



## 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 5**

#### Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY  
BCP SITE #: \_\_\_\_\_

NAME Woodbine Business Park, Inc.

ADDRESS 505 East Fayette Street

CITY/TOWN Syracuse

ZIP CODE 13202

PHONE 315-471-7400

FAX 315-471-7464

E-MAIL nswanson@woodbinegroup.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.

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

2. If the project is starting at the remediation stage, a Remedial Investigation Report (RIR), Alternatives Analysis, and Remedial Work Plan must be attached (see [DER-10 / Technical Guidance for Site Investigation and Remediation](#) for further guidance).

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

4. Please attach a short description of the overall development project, including:

- 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).

**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	Not Sampled	Not Sampled	Not Sampled
Chlorinated Solvents	Not Sampled	Not Sampled	Not Sampled
Other VOCs	Not Sampled	Not Sampled	Not Sampled
SVOCs	Not Sampled	Not Sampled	Not Sampled
Metals	Not Sampled	Not Sampled	Not Sampled
Pesticides	Not Sampled	Not Sampled	Not Sampled
PCBs	Yes	Not Sampled	Not Sampled
Other*			

\*Please describe: \_\_\_\_\_

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

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

Other: Field crops, dairy farm, pasteurized milk plant, sand quarry \_\_\_\_\_

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME Woodbine Business Park				
ADDRESS/LOCATION Canada Drive				
CITY/TOWN East Syracuse		ZIP CODE 13057		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Town of Dewitt				
COUNTY Onondaga		SITE SIZE (ACRES) 12.47		
LATITUDE (degrees/minutes/seconds) 43 ° 6 ' 18.97" N		LONGITUDE (degrees/minutes/seconds) -76 ° 4 ' 3.072" W		
COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.				
Parcel Address		Section No.	Block No.	Lot No. Acreage
Canada Dr		017.	06	01.1 8.97
Canada Dr		017.	06	01.5 3.50
1. Do the proposed site boundaries correspond to tax map metes and bounds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If no, please attach a metes and bounds description of the property.				
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 <a href="#">DEC's website</a> 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

Former underground cable easement removed (see attached Release of Easement)

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

Type

Issuing Agency

Description

None

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

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**?

☒ Yes ☐ No

11. For sites located within the five counties comprising New York City, is the requestor seeking a determination that the site is eligible for tangible property tax credits?  
If yes, requestor must answer questions on the supplement at the end of this form. ☐ Yes ☐ No
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

If this 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, 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)**

<b>Section V. Additional Requestor Information</b> <b>See Instructions for Further Guidance</b>		DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Norman Swanson			
ADDRESS 505 East Fayette Street			
CITY/TOWN Syracuse		ZIP CODE 13202	
PHONE 315-471-7400	FAX 315-471-7464	E-MAIL nswanson@woodbinegroup.com	
NAME OF REQUESTOR'S CONSULTANT Bryan Bowers - Asbestos & Environmental Consulting Corporation			
ADDRESS 6308 Fly Road			
CITY/TOWN East Syracuse		ZIP CODE 13057	
PHONE 315-432-9400	FAX 315-432-9505	E-MAIL bbowers@aeccgroupp.com	
NAME OF REQUESTOR'S ATTORNEY Michael Fogel - Brown Sharlow Duke & Fogel, P.C.			
ADDRESS 621 West Genesee Street			
CITY/TOWN Syracuse		ZIP CODE 13204	
PHONE 315-399-4343	FAX 315-472-6215	E-MAIL mfogel@bsdflaw.com	
<b>Section VI. Current Property Owner/Operator Information – if not a Requestor</b>			
CURRENT OWNER'S NAME		OWNERSHIP START DATE:	
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
CURRENT OPERATOR'S NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
<b>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. 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".</b>			
<b>Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)</b>			
If answering "yes" to any of the following questions, please provide an explanation as an attachment.			
1. Are any enforcement actions pending against the requestor regarding this site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
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	
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	

## 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. ☐ 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? ☐ 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.**

## Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

☐ Previous Owner ☒ Current Owner ☐ Potential /Future Purchaser ☐ Other \_\_\_\_\_

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

**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? ☐ Yes ☒ No  
If yes, please provide: Site # \_\_\_\_\_ Class # \_\_\_\_\_
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? ☐ Yes ☒ No  
If yes, please provide: Permit type: \_\_\_\_\_ EPA ID Number: \_\_\_\_\_  
Date permit issued: \_\_\_\_\_ Permit expiration date: \_\_\_\_\_
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? ☐ Yes ☒ No  
If yes, please provide: Order # \_\_\_\_\_
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? ☐ Yes ☒ No  
If yes, please provide explanation as an attachment.

## 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:

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). In addition, attach a copy of an acknowledgement from the repository indicating that it agrees to act as the document repository for the property.
8. Any community board located in a city with a population of one million or more, if the proposed site is located within such community board's boundaries.

## Section X. Land Use Factors

1. What is the current zoning for the site? What uses are allowed by the current zoning?

☐ 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.**

3. Reasonably anticipated use Post Remediation: ☐ Residential ☒ Commercial ☒ Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**

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

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

Yes. Already zoned Industrial and Business Transitional. See attached zoning map and ordinances.

☒ Yes ☐ No

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. In January 2008, the Town of Dewitt Planning Board adopted a resolution approving the Woodbine Business Park subdivision following extensive assessments of the impact of development on the neighbors and community. See attached subdivision resolution.

☒ Yes ☐ No

## XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I acknowledge and agree to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter. 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 President (title) of Woodbine Business Park, Inc. (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 to execute a BCA within 60 days of the date of DEC's approval letter. 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: 8-27-16

Signature: 

Print Name: Norman E. Swanson

### 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 5**

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
<b>Please answer questions below and provide documentation necessary to support answers.</b>	
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see <a href="#">DEC's website</a> 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
<p><b>From ECL 27-1405(31):</b></p> <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> <p><b>From 6 NYCRR 375-3.2(I) as of July 1, 2015:</b> (Please note: Eligibility determination for the underutilized category can only be made at the time of application)</p> <p>(I) "Underutilized" means, as of the date of application, real property:</p> <p style="margin-left: 20px;">(1) on which a building or buildings, can be certified by the municipality in which the site is located, to have for at least five years used no more than fifty percent of the permissible floor area under the applicable base zoning immediately prior to the application which has been in effect for at least five years;</p> <p style="margin-left: 20px;">(2) at which the proposed development is solely for a use other than residential or restricted residential;</p> <p style="margin-left: 20px;">(3) which could not be developed without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p style="margin-left: 20px;">(4) which is subject to one or more of the following conditions, as certified by the municipal department responsible for such determinations of the municipality in which the site is located:</p> <p style="margin-left: 40px;">(i) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p style="margin-left: 40px;">(ii) contains a building that 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 style="margin-left: 40px;">(iii) the proposed use is in whole or in substantial part for industrial uses.</p> <p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, or land purchase cost exemption or waiver, from a governmental entity; or for properties to be developed in whole or in part for industrial uses, a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or a tax credit, from a governmental entity, or a low-cost loan from an industrial fund managed by the municipality and partner financial institutions.</p>	

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

3. Is the project an affordable housing project as defined below?

☐ Yes ☐ No

**From 6 NYCRR 375- 3.2(a) as of July 1, 2015:**

(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, that 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, that sets affordable units aside for tenants 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:** Woodbine Business Park**City:** East Syracuse**Site Address:** Canada Drive**County:** Onondaga**Zip:** 13057**Tax Block & Lot****Section (if applicable):** 017. **Block:** 06 **Lot:** 01.1**Requestor Name:** Woodbine Business Park, Inc.**City:** Syracuse**Requestor Address:** 505 East Fayette Street**Zip:** 13202**Email:** nswanson@woodbinegroup.com**Requestor's Representative (for billing purposes)****Name:** Norman Swanson**Address:** 505 East Fayette Street**City:** Syracuse**Zip:** 13202**Email:** nswanson@woodbinegroup.com**Requestor's Attorney****Name:** Michael Fogel - Brown Sharlow Duke & Fogel, P.C. **Address:** 621 West Genesee Street**City:** Syracuse**Zip:** 13204**Email:** mfogel@bsdflaw.com**Requestor's Consultant****Name:** Bryan Bowers - Asbestos & Environmental Consulting Corporation **Address:** 6308 Fly Road**City:** East Syracuse**Zip:** 13057**Email:** bbowers@aecgroup.com**Percentage of site within an En-Zone:** ☒ 0% ☐ <50% ☐ 50-99% ☐ 100%**Requestor's Requested Status:** ☒ Volunteer ☐ Participant

## **LIST OF ATTACHMENTS**

**PART A – SECTION I**

**PART A – SECTION II.4**

**PART A – SECTION III.1**

**PART A – SECTION III.3**

**PART A – SECTION IV.1**

**PART A – SECTION IV.2**

**PART A – SECTION IV.2**

**PART A – SECTION IV.8**

**PART A – SECTION IV.10**

**PART B – SECTION VI**

**PART B – SECTION VII**

**PART B – SECTION IX**

**PART B – SECTION X.2**

**PART B – SECTION X.3**

**PART B – SECTION X.5**

**PART B – SECTION X.6**

**CORPORATE ENTITY INFORMATION**

**PROJECT DESCRIPTION**

**PRIOR INVESTIGATION REPORT**

(AS REQUESTED, THIS REPORT WILL BE SUBMITTED IN  
ELECTRONIC FORMAT ONLY)

**SITE DRAWING**

**METES & BOUNDS DESCRIPTION**

**PROPERTY MAP INCLUDING ADJACENT  
PROPERTY OWNERS**

(SEE ALSO DRAWING PROVIDED IN PART A-SECTION III.3)

**USGS MAP**

**RELEASE OF EASEMENT**

**PROPERTY DESCRIPTION NARRATIVE**

**LIST OF PREVIOUS PROPERTY OWNERS**

**VOLUNTEER STATUS CONSIDERATION**

**CONTACT LIST**

**SUMMARY OF CURRENT USES**

**STATEMENT OF PROPOSED USE**

**ZONING MAP AND ORDINANCES**

**SUBDIVISION RESOLUTION**

## **PART A – SECTION I**

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### **CORPORATE ENTITY INFORMATION**



# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through May 9, 2016.

