

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director

625 Broadway, 12th Floor, Albany, NY 12233-7011

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

www.dec.ny.gov

APR 17 2020

County of Erie, c/o Commissioner of Environment & Planning  
Mr. Thomas Hersey, Commissioner  
95 Franklin Street  
Buffalo, NY 14202

Buffalo and Erie County Industrial Land Development Corporation  
Mr. John Cappellino  
95 Perry Street  
Buffalo, NY 14203

Tecumseh Redevelopment Inc.  
Mr. Keith A. Nagel  
4020 Kinross Lakes Parkway  
Richfield, OH 44286

Re: Certificate of Completion  
Bethlehem Shoreline Trail  
Lackawanna (c), Erie County,  
Site No. C915197L

Dear Commissioner Hersey and Messrs. Cappellino and Nagel:

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

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

- If you are the site owner, you must record the Notice of Certificate of Completion in the recording office for the county (or counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record the Notice within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the Notice is recorded within the time frame specified. A standard Notice of Certificate of Completion form is attached to this letter.



Department of  
Environmental  
Conservation



- Provide electronic copies of the recorded Notice and proof of recording to the Department's project manager. Please return the hard copy of the proof of recording to:

Leonard Zinoman, Site Control Section  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway  
Albany, NY 12233

- Provide the Notice of Certificate of Completion to the Document Repositories within 10 days of issuance of the COC. The Department will develop a fact sheet announcing the issuance of the COC and describing the institutional and engineering controls (IC/ECs), if any, that are required at the site and distribute it to the County Listserv within 10 days;
- Implement the Department-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to the Department in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to the Department in September, 2021.

If you have any questions regarding any of these items, please contact Andrew Zwack at (716)851-7220 or [andrew.zwack@dec.ny.gov](mailto:andrew.zwack@dec.ny.gov).

Sincerely,



Michael J. Ryan, P.E.  
Director  
Division of Environmental Remediation

Enclosure

ec w/enclosure:

Thomas Hersey, County of Erie, [thomas.hersey@erie.gov](mailto:thomas.hersey@erie.gov)  
John Cappellino, Buffalo and Erie County Industrial Land Development Corporation, [jcappell@ecidany.com](mailto:jcappell@ecidany.com)  
Keith Nagel – Tecumseh Redevelopment Inc., [keith.nagel@arcelormittal](mailto:keith.nagel@arcelormittal)  
C. Vooris, NYSDOH, [Christine.Vooris@health.ny.gov](mailto:Christine.Vooris@health.ny.gov)  
C. Bethoney, NYSDOH, [Charlotte.Bethoney@health.ny.gov](mailto:Charlotte.Bethoney@health.ny.gov)  
S. Bogardus, NYSDOH, [Sara.Bogardus@health.ny.gov](mailto:Sara.Bogardus@health.ny.gov)  
Matt Gokey, [matthew.gokey@tax.ny.gov](mailto:matthew.gokey@tax.ny.gov)

Paul Takac, [paul.takac@tax.ny.gov](mailto:paul.takac@tax.ny.gov)

ec w/o enc.:

A. Zwack, PM

M. Moore, PM

A. Caprio, RHWRE

S. Radon, RHWRG

M. Cruden, Bureau Director

K. Draves, Project Attorney

K. Lewandowski, Chief Site Control Section





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

**CERTIFICATE HOLDER(S):**

**Name**

Tecumseh Redevelopment Inc.  
County of Erie, c/o Commissioner of Environment  
& Planning  
Buffalo & Erie County Industrial Land Development  
Corporation

**Address**

4020 Kinross Lakes Parkway, Richfield, OH 44286  
95 Franklin Street, Room 1012, Buffalo, NY 14202  
95 Perry Street, Suite 403, Buffalo, NY 14203

**BROWNFIELD CLEANUP AGREEMENT:**

**Application Approval:** 3/9/18 **Agreement Execution:** 3/9/18

**Agreement Index No.:** C915197L-01-18

**Application Approval Amendment:** 2/13/19

**Agreement Execution Amendment:** 2/14/19

**Application Approval Amendment:** 2/13/19

**Agreement Execution Amendment:** 2/14/19

**Application Approval Amendment:** 4/2/20

**Agreement Execution Amendment:** 4/2/20

**SITE INFORMATION:**

**Site No.:** C915197L **Site Name:** Bethlehem Shoreline Trail

**Site Owner:** County of Erie, c/o Commissioner of Environment & Planning

**Street Address:** 2303 Hamburg Turnpike

**Municipality:** Lackawanna **County:** Erie **DEC Region:** 9

**Site Size:** 6.690 Acres

**Tax Map Identification Number(s):** 141.11-1-48.1 (portion of)

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

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

**CERTIFICATE ISSUANCE**

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

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

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

**Allowable Uses under the BCP:** Commercial and Industrial

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

**Tax Credit Provisions:**

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 25 %.



