INDICATE EXCEEDANCE OF GROUNDWATER STANDARD.
- ONLY DETECTED ANALYTES ARE SHOWN.
- ND=VOCs AND SVOCs NOT DETECTED IN SAMPLE FROM THIS MONITORING WELL.



PREPARED FOR:
 AMBIENT ENVIRONMENTAL, INC.
 PREPARED BY:
 KEPLINGER FREEMAN
 ASSOCIATES

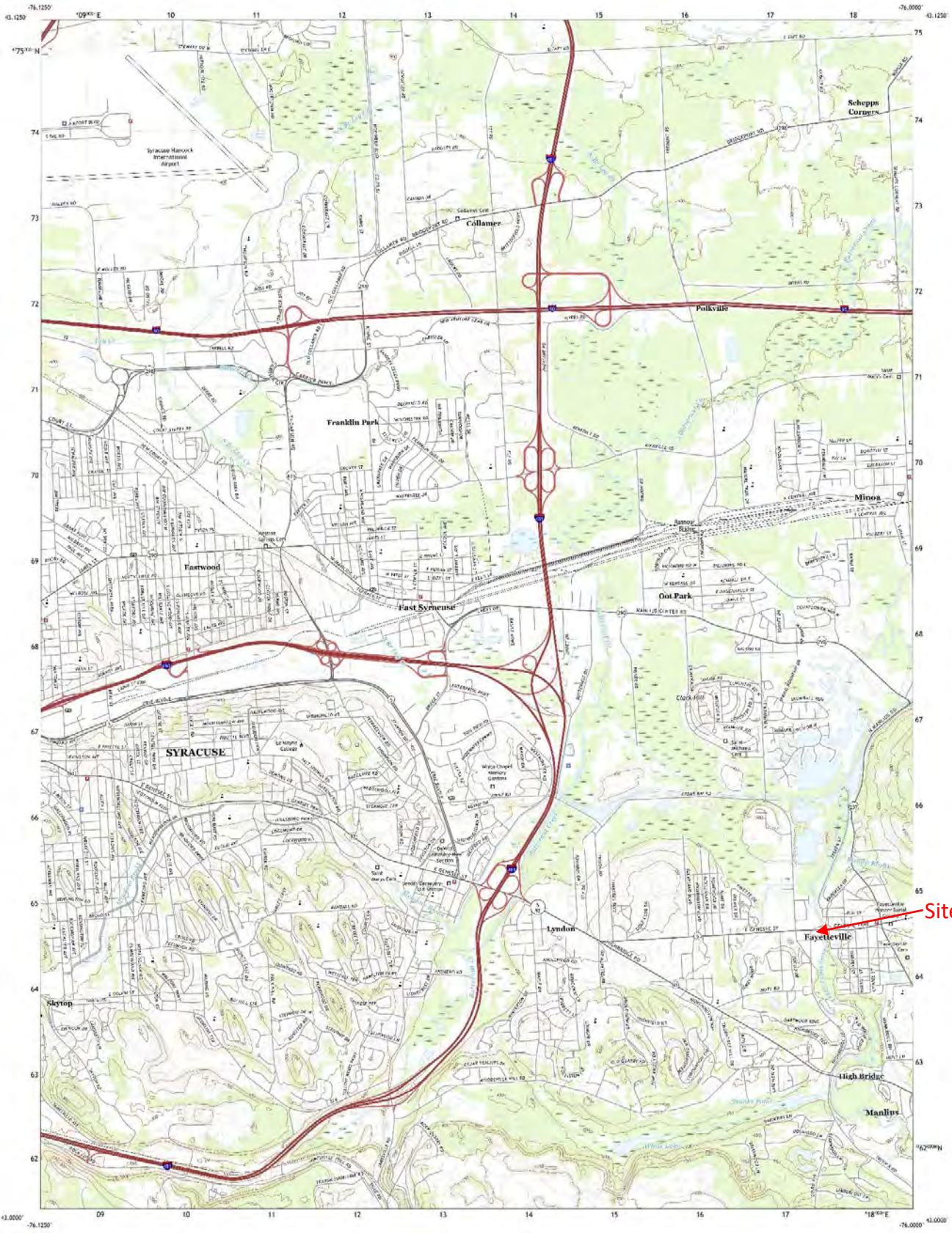
DRAWING TITLE	SITE CONDITIONS PLAN: GROUNDWATER PROJECT # 200103ENVA	
PROJECT NAME	W. GENESEE ST., FAYETTEVILLE N.Y. WATERSIDE COMMONS	

DRAWING NUMBER	
L-03	
DRAWN BY	CHECKED
VER	SLF
DATE	PROJECT
02/25/20	40024

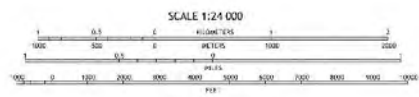
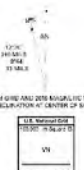
Attachment 5: Property Information and Maps

Parcel Address	Owner	Tax Parcel No.	Acres
129 W. Genesee Street	Falls Bridge Development I LLC*	018. -06-09.1	0.297
107 Highbridge Street	Falls Bridge Development I LLC*	018. -06-08.0	0.151
125 W. Genesee Street	Point Five Development Fayetteville LLC*	018. -06-07.1	0.126
100 Fitch Street	Point Five Development Fayetteville LLC*	018. -06-07.2	0.328
117 Highbridge Street	Seaside LLC	018. -06-06.1	0.701

*Also a BCP Requestor



Produced by the United States Geological Survey... Metadata information including date, author, and publisher.



ROAD CLASSIFICATION legend table with symbols for Expressway, Interstate, etc.

Grid reference table with numbers 1-8 in a grid.