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Selected Entity Name: WOODBINE BUSINESS PARK, INC.

Selected Entity Status Information

**Current Entity Name:** WOODBINE BUSINESS PARK, INC.

**DOS ID #:** 1429324

**Initial DOS Filing Date:** MARCH 09, 1990

**County:** ONONDAGA

**Jurisdiction:** NEW YORK

**Entity Type:** DOMESTIC BUSINESS CORPORATION

**Current Entity Status:** ACTIVE

Selected Entity Address Information

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

WOODBINE BUSINESS PARK, INC.  
505 EAST FAYETTE STREET  
SYRACUSE, NEW YORK, 13202

**Chief Executive Officer**

NORMAN SWANSON  
505 E FAYETTE ST  
SYRACUSE, NEW YORK, 13202

**Principal Executive Office**

WOODBINE BUSINESS PARK, INC.  
505 E FAYETTE ST  
SYRACUSE, NEW YORK, 13202

**Registered Agent**

NONE

This office does not record information regarding the names and addresses of officers, shareholders or directors of nonprofessional corporations except the chief executive officer, if provided, which would be listed above. Professional corporations must include the name(s) and address(es) of the initial officers, directors, and shareholders in the initial certificate of incorporation, however this information is not recorded and only available by [viewing the certificate.](#)

### **\*Stock Information**

# of Shares	Type of Stock	\$ Value per Share
200	No Par Value	

\*Stock information is applicable to domestic business corporations.

### **Name History**

Filing Date	Name Type	Entity Name
DEC 02, 2002	Actual	WOODBINE BUSINESS PARK, INC.
MAR 09, 1990	Actual	224 HARRISON CORPORATION

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.

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**PART A – SECTION II.4**  
**PROJECT DESCRIPTION**

---

### Anticipated Use and Benefits to the Community

The northern portion of the Site is slated for manufacturing, warehousing, or transportation purposes. The Site is one of only two large scale industrial parks on the east side on Onondaga County and is ideally located for this use:

- Less than 1.25 miles to a I-481 on-ramp, which provides access to major east-west and north-south corridors: the NYS Thruway is one mile from the on-ramp, and I-81 is less than 5 miles from the on-ramp.
- Approximately 2 miles to another NYS Thruway on-ramp to the west
- Approximately 7 miles to air cargo facilities at Hancock International Airport
- Less than 5 miles to a major rail yard (CSX – Minoa) and a proposed Inland Port
- Less than 40 miles to the Port of Oswego (Great Lakes - St. Lawrence Seaway)
- Served by a new signalized intersection accepting the larges of oversized trucks
- Right turn lane when exiting the Site
- Eastbound left turn lane
- Westbound deceleration turn lane

The southern portion of the Site is an ideal location for a commercial business, such as a restaurant or other business establishment that can take advantage of the location at the corner of Loucks Road Extension and Collamer Road / NYS Route 298.

The Site has been developed with underground utilities, roads with concrete gutters, storm conveyance, and sidewalks. Storm detention and nature trails are located outside the Brownfield Area, but still within the larger Woodbine Business Park parcel.

### Anticipated Remedial Costs and Cost of Future Development

Dependent upon several different factors, including results of the Remedial Investigation, the selected Remedial Alternative, and the specific needs of future occupants / tenants. However, a ballpark estimate for remediation would be \$2,000,000 to remove the existing contaminated soil pile, remove "hot spots", and provide a cover over portions of the site. The costs of future development, assuming construction of a trucking depot and corner store / restaurant, is anticipated to be approximately \$6,000,000.

### Tentative Schedule

Submittal of Revised BCP Application .....	September 2016
End 30 Day Comment Period .....	October 2016
Execute BCP Agreement.....	November 2016
<b>Submit Remedial Investigation Work Plan.....</b>	<b>December 2016</b>
End 30 Day Comment Period .....	January 2017
Submit Interim Remedial Measures (Soil Pile Removal) Work Plan .....	January 2017
Submit Self-Implementing Cleanup (Soil Pile) Plan to USEPA.....	January 2017
DEC Approval of Remedial Investigation Plan .....	February 2017
DEC Approval of Interim Remedial Measures (Soil Pile) Work Plan.....	March 2017
USEPA Approval of Self-Implementing Cleanup (Soil Pile) Plan .....	March 2017
Begin Investigation / IRM Field Work .....	April 2017
Complete Investigation / IRM Field Work .....	June 2017
<b>Submit Draft Remedial Investigation Report .....</b>	<b>September 2017</b>
Significant Threat Determination / Fact Sheet .....	October 2017
DEC Approval of Remedial Investigation Report.....	November 2017

<b>Submit Remedial Action Work Plan with Alternatives Analysis .....</b>	<b>January 2018</b>
Submit Self-Implementing Cleanup Plan to USEPA .....	January 2018
End 45 Day Comment Period .....	March 2018
DEC Approval of Remedial Action Work Plan .....	April 2018
USEPA Approval of Self-Implementing Cleanup Plan .....	April 2018
Submit Fact Sheet Announcing Start of Construction .....	April 2018
<b>Begin Construction.....</b>	<b>May 2018</b>
Submit Environmental Easement Package .....	April 2018
<b>Submit Draft Site Management Plan.....</b>	<b>June 2018</b>
Submit Executed Environmental Easement Package .....	July 2018
<b>Complete Construction .....</b>	<b>September 2018</b>
DEC Approval of Site Management Plan .....	October 2018
Environmental Easement Recorded.....	October 2018
<b>Submit Draft Final Engineering Report .....</b>	<b>October 2018</b>
Submit Fact Sheet Announcing Final Engineering Report.....	November 2018
DEC Approval of Final Engineering Report.....	November 2018
<b>Submit Final Engineering Report .....</b>	<b>November 2018</b>
<b>Certificate of Completion .....</b>	<b>December 2018</b>
Fact Sheet Describing Institutional/Engineering Controls.....	January 2019



**PART A – SECTION III.3**

---

**SITE DRAWING**

Sample Location	Date	Total PCBs (ppm)
SS-37	10/07/14	104.38
SS-38	10/07/14	87.43
SS-39	10/07/14	0.77
SS-40	10/07/14	0.04
SS-40d	10/07/14	0.00
SS-41	10/07/14	38.53
SS-42	10/07/14	15.48
SS-43	10/07/14	0.27
SS-44	10/07/14	0.19
SS-45	10/07/14	37.12
SS-46	10/07/14	0.59
SS-47	10/07/14	0.02
SS-49	10/07/14	90.51
SS-50	10/07/14	0.19
SS-51	10/07/14	137.94
SS-52	10/07/14	66.52
SS-53	10/07/14	197.84
SS-54	10/07/14	0.13
SS-55	10/07/14	0.04
SS-57	10/07/14	0.03
SS-59	10/07/14	1.68
SS-63	10/07/14	0.09
SS-65	10/07/14	0.07
SS-67	10/29/14	121.07
SS-72	10/29/14	0.05
SS-73	10/29/14	0.57
SS-74	10/29/14	0.02
SS-75	10/29/14	1.37
SS-75d	10/29/14	6.90
SS-76	10/29/14	5.52
SS-80	12/02/14	0.18
SS-81	12/02/14	14.32
SS-82	12/02/14	367.7
SS-83	12/02/14	4,404
SS-84	12/02/14	0.27
SS-85	12/02/14	1.20
SS-86	12/02/14	77.82
SS-87	12/02/14	3.50
SS-88	12/02/14	2.81
SS-89	12/02/14	5.18
SS-90	12/02/14	0.35
SS-91	12/02/14	1.00
SS-92	12/02/14	0.22
SS-93	12/02/14	0.03
SS-94	12/02/14	0.0985

Sample Location	Date	Total PCBs (ppm)
SS-95	12/02/14	0.03
SS-95d	12/02/14	0.00
SS-96	12/02/14	0.03
SS-98	12/15/14	0.05
SS-99	12/15/14	96.7
SS-100	12/15/14	0.07
SS-101	12/15/14	0.13
SS-106	12/15/14	0.08

