

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director

625 Broadway, 12th Floor, Albany, New York 12233-7011

P: (518) 402-9706 | F: (518) 402-9020

[www.dec.ny.gov](http://www.dec.ny.gov)

December 30, 2021

Smith Building, LLC  
Attn: Matthew Paulus  
225 Wilkinson Street  
Syracuse, NY 13204

Re: Certificate of Completion  
The Smith Restaurant Building  
Site No.: C734148  
City of Syracuse, Onondaga County

Dear Mr. Paulus:

Congratulations on having satisfactorily completed the remedial program at The Smith Restaurant Building. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (Department) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the COC to be issued for the above-referenced site.

Please note that you are required to perform the following tasks:

- If you are the site owner, you must record the Notice of Certificate of Completion in the recording office for the county (or counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record the Notice within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the Notice is recorded within the time frame specified. A standard Notice of Certificate of Completion form is attached to this letter.
- Provide electronic copies of the recorded Notice and proof of recording to the Department's project manager. Please return the hard copy of the proof of recording to:

Gary Priscott  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
615 Erie Boulevard West  
Syracuse, NY 13204

- Provide the Notice of Certificate of Completion to the Document Repositories within 10 days of issuance of the COC. The Department will develop a fact sheet announcing the issuance of the COC and describing the institutional and engineering controls (IC/ECs), if any, that are required at the site and distribute it to the County Listserv within 10 days;
- Implement the Department-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to the Department in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to the Department in April 2023.

If you have any questions regarding any of these items, please contact Gary Priscott at (315) 426-7524.

Sincerely,

*Susan Edwards*

Susan Edwards, P.E.  
Acting Director  
Division of Environmental Remediation

Enclosure

ec w/ enclosure:

Michael Fogel, [mfogel@bdflegal.com](mailto:mfogel@bdflegal.com)  
Richard McKenna, [rmkenna@neu-velle.com](mailto:rmkenna@neu-velle.com)  
Albert Lyons, [al@neu-velle.com](mailto:al@neu-velle.com)  
Christine Vooris, [christine.vooris@health.ny.gov](mailto:christine.vooris@health.ny.gov)  
Scarlett McLaughlin, [scarlett.mclaughlin@health.ny.gov](mailto:scarlett.mclaughlin@health.ny.gov)  
Stephanie Selmer, [stephanie.selmer@health.ny.gov](mailto:stephanie.selmer@health.ny.gov)  
Matt Gokey, [matthew.gokey@tax.ny.gov](mailto:matthew.gokey@tax.ny.gov)  
Paul Takac, [paul.takac@tax.ny.gov](mailto:paul.takac@tax.ny.gov)

ec w/o enc.:

Gary Priscott  
David Harrington  
Margaret Sheen

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)  
*CERTIFICATE OF COMPLETION*

**CERTIFICATE HOLDER(S):**

**Name**

Smith Building, LLC

**Address**

225 Wilkinson Street, Syracuse, NY 13204

**BROWNFIELD CLEANUP AGREEMENT:**

**Application Approval:** 6/4/20    **Agreement Execution:** 6/15/20

**Agreement Index No.:** C734148-06-20

**Application Approval Amendment:** none

**Agreement Execution Amendment:** none

**SITE INFORMATION:**

**Site No.:** C734148    **Site Name:** The Smith Restaurant Building

**Site Owner:** Smith Building, LLC

**Street Address:** 500 Erie Boulevard East

**Municipality:** Syracuse

**County:** Onondaga

**DEC Region:** 7

**Site Size:** 0.334 Acres

**Tax Map Identification Number(s):** 103.-13-01

**Percentage of site located in an EnZone:** 100 %

A description of the property subject to this Certificate is attached as Exhibit A and a site survey is attached as Exhibit B.

**CERTIFICATE ISSUANCE**

This Certificate of Completion, hereinafter referred to as the "Certificate," is issued pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law ("ECL").

This Certificate has been issued upon satisfaction of the Commissioner, following review by the Department of the Final Engineering Report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the site, that the applicable remediation requirements set forth in the ECL have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

The remedial program for the site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

**Allowable Uses under the BCP:** Restricted-Residential, Commercial, and Industrial

**Cleanup Track:** Track 4: Restricted use with site-specific soil cleanup objectives

**Tax Credit Provisions:**

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 28 %.

