



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 12

Section I. Requestor Information - See Instructions for Further Guidance
NAME 400 Erie Boulevard, LLC
ADDRESS 6308 Fly Road
CITY/TOWN East Syracuse ZIP CODE 13057
PHONE (315) 432-9400 FAX (315) 432-9405 E-MAIL bbowers@aecgroup.com
Is the requestor authorized to conduct business in New York State (NYS)?
Do all individuals that will be certifying documents meet the requirements detailed below?

Section II. Project Description
1. What stage is the project starting at? Investigation Remediation
NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period.
2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): Yes No
3. Please attach a short description of the overall development project, including:
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 that the site requires remediation and contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property. To the extent that existing information/studies/reports are available to the requestor, please attach the following (**please submit the information requested in this section in electronic format only**):

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). **Please submit a separate electronic copy of each report in Portable Document Format (PDF). Please do not submit paper copies of supporting documents.**

2. **SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. DATA SUMMARY TABLES SHOULD BE INCLUDED, WITH LABORATORY REPORTS REFERENCED AND ALSO INCLUDED.**

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum	Not assessed	Not assessed	Not assessed
Chlorinated Solvents	None identified	Not assessed	Not assessed
Other VOCs	None identified	Not assessed	Not assessed
SVOCs	Multiple PAHs	Not assessed	Not assessed
Metals	As, Cu, Pb	Not assessed	Not assessed
Pesticides	Not assessed	Not assessed	Not assessed
PCBs	None identified, very limited sampling	Not assessed	Not assessed
Other*	Not assessed	Not assessed	Not assessed

*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?* Yes No
 (*answering No will result in an incomplete application)

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

- | | | | |
|---|---|---|--|
| <input type="checkbox"/> Coal Gas Manufacturing | <input checked="" type="checkbox"/> Manufacturing | <input type="checkbox"/> Agricultural Co-op | <input 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: Lumber Yard, Lithograph Company, Cold Storage Facility, Ice Cream Factory, Sausage Casing, Fish Processing

Section IV. Property Information - See Instructions for Further Guidance

PROPOSED SITE NAME Big Red Development Project

ADDRESS/LOCATION 400 Erie Boulevard West

CITY/TOWN Syracuse ZIP CODE 13204

MUNICIPALITY(IF MORE THAN ONE, LIST ALL):
City of Syracuse

COUNTY Onondaga County SITE SIZE (ACRES) 0.968

LATITUDE (degrees/minutes/seconds) 43 ° 03 ' 02N " LONGITUDE (degrees/minutes/seconds) 76 ° 09 ' 35W "

Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed , please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section No.	Block No.	Lot No.	Acreage
400-30 Erie Boulevard W & Plum St & T	105	12	01.1	0.968

1. Do the proposed site boundaries correspond to tax map metes and bounds? Yes No
If no, please attach an accurate map of the proposed site.

2. Is the required property map attached to the application? Yes No
(application will not be processed without map)

3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)?
(See [DEC's website](#) for more information) Yes No
If yes, identify census tract : 21.01
Percentage of property in En-zone (check one): 0-49% 50-99% 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)? Yes 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? Yes 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? Yes No
If yes, attach relevant supporting documentation.

7. Are there any lands under water? Yes 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

<u>Easement/Right-of-way Holder</u>	<u>Description</u>
National Grid	Former Substation (small area on southern portion of the Site...transformers removed, one switchbox remains)

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

<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>
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

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

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? Yes No
 If yes, requestor must answer questions on the supplement at the end of this form.

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

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

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

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

Initials of each Requestor: _____

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

Section V. Additional Requestor Information See Instructions for Further Guidance		DEC USE ONLY	
BCP SITE NAME: _____		BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Bryan Bowers			
ADDRESS 6308 Fly Road			
CITY/TOWN East Syracuse		ZIP CODE 13057	
PHONE (315) 432-9400	FAX (315) 432-9405	E-MAIL bbowers@aeccgrou.com	
NAME OF REQUESTOR'S CONSULTANT Asbestos & Environmental Consultant Corporation -			
ADDRESS 6308 Fly Road			
CITY/TOWN East Syracuse		ZIP CODE 13057	
PHONE (315) 432-9400	FAX (315) 432-9405	E-MAIL	
NAME OF REQUESTOR'S ATTORNEY Brown, Duke & Fogel, P.C. - Michael A. Fogel, Esq.			
ADDRESS 120 Madison Street, AXA Tower II, Suite 1620			
CITY/TOWN Syracuse		ZIP CODE 13202	
PHONE (315) 399-4343	FAX (315) 472-6215	E-MAIL mfogel@bdflegal.com	
Section VI. Current Property Owner/Operator Information – if not a Requestor			
CURRENT OWNER'S NAME 400 Erie Boulevard, LLC		OWNERSHIP START DATE: 2003	
ADDRESS 6308 Fly Road			
CITY/TOWN East Syracuse		ZIP CODE 13057	
PHONE (315) 432-9400	FAX (315) 432-9405	E-MAIL bbowers@aeccgrou.com	
CURRENT OPERATOR'S NAME N/A - Vacant			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
<p>PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".</p> <p>IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.</p>			
Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)			
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 which require registration? Yes No

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

PARTICIPANT

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

VOLUNTEER

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

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

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

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

Section IX. Contact List Information

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

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

Section X. Land Use Factors

1. What is the current municipal zoning designation for the site? Industrial A

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

Residential Commercial Industrial

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

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

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

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

Surrounding properties are zoned commercial and residential.

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

Yes No

Not currently. However, surrounding properties are zoned commercial and residential. Proposed development is aimed at the revitalization of Syracuse and will create housing and commercial space in a previously under utilized, low income area.

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

Yes No

Proposed use is consistent with future land use, historic preservation, bicycle, and sustainability plans within the City of Syracuse Comprehensive Plan 2040.

XI. Statement of Certification and Signatures

(By requestor who is an individual)

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

Date: _____ Signature: _____

Print Name: _____

(By a requestor other than an individual)

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

Date: 2/7/2022 Signature: 

Print Name: Bryan Bowers

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable 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

PLEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS. Please provide a hard copy of ONLY the application form and a table of contents.

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 12

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

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

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

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

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

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

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

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

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

BCP Application Summary (for DEC use only)

Site Name: Big Red Development Project
City: Syracuse

Site Address: 400 Erie Boulevard West
County: Onondaga County **Zip:** 13204

Tax Block & Lot
Section (if applicable): 105 **Block:** 12 **Lot:** 01.1

Requestor Name: 400 Erie Boulevard, LLC
City: East Syracuse

Requestor Address: 6308 Fly Road
Zip: 13057 **Email:** bbowers@aecgroup.com

Requestor's Representative (for billing purposes)

Name: Bryan Bowers **Address:** 6308 Fly Road
City: East Syracuse

Zip: 13057 **Email:** bbowers@aecgroup.com

Requestor's Attorney

Name: Brown, Duke & Fogel, P.C. - Michael A. Fogel, Esq. **Address:** 120 Madison Street, AXA Tower II, Suite 1620
City: Syracuse

Zip: 13202 **Email:** mfogel@bdflegal.com

Requestor's Consultant

Name: Asbestos & Environmental Consultant Corporation - **Address:** 6308 Fly Road
City: East Syracuse

Zip: 13057 **Email:**

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

DER Determination: Agree Disagree

Requestor's Requested Status: Volunteer Participant

DER/OGC Determination: Agree Disagree

Notes:

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

Does Requestor Claim Property is Upside Down: Yes No

DER/OGC Determination: Agree Disagree Undetermined

Notes:

Does Requestor Claim Property is Underutilized: Yes No

DER/OGC Determination: Agree Disagree Undetermined

Notes:

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

DER/OGC Determination: Agree Disagree Undetermined

Notes:

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BROWNFIELD CLEANUP PROGRAM (BCP)
INSTRUCTIONS FOR COMPLETING A BCP APPLICATION**

The New York State Department of Environmental Conservation (DEC) strongly encourages all applicants to schedule a pre-application meeting with DEC staff to review the benefits, requirements, and procedures for completing a project in the BCP. Contact your Regional office to schedule a meeting. To add a party to an existing BCP Agreement and/or Application, use the BCP Agreement Amendment Application. **See guidance at the end of these instructions regarding the determination of a complete application.**

SECTION I REQUESTOR INFORMATION

Requestor Name

Provide the name of the person(s)/entity requesting participation in the BCP. (If more than one, attach additional sheets with requested information. If an LLC, the members/owners names need to be provided on a separate attachment). The requestor is the person or entity seeking DEC review and approval of the remedial program.

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 in the NYS Department of State's Corporation & Business Entity Database. A print-out of entity information from the database must be submitted to DEC with the application, to document that the requestor is authorized to do business in NYS.

Address, etc.

Provide the requestor's mailing address, telephone number; fax number and e-mail address.

Document Certification

All documents, which are prepared in final form for submission to DEC for approval, are to be prepared and certified in accordance with Section 1.5 of DER-10. Persons preparing and certifying the various work plans and reports identified in Section 1.5 include:

- New York State licensed professional engineers (PEs), as defined at 6 NYCRR 375-1.2(aj) and paragraph 1.3(b)47. Engineering documents must be certified by a PE with current license and registration for work that was done by them or those under their direct supervision. The firm by which the PE is employed must also be authorized to practice engineering in New York State;
- qualified environmental professionals as defined at 6 NYCRR 375-1.2(ak) and DER-10 paragraph 1.3(b)49;
- remedial parties, as defined at 6 NYCRR 375-1.2(ao) and DER-10 paragraph 1.3(b)60; or
- site owners, which are the owners of the property comprising the site at the time of the certification.

SECTION II PROJECT DESCRIPTION

As a separate attachment, provide complete and detailed information about the project, including the purpose of the project, the date the remedial program is to start, and the date the Certificate of Completion is anticipated..

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION III PROPERTY'S ENVIRONMENTAL HISTORY

For all sites, an investigation report is required that is sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are 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. Required data includes site drawings and data summary tables requested in Section III, #3 of the BCP application form. Data summary table instructions are attached.

SECTION IV PROPERTY INFORMATION

Proposed Site Name

Provide a name for the proposed site. The name could be an owner's name, current or historical operations (i.e. ABC Furniture) or the general location of the property. Consider whether the property is known by DEC by a particular name, and if so, use that name.

Site Address

Provide a street address, city/town, zip code, and each municipality and county in which the site is located. .

Site Size

Provide the approximate acreage of the site.

GIS Information

Provide the latitude and longitude for the approximate center of the property. Show the latitude and longitude in degrees, minutes and seconds.

Tax Parcel Information

Provide the tax parcel address/section/block/lot information and map. Tax map information may be obtained from the tax assessor's office for all tax parcels that are included in the property boundaries. Attach a county tax map with identifier numbers, along with any figures needed to show the location and boundaries of the property. Include a USGS 7.5 minute quad map on which the property appears and clearly indicate the proposed site's location.

1. Tax Map Boundaries

State whether the boundaries of the site correspond to the tax map boundaries. If no, a metes and bounds description of the property must be attached. The site boundary can occupy less than a tax lot or encompass portions of one or more tax lots and may be larger or smaller than the overall redevelopment/reuse project area. A site survey with metes and bounds will be required to establish the site boundaries before the Certificate of Completion can be issued.

2. Map

Provide a property base map(s) of sufficient detail, clarity and accuracy to show the following: i) map scale, north arrow orientation, date, and location of the property with respect to adjacent streets and roadways; and ii) proposed brownfield property boundary lines, with adjacent property owners clearly identified.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION IV (continued)

3. En-zone

Is any part of the property in an En-zone? If so, what percentage? For information on En-zones, please see [DEC's website](#).

4. Multiple applications

Generally, only one application can be submitted, and one BCA executed, for a development project. In limited circumstances, the DEC may consider multiple applications/BCAs for a development project where 1) the development project spans more than 25 acres; 2) the approach does not negatively impact the remedial program, including timing, ability to appropriately address areas of concern, and management of off-site concerns; and 3) the approach is not advanced to increase the value of future tax credits (i.e., circumvent the tax credit caps provided under New York State Tax Law Section 21).

10. Property Description Narrative

Provide a property description in the format provided below. Each section should be no more than one paragraph long.

Location

Example: "The XYZ Site is located in an {urban, suburban, rural} area." {Add reference points if address is unspecific; e.g., "The site is approximately 3.5 miles east of the intersection of County Route 55 and Industrial Road."}

Site Features:

Example: "The main site features include several large abandoned buildings surrounded by former parking areas and roadways. About one quarter of the site area is wooded. Little Creek passes through the northwest corner."

Current Zoning and Land Use: (Ensure the current zoning is identified.)

Example: "The site is currently inactive, and is zoned for commercial use. The surrounding parcels are currently used for a combination of commercial, light industrial, and utility right-of-ways. The nearest residential area is 0.3 miles east on Route 55."

Past Use of the Site: include source(s) of contamination and remedial measures (site characterizations, investigations, Interim Remedial Measures, etc.) completed outside of the current remedial program (e.g., work under a petroleum spill incident).

Example: "Until 1992 the site was used for manufacturing wire and wire products (e.g., conduit, insulators) and warehousing. Prior uses that appear to have led to site contamination include metal plating, machining, disposal in a one-acre landfill north of Building 7, and releases of wastewater into a series of dry wells."

When describing the investigations/actions performed outside of the remedial program, include the major chronological remedial events that lead to the site entering a remedial program. The history should include the first involvement by government to address hazardous waste/petroleum disposal. Do not cite reports. Only include remedial activities which were implemented PRIOR to the BCA. Do not describe sampling information.

**NEW YORK STATE
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SECTION IV (continued)

Property Description Narrative (continued)

Site Geology and Hydrogeology:

As appropriate, provide a very brief summary of the main hydrogeological features of the site including depth to water, groundwater flow direction, etc.

Environmental Assessment

The goal of this section is to describe the nature and extent of contamination at the site. When describing the nature of contamination, identify just the primary contaminants of concern (i.e., those that will likely drive remedial decisions/ actions). If there are many contaminants present within a group of contaminants (i.e., volatile organic compounds, semivolatile organic compounds, metals), identify the group(s) and one or two representative contaminants within the group. When addressing the extent of contamination, identify the areas of concern at the site, contaminated media (i.e., soil, groundwater, etc.), relative concentration levels, and a broad-brush description of contaminated areas/depths.

The reader should be able to know if contamination is widespread or limited and if concentrations are marginally or greatly above Standards, Criteria and Guidance (SGCs) for the primary contaminants. If the extent is described qualitatively (e.g., low, medium, high), representative concentrations should be given and compared with appropriate SCGs. For soil contamination, the concentrations should be compared with the soil cleanup objectives (SCOs) for the intended use of the site.

A typical Environmental Assessment would look like the following:

Based upon investigations conducted to date, the primary contaminants of concern for the site include cadmium and trichloroethene (TCE).

Soil - Cadmium is found in shallow soil, mostly near a dry well at the northeast end of the property. TCE is found in deeper soil, predominantly at the north end of the site. Concentrations of cadmium found on site (approximately 5 ppm) slightly exceed the soil cleanup objective (SCO) for unrestricted use (2.5 ppm). Concentrations of TCE found on site (5 ppm to 300 ppm) significantly exceed the soil cleanup objectives for the protection of groundwater (0.47 ppm).

Groundwater - TCE and its associated degradation products are also found in groundwater at the north end of the site, moderately exceeding groundwater standards (typically 5 ppb), with a maximum concentration of 1500 ppb. A moderate amount of TCE from the site has migrated 300 feet down-gradient off-site. The primary contaminant of concern for the off-site area is TCE, which is present at a maximum concentration of 500 ppb, at 10 feet below the groundwater table near Avenue A.

Soil Vapor & Indoor Air - TCE was detected in soil vapor at elevated concentrations and was also detected in indoor air at concentrations up to 1,000 micrograms per cubic meter.