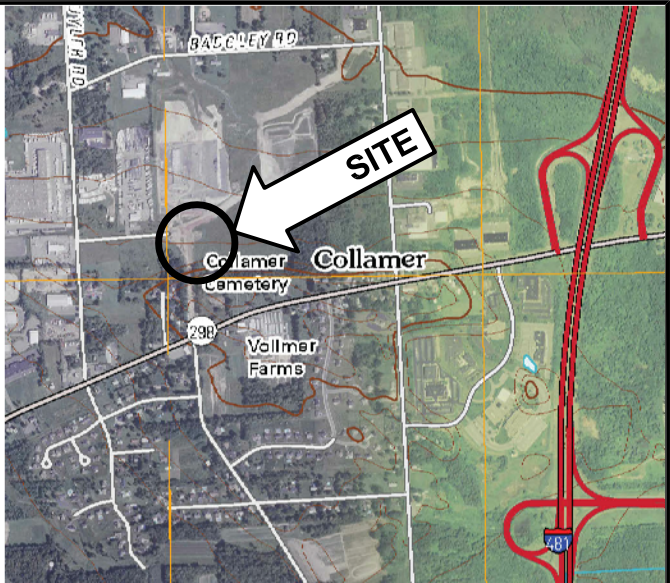
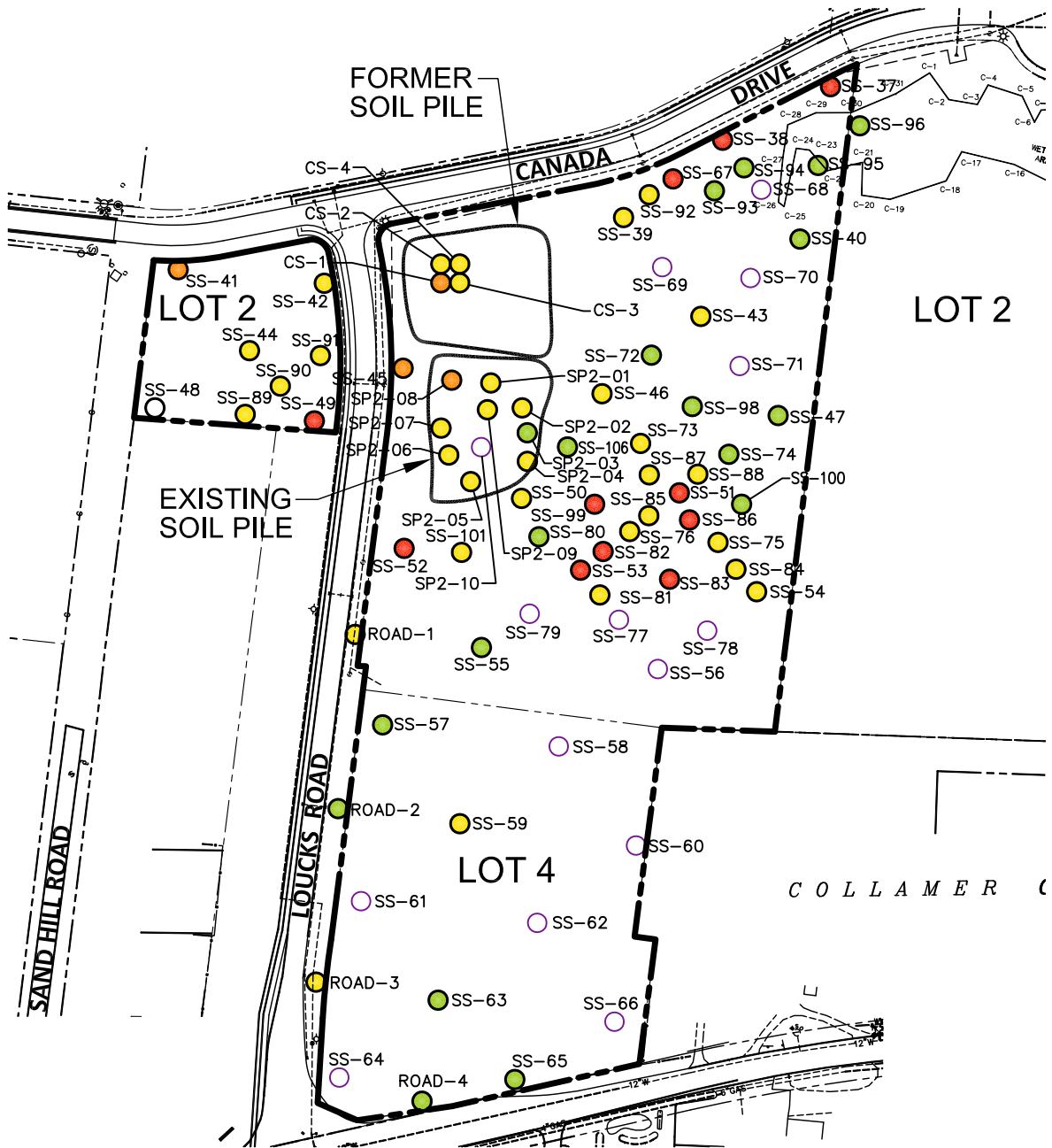
Sample Location	Date	Total PCBs (ppm)
SP2-01	05/31/13	9.072
SP2-02	05/31/13	0.110
SP2-03	05/31/13	0.0802
SP2-04	05/31/13	0.271
SP2-05	05/31/13	9.926
SP2-06	05/31/13	7.273
SP2-07	05/31/13	14.405
SP2-08	05/31/13	25.673
SP2-09	05/31/13	0.119

ROAD-1	10/07/14	0.411
ROAD-2	10/07/14	0.0297
ROAD-3	10/07/14	0.1532
ROAD-4	10/07/14	0.038

Sample Location	Date	Total PCBs (ppm)
CS-1	04/08/13	34.4
CS-2	04/08/13	6.32
CS-3	04/08/13	7.8
CS-4	04/08/13	9.41

Sample Location	Date	Total PCBs (ppm)
CS-1(0.5')	04/08/13	34.4
CS-1(1.5')	12/15/14	1.65
CS-1(2.5')	12/15/14	0.30
SS-53(0.5')	10/07/14	197.84
SS-53(1.5')	12/15/14	13.31
SS-53(2.5')	12/15/14	6.06
SS-83(0.5')	12/02/14	4,404
SS-83(1.5')	12/15/14	66.6
SS-83(2.5')	12/15/14	297.0
SS-87(0.5')	12/02/14	3.50
SS-87(1.5')	12/15/14	4.88
SS-87(2.5')	12/15/14	0.17

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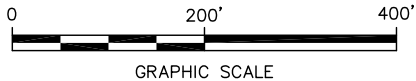
SITE LOCATION

LEGEND:

- BROWNFIELD AREA EXTENT
- - - - - PROPERTY LINE
- - - - - RIGHT-OF-WAY
- SURFACE SOIL SAMPLE LOCATION

NOTES:

- BASE MAP MODIFIED FROM ELECTRONIC DRAWING FILES PROVIDED BY CLIENT.
- = PCB CONCENTRATION EXCEEDS 50 ppm (HAZARDOUS)
  - = PCB CONCENTRATION BETWEEN 25 AND 50 ppm (ABOVE INDUSTRIAL USE SCO BUT LESS THAN THE HAZARDOUS WASTE CHARACTERIZATION LIMIT)
  - = PCB CONCENTRATION BETWEEN 0.1 AND 25 ppm (ABOVE UNRESTRICTED USE SCO BUT BELOW THE INDUSTRIAL USE SCO)
  - = PCB CONCENTRATION LESS THAN 0.1 ppm (BELOW UNRESTRICTED USE SCO)
  - = NO PCBs DETECTED



DRAFT

THIS IS A CONFIDENTIAL DOCUMENT SUBJECT TO THE ATTORNEY WORK PRODUCT DOCTRINE AND/OR ATTORNEY-CLIENT PRIVILEGE



PROJECT NO.	14-091	FIGURE <b>1</b>
DRAWN:	MAY 2016	
DRAWN BY:	HS	
CHECKED BY:	RM	
FILE NAME:		
SAMPLE LOCATION PLAN		
WOODBINE BUSINESS PARK CANADA DRIVE, TOWN OF DEWITT ONONDAGA COUNTY, NEW YORK		

**PART A – SECTION IV.1**  
**METES & BOUNDS DESCRIPTION**

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3403.001  
AD  
8-9-2016

The lot numbers in the descriptions are in reference to the subdivision map that is on file in the Onondaga County Clerk's Office. We typically do not use Tax I.D. numbers to identify properties in legal descriptions. The lot or "parcel" numbers referenced on the application are Tax I.D. numbers. To help clear the issue up we have added the Tax I.D. numbers to the top of our descriptions.



3403.001  
AD  
8-5-2015  
Rv:8-9-2016

SAMPLE LOCATION  
PART OF TAX MAP No. 17-06-1.1  
PART OF LOT No. 2  
WOODBINE BUSINESS PARK  
PART OF FARM LOT No. 11  
TOWN OF DEWITT

All that tract or parcel of land, situate in the Town of Dewitt, County of Onondaga and State of New York, being part of Farm Lot No. 11 in said Town, being part of lands conveyed to Woodbine Business Park, Inc. by deed recorded in the Onondaga County Clerk's Office in Book 5164 of Deeds at page 103, being part of Lot No. 2 of Woodbine Business Park according to a map of said tract filed in the Onondaga County Clerk's Office October 29, 2009 as Map No. 11105, bounded and described as follows:

Parcel I:

Beginning at a point in the easterly boundary of Loucks Road, said point being a southwesterly corner of said Lot No. 2 Woodbine Business Park, said point also being the northwesterly corner of Lot No. 4 of said Woodbine Business Park; running thence northerly along said easterly boundary of Loucks Road the following courses and distances: 1) N 7°14'59" E, 27.8 feet; 2) N 87°58'54" W, 10.04 feet; 3) N 7°14'59" E, 274.9 feet to a point of curvature; 4) northerly, following a curve to the left having a radius of 660 feet, an arc distance of 218.27 feet to a point of reverse curvature of a small curve situate at the intersection of said easterly boundary of Loucks Road with the southerly boundary of Canada Drive; thence northerly, northeasterly and easterly following said small curve to the right having a radius of 27 feet, an arc distance of 42.75 feet to a point of tangency in said southerly boundary of Canada Drive; thence easterly and northeasterly along said southerly and southeasterly boundaries, respectively, of Canada Drive the following courses and distances: 1) N 79°01'35" E, 225.10 feet to a point of curvature; 2) easterly and northeasterly, following a curve to the left having a radius of 430 feet, an arc distance of 121.65 feet to a point of tangency; 3) N 62°48'59" E, 200 feet to a point of curvature; 4) northeasterly, following a curve to the right



having a radius of 370 feet, an arc distance of 41.94 feet to a point in said southeasterly boundary of Canada Drive; thence S 6°59'49" W through said Lot No. 2, a distance of 796.31 feet to the southerly boundary of said Lot No. 2; thence N 87°58'54" W along said southerly boundary of Lot No. 2, a distance of 144.24 feet to an angle point therein, said point being the northeasterly corner of said Lot No. 4 Woodbine Business Park; thence N 82°45'01" W along the division line between said Lot No. 2 on the north and said Lot No. 4 on the south, a distance of 354.49 feet to the point of beginning.

Parcel II:

Beginning at the intersection of the southerly boundary of Canada Drive with the division line between an area of Sand Hill Road abandoned by Town and acquired by Lot No. 1 of said Woodbine Business Park on the west and said Lot No. 2 Woodbine Business Park on the east; running thence easterly along said southerly boundary of Canada Drive, following a curve to the left having a radius of 330 feet, an arc distance of 85.98 feet to a point of tangency therein; thence N 79°01'35" E continuing along said southerly boundary of Canada Drive, a distance of 91.66 feet to a point of curvature of a small curve situate at the intersection of said southerly boundary of Canada Drive with the westerly boundary of Loucks Road; thence easterly, southeasterly and southerly following said small curve to the right having a radius of 27 feet, an arc distance of 42.00 feet to a point of compound curvature in said westerly boundary of Loucks Road; thence southerly along said westerly boundary of Loucks Road, following a curve to the right having a radius of 600 feet, an arc distance of 205.58 feet to an angle point therein, said point being a southeasterly corner of said Lot No. 2; thence N 85°51'14" W along the northerly boundary of said Loucks Road and a southerly boundary of said Lot No. 2, a distance of 70.1 feet to an angle point in said boundary of Loucks Road; thence N 85°51'14" W continuing along said southerly boundary of Lot No. 2, a distance of 168.1 feet to said division line between an area of Sand Hill Road abandoned by Town and acquired by Lot No. 1 Woodbine Business Park on the west and said Lot No. 2 on the east; thence N 7°07'28" E along said division line, a distance of 186.94 feet to the point of beginning.

