



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

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

Yes No If yes, provide existing site number: \_\_\_\_\_

PART A (note: application is separated into Parts A and B for DEC review purposes) BCP App Rev 5

Section I. Requestor Information - See Instructions for Further Guidance DEC USE ONLY BCP SITE #: \_\_\_\_\_

NAME Harbor View Square, LLC ADDRESS 1201 East Fayette Street, Suite 26 CITY/TOWN Syracuse ZIP CODE 13210 PHONE 315-472-3820 FAX 315-471-3921 E-MAIL djakimoski@housingvisions.org

Is the requestor authorized to conduct business in New York State (NYS)? Yes No
• If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's Corporation & Business Entity Database.
Do all individuals that will be certifying documents meet the requirements detailed below? Yes No
• Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of DER-10: Technical Guidance for Site Investigation and Remediation and Article 145 of New York State Education Law. Documents that are not properly certified will be not approved under the BCP.

Section II. Project Description

1. What stage is the project starting at? Investigation Remediation
2. If the project is starting at the remediation stage, a Remedial Investigation Report (RIR), Alternatives Analysis, and Remedial Work Plan must be attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance).
3. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): Yes No
4. Please attach a short description of the overall development project, including:
• the date that the remedial program is to start; and
• the date the Certificate of Completion is anticipated.

### Section III. Property's Environmental History

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

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

**1. Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903).

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

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

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

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

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

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

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?\*

(\*answering No will result in an incomplete application)

Yes  No

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

- |   |   |   |  |
|---|---|---|--|
| <input type="checkbox"/> Coal Gas Manufacturing | <input 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: Department of Public Works maintenance facility \_\_\_\_\_

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME Harbor View Square				
ADDRESS/LOCATION See Attachment E for full address list				
CITY/TOWN Oswego		ZIP CODE 13126		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): City of Oswego				
COUNTY Oswego County		SITE SIZE (ACRES) 2.438		
LATITUDE (degrees/minutes/seconds) 43 ° 27 ' 39.28 "		LONGITUDE (degrees/minutes/seconds) -76 ° 30 ' 51.11 "		
COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.				
Parcel Address	Section No.	Block No.	Lot No.	Acreage
See attached for full list (Attachment E)				
1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach a metes and bounds description of the property. <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>				
2. Is the required property map attached to the application? (application will not be processed without map) <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>				
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See <a href="#">DEC's website</a> for more information) <span style="float: right;">Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></span>				
If yes, identify census tract : <u>216.01</u>				
Percentage of property in En-zone (check one): <input type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 100%				
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
If yes, identify name of properties (and site numbers if available) in related BCP applications: _____				
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>				
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? If yes, attach relevant supporting documentation. <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>				
7. Are there any lands under water? If yes, these lands should be clearly delineated on the site map. <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>				

**Section IV. Property Information (continued)**

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

Easement/Right-of-way Holder

Description

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

Type

Issuing Agency

Description

None

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

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

Yes  No

11. For sites located within the five counties comprising New York City, is the requestor seeking a determination that the site is eligible for tangible property tax credits?

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

Yes  No

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?

Yes  No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application?

Yes  No

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

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

Initials of each Requestor: DS \_\_\_\_\_

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

<b>Section V. Additional Requestor Information</b> <b>See Instructions for Further Guidance</b>	DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____
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NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Diana Jakimoski

ADDRESS 1201 East Fayette Street

CITY/TOWN Syracuse ZIP CODE 13210

PHONE 315-472-3820 FAX 315-471-3921 E-MAIL djakimoski@housingvisions.org

NAME OF REQUESTOR'S CONSULTANT Matthew Hoskins/Synapse Property Resources

ADDRESS 360 Erie Blvd East

CITY/TOWN Syracuse ZIP CODE 13202

PHONE 315-475-3700 FAX 315-475-3780 E-MAIL mhoskins@synapsellc.com

NAME OF REQUESTOR'S ATTORNEY Philip Bousquet/Bousquet Holstein

ADDRESS 110 West Fayette Street

CITY/TOWN Syracuse ZIP CODE 13202

PHONE 315-701-6309 FAX 315-423-2866 E-MAIL Phil@BHLAWPLLC.com

**Section VI. Current Property Owner/Operator Information – if not a Requestor**

CURRENT OWNER'S NAME City of Oswego OWNERSHIP START DATE: 06/18/1990

ADDRESS City Hall, 13 West Oneida Street

CITY/TOWN Oswego ZIP CODE 13126

PHONE 315-342-8136 FAX 315-342-8238 E-MAIL mayor@oswegony.org

CURRENT OPERATOR'S NAME City of Oswego

ADDRESS City Hall, 13 West Oneida Street

CITY/TOWN Oswego ZIP CODE 13216

PHONE 315-342-8136 FAX 315-342-8238 E-MAIL mayor@oswegony.org

**IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.**  
**PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".**

**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?  Yes  No
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?  Yes  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.  Yes  No

**Section VII. Requestor Eligibility Information (continued)**

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

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

PARTICIPANT

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

VOLUNTEER

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

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

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

## Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

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

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

Yes  No

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

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

1. Is / was the property, or any portion of the property, listed on the National Priorities List?  
If yes, please provide relevant information as an attachment.  Yes  No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305?  Yes  No  
If yes, please provide: Site # \_\_\_\_\_ Class # \_\_\_\_\_
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?  Yes  No  
If yes, please provide: Permit type: \_\_\_\_\_ EPA ID Number: \_\_\_\_\_  
Date permit issued: \_\_\_\_\_ Permit expiration date: \_\_\_\_\_
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation.  Yes  No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10?  
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). In addition, attach a copy of an acknowledgement from the repository indicating that it agrees to act as the document repository for the property.
8. Any community board located in a city with a population of one million or more, if the proposed site is located within such community board's boundaries.

**Section X. Land Use Factors**

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

Residential  Commercial  Industrial

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

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

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

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

If residential, does it qualify as single family housing?

Yes  No

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

Yes  No

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

The local zoning for the site is B2 - Central Business. This zoning provides for a the contemplated residential use pursuant to a special permit.

Yes  No

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

The site redevelopment of mixed use commercial and residential is consistent with the City of Oswego Vision Policy and Objectives, Chapter 3 of the 2020 Vision Plan (included as Attachment K) in that it will add to the safe and attractive neighborhoods in the city, increasing residential living opportunities and it will provide a connection from the marina area to downtown.

Yes  No



**XI. Statement of Certification and Signatures**

(By requestor who is an individual)

If this application is approved, I acknowledge and agree to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter. I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

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

Print Name: \_\_\_\_\_

(By a requestor other than an individual)

I hereby affirm that I am Authorized Representative (title) of Herbas View Square, LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree to execute a BCA within 60 days of the date of DEC's approval letter. I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 9/14/16 Signature: 

Print Name: Rebecca C. Newman

**SUBMITTAL INFORMATION:**

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

**FOR DEC USE ONLY**  
**BCP SITE T&A CODE:** \_\_\_\_\_ **LEAD OFFICE:** \_\_\_\_\_

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

**BCP App Rev 5**

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Please answer questions below and provide documentation necessary to support answers.</b>	
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see <a href="#">DEC's website</a> for more information.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the property upside down or underutilized as defined below?	Upside Down? <input type="checkbox"/> Yes <input type="checkbox"/> No Underutilized? <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>From ECL 27-1405(31):</b>	
<p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p>	
<b>From 6 NYCRR 375-3.2(I) as of July 1, 2015:</b> (Please note: Eligibility determination for the underutilized category can only be made at the time of application)	
<p>(I) "Underutilized" means, as of the date of application, real property:</p> <p>(1) on which a building or buildings, can be certified by the municipality in which the site is located, to have for at least five years used no more than fifty percent of the permissible floor area under the applicable base zoning immediately prior to the application which has been in effect for at least five years;</p> <p>(2) at which the proposed development is solely for a use other than residential or restricted residential;</p> <p>(3) which could not be developed without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(4) which is subject to one or more of the following conditions, as certified by the municipal department responsible for such determinations of the municipality in which the site is located:</p> <p>(i) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(ii) contains a building that is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or</p> <p>(iii) the proposed use is in whole or in substantial part for industrial uses.</p> <p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, or land purchase cost exemption or waiver, from a governmental entity; or for properties to be developed in whole or in part for industrial uses, a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or a tax credit, from a governmental entity, or a low-cost loan from an industrial fund managed by the municipality and partner financial institutions.</p>	

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

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

Yes  No

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

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

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

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

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

**BCP Application Summary (for DEC use only)**

**Site Name:** Harbor View Square  
**City:** Oswego

**Site Address:** See Attachment E for full address list  
**County:** Oswego County      **Zip:** 13126

**Tax Block & Lot Section (if applicable):**

**Block:**

**Lot:**

**Requestor Name:** Harbor View Square, LLC  
**City:** Syracuse

**Requestor Address:** 1201 East Fayette Street, Suite 26  
**Zip:** 13210      **Email:** djakimoski@housingvisions.org

**Requestor's Representative (for billing purposes)**

**Name:** Diana Jakimoski  
**City:** Syracuse

**Address:** 1201 East Fayette Street  
**Zip:** 13210

**Email:** djakimoski@housingvisions.org

**Requestor's Attorney**

**Name:** Philip Bousquet/Bousquet Holstein  
**City:** Syracuse

**Address:** 110 West Fayette Street  
**Zip:** 13202

**Email:** Phil@BHLAWPLLC.com

**Requestor's Consultant**

**Name:** Matthew Hoskins/Synapse Property Resources  
**City:** Syracuse

**Address:** 360 Erie Blvd East  
**Zip:** 13202

**Email:** mhoskins@synapsellc.com

**Percentage of site within an En-Zone:**    0%     <50%     50-99%     100%

**Requestor's Requested Status:**    Volunteer     Participant



**NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**SECTION III**

**PROPERTY'S ENVIRONMENTAL HISTORY**

Please follow instructions on application form.

**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  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**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.



**NEW YORK STATE  
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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.

**NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**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.

**NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**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.

**NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**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.

**ATTACHMENT A  
NEW YORK STATE CORPORATION**

Harbor View Square  
Brownfield Cleanup Program Application

68 West First Street, Oswego, New York

Date of this notice: 08-02-2016

Employer Identification Number:  
81-3422736

Form: SS-4

Number of this notice: CP 575 G

HARBOR VIEW SQUARE LLC  
% HOUSING VISIONS CONSULTANTS INC S  
1201 E FAYETTE ST  
SYRACUSE, NY 13210

For assistance you may call us at:  
1-800-829-4933

IF YOU WRITE, ATTACH THE  
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 81-3422736. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at [www.irs.gov](http://www.irs.gov). If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

**IMPORTANT REMINDERS:**

- \* Keep a copy of this notice in your permanent records. **This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you.** You may give a copy of this document to anyone asking for proof of your EIN.
- \* Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- \* Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is HARB. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.



ONLINE FILING RECEIPT

ENTITY NAME: HARBOR VIEW SQUARE, LLC

DOCUMENT TYPE: ARTICLES OF ORGANIZATION (DOM. LLC)

COUNTY: ONON

FILED:08/01/2016 DURATION:\*\*\*\*\* CASH#:160801010323 FILE#:160801010323  
DOS ID:4986134

FILER:

EXIST DATE

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ANNA PUTINTSEVA  
BOUSQUET HOLSTEIN PLLC  
110 W FAYETTE ST, STE 900  
SYRACUSE, NY 13202

-----  
08/01/2016

ADDRESS FOR PROCESS:

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HARBOR VIEW SQUARE, LLC  
1201 EAST FAYETTE STREET  
SYRACUSE, NY 13210

REGISTERED AGENT:

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The limited liability company is required to file a Biennial Statement with the Department of State every two years pursuant to Limited Liability Company Law Section 301. Notification that the Biennial Statement is due will only be made via email. Please go to [www.email.ebiennial.dos.ny.gov](http://www.email.ebiennial.dos.ny.gov) to provide an email address to receive an email notification when the Biennial Statement is due.

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SERVICE COMPANY: \*\* NO SERVICE COMPANY \*\*  
SERVICE CODE: 00

FEE:	210.00	PAYMENTS	210.00
	-----		-----
FILING:	200.00	CHARGE	210.00
TAX:	0.00	DRAWDOWN	0.00
PLAIN COPY:	0.00		
CERT COPY:	10.00		
CERT OF EXIST:	0.00		

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DOS-1025 (04/2007)

Authentication Number: 1608010337 To verify the authenticity of this document you may access the Division of Corporation's Document Authentication Website at <http://ecorp.dos.ny.gov>



# STATE OF NEW YORK

## DEPARTMENT OF STATE

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on August 01, 2016.

A handwritten signature in cursive script that reads "Anthony Giardina".