The Remedial Program includes use restrictions or reliance on the long term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Erie County as D11266 P5467 and D11266 P5446.

#### **LIABILITY LIMITATION**

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

#### **CERTIFICATE TRANSFERABILITY**

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

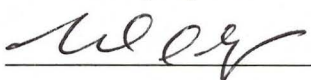
#### **CERTIFICATE MODIFICATION/REVOCATION**

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

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

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

Basil Seggos  
Commissioner  
New York State Department of Environmental Conservation

By:  Date: 4/17/20

Michael J. Ryan, P.E., Director  
Division of Environmental Remediation

**NOTICE OF CERTIFICATE OF COMPLETION**

**Brownfield Cleanup Program**

**6NYCRR Part375-1.9(d)**

**Site I-12 Bethlehem Shoreline Trail, Site ID No. C915197L**

**2303 Hamburg Turnpike, Lackawanna, NY 14218**

**Lackawanna (C), Erie County, Tax Map Identification Number(s) 141.11-1-48.1, portion of**

**PLEASE TAKE NOTICE**, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to Tecumseh Redevelopment Inc., Buffalo and Erie County Industrial Land Development Corporation and the County of Erie for a parcel approximately 6.69 acres located at 2303 Hamburg Turnpike in the City of Lackawanna, Erie County.

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

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

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

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

**PLEASE TAKE NOTICE**, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Erie County as BK/PG D11266/5446 and BK/PG D11266/5467.

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

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

**Site I-12 Bethlehem Shoreline Trail, Site #C915197L,  
2303 Hamburg Turnpike, Lackawanna, NY 14218**

forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

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

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

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

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

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

**PLEASE TAKE NOTICE**, a copy of the Certificate can be reviewed at the NYSDEC's Region 9 located at 270 Michigan Avenue, Buffalo, NY 14203, by contacting the Regional Environmental Remediation Engineer.

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

County of Erie

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

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

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

STATE OF NEW YORK        ) SS:  
COUNTY OF                )

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

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

**Please record and return to:**

County of Erie c/o Commissioner of Environment and Planning.  
95 Franklin Street, RM 1012  
Buffalo, NY 14202



# EXHIBIT A

## Environmental Easement Description

**LEGAL DESCRIPTION FOR BIKE PATH PARCEL**  
**LIBER 11318 OF DEED AT PAGE 6658**

**PARCEL A:** (AFFECTING PARCELS II-8, II-11, I-2, I-4, I-8 AND I-8)

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF LACKAWANNA, COUNTY OF ERIE, STATE OF NEW YORK BEING PART OF LOTS 24 AND 36, TOWNSHIP 10, RANGE 8 OF THE BUFFALO CREEK RESERVATION (SO-CALLED) AND PART OF LOTS 20, 21 AND 24 OF THE OGDEN GORE TRACT, BOUNDED AND DESCRIBED AS FOLLOWS

BEGINNING AT A POINT ON WESTERLY BOUNDARY OF THE HAMBURG TURNPIKE, NEW YORK STATE ROUTE 5 AT ITS INTERSECTION WITH THE SOUTHERLY LINE OF PARCEL II-8, ALSO KNOWN AS BCP SITE NO. C915198H AS SHOWN ON A MAP ENTITLED LANDS TO BE CONVEYED TO BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION, PREPARED BY WENDEL ENGINEERS, P.C., PROJECT NO. 411110 DATE MAY 3, 2017,

THENCE THROUGH THE LANDS OF TECUMSEH REDEVELOPMENT INC., THE FOLLOWING EIGHT (8) COURSES AND DISTANCES

- 1 S-70°-59'-33"-W (S-71°-00'-00"-W RECORD) ALONG THE CENTERLINE OF SAID EASEMENT AND THE SOUTH LINE OF SAID PARCEL II-8 A DISTANCE OF 49.87 FEET,
- 2 N-18°-27'-18"-W, A DISTANCE OF 331.83 FEET;
- 3 N-18°-25'-54"-W, A DISTANCE OF 1013.10 FEET;
- 4 N-20°-11'-07"-W, A DISTANCE OF 1036.08 FEET;
- 5 N-17°-56'-46"-W, A DISTANCE OF 1751.28 FEET;
- 6 N-18°-59'-27"-W, A DISTANCE OF 902.93 FEET,
- 7 N-16°-10'-22"-W, A DISTANCE OF 184.31 FEET TO THE NORTHERLY LINE OF PARCEL I-8, ALSO KNOWN AS BCP SITE NO. C915197H AS SHOWN ON A MAP ENTITLED LANDS TO BE CONVEYED TO BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION, PREPARED BY WENDEL ENGINEERS, P.C., PROJECT NO. 411110 DATE MAY 3, 2017,
- 8 N-70°-54'-43"-E, (N-71°-00'-00"-E RECORD) A DISTANCE OF 50.05 FEET TO A POINT ON THE FIRST MENTIONED WESTERLY BOUNDARY OF THE HAMBURG TURNPIKE, NEW YORK STATE ROUTE 5,