210 W. Genesee

204 W. Genesee

202 W. Genesee

200 W. Genesee

128 W. Genesee

206 W. Genesee

203 W. Genesee

129 W Genesee St

Estimated Site Boundary

108 Highbridge

117 Highbridge
(part of Site)

100 Thompson

110 Highbridge

201 Highbridge

107 Thompson

101-103 Thompson

Thompson St

200 Highbridge

105 Thompson

202 Highbridge

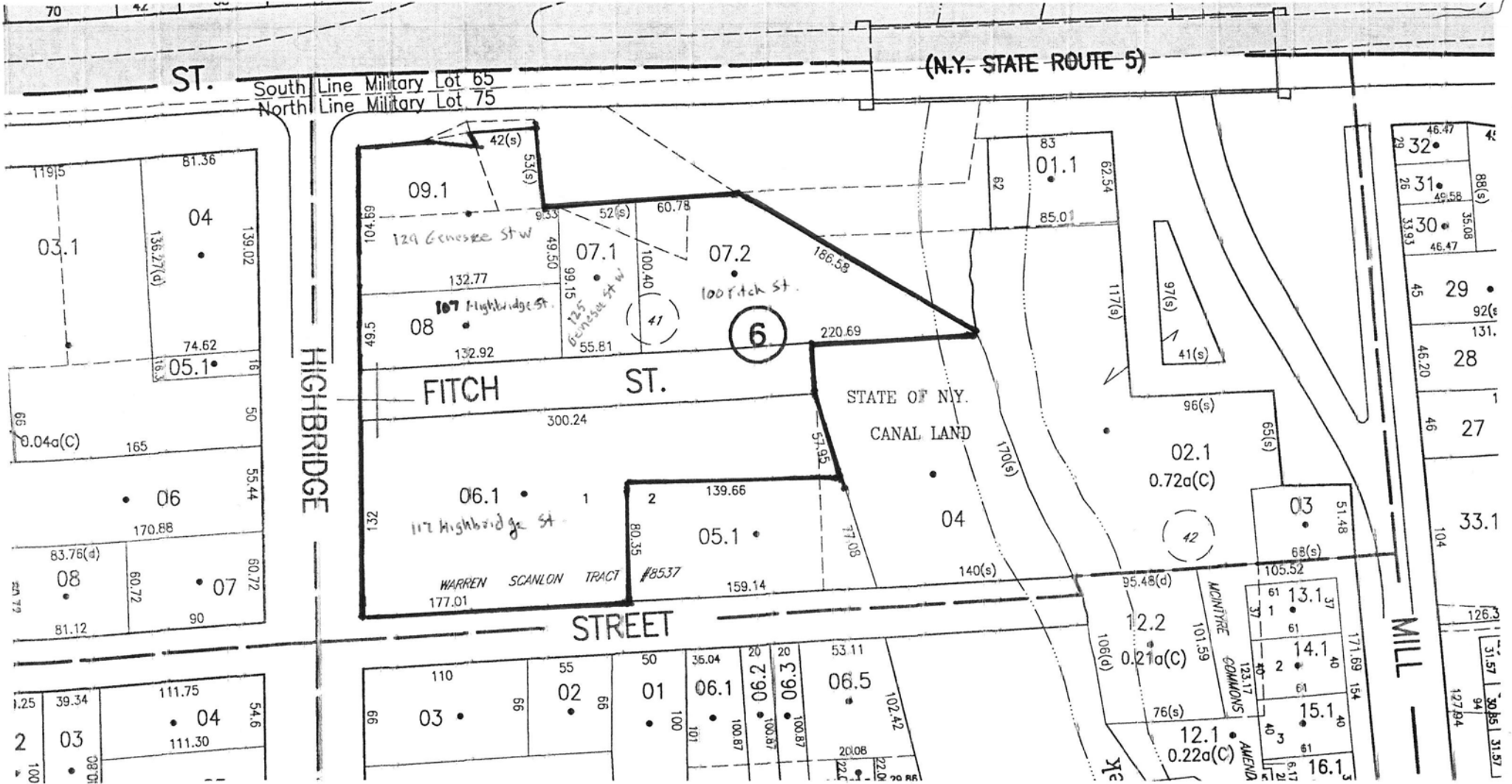
Waterside Commons Site Boundary and
Nearby Properties



© 2020 Google

Est. Scale

50'



50'
Approx. Scale

WATERSIDE COMMONS
BCP SITE

TAX PARCELS
— • SITE BOUNDARY

Attachment 6: Property Description and Environmental Assessment

Location

The Waterside Commons Site at 129 West Genesee Street in the Village of Fayetteville, Town of Manlius, Onondaga County (the Site) is located at the corner of West Genesee and Highbridge Street in Fayetteville. This is primarily a commercial area that includes restaurants, coffee shops, spas and salons, professional offices, and service business. The closest residence is approximately 350 feet south of the center of the Site and a municipal park is located approximately 250 feet northeast of the Site. The Site is located approximately 0.15 miles east of the intersection of West Genesee Street and Burdick Street. A large shopping center (Town Centre of Fayetteville) is located at the corner of West Genesee and Burdick. Limestone Creek borders the Site to the east.

Site Features

The Site is currently mostly vacant, with an office building currently located in the southwest portion of the Site (address: 117 Highbridge Street). The Site formerly included a dry cleaner, retail sales building, dental office, and car wash; the structures associated with those businesses were demolished in late fall 2019.

Current Zoning and Land Use

The Site primarily consist of five parcels totaling approximately two acres; the property is currently zoned for commercial use. The five parcels are as follows:

Parcel	Size (acres); location	Current Owner
018-06-06.1	0.701; SE corner of Highbridge and Fitch	Seaside LLC
018-06-07.1	0.126; NE corner Highbridge and Fitch	Point Five Development Fayetteville LLC
018-06-07.2	0.328; north side of Fitch Street	Point Five Development Fayetteville LLC
018-06-08	0.151; east side Highbridge Street	Falls Bridge Development I LLC
018-06-09.1	0.297; corner Highbridge and West Genesee	Falls Bridge Development I LLC

The parcels are currently vacant with the exception of parcel 018-06-06.1 which includes an office building that will be demolished to allow for Site development. The area is of mixed commercial/residential use.

Past Use of the Site

Historic documents indicate that the Site was developed in the late 1800s, primarily for residential use. A Police Station and Carriage House were located on the northwest portion of the Site in the late 1800s/early 1900s. Sanborn Fire Insurance Maps dated 1904, 1909, 1919, 1929, 1943 and 1951 reveal the past use of the Site and are summarized below.

- 1904 and 1909: WM Morrison Glove and Mitten Factory on the northwest portion of the site and Carl Graham Carriage Repairing on the northeast portion of the property;
- 1919 Map: Fire Department near the center of the site, an auto repair facility located on the northeast portion of the site with a feature labeled gasoline tank located next to (north) of the

facility, and a building labeled “Transformer Ho” (Transformer House) adjacent to and north of the Site);

- 1929: gasoline station with four gasoline tanks on the northwest corner of the site, a building labeled “Battery Service” in the west portion of the Site, Transformer House and automobile sales facility northeast of the site.
- 1943: the previously mentioned gasoline station (northwest portion of site) and battery service building;
- 1951 northwest corner gasoline station (showing two clearly labeled gasoline tanks on each side of the building), battery service building.

More recently, the property at 129 Genesee Street (corner of Genesee and Highbridge) had been used as a dry-cleaning facility. This property and associated building had reportedly been a Shell gas station until around 1979; dry cleaning operations began in the early 1980s and continued until about 2012. **The dry cleaner was closed in 2012 and the building was demolished in 2019.** The building immediately south of the dry cleaner was a dental office. **The dental office was closed in 2012 and the building was demolished in 2019.** Immediately east of the dry cleaner was a retail building that was built in the early 1990s (most recently used for mobile phone sales). **The mobile phone store was closed in 2018 and the building was demolished in 2019.** East of the retail building was a ‘self-serve’ car wash from the late 1980s until about 2017. **The car wash was closed in 2017 and the building was demolished in 2019.** The current office building at 117 Highbridge was constructed in the late 1970s; at the time of this Application, the building is still being leased as office space.

The dry cleaner, dental office, retail building and car wash were demolished in fall 2019. Past use of the site for manufacturing, retail gasoline sales, automobile servicing, dry cleaning and as a car wash likely resulted in adverse environmental impacts to the subject Site (see below).

Site Geology and Hydrogeology

The subject site is generally flat, with a slight change in elevation from north (higher) to south (lower). A 1977 United States Geological Survey (USGS) 7.5-minute series topographic map of the Syracuse East quadrangle reveals that the site elevation is approximately 435 feet above mean sea level. Groundwater flow is estimated to be to the east towards Limestone Creek but pavement, roads and storm sewers could affect local groundwater flow patterns. The water table exists within ten feet of ground surface within unconsolidated material consisting primarily of silt and fine sand with some gravel.