Subject to any easements and restrictions of record.



3403.001  
AD  
8-5-2015  
Rv:8-9-2016

SAMPLE LOCATION  
TAX MAP No. 17-06-1.5  
LOT No. 4  
WOODBINE BUSINESS PARK  
PART OF FARM LOT No. 11  
TOWN OF DEWITT

All that tract or parcel of land, situate in the Town of Dewitt, County of Onondaga and State of New York, being part of Farm Lot No. 11 in said Town, being part of lands conveyed to Woodbine Business Park, Inc. by deed recorded in the Onondaga County Clerk's Office in Book 5164 of Deeds at page 103, being Lot No. 4 of Woodbine Business Park according to a map of said tract filed in the Onondaga County Clerk's Office October 29, 2009 as Map No. 11105, bounded and described as follows:

Beginning at a point in the easterly boundary of Loucks Road, said point being the southwesterly corner of said Lot No. 4 Woodbine Business Park; running thence N 3°36'30" E along said easterly boundary of Loucks Road, a distance of 31.38 feet to a point of curvature therein; thence northerly continuing along said easterly boundary of Loucks Road, following a curve to the right having a radius of 1,960 feet, an arc distance of 124.6 feet to a point of tangency therein; thence N 7°14'59" E continuing along said easterly boundary of Loucks Road, a distance of 296.22 feet to the division line between Lot No. 2 in said Woodbine Business Park on the north and said Lot No. 4 on the south; thence S 82°45'01" E along said division line between Lot No. 2 and Lot No. 4, a distance of 354.49 feet to the northeasterly corner of said Lot No. 4; thence southerly along the easterly boundary of said Lot No. 4 the following courses and distances: 1) S 7°25'26" W, 248 feet; 2) S 82°34'35" E, 25 feet; 3) S 7°25'26" W, 113.78 feet to the southeasterly corner thereof, said point being in the northerly boundary of N.Y.S. Route 298 ( State Highway Number 672); thence S 77°18'20" W along said northerly boundary of N.Y.S. Route 298, said northerly boundary also being the southerly boundary of said Lot No. 4, a distance of 237.24 feet to an angle point in said southerly boundary of Lot No. 4; thence westerly continuing along said southerly boundary of Lot No. 4

the following courses and distances: 1) S 81°32'45" W, 96.81 feet; 2) N 65°58'57" W, 58.74 feet to the point of beginning.

Subject to any easements and restrictions of record.



## **PART A – SECTION IV.2**

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### **PROPERTY MAP INCLUDING ADJACENT PROPERTY OWNERS**

See also drawing provided in Part A - Section III.3



ADJACENT PROPERTY OWNERS

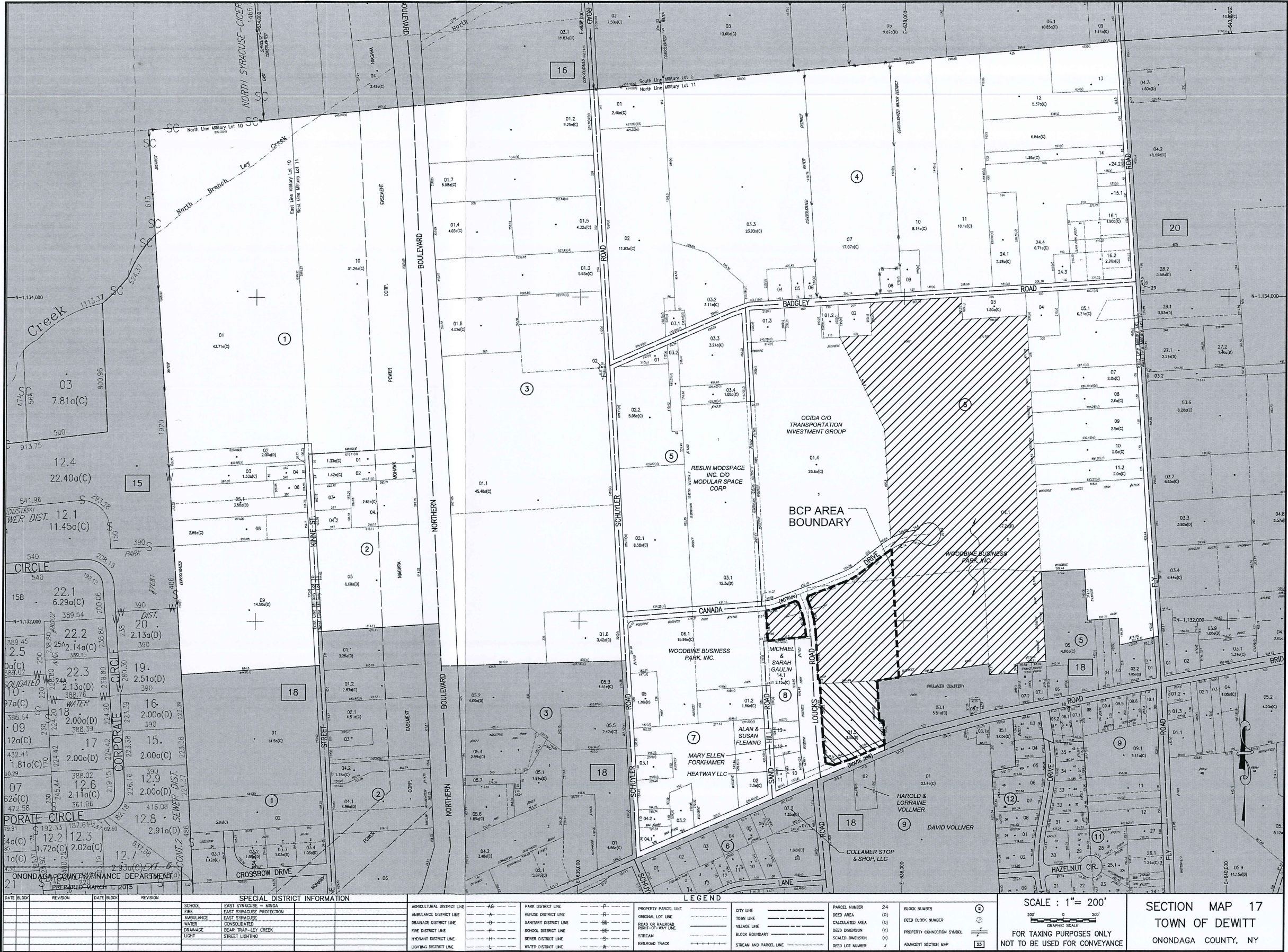
Property Address / Tax ID#	Owner Name
201 Canada Drive 017.-06-01.4	OCIDA c/o Transportation Invest 7005 Pinegate Road Fairview, PA 16415
145 Canada Drive 017.-05-03.1	Resun Modspace Inc. c/o Modular Space Corp-TA 1200 Swedesford Road Bervyn, PA 19312
Schuyler Road (number undefined) 017.-07-06.1	Woodbine Business Park, Inc. 505 East Fayette Street Syracuse, NY 13202
6876 Sandhill Road 017.-08-14.1	Michael and Sarah Gaulin 4945 Fayetteville Manlius Road Manlius, NY 13104
6874 Sandhill Road 017.-08-13.0	Alan and Susan Fleming 6874 Sandhill Road East Syracuse, NY 13057
6868 Sandhill Road 017.-08-12.0	Mary Ellen Forkhamer 6868 Sandhill Road East Syracuse, NY 13057
6541 Collamer Road 017.-08-10.0	Heatway, LLC PO Box 3456 Syracuse, NY 13220
6542 Collamer Road 018.-06-07.2	Collamer Stop & Shop, LLC 6542 Collamer Road East Syracuse, NY 13057
6564 Collamer Road 018.-09-02.0	Harold and Lorraine Vollmer 6886 Loucks Road East Syracuse, NY 13057
6576 Collamer Road 018.-09-01.0	David Vollmer 6576 Collamer Road East Syracuse, NY 13057
Collamer Road (number undefined) 018.-05-08.1	Collamer Cemetery 6564 Collamer Road East Syracuse, NY 13057

**LEGEND:**

PARCELS ASSOCIATED WITH THE BCP AREA:

WOODBINE BUSINESS PARK LOT 2  
(TAX MAP ID# 017.-06-01.1)

WOODBINE BUSINESS PARK LOT 4  
(TAX MAP ID# 017.-06-01.5)





**PART A – SECTION IV.2**  
**USGS MAP**

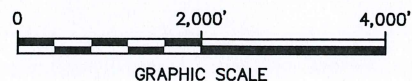
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**SITE LOCATION**

SOURCE: USGS SYRACUSE EAST  
QUADRANGLE, 7.5-MINUTE SERIES.  
SYRACUSE EAST, NY 2010.



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Asbestos & Environmental  
Consulting Corporation

6308 Fly Road  
East Syracuse, NY 13057

PROJECT NO. 14-091

DRAWN: AUG. 2016

DRAWN BY: HS

CHECKED BY: RM

## SITE LOCATION PLAN

WOODBINE BUSINESS PARK  
CANADA DRIVE, TOWN OF DEWITT  
ONONDAGA COUNTY, NEW YORK

FIGURE

**1**



## **PART A – SECTION IV.8**

---

### **RELEASE OF EASEMENT**



FULL RELEASE OF RECORDED EASEMENT

THIS INSTRUMENT made this 1st day of October, 2013 by Verizon New York Inc. (formally known as New York Telephone Company) a New York corporation having an office at 140 West Street, New York, New York 10036.