Tangible Property Credit is 15%. Comprised of 10% Base, 5% EnZone.

Dependent upon the project being developed in a manner consistent with the approved Brownfield Cleanup Program application, additional rate increases may be available if the site is developed as affordable housing (5%), if the Certificate Holder receives a separate Determination of Conformance with the BOA from the Secretary of State (5%), or if the site is used primarily for manufacturing activities (5%) not to exceed a maximum 24 %.

The Remedial Program includes use restrictions or reliance on the long-term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Onondaga County as 2021-00045336.

#### **LIABILITY LIMITATION**

Upon issuance of this Certificate of Completion, and subject to the terms and conditions set forth herein, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the site and to a person who develops or otherwise occupies the site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

#### **CERTIFICATE TRANSFERABILITY**

This Certificate may be transferred to the Certificate holder's successors or assigns upon transfer or sale of the site as provided by ECL Section 27-1419.5 and 6NYCRR Part 375-1.9.

#### **CERTIFICATE MODIFICATION/REVOCATION**

This Certificate of Completion may be modified or revoked by the Commissioner following notice and an opportunity for a hearing in accordance with ECL Section 27-1419 and 6NYCRR Part 375-1.9(e) upon a finding that:

- (1) either the Applicant or the Applicant's successors or assigns have failed to comply with the terms and conditions of the Brownfield Site Cleanup Agreement;
- (2) the Applicant made a misrepresentation of a material fact tending to demonstrate that it was qualified as a Volunteer;
- (3) either the Applicant or the Applicant's successors or assigns made a misrepresentation of a material fact tending to demonstrate that the cleanup levels identified in the Brownfield Site Cleanup Agreement were reached;
- (4) there is good cause for such modification or revocation;
- (5) either the Applicant or the Applicant's successors or assigns failed to manage the controls or monitoring in full compliance with the terms of the remedial program;
- (6) the terms and conditions of the environmental easement have been intentionally violated or found to be not protective or enforceable.

The Certificate holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency is not cured or a request for a hearing is not received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

Basil Seggos  
Commissioner  
New York State Department of Environmental Conservation

By: Susan Edwards Date: 12/30/2021

Susan Edwards, P.E., Acting Director  
Division of Environmental Remediation

**NOTICE OF CERTIFICATE OF COMPLETION**  
**Brownfield Cleanup Program**  
**6 NYCRR Part 375-1.9(d)**

The Smith Restaurant Building, Site ID No. C734148  
500 Erie Boulevard East, Syracuse, 13202  
City of Syracuse, Onondaga County, Tax Map Identification Number 130.-13-01

**PLEASE TAKE NOTICE**, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to Smith Building, LLC for a parcel approximately 0.334 acres located at 500 Erie Boulevard East in the City of Syracuse, Onondaga County.

**PLEASE TAKE NOTICE**, the Certificate was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the site, that the remediation requirements set forth in ECL Article 27, Title 14 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

**PLEASE TAKE NOTICE**, the remedial program for the site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

- ☐ Unrestricted Use, as set forth in 6 NYCRR 375-1.8(g)(1)i
- ☐ Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- ☒ Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- ☒ Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- ☒ Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

Further, the use of groundwater is restricted and may not be used, unless treated in accordance with the requirements provided by the New York State Department of Health, or a local County Health Department with jurisdiction in such matters and such is approved by the Department as not inconsistent with the remedy.

**PLEASE TAKE NOTICE**, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Onondaga County as 2021-00045336.

**PLEASE TAKE NOTICE**, the Environmental Easement requires that the approved Site Management Plan (SMP) for this property be adhered to. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to the Department's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

**PLEASE TAKE NOTICE**, provided that the Environmental Easement, SMP and Certificate are complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the site and to a person who develops or otherwise occupies the site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

**The Smith Restaurant Building, Site #C734148, 500 Erie Boulevard East  
City of Syracuse, Onondaga County**

**PLEASE TAKE NOTICE**, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to the Department in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of the property constitutes a change of use.

**PLEASE TAKE NOTICE**, the Certificate may be revoked if the Environmental Easement as implemented, if applicable, is not protective or enforceable.

**PLEASE TAKE NOTICE**, the Certificate may entitle the Certificate holder(s) to tax credits in accordance with Tax Law Sections 21, 22 and 23.