Anthony Giardina  
Executive Deputy Secretary of State

**ARTICLES OF ORGANIZATION  
OF  
Harbor View Square, LLC**

Under Section 203 of the Limited Liability Company Law

**FIRST:** The name of the limited liability company is:

**Harbor View Square, LLC**

**SECOND:** To engage in any lawful act or activity within the purposes for which limited liability companies may be organized pursuant to Limited Liability Company Law provided that the limited liability company is not formed to engage in any act or activity requiring the consent or approval of any state official, department, board, agency, or other body without such consent or approval first being obtained.

**THIRD:** The county, within this state, in which the office of the limited liability company is to be located is ONONDAGA.

**FOURTH:** The Secretary of State is designated as agent of the limited liability company upon whom process against it may be served. The address within or without this state to which the Secretary of State shall mail a copy of any process against the limited liability company served upon him or her is:

Harbor View Square, LLC  
1201 East Fayette Street  
Syracuse, NY 13210

**FIFTH:** The limited liability company is to be managed by: ONE OR MORE MANAGERS.

**SIXTH:** The limited liability company shall defend, indemnify and hold harmless all members, managers, and former members and managers of the limited liability company against expenses (including attorney's fees, judgments, fines, and amounts paid in settlement) incurred in connection with any claims, causes of action, demands, damages, liabilities of the limited liability company, and any pending or threatened action, suit, or proceeding. Such indemnification shall be made to the fullest extent permitted by the laws of the State of New York, provided that such acts or omissions which gives rise to the cause of action or proceedings occurred while the Member or Manager was in performance of his or her duties for the limited liability company and was not as a result of his or her fraud, gross negligence, willful misconduct or a wrongful taking. The indemnification provided herein shall inure to the benefit of successors, assigns, heirs, executors, and the administrators of any such person.

I certify that I have read the above statements, I am authorized to sign these Articles of Organization, that the above statements are true and correct to the best of my knowledge and belief and that my signature typed below constitutes my signature.

Natalie P. Hempson, ORGANIZER (signature)

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Natalie P. Helmpson, Esq. , ORGANIZER  
Bousquet Holstein PLLC  
110 W Fayette St, Ste 900  
Syracuse, NY 13202

**Filed by:**

Anna Putintseva  
Bousquet Holstein PLLC  
110 W Fayette St, Ste 900  
Syracuse, NY 13202

**FILED WITH THE NYS DEPARTMENT OF STATE ON: 08/01/2016  
FILE NUMBER: 160801010323; DOS ID: 4986134**

## OPERATING AGREEMENT FOR

### HARBOR VIEW SQUARE, LLC

#### A NEW YORK LIMITED LIABILITY COMPANY

**HOUSING VISIONS CONSULTANTS, INC.**, the sole member ("**Member**"), hereby declares the following to be the Operating Agreement of **Harbor View Square, LLC** effective the 1<sup>st</sup> day of August, 2016.

1. **Name.** The name of the limited liability company (the "**LLC**") is Harbor View Square, LLC.

2. **Purpose and Powers; Filings.**

(a) The purpose of the LLC is to engage in any activity for which limited liability companies may be organized in the State of New York. The LLC shall possess and may exercise all of the powers and privileges granted by the New York State Limited Liability Company Law, as that statute is amended from time to time (the "**Act**") or by any other law or by this Agreement, together with any powers incidental thereto, so far as such powers and privileges are necessary or convenient to the conduct, promotion or attainment of the business purposes or activities of the LLC.

(b) The Manager shall cause to be done all such filing, recording, publishing, or other acts as may be necessary or appropriate from time to time to comply with the requirements of law for the formation and operation of a limited liability company in the State of New York and any such requirements in any other jurisdiction in which the LLC may do business. All costs incurred in connection with the foregoing, including, without limitation, legal fees in connection therewith, shall be expenses of the LLC and shall be reimbursed promptly by the LLC upon the completion of such action if paid by the Manager.

3. **Designated Agent; Mailing Address.** The Secretary of State is designated as agent of the Limited Liability Company upon whom process against it may be served. The post office address within or without the State to which the Secretary of State shall mail a copy of any process against the Limited Liability Company served upon him or her is **1201 East Fayette Street, Syracuse, NY 13210**.

4. **Admission of Member.** **Housing Visions Consultants, Inc. is admitted as the sole Member of the LLC.**

5. **Interest.** "Interest" shall mean the membership interest of the Member in the LLC (as defined in the Act), including the rights and obligations of the Member under this Agreement.

6. **Capital Contributions.** The Member may contribute property, real, personal, tangible or intangible, to the Company from time to time as the Member may determine.

7. **Tax Characterization and Returns.** Until such time as the LLC has more than one Member, the LLC shall be a "disregarded entity" solely for the purposes of federal and state income tax reporting. All provisions of the LLC's Articles of Organization and this Agreement

are to be construed so as to preserve that tax status under those circumstances. In the event one or more additional Members is admitted to the LLC, the LLC shall be treated as a partnership for federal and all relevant state tax purposes and shall make all available elections to be so treated.

## 8. Management.

(a) Manager. The management of the Company shall be vested in a Manager selected by the Member. Unless the Member determines otherwise, the Company shall have one Manager. **The Member affirms the selection of Housing Visions Consultants, Inc. as Manager.** A Manager shall remain in office until such Manager (i) is removed by a written instrument signed by the Member, (ii) resigns in a written instrument delivered to the Member, or (iii) such Manager becomes incapacitated, dies or is otherwise unable to serve. In the event of any such vacancy, the Member or the Member's personal representative may fill the vacancy and any subsequent vacancy. The Manager shall perform his or her duties in good faith, in a manner the Manager reasonably believes to be in the best interests of the Company, and with such care as an ordinarily prudent person in a like position would use under similar circumstances. A person who so performs his or her duties shall not have any liability by reason of serving or having served as a Manager. A Manager shall not be liable under a judgment, decree or order of court, or in any other manner, for a debt, obligation or liability of the Company. All powers to control and manage the business and affairs of the Company shall be exclusively vested in the Manager, and the Manager may exercise all powers of the Company and do all such lawful acts as are not by statute, the Articles of Organization or this Agreement directed or required to be exercised or done by the Member and in so doing shall have the right and authority to take all actions which the Manager deems necessary, useful or appropriate for the management and conduct of the business of the Company; provided, however, that the Member may amend this Agreement at any time and thereby broaden or limit the Manager's power and authority.

(b) Officers. The LLC may have, but shall not be required to have, officers who are appointed by the Manager. The officers of the LLC may consist of a President, one or more Vice Presidents, a Secretary and a Treasurer. The powers and duties of each officer, if designated by the Manager, shall be as follows:

(1) The President. The President shall have, subject to the supervision, direction and control of the Manager, the general powers and duties of supervision, direction and management of the affairs and business of the LLC, including, without limitation, all powers necessary to direct and control the organizational and reporting relationships within the LLC.

(2) The Vice Presidents. Each Vice President shall have such powers and perform such duties as may from time to time be assigned to him or her by the Manager or the President.

(3) The Secretary. The Secretary shall have all such powers and duties as generally are incident to the position of a secretary or as may from time to time be assigned to him or her by the Manager or the President.

(4) The Treasurer. The Treasurer shall have custody of the LLC's funds and securities and shall keep full and accurate accounts of receipts and disbursements in books belonging to the LLC and shall deposit or cause to be deposited moneys or other valuable effects in the name and to the credit of the LLC in such depositories as may be designated by the

Manager. The Treasurer shall also maintain adequate records of all assets, liabilities, and transactions of the LLC and shall see that adequate review thereof are currently and regularly made. The Treasurer shall have such other powers and perform such other duties that generally are incident to the position of a treasurer or as may from time to time be assigned to him or her by the Manager or the President.

(c) **Indemnification.** The LLC hereby indemnifies and holds harmless the Member, Manager, Officers, and their successors, executors, and administrators against any loss or damage incurred by such Member, Manager, or Officer by reason of acts or omissions in good faith on behalf of the LLC and in a manner reasonably believed by the Member, Manager, or Officer to be within the scope of the authority granted by this Agreement. However, no indemnification may be made to or on behalf of any Member, Manager, or Officer if a judgment or other final adjudication adverse to such Member, Manager, or Officer established (1) that the Member's, Manager's, or Officer's acts were committed in bad faith or were the result of active and deliberate dishonesty and were material to the cause of action so adjudicated or (2) that the Member, Manager, or Officer personally gained in fact a financial profit or other advantage to which the Member, Manager, or Officer was not legally entitled.

(d) **Rights and Powers of the Member.** The Member shall not have any right or power to take part in the management or control of the LLC or its business and affairs or to act for or bind the LLC in any way. Notwithstanding the foregoing, the Member has all the rights and powers specifically set forth in this Agreement and, to the extent not inconsistent with this Agreement, in the Act. The Member has no voting rights except with respect to those matters specifically set forth in this Agreement and, to the extent not inconsistent herewith, as required in the Act. Notwithstanding any other provision of this Agreement, no action may be taken by the LLC (whether by the Manager or otherwise) in connection with any of the following matters without the written consent of the Member or his legal representative:

- (1) the dissolution or liquidation, in whole or in part, of the LLC, or the institution of proceedings to have the LLC adjudicated bankrupt or insolvent;
- (2) the admission of an additional member to the LLC;
- (3) the filing of a petition seeking or consenting to reorganization or relief under any applicable federal or state bankruptcy law;
- (4) consenting to the appointment of a receiver, liquidator, assignee, trustee, sequestrator (or other similar official) of the LLC or a substantial part of its property;
- (5) the merger of the LLC with any other entity;
- (6) the sale of all or substantially all of the LLC's assets; or
- (7) the amendment of this Agreement.

9. **Distributions.** The Manager may cause, in the Manager's sole and absolute discretion, the LLC to distribute to the Member, at any time, any cash held by the LLC which is neither reasonably necessary for the operation of the LLC nor in violation of the Act.

10. **Assignments.** A Member may assign all or any part of his, her or its Interest only with the permission of the Manager, which permission may be granted or denied in the absolute and sole discretion of the Manager (an assignee of such Interest is hereinafter referred to as a "Permitted Assignee"). A Permitted Assignee shall not be substituted as a member of the LLC for the Member unless and until the substitution is approved by the Manager, acting in his absolute and sole discretion.

11. **Dissolution.** The LLC shall dissolve, and its affairs shall be wound up, only upon the earlier to occur of (a) the decision of the Member acting with the approval of the Manager, or (b) in the event of a judicial dissolution of the LLC under the Act; provided, however, that in the event of the death of the sole Member of the LLC, the Manager, or the Successor Manager, as applicable, shall have the authority to continue the LLC until such time as there is a member admitted as a Member to the LLC.

12. **Distributions in Liquidation.** Following dissolution of the LLC, the affairs of the LLC shall be forthwith wound-up and the proceeds from the liquidation of the property of the LLC shall be distributed in the following priority:

(a) First, to creditors of the LLC in satisfaction of liabilities of the LLC, whether by payment or by establishment of adequate reserves; and

(b) The balance, if any, is to be distributed to the Member.

In connection with any winding up and liquidation, the accountants for the LLC shall compile a balance sheet of the LLC as of the date of dissolution, and such balance sheet shall be furnished promptly to the Member.

13. **Limited Liability.** No Member, Manager, or Officer shall have any liability for the obligations of the LLC except to the minimum extent required by the Act.

14. **Miscellaneous.**

(a) **Severability.** Each provision hereof is intended to be severable, and the invalidity or illegality of any provision of this Agreement shall not affect the validity or legality of the remainder hereof.

(b) **Captions.** Paragraph captions contained in this Agreement are inserted only as a matter of convenience and for reference and in no way define, limit, extend, or describe the scope of this Agreement or the intent of any provision hereof.

(c) **Variation of Pronouns.** All pronouns and any variations thereof shall be deemed to refer to masculine, feminine or neuter, singular or plural, as the identity of the person or persons may require.

(d) **Binding Agreement.** Subject to the restrictions on assignment herein contained, the terms and provisions of this Agreement shall be binding upon, and inure to the benefit of the successors, assigns, personal representatives, estates, heirs, and legatees of the Member.

(e) **Applicable Law.** Notwithstanding the place where this Agreement may be executed by any of the parties hereto, the parties expressly agree that all the terms and provisions hereof shall be construed under the laws of New York and that the Act and other applicable laws of New York as now adopted or as hereafter amended shall govern this Agreement.

(f) **Entire Agreement.** This Agreement constitutes the entire agreement of the parties hereto with respect to the matters set forth herein and supersedes any prior understanding or agreement, oral or written, with respect thereto.

(g) **Qualification in Other States.** In the event the business of the LLC is carried on or conducted in states in addition to New York, then this LLC shall exist under the laws of each state in which business is actually conducted by the LLC, and the Member and the Manager agree to execute such other and further documents as may be required or requested in order that the LLC may qualify in such states. An LLC office or principal place of business in any state may be designated from time to time by the Manager.


(h) **Incorporation by Reference.** Every exhibit, schedule and other appendix attached to this Agreement and referred to herein is hereby incorporated in this Agreement by reference.