Environmental Assessment

Several environmental assessments have been conducted at the Site since the mid-2000s as summarized below. These assessments have documented environmental concerns related to the presence of petroleum-related compound and chlorinated solvents. **[NOTE- Falls Bridge Development I, LLC submitted a BCP Application on November 3, 2005. BCP Site No. C731406. This application was eventually withdrawn for business reasons.]**

Phase I ESA

A Phase I Environmental Site Assessment (ESA) was performed in 2005 as presented in the following report: *‘Phase I Environmental Site Assessment, West Genesee Street, Village of Fayetteville, Count of Onondaga, New York’ prepared by S&W Redevelopment of North America, LLC (SWRNA) dated July 2005.*

The Phase I ESA presents the following Recognized Environmental Conditions (RECs):

- Possible impacts related to historic auto repair and gas station uses on the northeast portion of the site (note- this is actually on an adjacent parcel)
- Possible impacts related to historic presence of transformers (PCBs) on the north portion of the site (note- this is actually on an adjacent parcel)
- Possible impacts related to 50-year presence of gasoline station (Shell Station) on the northwest corner of the site (related to 129 West Genesee Street);
- Evidence of existing Underground Storage Tank (UST) on the northwest portion of the site (related to 129 West Genesee Street);
- Possible impacts from 25-year history of dry cleaning operations on the northwest portion of the site (related to 129 West Genesee Street);
- Possible historic impacts from floor drains in dry cleaning (former Shell Station) facility (related to 129 West Genesee Street);
- Presence and unknown historic use of piping exiting the foundation of the dry cleaning facility (related to 129 West Genesee Street);
- Possible impacts related to compressor operation in dirt floor crawl space area on west portion of the site (related to 107 Highbridge Street).

The Phase I ESA report concludes that “additional investigation appears warranted”. The Phase I ESA report is attached as reference in electronic (PDF) format.

Limited Site Investigation

To address the RECs identified in the Phase I ESA, a limited Site Investigation (SI) was performed as presented in the following report: *‘Subsurface Investigation, West Genesee Street, Village of Fayetteville, Count of Onondaga, New York’ prepared by S&W Redevelopment of North America, LLC (SWRNA) dated March 2006.*

The SI consisted of advancing five soil borings and collecting one sample from each soil boring for laboratory analyses. Five groundwater monitoring wells were installed and sampled. The SI report presents the following findings:

- Petroleum odors were detected in soil at locations SB-1, SB-2 and SB-3 (near the former gas station, northwest portion of Site) but not at SB-4 and SB-5 (near the car wash, east portion of site);
- PID readings exceeded 100 ppm at locations SB-1 and SB-3;
- Soil samples were collected at SB-1, SB-2, SB-3 and SB-4 (note- samples from SB-1 was not collected from the interval with the highest PID reading, the sample from SB-3 was collected from the interval with the highest PID reading);
- VOCs were not present in soil samples at concentrations exceeding detections limits;
- Two SVOCs were detected in the soil samples from SB-3 and one SVOC was detected in the sample from SB-4; the concentration of 2-Methylnaphthalene (16.1 ppm) exceeded the Residential Use Soil Cleanup Objective (SCO) of 0.41 ppm;
- The groundwater sample from monitoring well MW-1 contained the following VOCs at concentrations exceeding New York State Groundwater Standards (NYSGWS): cis-1,2-Dichloroethene (79.1 ppb), vinyl chloride (14.9 ppb), and acetone (295 ppb);

- The groundwater samples from monitoring well MW-2, MW-3, MW-4 and MW-5 did not contain detectable concentrations of VOCs;
- Only the groundwater sample from MW-1 contained detectable concentrations of SVOCs, with the concentration of Bis(2-ethylhexyl)phthalate exceeding the NYSGWS.

The March 2006 SI is attached as reference in electronic (PDF) format.

Removal of 'wastewater cistern'

A small 'cistern' consisting of a vertical concrete pipe with concrete base was discovered in the former dry-cleaning machinery area once the former cleaner building was demolished. On 14 November 2019, Environmental Products and Service of VT, Inc. (EPS) sampled water that was present in the cistern. Based on analytical results, the liquid was characterized/profiled as hazardous waste (due to the presence of chlorinated compounds (see below)). Analytical reports and waste profiles are provided with this BCP application in electronic format. The water was removed and placed in drums on 1/13/20. The cistern was removed and a small amount of stained soil/sludge was encountered. That material was sampled (sample designation 'Cistern 1') and the material was removed and placed in a drum for disposal. After the small amount of soil/sludge was removed, a sample of the remaining soil (sample designation 'POST EXC.') was collected and analyzed for CP-51 List VOCs and SVOCs. Seven 55-gallon drums of material were transported by EPS to ENPRO Services of VT in Williston, VT on January 13, 2020 (Manifest attached). The cistern area was backfilled and secured by fence.

Detected analyte and associated concentrations in cistern water sample collected November 4, 2019: 1,2,4-Trichlorobenzene 22 ppb; 1,2-Dichlorobenzene 200 ppb; 1,3-Dichlorobenzene 220 ppb; 1,4-Dichlorobenzene 210 ppb; Chlorobenzene 35 ppb; cis-1,2Dichloroethene 15,000 ppb; Tetrachloroethene 3,900 ppb; Trichloroethene 1,200 ppb.

Detected analyte and associated concentrations in cistern Soil/Sludge collected on January 13, 2020: 1,2,4-Trimethylbenzene 3 ppm; 1,2-Dichlorobenzene 6.8 ppm; 1,3-Dichlorobenzene 29 ppm; 1,4-Dichlorobenzene 120 ppm; Chlorobenzene 100 ppm; cis-1,2-Dichloroethene 120ppm; Ethylbenzene 1.1ppm (several SVOCs were also detected in relatively low concentrations). **NOTE-** This sample was analyzed for TCL VOCs and SVOCs.

Detected analyte and associated concentrations in 'post-excavation' (i.e. post-removal) soil sample collected on January 13, 2020: 1,2,4-Trimethylbenzene 0.0046 ppm; 1,3,5-Trimethylbenzene 0.0042 ppm. **NOTE-** This sample was analyzed for CP-51 List VOCs and SVOCs; as such, the sample was not analyzed for TCE, PCE and breakdown products such as cis-1,2Dichloroethene.

GPR Survey

A Ground Penetrating Radar survey was performed at the subject Site on February 4, 2020. Under contract to Ambient Environmental, Inc. (Ambient), Ground Penetrating Radar Systems (GPRS) performed the following work:

- The entire accessible project area (approximately 2 acres) was scanned to locate underground utilities and other subsurface features.;
- A tracer signal was sent along any accessible metallic utility or tracer wire, and the area was scanned with GPR to locate any additional targets;

- The locations of any detected utilities and anomalies were marked directly at the site with paint and results were reviewed with onsite personnel unless otherwise noted.

GPRS utilized Underground Scanning GPR antenna typically capable of detecting objects up to 8 feet deep, Electromagnetic Pipe and Cable Locator, and Magnetometer to detect ferromagnetic objects.

Numerous small and large anomalies were detected across the site, many which are likely abandoned utilities. However, five items of interest were detected as listed below and shown on the attached field sketch:

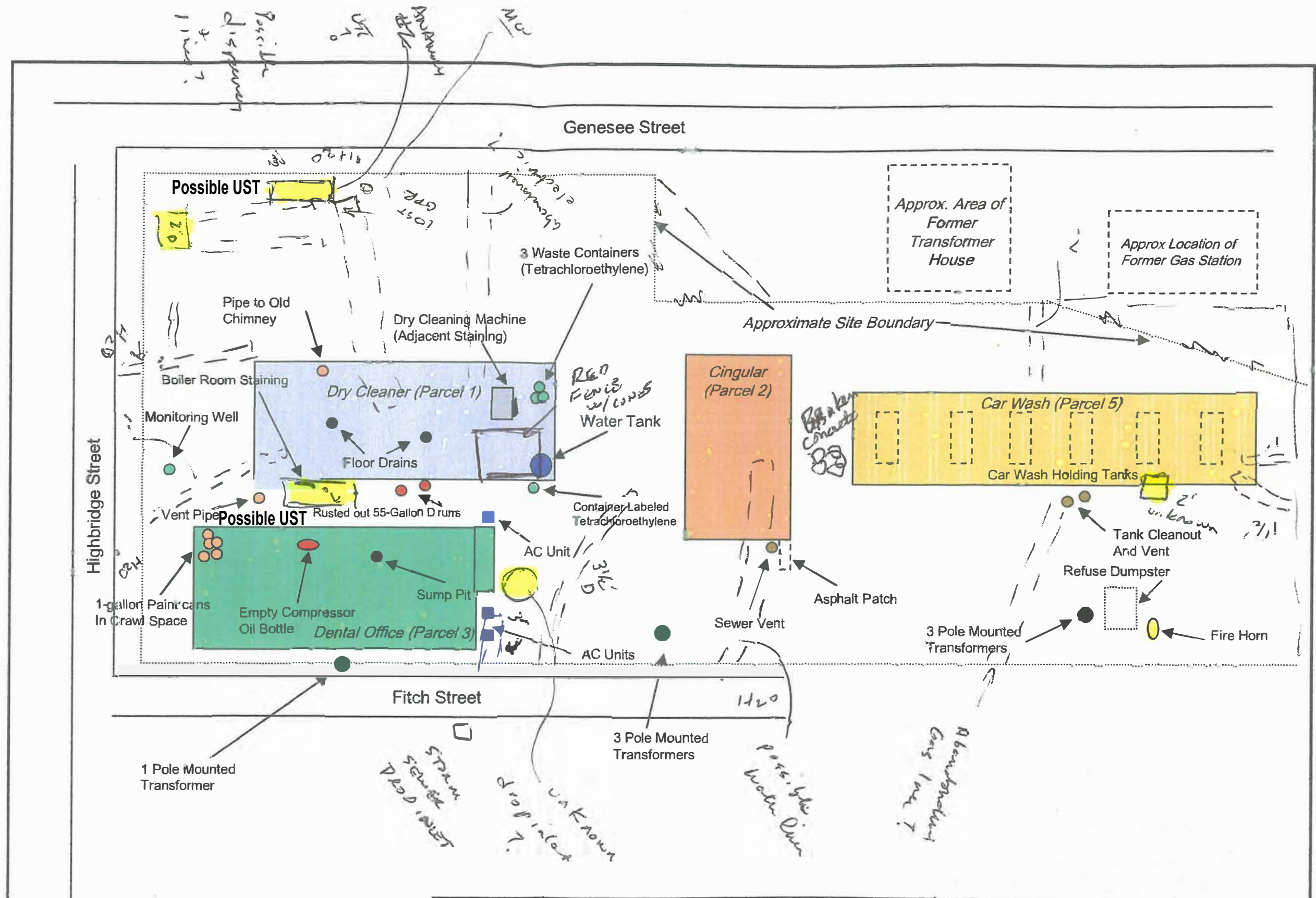
- 2 ft. x 2 ft. square feature on east side of parcel near south end of former car wash;
- 3 ft. diameter feature on south side of lot east of former dentist office;
- 5 ft. wide x 8 ft. long feature with metal fill cap at surface, located north of former Dental office, south of former Dry Cleaner (possible UST #1);
- 6 ft. wide x 10 ft. long feature on north side of parcel (possible UST #2);
- 2 ft x 2 ft square feature in northeast corner of lot (with possible utilities heading towards anomaly #4 above).

Summary of Environmental Assessment

Based on available environmental information, the primary contaminants of concern for the Site are petroleum-related VOCs and SVOCs (soil and groundwater) associated with past Site use as a gas station (including the probable presence of unregistered USTs), and chlorinated solvents (soil and groundwater) associated with past use of the Site as a dry cleaner. A summary is below.

- Petroleum odors were detected in soil at locations SB-1, SB-2 and SB-3 (near the former gas station, northwest portion of Site), PID readings exceeded 100 ppm at locations SB-1 and SB-3;
- Two SVOCs were detected in the soil samples from SB-3 and one SVOC was detected in the sample from SB-4; the concentration of 2-Methylnaphthalene (16.1 ppm) exceeded the Residential Use Soil Cleanup Objective (SCO) of 0.41 ppm in the soil sample from SB-3;
- The groundwater sample from monitoring well MW-1 contained the following VOCs at concentrations exceeding New York State Groundwater Standards (NYSGWS): cis-1,2-Dichloroethene (79.1 ppb), vinyl chloride (14.9 ppb), and acetone (295 ppb);
- Detected analyte and associated concentrations in post-excavation soil sample collected on January 13, 2020 at the location of the removed cistern were as follows: 1,2,4-Trimethylbenzene 0.0046 ppm, 1,3,5-Trimethylbenzene 0.0042 ppm (NOTE-this sample was analyzed for CP-51 List VOCs and SVOCs which does not include analyses for TCE, PCE and breakdown products such as cis-1,2Dichloroethene);
- A GPR survey conducted on February 4, 2020 indicated the potential presence of at least two USTs.

Soil boring/well locations, analytical data, and GPR results are provided on drawings L-02 and L-03 provided at Attachment 4; GPR field notes provided on the following page).



Not to Scale

2-4-2020
 FIELD NOTES FROM GPR
 SURVEY - AUSTIN ENV.

Attachment 7: Current and Past Property Owner

➤ NOTE- There is no relationship (ownership, operational or otherwise) between current and past owners

CURRENT OWNERS

Parcel Address/ID	Owner name and address/phone, email	Duration of Ownership
129 Genesee Street 018. -06-09.1	Falls Bridge Development I LLC*, 117 Highbridge Street, Fayetteville, NY 13066 315 420-1056 Contact: Susan Poissant susan.poissant@hlcoss.com	8/15/2014 to present
107 Highbridge Street 018. -06-08.0	Falls Bridge Development I LLC*, 117 Highbridge Street, Fayetteville, NY 13066 315 420-1056 Contact: Susan Poissant susan.poissant@hlcoss.com	10/26/2015 to present
125 Genesee Street 018. -06-07.1	Point Five Development Fayetteville LLC*, 117 Highbridge Street, Fayetteville, NY 13066 315 420-1056 Contact: Susan Poissant susan.poissant@hlcoss.com	7/24/2006 to present
100 Fitch Street 018. -06-07.2	Point Five Development Fayetteville LLC*, 117 Highbridge Street, Fayetteville, NY 13066 315 420-1056 Contact: Susan Poissant susan.poissant@hlcoss.com	12/02/2011 to present
117 Highbridge Street 018. -06-06.1	Seaside LLC, 117 Highbridge Street, Fayetteville, NY 13066 315-671-1500 Contact: John Kosta jckosta@zoho.com	12/28/2018 to present

**Indicates that owner is also a Requestor*

PAST OWNERS

Parcel Address	Owner name and address (phone)	Duration of Ownership
129 Genesee Street	Richard Casele and Roderick Burlingame, 129 Genesee Street, Fayetteville, NY Use: dry cleaner	4/15/1993-8/15/2014
	R&L Family Inc., 129 Genesee Street, Fayetteville, NY Use: dry cleaner	10/16/1979 to 4/15/1993
	Shell Oil Company, 50 West 50 th Street, New York, NY Use: gas station	6/1/1929 to 10/16/1979