**PLEASE TAKE NOTICE**, the Certificate may only be transferred to the Certificate holder's successors or assigns upon transfer or sale of the site as provided by ECL Section 27-1419.5 and 6 NYCRR Part 375-1.9. Failure to comply with the regulatory requirements for transfer **WILL** bar the successors and assigns from the benefits of the Certificate.

**PLEASE TAKE NOTICE**, the Certificate may be modified or revoked by the Commissioner as set forth in the applicable regulations.

**PLEASE TAKE NOTICE**, a copy of the Certificate can be reviewed at the NYSDEC's Region 7 office located at 615 Erie Blvd West, Syracuse, NY 13204, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C734148/>.

**WHEREFORE**, the undersigned has signed this Notice of Certificate

Smith Building, LLC

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF NEW YORK            ) SS:  
COUNTY OF                    )

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 20\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Signature and Office of individual  
taking acknowledgment

**Please record and return to:**  
Smith Building, LLC  
Attn: Matthew Paulus  
225 Wilkinson Street  
Syracuse, NY 13204

## **Exhibit A**

### **Site Description**

**The Smith Restaurant Building, Site No.: C734148**  
**500 Erie Boulevard East**  
**City of Syracuse, Onondaga County**

**Metes and Bounds Description**

All that tract or parcel of land situate in the City of Syracuse, County of Onondaga and State of New York, being part of City Block 49 and part of the former Erie Canal lands and being more particularly described as follows:

Beginning at a point in the northerly line of East Water Street at the intersection with the easterly line of South Townsend Street;

thence N.00°21'30"E., along the said easterly line of South Townsend Street; a distance of 73.80 feet to a point in the southerly line of Erie Boulevard East;

thence S.89°30'50"E., along the said southerly line of Erie Boulevard East, a distance of 147.08 feet to a point in the westerly line of Interstate Route 81;

thence southerly along the westerly line of Interstate Route 81, along a curve to the right having a radius of 1091.57 feet, length of 107.53 feet and chord of S.52°47'00"E., 107.48 feet to a point;

thence S.00°21'00"W., a distance of 9.52 feet to a point in the said northerly line of East Water Street;

thence N.89°30'50"W., along said northerly line of East Water Street, a distance of 233.08 feet to the point of beginning.

Containing approximately 0.334 acres more or less.