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

SECTION V

ADDITIONAL REQUESTOR INFORMATION

Representative Name, Address, etc.

Provide information for the requestor's authorized representative. This is the person to whom all correspondence, notices, etc. will be sent, and who will be listed as the contact person in the BCA. Invoices will be sent to the representative of Applications determined to be Participants unless another contact name and address is provided with the application.

Consultant and Attorney Name, Address, etc.

Provide requested information.

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**SECTION VI CURRENT PROPERTY OWNER/OPERATOR INFORMATION
(IF NOT A REQUESTOR)**

Owner Name, Address, etc.

Provide requested information of the current owner of the property. List all parties holding an interest in the Property and, if the Requestor is not the current owner, describe the Requestor's relationship to the current owner.

Operator Name, Address, etc.

Provide requested information of the current operator (if different from the requestor or owner).

Provide a list of previous property owners and operators with names, last known addresses, telephone numbers and the Requestor's relationship to each owner and operator as a separate attachment

SECTION VII REQUESTOR ELIGIBILITY INFORMATION

As a separate attachment, provide complete and detailed information in response to any eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that such information be summarized. For properties with multiple addresses or tax parcels, please include this information for each address or tax parcel.

SECTION VIII PROPERTY ELIGIBILITY INFORMATION

As a separate attachment, provide complete and detailed information in response to the following eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that that information be summarized.

1. CERCLA / NPL Listing

Has any portion of the property ever been listed on the National Priorities List (NPL) established under CERCLA? If so, provide relevant information.

2. Registry Listing

Has any portion of the property ever been listed on the New York State Registry of Inactive Hazardous Waste Disposal Sites established under ECL 27-1305? If so, please provide the site number and classification. See the Division of Environmental Remediation (DER) website for a database of sites with classifications.

3. RCRA Listing

Does the property have a Resource Conservation and Recovery Act (RCRA) TSDF Permit in accordance with the ECL 27-0900 *et seq*? If so, please provide the EPA Identification Number, the date the permit was issued, and its expiration date. Note: for purposes of this application, interim status facilities are not deemed to be subject to a RCRA permit.

4. Registry / RCRA sites owned by volunteers

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.

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SECTION VIII (continued)

5. Existing Order

Is the property subject to an order for cleanup under Article 12 of the Navigation Law or Article 17 Title 10 of the ECL? If so, please provide information on an attachment. Note: if the property is subject to a stipulation agreement, relevant information should be provided; however, property will not be deemed ineligible solely on the basis of the stipulation agreement.

6. Enforcement Action Pending

Is the property subject to an enforcement action under Article 27, Titles 7 or 9 of the ECL or subject to any other ongoing state or federal enforcement action related to the contamination which is at or emanating from the property? If so, please provide information on an attachment.

SECTION IX CONTACT LIST INFORMATION

Provide the names and addresses of the parties on the Site Contact List (SCL) and a letter from the repository acknowledging agreement to act as the document repository for the proposed BCP project.

SECTION X LAND USE FACTORS

In addition to eligibility information, site history, and environmental data/reports, the application requires information regarding the current, intended and reasonably anticipated future land use.

1. This information consists of responses to the "land use" factors to be considered relative to the "Land Use" section of the BCP application. The information will be used to determine the appropriate land use in conjunction with the investigation data provided, in order to establish eligibility for the site based on the definition of a "brownfield site" pursuant to ECL 27-1405(2).
2. This land use information will be used by DEC, in addition to all other relevant information provided, to determine whether the proposed use is consistent with the currently identified, intended and reasonably anticipated future land use of the site at this stage. Further, this land use finding is subject to information regarding contamination at the site or other information which could result in the need for a change in this determination being borne out during the remedial investigation.

SECTION XI SIGNATURE PAGE

The Requestor must sign the application, or designate a representative who can sign. The requestor's consultant or attorney cannot sign the application. If there are multiple parties applying, then each must sign a signature page. 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 entity's name must appear exactly as given in the NYS Department of State's Corporation & Business Entity Database.

**NEW YORK STATE
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DETERMINATION OF A COMPLETE APPLICATION

1. The first step in the application review and approval process is an evaluation to determine if the application is complete. To help ensure that the application is determined complete, requestors should review the list of common application deficiencies and carefully read these instructions.
2. DEC will send a notification to the requestor within 30 calendar days of receiving the application, indicating whether such application is complete or incomplete.
3. An application must include the following information relative to the site identified by the application, necessary for making an eligibility determination, or it will be deemed incomplete. **(Please note: the application as a whole requires more than the information outlined below to be determined complete).** The application must include:
 - a. for all sites, an investigation report sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are 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. Required data includes site drawings requested in Section III, #3 of the BCP application form.
 - b. for those sites described below, documentation relative to the volunteer status of all requestors, as well as information on previous owners or operators that may be considered responsible parties **and** their ability to fund remediation of the site. This documentation is required for:
 - i. real property listed in the registry of inactive hazardous waste disposal sites as a class 2 site, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP; or
 - ii. real property that was a hazardous waste treatment, storage or disposal facility having interim status pursuant to the Resource Conservation and Recovery Act (RCRA) program, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP.
 - c. for sites located within the five counties comprising New York City, in addition to (a) and if applicable (b) above, if the application is seeking a determination that the site is eligible for tangible property tax credits, sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a). **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.**
 - d. for sites previously remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law, relevant documentation of this remediation.

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DETERMINATION OF A COMPLETE APPLICATION (continued)

4. If the application is found to be incomplete:
 - a. the requestor will be notified via email or phone call regarding minor deficiencies. The requestor must submit information correcting the deficiency to DEC within the 30-day review time frame; or
 - b. the requestor will receive a formal Letter of Incomplete Application (LOI) if an application is substantially deficient, if the information needed to make an eligibility determination identified in #4 above is missing or found to be incomplete, or if a response to a minor deficiency is not received within the 30-day period. The LOI will detail all of the missing information and request submission of the information. If the information is not submitted within 30 days from the date of the LOI, the application will be deemed withdrawn. In this case, the requestor may resubmit the application without prejudice.

5. If the application is determined to be complete, DEC will send a Letter of Complete Application (LOC) that includes the dates of the public comment period. The LOC will:
 - a. include an approved public notice to be sent to all parties on the Contact List included with the application;
 - b. provide instructions for publishing the public notice in the newspaper on the date specified in the letter, and instructions for mailing the notice to the Contact List;
 - c. identify the need for a certification of mailing form to be returned to DEC along with proof of publication documentation; and
 - d. specify the deadline for publication of the newspaper notice, which must coincide with, or occur before, the date of publication in the Environmental Notice Bulletin (ENB).
 - i. DEC will send a notice of the application to the ENB. As the ENB is only published on Wednesdays, DEC must submit the notice by the Wednesday before it is to appear in the ENB.
 - ii. The mailing to parties on the Contact List must be completed no later than the Tuesday prior to ENB publication. If the mailings, newspaper notice and ENB notice are not completed within the time-frames established by the LOC, the public comment period on the application will be extended to insure that there will be the required comment period.
 - iii. Marketing literature or brochures are prohibited from being included in mailings to the Contact List.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

DATA SUMMARY TABLES

Data summary tables should include the following columns. Example tables are provided on the following page.

Soil Table:

Analytes > SCOs ^a	Detections > SCOs ^b	Max. Detection (ppm) ^c	SCO (ppm) ^d	Depth (ft bgs)
------------------------------	--------------------------------	-----------------------------------	------------------------	----------------

Groundwater Table:

Analytes > AWQS ^e	Detections > AWQS ^f	Max. Detection (ppb) ^c	AWQS (ppb) ^g
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Soil Gas Table:

Analytes ^h	Total Detections	Max. Detection (ug/m ³) ^c	Type ⁱ
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^a Include all contaminants over the applicable soil cleanup objectives (SCOs). Column header should specify which SCOs are being compared to. (i.e. "RRSCOs" for Restricted Residential SCOs)

^b Number of detections over applicable SCOs. Specify which SCOs are being compared to in column header.

^c Maximum detection in parts per million (ppm) for soil, parts per billion (ppb) for groundwater, or micrograms per cubic meter (ug/m³) for soil gas.

^d List the respective SCO. Specify which SCOs are being compared to in column header.

^e Include all contaminants over Class GA Ambient Water Quality Standards (AWQS).

^f Number of detections over AWQS.

^g List the respective AWQS.

^h Include all chlorinated volatile organic compound (VOCs) detections.

ⁱ Specify type: soil vapor, sub-slab or indoor air.

Example Data Summary Tables

Soil Table:

Analytes > RR SCOs	Detections > RR SCOs	Maximum Detection (ppm)	RR SCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	3	11	1	5 – 7
Benzo(a)pyrene	4	15	1	5 – 7
Benzo(b)fluoranthene	5	15	1	5 – 7
Benzo(k)fluoranthene	1	5.3	3.9	5 – 7
Indeno(1,2,3-cd)pyrene	7	8.4	0.5	5 – 7
barium	2	967	400	0.5 – 2.5
cadmium	2	94.1	4.3	6 – 8
lead	3	1,790	400	0.5 – 2.5

Groundwater Table:

Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQS (ppb)
Benz(a)anthracene	2	0.2	0.002
Benzo(a)pyrene	2	0.221	ND
Benzo(b)fluoranthene	2	0.179	0.002
Benzo(k)fluoranthene	2	0.189	0.002
Indeno(1,2,3-cd)pyrene	2	0.158	0.002
Tetrachloroethene (PCE)	1	12	5

Soil Gas Table:

Analytes	Total Detections	Max. Detection ($\mu\text{g}/\text{m}^3$)	Type
Carbon tetrachloride	1	0.84	Soil vapor
Methylene chloride	1	2.6 J	Soil vapor
Tetrachloroethene	2	47	Soil vapor
Trichloroethene	1	1.2	Soil vapor
Trichlorofluoromethane	1	21	Soil vapor

Analytes Detected Concentration Greater than RRSCOs	No. of Detections >RRSCOs	Maximum Detection (ppm)	NYSDEC RRSCOs (ppm)	Sample Collection (ft bgs)
Benzo(a)anthracene	8	49	1	0-1
Benzo(a)pyrene	8	43	1	0-1
Benzo(b)fluoranthene	9	58	1	0-1
Benzo(k)fluoranthene	4	31	3.9	0-1
Chrysene	7	49	3.9	0-1
Dibenz(a,h)anthracene	7	10	0.33	0-1
Fluoranthene	1	110	100	0-1
Indeno(1,2,3-cd)pyrene	9	15	0.5	0-1
Arsenic	1	207	13	0-1
Copper	1	745	270	0-1
Lead	4	1,730	400	0-1

LIST OF ATTACHMENTS

PART A – SECTION I

PART A – SECTION II.3

PART A – SECTION III.1

PART A – SECTION III.3

PART A – SECTION IV.1

PART A – SECTION IV.2

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

CORPORATE ENTITY INFORMATION

PROJECT DESCRIPTION

PRIOR INVESTIGATION REPORT

(Dfcj JXYX UjgYdUfUHY XcW/a YbH

SITE DRAWING

PROPERTY INFORMATION AND USGS MAP

**PROPERTY MAP INCLUDING ADJACENT
PROPERTY OWNERS**

PROPERTY DESCRIPTION NARRATIVE

FORMER PROPERTY OWNERS/OPERATORS

VOLUNTEER STATUS CONSIDERATION

CONTACT LIST

CURRENT USE

PROPOSED USE

ZONING MAP AND ORDINANCE

PART A – SECTION I
CORPORATE ENTITY INFORMATION

On August 23, the FDA announced the full approval of the Pfizer-BioNTech vaccine for the prevention of COVID-19 disease in individuals age 16 and older. Read more.

[DETAILS >](#)

Department of State Division of Corporations

Entity Information

[Return to Results](#)

[Return to Search](#)

Entity Details ^

ENTITY NAME:

400 ERIE BOULEVARD, LLC

FOREIGN LEGAL NAME:

ENTITY TYPE:

DOMESTIC LIMITED LIABILITY COMPANY

SECTION OF LAW:

203 LLC - LIMITED LIABILITY COMPANY LAW

DATE OF INITIAL DOS FILING:

04/09/2003

EFFECTIVE DATE INITIAL FILING:

04/09/2003

FOREIGN FORMATION DATE:

COUNTY:

Onondaga

JURISDICTION:

New York, United States

DOS ID:

2892604

FICTITIOUS NAME:

DURATION DATE/LATEST DATE OF DISSOLUTION:

ENTITY STATUS:

Active

REASON FOR STATUS:

INACTIVE DATE:

STATEMENT STATUS:

PAST DUE DATE

NEXT STATEMENT DUE DATE:

04/30/2021

NFP CATEGORY:

[ENTITY DISPLAY](#)

[NAME HISTORY](#)

[FILING HISTORY](#)

[MERGER HISTORY](#)

[ASSUMED NAME HISTORY](#)

Service of Process Name and Address

Name: 400 ERIE BOULEVARD, LLC

Address: 6308 FLY ROAD, EAST SYRACUSE, NY, United States, 13057

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Office or Owner Name and Address

Name:

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address

Name:
Address:

Farmcorpflag

Is The Entity A Farm Corporation: No

Stock Information

Share Value	Number Of Shares	Value Per Share

PART A – SECTION II.3
PROJECT DESCRIPTION

PROJECT DESCRIPTION

BIG RED DEVELOPMENT SITE 400 ERIE BOULEVARD WEST, CITY OF SYRACUSE, NEW YORK

The development of the Big Red Development Site will revitalize an iconic and strategically-located asset in Downtown Syracuse. The proposed re-development project is anticipated to be mixed commercial and multi-family residential. Concerns about environmental contamination associated with the property's long history of industrial usage have prevented redevelopment of this strategically located site. Entry into the Brownfield Cleanup Program is necessary to allow for a full characterization of the site while mitigating the economic impacts of both investigation costs and any required remediation or special disposal of excavated soils. This site cannot be economically developed outside the BCP.

Future development will require a zoning change, but will be consistent with future land use, historic preservation, bicycle, and sustainability plans within the City of Syracuse Comprehensive Plan 2040. Neighboring properties are currently zoned commercial, central business district, and residential.

A Phase II Environmental Site Assessment, 2015 sampling of suspect imported fill material, and 2021 sampling of surface soils identified soil contamination associated with imported fill and historic operations at the Site (manufacturing and adjacent railroad spur). A Remedial Investigation will further define the nature and extent of contamination. The investigation will include areas beneath the building slabs that contained activities which are associated with potential contamination and are currently inaccessible.

At this time, it is assumed that Remedial Actions will consist of a Track 4 clean-up, and may include:

- Limited source removal with off-site disposal
- Installation of a cover system

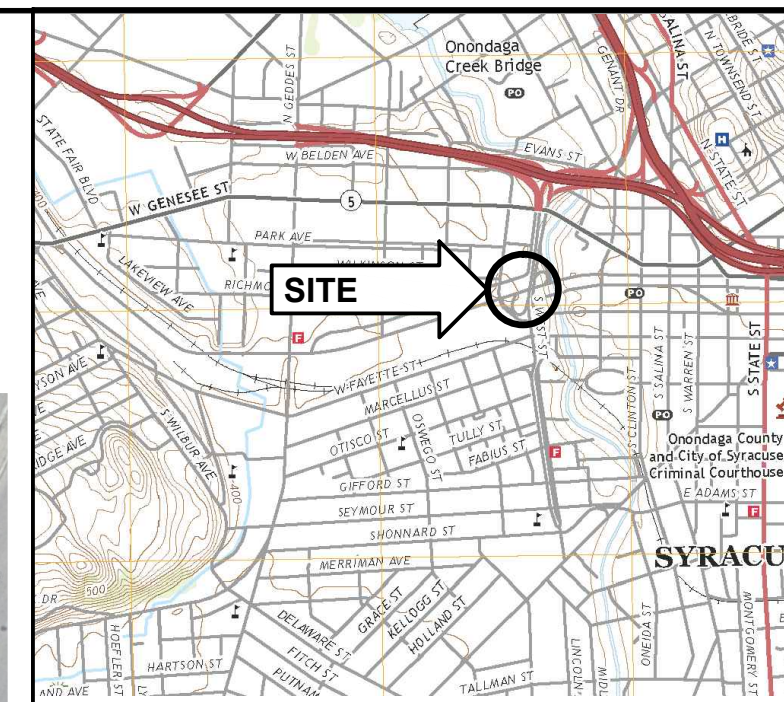
No Interim Remedial Measures are anticipated at this time.