(i) **Amendment.** This Agreement may be amended only in a writing signed by the Member and approved by the Manager.

**IN WITNESS WHEREOF**, the parties hereto have executed and delivered this Agreement as of the day and year first above written.

**MEMBER:**

**HOUSING VISIONS CONSULTANTS, INC.**



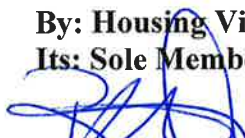
---

By: Rebecca C. Newman  
Its: Executive Vice President

**THE LLC:**

**HARBOR VIEW SQUARE, LLC**

**By: Housing Visions Consultants, Inc.  
Its: Sole Member and Manager**



---


By: Rebecca C. Newman  
Its: Executive Vice President



## MANAGER'S ACCEPTANCE

The Manager hereby accepts its designation as Manager of the LLC pursuant to the foregoing Operating Agreement.

**HOUSING VISIONS CONSULTANTS, INC.**



By: Rebecca C. Newman  
Its: Executive Vice President

2809962\_1.docx

**ATTACHMENT B**  
**REMEDIAL INVESTIGATION REPORT, ALTERNATIVES ANALYSIS,**  
**RECORD OF DECISION**

(Provided in electronic format only and as separate files due to size)

Harbor View Square  
Brownfield Cleanup Program Application

68 West First Street, Oswego, New York

**ATTACHMENT C  
DEVELOPMENT PROJECT DESCRIPTION**

Harbor View Square  
Brownfield Cleanup Program Application

68 West First Street, Oswego, New York

**Harbor View Square Brownfield Cleanup Application  
Revised Attachment C  
Section II and X. – Development Project Description**

**Harbor View Square - Neighborhood Revitalization &  
Mixed-Use, Mixed-Income Development in Oswego, NY**

Harbor View Square, LLC proposes to develop the former FlexoWire property (a collection of five properties referred to as 68 West First Street) through the remediation of existing environmental contamination identified under the NYSDEC Environmental Restoration Program as site number E738040 and the construction of an innovative neighborhood revitalization development. This project will respond to the critical need for quality housing for low-and moderate-income families along with market rate housing in the City of Oswego. The project will revitalize the blighted, contaminated and underutilized former FlexoWire Site into a mixed use development that includes retail, commercial and residential uses that are designed to support and integrate into the Harbor West neighborhood.

Remediation of the site through the New York State Brownfield Cleanup Program is expected to begin in June 2017, with a Certificate of Completion in December 2018. Harbor View Square, LLC proposes to demolish the existing building and construct five new buildings containing one-bedroom and two-bedroom rental units, three-bedroom townhouses and retail/commercial space. Residential tenants will have a sun terrace, laundry facility, fitness center, bike storage and other amenities including off street parking. Commercial tenants likely could include a small coffee shop or café, some retail establishments as well as business offices.

**ATTACHMENT D**  
**IMPACTED MEDIUM SITE DRAWINGS**  
(*“Alternatives Analysis”, O’Brien and Gere, February 2013*)

Harbor View Square  
Brownfield Cleanup Program Application

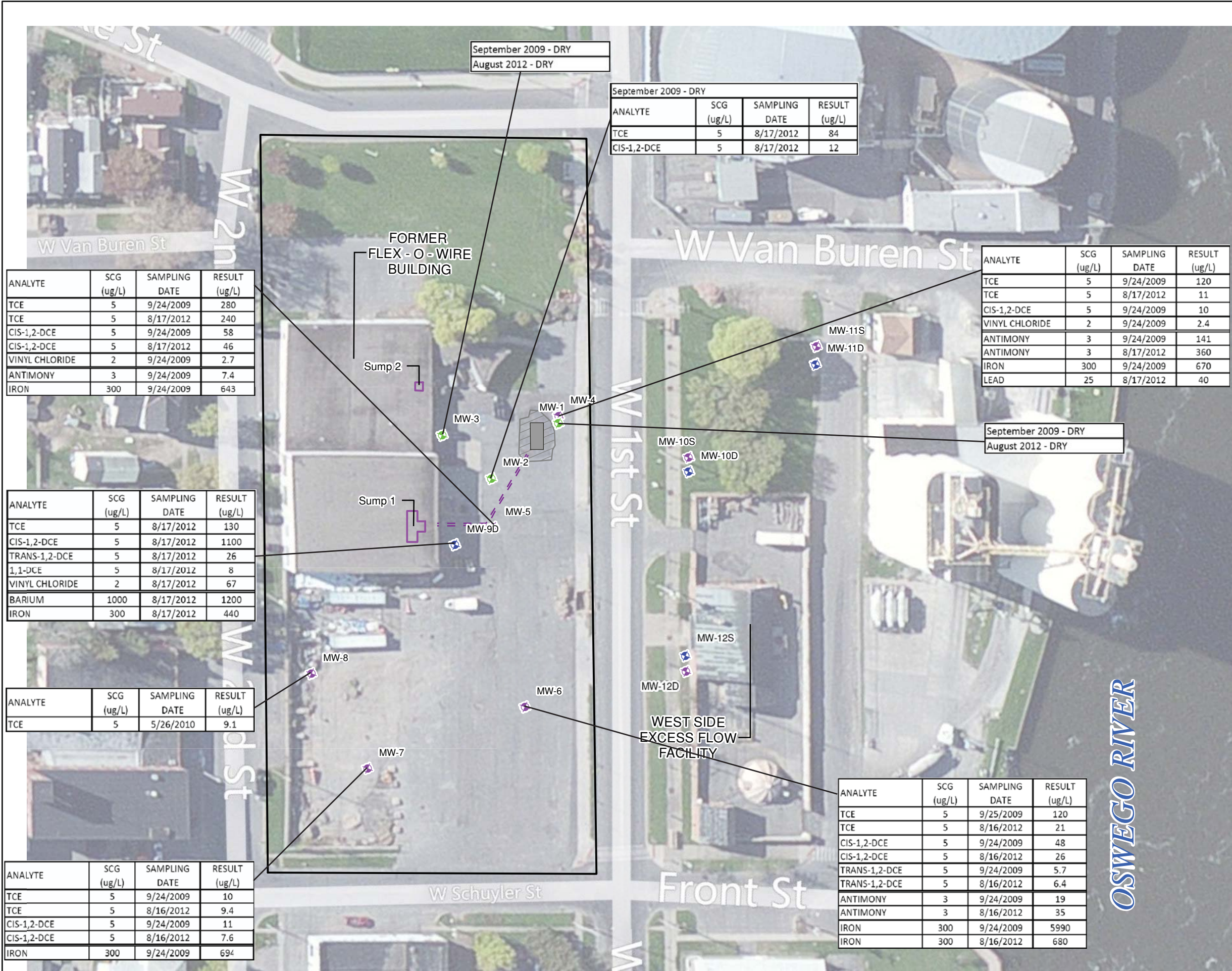
68 West First Street, Oswego, New York

**FIGURE 3**



**LEGEND**

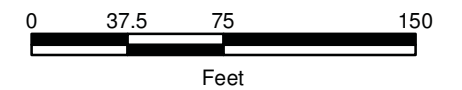
- PROCESS LINE
- EXISTING SUMP
- EXCAVATION AREA
- FORMER 15,000 GALLON UST



Modified by NYSDEC 2013-05-22  
 1. Changed figure name and number.  
 2. Added groundwater data.

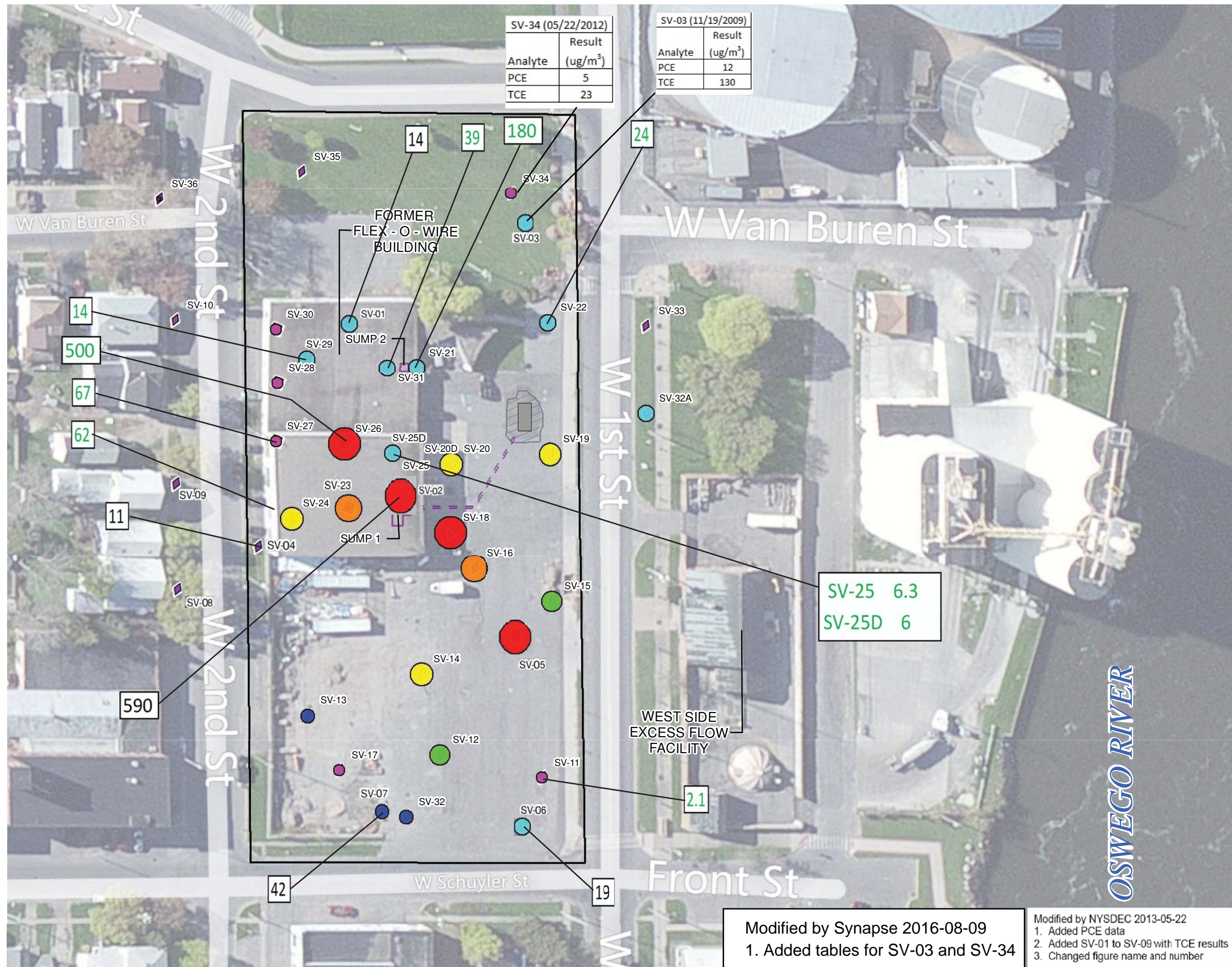
68 WEST FIRST STREET  
 SITE ID E738040, OU 1  
 CITY OF OSWEGO  
 OSWEGO COUNTY, NY

**GROUNDWATER SCG EXCEEDANCES**



FEBRUARY 2013  
 283.48496





**FIGURE 5**

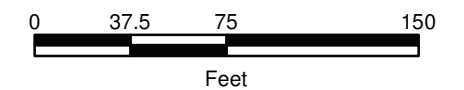


**LEGEND**

- SUB-SLAB VAPOR LOCATIONS FEBRUARY 2012
  - ◆ SOIL VAPOR LOCATIONS FEBRUARY 2012
  - ◆ SOIL VAPOR LOCATIONS MAY 2012
  - PROCESS LINE
  - EXISTING SUMP
  - IRM EXCAVATION AREA
  - FORMER 15,000 GALLON US
  - 14 TETRACHLOROETHENE (PCE) (ug/m<sup>3</sup>) 2008-10
  - 14 TETRACHLOROETHENE (PCE) (ug/m<sup>3</sup>) 2012
- Trichloroethene (TCE) (ug/m<sup>3</sup>)**
- Not Detected - 10
  - >10 - 50
  - >50 - 100
  - >100 - 500
  - >500 - 1000
  - >1000 - 5000
  - >5000 - 10000
  - >10000 - 34000