WITNESSETH:

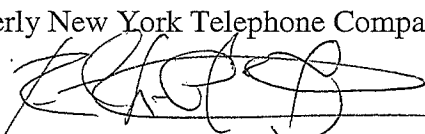
WHEREAS, heretofore and by an instrument in writing bearing the date of June 27, 1960 and recorded on September 29, 1960 in the office of the Clerk of Onondaga County, State of New York, in Liber 2015 of Deeds at Page 187, originally granted by Arthur L Waite (hereinafter referred to as the "Original Easement"), Verizon New York Inc. (formally New York Telephone Company), its successors and assigns, was granted a right of way and easement for its communications lines over, through and across certain properties in the Town of Dewitt, County of Onondaga, State of New York, (Tax Map ID # 017-06-01.1 & 017-06-1.005) FL 11-12 described in the Original Easement, and also, upon, over, and/or under the highways upon or adjoining said property together with Certain other rights as therein set forth; and

WHEREAS Woodbine Business Park Inc, residing at 505 E. Fayette St Syracuse NY 13202, County of Onondaga, State of New York (hereinafter referred to as "Owner") is desirous of having the property described above released from the burden of the Original Easement:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) paid by the Owner, the receipt of which is hereby acknowledged, Verizon New York Inc. (formally New York Telephone company) does hereby release unto the Owner of said property all the rights, title and interest which Verizon New York Inc. (formally New York Telephone Company) acquired by the original easement.

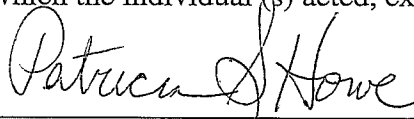
IN WITNESS WHEREOF, VERIZON NEW YORK INC. (formally New York Telephone Company) has caused this instrument to be duly executed the day and year first above written.

VERIZON NEW YORK INC.  
(formerly New York Telephone Company)

By:   
Its: Network Engineering Manager

STATE OF NEW YORK )  
                          ONONDAGA ) SS:  
COUNTY OF ~~FREE~~ )

On the 1 day of OCTOBER, in the year of 2013, before me, the undersigned personally appeared RICARDO COLON, personally known to me or proved to me on the basis of satisfactory evidence to be the individual (s) whose name (s) is (are) Subscribed to be within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their capacity (ties), and that by his/~~her~~/their signatures (s) on the instrument, the individual (s), or person upon behalf of which the individual (s) acted, executed the instrument.



Notary Public

PATRICIA S. HOWE  
Notary Public, State of New York  
Qualified in Onondaga County  
No. 01H06190226  
Commission Expires July 21, 2016

DB 2015 pg 187

WOODBINE Group Attn: Brian Silvevant  
505 East Fayette St  
Syracuse, NY 13202

Dew 111 + 12

09:44 10/17/13 4419813 CD DB-5256P-632

ONONDAGA COUNTY CLERK'S OFFICE  
SANDRA A SCHEPP - COUNTY CLERK  
401 Montgomery St - Room 200  
Syracuse, NY 13202

Phone: 315-435-2226  
Fax: 315-435-3455

Doc Type: T/ESMT  
Grantor: VERIZON NEW YORK INC  
NEW YORK TELEPHONE COMPANY  
Grantee: WOODBINE BUSINESS PARK INC

Receipt: 1102872 CD  
Book/Page: 05256/0632 Inst: 44198  
Date Filed: 10/17/2013 at 09:44AM  
Updated: 10/18/2013 KG  
Record and Return To:

Legal Desc: DEW FL11&12

WOODBINE GROUP  
ATT BRIAN ST LAURENT  
505 E FAYETTE ST  
SYRACUSE NY 13202

Prop Address: 505 E FAYETTE ST

Submitted by: WOODBINE GROUP

Recording Fees			Miscellaneous Fees	
Addl pages:	1 x 5.00 =	\$ 5.00	RMI:	\$ 20.00
Addl Names:	0 x 0.50 =	\$ 0.00	TP 584:	\$ 0.00
Addl Refs:	1 x 0.50 =	\$ 0.50	RP5217:	\$ 0.00
Misc:		0.00	AFFTS:	\$ 0.00
Basic		\$25.50		
=====			=====	
TOTAL:		\$31.00	TOTAL:	\$ 20.00

MORTGAGE TAX		DEED TRANSFER TAX	
Mortgage:		Consideration	\$0.00
Basic:	\$0.00	Transfer Tax:	\$0.00
Ins Fund:	\$0.00	SWIS:	3126
Net Add:	\$0.00	Map #:	
Misc:	\$0.00		
=====		=====	
TOTAL		Total Paid	\$ 51.00
\$0.00		Control no	

WARNING - This sheet constitutes the Clerk's endorsement, required by Section 319 of the Real Property Law of the State of New York. Do not detach. Taxes imposed on this instrument at time of recording were paid. Certain information contained in this document is not verified by this office.

SANDRA A SCHEPP  
Onondaga County Clerk

Book/Page 05256 / 0632 Instrument no.: 44198



D052560632

## **PART A – SECTION IV.10**

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### **PROPERTY DESCRIPTION NARRATIVE**

## Location

The Brownfield Area (Site) of the larger Woodbine Business Park (WBP) property is located in a rural-suburban area. It is bordered by Canada Drive and a FedEx distribution facility to the north, the Collamer cemetery to the southeast, Vollmer's Farm Market (greenhouses) to the south, and Loucks Road Extension and dwelling units to the west.

## Site Features

The Site is currently undeveloped. It is mostly covered by weeds, shrubs, and a few trees and wooded areas. A portion of Loucks Road crosses and separates approximately ten percent of the Site from the remaining ninety percent.

## Current Zoning and Land Use

The Site is zoned Industrial, except for the portion bordering the intersection of Loucks Road Extension and Collamer Road (NYS Route 298), which is zoned Business Transitional. Although properties located nearby are zoned Industrial, Business Transitional, and Residential, they are currently utilized for residential, commercial, industrial, public service area, and agricultural purposes.

## Past Use of the Site

The Site has a history of agricultural use (field crops, dairy, and milk plant) until the 1980s. Some sand quarrying in the southern portion of the Site historically occurred.

The Requestor's sister company (100 Collingwood) purchased the property in 1990.

Beginning in April 2008, the Site was cleared and graded, and limited improvements (roadways, storm sewers, and retention pond) were constructed.

On March 11, 2013, the Requestor was notified that soils sampled and analyzed at the Site (by the land development contractor, without permission) contained PCBs. Subsequent sampling and analysis by the Requestor's consultant confirmed the presence of PCBs, but at lower concentrations than the original sampling event. NYSDEC was notified and Spill # 14-00433 was created.

The Requestor has since performed additional sampling of surface soils and soil piles (plus a limited number of "depth" samples up to 2.5' below grade). In order to determine the nature and extent of PCB contamination at the Site (see Site Drawing in Part A - Section III.1 of the attachments to the BCP Application).

## Site Geology and Hydrogeology

According to the USDA online soil survey database (accessed May 6<sup>th</sup>, 2016), the Site contains a variety of soil types, including (ranked in relative order of prevalence):

- Colonie loamy fine sand
- Lockport and Brockport silty clay loams
- Gravel pits
- Ontario loam
- Ontario gravelly loam
- Arkport very fine sandy loam

Bedrock (or a similarly restrictive layer) is located greater than 200 cm below ground surface at the Site, with the exception of the northeastern portion of the Site where it is estimated at ~84 cm below

ground surface. According to New York State Geological Survey, the bedrock in the area of the Site is shale (Vernon Shale – Upper Silurian in age).

According to the USDA soil survey database, groundwater is greater than 200 cm below ground surface across the western and central portion of the Site. The database indicates that groundwater is estimated at ~100 cm at the southeastern portion of the Site and as shallow as 30 cm at the northeastern portion. Groundwater depth at the Site has not been measured.

Based on local topography, it is assumed that groundwater flows to the west-southwest towards a Ley Creek tributary, en route to Onondaga Lake.

A wetland has been delineated on the neighboring parcel to the east (WBP), a small portion of which extends into the northeastern corner of the Site.

### Environmental Assessment

See Site Drawing in Part A - Section III.1 of the attachments to the BCP Application, and the “Past Uses of the Site” part of this Section, above.

Based on investigations performed to date, the primary contaminant of concern is PCBs in Site soils. The investigations included 73 surface soil locations (collected at approximately 6” below the surface, just below the vegetated zone), 10 samples collected from a soil pile at the Site, and samples collected from 1.5 feet and 2.5 feet below grade at 4 locations.

The results of the surface soil sampling reveal widespread PCB contamination, generally decreasing in concentration from a “hot spot” located near the center of the Site. Concentrations within the “hot spot” are approximately 100-200 ppm PCB, with a maximum concentration of approximately 4,400 ppm in one location. Another area of elevated PCB concentrations (approximately 50-100 ppm PCB) appears to be near roadsides in the northern section of the Site. This observation could be associated with the use of on-site soils to backfill trenches after storm sewers were installed. Outside of the “hot spot” and roadway areas, the Site generally contains soils with PCB concentrations that exceed the Unrestricted Use SCO, but are less than the Industrial Use RSCO.

Soils collected at depth (1.5 and 2.5 feet below grade, respectively) at 4 locations generally showed an order of magnitude decrease in PCB concentrations with each additional foot of depth.

The requestor did not test for petroleum, chlorinated solvents, other VOCs, other SVOCs, metals, or pesticides since these contaminants were not expected to be of concern (based on past use and original sampling/analysis performed by the land development contractor).

Likewise, groundwater and soil gas were not tested as they were not expected to be impacted.

## **PART B – SECTION VI**

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### **LIST OF PREVIOUS PROPERTY OWNERS**

Due to multiple subdivisions and conglomerations throughout the years, the actual ownership history of the Site is difficult to determine. However, it appears that the Site operated as a dairy farm from at least 1889 to 1990. Other than the Requestor and related entities, the only known living former owner of the Site is:

Earl Waite (of the former Waite Dairy, Inc.)  
6524 Badgley Road  
East Syracuse, New York 13057  
(315) 437-6056  
Relationship to Requestor: No relationship to the requestor.