107 Highbridge Street	Richard Sherwood, DDS (deceased) 107 Highbridge, Fayetteville, NY Use: dentist office 107 Highbridge Corp. Use: office	1990 to 10/26/2015 1965 to 1990
125 Genesee Street	David Mueller (leased to Verizon Store) 4070 Henneberry Road, Manlius, NY 13104 Use: cellular phone sales; Strathmore Paint shop 107 Highbridge Corp. Use: Retail (?)	1995 to 7/24/2006 1965 to 1995
100 Fitch Street	Leneker Living Trust 4040 Cove Road, Jamesville, NY 13078 Use: car wash Richard W. Leneker 4040 Cove Road, Jamesville, NY 13078 Use: car wash Limestone Car Wash Use: car wash Beacham Corp. Use: car wash	1/9/2009 to 12/02/2011 10/14/1999 to 1/9/2009 9/17/1991 to 10/14/1999 10/31/1987 to 9/17/1991
117 Highbridge Street	Point Five Development Fayetteville LLC 117 Highbridge Street, Fayetteville, NY 13066 315 420-1056 susan.poissant@hlcoss.com Use: office space Haring, Betty A. G&H Properties, PO Box 212, Fayetteville, NY 13066 Use: office space	3/23/2018-12/28/2018 5/28/2010-3/23/2018

Attachment 8: Prior BCP Application

On behalf of Falls Bridge Development I, LLC, S&W Redevelopment of North America, LLC (SWRNA) submitted a Brownfield Cleanup Program (BCP) Application for 125&129 West Genesee Street, 100 Fitch Street, and 107&117 Highbridge Street in Fayetteville, Town of Manlius, Onondaga County, NY. This is essentially the same Site being addressed under this BCP Application. The application stated that soil and groundwater contamination was suspected but did not provide any documentation or data to confirm the presence of contamination. The application was dated October 28, 2005.

NYSDEC issued a letter stating that they had reviewed the application of Falls Bridge Development I, LLC, dated October 28, 2005, for participation in the BCP with respect to West Genesee Street, Fayetteville, Onondaga County. NYSDEC indicated their understanding that a Phase II Site Investigation (SI) had been conducted at the subject Site but that the Phase II SI report had not been submitted with the application. NYSDEC requested the Phase II SI report on several occasions but was never provided the requested document.

As a result, NYSDEC denied the BCP Application in a letter from NYSDEC to Falls Bridge Development I, LLC dated June 6, 2006 (attached).

New York State Department of Environmental Conservation
Division of Environmental Remediation, 12th Floor
625 Broadway, Albany, New York 12233-7011
Phone: (518) 402-9706 • **FAX:** (518) 402-9020
Website: www.dec.state.ny.us



June 6, 2006

Ms. Susan Poissant
Falls Bridge Development I, LLC
7085 Manlius Center Road
East Syracuse, New York 13057

Re: Brownfield Cleanup Program Application #C734106
West Genesee Street
Requestor: Falls Bridge Development I, LLC

Dear Ms. Poissant:

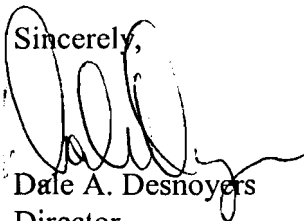
The New York State Department of Environmental Conservation (“Department”) has reviewed the application of Falls Bridge Development I, LLC, dated October 28, 2005, for participation in the Brownfield Cleanup Program (“BCP”) with respect to West Genesee Street, Fayetteville, Onondaga County. The Department has determined, based on the information provided to the Department as part of the application, that the proposed site does not meet the requirements of a brownfield site as defined in Article 27, Title 14 of the Environmental Conservation Law and pursuant to ECL § 27-1407.8 the Department must deny your request.

In making this determination, the Department considered whether there is confirmed contamination on the property (or a reasonable basis to believe that contamination is likely to be present) and whether there is a reasonable basis to believe that contamination (or the potential presence of contamination) may be complicating the redevelopment or reuse of the property.

In reviewing the application, the Department identified that a Phase II report had been conducted but was not submitted with the application. During a teleconference on January 31, 2006, your representatives agreed to submit a report within 30 days of such previously completed Phase II investigation. This report would provide additional existing environmental data for the site. No report was received and on May 5, 2006 the Department sent a letter requesting the submittal by May 19th to the extent that the applicant remained interested in pursuing entry of the site into the Department’s BCP. To date, neither a reply to the May 5th letter nor the Phase II report has been received.

A review of the application and attachments indicates that there is not a reasonable basis to believe that contamination or the potential presence of contamination is complicating the development or reuse of the property. Although it is noted that a gas station and dry cleaner have operated on the property, no analytical results were presented to show any impact to either soil or groundwater. It is also noted that the proposed site is presently occupied by a car wash, a dry cleaner and an office building.

Therefore, the Department has determined that the property is not a brownfield site as defined in the Environmental Conservation Law and your application to participate in the Brownfield Cleanup Program must be denied.

Sincerely,

Dale A. Desnoyers
Director
Division of Environmental Remediation

MCD:d:k
A:D2237

bec: S. Ervolina
P.D. Smith
M.J. Peachey
R. Sherman
D. Christian
J. Ryan
J. Burke
J. Quinn
J. Drumm
M. Desmond

ATTACHMENT 9: PROOF OF SITE ACCESS

FALLS BRIDGE DEVELOPMENT I LLC

March 2, 2020

Via FedEx Delivery

Point Five Development Fayetteville LLC
117 Highbridge St, Suite U-2b
Fayetteville, NY 13066

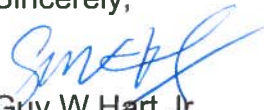
Re: Site Access to Perform Brownfield Cleanup Program Work
(i) 125 Genesee St. W and (ii) 100 Fitch St.
Village and Town of Fayetteville, Onondaga County, New York

Dear Property Owner:

As you may be aware, Falls Bridge Development I LLC is submitting a Brownfield Cleanup Program (BCP) application to the New York State Department of Environmental Conservation (NYSDEC) to voluntarily investigate and remediate the subject properties on (i) 125 Genesee St. W (tax map parcel 018.-06.07.1 consisting of 0.12 acres) and (ii) 100 Fitch St. (tax map parcel 018.-06-07.2 consisting of .34 acres). You are the owner of these parcels. We need your written permission to access your property before signing the required Brownfield Cleanup Agreement (BCA) and throughout the BCP project for the purpose of performing environmental investigation and remediation work as criteria for acceptance into BCP.

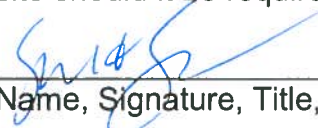
If you agree to sign below, you are granting Falls Bridge Development I LLC what is known as a "temporary license" to allow an appropriate contractor we hire to enter the property to perform investigation and remediation work. Our contractor will maintain appropriate insurance for the duration of the work. We promise to provide you copies of any information we generate about the property. One week notice will be provided prior to conducting any work. If you have any questions, please contact Susan Poissant at 315.420.1056. Thank you.

Sincerely,



Guy W Hart Jr
Member

As an authorized representative of the site owner, I grant this temporary license and agree to allow Falls Bridge Development I LLC and its agents to enter my property to perform the required BCP investigation and remediation work. Access is granted to perform all BCP-related activities including the ability to place an environmental easement upon the site should it be required.

 Member 3/2/20

Name, Signature, Title, Date

POINT FIVE DEVELOPMENT FAYETTEVILLE LLC

March 2, 2020

Via FedEx Delivery

Falls Bridge Development I LLC
117 Highbridge St, Suite U-2b
Fayetteville, NY 13066


Re: Site Access to Perform Brownfield Cleanup Program Work
(i) 129 Genesee St. W, and (ii) 107 Highbridge St.
Village and Town of Fayetteville, Onondaga County, New York

Dear Property Owner:

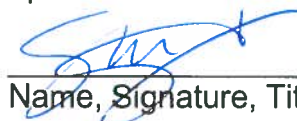
As you may be aware, Point Five Development Fayetteville LLC is submitting a Brownfield Cleanup Program (BCP) application to the New York State Department of Environmental Conservation (NYSDEC) to voluntarily investigate and remediate the subject properties on (i) 129 Genesee St. W (tax map parcel 018.-06-09.1 consisting of 0.29 acres) and (ii) 107 Highbridge St. (tax map parcel 018.-06-08.0 consisting of 0.15 acres). You are the owner of these parcels. We need your written permission to access your property before signing the required Brownfield Cleanup Agreement (BCA) and throughout the BCP project for the purpose of performing environmental investigation and remediation work as criteria for acceptance into BCP.