Tentative Schedule

Submittal of BCP Application	January 2022
Letter of Completeness	February 2022
End 30-Day Comment Period	March 2022
Execute BCP Agreement	March 2022
Submit Citizen Participation Plan	March 2022
Submit Remedial Investigation (RI) Work Plan	March 2022
Building Demolition for Remedial Investigation Purposes	March & April 2022
End 30-Day RI Comment Period	April 2022
DEC Approval of RI Work Plan	May 2022
Begin RI Field Activities	May 2022
Complete RI Field Activities	June 2022
Submit Draft RI Report	July 2022
Significant Threat Determination / Fact Sheet	July 2022
DEC Approval of RI Report	August 2022
Submit Remedial Action Work Plan with Alternatives Analysis	August 2022
End 45-Day Comment Period	October 2022
DEC Approval of Remedial Action Work Plan	October 2022
Submit Fact Sheet Announcing Start of Construction	October 2022
Begin Site Remediation Activities	November 2022
Complete Remediation Activities	January 2023
Submit Environmental Easement Package	January 2023
Start Construction Activities	January 2023

Submit Draft Site Management Plan	February 2023
Submit Executed Environmental Easement Package	March 2023
DEC Approval of Site Management Plan	March 2023
Environmental Easement Recorded	April 2023
Submit Draft Final Engineering Report	April 2023
DEC Approval of Draft Final Engineering Report	May 2023
Submit Fact Sheet Announcing Final Engineering Report	May 2023
Certificate of Completion	June 2023
Fact Sheet Describing Institutional / Engineering Controls	July 2023
Complete Construction	November 2023

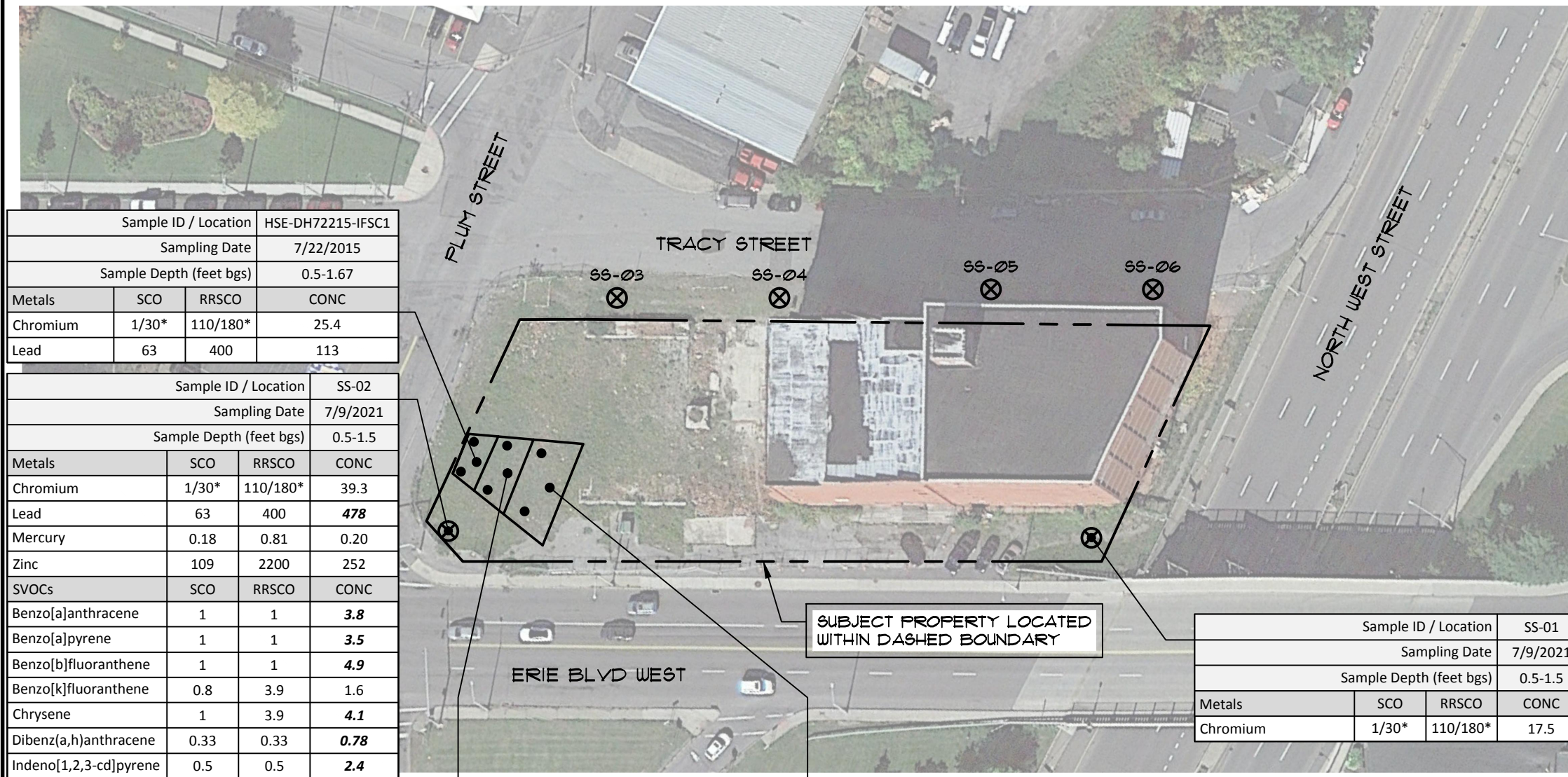
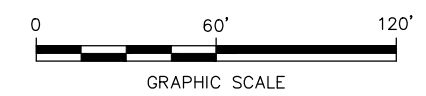
PART A – SECTION III.3
SITE DRAWING



SITE LOCATION

LEGEND:
 SS- ### SOIL SAMPLING LOCATION
 * TOTAL CR, MAY EXCEED CR III CR IV USDCD

- NOTES:**
1. AERIAL PHOTOGRAPH FROM GOOGLE EARTH WEBSITE (PHOTO TAKEN APRIL 2019).
 2. APPROXIMATE PROPERTY LINE BASED ON SURVEY OF PROPERTY.
 3. ALL LOCATIONS ARE APPROXIMATE.
 4. ITEMS IN BOLD EXCEED RESTRICTED RESIDENTIAL SCOs.
- * RESULT REPORTED AS TOTAL CHROMIUM



Sample ID / Location				HSE-DH72215-IFSC1
Sampling Date				7/22/2015
Sample Depth (feet bgs)				0.5-1.67
Metals	SCO	RRSCO	CONC	
Chromium	1/30*	110/180*	25.4	
Lead	63	400	113	

Sample ID / Location				SS-02
Sampling Date				7/9/2021
Sample Depth (feet bgs)				0.5-1.5
Metals	SCO	RRSCO	CONC	
Chromium	1/30*	110/180*	39.3	
Lead	63	400	478	
Mercury	0.18	0.81	0.20	
Zinc	109	2200	252	
SVOCs				SCO RRSCO CONC
Benzo[a]anthracene	1	1	3.8	
Benzo[a]pyrene	1	1	3.5	
Benzo[b]fluoranthene	1	1	4.9	
Benzo[k]fluoranthene	0.8	3.9	1.6	
Chrysene	1	3.9	4.1	
Dibenz(a,h)anthracene	0.33	0.33	0.78	
Indeno[1,2,3-cd]pyrene	0.5	0.5	2.4	

Sample ID / Location				SS-01
Sampling Date				7/9/2021
Sample Depth (feet bgs)				0.5-1.5
Metals	SCO	RRSCO	CONC	
Chromium	1/30*	110/180*	17.5	

Sample ID / Location				HSE-DH72215-IFSC3
Sampling Date				7/22/2015
Sample Depth (feet bgs)				0.5-1.67
Metals	SCO	RRSCO	CONC	
Chromium	1/30*	110/180*	34.7	
Lead	63	400	99.6	

Sample ID / Location				HSE-DH72215-IFSC2
Sampling Date				7/22/2015
Sample Depth (feet bgs)				0.5-1.67
Metals	SCO	RRSCO	CONC	
Cadmium	2.5	4.3	3.1	
Chromium	1/30*	110/180*	21.9	
Lead	63	400	105	

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PROJECT NO.	21-113
DRAWN:	DEC. 2021
DRAWN BY:	HS
CHECKED BY:	BB

Former Cold Storage Property
 400 Erie Boulevard West
 Syracuse, New York 13204

Soil Sampling Event

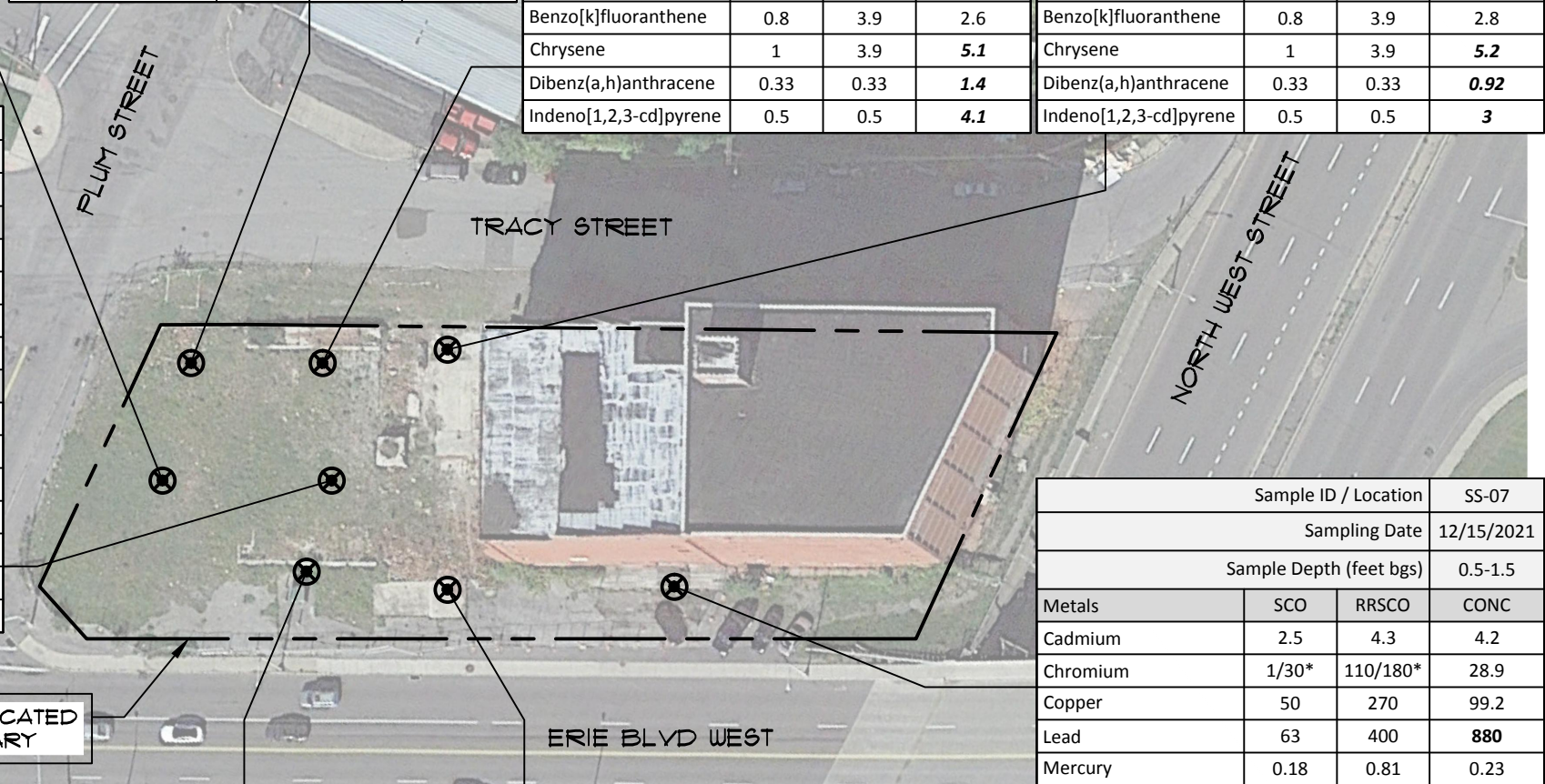
Sample ID / Location				SS-11
Sampling Date				12/15/2021
Sample Depth (feet bgs)				0.5-1.5
Metals	SCO	RRSCO	CONC	
Chromium	1/30*	110/180*	26	
Lead	63	400	121	
Zinc	109	10000	125	
SVOCs	SCO	RRSCO	CONC	
Benzo[b]fluoranthene	1	1	1.4	
Indeno[1,2,3-cd]pyrene	0.5	0.5	0.73	

Sample ID / Location				SS-12
Sampling Date				12/15/2021
Sample Depth (feet bgs)				0.5-1.5
Metals	SCO	RRSCO	CONC	
Chromium	1/30*	110/180*	14.2	
Lead	63	400	70	
SVOCs	SCO	RRSCO	CONC	
Benzo[a]anthracene	1	1	8.6	
Benzo[a]pyrene	1	1	8.4	
Benzo[b]fluoranthene	1	1	11	
Benzo[k]fluoranthene	0.8	3.9	4.8	
Chrysene	1	3.9	9	
Indeno[1,2,3-cd]pyrene	0.5	0.5	6	

Sample ID / Location				SS-13
Sampling Date				12/15/2021
Sample Depth (feet bgs)				0.5-1.5
Metals	SCO	RRSCO	CONC	
Arsenic	13	16	13.9	
Chromium	1/30*	110/180*	24.5	
Copper	50	270	101	
Lead	63	400	604	
Zinc	109	10000	1,510	
SVOCs	SCO	RRSCO	CONC	
Benzo[a]anthracene	1	1	4.9	
Benzo[a]pyrene	1	1	5.9	
Benzo[b]fluoranthene	1	1	7	
Benzo[k]fluoranthene	0.8	3.9	2.6	
Chrysene	1	3.9	5.1	
Dibenz(a,h)anthracene	0.33	0.33	1.4	
Indeno[1,2,3-cd]pyrene	0.5	0.5	4.1	

Sample ID / Location				SS-14
Sampling Date				12/15/2021
Sample Depth (feet bgs)				0.5-1.5
Metals	SCO	RRSCO	CONC	
Arsenic	13	16	207	
Chromium	1/30*	110/180*	11.2	
Lead	63	400	113	
Selenium	3.9	180	21	
Zinc	109	10000	191	
SVOCs	SCO	RRSCO	CONC	
Benzo[a]anthracene	1	1	5.1	
Benzo[a]pyrene	1	1	4.4	
Benzo[b]fluoranthene	1	1	5.8	
Benzo[k]fluoranthene	0.8	3.9	2.8	
Chrysene	1	3.9	5.2	
Dibenz(a,h)anthracene	0.33	0.33	0.92	
Indeno[1,2,3-cd]pyrene	0.5	0.5	3	