68 WEST FIRST STREET  
SITE ID E738040, OU 1  
CITY OF OSWEGO  
OSWEGO COUNTY, NY

**TCE & PCE SUB-SLAB  
VAPOR & SOIL VAPOR  
SAMPLING RESULTS**

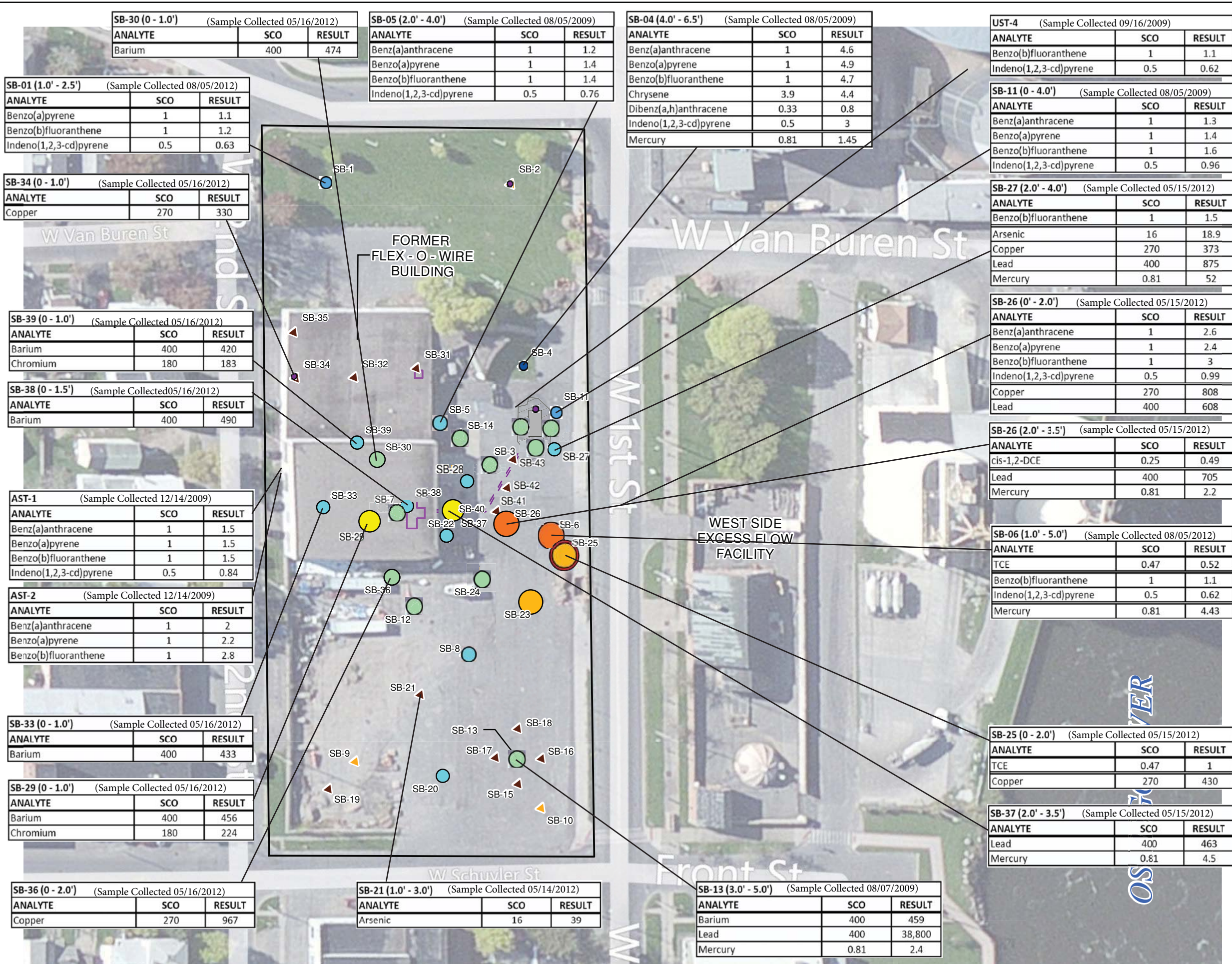


FEBRUARY 2013  
283.48496



I:\Oswego-C-283-48496\Flex-O-Wire-Sit\Docs\DW\GMXD\SS1\_Report\Figure\_12\_Soil\_Totals\_VOCs.mxd

PLOTDATE: 02/06/13 10:51:56 AM StantonSA



**FIGURE 4**



**LEGEND**

**TOTAL VOCs mg/kg**

- 0.0022 - 0.005
- >0.005 - 0.0075
- >0.0075 - 0.01
- >0.01 - 0.025
- >0.025 - 0.05
- >0.05 - 0.1
- >0.1 - 0.25
- >0.25 - 0.5
- >0.5 - 1.0
- >1.0 - 1.075

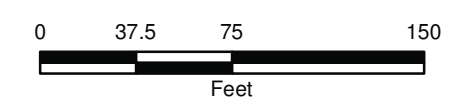
▲ PRE-SSI SOIL BORING - NO VOC DATA

▲ SSI SOIL BORINGS - NO VOC DATA

**NOTE:**  
 RESULT CONCENTRATIONS EXPRESSED IN mg/kg  
 SCO - RESTRICTED RESIDENTIAL USE  
 SOIL CLEANUP OBJECTIVE

68 WEST FIRST STREET  
 SITE ID E738040, OU 1  
 CITY OF OSWEGO  
 OSWEGO COUNTY, NY

**TOTAL VOCs IN SOILS & EXCEEDANCES OF RESTRICTED RESIDENTIAL SCOs**



Modified by NYSDEC 2013-05-07  
 1. Changed figure number & name  
 2. Added Total VOC data for Pre-SSI borings  
 3. Added Exceedances of Rest. Res. SCOs

FEBRUARY 2013  
 283.48496





**ATTACHMENT E  
PARCEL ADDRESSES**

Harbor View Square  
Brownfield Cleanup Program Application

68 West First Street, Oswego, New York

**Harbor View Square Brownfield Cleanup Application**  
**Section IV. – Property Information - Parcel List**

<b>Parcel Address</b>	<b>Section No.</b>	<b>Block No.</b>	<b>Lot No.</b>	<b>Acreage</b>
58 West First Street	128.38	03	03	0.05
60 West First Street	128.38	03	04	0.07
68 West First Street	128.38	03	01	1.65
22 West Van Buren Street	128.38	03	02	0.11
Unnamed portion of West Van Buren Street	-	-	-	0.62

**ATTACHMENT F**  
**SITE METES AND BOUNDS DESCRIPTION AND PROPERTY MAPS**

Harbor View Square  
Brownfield Cleanup Program Application

68 West First Street, Oswego, New York

## Harbor View Square Brownfield Cleanup Application

### Section IV. – Property Information – Metes and Bounds Description of Brownfield Cleanup Site Boundary

All that tract or parcel of land situate in the City of Oswego, County of Oswego and State of New York being Fortification Block Number 1, a portion of West Van Buren Street and also a portion of lands conveyed to the City of Oswego as recorded in the Oswego County Clerk's Office in Book 839 of Deeds at page 1011 (Tract 3) and being more particularly bounded and described as follows:

Beginning at the intersection of the west line of West First Street with the north line of West Schuyler Street, said point of intersection being the southeast corner of Fortification Block Number 1

Thence; N 22° 22' 00" W, along the west line of West First Street, a distance of 396.00 feet to the intersection of the west line of West First Street with the south line of West Van Buren Street, said intersection being the northeast corner of Fortification Block Number 1

Thence; N 22° 22' 00" W, along the northerly prolongation of the west line of West First Street, a distance of 100.00 feet to the intersection of the north line of West Van Buren Street with the west line of West First Street, said intersection also being the southeast corner of the above mentioned lands conveyed to the City of Oswego (Tract 3)

Thence; N 22° 22' 00" W, along the west line of West First Street, a distance of 35.00 feet to a point in the east line of said lands conveyed to the City of Oswego

Thence; S 67° 38' 00" W, along a line parallel with West Van Buren Street, a distance of 200.00 feet to a point in the east line of West Second Street

Thence; S 22° 22' 00" E, along the east line of West Second Street, a distance of 35.00 feet to the intersection of the north line of West Van Buren Street with the east line of West Second Street, said intersection also being the southwest corner of aforesaid lands conveyed to the City of Oswego

Thence; S 22° 22' 00" E, along the southerly prolongation of the east line of West Second Street, a distance of 100.00 feet to the intersection of the north line of West Van Buren Street with the east line of West Second Street, said intersection being the northwest corner of Fortification Block 1

Thence; S 22° 22' 00" E, along the east line of West Second Street, a distance of 396.00 feet to the intersection of the east line of West Second Street with the north line of West Schuyler Street, said intersection being the southwest corner of Fortification Block Number 1

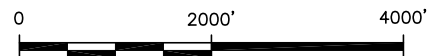
Thence; N 67° 38' 00" E, along the north line of West Schuyler Street, a distance of 200.00 feet to the point and place of beginning

Containing 106,200 square feet or 2.438 acres of land, more or less



SOURCE: USGS 7.5 MIN. TOPOGRAPHIC QUADRANGLES: OSWEGO WEST, N.Y., 1954, PHOTOREVISED 1978 AND OSWEGO EAST, N.Y., 1954, PHOTOREVISED 1978.

APPROXIMATE GRAPHIC SCALE:



P: EPA  
9/15/16  
SYNAPSE/WIP/HSGVIS 24-16/HSGVIS-2416-SL2.DWG



SYNAPSE PROPERTY RESOURCES  
360 ERIE BLVD. EAST  
SYRACUSE, NEW YORK 13202

**HARBOR VIEW SQUARE**

68 WEST FIRST STREET  
OSWEGO, NEW YORK

**PROPERTY  
LOCATION PLAN**

PROJECT NO.:  
HSGVIS-24-16-05

DATE:  
SEPT. 2016

FIGURE NO.:

**F1**

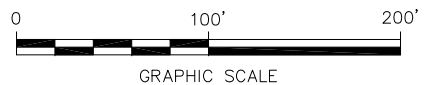


**LEGEND**

- APPROXIMATE BROWNFIELD CLEANUP PROGRAM SITE BOUNDARY
- - - APPROXIMATE TAX PARCEL LINE
- 128.38-03-01** TAX PARCEL ID

**NOTES:**

1. 2015 AERIAL PHOTOGRAPH FROM NYSGIS CLEARINGHOUSE WEBSITE.
2. TAX PARCEL INFORMATION DIGITIZED FROM OSWEGO COUNTY, CITY OF OSWEGO TAX MAPS AND FROM TOPOGRAPHIC AND BOUNDARY SURVEY BY CREEKSIDE BOUNDARY, DATED 9/18/12.
3. ALL LOCATIONS ARE APPROXIMATE.



P: BL  
9/15/16  
SYNAPSE/WIP/HSGVIS 24-16/HSGVIS-2416-B02.DWG

**synapse**  
connect. advise. insure.  
SYNAPSE PROPERTY RESOURCES  
360 ERIE BLVD. EAST  
SYRACUSE, NEW YORK 13202

**HARBOR VIEW SQUARE**  
68 WEST FIRST STREET  
OSWEGO, NEW YORK

**AERIAL  
PROPERTY PLAN**

PROJECT NO.:  
HSGVIS-24-16-05  
DATE:  
SEPT. 2016  
FIGURE NO.:  
**F2**



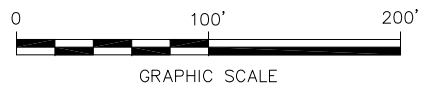
**LEGEND**

- APPROXIMATE BROWNFIELD CLEANUP PROGRAM SITE BOUNDARY
- APPROXIMATE TAX PARCEL LINE
- 128.38-01-02** TAX PARCEL ID

Adjacent Tax Parcel Owner		
Tax Parcel ID	Parcel Address	Owner
128.38-01-02	11 Lake St.	Oswego Port Authority
128.38-01-01	1 Lake St.	United States of America
128.38-04-03	8 W Second St.	David Thompson, Jeffrey O'Connor
128.38-04-04	33 W Van Buren St.	Suzanne Naylor
128.46-03-05	32 W Van Buren St.	Tesoriero Rev Living Trust, Thomas N
128.46-03-06	24 W Second St.	Matthew Brancato
128.46-03-07	26 W Second St.	JC Rentals LLC
128.46-03-08.01	30 W Second St.	Joseph and Valerie Hutchinson
128.46-03-08	32 W Second St.	Joseph and Valerie Hutchinson
128.46-03-09	34 W Second St.	Joseph and Valerie Hutchinson
128.46-03-11	42 W Second St.	Harborside Interiors, LLC
128.46-03-14	44 W Second St.	Michael Batchelor
128.46-04-01	45 W Second St.	Oswego Mechanical I, LLC
128.46-04-02	16 W Schuyler St.	Michael Batchelor
128.46-04-03	74 W First St.	Helen Coyer
128.46-05-01	77-79 W First St.	Oswego Waterfront Development, LLC
128.38-02-19	67 W First St.	City of Oswego
128.38-01-03	21 Lake St.	Sprague Energy Corporation

**NOTES:**

1. 2015 AERIAL PHOTOGRAPH FROM NYSGIS CLEARINGHOUSE WEBSITE.
2. TAX PARCEL INFORMATION DIGITIZED FROM OSWEGO COUNTY, CITY OF OSWEGO TAX MAPS AND FROM TOPOGRAPHIC AND BOUNDARY SURVEY BY CREEKSIDE BOUNDARY, DATED 9/18/12.
3. ALL LOCATIONS ARE APPROXIMATE.