## **Exhibit B**

### **Site Survey**

### Miscellaneous Notes

- 1) NORTH ORIENTATION/BEARINGS ARE BASED DATA FROM CITY OF SYRACUSE ROW PLATES LOCATED ON THE EAST SIDE OF THE CITY OF SYRACUSE.
- 2) VERTICAL DATUM BASED ON 1988 DATUM FROM RTA GPS OBSERVATIONS.
- 3) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY C. T. MALE ASSOCIATES ENGINEERING, SURVEYING ARCHITECTURE, LANDSCAPE ARCHITECTURE & GEOSOLY, D.P.C., TO DETERMINE OWNERSHIP OF THE SURVEYED PROPERTY. FOR INFORMATION REGARDING EASEMENTS, RIGHTS OF WAY, AND TITLE, REFERENCE IS MADE TO A TITLE SURVEY BY C. T. MALE ASSOCIATES ENGINEERING, SURVEYING ARCHITECTURE, LANDSCAPE ARCHITECTURE & GEOSOLY, D.P.C., FOR FILE #14-1208C, EFFECTIVE DATE OF APRIL 15, 2019.
- 4) THIS SURVEY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OF WAY, AND RESTRICTIONS AS SET FORTH THEREIN AND IS FURTHER SUBJECT TO ANY TRIENICE OR TRANSFERENCE OF INTERESTS IN THE SURVEYED PARCELS OF SAID CONVECTION TO THE PRESENT.
- 5) SURVEY WAS CONDUCTED IN ORDER TO DETERMINE THE 5.76 ACRE ANNUAL CROPS FLOODPLAIN AS SHOWN ON FEDERAL EROSION CONTROL MANAGEMENT ZONING (F.E.C.M.) COMPONENT PLANS, FILE #2-23, DATED 11/11/2016, OF NOVEMBER 4, 2016.
- 6) SURVEY WAS PERFORMED IN THE FIELD ON 02/22/2019.
- 7) UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM DATA OBTAINED BY FIELD SURVEY, PREVIOUS MAPS AND RECORDS, (AND PAVILION TESTIMONY, THEREFORE, THEIR LOCATIONS ARE NOT GUARANTEED TO BE ACCURATE. ONLY, THEIR HAV BEEN OTHER UNDERGROUND UTILITIES. THE EXISTENCE OF WHICH ARE NOT KNOWN TO THE SURVEYOR. THE USER SHALL CONSIDER THE EXISTENCE OF UTILITIES AND STRUCTURES MUST BE VERIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO ANY CONSTRUCTION.
- 7) THERE ARE 11 STRETTED RAMP SPACES ON THE SUBJECT PLOTS.
- 8) BOUNDARY LINE DIMENSIONS AS SHOWN ON THE SURVEY FORM A MATHEMATICALLY CLOSED FIGURE WITH A CLOSURE ERROR OF LESS THAN 1/4 FOOT +/-.
- 9) REFERENCE MAY 300 INCH BOREHOLE EAST PREPARED BY SANJAY & ROMANS LAND SURVEYING, P.C. DATED APRIL 20, 2019.
- 10) NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR ADDITIONS WERE FOUND.
- 11) NO EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, PUMP OR SANITARY LANDFILL WAS NOTED.
- 12) NO UNPOISED CHANGES TO STREET RIGHT OF WAY OR OTHER REPAIRS TO STREET WERE FOUND.
- 13) NO BOREHOLE EAST PREPARED BY SANJAY & ROMANS LAND SURVEYING, P.C. DATED APRIL 20, 2019.
- 14) C.T. MALE MAINTAINS PROFESSIONAL LIABILITY INSURANCE AND EROSION COVERAGE OF A MINIMUM OF \$1,000,000.
- 15) THIS SITE HAS LAKE ACCESS TO STATE BOREHOLE EAST, TOWNSHEND STREET AND EAST WATER STREET WHICH ARE PUBLIC HIGHWAYS.
- 16) THIS SITE HAS LAKE ACCESS TO STATE BOREHOLE EAST, TOWNSHEND STREET AND EAST WATER STREET.
- 17) NO OBSERVED CEMETERIES WITHIN 100' OF SURVEYED PARCEL.

Schedule "A" - Legal Description  
(Commitment No.: FTA-19-120EC)

ALL THAT PIECE OR PARCEL OF ERIE CANAL LANDS, situate in the City of Syracuse, County of Onondaga and State of New York, lying north of and adjacent to Block 49 in the said City of Syracuse, described as follows: Beginning at the point of intersection of the southerly Blue Line of the Erie Canal and the easterly line of Townsend Street; thence N 0° 21' 30" E 18 8 feet in said easterly street line to the southerly line of a proposed street 80 feet in width; thence S 69° 43' 00" E 109 58 feet in said proposed street line to the northerly prolongation of the division line between the Anson Realty Co., Inc., and Markston Bros., Inc.; thence S 01° 21' 0" W 18 8 feet in said prolonged line to the southerly Blue Line of the Erie Canal; thence N 89° 43' 40" W 109 58 feet in said Blue Line to the place of beginning, containing 2060 square feet of land, more or less.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Syracuse, County of Onondaga and State of New York known and distinguished as part of lot number two (2) of block number forty-nine (49) of said city, bounded and described as follows: Beginning at the southwest corner of said block thence east along the south line thereof one hundred nine (109) feet to a point in line with the east face of the east wall of the three-story brick building now standing upon the herein described premises; thence north parallel with the west line of said block and along the east face of said wall about fifty-four (54) feet to the line of lands appropriated to the Erie Canal; thence westerly along the said line about one hundred nine (109) feet to the west line of the block thence south to the place of beginning.

ALSO, ALL THAT OTHER TRACT, PIECE OR PARCEL OF LAND conveyed to Smith Restaurant Supply Co Inc by the City of Syracuse by deed dated March 10, 1948 and recorded in the Onondaga County Clerk's Office on March 11, 1948 in Book 1320 of Deeds, at Page 284, and described as

All that tract or parcel of land situate in Block No. 49 in the City of Syracuse, New York, and being all that tract or parcel of land commencing at a point at the southwest corner of said Block and 109 58 feet easterly therefrom lying between the southerly Blue Line of Erie Canal and the northerly line of Water Street, said Blue Line being shown on Blue Line Maps Nos. 389 and 409 inclusive, accompanying Sheet "K" made pursuant to the provisions of Chapter 199 of the Laws of 1910 and amendatory laws, said maps and sheet being now on file in the office of the Department of Public Works of the State of New York.