Sample ID / Location				SS-10
Sampling Date				12/15/2021
Sample Depth (feet bgs)				0.5-1.5
Metals	SCO	RRSCO	CONC	
Chromium	1/30*	110/180*	19.1	
Copper	50	270	63	
Lead	63	400	88.1	
Zinc	109	10000	210	
SVOCs	SCO	RRSCO	CONC	
Benzo[a]anthracene	1	1	3.7	
Benzo[a]pyrene	1	1	3.3	
Benzo[b]fluoranthene	1	1	4.1	
Benzo[k]fluoranthene	0.8	3.9	1.7	
Chrysene	1	3.9	3.5	
Dibenz(a,h)anthracene	0.33	0.33	0.69	
Indeno[1,2,3-cd]pyrene	0.5	0.5	2.2	

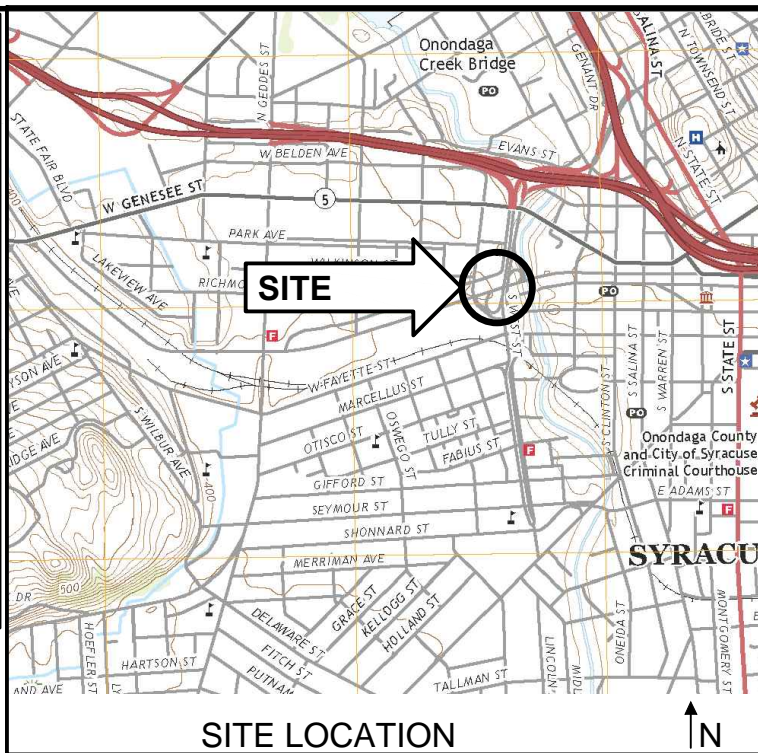


SUBJECT PROPERTY LOCATED WITHIN DASHED BOUNDARY

Sample ID / Location				SS-09
Sampling Date				12/15/2021
Sample Depth (feet bgs)				0.5-1.5
Metals	SCO	RRSCO	CONC	
Arsenic	13	16	13.2	
Chromium	1/30*	110/180*	20.5	
Copper	50	270	745	
Lead	63	400	1730	
Zinc	109	10000	532	
SVOCs	SCO	RRSCO	CONC	
Benzo[a]anthracene	1	1	28	
Benzo[a]pyrene	1	1	23	
Benzo[b]fluoranthene	1	1	31	
Benzo[k]fluoranthene	0.8	3.9	11	
Chrysene	1	3.9	28	
Dibenz(a,h)anthracene	0.33	0.33	5.3	
Indeno[1,2,3-cd]pyrene	0.5	0.5	15	

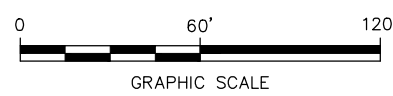
Sample ID / Location				SS-08
Sampling Date				12/15/2021
Sample Depth (feet bgs)				0.5-1.5
Metals	SCO	RRSCO	CONC	
Cadmium	2.5	4.3	2.5	
Chromium	1/30*	110/180*	24.6	
Lead	63	400	226	
Zinc	109	10000	1580	
SVOCs	SCO	RRSCO	CONC	
Benzo[a]anthracene	1	1	49	
Benzo[a]pyrene	1	1	43	
Benzo[b]fluoranthene	1	1	58	
Benzo[k]fluoranthene	0.8	3.9	25	
Chrysene	1	3.9	49	
Dibenz(a,h)anthracene	0.33	0.33	10	
Fluoranthene	100	100	110	
Indeno[1,2,3-cd]pyrene	0.5	0.5	14	

Sample ID / Location				SS-07
Sampling Date				12/15/2021
Sample Depth (feet bgs)				0.5-1.5
Metals	SCO	RRSCO	CONC	
Cadmium	2.5	4.3	4.2	
Chromium	1/30*	110/180*	28.9	
Copper	50	270	99.2	
Lead	63	400	880	
Mercury	0.18	0.81	0.23	
Nickel	30	310	37.4	
Selenium	3.9	180	4.2	
Zinc	109	10000	388	
SVOCs	SCO	RRSCO	CONC	
Benzo[a]anthracene	1	1	23	
Benzo[a]pyrene	1	1	20	
Benzo[b]fluoranthene	1	1	26	
Benzo[k]fluoranthene	0.8	3.9	9.8	
Chrysene	1	3.9	23	
Dibenz(a,h)anthracene	0.33	0.33	4.3	
Indeno[1,2,3-cd]pyrene	0.5	0.5	14	



LEGEND:
SS- ### SOIL SAMPLING LOCATION

- NOTES:
1. AERIAL PHOTOGRAPH FROM GOOGLE EARTH WEBSITE (PHOTO TAKEN APRIL 2019).
 2. APPROXIMATE PROPERTY LINE BASED ON SURVEY OF PROPERTY.
 3. ALL LOCATIONS ARE APPROXIMATE.
 4. ITEMS IN BOLD EXCEED RESTRICTED RESIDENTIAL SCOs.
- * RESULT REPORTED AS TOTAL CHROMIUM



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AECG
ENVIRONMENTAL CONSULTING
Asbestos & Environmental Consulting Corporation
6308 Fly Road
East Syracuse, NY 13057

PROJECT NO. 21-113
DRAWN: DEC. 2021
DRAWN BY: HS
CHECKED BY: BB

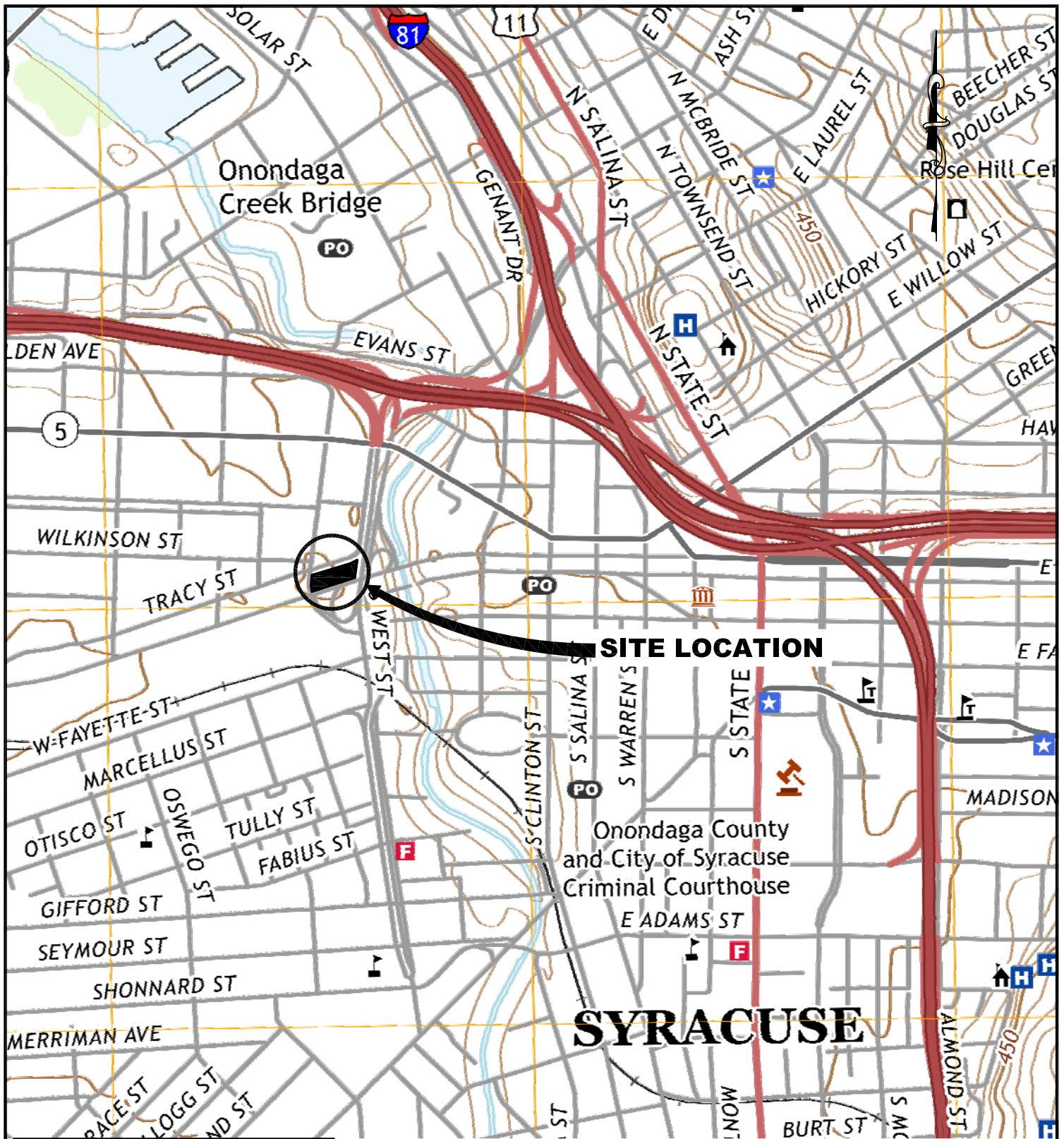
Former Cold Storage Property
400 Erie Boulevard West
Syracuse, New York 13204

Supplemental Soil Sampling Event

FIGURE
2

PART A – SECTION IV.1

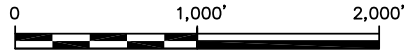
PROPERTY INFORMATION AND USGS MAP




SITE LOCATION

SYRACUSE

SOURCE: USGS SYRACUSE WEST
 QUADRANGLE, 1:50,000 SERIES.
 SYRACUSE WEST, NY 2019



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 AECC ENVIRONMENTAL CONSULTING Asbestos & Environmental Consulting Corporation 6308 Fly Road East Syracuse, NY 13057	PROJECT NO.	21-113	Site Location Plan Big Red Development Project 400 Erie Boulevard West Syracuse, New York	FIGURE
	DRAWN:	SEPT. 2021		A-1V
	DRAWN BY:	SWP		
	CHECKED BY:	RM		

Tracy Street

Plum Street

North West Street

Erie Boulevard West

Seven Story Masonry Building No. 400-430

Angle Point
N 71°11'30" E
30.6'

N 72°15'10" E
297.62'

N 00°30'10" E
106.58' +/-

S 00°25'00" E
76.36'

303.77' +/-
S 71°40'09" W

Lands Appropriated by the People of the State of New York; Map# 148, Parcel# 164; Book# 4145, Page# 267



STATE OF NEW YORK
R.J. LIGHTON SR.
LAND SURVEYING
886 E. Brighton Ave., Syracuse, New York 13205
I hereby certify that this map was made from an actual survey and same is correct.

Location Survey on Part of Block# 74 and Part of Abandoned Erie Canal Lands - Syracuse.
Known as No. 400-430 Erie Boulevard West, City of Syracuse, County of Onondaga, State of New York.
Drawn by: MJM Scale: 1" = 20' Date: 01-02-07
Revisions:

R.J. Lighton Sr. NYSLS 45373
R.J. Lighton Jr. NYSLS 50534
J.R. Lighton NYSLS 60606



Property Description Report For: 400-30 Erie Blvd W & Plum St & T, Municipality of City of Syracuse

No Photo Available

Status:	Active
Roll Section:	Taxable
Swis:	311500
Tax Map ID #:	105.-12-01.1
Property #:	0226000200
Property Class:	449 - Other Storage
Site:	COM 1
In Ag. District:	No
Site Property Class:	449 - Other Storage
Zoning Code:	022
Neighborhood Code:	15800
School District:	Syracuse
Total Assessment:	2021 - \$193,000
Property Desc:	Lots 1-4 Blk 74 Tr Canal Lands & Pt Old Canal 322.42x131 W&br Bldg Unf
Total Acreage/Size:	322 x 131
Land Assessment:	2021 - \$136,000
Full Market Value:	2021 - \$259,060
Equalization Rate:	----
Deed Book:	4782
Deed Page:	97
Grid East:	613108
Grid North:	1111726

Owners

400 Erie Blvd Llc
6308 Fly Rd
E. Syracuse NY 13057

Sales

Sale Date	Price	Property Class	Sale Type	Prior Owner	Value Usable	Arms Length	Addl. Parcels	Deed Book and Page
6/12/2003	\$11,000	449 - Other Storage	Land & Building	City Of Syracuse	No	No	No	4782/97
6/11/2003	\$9,902	449 - Other Storage	Land & Building	Donohue, Robert	No	No	No	4782/94
6/27/2001	\$1	449 - Other Storage	Land & Building	Syracuse, Cold Storage	No	No	No	4568/30
3/1/2000	\$1	449 - Other Storage	Land & Building	Graham, Gary T	No	No	No	43962/41

Utilities

Sewer Type:	Comm/public	Water Supply:	Comm/public
Utilities:	Gas & elec		

PART A – SECTION IV.2

PROPERTY MAP INCLUDING ADJACENT PROPERTY OWNERS



Parcel Designation	Tax Parcel # Property Address Current Use / Occupant	Owner Name Address
1	Tax Parcel: 104.-11-02.0 409 Genesee St W Rear Syracuse, New York 13204 Onondaga Creek	City of Syracuse 130 City Hall Syracuse, New York 13202
2	Tax Parcel: 104.-20-01.1 376 Water Street W To Erie Blvd W Syracuse, New York 13204 Syracuse Office Environments	Canal Assoc LLC 375 Erie Blvd W Syracuse, New York 13202
3	Tax Parcel: 105.-13-18.0 100 West St S & Erie Blvd W Syracuse, New York 13204 Road/Street/Highway	New York State 100 West St S & Erie Blvd W Syracuse, New York 13202
4	Tax Parcel: 105.-13-17.0 509 Erie Blvd W Syracuse, New York 13204 Meridian IT	Mac Source Communication Inc 701 Erie Blvd W Syracuse, New York 13204
5	Tax Parcel: 105.-11-01.1 500-02 Erie Blvd W & Plum St & T Syracuse, New York 13204 Visions Federal Credit Union Branch	Visions Federal Credit Union 24 Mckinley Avenue Endicott, New York 13760
6	Tax Parcel: 105.-06-03.0 101 Wilkinson St & Tracy St & Syracuse, New York 13204 Municipal Park	City of Syracuse 130 City Hall Syracuse, New York 13202
7	Tax Parcel: 105.-04-02.0 100 Wilkinson St & Plum St Syracuse, New York 13204 Zip Storage	Zip Networks INC 100 Wilkinson St Syracuse, New York 13204
8	Tax Parcel: 105.-05-10.0 104 -18 Plum St & Tracy St To Wes Syracuse, New York 13204 IRR Supply Centers, Inc.	IRR Supply Centers Inc 908 Niagara Falls Blvd North Tonawanda, New York 14120
9	Tax Parcel: 105.-05-09.0 205 West St N To Tracy St Syracuse, New York 13204 Vacant Commercial	Erie Blvd Development LLC 6308 Fly Road East Syracuse, New York 13057

PART A – SECTION IV.10
PROPERTY DESCRIPTION

PROPERTY DESCRIPTION NARRATIVE **& ENVIRONMENTAL ASSESSMENT**

BIG RED DEVELOPMENT SITE **400 ERIE BOULEVARD WEST, CITY OF SYRACUSE, NEW YORK**

Location

The 0.9± acre Big Red Development Site (Site) is located at 400 Erie Boulevard West in the City of Syracuse, Onondaga County, New York (Tax ID #105.-12-01.1). The Site is situated between Plum Street, Tracy Street, North West Street, and Erie Boulevard West. Surrounding properties are commercial.