If you agree to sign below, you are granting Point Five Development Fayetteville LLC what is known as a "temporary license" to allow an appropriate contractor we hire to enter the property to perform investigation and remediation work. Our contractor will maintain appropriate insurance for the duration of the work. We promise to provide you copies of any information we generate about the property. One week notice will be provided prior to conducting any work. If you have any questions, please contact Susan Poissant at 315.420.1056. Thank you.

Sincerely,


Guy W Hart Jr
Member

As an authorized representative of the site owner, I grant this temporary license and agree to allow Point Five Development Fayetteville LLC and its agents to enter my property to perform the required BCP investigation and remediation work. Access is granted to perform all BCP-related activities including the ability to place an environmental easement upon the site should it be required.

 Member 3/2/20
Name, Signature, Title, Date

POINT FIVE DEVELOPMENT FAYETTEVILLE LLC

March 2, 2020

Via FedEx Delivery

117 Highbridge St.,
Fayetteville, NY 13066
Attn: Susan Poissant

Re: Authorized Agent for Brownfield Cleanup Program Work
(i) 125 Genesee St. W and (ii) 100 Fitch St.
Village and Town of Fayetteville, Onondaga County, New York

To Whom It May Concern:

In connection with the above referenced matter for our properties located at (i) 125 Genesee St. W (tax map parcel 018.-06.07.1 consisting of 0.12 acres) and (ii) 100 Fitch St. (tax map parcel 018.-06-07.2 consisting of .34 acres), we hereby name Susan Poissant as the authorized agent for the Requestor Point Five Development Fayetteville LLC with regards to the NYSDEC Brownfield Cleanup program.

Sincerely,

GUY HART REAL ESTATE CORP.

By: 
Guy W. Hart, President

PRESTON DEVELOPMENT CORP.

By: 
Guy W. Hart, Jr., President

RDL DEVELOPMENT CORP.

By: 
David Meath, President

FANT DEVELOPMENT CORP.

By: 
Seamus P. Lyman, President

FALLS BRIDGE DEVELOPMENT I LLC

March 2, 2020

Via FedEx Delivery

117 Highbridge St.,
Fayetteville, NY 13066
Attn: Susan Poissant

Re: Authorized Agent for Brownfield Cleanup Program Work
(i) 129 Genesee St. W, and (ii) 107 Highbridge St.
Village and Town of Fayetteville, Onondaga County, New York

To Whom It May Concern:

In connection with the above referenced matter for our properties located at (i) 129 Genesee St. W (tax map parcel 018.-06-09.1 consisting of 0.29 acres) and (ii) 107 Highbridge St. (tax map parcel 018.-06-08.0 consisting of 0.15 acres), we hereby name Susan Poissant as the authorized agent for Requestor Falls Bridge Development I LLC with regards to the NYSDEC Brownfield Cleanup program.

Sincerely:

GUY HART REAL ESTATE CORP.

By: 
Guy W. Hart, President

PRESTON DEVELOPMENT CORP.

By: 
Guy W. Hart, Jr., President

RDL DEVELOPMENT CORP.

By: 
David Meath, President

FANT DEVELOPMENT CORP.

By: 
Seamus P. Lyman, President

FALLS BRIDGE DEVELOPMENT I LLC

March 2, 2020

Via FedEx Delivery

Seaside LLC
117 Highbridge St.,
Fayetteville, NY 13066

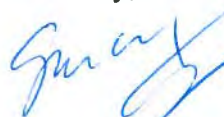
Re: Site Access to Perform Brownfield Cleanup Program Work
117 Highbridge St.
Village and Town of Fayetteville, Onondaga County, New York

Dear Property Owner:

As you may be aware, Falls Bridge Development I LLC is submitting a Brownfield Cleanup Program (BCP) application to the New York State Department of Environmental Conservation (NYSDEC) to voluntarily investigate and remediate the subject properties on 117 Highbridge Street (tax map parcel 018.-06-06.1 consisting of 0.69 acres). You are the owner of these parcels. We need your written permission to access your property before signing the required Brownfield Cleanup Agreement (BCA) and throughout the BCP project for the purpose of performing environmental investigation and remediation work as criteria for acceptance into BCP.

If you agree to sign below, you are granting Falls Bridge Development I LLC what is known as a "temporary license" to allow an appropriate contractor we hire to enter the property to perform investigation and remediation work. Our contractor will maintain appropriate insurance for the duration of the work. We promise to provide you copies of any information we generate about the property. One week notice will be provided prior to conducting any work. If you have any questions, please contact Susan Poissant at 315.420.1056. Thank you.

Sincerely,



Guy W. Hart, Jr.
Member

As an authorized representative of the site owner, I grant this temporary license and agree to allow Falls Bridge Development I LLC and its agents to enter my property to perform the required BCP investigation and remediation work. Access is granted to perform all BCP-related activities including the ability to place an environmental easement upon the site should it be required.

John C Kosta



CFO

3-02-2020

Name, Signature, Title, Date

POINT FIVE DEVELOPMENT FAYETTEVILLE LLC

March 2, 2020

Via FedEx Delivery

Seaside LLC
117 Highbridge St.,
Fayetteville, NY 13066

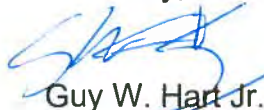
Re: Site Access to Perform Brownfield Cleanup Program Work
117 Highbridge Street
Village and Town of Fayetteville, Onondaga County, New York

Dear Property Owner:

As you may be aware, Point Five Development Fayetteville LLC is submitting a Brownfield Cleanup Program (BCP) application to the New York State Department of Environmental Conservation (NYSDEC) to voluntarily investigate and remediate the subject properties on 117 Highbridge Street (tax map parcel 018.-06-06.1 consisting of 0.69 acres). You are the owner of these parcels. We need your written permission to access your property before signing the required Brownfield Cleanup Agreement (BCA) and throughout the BCP project for the purpose of performing environmental investigation and remediation work as criteria for acceptance into BCP.

If you agree to sign below, you are granting Point Five Development Fayetteville LLC what is known as a "temporary license" to allow an appropriate contractor we hire to enter the property to perform investigation and remediation work. Our contractor will maintain appropriate insurance for the duration of the work. We promise to provide you copies of any information we generate about the property. One week notice will be provided prior to conducting any work. If you have any questions, please contact Susan Poissant at 315.420.1056. Thank you.

Sincerely,


Guy W. Hart Jr.
Member

As an authorized representative of the site owner, I grant this temporary license and agree to allow Point Five Development Fayetteville LLC and its agents to enter my property to perform the required BCP investigation and remediation work. Access is granted to perform all BCP-related activities including the ability to place an environmental easement upon the site should it be required.

John C Kosta  CFO 3-02-2020

Name, Signature, Title, Date

SEASIDE LLC

March 2, 2020

Via FedEx Delivery

117 Highbridge St.,
Fayetteville, NY 13066
Attn: Susan Poissant

Re: Authorized Agent for Brownfield Cleanup Program Work
117 Highbridge St.
Village and Town of Fayetteville, Onondaga County, New York

To Whom It May Concern:

In connection with the above referenced matter for our property located at 117 Highbridge Street (tax map parcel 018.-06-06.1 consisting of 0.69 acres), we hereby name Susan Poissant as the authorized agent for Requestor Seaside LLC with regards to the NYSDEC Brownfield Cleanup program.