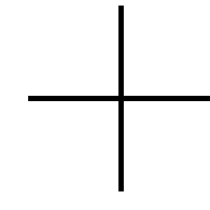
P: BL  
9/15/16  
SYNAPSE/WIP/HSGVIS 24-16/HSGVIS-2416-B02.DWG

**synapse**  
connect. advise. insure.  
SYNAPSE PROPERTY RESOURCES  
360 ERIE BLVD. EAST  
SYRACUSE, NEW YORK 13202

**HARBOR VIEW SQUARE**  
68 WEST FIRST STREET  
OSWEGO, NEW YORK

**AERIAL ADJACENT  
PROPERTY PLAN**

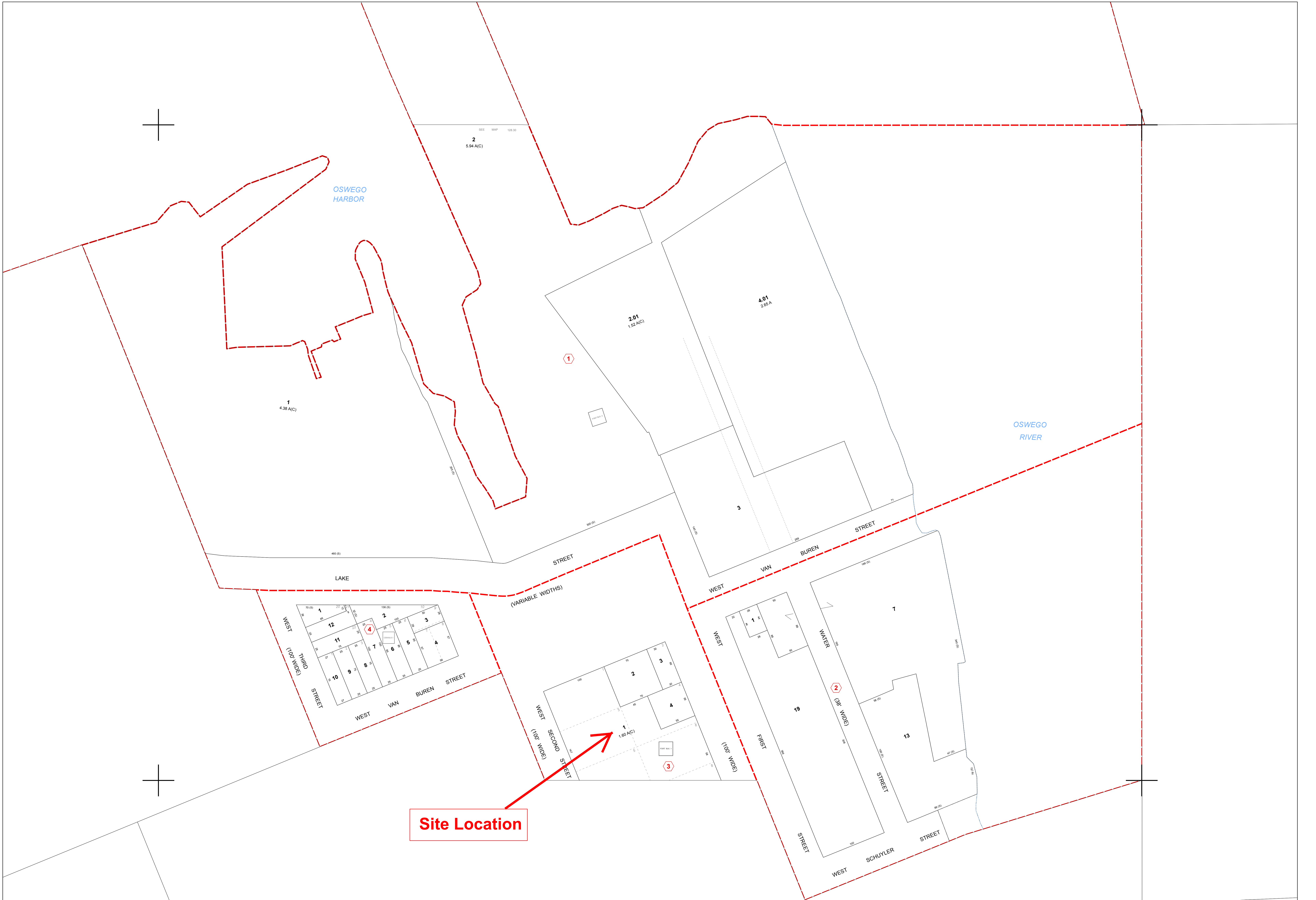
PROJECT NO.:  
HSGVIS-24-16-05  
DATE:  
SEPT. 2016  
FIGURE NO.:  
**F3**



OSWEGO HARBOR

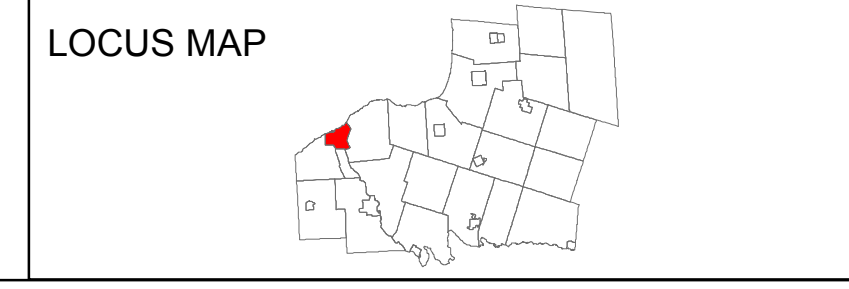
OSWEGO RIVER

Site Location



MAP PREPARED BY  
**OSWEGO COUNTY OFFICE  
OF REAL PROPERTY**  
OSWEGO, NEW YORK

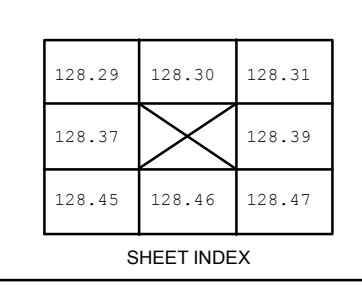
COORDINATES BASED ON  
NEW YORK STATE PLANE COORDINATE SYSTEM  
CENTRAL ZONE NAD 83  
scale: 1 inch = 50 feet  
1:500  
map updated on: Sep 24, 2015



**SPECIAL DISTRICTS**  
SCHOOL: 351200 CITY OF OSWEGO

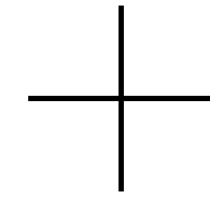
**LEGEND**  
PROPERTY LINE  
PUBLIC RIGHT OF WAY  
BLOCK LIMIT  
PRIVATE RIGHT OF WAY  
TOWN VILLAGE CITY  
SCHOOL DISTRICT LINE  
GREAT LOT LINE  
HYDROLOGY  
DENOTES COMMON OWNER

GREAT LOT NUMBER  
TAX MAP BLOCK NUMBER  
SUBDIVISION LOT NUMBER  
TAX MAP PARCEL NUMBER  
CALCULATED ACREAGE 7.50 A (C)  
DEED ACREAGE 7.50 A  
SCALED DIMENSION 22.5 (S)  
DEED DIMENSION 150



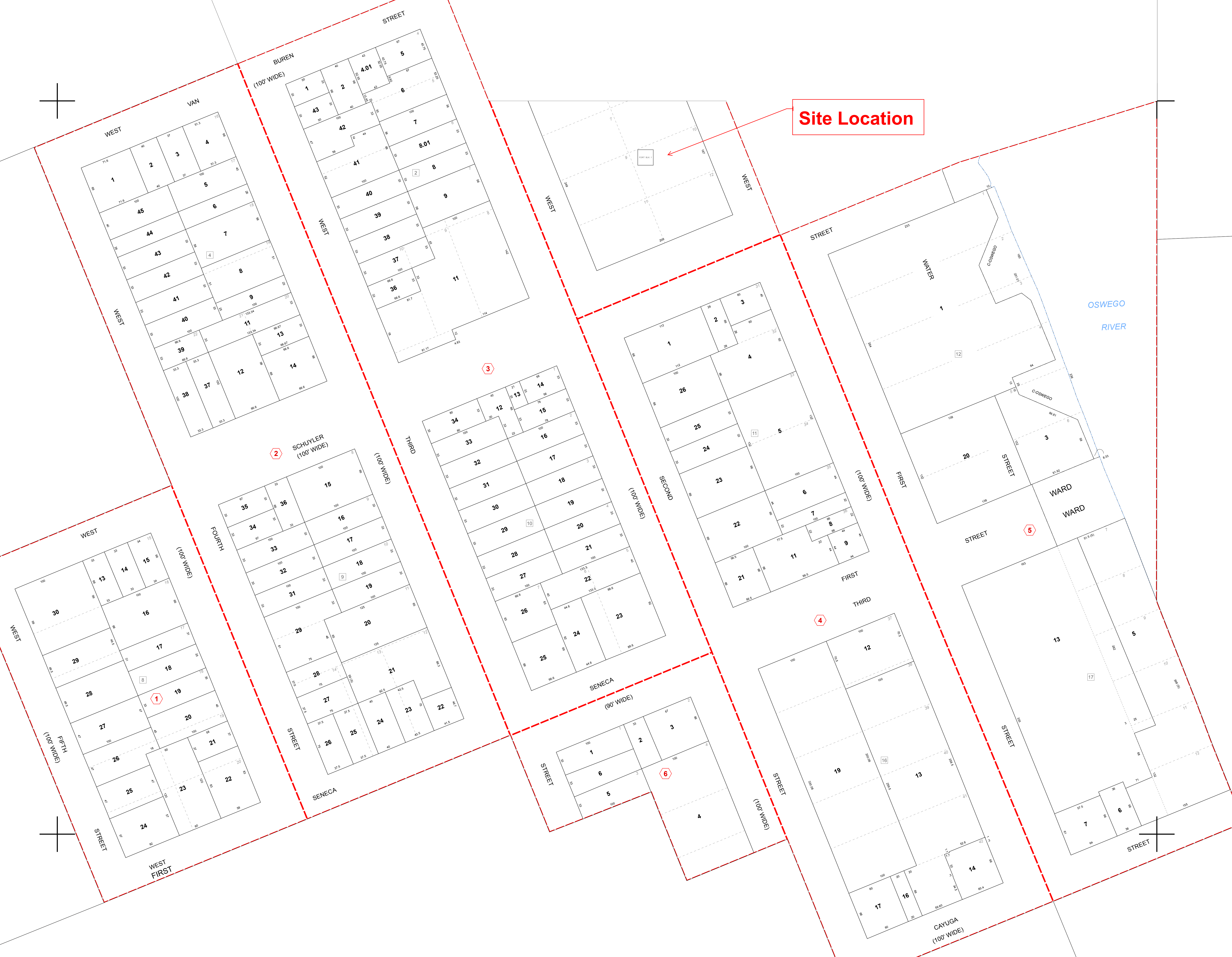
**TAX MAP 128.38**  
**OSWEGO COUNTY, NEW YORK**  
**CITY OF OSWEGO**  
FOR ASSESSMENT PURPOSES ONLY. THIS IS NOT A SURVEY.