The property metes and bounds description may be found on Onondaga County Tax Map Section 105, available at <https://ocfintax.ongov.net/lmate/quickstream.aspx?file=PDFMAPS/311500/105000.pdf>. A copy of the tax map may be found in Attachment A-IV.02. The property description is as follows:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND situated in the City of Syracuse, County of Onondaga, State of New York, located at 400-30 Erie Boulevard West and being more particularly bounded and described as follows:

Beginning at a point in the westerly line of Erie Boulevard West at the intersection with the southerly line of Plum Street; thence east along the said westerly line of Erie Boulevard West, to the northerly line of West Street, then north to the westerly line of Tracy Street, then west to the southerly line of Plum Street, then south along the southerly line of Plum Street to start point at the intersection of Plum Street and Erie Boulevard West.

Site Features

The Site currently consists of a vacant, blighted, industrial (former cold storage) building containing a total of approximately 95,000 square feet of gross floor area. The building contains six (6) complete above-grade floors and a partial 7th floor. A portion of the building (western side) was demolished by the City of Syracuse and the Owner in 2015 (2 separate contracts and contractors). Imported soils were used as backfill after the demolition activities performed by the City of Syracuse. The building footprint, including the sections that were formerly demolished, comprises nearly the entire Site.

Current Zoning & Land Use

The Site is currently vacant and zoned "Industrial A." Since the proposed re-development project is anticipated to be mixed-use (commercial on the ground floor and multi-family residential on the upper floors), future development plans will require a zoning change, but will be consistent with future land use and sustainability plans within the City of Syracuse Comprehensive Plan 2040.

Neighboring properties are currently zoned commercial, central business district, and residential.

Past Use of the Site

The following history of operators of the Site was compiled from a 1993 Phase I ESA prepared by Dames & Moore, 2002 Phase I ESA prepared by Napierala Consulting, a 2004 Phase I ESA prepared by Barton & Logudice, P.C. (B&L), historical Sanborn fire insurance maps, and Property Detail Reports provided on the Onondaga County real property website.

Year	Former Operator Information
1882	George H. McChesney Lumber Yard; Erie Canal towpath along southern property border
1892	Western portion is George H. McChesney Lumber Yard; eastern portion is Philip Schiller (wood turning and carpet shop)

Year	Former Operator Information
1906	Western portion is George H. McChesney Lumber Yard; eastern portion is Onondaga Lithograph Company
1909	Syracuse Cold Storage Co commences operations
1911	Syracuse Ice Cream Co occupies western end of building; Syracuse Cold Storage Co occupies the remainder; railroad spur along northern property border
Early 1920s	Erie Canal is filled (to become Erie Boulevard West)
1993	Operations at the site included cold storage (milk and cheese), magazine distributor, sausage casing (Syracuse Casing), and fish processing (Statewide Foods)
1998	Cold storage operations ceased
1999	Site is abandoned

Since 2003, the Site has been owned by 400 Erie Boulevard, LLC; however, the ownership of the LLC members changed in 2015.

Site Geology & Hydrogeology

The Site is situated at an elevation of approximately 395-400 feet above mean sea level and is generally flat. The surrounding areas are also relatively flat. The nearest surface water feature is Onondaga Creek, which is located approximately 360 feet east of the Site.

According to the USDA online soil survey database, the soil at the Site is considered Urban Land. The term Urban Land indicates that a significant portion of the Site is covered by impervious surface (i.e., buildings, pavement), or that the soils have been significantly altered by past development activities. The characterization of Site soils as Urban Land is not unexpected given the urban history of the Site and surrounding areas.

According to the New York State Geological Survey - Surficial Geologic Map of New York (Finger Lakes Sheet), the native soil overburden materials consist primarily of lacustrine laminated silt and clay. These silt and clay deposits are associated with proglacial lake deposition. They are usually calcareous and laminated, with variable thicknesses up to 165 feet.

The New York State Geological Survey - Geologic Map of New York (Finger Lakes Sheet) reveals that the bedrock in the area of the Site is shale and dolostone (on border of Syracuse and Vernon Formations - Upper Silurian in age). Based upon the information contained within the document entitled "Tunnel Feasibility Study Concepts for Replacing the I-81 Viaduct in Syracuse with a Tunnel" prepared by Parsons / AKRF in 2016 (Tunnel Study), bedrock is anticipated to be at an elevation of approximately 250-300 feet bgs and groundwater is anticipated to be at an elevation of approximately 30 feet bgs, flowing towards the east to southeast, following the contours of the ancient Onondaga Creek glacial valley.

There are no surface waters or wetlands on or in the immediate vicinity of the Site. The Erie Canal was formerly present beneath Erie Boulevard (adjacent to the south).

Environmental Assessments

It is recommended that the reader refer to the Site Drawings in Part A - Section III.3 and the Historical Environmental Summary Report in Part A - Section III.1 of the attachments to this BCP Application.

The following environmental assessments and investigations have occurred at the Site:

Phase I ESA - A 2004 Phase I ESA prepared by Barton & Loguidice (B&L) revealed multiple recognized environmental conditions (RECs) associated with the subject property. Four (4) of these conditions, the site floor drains, 55-gallon drums, on-site ammonia storage, and electrical transformers were previously noted in prior ESAs, but were confirmed during B&L's June 2004 site reconnaissance. The remaining RECs were related to a suspect fill port identified near the southeast corner of the warehouse, localized areas of petroleum-stained soils, general areas of historic industrial exposed site soils, and significant debris within the structure.

Phase II ESA - In order to address the RECs presented in the Phase I ESA, B&L conducted a Phase II ESA (also completed in 2004). The Phase II ESA concluded:

- Suspected fill port: The excavation in the vicinity of the suspected fill ports revealed that the structures were associated with sewer clean-outs.
- Engine room sump pit: An unknown liquid was observed within the engine / boiler room sump pit. The pit is constructed of brick, measuring approximately 7-feet deep and 3-feet in diameter. Approximately 3.75 feet of sediment had accumulated in the bottom of the pit. It appears that local groundwater levels may affect sump water levels. A sample of the liquid was collected and analyzed for volatile and semi-volatile organic compounds (VOCs and SVOCs). Although no specific compounds were detected by laboratory analysis, a pattern resembling lubricating oil was identified at a concentration of 2.1 parts-per-million (ppm).
- Floor drain investigation: The floor drains evaluated included those located in the engine room, food storage warehouses, and former sausage casing area; however, it was determined that these drains are connected to the municipal sewer.
- Waste Survey: Several Universal Wastes and potentially hazardous wastes (paints, solvents, etc.) were identified and quantified. Drums of oily sludge were observed within the mechanical room. It was noted that chlorofluorocarbons within refrigeration systems require decommissioning. The refrigeration systems in the mechanical room contain anhydrous ammonia and a brine fluid which may contain chromate.
- Site soils investigation: A total of nine (9) borings were advanced on the Site to a depth of 12-16 feet bgs. Groundwater was not observed in any of the borings. Three (3) samples (B-4, B-6, and B-7) were submitted for laboratory analysis for VOCs and SVOCs. The laboratory analysis report revealed concentrations of SVOCs in excess of applicable Soil Cleanup Objectives (SCOs):

Soil sample collected by Barton & Loguidice, August 17, 2004

Compound	USCO	RRSCO	Boring B-7 (0.5-2')
Benzo[a]anthracene	1	1	2.6
Benzo[a]pyrene	1	1	2.2
Benzo[b]fluoranthene	1	1	2.7
Chrysene	1	3.9	2.2

Table Notes:

Results presented in mg/kg (ppm)

Bold / Italics: Sample exceeds Unrestricted SCO (USCO)

Shaded: Sample exceeds Restricted Residential SCO (RRSCO)

Removals - At some point between 2004 to 2015, the following were decommissioned and/or removed from the Site:

- Three (or four, depending on the source) exterior pot-style electrical transformers apparently associated with a small former substation. AECC has not been provided documentation associated with their removal. A pad-mounted electrical switchgear still remains at the Site.
- Drums of oily sludge observed within the mechanical room.
- Refrigeration systems containing chlorofluorocarbons.

- Refrigeration systems in the mechanical room that contained anhydrous ammonia and a brine fluid that may have contained chromate.

Sampling of Imported Fill - On March 10, 2015, the western portion of the building collapsed (due to snow load). Beginning on March 12, 2015, the City of Syracuse (City) directed emergency demolition services. The City retained Crisafulli Demolition Services (Crisafulli) to perform the subsequent demolition work. As part of the demolition work, the basement beneath the collapsed section required nearly 600 cubic yards of fill material to be imported from an off-site source. Crisafulli stated that the fill originated from a Housing Visions property (on Salina Street).

In May 2015, the assets of 400 Erie Boulevard, LLC were purchased by Mr. Bryan Bowers, and a new demolition contractor (Contento Contracting) completed the demolition of two more portions of the building. During a visit to the Site, Mr. Bowers noticed that the fill material that Crisafulli imported to the Site (as basement backfill on the western end) did not appear to be clean fill. The fill material appeared to be a very dark color, a "sludge" was present in the bottom of the excavation, and it generally did not exhibit characteristics of clean fill material.

In order to exhibit proper due diligence, the Owner had AECC collect a composite sample of the fill and sludge. Laboratory analysis of the sludge solids revealed that although an unidentified hydrocarbon was present at a concentration of 662 parts per million (ppm), no STARS-list VOCs or SVOCs were detected. During a discussion with the laboratory, the source of the hydrocarbon was determined to likely be the rotting wood particles that were present in the sludge.

Laboratory analysis of the fill revealed several SVOCs and metals were present in the fill, some of which exceeded applicable SCOs:

Soil samples collected by AECC on June 22, 2015

Compound	USCO	RRSCO	Fill (Composite)
Chromium, total	1/30*	110/180*	32.9
Lead	63	400	174
Indeno[1,2,3-cd]pyrene	0.5	0.5	2.2

Table Notes:

All results presented in mg/kg (ppm)

* - The SCO for chromium is represented as "hexavalent chromium / trivalent chromium"

Bold/Italics: Sample exceeds USCO

Shaded: Sample exceeds RRSCO

In order to validate the results of AECC's sampling event, the City of Syracuse retained C&S Companies (C&S) to collect soil samples. Due to the fact that the Site was considered a regulated asbestos work area at the time of the sampling event, C&S subcontracted the work to HSE Consulting Services, LLC (HSE). All parties agreed that the sampling should proceed in accordance with NYSDEC Commissioner's Policy 51 (CP-51) protocols for sampling soil piles (3 composite samples, each consisting of 3-5 grab samples). On July 22, 2015, HSE, C&S, AECC, and City representatives arrived at the Site. HSE and AECC proceeded to collect the required number of soil samples (which were later split between the firms). The results of this sampling event are presented below:

Composite Soil Samples Collected by HSE (RCRA 8 Metals Analysis Only)

Metal	USCO	RRSCO	DH72215-IFSC1	DH72215-IFSC2	DH7221-IFSC3
Cadmium	2.5	4.3	ND	3.1	0.41
Chromium, total	1/30*	110/180*	25.4	21.9	34.7
Lead	63	400	113	105	99.6

Table Notes:

All results presented in mg / kg (ppm)

* The SCO for chromium is represented as "hexavalent chromium / trivalent chromium"

Bold / Italics: Sample exceeds USCO

On September 3, 2015, AECC prepared a letter entitled "Summary of Events - Placement of Contaminated Fill," which was forwarded to the NYSDEC - Region 7 Regional Spill Engineer.

Limited Surface Soil Sampling Event - In July 2021, a limited surface sampling event was undertaken to more clearly delineate previously identified contamination that exists on the site, and to collect data to assist with the application for the Site's entry into the State's Brownfield Cleanup Program.

The July 2021 surface soils investigation consisted of the collection and analysis of six grab samples along the perimeter of the site (see Figure 1). It was later determined that the four samples collected in the northern portion of the Site were actually most likely collected off-site, as City parcel data shows the northern property border is located near the northern wall of the subject building, instead of extending to the Tracy Street curb.

All six surface soil samples were collected beneath the vegetative layer (typically within the interval of approximately 0.5-1.5' bgs). The soil samples were collected under strict Chain of Custody and delivered to the Eurofins Service Center in Syracuse, New York.

Surface soils were typified by the presence of brown and grayish-brown coarse sand and fine gravel (topsoil), as well as debris typical of urban fill containing evidence of brick fragments and ash.

Specific SVOCs and metals exceeding their respective Restricted Residential and/or Unrestricted Use SCOs were detected in one of the two on-site surface soil samples collected:

Compound	USCO	RRSCO	SS-01	SS-02	SS-03 (offsite)	SS-04 (offsite)	SS-05 (offsite)	SS-06 (offsite)
Benzo[a]anthracene	1	1	ND	3.8	3.2	4.0	ND	4.9
Benzo[a]pyrene	1	1	0.310	3.5	3.0	3.6	ND	4.6
Benzo[b]fluoranthene	1	1	0.470	4.9	4.6	5.1	ND	6.0
Benzo[k]fluoranthene	0.8	3.9	.150	1.6	1.6	2.1	ND	2.1
Chrysene	1	3.9	.380	4.1	3.6	4.4	ND	4.7
Dibenz[a,h]anthracene	0.33	0.33	ND	0.78	0.79	0.92	ND	0.9
Indeno[1,2,3-cd]pyrene	0.5	0.5	0.220	2.4	2.3	2.7	ND	2.8
2-Methylnaphthalene	NS	0.41	ND	ND	0.42	0.41	ND	ND
Arsenic	13	16	3.2	10.4	14.6	16.5	2.9	2.9
Chromium, Total	1/30*	110/180*	17.5	39.3	14.0	14.3	8.9	16.5
Copper	50	270	12.5	49.9	84.9	76.4	11.0	10.8
Lead	63	400	29.8	478	400	183	28.0	34.3
Mercury	0.18	0.81	0.030	0.20	0.35	0.20	0.024	0.059
Zinc	109	2200	39.4	252	187	159	33.6	50.2

Table Notes:

All results presented in mg/kg (ppm)

* - The SCO for chromium is represented as "hexavalent chromium / trivalent chromium"

Bold: Sample exceeds USCO

Shaded: Sample exceeds RRSCO

Supplemental Surface Soil Sampling Event - In December 2021, in order to provide a more comprehensive picture of the nature and extent of contamination on-site, eight (8) additional surficial soil samples were collected / analyzed for SVOCs and metals (**See Figure 2**). The following table provides a summary of exceedances as compared to both unrestricted SCOs and restricted residential SCOs.