ALSO, ALL THAT TRACT OR PARCEL OF LAND situated in the City of Syracuse, County of Onondaga, State of New York, known and designated as part of Lots Numbers One (1) and Two (2) of Block No. 69, in said City and bounded and described as follows: Beginning at a point in the present north line of East Water Street as established by a resolution of the Common Council recorded in Onondaga County Clerk's Office May 29, 1895, in Book "Q" of Miscellaneous Records at page thirty-nine (69) two hundred forty-nine and one quarter (249 1/4) feet west from the west line of Orange Street thence northerly at right angles to Water Street sixty (60) feet or less to the lands appropiated to the Erie Canal; thence westerly along the lands of the Erie Canal about thirty-seven and one-half (37 1/2) feet to the east line of said block; thence southerly along the east line of said block to the south line of the herein described premises thence southerly at right angles to Water Street and along the east side of said Brick Wall to the present northerly line of Water Street thence east on the said north line about thirty-seven and one-half (37 1/2) feet to the place of beginning.

ALSO, ALL THAT TRACT OR PARCEL OF LAND OF ERIE CANAL LAND, situate in the City of Syracuse, County of Onondaga and State of New York, lying north of and adjacent to Block 49 in the said City of Syracuse, described as follows: Beginning at the point of intersection of the southerly Blue Line of the Erie Canal with division line between the Anson Realty Co Inc and Markson Bros Inc thence N 0° 21' 0" E 18.6 feet in the prolongation of said division line to the southerly line of a proposed street 80 feet in width thence S 89° 43' 40" E 37.50 feet in said proposed street line to the northerly prolongation of the division line between Markson Bros Inc and the Penfield Manufacturing Company thence S 5° 21' 0" W 18.0 feet in said prolonged line to the Blue Line of the Erie Canal thence N 89° 43' 40" W 37.50 feet in said Blue Line to the place of beginning.

ALSO, ALL THAT TRACT OR PARCEL OF LAND situate in Block 49 in the City of Syracuse New York and being all that tract or parcel of land commencing at a point two hundred forty-nine and one-quarter (249 1/4) feet west from the west line or Orange Street and thirty-seven and one-half (37 1/2) feet westerly therefrom lying between the southerly Blue Line of Erie Canal and the northerly line of Water Street; said Blue Line being shown on Blue Line Maps Nos 389 and 409 inclusive, accompanying Sheet K, made pursuant to the provisions of Chapter 199 of the Laws of 1910 and amendatory laws, said maps and sheet being now on file in the Office of the Department of Public Works of the State of New York.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situated in the City of Syracuse County of Onondaga and State of New York, viz: situated in the 15th Ward and being a part of Block No. 49 in said City and a part of the former Erie Canal lands lying north of and adjacent to said Block 49 and bounded and described as follows: Beginning in the north line of East Water Street in said City at a point 163.25 feet westerly from the southeast corner of said Block thence north 89° 30' 50" west along the northerly line of East Water Street a distance of 86 feet; thence north 0° 21' 0" east of a distance of 79.26 feet to the southerly line of Erie Boulevard East; thence southeasterly following a curve to the right having a radius of 1,091.57 feet, an arc distance of 108.44 feet to the division line between lands of Penfold Manufacturing Company and lands of Albert Gordon, at a thence south 0° 21' 0" west and along said division line a distance of 13.52 feet to the northerly line of East Water Street and the place of beginning.

ONLY COPIES OF THIS MAP SIGNED IN RED INK AND EMBOSSED WITH THE SEAL OF AN OFFICER OF C.T. MALE ASSOCIATES OR A DESIGNATED REPRESENTATIVE SHALL BE CONSIDERED TO BE A VALID

Notes to Title Commitment No. FTA-19-120EC

10. Easement granted by Jeanne Serling, Arnold Hodes and Lester Serling as Trustees to the New York Telephone Company dated December 18, 1990 and recorded February 27, 1991 in Book 3680 of Deeds at Page 83. (plotted)