#### 2009 - Present

Woodbine Business Park, Inc. – Requestor (no operations on-site)  
505 East Fayette Street  
Syracuse, New York 13202

#### 1990 - 2009

100 Collingwood Corporation – Owner (no operations on-site)  
716 East Washington Street  
Syracuse, New York 13202  
Relationship to Requestor: Sister company to Requestor

#### 1966\* - 1990 (\*based on property record card at Town of Dewitt Assessor's Office)

Waite Dairy, Inc. (Lee L. Waite) – Owner and Operator  
Collamer Road (no number provided)  
Town of Dewitt, New York  
Relationship to Requestor: No relationship to the Requestor

#### 1961\* - 1966 (\*based on filing date of corporation on record with NYS Department of State)

Waite Dairy, Inc. – Owner and Operator  
Thompson Road (no number provided)  
Syracuse, New York  
Relationship to Requestor: No relationship to the Requestor

#### 1889 to 1961

Unknown

#### 1889 (via a historical atlas)

C. Nichols (Dairy Farm) – Owner and Operator  
No address provided on this document, but facility resides along Collamer Road  
Relationship to Requestor: No relationship to the Requestor

## **PART B – SECTION VII**

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### **VOLUNTEER STATUS CONSIDERATION**



The Requestor should be considered a Volunteer for the following reasons:

- Requestor had several Phase I ESAs performed, none of which indicated RECs associated with the Site.
- Only after site grading and installation of roadways and sewers did Requestor discover contamination at the Site.
- Requestor immediately reported a Spill to the NYSDEC, and has been in contact with Harry Warner (Region 7) and USEPA (Region 2) regarding the contamination.
- Requestor allows an unmaintained vegetative cover to grow that prevents erosion, direct contact with soils, and trespassing.
- Requestor erected signage that forbids trespassing.
- Requestor hired an environmental consultant to perform an extensive investigation to define the contaminated areas.
- Requestor has attempted to determine the source of the contamination. Although a specific source has not been identified, Requestor agrees with Mr. Warner that the source was historical in nature (i.e. - no active source exists).

**PART B – SECTION IX**  
**CONTACT LIST**

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## **CONTACT LIST INFORMATION**

### **WOODBINE BUSINESS PARK – CANADA DRIVE, TOWN OF DEWITT, NEW YORK**

#### **ONONDAGA COUNTY**

Onondaga County Government  
Joanne M. Mahoney, County Executive  
John H. Mulroy Civic Center, 14th Floor  
421 Montgomery Street  
Syracuse, New York 13202

(315) 435-3516

Onondaga County Planning Board  
Douglas Morris, Chairperson  
John H. Mulroy Civic Center, 11th Floor  
421 Montgomery Street  
Syracuse, New York 13202

(315) 435-2611

#### **TOWN OF DEWITT**

Town Board  
Edward Michalenko  
Chairperson and Director  
5400 Butternut Drive  
East Syracuse, New York 13057

(315) 446-3910 ext. 5  
[supervisor@townofdewitt.com](mailto:supervisor@townofdewitt.com)

*Note: Although the Site has a mailing address of “East Syracuse”, the Site is not within the jurisdictional boundaries of the Village of East Syracuse*

#### **PUBLIC WATER SUPPLIER**

Town of Dewitt Water Department  
5400 Butternut Drive  
East Syracuse, New York 13057

(315) 446-3734 ext. 4  
[water@townofdewitt.com](mailto:water@townofdewitt.com)

#### **DOCUMENT REPOSITORY** (see attached confirmation letter at end of this section)

DeWitt Community Library  
Attention: Brian J. Barney, Bookkeeper  
Shoppingtown Mall  
3649 Erie Boulevard East  
Dewitt, New York 13214

(315) 446-3578  
[bbarney@onlib.org](mailto:bbarney@onlib.org)

## **LOCAL NEWS MEDIA**

WSYR-TV  
James Campagna, News Director  
5904 Bridge Street  
East Syracuse, New York 13057

(315) 446-9900  
[assignmentdesk@LocalSYR.com](mailto:assignmentdesk@LocalSYR.com)

WSTM / WSTQ / WTVH  
Rae Fulkerson, News Director  
1030 James Street  
Syracuse, New York 13203

(315) 477-9441  
[news@cnycentral.com](mailto:news@cnycentral.com)

Syracuse Post Standard  
Syracuse Media Group  
220 South Warren Street  
Syracuse, New York 13202

(315) 470-0011  
[citynews@syracuse.com](mailto:citynews@syracuse.com)  
[features@syracuse.com](mailto:features@syracuse.com)

## **ADJACENT PROPERTY OWNERS**

### **Property Address / Use**

201 Canada Drive  
FedEx Distribution Facility

145 Canada Drive  
Non-auto Dealership

6876 Sandhill Road  
Multi-family Apartments

### **Owner Name / Address**

OCIDA c/o Transportation Invest  
7005 Pinegate Road  
Fairview, PA 16415

Resun Modspace Inc. c/o Modular Space Corp-TA  
1200 Swedesford Road  
Berwyn, PA 19312

Michael and Sarah Gaulin  
4945 Fayetteville Manlius Road  
Manlius, NY 13104

6874 Sandhill Road  
Single Family Residence

Alan and Susan Fleming  
6874 Sandhill Road  
East Syracuse, NY 13057

6868 Sandhill Road  
Single Family Residence

Mary Ellen Forkhamer  
6868 Sandhill Road  
East Syracuse, NY 13057

6541 Collamer Road  
Two Family Residence

Heatway, LLC  
PO Box 3456  
Syracuse, NY 13220

6542 Collamer Road  
Mini-Mart

Collamer Stop & Shop, LLC  
6542 Collamer Road  
East Syracuse, NY 13057

6564 Collamer Road  
Single Family Residence

Harold and Lorraine Vollmer  
6686 Loucks Road  
East Syracuse, NY 13057

6576 Collamer Road  
Nursery and Greenhouse

David Vollmer  
6576 Collamer Road  
East Syracuse, NY 13057

Collamer Road  
Cemetery

Collamer Cemetery  
6564 Collamer Road  
East Syracuse, NY 13057

## Richard McKenna

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**From:** Brian Barney <BBarney@onlib.org>  
**Sent:** Friday, August 26, 2016 2:30 PM  
**To:** Richard McKenna  
**Subject:** Re: Brownfield Cleanup Program

Richard,

The DeWitt Community Library will be able to hold the documents throughout the entire BCP project.

Brian

Brian J Barney  
Bookkeeper/Administrative Assistant  
DeWitt Community Library  
Shoppingtown Mall  
3649 Erie Blvd East  
DeWitt, NY 13214  
phone: (315)446-3578  
fax: (315)446-1955

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**From:** Richard McKenna <rmckenna@aecgroup.com>  
**Sent:** Tuesday, August 23, 2016 5:02 PM  
**To:** Brian Barney  
**Subject:** RE: Brownfield Cleanup Program

Brian –

The DEC responded that the DeWitt Community Library must agree to hold the documents throughout the entire BCP project, which could be longer than 1 year. Can you please verify that the DeWitt Community Library agrees to this condition? We need to respond to the DEC early next week, so a quick response would be greatly appreciated. Thanks.

-----  
Richard D. "Rico" McKenna  
Project Manager  
Asbestos & Environmental Consulting Corporation (AECC)  
6308 Fly Road  
East Syracuse, NY 13057  
(315) 432-9400 x15 office  
(315) 345-1649 cell

This message, including any attachments, may contain confidential and/or privileged information. Any confidential information may not be used or disclosed, except for the express purpose for which it was intended. If you are not the intended recipient, you are hereby notified that the disclosure, dissemination, copying, and/or distribution of this transmission (including any attachments) is strictly prohibited. Please notify the sender immediately (by return e-mail), if you are not the intended recipient, and delete the transmission and any attachments immediately.

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**From:** Brian Barney [mailto:BBarney@onlib.org]  
**Sent:** Friday, July 01, 2016 4:45 PM

**To:** Mary Akshar  
**Cc:** Richard McKenna  
**Subject:** Re: Brownfield Cleanup Program

Mary,

I checked with the Executive Director regarding your request, and we would be happy to hold the documents related to Woodbine Business Park for 1 year. Documents of this nature will be held at the Reference Desk, and people will need to inquire there to view the documents (we are unable to catalog these materials).

Please let me know how you would like to proceed.

Have a nice weekend!

Brian

Brian J Barney  
Bookkeeper/Administrative Assistant  
DeWitt Community Library  
Shoppingtown Mall  
3649 Erie Blvd East  
DeWitt, NY 13214  
phone: (315)446-3578  
fax: (315)446-1955

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**From:** Mary Akshar <[makshar@aeccgroup.com](mailto:makshar@aeccgroup.com)>  
**Sent:** Tuesday, June 28, 2016 3:35 PM  
**To:** Brian Barney  
**Cc:** Richard McKenna  
**Subject:** Brownfield Cleanup Program

Good Afternoon,

Thank you for your help earlier today. I have included a paragraph explaining what a Brownfield site is and the requirements for filing the application with the DEC. The site concerned is the Woodbine Business Park in Dewitt, NY.

We are looking for an email response or a letter that states that the library will agree to be the repository for our Brownfield Cleanup Report Application for Woodbine Business Park in Dewitt, NY. This can be a simple email communication one or two sentences long. If you are in agreement, please compose something stating you agree and "reply all" to this email.

A brownfield site is any real property where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. The goal of the NYSDEC's Brownfield Cleanup Program (BCP) is to encourage private-sector cleanups of brownfields and to promote their redevelopment as a means to revitalize economically blighted communities. The BCP is an alternative to greenfield

development and is intended to remove some of the barriers to, and provide tax incentives for, the redevelopment of urban brownfields.

To facilitate the remedial process and enable citizens to participate more fully in decisions that affect their health, the DEC will require opportunities for citizen involvement and will encourage consultation with the public early in the process. One part of this citizen involvement requirement is the ability for the public to review milestone documents at a local library. The Application for the Brownfields program requires a copy of an acknowledgement from the repository indicating that it agrees to act as the document repository for the property.

Typical documents that will be submitted (by AECC) to the repository are:

- Remedial Investigation Work Plan (RIWP)
- Interim Remedial Measures (IRM) Work Plan
- Remedial Investigation Report (RIR)
- Remedial Action Work Plan (RAWP), Remedial Work Plan (RWP) or Alternatives Analysis Report (AAR):
- Site Management Plan (SMP)
- Final Engineering Report (FER)
- NYSDEC Fact Sheets
- NYSDEC Decision Document

Thank you in advance for your cooperation. You may reach me at the number below should you have any questions or concerns.