Site Location

OSWEGO RIVER



2 SCHUYLER (100' WIDE)

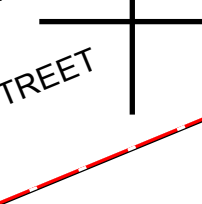
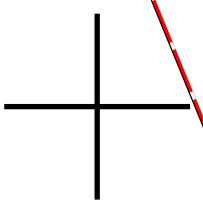
THIRD (100' WIDE)

SENECA (90' WIDE)

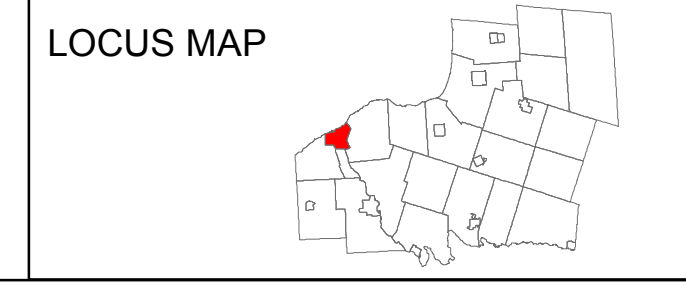
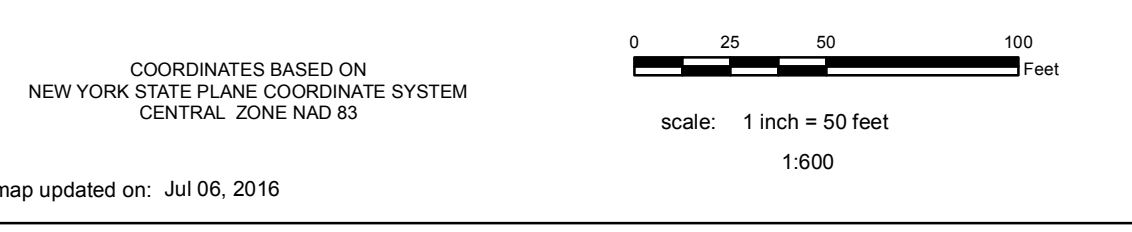
SECOND (100' WIDE)

FIRST (100' WIDE)

CAYUGA (100' WIDE)



MAP PREPARED BY  
OSWEGO COUNTY OFFICE  
OF REAL PROPERTY  
OSWEGO, NEW YORK



SPECIAL DISTRICTS	
SCHOOL DISTRICT LINE	---
GREAT LOT LINE	---
HYDROLOGY	---
DENOTES COMMON OWNER	---

LEGEND	
PROPERTY LINE	---
PUBLIC RIGHT OF WAY	---
BLOCK LIMIT	---
PRIVATE RIGHT OF WAY	---
TOWN VILLAGE CITY	---

GREAT LOT NUMBER	①	CALCULATED ACREAGE	7.50 A (C)
TAX MAP BLOCK NUMBER	②	DEED ACREAGE	7.50 A
SUBDIVISION LOT NUMBER	③	SCALED DIMENSION	22.5 (S)
TAX MAP PARCEL NUMBER	④	DEED DIMENSION	150

SHEET INDEX			
128.37	128.38	128.39	
128.45	128.46	128.47	
128.53	128.54	128.55	

TAX MAP 128.46  
OSWEGO COUNTY, NEW YORK  
CITY OF OSWEGO  
FOR ASSESSMENT PURPOSES ONLY. THIS IS NOT A SURVEY.

**ATTACHMENT G**  
**PROPERTY DESCRIPTION**

Harbor View Square  
Brownfield Cleanup Program Application

68 West First Street, Oswego, New York

## Harbor View Square Brownfield Cleanup Application

### Section IV. – Property Information

#### 10.) Property Description and Environmental Assessment

**Location:** The Harbor View Square site (including the former Flexo-Wire site) is located in an urban area of the City of Oswego, Oswego County. It covers approximately 2.438 acres and consists of the block bounded by West First Street to the east, West Second Street to the west, West Schuyler Street to the south and Lake Street to the north. The site is owned by the City of Oswego and is also referred to as the former Flexo Wire site.

**Site Features:** The northwestern portion of the site is covered by a one-story concrete slab-on-grade, steel-framed masonry building which covers approximately 20,900 square feet. There is also a one-story building that connects to, and extends east from, the northeastern corner of the main building. This smaller building covers approximately 780 square feet. To the west and south of the building, the site is paved. A grassy area extends north from the paved areas to Lake Street.

**Current Zoning and Land Use:** The site is currently utilized by the City of Oswego Department of Public Works (DPW), which operates a metal fabricating workshop, a woodworking shop and an automobile maintenance shop at the site. The DPW also utilizes the site for seasonal storage of equipment, trucks and supplies. The site is currently zoned for commercial use (B2 – Central Business); however, the proposed reuse of the site includes commercial space and apartments or condominiums, which would be a restricted residential use. The Oswego River is located approximately 390 feet to the east of the site, and flows north into Lake Ontario, which, at its nearest point, is located approximately 250 feet north of the site. The area to the west of the site is primarily residential. The area to the south contains a mixture of residential and commercial properties, and to the north there is a municipal parking area, a boat launch, a marina, a United States Coast Guard facility, and a marine museum located on property owned by the Oswego Port Authority. To the east and northeast are industrial properties, including a major oil storage facility, the City of Oswego West Side Excess Flow Management facility and a cement shipping terminal.

**Past Use of the Site:** The site has been used for industrial purposes since at least 1880. Past industrial operations at the site include a tinware manufacturing facility, lumberyards, a planning mill, Oswego Casket Company, Global Match Company, machine shops and a wire manufacturing facility, which was owned and/or operated by the Flexo Wire Company in 1960 and the Copperweld Steel Company, Flexo Wire Division in 1972. Prior uses that appear to have led to site contamination include solvent usage and disposal, reportedly associated with the wire drawing operations; coal storage, usage and coal ash disposal; and metal working operations, including machining and annealing.

**Site Geology and Hydrogeology:** Soil at the site consists of historic fill, which consists of a mixture of sand, silt, ash, wood, brick and other debris. Fill was present below the paving or concrete down to the top of bedrock. Bedrock was very shallow on the western side of the site (zero to two feet below the ground surface), and somewhat deeper on the east side of the site (four to

**Harbor View Square Brownfield Cleanup Application**  
**Section IV. – Property Information (Page 2 of 3)**

10 feet below the ground surface). It was encountered at depths ranging from directly below the building slab, to a depth of approximately ten feet in the northeast corner of the site. The ground surface and bedrock surface slope down to the east-northeast.

Groundwater was generally not encountered in the overburden. Groundwater flow is to the east/northeast towards the Oswego River in both the shallow bedrock groundwater and deeper bedrock groundwater. The shallow bedrock groundwater is located directly below the top of bedrock, up to fifteen feet below the bedrock surface, which is at a maximum of 18.5 feet below the ground surface. The deeper bedrock groundwater was monitored from approximately 30 to 35 feet below the ground surface.

Environmental Assessment: A Remedial Investigation (RI), Alternatives Analysis and Record of Decision have been conducted for the site. This work was done under the NYSDEC Environmental Restoration Program as site number E738040. The purpose of the RI was to define the nature and extent of any contamination resulting from previous activities at the site. The primary contaminants of concern (COCs) for the site include several chlorinated volatile organic compounds (VOCs); specifically tetrachloroethene (PCE) and trichloroethene (TCE) and their degradation products, which include 1,1-dichloroethene (1,1-DCE), cis-1,2-dichloroethene (cis-1,2-DCE), trans-1,2-dichloroethene (trans-1,2-DCE), and vinyl chloride (VC). Other COCs include several metals, including lead, mercury and others, as well as polycyclic organic hydrocarbons (PAHs).

Soil – PAHs and metals are present in soil across the site at concentrations greater than soil cleanup objectives (SCOs) for the protection of public health for restricted residential use. In general, the levels were only slightly greater than SCOs; however, a few isolated locations contained higher levels. Lead was detected in one location at 38,800 parts per million (ppm), compared to its restricted residential SCO for the protection of public health of 400 ppm; however, samples collected near this location had much lower levels of lead (maximum of 319 ppm), and the next highest lead concentration detected was 875 ppm. Mercury was detected at a maximum concentration of 52 ppm in one location, compared to its restricted residential SCO for the protection of public health of 0.81 ppm. Samples collected near this location had much lower levels of mercury, and the next highest level of mercury detected during the investigation was 4.5 ppm. Benzo(a)pyrene (a PAH) was detected at a maximum concentration of 4.9 ppm, compared to its restricted residential SCO of 1 ppm, and it exceeded 1 ppm in 7 out of 23 samples collected.

PCE, TCE and their degradation products in general were detected in soil at relatively low concentrations, but in some instances at concentrations which exceed the SCOs for the protection of groundwater. The highest concentrations of VOCs were detected in samples collected to the east of the southern half of the on-site building, which is also east of the utility lines connecting the former sump and the former 15,000-gallon underground storage tank. Of the VOCs, TCE was present at the most significant concentrations; up to 1 ppm, compared to its

**Harbor View Square Brownfield Cleanup Application**  
**Section IV. – Property Information (Page 3 of 3)**

SCO for the protection of groundwater of 0.47 ppm. cis-1,2-DCE was detected at concentrations up to 0.49 ppm, compared to its SCO for the protection of groundwater of 0.25 ppm. Other degradation products were detected at lower concentrations or not at all in soil. PCE was detected less frequently than TCE, at a maximum concentration of 0.022 ppm, compared to its SCO for the protection of groundwater of 1.3 ppm.

Groundwater – The groundwater results were compared to the Standard Criteria or Guidance (SCG) for groundwater – Ambient Water Quality Standards and Guidance Values (TOGs 1.1.1), 6 NYCRR Part 703, Surface and Groundwater Quality Standards. TCE was detected in groundwater at concentrations that ranged from 4.6 to 280 parts per billion (ppb). The detected TCE concentrations exceeded the SCG for groundwater of 5 ppb in 11 of 12 samples. Additionally, the degradation products also detected were: cis-1,2-DCE in nine of 12 samples at concentrations ranging from non-detect to 1,100 ppb (SCG = 5ppb); trans-1,2-DCE in three of 12 samples in concentrations ranging from non-detect to 26 ppb (SCG = 5 ppb); 1,1-DCE in one sample at a concentration of 8 ppb (SCG = 5 ppb) and vinyl chloride in 3 of 12 samples at concentrations ranging from non-detect to 67 ppb (SCG = 2 ppb).

The highest concentrations of TCE detected on-site were in samples collected from monitoring wells east of the southern sump. This suggests the primary source of groundwater contamination is located in or near the southern portion of the building, most likely the southern sump, and the groundwater contamination extends east from that area.

TCE and cis-1,2-DCE were present the most often and at the highest concentrations (9.4 to 240 ug/L and 7.6 to 1,100 ug/L, respectively). When the other degradation products were detected, they were present at lower concentrations. Total VOC contamination was higher in the deep bedrock well, when compared to the adjacent shallow bedrock well.

Soil Vapor – PCE, TCE and their degradation products were detected at elevated concentrations in soil vapor and sub-slab vapor. TCE and PCE were detected in soil vapor and sub-slab vapor samples at concentrations up to 34,000 micrograms per cubic meter (ug/m<sup>3</sup>) and 590 ug/m<sup>3</sup>, respectively. Indoor air samples were not collected during the investigation, because the building is currently planned to be demolished.

**ATTACHMENT H**  
**OPERATOR AND FORMER OWNER/REQUESTOR RELATIONSHIP SUMMARY**

Harbor View Square  
Brownfield Cleanup Program Application

68 West First Street, Oswego, New York

**Harbor View Square Brownfield Cleanup Application**  
**Revised Attachment H**  
**Section VI. – Operator and Former Owner/Requestor Relationship**

**Operator/Requestor Relationship** – The relationship of the requestor (Harbor View Square, LLC) to the current owner (City of Oswego) is that the requestor was selected through a public Request For Proposal process as the preferred developer by the owner.

**Previous Owners** – The requestor has no relationship with previous owners of the property. The requestor will ultimately be acquiring the property and is aware that the City of Oswego received funds from NYSDEC through the Environmental Restoration Program (Site # E738040) to perform a Remedial Investigation and Alternatives Analysis. NYSDEC issued a Record of Decision for the remediation of the property. The requestor is aware that NYSDEC has identified and is pursuing Potential Responsible Parties associated with the impacts existing with the property. A partial list of previous owners is provided below:

<b>Entitiy</b>	<b>Previous Owner</b>	<b>Previous Operator</b>	<b>Address</b>	<b>Phone Number</b>	<b>Relationship to Requestor</b>
Port of Oswego Authority	<b>X</b>	<b>X</b>	1 E 2 <sup>nd</sup> Street Oswego 13126	315-343-4503	None
Thomas F. Patton and Ralph S. Tyler, Jr., Trustees of the Erie Lackawanna Railway Company (no longer a viable entity)	<b>X</b>	<b>X</b>	Not Known	Not Known	None
Copperweld Steel Company – Flexo Wire Division (no longer a viable entity)	<b>X</b>	<b>X</b>	70 West 1 <sup>st</sup> Street Oswego 13126	315-343-0524	None
Flexo Wire Company, Inc (no longer a viable entity)	<b>X</b>	<b>X</b>	70 West 1 <sup>st</sup> Street Oswego 13126	Not Known	None
International Nutyp Tool Company (no longer a viable entity)	<b>X</b>	<b>X</b>	70 West 1 <sup>st</sup> Street Oswego 13126	Not Known	None

**ATTACHMENT I  
ACCESS AGREEMENT**

Harbor View Square  
Brownfield Cleanup Program Application

68 West First Street, Oswego, New York





WILLIAM J. BARLOW, JR. MAYOR

13 WEST ONEIDA STREET  
OSWEGO, NY 13126  
PHONE: (315) 342-8136  
FAX: (315) 342-8238  
WWW.OSWEGONY.ORG

August 15, 2016

Re: Harbor View Square BCP Application  
58, 60 and 68 West First Street  
22 West Van Buren Street  
Unnamed portion of West Van Buren Street

To Whom It May Concern:

This letter is supplied in conjunction with the application of Harbor View Square, LLC to the New York State Brownfield Cleanup Program (the "Program") administered by Department of Environmental Conservation ("DEC"). Specifically, the City of Oswego asserts, acknowledges and confirms the following:

- The City of Oswego owns real property the above referenced properties at 58, 60 and 68 West First Street, 22 West Van Buren Street, and the referenced unnamed portion of West Van Buren Street, all of which are in City of Oswego, New York;
- The City has good reason to believe the property will meet the standards required for inclusion in the Program, and we authorize Harbor View Square, LLC, and its agents, attorneys, consultants and other representatives to apply for and otherwise pursue participation in the Program;
- Harbor View Square, LLC, and its agents, attorneys, consultants and other representatives, by way of that Agreement, and by way of other reasonable notice and accommodation, are granted access to the subject property for purposes that include investigation, remediation, survey and related matters in the course of environmental and other general Due Diligence, as well as for purposes related to participation in the Program.
- The City of Oswego will work with Harbor View Square, LLC to file in the county land records an Environmental Easement as provided for in the remedial decision document.