## Encroachments

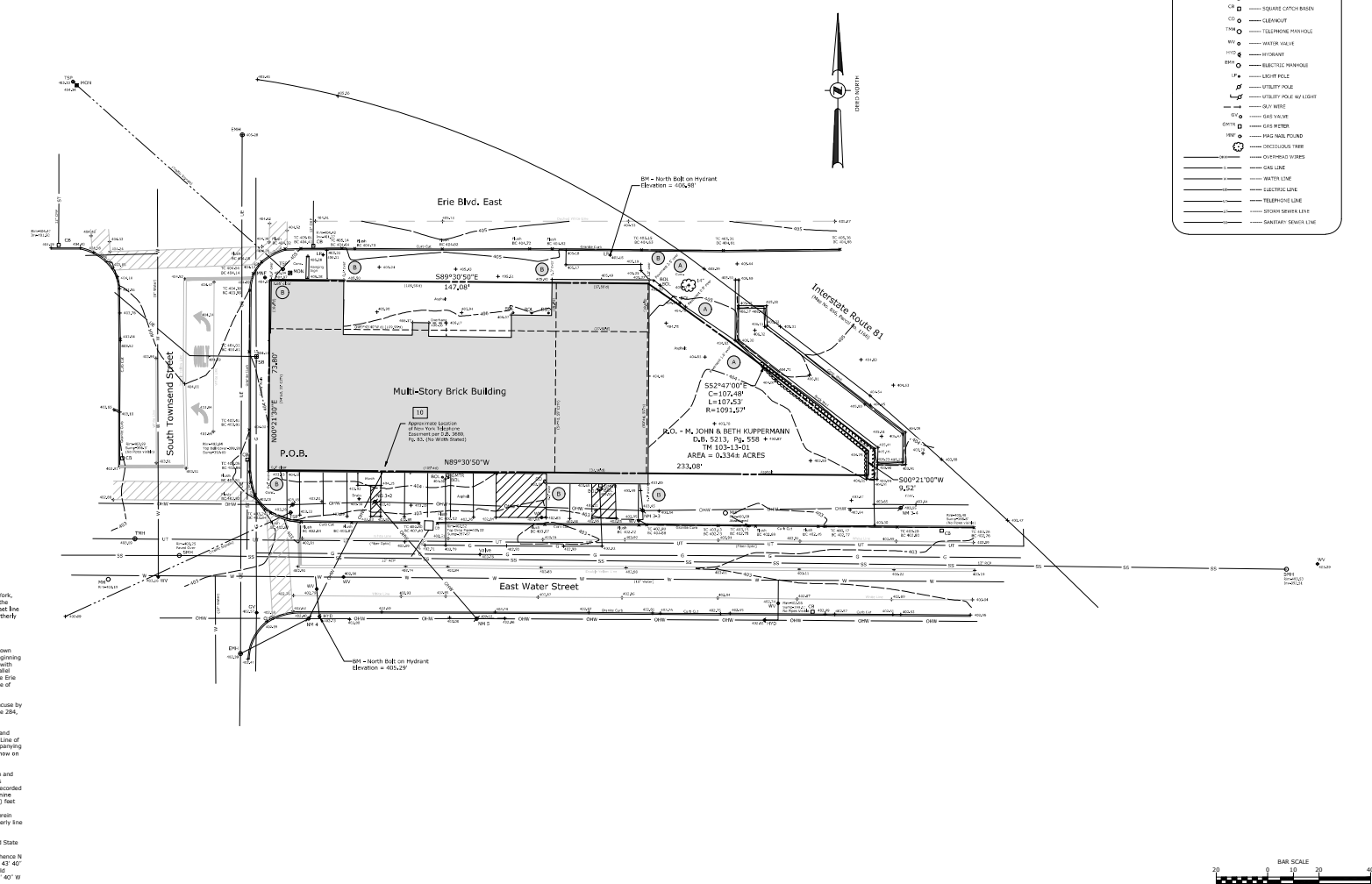
- A. ASPHALT DRIVE EXTENDS ONTO 1690 ROW UP TO 2.5'.  
B. BUILDING EXTENDS INTO STREET LINES AS SHOWN.