Sincerely,


John C Koster

Attachment 10: Adjacent Property Owners

Address	Tax ID	Owner	Address	Acres
210 Genesee St W	007.-03-27.1	Norman Sellinger & Max Pepper	120 Washington St E Syr NY 13202	0.43
206 Genesee St W	007.-03-29.0	Robert J Deforge Jr	PO BOX 55630 Lexington KY 40555	0.38
204 Genesee St W	007.-03-30.0	PPP Fietta Corp	PO BOX 579 Elbridge NY 13060	0.17
202 Genesee St W	007.-03-31.0	Fayetteville Inn LLC	PO BOX 579 Elbridge NY 13060	0.24
203 Genesee St W	018.-05-04.0	NU203 Genesee Properties LLC	6220 Royal Birkdale, Jamesville, NY13076	0.22
200 Genesee St W	007.-03-32.0	Fayetteville Inn LLC	PO BOX 579 Elbridge NY 13060	0.23
128 Genesee St W	007.-03-33.0	PPP Fietta Corp	PO BOX 579 Elbridge NY 13060	0.28
108 Highbridge St	018.-05-06.0	NU108 Highbridge Property LLC	6220 Royal Birkdale Jamesville NY 13078	0.22
110 Highbridge St	018.-05-07.0	William V Stone III	8408 Filatree Cir Baldwinsville NY 13027	0.13
200 Highbridge St	018.-04-04.0	Highbridge Santucci II LLC	6889 Kassonta Drive, Jamesville, NY 13078	0.12
201 Highbridge St	018.-09-03.0	201 Highbridge St LLC	PO BOX 472 Manlius NY 13104	0.16
202 Highbridge St	018.-04-05.0	Jacqueline L Dix	202 Highbridge St Fayetteville NY 13066	0.13
100 Thompson St	018.06-05.1	Miles Talbot & Co	100 Thompson St Fayetteville NY 13066	0.27
101 Thompson St	018.-09-06.3	Norman & Geraldine Radway	101 Thompson St Fayetteville NY 13066	0.04
103 Thompson St	018.-09-06.2	Ellen S Dupree	103 Thompson St Fayetteville NY 13066	0.05
105 Thompson St	018.-09-06.1	Alan Eufinger	105 Thompson St Fayetteville NY 13066	0.09
107 Thompson St	018.-09-01.0	Yannascoli Properties LLC	107 Thompson St Fayetteville NY 13066	0.11

Municipalities

Town of Manlius
 Edmond Theobald, Town Supervisor
 301 Brooklea Drive
 Fayetteville, NY 13066
 Ph: 315-637-3414 Fax: 315-637-0713
 Email: etheobald@townofmanlius.org

Town of Manlius Planning Board
 Joseph Lupia, Chairman
 301 Brooklea Drive
 Fayetteville, NY 13066
 Ph: 315-637-8691 Fax: 315-637-0713

Onondaga County
 Ryan McMahon, County Executive
 421 Montgomery Street, 14th Floor
 Syracuse, NY 13202
 Ph: 315-435-3516 Fax: 315-435-8582

Onondaga County Planning Board
Daniel Cupoli
421 Montgomery Street, 11th Floor
Fayetteville, NY 13066
Ph: 315-435-2611 Fax: 315-435-2439
Email: countyplanning@ongov.net

Village of Fayetteville
Mark Olsen, Mayor
425 East Genesee Street
Fayetteville, NY 13066
Ph: 315-682-9171 Fax: 315-682-8119
Email: marko@fayettevilleny.gov

Village of Fayetteville Planning Board
Jane Rice, Chairperson
425 East Genesee Street
Fayetteville, NY 13066
Ph: 315-637-9864

Heather Matzel, Executive Director
Fayetteville Free Library
300 Orchard Street
Fayetteville, NY 13066
Ph: 315-637-6374
hmatzel@fflib.org

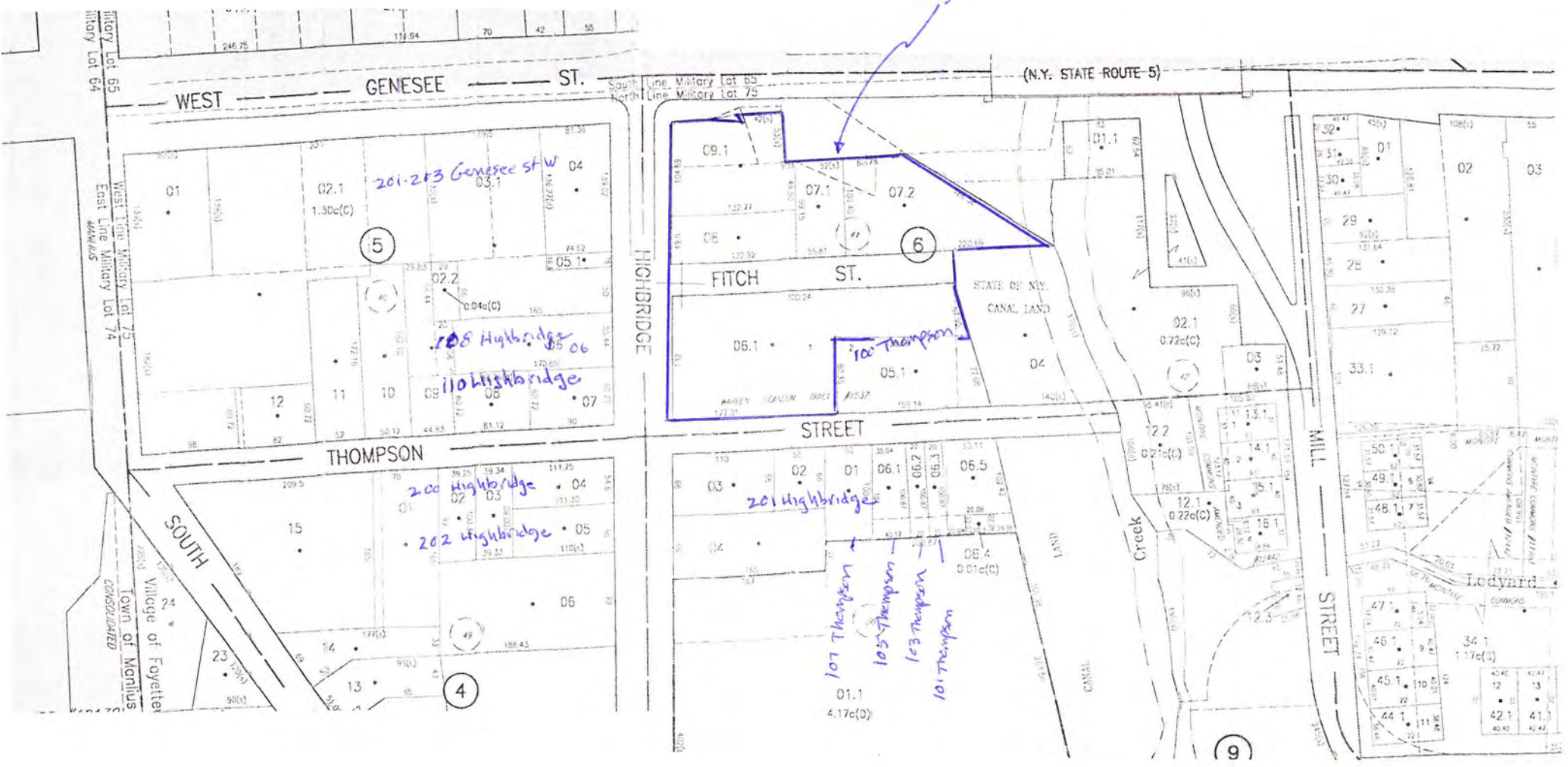
(NOTE- Fayetteville Library is document repository)