Compound	USCO	RRSCO	SS-07	SS-08	SS-09	SS-10	SS-11	SS-12	SS-13	SS-14
Benzo[a]anthracene	1	1	23	49	28	3.7	0.97	8.6	4.9	5.1
Benzo[a]pyrene	1	1	20	43	23	3.3	0.96	8.4	5.9	4.4
Benzo[b]fluoranthene	1	1	26	58	31	4.1	1.4	11	7	5.8
Benzo[k]fluoranthene	0.8	3.9	9.8	25	11	1.7	0.4	4.8	2.6	2.8
Chrysene	1	3.9	23	49	28	3.5	0.99	9	5.1	5.2
Dibenz[a,h]anthracene	0.33	0.33	4.3	10	5.3	0.69	0.22	ND	1.4	0.92
Fluoranthene	100	100	44	110	57	8.5	1.9	20	8.3	11
Indeno[1,2,3-cd]pyrene	0.5	0.5	14	29	15	2.2	0.73	6	4.1	3
Arsenic	13	16	11.9	4.5	13.2	8.7	5.3	7.2	13.9	207
Cadmium	2.5	4.3	4.2	2.5	2.4	0.54	0.26	0.31	2.3	1.1
Chromium, Total	1/30*	110/180*	28.9	24.6	20.5	19.1	26	14.2	14.5	11.2
Copper	50	270	99.2	47	748	63	34.5	32.4	101	40.2
Lead	63	400	880	226	1730	88.1	121	70	604	113
Mercury	0.18	0.81	0.23	0.094	0.14	0.063	0.10	0.048	0.25	0.15
Nickel	30	310	37.4	22.5	29.1	19.4	19.3	15.2	18.1	18.1
Selenium	3.9	180	4.2	1.6	2.2	1.3	1.2	0.77	3.1	21
Zinc	109	2200	388	1580	532	210	125	89.6	1510	191

The results of this sampling demonstrate the existence of significant contamination with PAHs and metals above restricted residential SCOs. Furthermore, the magnitude of the observed concentrations suggest that this contamination is site related given that the concentrations are above those observed in adjacent off-site samples.

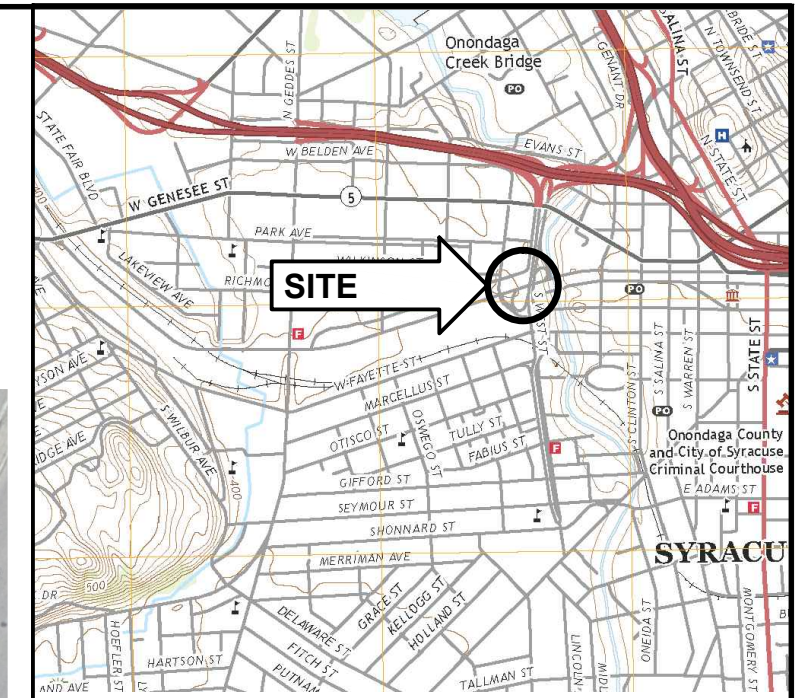
Conclusions

AECC presents the following conclusions regarding the prior environmental assessments and investigations:

- The Site is a 0.9± acre parcel of land which historically supported a multi-story, multi-section brick cold storage building with a floor area of 143,176 square feet.
- The current plan for redevelopment is a mixed-use commercial / residential building.
- An unknown liquid was observed within the engine / boiler room sump pit. Although no specific compounds were detected in the liquid, a pattern resembling lubricating oil was identified at a concentration of 2.1 parts-per-million (ppm).
- At some point between 2004 to 2015, the drums and exterior pot-style electrical transformers were removed from the Site, and the refrigeration systems were decommissioned.
- Laboratory results show that SVOC and metals contamination is present in soils across the Site. The observed concentrations exceed those seen in adjacent off-site samples and suggests that the contamination is related to the industrial activities at the site.
- Due to the known metals and PAH contamination in Site soils exceeding restricted residential SCOs, the Site appears to be a good candidate for acceptance within the New York State Brownfield Cleanup Program.

Figures

Figure 1: Summary of Analytical Exceedances



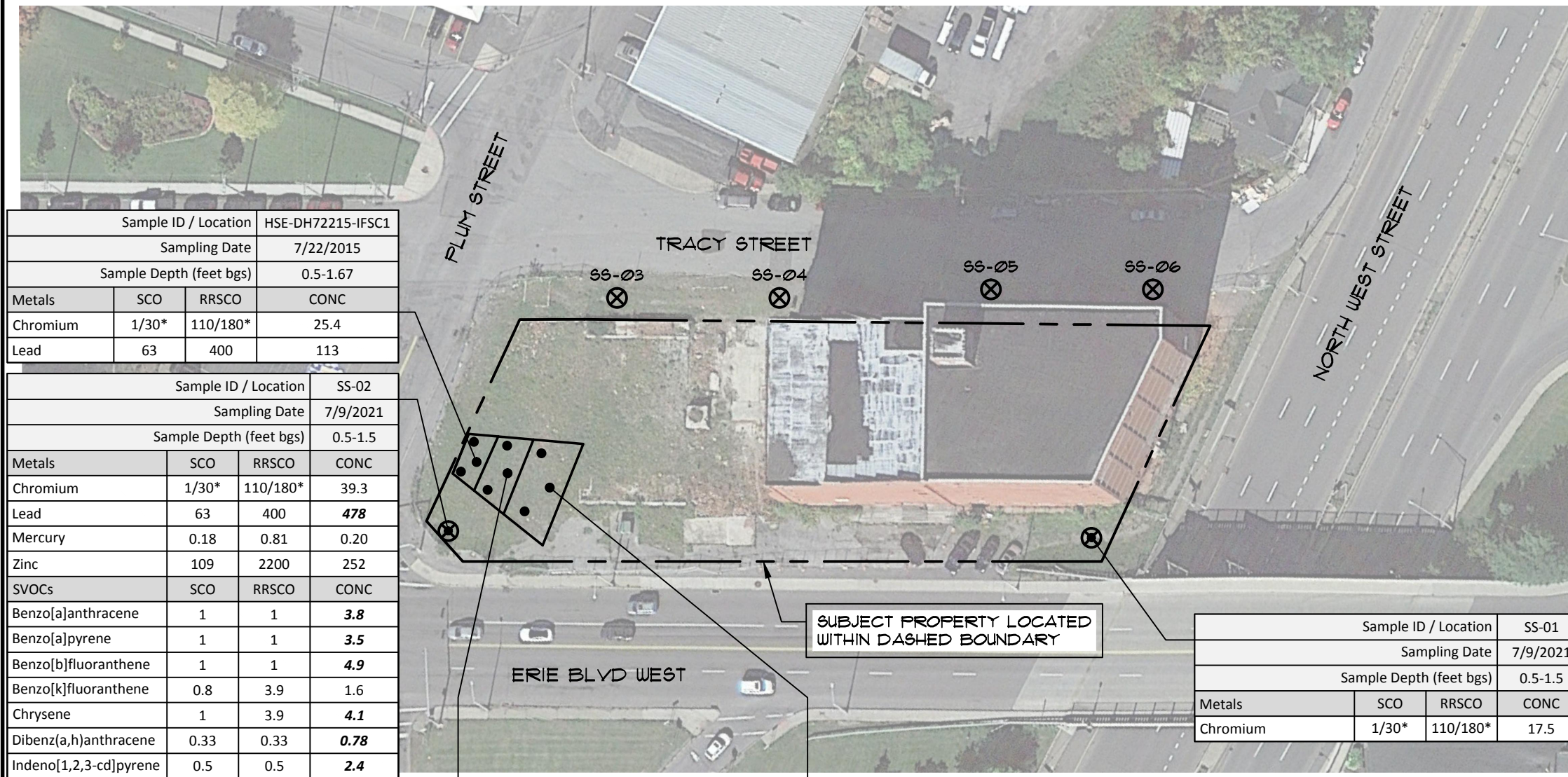
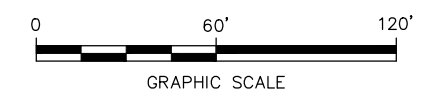
SITE LOCATION

LEGEND:

SS- ### SOIL SAMPLING LOCATION

* TOTAL CR, MAY EXCEED CR III CR IV USDCD

- NOTES:**
1. AERIAL PHOTOGRAPH FROM GOOGLE EARTH WEBSITE (PHOTO TAKEN APRIL 2019).
 2. APPROXIMATE PROPERTY LINE BASED ON SURVEY OF PROPERTY.
 3. ALL LOCATIONS ARE APPROXIMATE.
 4. ITEMS IN BOLD EXCEED RESTRICTED RESIDENTIAL SCOs.
- * RESULT REPORTED AS TOTAL CHROMIUM



Sample ID / Location		HSE-DH72215-IFSC1	
Sampling Date		7/22/2015	
Sample Depth (feet bgs)		0.5-1.67	
Metals	SCO	RRSCO	CONC
Chromium	1/30*	110/180*	25.4
Lead	63	400	113

Sample ID / Location		SS-02	
Sampling Date		7/9/2021	
Sample Depth (feet bgs)		0.5-1.5	
Metals	SCO	RRSCO	CONC
Chromium	1/30*	110/180*	39.3
Lead	63	400	478
Mercury	0.18	0.81	0.20
Zinc	109	2200	252
SVOCs	SCO	RRSCO	CONC
Benzo[a]anthracene	1	1	3.8
Benzo[a]pyrene	1	1	3.5
Benzo[b]fluoranthene	1	1	4.9
Benzo[k]fluoranthene	0.8	3.9	1.6
Chrysene	1	3.9	4.1
Dibenz(a,h)anthracene	0.33	0.33	0.78
Indeno[1,2,3-cd]pyrene	0.5	0.5	2.4

Sample ID / Location		SS-01	
Sampling Date		7/9/2021	
Sample Depth (feet bgs)		0.5-1.5	
Metals	SCO	RRSCO	CONC
Chromium	1/30*	110/180*	17.5

Sample ID / Location		HSE-DH72215-IFSC3	
Sampling Date		7/22/2015	
Sample Depth (feet bgs)		0.5-1.67	
Metals	SCO	RRSCO	CONC
Chromium	1/30*	110/180*	34.7
Lead	63	400	99.6

Sample ID / Location		HSE-DH72215-IFSC2	
Sampling Date		7/22/2015	
Sample Depth (feet bgs)		0.5-1.67	
Metals	SCO	RRSCO	CONC
Cadmium	2.5	4.3	3.1
Chromium	1/30*	110/180*	21.9
Lead	63	400	105

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Asbestos & Environmental Consulting Corporation
6308 Fly Road
East Syracuse, NY 13057

PROJECT NO.	21-113
DRAWN:	DEC. 2021
DRAWN BY:	HS
CHECKED BY:	BB

Former Cold Storage Property
400 Erie Boulevard West
Syracuse, New York 13204

Soil Sampling Event

Sample ID / Location				SS-11
Sampling Date				12/15/2021
Sample Depth (feet bgs)				0.5-1.5
Metals	SCO	RRSCO	CONC	
Chromium	1/30*	110/180*	26	
Lead	63	400	121	
Zinc	109	10000	125	
SVOCs	SCO	RRSCO	CONC	
Benzo[b]fluoranthene	1	1	1.4	
Indeno[1,2,3-cd]pyrene	0.5	0.5	0.73	

Sample ID / Location				SS-12
Sampling Date				12/15/2021
Sample Depth (feet bgs)				0.5-1.5
Metals	SCO	RRSCO	CONC	
Chromium	1/30*	110/180*	14.2	
Lead	63	400	70	
SVOCs	SCO	RRSCO	CONC	
Benzo[a]anthracene	1	1	8.6	
Benzo[a]pyrene	1	1	8.4	
Benzo[b]fluoranthene	1	1	11	
Benzo[k]fluoranthene	0.8	3.9	4.8	
Chrysene	1	3.9	9	
Indeno[1,2,3-cd]pyrene	0.5	0.5	6	

Sample ID / Location				SS-13
Sampling Date				12/15/2021
Sample Depth (feet bgs)				0.5-1.5
Metals	SCO	RRSCO	CONC	
Arsenic	13	16	13.9	
Chromium	1/30*	110/180*	24.5	
Copper	50	270	101	
Lead	63	400	604	
Zinc	109	10000	1,510	
SVOCs	SCO	RRSCO	CONC	
Benzo[a]anthracene	1	1	4.9	
Benzo[a]pyrene	1	1	5.9	
Benzo[b]fluoranthene	1	1	7	
Benzo[k]fluoranthene	0.8	3.9	2.6	
Chrysene	1	3.9	5.1	
Dibenz(a,h)anthracene	0.33	0.33	1.4	
Indeno[1,2,3-cd]pyrene	0.5	0.5	4.1	

Sample ID / Location				SS-14
Sampling Date				12/15/2021
Sample Depth (feet bgs)				0.5-1.5
Metals	SCO	RRSCO	CONC	
Arsenic	13	16	207	
Chromium	1/30*	110/180*	11.2	
Lead	63	400	113	
Selenium	3.9	180	21	
Zinc	109	10000	191	
SVOCs	SCO	RRSCO	CONC	
Benzo[a]anthracene	1	1	5.1	
Benzo[a]pyrene	1	1	4.4	
Benzo[b]fluoranthene	1	1	5.8	
Benzo[k]fluoranthene	0.8	3.9	2.8	
Chrysene	1	3.9	5.2	
Dibenz(a,h)anthracene	0.33	0.33	0.92	
Indeno[1,2,3-cd]pyrene	0.5	0.5	3	

Sample ID / Location				SS-10
Sampling Date				12/15/2021
Sample Depth (feet bgs)				0.5-1.5
Metals	SCO	RRSCO	CONC	
Chromium	1/30*	110/180*	19.1	
Copper	50	270	63	
Lead	63	400	88.1	
Zinc	109	10000	210	
SVOCs	SCO	RRSCO	CONC	
Benzo[a]anthracene	1	1	3.7	
Benzo[a]pyrene	1	1	3.3	
Benzo[b]fluoranthene	1	1	4.1	
Benzo[k]fluoranthene	0.8	3.9	1.7	
Chrysene	1	3.9	3.5	
Dibenz(a,h)anthracene	0.33	0.33	0.69	
Indeno[1,2,3-cd]pyrene	0.5	0.5	2.2	

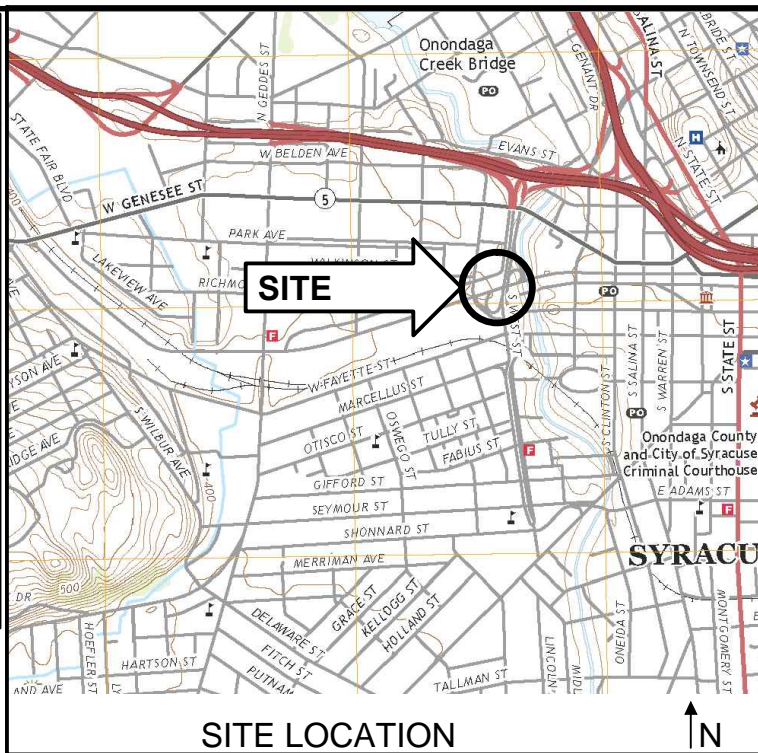


SUBJECT PROPERTY LOCATED WITHIN DASHED BOUNDARY

Sample ID / Location				SS-09
Sampling Date				12/15/2021
Sample Depth (feet bgs)				0.5-1.5
Metals	SCO	RRSCO	CONC	
Arsenic	13	16	13.2	
Chromium	1/30*	110/180*	20.5	
Copper	50	270	745	
Lead	63	400	1730	
Zinc	109	10000	532	
SVOCs	SCO	RRSCO	CONC	
Benzo[a]anthracene	1	1	28	
Benzo[a]pyrene	1	1	23	
Benzo[b]fluoranthene	1	1	31	
Benzo[k]fluoranthene	0.8	3.9	11	
Chrysene	1	3.9	28	
Dibenz(a,h)anthracene	0.33	0.33	5.3	
Indeno[1,2,3-cd]pyrene	0.5	0.5	15	