Regards,  
Mary

Mary Akshar  
Assistant Office Manager  
Asbestos and Environmental Consulting Corporation (AECC)  
6308 Fly Road  
East Syracuse, New York 13057

Telephone: 315-432-9400  
Fax: 315-432-9405  
[makshar@aeccgroup.com](mailto:makshar@aeccgroup.com)



**PART B – SECTION X.2**  
**SUMMARY OF CURRENT USES**

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The Site is currently vacant.

Throughout the years from at least 1889 to approximately 1990, the Site supported a dairy farm / farmstead, field crops, a pasteurized milk plant, and a sand quarry.

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**PART B – SECTION X.3**  
**STATEMENT OF PROPOSED USE**

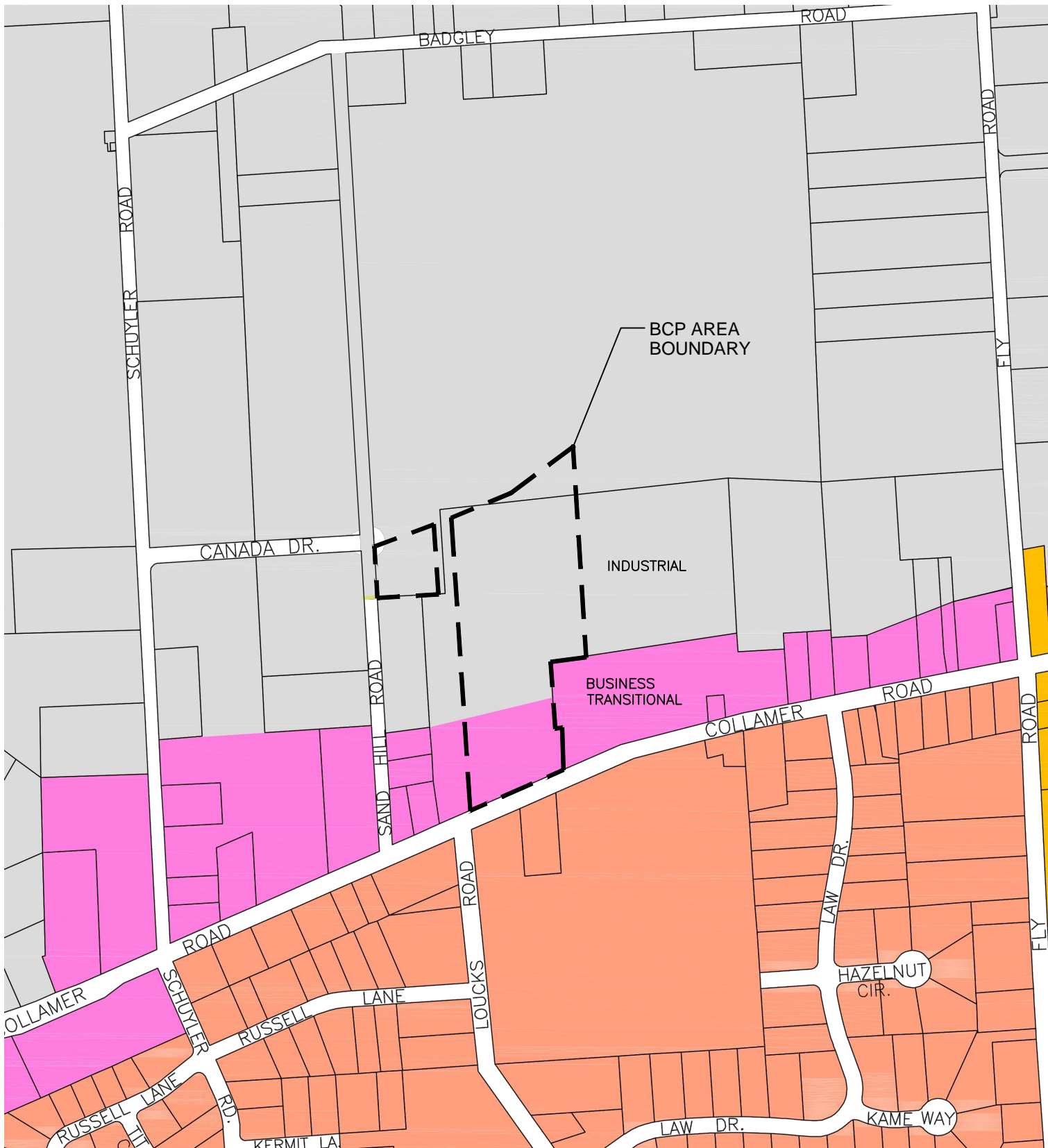
The northern portion of the Site is slated for manufacturing, warehousing, or transportation purposes. The Site is one of only two large scale industrial parks on the east side on Onondaga County and is ideally located for this use:

- Less than 1.25 miles to a I-481 on-ramp, which provides access to major east-west and north-south corridors: the NYS Thruway is one mile from the on-ramp, and I-81 is less than 5 miles from the on-ramp.
- Approximately 2 miles to another NYS Thruway on-ramp to the west
- Approximately 7 miles to air cargo facilities at Hancock International Airport
- Less than 5 miles to a major rail yard (CSX – Minoa) and a proposed Inland Port
- Less than 40 miles to the Port of Oswego (Great Lakes - St. Lawrence Seaway)
- Served by a new signalized intersection accepting the larges of oversized trucks
- Right turn lane when exiting the Site
- Eastbound left turn lane
- Westbound deceleration turn lane














The southern portion of the Site is an ideal location for a commercial business, such as a restaurant or other business establishment that can take advantage of the location at the corner of Loucks Road Extension and Collamer Road / NYS Route 298.

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**PART B – SECTION X.5**  
**ZONING MAP AND ORDINANCES**



**LEGEND**

 RESIDENTIAL ZERO (R - 0)	 INDUSTRIAL (IND)
 RESIDENTIAL ONE (R - 1)	 HI-TECH (H-T)
 RESIDENTIAL ONE-A (R - 1A)	 BUSINESS (B)
 RESIDENTIAL TWO (R - 2)	 BUSINESS TRANSITIONAL (BT)
 RESIDENTIAL THREE (R - 3)	 SPECIAL BUSINESS TRANSITIONAL (SBT)
 OFFICE & PROFESSIONAL (O & P)	 HAMLET DISTRICT
	 HAMLET RESIDENTIAL OVERLAY

\* AREA WITH SPECIAL ZONING LIMITATIONS

**TOWN OF DEWITT, N.Y.  
ZONING MAP 2008**

*Town of DeWitt, NY  
Tuesday, May 10, 2016*

## Chapter 192. Zoning

### Article X. Business Transitional District

#### § 192-44. Permitted structures and uses.

In Business Transitional Districts, only the following structures and uses may be permitted following site plan review as provided in § **192-122** of this chapter:

- A. Bed-and-breakfast.
- B. Dwelling, two-family.
- C. Dwelling, multifamily.
- D. Farm.
- E. Cemetery, crypt.
- F. Educational facility.
- G. Family adult day-care home.
- H. Government facilities.
- I. Public utility.
- J. Religious use.
- K. Business office.
- L. Cafe.
- M. Care facility, residential.
- N. Day-care center.
- O. Finance/banks.
- P. Funeral home/mortuary.
- Q. Horticulture, landscape, garden center.
- R. Hospitals and clinics.
- S. Nursing home.
- T. Outdoor seating/assembly area.
- U. Recreational and entertainment facilities, indoor.



- V. Regulation golf course.
- W. Retail store.
- X. Club, private.
- Y. Parking lot, off-site.
- Z. Single-family dwelling, if part of a mixed-use subdivision.  
[Added 9-8-2008 by L.L. No. 6-2008]

## § 192-45. Specific permit uses.

The following structures and uses shall be permitted in the Business Transitional District upon the issuance of a specific use permit by the Zoning Board of Appeals as provided in § 192-123 of this chapter:

- A. Emergency service facility.
- B. Mixed use (commercial and residential).
- C. Recreational or entertainment facilities, outdoor.
- D. Towers and communications facilities.
- E. Drive-through facility incidental to a bank.

## § 192-46. Lot area and yard regulations.

In Business Transitional Districts, all structures and uses shall be subject to the following regulations:

- A. Minimum lot width: N/A.
- B. Minimum lot area: N/A.
- C. Maximum building coverage: 25%.
- D. Maximum lot coverage: 75%.
- E. Front yard: Each lot shall have a front yard of 35 feet.
- F. Side yards: Each lot shall have two side yards with a total of not less than 25 feet, neither one of which may be less than nine feet in width.
- G. Rear yard: Each lot shall have a rear yard not less than 20 feet in depth, except that if the lot abuts a residential district, it shall have a rear yard not less than 100 feet in depth.
- H. Height: There shall be no limit on the height of structures, except that the yards shall be increased such that no structure shall be higher than any plane from the lot lines inclining upward at a slope of one foot vertically for each one foot horizontally, until the horizontal distance is greater than or equal to 40 feet.  
[Amended 9-8-2008 by L.L. No. 6-2008]

## § 192-47. Additional regulations.

The applicable regulations for specified uses (Article **XVI**) and requirements applying to all districts (Article **XVII**) in this chapter shall apply to all uses.

*Town of DeWitt, NY  
Tuesday, May 10, 2016*

## Chapter 192. Zoning

### Article XIV. Industrial District

#### § 192-60. Permitted structures and uses.

In Industrial Districts, only the following structures and uses may be permitted following site plan review as provided in § **192-122** of this chapter:

- A. Animal day care, kennel or shelter.
- B. Bed-and-breakfast.
- C. Boardinghouse/rooming house.
- D. Farm.
- E. Cemetery, crypt.
- F. Educational facility.
- G. Emergency service facility.
- H. Government facilities.
- I. Packaging of pharmaceutical and/or food products.
- J. Public utility.
- K. Religious use.
- L. Animal day care, kennel or shelter.
- M. Business office.
- N. Cafe.
- O. Day-care center.
- P. Finance/banks.
- Q. Funeral home/mortuary.
- R. Horticulture, landscape, garden center.
- S. Hospitals and clinics.
- T. Hotel and motel.
- U. Outdoor seating/assembly area.