Media Contacts

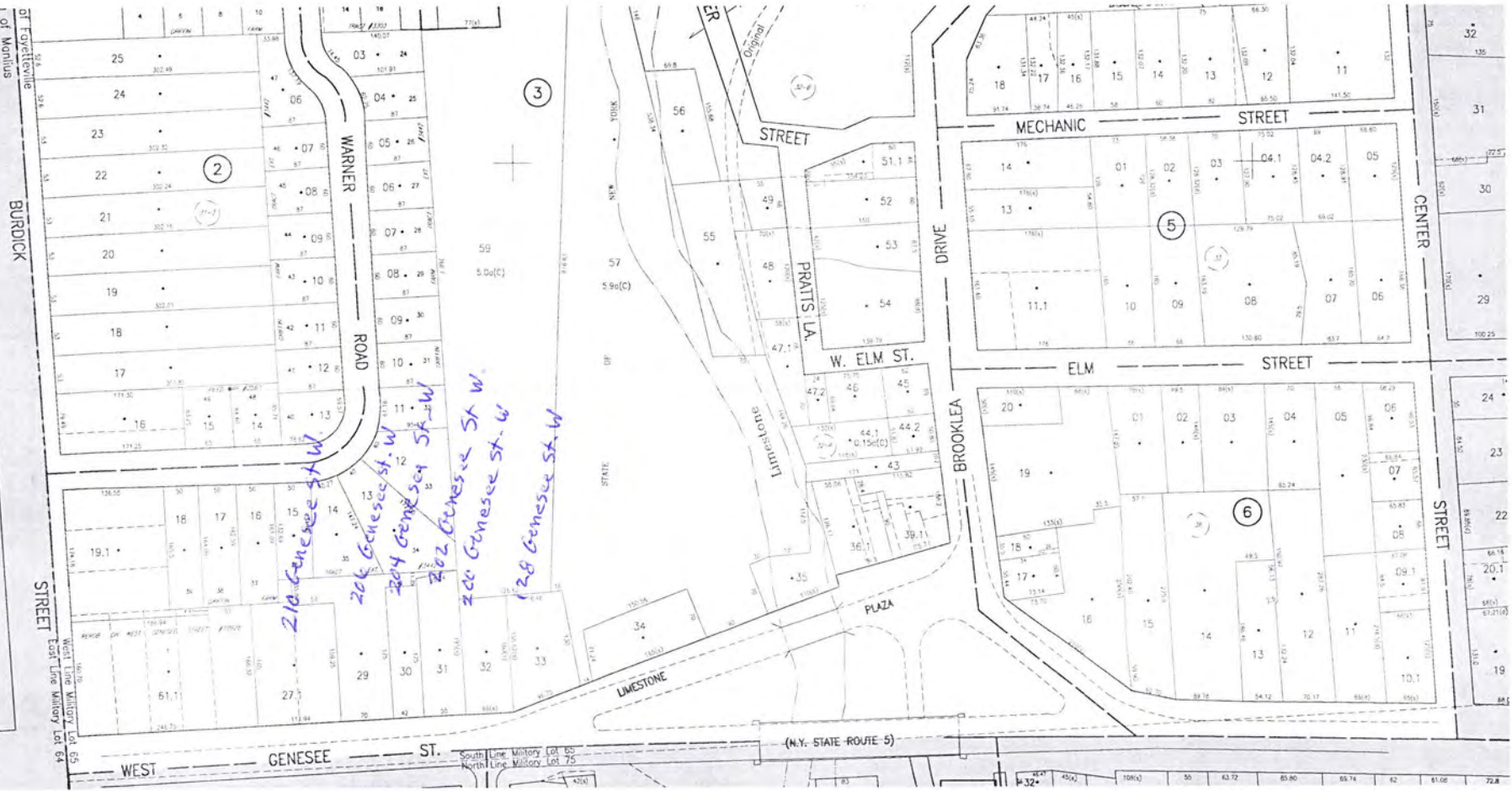
Eagle Bulletin – <https://www.eaglenewsonline.com>
Post Standard – <https://syracuse.com/poststandard/>

Public Water Supplier

Onondaga County Water Authority
200 Northern Concourse
Syracuse, NY 13212
Ph: 315-455-7061
Fax: 315-455-6578



TAX MAP AND ADDRESSES 1 of 2



Tax Map AND ADDRESSES 202

From: Heather Matzel <hmatzel@fflib.org>
Sent: Monday, February 24, 2020 12:06 PM
To: Jim Blasting <jimb@ambient-env.com>
Subject: RE: request for documents repository

Hi Jim,

Thank you for your email. We are willing to accept these documents. You are correct that we do have a binder of Brownfield Cleanup Program documents at our reference desk so these new documents could be kept next to them.

Please let me know when to expect these so that I can inform our staff of everything.

Kind regards,
Heather

Heather Matzel
Executive Director
Fayetteville Free Library
300 Orchard St.
Fayetteville, NY 13066
(315) 637-6374, ext. 307
hmatzel@fflib.org
www.fflib.org



From: Jim Blasting <jimb@ambient-env.com>
Sent: Friday, February 21, 2020 12:39 PM
To: Heather Matzel <hmatzel@fflib.org>
Subject: request for documents repository

Heather-

I am preparing a Brownfield Cleanup Program (BCP) application for a local company. The subject Site is in the Village of Fayetteville. We have identified the Fayetteville Free Library as the appropriate repository for BCP documents that are subject to public comment. Typically, these types of documents are kept at the reference desk.

Would the FFL be willing to accept these documents during the comment period? Please let me know. Feel free to call me if you have any questions. Thank you. Jim

James F. Blasting, PG
Senior Consultant
Ambient Environmental, Inc. (NYS-Certified WBE)
(315) 263-3388
jimb@ambient-env.com

Attachment 11: Current and Past Property Use, and date operations ceased

Currently, all properties except 117 Highbridge are vacant with no buildings. However, past activities have resulted in environmental impairment as described in other section of this Application and summarized below.

Parcel Address	Current Owner and Operations	Past Owners and operations
129 W. Genesee Street Tax ID 018. -06-09.1	Falls Bridge Development I LLC; no operations	R. Burlingame (dry cleaner); Shell Oil (gas station) OPERATIONS CEASED 2012; BUILDING DEMOLISHED FALL 2019
107 Highbridge Street Tax ID 018. -06-08.0	Falls Bridge Development I LLC; no operations	Richard Sherwood, DDS (dentist office, documented spill of compressor oil in crawl space) OPERATIONS CEASED 2014; BUILDING DEMOLISHED FALL 2019
125 W. Genesee Street Tax ID 018. -06-07.1	Point Five Development Fayetteville LLC; no operations	David Mueller, cellular sales store, Strathmore paint store (built early 1990s) OPERATIONS CEASED 2018; BUILDING DEMOLISHED FALL 2019
100 Fitch Street 018. -06-07.2	Point Five Development Fayetteville LLC; no operations	Leneker Living Trust, Richard Leneker (car wash) OPERATIONS CEASED 2018; BUILDING DEMOLISHED FALL 2019
117 Highbridge Street Tax ID 018. -06-06.1	Seaside LL; office space	Point Five Dev., and Betty Haring before that (all known previous use as office space) BUILDING STILL OPERATING AS OFFICE SPACE, BUILDING WILL BE DEMOLISHED CONCURRENT WITH BCP IMPLEMENTATION