If there are any questions or needs regarding the Program application, our subject property, the aforementioned authorization and access or other matters, then Harbor View Square, LLC and/or its attorneys, agents, consultants and other representatives are welcome to convey those questions or needs, as expressed by DEC. Alternatively, the City of Oswego can be contacted using the information supplied in the Application. Thank you for your consideration.

Sincerely,

William J. Barlow, Jr.  
Mayor, City of Oswego, NY

**ATTACHMENT J**  
**CONTACT LIST INFORMATION/REPOSITORY CONFIRMATION**

Harbor View Square  
Brownfield Cleanup Program Application

68 West First Street, Oswego, New York

**Harbor View Square Brownfield Cleanup Application  
Section IX. Repository**

Oswego Public Library  
120 East Second Street  
Oswego, NY 13126

Attn: Edward Elsner  
Phone: 315-341-5867

Hours:

Mon-Thurs – 10:00 AM – 8:00 PM

Friday – 10:00 AM – 5:00 PM

Sat & Sun – 12:00 PM – 5:00 PM

<http://www.oswegopubliclibrary.org/>

NYSDEC Region 7  
615 Erie Blvd West  
Syracuse, NY 13204

Attn: Joshua Cook

[joshua.cook@dec.ny.gov](mailto:joshua.cook@dec.ny.gov)

315-426-7411

Call or email for appointment

**Harbor View Square Brownfield Cleanup Application**  
**Section IX. Contact List Information**

**Oswego County**

Philip R. Church, County Administrator  
Oswego County  
46 East Bridge Street  
Oswego, NY 13126

David Turner, Director  
Oswego County Dept of Community  
Development, Tourism & Planning  
[dturner@oswegocounty.com](mailto:dturner@oswegocounty.com)

Donna Scanlon, Director of Community  
Development Programs  
Oswego County Dept. of Community  
Development, Tourism & Planning  
[donna@oswegocounty.com](mailto:donna@oswegocounty.com)  
46 East Bridge Street  
Oswego, NY 13216

William MacDonald, Chairperson  
Oswego County Planning Board  
94 Fifth Ave  
Oswego, NY 13126

**City of Oswego**

William Barlow, Jr., Mayor  
City of Oswego  
[mayor@oswegony.org](mailto:mayor@oswegony.org)  
13 West Oneida Street  
Oswego, NY 13126

Amy Birdsall, Director  
City of Oswego Planning & Zoning  
[abirdsall@oswegony.org](mailto:abirdsall@oswegony.org)  
13 West Oneida Street  
Oswego, NY 13126

Justin Rudgick, Director  
City of Oswego Community Development  
[jrudgick@oswegony.org](mailto:jrudgick@oswegony.org)

13 West Oneida Street  
Oswego, NY 13126  
Tom Kells, Commissioner  
City of Oswego Public Works  
[tkells@oswegony.org](mailto:tkells@oswegony.org)

Gary Hallinan, Superintendent  
City of Oswego Wastewater Treatment  
Plant  
[ghallina@oswegony.org](mailto:ghallina@oswegony.org)  
2 First Ave  
Oswego, NY 13126

Robert Johnson, Engineering Technician  
City of Oswego Engineering Office  
[rjohnson@oswegony.org](mailto:rjohnson@oswegony.org)  
13 West Oneida Street  
Oswego, NY 13126

Shawn Walker, Council President  
Oswego Common Council  
[swalker@twcny.rr.com](mailto:swalker@twcny.rr.com)  
13 West Oneida Street  
Oswego, NY 13126

**Harbor View Square Brownfield Cleanup Application  
Section IX. Contact List Information (Page 2 of 3)**

**Neighboring Properties**

William Dexter  
Oswego Railroad Museum  
56 W First Street  
Oswego, NY 13126  
[santaferail@vzw.blackberry.net](mailto:santaferail@vzw.blackberry.net)

Head Start  
45 E Schuyler Street  
Oswego, NY 13126

Oswego Port Authority  
1 E Second Street  
Oswego, NY 13126

Sprague Energy Corp  
2 International Drive, Ste 200  
Portsmouth, NH 03801  
or  
1 W Van Buren Street  
Oswego, NY 13126

LaFarge Corp  
8700 W Bryn Mawr Avenue, Ste 300  
Chicago, IL 60631

LaFarge Corp  
1 W Van Buren Street  
Oswego, NY 13126

Oswego Waterfront Development, LLC  
70 E First Street  
Oswego, NY 13126

Harborside Interiors, LLC  
51 W Third Street  
Oswego, NY 13126

David Thompson  
Jeffrey O'Connor  
8 W Second Street  
Oswego, NY 13126

Oswego Mechanical I, LLC  
45 W Second Street  
Oswego, NY 13126

Tesoriero Rev Living Trust, Thomas N  
286 E Second Street  
Oswego, NY 13126

Matthew Brancato  
286 E Second Street  
Oswego, NY 13126

Suzanne Naylor  
554 Baldwin Road  
Fulton, NY 13069

JC Rentals, LLC  
266 E Eleventh Street  
Oswego, NY 13126

Joseph and Valerie Hutchinson  
129 E Seventh Street  
Oswego, NY 13126

Michael Batchelor  
48 W Second Street  
Oswego, NY 13126

Helen Coyer  
74 W First Street  
Oswego, NY 13126

United States of America  
1 Lake Street  
Oswego, NY 13126

**Harbor View Square Brownfield Cleanup Application  
Section IX. Contact List Information (Page 3 of 3)**

**News Media**

**Newspaper**

Fulton Patriot  
PO Box 299  
Fulton, NY 13069

Oswego Daily News  
Published online  
<http://oswegodailynews.com/>  
Contact through website

**Radio**

[WRVO](#) - National Public Radio  
Lanigan Hall  
SUNY Oswego  
Oswego, NY 13126

**Television**

TCI Cable  
PO Box 313  
Central Square, NY 13036

Time Warner Cable / News 10  
Oswego Office:  
335 West First Street  
Oswego, NY 13126  
News Reporter: Sarah Sevier

**Public Water Supplier**

Brian Folgherait, Plant Manager  
City of Oswego Water Department  
[bfolgherait@oswegony.org](mailto:bfolgherait@oswegony.org)  
30 Sheldon Ave  
Oswego, NY 13126

**Harbor View Square Brownfield Cleanup Application  
Section IX. Repository – Confirmation Email**

Thank you.

The Oswego Public Library is happy to serve as repository for the Brownfield Cleanup Program for 68 W 1st St

Edward Elsner, Librarian  
Oswego Public Library  
120 E 2nd St  
Oswego, NY 13126

-----Original Message-----

From: "Matt Hoskins" <[mhoskins@synapsellc.com](mailto:mhoskins@synapsellc.com)>

Sent: Tuesday, August 9, 2016 2:17pm

To: "[oswegopl@northnet.org](mailto:oswegopl@northnet.org)" <[oswegopl@northnet.org](mailto:oswegopl@northnet.org)>

Cc: "Brian Macrae" <[BMacrae@synapsellc.com](mailto:BMacrae@synapsellc.com)>

Subject: Oswego Public Library - 68 West First Street, Oswego Brownfield Cleanup Program Repository

Edward,

To follow up on our conversation, we are looking for the Oswego Public Library to serve as the repository for the Brownfield Cleanup Program for 68 West First Street.

If you could, please respond acknowledging and agreeing that the Oswego Public Library will act as the repository.

Thank you for your assistance,

Matthew Hoskins, P.G.

Director

[\[cid:image001.png@01D08D99.E5D50500\]](cid:image001.png@01D08D99.E5D50500)

Synapse Property Resources

360 Erie Blvd. East

Syracuse, NY 13202

Phone: 315-475-3700 ext. 127

Direct: 315-203-2134

Mobile: 315-454-7539

Fax: 315-475-3780

[mhoskins@synapsellc.com](mailto:mhoskins@synapsellc.com)<<mailto:mhoskins@synapsellc.com>>

Check us out on the web [www.synapsellc.com](http://www.synapsellc.com/)<<http://www.synapsellc.com/>>

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone such information.

**ATTACHMENT K  
CURRENT USE SUMMARY**

Harbor View Square  
Brownfield Cleanup Program Application

68 West First Street, Oswego, New York



## **Harbor View Square Brownfield Cleanup Application**

### **Section X. Land Use Factors**

The site is currently utilized by the City of Oswego Department of Public Works (DPW), which operates a metal fabricating workshop, a woodworking shop and an automobile maintenance shop at the site. The DPW also utilizes the site for seasonal storage of equipment, trucks and supplies. The Oswego Railroad Museum operates a small section of the existing building for model trains.

**ATTACHMENT L**  
**CITY OF OSWEGO 2020 VISION PLAN UPDATE: CHAPTER 3**

Harbor View Square  
Brownfield Cleanup Program Application

68 West First Street, Oswego, New York

## Chapter 3: Vision, Policy and Objectives

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# Chapter 3: Vision, Policy and Objectives

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## Vision Statement

“It is the vision of the City of Oswego to be a great place to grow up, raise a family, pursue a career, and retire comfortably. It will be a place known for its:

- Safe & attractive neighborhoods
- Scenic natural resources & sustainable development practices
- Diverse leisure & cultural assets
- Positive community attitude & leadership
- Strong local economy & tourism industry
- Quality community resources & educational system
- Vital downtown area
- Cooperative spirit

The city will strive to achieve this vision through effective leadership, by empowering its citizens, capitalizing on its assets, and ensuring future investments are designed in a manner that minimize the City’s environmental footprint and leave a rich heritage for generations to enjoy.”

## Overview

Based on feedback received from the New Visions Initiative, described in Chapter 2, several policy areas were identified for the City. The policy statements and objectives for each policy area relate to the vision for the City of Oswego. Each of the eight policy areas are outlined throughout the remainder of this chapter.

*The Vision for the City of Oswego was developed based on feedback generated by the steering committee, stakeholders and public.*

*Community members expressed similar goals including the need to strengthen city-wide and regional partnerships, strengthen residential neighborhoods, and capitalize on the tourism potential of the City’s heritage and natural resources.*

*Feedback obtained from the public was used to formulate the policy and objectives for the City of Oswego.*

# Chapter 3: Vision, Policy and Objectives

---

## 1. Community Attitude & Leadership

### Policy:

It is the policy of the City of Oswego to create a positive atmosphere in which communication, leadership and collective action are supported as residents and civic leaders work together to address the community's common goals. The city as a whole will celebrate community life and encourage residents and civic leaders to respect one another, collaborate, share their ideas and work together to make our community the best small city on the great lakes.

### Objectives:

1. Publicize the Vision and Mission statements and the direction proposed in the City of Oswego 2020 Vision Comprehensive Plan.
2. Continue to foster a more positive relationship between SUNY Oswego, its students and the City.
3. Capitalize on all leadership opportunities within the community (i.e., faith community, business leaders, etc.).
4. Encourage constructive communication among residents, government, merchants and civic leaders.
5. Continually recruit new volunteers and develop new leaders in the community.