- V. Recreational and entertainment facilities, indoor.
- W. Recreational and entertainment facilities, outdoor.
- X. Regulation golf course.
- Y. Restaurant.
- Z. Retail store.
- AA. Vehicle sales.
- BB. Vehicle service station.
- CC. Veterinary establishment, animal hospital.
- DD. Administrative and management services.
- EE. Assembly, fabrication or packaging of previously prepared materials.
- FF. Construction services.
- GG. Manufacturing.
- HH. Publishing.
- II. Scientific and technical services.
- JJ. Transportation.
- KK. Warehousing.
- LL. Warehousing, self-storage.
- MM. Wholesale trade.
- NN. Club, private.
- OO. Drive-through facilities.
- PP. Temporary outdoor sales.
- QQ. Parking lot, off-site.
- RR. Stable, private.
- SS. Stable, public.
- TT. Nursing home, if part of a mixed-use subdivision.  
[Added 9-8-2008 by L.L. No. 6-2008]
- UU. Residential care facility, if part of a mixed-use subdivision.  
[Added 9-8-2008 by L.L. No. 6-2008]
- VV. Family adult care facility, if part of a mixed-use subdivision.  
[Added 9-8-2008 by L.L. No. 6-2008]
- WW. Single-family dwelling, if part of a mixed-use subdivision.  
[Added 9-8-2008 by L.L. No. 6-2008]

## § 192-61. Specific permit uses.

The following structures and uses shall be permitted in the Industrial District upon the issuance of a specific use permit by the Zoning Board of Appeals as provided in § 192-123 of this chapter:

- A. Mobile home park.
- B. Commercial garage.
- C. Adult use.
- D. Disposal, storage or processing of toxic wastes, medical wastes, garbage or other refuse or waste products of every kind and nature.
- E. Mixed use (commercial and residential).
- F. Quarry.
- G. Towers and communications facilities.
- H. Notwithstanding the requirements for a specific use permit found elsewhere in this chapter, all other structures and uses within 750 feet of the perimeter of an Industrial District shall require a specific use permit and approval of the Board of Appeals if the proposed structure or use in the Industrial District is not allowed in the adjoining district.  
[Amended 12-12-2011 by L.L. No. 8-2011]
- I. Creation of a wetland only if it is to replace a wetland in the Town as further provided for in NYSDEC regulations.

## § 192-62. Lot and area regulations.

In Industrial Districts, all structures and uses shall be subject to the following regulations:

- A. Minimum lot width: N/A.
- B. Minimum lot area: N/A.
- C. Maximum building coverage: 50%.
- D. Maximum lot coverage: 80%.
- E. Minimum front yard: Each lot shall have a front yard 50 feet, except that if there are principal structures fronting on the same street within 300 feet of either or both of the side lines of the lot, the minimum front yard depth shall be equal to the average of the setbacks of the nearest of such structures on each side or to the average of such setback and 50 feet if there is such a structure only on one side, but not less than 35 feet in any case.
- F. Side yards: Each lot shall have two side yards with a total width of not less than 32 feet, neither one of which may be less than 12 feet in width.
- G. Rear yards: Each lot shall have a rear yard not less than 40 feet in depth, except that if a lot abuts a residential district, it shall have a rear yard not less than 100 feet in depth.
- H. Height: No structure shall be higher than any plane from the lot lines inclining upward at a slope of one foot vertically for each one foot horizontally.

## § 192-63. Additional regulations.

The applicable regulations for specified uses (Article **XVI**) and requirements applying to all districts (Article **XVII**) in this chapter shall apply to all uses.

**PART B – SECTION X.6**  
**SUBDIVISION RESOLUTION**

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MINUTES OF A REGULAR MEETING  
OF  
THE PLANNING BOARD OF THE TOWN OF DEWITT

December 20, 2007

A regular meeting of the Planning Board of the Town of DeWitt, New York was held at the Town Offices, 5400 Butternut Drive, DeWitt, New York, on December 20, 2007 at 7:00 p.m.

There were present: George Bornstein  
Michael Lazar  
Art Diamond  
John Gambacorto

There was a quorum of the members of the Planning Board present. Also present were Jamie L. Sutphen, Attorney, and Richard Robb and Andy Worden of the Department of Development & Operations. Michael Lazar acted as Chairman and Jamie L. Sutphen acted as Secretary.

Mr. Bornstein made a motion, seconded by Mr. Diamond, to accept the minutes of the December 6, 2007 meeting of the Planning Board as corrected. The motion carried unanimously.

The Chairman announced that there was a work session on December 18 for Woodbine and Fleet Feet. There is a work session scheduled for Federal Express for 8:30 on January 8.

**Glenmeadows Section 2**  
**Final Subd Review for Five (5) Residential Lots in R-2 District**  
**TM #055.-08-07.2**  
**Sedalia Circle**  
**(10 minutes)**

Ray Luber was present for the applicant. An approval of Section 2 was requested. The letter of December 19 was discussed. There are no substantive changes from the preliminary plans except that there was a movement of one lot line to accommodate drainage. There was discussion regarding the sign being kept out of the right-of-way for the subdivision. Mr. Gambacorto made a motion, seconded by Mr. Diamond, to approve Section 2 of the subdivision as presented with an authorization for the Chairman to sign the plan upon resolution of items for the O'Brien & Gere letter and subject to posting of security for any outstanding items, if any. The motion carried unanimously.



**Dougherty/Erie Blvd.  
CSA and VAR for Redevelopment of Retail Building  
and Lot Consolidation in Business District  
TM #050.-01-02.1 & 03.1  
(15 minutes)**

Michael Dougherty was present for the applicant. New architectural plans were shown. Joanne Gagliano showed and discussed various site plan changes. It was discussed that the signs would be looked at separately from this plan, by the Planning Board. This plan now appears to have addressed most of the issues previously presented by the Planning Board and the applicant will put together a final package for submission to the Planning Board. It was noted that the County expressed certain concerns and suggested modifications so a super majority vote will be needed for approval of this plan. Subdivision will be required but it will be a simple division. The matter was tabled.

**Woodbine/Fed Ex  
SEQR Determination for 110-Acre Preliminary Subdivision  
in Industrial District  
TM #017.-06-01.1  
Route 298  
(15 minutes)**

James Thrasher was present for the applicant and various outstanding comments on the site plan were discussed. Mr. Bornstein made a motion, seconded by Mr. Gambacorto, to approve the subdivision as presented with the specific finding that the findings pursuant to SEQR were accepted as to this subdivision previously and with the specific finding that the Board has reviewed the modifications as set forth in the County approval dated July 31, 2007 and the Board has specifically required compliance with those modifications and the suggestion modifications have, in fact, been complied with, and this approval is made with the further conditions that the conditions on the attached list dated December 19, 2007 be complied with. The motion carried unanimously.

**Thompson LLC/Brang  
Schedule Public Hearing for Preliminary Industrial Subdivision  
for Two (2) Lots in Industrial District  
TM #033.-04-10.3  
6227 Thompson Rd.  
(10 minutes)**

Jim Brang showed the plans to the Board. Gordon Stansbury presented a traffic study which determined "no impact on the intersection". There was discussion regarding the subdivision issues. Mr. Gambacorto then made a motion, seconded by Mr. Diamond, to call for a Public Hearing on January 10, 2008 at 7:00 p.m. on the subdivision of the Thompson Corners,

LLC parcel into two lots. The motion carried unanimously.

**B & C Self Storage**  
**Concept CSA for 29,000 S.F. Storage Facility in Ind District**  
**TM #014.-03-03,2**  
**5991 Drott Drive**  
**(12 minutes)**

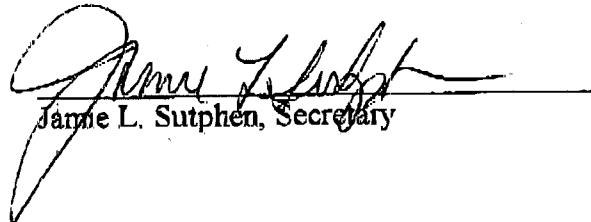
Bruce Pollock and Charlie Lockwood were present for the applicant. This is for self-storage units and the basic plan was shown. The Board told the applicant that metal siding is discouraged. The general concept plan was discussed and comments given. The matter was tabled.

**JPW Riggers**  
**Concept CSA for Temporary Portable Storage Structure**  
**(TPSS) in Industrial District**  
**TM #032.01-04.2 & 05.1**  
**6377 & 6381 Thompson Rd.**  
**(20 minutes)**

Joe Mastrianni of Mastrianni Engineering and Tony Caruso, Esq., were present for the applicant. There was discussion regarding the state law regarding storm water. The burden is on the owner to prove that this site works according to state regulations. The applicant would work with O'Brien & Gere on that issue to make sure that the runoff could be handled. There was discussion regarding each lot having to stand on its own and if one of the buildings is going to be a primary structure, it needs to meet certain standards. The applicant would look into how these lots came to be in the configuration they are in with the right-of-way. The right-of-way and setback issues were discussed. The prior subdivision maps would be reviewed and the matter was tabled.

Mr. Gambacorto made a motion, seconded by Mr. Bornstein, to adjourn the meeting. The motion carried unanimously and the meeting adjourned at 9:00 p.m.

Respectfully submitted,

  
Jamie L. Sutphen, Secretary



## **Town of DeWitt – Planning Board**

### **Woodbine Subdivision Notes 12/19/07**



The items listed here are proposed to be included in the preliminary plan approval of sheet S1 revised of the subdivision:

1. The applicant shall comply with all the conditions of the Onondaga County Planning Board as noted in their resolution dated July 31, 2007.
2. The applicant shall comply with all the conditions of OBG approval dated December 19, 2007
3. The applicant shall comply with all requirements of the NYS DOT as to be indicated in their approval of the work required at the intersection of the extension of Loucks Road and NYS Route 298. This work shall be completed by November 1, 2008 or as extended by NYS DOT.
4. The approval of the subdivision of the information contained on Drawing S1, dated December 18, 2007 does not include the approval of any signs.
5. The details of the traffic calming control on Loucks Road south of Route 298, signs, sidewalks, trails, street lighting, and street trees must be approved by the Planning Board prior to March 13, 2008.
6. The disposition of proposed Lot 4 is subject to a letter from the Owner dated December 18, 2007.