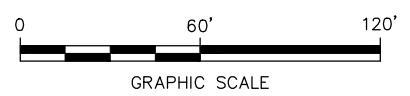
Sample ID / Location				SS-08
Sampling Date				12/15/2021
Sample Depth (feet bgs)				0.5-1.5
Metals	SCO	RRSCO	CONC	
Cadmium	2.5	4.3	2.5	
Chromium	1/30*	110/180*	24.6	
Lead	63	400	226	
Zinc	109	10000	1580	
SVOCs	SCO	RRSCO	CONC	
Benzo[a]anthracene	1	1	49	
Benzo[a]pyrene	1	1	43	
Benzo[b]fluoranthene	1	1	58	
Benzo[k]fluoranthene	0.8	3.9	25	
Chrysene	1	3.9	49	
Dibenz(a,h)anthracene	0.33	0.33	10	
Fluoranthene	100	100	110	
Indeno[1,2,3-cd]pyrene	0.5	0.5	14	

Sample ID / Location				SS-07
Sampling Date				12/15/2021
Sample Depth (feet bgs)				0.5-1.5
Metals	SCO	RRSCO	CONC	
Cadmium	2.5	4.3	4.2	
Chromium	1/30*	110/180*	28.9	
Copper	50	270	99.2	
Lead	63	400	880	
Mercury	0.18	0.81	0.23	
Nickel	30	310	37.4	
Selenium	3.9	180	4.2	
Zinc	109	10000	388	
SVOCs	SCO	RRSCO	CONC	
Benzo[a]anthracene	1	1	23	
Benzo[a]pyrene	1	1	20	
Benzo[b]fluoranthene	1	1	26	
Benzo[k]fluoranthene	0.8	3.9	9.8	
Chrysene	1	3.9	23	
Dibenz(a,h)anthracene	0.33	0.33	4.3	
Indeno[1,2,3-cd]pyrene	0.5	0.5	14	



LEGEND:
SS- ### SOIL SAMPLING LOCATION

- NOTES:
1. AERIAL PHOTOGRAPH FROM GOOGLE EARTH WEBSITE (PHOTO TAKEN APRIL 2019).
 2. APPROXIMATE PROPERTY LINE BASED ON SURVEY OF PROPERTY.
 3. ALL LOCATIONS ARE APPROXIMATE.
 4. ITEMS IN BOLD EXCEED RESTRICTED RESIDENTIAL SCOs.
- * RESULT REPORTED AS TOTAL CHROMIUM



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AECG
ENVIRONMENTAL CONSULTING
Asbestos & Environmental Consulting Corporation
6308 Fly Road
East Syracuse, NY 13057

PROJECT NO. 21-113
DRAWN: DEC. 2021
DRAWN BY: HS
CHECKED BY: BB

Former Cold Storage Property
400 Erie Boulevard West
Syracuse, New York 13204

Supplemental Soil Sampling Event

FIGURE
2

Soil Map—Onondaga County, New York
(Big Red Development Project)



Map Scale: 1:670 if printed on A landscape (11" x 8.5") sheet.

0 5 10 20 30 Meters

0 30 60 120 180 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Onondaga County, New York
Survey Area Data: Version 15, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 21, 2020—Jun 17, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

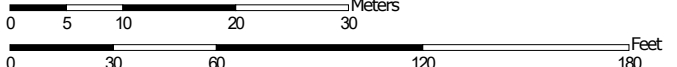
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Ub	Urban land	1.2	100.0%
Totals for Area of Interest		1.2	100.0%

Depth to Water Table—Onondaga County, New York
(Big Red Development Project)



Soil Map may not be valid at this scale.

Map Scale: 1:670 if printed on A landscape (11" x 8.5") sheet.
































Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84



Depth to Water Table—Onondaga County, New York
(Big Red Development Project)

MAP LEGEND

- Area of Interest (AOI)**
 -  Area of Interest (AOI)
- Soils**
 - Soil Rating Polygons**
 -  0 - 25
 -  25 - 50
 -  50 - 100
 -  100 - 150
 -  150 - 200
 -  > 200
 -  Not rated or not available
 - Soil Rating Lines**
 -  0 - 25
 -  25 - 50
 -  50 - 100
 -  100 - 150
 -  150 - 200
 -  > 200
 -  Not rated or not available
 - Soil Rating Points**
 -  0 - 25
 -  25 - 50
 -  50 - 100
 -  100 - 150
 -  150 - 200
 -  > 200
-  Not rated or not available
- Water Features**
 -  Streams and Canals
- Transportation**
 -  Rails
 -  Interstate Highways
 -  US Routes
 -  Major Roads
 -  Local Roads
- Background**
 -  Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Onondaga County, New York
Survey Area Data: Version 15, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 21, 2020—Jun 17, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Depth to Water Table

Map unit symbol	Map unit name	Rating (centimeters)	Acres in AOI	Percent of AOI
Ub	Urban land	>200	1.2	100.0%
Totals for Area of Interest			1.2	100.0%

Description

"Water table" refers to a saturated zone in the soil. It occurs during specified months. Estimates of the upper limit are based mainly on observations of the water table at selected sites and on evidence of a saturated zone, namely grayish colors (redoximorphic features) in the soil. A saturated zone that lasts for less than a month is not considered a water table.

This attribute is actually recorded as three separate values in the database. A low value and a high value indicate the range of this attribute for the soil component. A "representative" value indicates the expected value of this attribute for the component. For this soil property, only the representative value is used.

Rating Options

Units of Measure: centimeters

Aggregation Method: Dominant Component

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

Interpret Nulls as Zero: No

Beginning Month: January

Ending Month: December

PART B – SECTION VI

FORMER PROPERTY OWNERS/OPERATORS

FORMER OWNERS AND OPERATORS

BIG RED DEVELOPMENT SITE 400 ERIE BOULEVARD WEST, CITY OF SYRACUSE, NEW YORK

The following history of owners and operators of the Site was compiled from a 1993 Phase I ESA prepared by Dames & Moore, 2002 Phase I ESA prepared by Napierala Consulting, a 2004 Phase I ESA prepared by Barton & Logudice, P.C., historical Sanborn fire insurance maps, and Property Detail Reports provided on the Onondaga County real property website, and Abstract of Title (1988-2003).

Former Operators

The reviewed documents revealed the following:

Year	Former and Current Operators
1882	George H. McChesney Lumber Yard; Erie Canal towpath along southern property border
1892	Western portion is George H. McChesney Lumber Yard; eastern portion is Philip Schiller (wood turning and carpet shop)
1906	Western portion is George H. McChesney Lumber Yard; eastern portion is Onondaga Lithograph Company
1909	Syracuse Cold Storage Co commences operations
1911	Syracuse Ice Cream Co occupies western end of building; Syracuse Cold Storage Co occupies the remainder; railroad spur along northern property border
Early 1920s	Erie Canal is filled (to become Erie Boulevard West)
1993	Operations at the site included cold storage (milk and cheese), magazine distributor, sausage casing (Syracuse Casing), and fish processing (Statewide Foods)
1998	Cold storage operations ceased
1999	Site is abandoned

Requestor has no relationship to any current or former operator.

(continued on next page)

Former Owners

Internet searches were performed to determine status/contact information for prior and current owners. A summary is provided below:

Year	Former and Current Owners
Prior to 1882	<p style="text-align: center;">Unknown to George H. McChesney Lumber Yard (assumed defunct)</p>
Prior to 1909	<p style="text-align: center;">George H. McChesney Lumber Yard to James M. Colwell, Helen T. Colwell, Henry K. Chadwick, Katherine W. Chadwick (all assumed deceased)</p>
February 1909	<p style="text-align: center;">James M. Colwell, Helen T. Colwell, Henry K. Chadwick, Katherine W. Chadwick to Syracuse Cold Storage Company, Inc. (operated briefly under the name of Frand Ltd.) (Frand Ltd dissolved in 1988) (No info found for "Syracuse Cold Storage Company, Inc." Unknown if any relation to Syracuse Cold Storage, LLC, 245 Tex Simone Dr., Syracuse, NY, 13208-1298, 315-475-2121)</p>
December 1987	<p style="text-align: center;">Syracuse Cold Storage Company, Inc. / Frand Ltd. to Gary T. Graham (deceased 2011) Richard Kahute (possibly: PO Box 421558, San Francisco, CA 94142, 303-258-3040) Lucien Ali (unknown)</p>
September 1988	<p style="text-align: center;">Gary T. Graham, Richard Kahute, and Lucien Ali to Gary T. Graham</p>
SITE OPERATIONS CEASED BETWEEN 1988 AND 1989	
Prior to 1993	<p>The 1993 Phase I ESA prepared by Dames & Moore states that the current owner is Bruce Zaret of Zaret International, Inc. (300 East 34th St, New York, NY, 10016). However, this appears to contradict municipal records.</p>
March 2000	<p style="text-align: center;">Gary T. Graham to Syracuse Cold Storage & Marketing Company, Inc. (400 Erie Boulevard West, Syracuse, NY)</p>

Year	Former and Current Owners
June 2001	<p style="text-align: center;">Syracuse Cold Storage & Marketing Company, Inc. to Robert Donahue (PO Box 363, Canastota, NY 13032)</p>
June 11, 2003 (tax default)	<p style="text-align: center;">Robert Donahue to City of Syracuse (231 City Hall, 233 E. Washington St., Syracuse, NY 13202, 315-448-8216)</p>
June 12, 2003 (tax auction)	<p style="text-align: center;">City of Syracuse to 400 Erie Boulevard, LLC (7050 Cedar Bay Road, Fayetteville, NY 13066)</p>

Requestor is the current owner, and has no relationship to any former owner.

PART B – SECTION VII
VOLUNTEER STATUS CONSIDERATION

VOLUNTEER CONSIDERATION

BIG RED DEVELOPMENT SITE 400 ERIE BOULEVARD WEST, CITY OF SYRACUSE, NEW YORK

The Requestor qualifies as a Volunteer with respect to the Site because it did not own or operate the Site at the time of the release of contamination at the Site and did not otherwise cause or contribute to contamination at the Site.

Prior to the Requestor taking possession of the property, Phase I and Phase II Environmental Site Assessments (ESAs) had been performed as recently as 2014.

In 2015, the Requestor retained an environmental consultant to conduct sampling of suspect fill brought to the Site. The NYSDEC was notified of the results.

In 2021, the Requestor retained an environmental consultant to conduct sampling of surface soils throughout the Site.

The Requestor is voluntarily applying to be accepted into the New York State Brownfield Cleanup Program to undertake all required investigation and remediation of the Site prior to and/or concurrent with its redevelopment plans.

The Site and area are supplied with municipal potable water. Therefore, potential exposures associated with the current state of the Site (vacant) appear to be limited to PAH and metals in surface soils. In order to prevent casual exposure to surface soils, fencing has been installed around the perimeter of the Site. Requestor has also erected signage that forbids trespassing.

PART B – SECTION IX
CONTACT LIST

CONTACT LIST INFORMATION

BIG RED DEVELOPMENT PROJECT 400 ERIE BOULEVARD WEST, CITY OF SYRACUSE, NEW YORK

ONONDAGA COUNTY

Onondaga County Government
J.Ryan McMahon II, County Executive
John H. Mulroy Civic Center, 14th Floor
421 Montgomery Street
Syracuse, New York 13202
(315) 435-3516

Onondaga County Planning Board
Daniel Cupoli, Chairperson
John H. Mulroy Civic Center, 11th Floor
421 Montgomery Street
Syracuse, New York 13202
(315) 435-2611

CITY OF SYRACUSE

City of Syracuse
Ben Walsh, Mayor
203 City Hall
233 East Washington Street
Syracuse, New York 13202
(315) 448-8005

City Planning Commission
Steven Kulick, Chairperson
203 City Hall, Common Council Chambers
233 East Washington Street
Syracuse, New York 13202
(315) 448-8005

PUBLIC WATER SUPPLIER

Syracuse Department of Water
101 North Beech Street
Syracuse, New York 13210
(315) 448-8340
WaterOperations@syrgov.net

LOCAL NEWS MEDIA

WSYR-TV
James Campagna, News Director
5904 Bridge Street
East Syracuse, New York 13057
(315) 446-9900
assignmentdesk@LocalSYR.com

Syracuse Post Standard
Syracuse Media Group
220 South Warren Street
Syracuse, New York 13202
(315) 470-0011
citynews@syracuse.com
features@syracuse.com

WSTM / WSTQ / WTVH
Rae Fulkerson, News Director
1030 James Street
Syracuse, New York 13203
(315) 477-9441
news@cnycentral.com

Spectrum News
815 Erie Blvd. East
Syracuse, NY 13210
(315) 234-1000 ext. 2
yournews@charter.com

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

Onondaga County Library
Local History and Genealogy Department
LHG-Floor 5
The Galleries of Syracuse
447 South Salina Street
Syracuse, New York 13202
(315) 435-1900
reference@onlib.org

ADJACENT PROPERTY OWNERS

Tax Parcel / Property Address / Current Use-Occupant

Tax Parcel: 104.-11-02.0
409 Genesee St W Rear
Syracuse, New York 13204
Onondaga Creek

Tax Parcel: 104.-20-01.1
376 Water Street W To Erie Blvd W
Syracuse, New York 13204
Syracuse Office Environments

Tax Parcel: 105.-13-18.0
100 West St S & Erie Blvd W
Syracuse, New York 13204
Road/Street/Highway

Tax Parcel: 105.-13-17.0
509 Erie Blvd W
Syracuse, New York 13204
Meridian IT

Tax Parcel: 105.-11-01.1
500-02 Erie Blvd W & Plum St & T
Syracuse, New York 13204
Visions Federal Credit Union Branch

Tax Parcel: 105.-06-03.0
101 Wilkinson St & Tracy St &
Syracuse, New York 13204
Municipal Park

Tax Parcel: 105.-04-02.0
100 Wilkinson St & Plum St
Syracuse, New York 13204
Zip Storage

Tax Parcel: 105.-05-10.0
104 -18 Plum St & Tracy St To Wes
Syracuse, New York 13204
IRR Supply Centers, Inc.