### Modern Legal Description

ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate in the City of Syracuse, County of Onondaga, State of New York, being part of City Block 49 & part of the former Erie Canal lands and being more particularly bounded and described as follows:

Beginning at a point in the northerly line of East Water Street at the intersection with the easterly line of South Townsend Street; thence North 00 deg. 21 min. 30 sec. East along the said easterly line of South Townsend Street, a distance of 73.80 feet to point in the southerly line of Erie Boulevard East; thence South 89 deg. 30 min. 50 sec. East along the said southerly line of Erie Boulevard East, a distance of 147.08 feet to a point in the westerly line of Interstate Route 81; thence southerly along the said westerly line of Interstate Route 81, along a curve to the right having a radius of 1091.57 feet, length of 107.53 feet and chord of South 52 deg. 47 min. 00 sec. East, 107.48 feet to a point in the said northerly line of East Water Street; thence North 89 deg. 30 min. 50 sec. West along said northerly line of East Water Street, a distance of 233.08 feet to the point of beginning. Containing 0.334 acres of lands, more or less.

The described property is the same property described in Fitch Title Agency, Inc. Commitment for Title Insurance Number: FTA-19-120EC, with an effective date of April 15, 2019.



This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2016 and includes Item 2, 3, 4, 5, 7(a), 7(b)(1), 8, 9, 11, 13, 14, 16, 17, 18, 19, & 20 in Table A thereof. The field work was completed on May 22, 2019.



DATE OF MAP: June 28, 2019

SIGNED: David M. Silski  
David M. Silski, P.L.S.  
Registration No. - NY 50105 - expires 2/28/2021

DATE	REVISIONS RECORD/DESCRIPTION	DRAWER	CHECK	APP.	UNAUTHORIZED ALTERATION OF ELEVATION OF THE NEW YORK STATE CIVIL ENGINEERING BOARD	ALTA/NPS/LAND TITLE SURVEY FOR <b>SMITH'S RESTAURANT SUPPLY</b> 500 ERIE BLVD. EAST
	2019					
	C.T. MALE ASSOCIATES					
	APPROVED:					
	DRAFTED : 3AD					
	CHECKED : DMS					
	PROJ. NO : 19.9575					
	SCALE : 1" = 20.71'					
	DATE : JUNE 13, 2019					

CITY OF SYRACUSE PART OF BLOCK NO. 49 & PART OF THE FORMER ERIE CANAL LANDS ONONDAGA COUNTY, NEW YORK

**C.T. MALE ASSOCIATES**  
Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.  
50 CENTURY HILLS DRIVE, LITTLEROCK, NY 13150-7001  
COWLESVILLE, NY • GLENS FALLS, NY • RODGERSBURGH, NY • JOHNSTOWN, NY  
LITTLE FALLS, NY • REDBORN, NY • SPRINGFIELD, NY

SHEET : 1 OF 4  
DWG NO : 19-040

**C.T. MALE ASSOCIATES**  
Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.  
50 CENTURY HILL DRIVE, LATHAM, NY 518.786.7400  
COBLESKILL, NY • GLENS FALLS, NY • POUGHKEEPSIE, NY • JOHNSTOWN, NY  
LITTLE FALLS, NY • RED HOOK, NY • SYRACUSE, NY



www.creativecommons.org

SHEET		1 OF 1
DWG. NO:		19-040



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
Site Management Form  
12/29/2021



**SITE DESCRIPTION**

**SITE NO.** C734148

**SITE NAME** The Smith Restaurant Building

**SITE ADDRESS:** 500 Erie Boulevard East **ZIP CODE:** 13202

**CITY/TOWN:** Syracuse

**COUNTY:** Onondaga

**ALLOWABLE USE:** Restricted-Residential, Commercial, and Industrial

**SITE MANAGEMENT DESCRIPTION**

**SITE MANAGEMENT PLAN INCLUDES:** YES NO

IC/EC Certification Plan



Monitoring Plan



Operation and Maintenance (O&M) Plan



Periodic Review Frequency: once a year

Periodic Review Report Submitted Date: 04/30/2023

**Description of Institutional Control**

**Smith Building, LLC**

225 Wilkinson Street

**500 Erie Boulevard East**

Environmental Easement

Block: 13

Lot: 01

Sublot:

Section: 103

Subsection:

S\_B\_L Image: 103-13-01

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

O&M Plan

Site Management Plan

## Description of Engineering Control

### **Smith Building, LLC**

225 Wilkinson Street

### **500 Erie Boulevard East**

Environmental Easement

Block: 13

Lot: 01

Sublot:

Section: 103

Subsection:

S\_B\_L Image: 103-13-01

Cover System

Vapor Mitigation