*City Hall — Oswego, NY.*



# Chapter 3: *Vision, Policy and Objectives*

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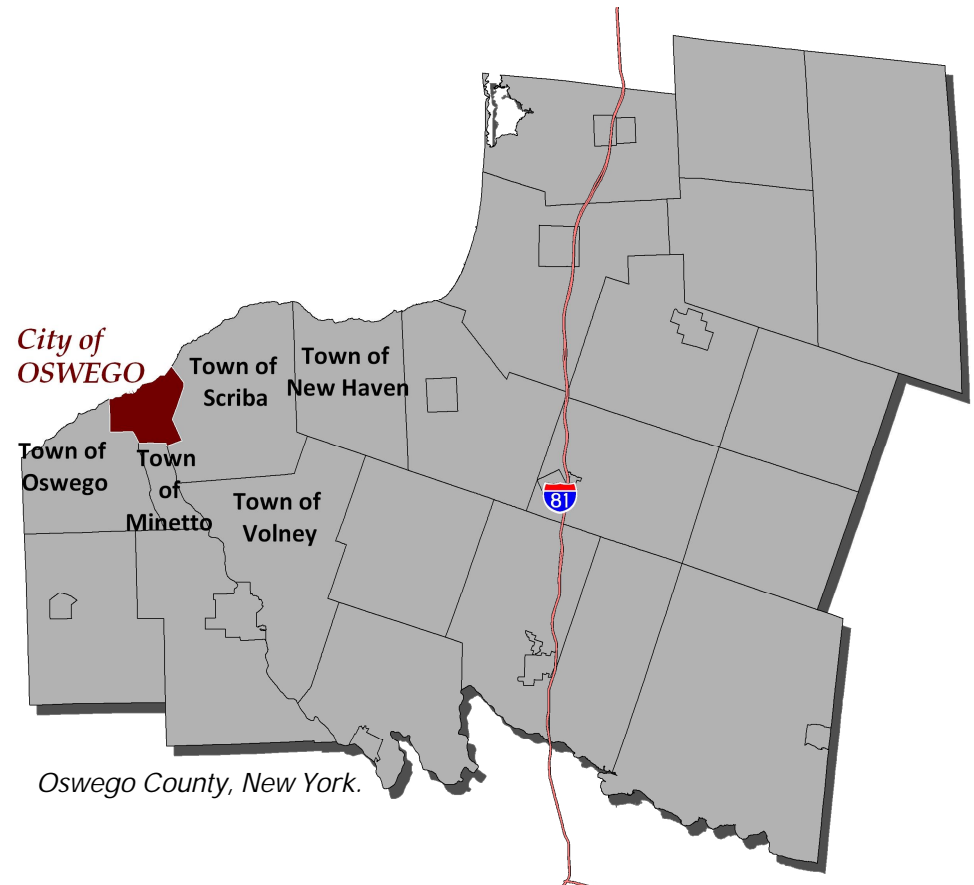
## 2. Regional Partnerships

### Policy:

It is the policy of the City of Oswego to seek out opportunities for inter-municipal relationships that will strengthen the regional economy, protect sensitive environmental resources and preserve features that are essential to local character. The city recognizes that its future well-being is directly tied to its ability to work with surrounding communities. The City of Oswego also understands the importance of establishing connections with Canadian cities along Lake Ontario.

### Objectives:

1. Increase cooperation and collaboration with the County in an effort to provide more comprehensive services and minimize duplication of services (i.e., tourism, commerce).
2. Strengthen relationships with surrounding municipalities and government agencies in an effort to pursue common goals (i.e. economic development).
3. Increase awareness of regional heritage and cultural resources (i.e., underground railroad, waterways and transportation corridor development).
4. Capitalize on the expansion and improvements being made in neighboring towns and cities.
5. Work with regional partners in adjacent towns and cities to develop a strategic plan for economic development, tourism promotion and environmental conservation.



# Chapter 3: Vision, Policy and Objectives

## 3. Community Resources & Education

### Policy:

It is the policy of the City of Oswego to have community resources and educational institutions that meet the needs of residents and support local businesses. The city enjoys the health and safety benefits provided through various municipal services (police, fire and snow removal, etc.). A strong emphasis on education continues as relationships with Oswego City School District and SUNY Oswego are strengthened. The community's well-being is addressed by various non-profit social service agencies, health care providers, adult and youth organizations, the park system, historical and cultural organizations located in the city. The collective efforts of these groups and services are essential to the health, success and well-being of the community and its residents.

### Objectives:

1. Strengthen relations with SUNY Oswego and the Oswego City School District.
2. Continue and improve delivery of services necessary to ensure residents' health, safety and welfare (i.e. utilities, education, etc.) .
3. Maintain or increase the amount of park and open space accessible to residents and visitors.
4. Establish a system for sharing information about available services in Oswego, with emphasis on targeting new residents.
5. Expand health care resources, especially in women's health and specialized fields.
6. Create additional conference, performance and exhibit space in the downtown area to showcase local, regional and national artists.



*Armory Building — Oswego, NY.*



# Chapter 3: Vision, Policy and Objectives

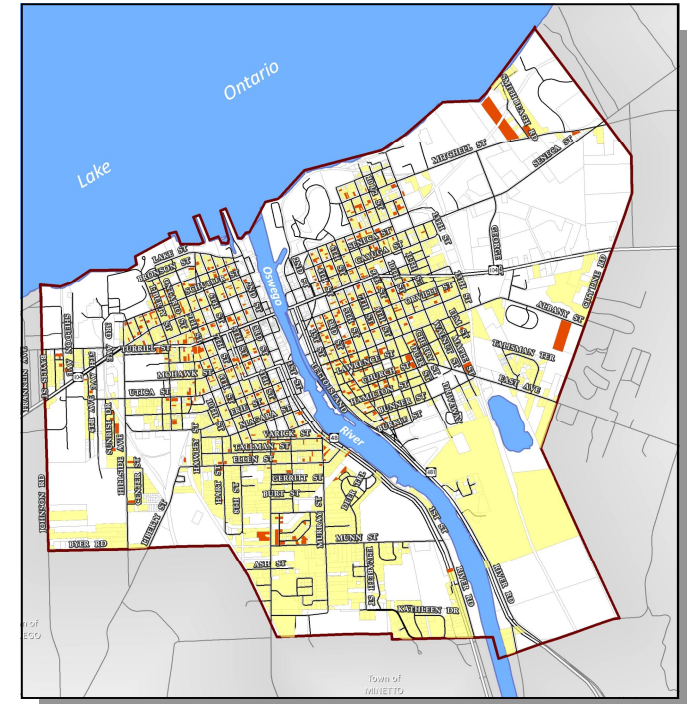
## 4. Neighborhoods

### Policy:

It is the policy of the City of Oswego to have neighborhoods that are a source of community pride and healthy lifestyles. The existing neighborhoods within the city accommodate a variety of lifestyles, while enhancing the daily lives of residents and visitors by providing safe and convenient access to downtown, local parks, the waterfront, and other various community resources. The preservation of the historic character, aesthetic appeal and traditional style of existing neighborhoods should continue to be a priority of the community.

### Objectives:

1. Improve appearance and aesthetic appeal of housing stock and neighborhoods.
2. Preserve and promote the significant architectural heritage of residential, retail and commercial spaces throughout the city.
3. Expand current range (i.e. size, cost, type, density) of housing options while working to improve the overall property values in the area.
4. Preserve existing trees and tree lawns, and encourage the planting of additional trees where appropriate.
5. Ensure safety of pedestrians and motorists along neighborhood streets by enforcing traffic laws.
6. Improve zoning and code enforcement to ensure consistent standards are being set and followed.
7. Increase residential living opportunities downtown.
8. Ensure that utilities and maintenance services do not detract from neighborhoods.
9. Explore alternative parking strategies.
10. Ensure that recreation opportunities exist within or in close proximity of each neighborhood.



*Dispersion of residential neighborhoods in the City of Oswego.*



## Chapter 3: Vision, Policy and Objectives

### 5. Leisure & Culture

#### Policy:

It is the policy of the City of Oswego to provide and promote its wide variety of leisure and cultural opportunities to the community and beyond. Lake Ontario and the Canal present significant opportunities for waterfront and water-related activities and events. In addition, Oswego enjoys several historical attractions, such as Fort Ontario, Safe Haven Museum, the Oswego Civic Arts Center and the Marine Museum, which draw regional and national attention. Oswego will continue to support its existing cultural assets and leisure activities as well as provide new opportunities for residents and visitors.

#### Objectives:

1. Expand recreational activities related to Lake Ontario including the public access to the Lake and expanded boating and fishing facilities.
2. Promote the city's unique heritage in the events and attractions conducted throughout the year.
3. Expand recreational opportunities and facilities to meet the needs of residents in every age group.
4. Increase collaboration with SUNY Oswego and the Oswego School District to provide a wide variety of arts and cultural choices to residents and visitors.
5. Improve the coordination of cultural activities and communication among all sponsoring parties.
6. Complete trail system connecting significant cultural/historical landmarks.
7. Place cultural uses in the downtown area.



*Breitbeck Park — Oswego, NY.*



# Chapter 3: Vision, Policy and Objectives

## 6. Local Commerce and Tourism

### Policy:

It is the policy of the City of Oswego to be a community that attracts and maintains diverse, successful businesses and offers a creative environment that is supportive of innovation. The City continues to collaborate with educational institutions, local businesses and manufacturers to jumpstart innovation through research and development. These initiatives seek to develop well-paying jobs; offer meaningful career opportunities; and provide long term economic stability to the community. The City's International Port, shipping, electrical generating facilities, health care network, and SUNY Oswego are some examples of the major employers that require our continued support. In order to retain our young people, the City recognizes the need to provide a wide variety of industries, retail and service opportunities that will be a source for long-term careers. In addition, the City will promote itself as a center for technology and tourism by marketing its quality of life to communities throughout the region and abroad, as well as to its own residents.

### Objectives:

1. Improve sustainable transportation access especially related to rail, cycling and waterways.
2. Reduce energy costs and support alternative energy production.
3. Capitalize on the tourism potential of the City's heritage and natural resources.
4. Improve branding and consistent signage throughout the City to encourage tourism and improve quality of life.
5. Ensure that the City of Oswego is easily accessible to all people.
6. Increase utilization of Port facilities.
7. Expand the Micro enterprise and Oswego Network of Entrepreneurs and promote "Buy Local" campaigns.
8. Expand the tax base through nurturing new business and housing development and expanding job opportunities within the City of Oswego.
9. Improve visibility of tourist events and conferences through networking.



*City of Oswego Lighthouse.*



*Interpretive signage at Oswego River Walk West.*

# Chapter 3: Vision, Policy and Objectives

## 7. Main Street/Downtown

### Policy:

It is the policy of the City of Oswego to have a vibrant, visually appealing Main Street / downtown area which offers residents and visitors a variety of services, shopping opportunities, cultural attractions, job opportunities and unique housing options. The city recognizes that downtown's success requires safe, easy access for both pedestrians and motorists. In addition, the diversity and appeal of the products and services offered by downtown merchants, as well as the purchasing power of the community, will directly impact the area's vitality.

### Objectives:

1. Develop a more pedestrian friendly Main Street and downtown area.
2. Improve the appearance of the Main Street / downtown area;
3. Preserve and promote the historical buildings and character.
4. Ensure adequate parking is available to support the uses in the downtown area.
5. Increase the number and diversity of businesses along Main Street; establish "niche" retail opportunities unavailable elsewhere in Oswego.
6. Promote and market the downtown area to city residents and SUNY students, as well as to the region, state and nation.
7. Identify zoning changes that will improve the appearance, usage and maintenance of downtown buildings.
8. Increase the availability and visibility of resources to assist Downtown visitors (i.e., signage, visitor guides, kiosks, etc.).



*West First Street in downtown Oswego.*



# Chapter 3: *Vision, Policy and Objectives*

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## 8. Natural Resources & Sustainability

### Policy:

It is the policy of the City of Oswego to be a community that preserves and enhances the quality of its natural resources (i.e. air, land, and water) through the combined efforts of its residents, businesses and government. Sustainable development practices, proper zoning guidelines, and community stewardship should be employed to reduce or eliminate the degradation of these resources. In particular, special attention should be given to the waterfront areas (lake and river) due to their environmental, aesthetic and recreational value. The city will protect its natural resources so that future generations can enjoy a similar or improved quality of life and standard of living.

### Objectives:

1. Pursue green technologies and energy conservation techniques to minimize the community's environmental footprint.
2. Ensure that future development activities protect and sustain our environment and address coastal erosion.
3. Develop interpretive and educational trails to promote environmental awareness and develop tourist attractions on Oswego County lands.
4. Protect and promote the City's natural resources.
5. Employ safety measures related to nuclear plant operation and storage.
6. Identify, remediate and redevelop brownfield and underutilized properties to expand the tax base and to promote job creation and housing development.



*The Oswego River.*

**ATTACHMENT M  
VOLUNTEER STATUS STATEMENT**

Harbor View Square  
Brownfield Cleanup Program Application

68 West First Street, Oswego, New York

## **Harbor View Square Brownfield Cleanup Application**

### **Section VII. Volunteer Status Statement**

As per Title 6 of the New York Codes, Rules and Regulations, Part 375-3.2(c)(2) Brownfield Cleanup Program. Definitions “Volunteer means an applicant other than a participant, including without limitation a person whose liability arises solely as a result of such person’s ownership or operation of or involvement with the site subsequent to the disposal or discharge. . . .” Neither Harbor View Square, LLC nor its members (or any other affiliates of Housing Visions Inc.) have ever owned or operated the Site or had any previous connection to the Site. Harbor View Square, LLC is a prospective purchaser of the site (which is currently owned by the City of Oswego, New York), and its only involvement with the Site will be subsequent to the disposal documented at the Site, making Harbor View Square, LLC a volunteer for the BCP.