Tax Parcel: 105.-05-09.0
205 West St N To Tracy St
Syracuse, New York 13204
Vacant Commercial

Owner Name / Address

City of Syracuse
130 City Hall
Syracuse, New York 13202

Canal Assoc LLC
375 Erie Blvd W
Syracuse, New York 13202

New York State
100 West St S & Erie Blvd W
Syracuse, New York 13202

Mac Source Communication Inc
701 Erie Blvd W
Syracuse, New York 13204

Visions Federal Credit Union
24 Mckinley Avenue
Endicott, New York 13760

City of Syracuse
130 City Hall
Syracuse, New York 13202

Zip Networks INC
100 Wilkinson St
Syracuse, New York 13204

IRR Supply Centers Inc
908 Niagara Falls Blvd
North Tonawanda, New York 14120

Erie Blvd Development LLC
6308 Fly Road
East Syracuse, New York 13057

Richard McKenna

From: Local History <lhg@onlib.org>
Sent: Monday, September 20, 2021 9:31 AM
To: Richard McKenna
Subject: Re: Document Repository Request - Brownfield Cleanup Program - Big Red Development Project

We agree to serve as the repository and accept the documents for the Smith Restaurant Building BCP Project. The documents will be housed on the third floor of the Central Library, Onondaga County Public Library, and made available for public access. You may drop them off to the library at your earliest convenience. Thank you.

Local History/Genealogy
Onondaga County Public Library
447 South Salina St
Syracuse NY 13202
(315)435-1900

From: Richard McKenna <rmckenna@aecgroup.com>
Sent: Wednesday, September 15, 2021 3:49 PM
To: Local History <lhg@onlib.org>
Subject: Document Repository Request - Brownfield Cleanup Program - Big Red Development Project

CAUTION: This email originated from outside of OCPL's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The Asbestos & Environmental Consulting Corporation (AECC) is submitting an application for a NYDSEC Brownfield Cleanup Program (BCP) project. The subject site is known as the Big Red Development Project and is located at 400 Erie Boulevard West, in the City of Syracuse, New York.

A Brownfield site is a 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 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 decision 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 document repository (library). Typical documents that will be submitted as part of a BCP project 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 Alternative Analysis Report (AAR)
- Site Management Plan (SMP)
- Final Engineering Report (FER)
- NYSDEC Facts Sheets
- NYSDEC Decision Document

The Application for the Brownfield Program requires a copy of an acknowledgement from the repository indicating that it agrees to act as the document repository for the property. Therefore, we are requesting that the Onondaga County Public Library, located at The Galleries of Syracuse; agree to be the repository for this project.

The volume of documents will grow to approximately 2,000 pages. The documents need to be on record for a year after completion of the project, so until approximately December 2024.

If you are in agreement, please respond via email stating that you agree to hold the documents for the Smith Restaurant Building BCP project; and that they will be made available to the inquiring public at a location designated by the library.

Thank you in advance for your time and consideration. We look forward to your response. Please feel free to contact me with any questions or concerns.

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.

PART B – SECTION X.2
CURRENT USE

CURRENT USE

BIG RED DEVELOPMENT SITE 400 ERIE BOULEVARD WEST, CITY OF SYRACUSE, NEW YORK

Operations at the Site ceased in 1998-1999.

The Site is currently vacant. Building doors are locked and a perimeter fence has been installed to prevent access to the Site.

PART B – SECTION X.3
PROPOSED USE

PROPOSED USE

BIG RED DEVELOPMENT SITE 400 ERIE BOULEVARD WEST, CITY OF SYRACUSE, NEW YORK

The proposed re-development project is anticipated to be mixed commercial and multi-family residential. Development as detached single-family use is not anticipated.

Future development will require a zoning change, but will be consistent with future land use, historic preservation, bicycle, and sustainability plans within the City of Syracuse Comprehensive Plan 2040. Neighboring properties are currently zoned commercial, central business district, and residential.

PART B – SECTION X.5
ZONING MAP AND ORDINANCE

City of Syracuse

Zoning Atlas

MAP # 13

LAST UPDATE: JUN 2019

LEGEND

Zoning Designations

- Residential Districts**
- RA-1, RA-2, RA, RB, RB-1, RB-1T, RB, RB-T

- Office Districts**
- OA, OB

- Local Business Districts**
- LS, BA, PSD

- Central Business Districts**
- CBD-R, CBD-OS, CBD-OSR, CBD-GSA, CBD-LB, CBD-OSR

- Commercial Districts**
- CA, CB

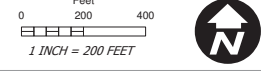
- Industrial Districts**
- IA, IB

- Special Districts**
- PID, PDD

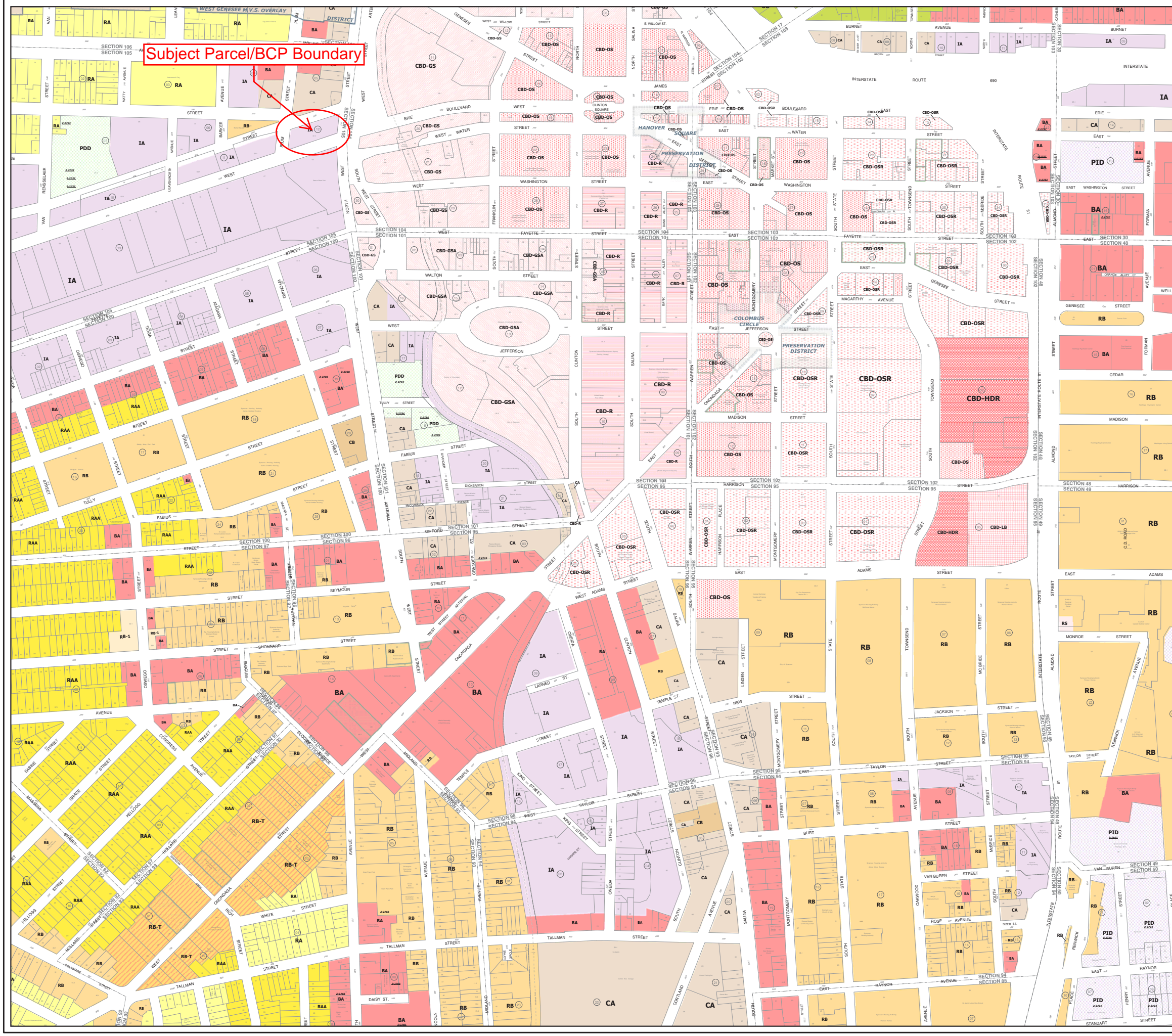
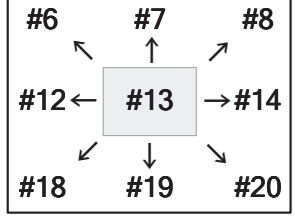
- Lakefront Districts**
- T4, T5, T5-1, T5-2, PK

- Overlay Districts and Protected Sites**
- SPECIAL NEIGHBORHOOD DISTRICT, OVERLAY DISTRICT, PROTECTED SITE, PRESERVATION DISTRICT, SETBACK LINE

- Other Symbols**
- TAXMAP SECTION BOUNDARY, TAXMAP PARCEL BOUNDARY, TAXMAP BLOCK NUMBER, TAXMAP PARCEL NUMBER, HYDROGRAPHIC FEATURE, BLOCK ADDRESS NUMBER



ADJACENT MAPS



PART B

SECTION VI INDUSTRIAL DISTRICTS

Article 1 Industrial District, Class A

1. Purpose and Intent:

The purpose and intent of this district is to provide appropriate areas on or near major routes within the City of Syracuse permitting the development and continued use of lands for compatible retail, commercial and industrial uses, while prohibiting land uses that are not compatible with the permitted land uses or considered to be hazardous, objectionable or offensive by reason of noise, vibration, dust, smoke, odors, and the like to the public health, safety, welfare and interests.

2. Uses Permitted:

- a. Local retail and service stores, including but not limited to department stores, catering services, radio and television stations (but not to include transmitting facilities or accompanying antennae; provided however, that this prohibition shall not include transmitting facilities normally associated with mobile communication units).
- b. Office buildings and banks.
- c. Studios, galleries, central telephone exchange buildings, undertaking establishments.
- d. Restaurants (as limited by Part C, Section IV, Article 2), frozen food locker plants.
- e. Animal hospitals, clinics, and dog kennels are also permitted; provided, any structure or area used for such purpose, including pens and exercise yards shall be at least two hundred (200) feet from any residential district.
- f. Churches, parish houses and convents.
- g. Public golf courses, including club houses accessory thereto, public recreation grounds; public buildings including municipal community houses and firehouses; together with such private garages and other outbuildings as are necessary and incidental to the aforesaid buildings.
- h. Hospitals, semi-public buildings and horticultural nurseries and greenhouses.
- i. Wholesale business buildings and warehouses.
- j. Cold storage plants; newspapers and job printing plants.
- k. Bakeries, candy and confectionery establishments; dairies; carpenter shops; cabinet making; furniture-upholstery; cigar and tobacco manufacturers; electric and gas appliances; laundries; tinsmiths; plumbing, steam and hot water fitting; tailor shops; dry cleaning and dyeing.

B-VI-1

- l. Light manufacturing establishments employing more than five (5) persons or occupying more than 40% of the floor area utilizing electricity or other unobjectionable motive power and free from objectionable machinery and processes and free from objectionable odors, fumes, dirt, vibration or noise and similar characteristics.
 - m. Any trade or industry which does not by reason of the emission of noise, dust, or odors and the like become obnoxious or dangerous to the health and safety of the public; except as otherwise specifically excluded or regulated.
 - n. Trade and vocational schools.
 - o. Nonprofit community centers with locational requirements dictated by the neighborhood service nature of the program to be offered.
 - p. Private recreation clubs, such as golf courses, tennis clubs, or swimming clubs, including club houses or locker buildings accessory thereto.
 - q. Motor vehicle sales, new (provided there be no storage or parking of vehicles in the city right-of-way).
 - r. Motor vehicle sales, used (provided there be no storage or parking of vehicles in the city right-of-way).
 - s. Motor vehicle rental (provided there be no storage or parking of vehicles in the city right-of-way).
 - t. Parking lots, parking garages.
 - u. On-site parking; private garages.
 - v. Care homes.
 - w. Motor freight terminals, transportation terminals, bus holding areas.
 - x. Contractors' yards (shall be enclosed by opaque fencing in order to screen the yard from view from adjacent properties).
 - y. Motor vehicle repair, light duty or heavy duty (provided there be no parking of vehicles in the city right-of-way).
 - z. Dwellings, apartment houses and condominiums.
 - aa. Hotels and Motels
3. Special Permit Uses:

The following special uses are also permitted in an Industrial District, Class A zone, subject to the requirements and procedures of a Special Permit and for the specific Special Permit Use as set forth in Part C, Section IV of this Ordinance:

B-VI-1

- a. Distribution facilities for off-the-premise retail sale of fuel oil.
- b. Gasoline service stations.
- c. Indoor amusement and recreation establishments.
- d. Junk yards (as limited by Part C, Section IV, Article 2); indoor dismantling facilities.
- e. Car wash facilities.
- f. Underground storage of waste oil.
- g. Motor vehicle storage and impoundment yards.
- h. Scrap metal processing (as limited by Part C, Section IV, Article 2).
- i. Indoor recycling centers.

4. Uses Prohibited:

- a. The incineration or reduction of garbage, offal or refuse; manufacturing, refining or treatment of ammonia, chlorine, bleaching powder, petroleum, asphalt, bricks, terra cotta, tile, carbon, graphite, lamp-black, creosote, cement, lime, plaster, plaster of paris, explosives, fireworks, matches, fat, grease, lard, starch, fertilizer, compost, potash, gas, gelatine, glue, size, hydrochloric, nitric, sulfuric or sulphurous acid, linoleum, oil, cloth, oil paint, turpentine, varnish, rubber, soap, tar, dyes, tar roofing, or waterproof roofing, or the distillation of wood, bones, or coal; the storage, tanning or curing of skins or hides; rolling mills, blast furnaces or smelter, boiler works; slaughtering of animals or fowl, or stockyards; the storage of ammonia, chlorine, fireworks and all articles designed for purely explosive purposes.

5. Minimum Yard Requirements:

For all "Uses" enumerated in Paragraph Two (2) Uses Permitted of this district, there are no yard requirements except as follows:

a. Adjoining Industrial, Residential Districts: Front Yards:

Where the frontage on one (1) side of a street between two (2) intersecting streets or between an intersecting street and the dead end of a street or cul-de-sac is partly in a residential and partly in a nonresidential use district, the setback requirement of the residential district shall apply to the nonresidential frontage, except where the nonresidential frontage exceeds 50% of the total frontage between such intersecting streets or between such intersecting street and dead end or cul-de-sac; and further provide that on corner lots in said block which front on one (1) of such intersecting streets, side yard or setback lines shall not be required to exceed 15% of the total front width of said lot.

b. Adjoining Industrial, Residential Districts: Side and Rear Yards:

Buildings or structures hereafter erected or altered in any nonresidential district, on a lot adjacent to or abutting on a residential district shall comply with the following requirements:

B-VI-1

- (1) Side Lot Lines - Along the side lot line of a nonresidential use lot adjoining a residential district there shall be provided a yard of at least the minimum width required for side yards for residential structures of equal height in such residential districts.
- (2) Rear Lot Lines - Along the butt lot line of a nonresidential use lot abutting on the side lot line of a lot in a residential district there shall be provided a rear yard of at least the minimum width required for the side yard for residential structures of equivalent height in such residential districts.

Where the rear of a nonresidential use lot abuts against the rear lot line or a lot in a residential district, a building of incombustible materials not exceeding two (2) stories in height may be erected on the rear lot line in the nonresidential district but any portion of such a building above two (2) stories in height must setback to provide a space equal to the rear yard space required for the adjacent residential property.

6. Coverage:

a. Structural Coverage:

Maximum permitted structural coverage shall be 100%.

b. Parking Surface Coverage:

Maximum permitted parking surface coverage shall be 100%.

7. Off-Street Parking Requirements:

All parking uses permitted in this district are subject to the requirements set forth in Part C, Section III, Article 1 of this Ordinance.

8. Off-Street Loading Requirements:

All uses permitted in this district are subject to the loading requirements set forth in Part C, Section III, Article 2 of this Ordinance.

Amended 9/21/92
 5/6/02