THENCE ALONG SAID WESTERLY BOUNDARY THE FOLLOWING TWENTY THREE (23) COURSES AND DISTANCES

- 1 S-16°-10'-14"-E, (S-16°-04'-57"-E RECORD) A DISTANCE OF 186.30 FEET,
- 2 S-18°-29'-09"-E, (S-18°-29'-00"-E RECORD) A DISTANCE OF 30.00 FEET;
- 3 S-18°-29'-08"-E, (S-18°-28'-38"-E RECORD) A DISTANCE OF 355.00 FEET;
- 4 S-71°-35'-12"-W, (S-71°-36'-20"-W RECORD) A DISTANCE OF 2.00 FEET,
- 5 S-18°-29'-08"-E, (S-18°-28'-44"-E RECORD) A DISTANCE OF 223.00 FEET,
- 6 S-22°-17'-59"-E, (S-22°-17'-43"-E RECORD) A DISTANCE OF 150.35 FEET,
- 7 S-18°-29'-08"-E, (S-18°-28'-39"-E RECORD) A DISTANCE OF 512.00 FEET;
- 8 S-16°-38'-20"-E, (S-16°-37'-53"-E RECORD) A DISTANCE OF 260.12 FEET,
- 9 S-18°-22'-45"-E, (S-18°-22'-18"-E RECORD) A DISTANCE OF 793.00 FEET;
- 10 S-71°-35'-02"-W, (S-71°-35'-29"-W RECORD) A DISTANCE OF 4.00 FEET,
- 11 S-18°-01'-47"-E, (S-18°-01'-20"-E RECORD) A DISTANCE OF 132.00 FEET,
- 12 N-71°-35'-02"-E, (N-71°-35'-29"-E RECORD) A DISTANCE OF 4.67 FEET;
- 13 S-18°-18'-15"-E, (S-18°-17'-48"-E RECORD) A DISTANCE OF 38.00 FEET,
- 14 S-71°-35'-03"-W, (S-71°-35'-29"-W RECORD) A DISTANCE OF 4.86 FEET,
- 15 S-18°-01'-48"-E, (S-18°-01'-20"-E RECORD) A DISTANCE OF 180.00 FEET,
- 16 N-71°-35'-03"-E, (N-71°-35'-29"-E RECORD) A DISTANCE OF 9.80 FEET,
- 17 S-18°-24'-59"-E, (S-18°-24'-31"-E RECORD) A DISTANCE OF 159.00 FEET,
- 18 S-71°-35'-03"-W, (S-71°-35'-29"-W RECORD) A DISTANCE OF 3.89 FEET,
- 19 S-18°-22'-41"-E, (S-18°-22'-14"-E RECORD) A DISTANCE OF 180.00 FEET,
- 20 S-20°-44'-36"-E, (S-20°-44'-09"-E RECORD) A DISTANCE OF 8.40 FEET,
- 21 S-20°-45'-41"-E, (S-20°-45'-14"-E RECORD) A DISTANCE OF 129.67 FEET,
- 22 S-22°-43'-31"-E, (S-22°-43'-04"-E RECORD) A DISTANCE OF 272.45 FEET,
- 23 S-18°-25'-54"-E, (S-18°-25'-27"-E RECORD) A DISTANCE OF 1631.09 FEET TO THE POINT OR PLACE OF BEGINNING CONTAINING ±6.03 ACRES OF LAND, MORE OR LESS

**PARCEL B (AFFECTING I-11)**

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF LACKAWANNA, COUNTY OF ERIE, STATE OF NEW YORK BEING PART OF LOT 38, TOWNSHIP 10, RANGE 8 OF THE BUFFALO CREEK RESERVATION, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON WESTERLY BOUNDARY LINE OF THE HAMBURG TURNPIKE, NEW YORK STATE ROUTE 5 AT ITS INTERSECTION WITH THE SOUTHERLY LINE OF PARCEL I-11, ALSO KNOWN AS BCP SITE NO. C915197K, AND WHICH LINE IS ALSO THE NORTHERLY LINE OF PARCEL I-8, ALSO KNOWN AS BCP SITE NO. C915197H, AS SHOWN ON A MAP ENTITLED LANDS TO BE CONVEYED TO BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION, PREPARED BY WENDEL ENGINEERS, P.C., PROJECT NO. 411110 DATE MAY 3, 2017.

THENCE, THE FOLLOWING THREE (3) COURSES AND DISTANCES:

1. S-71°-00'-00"-W ALONG THE SOUTH OF SAID PARCEL I-11 A DISTANCE OF 50.05 FEET TO A POINT;
2. N-16°-10'-22"-W, A DISTANCE OF 298.51 FEET TO A POINT;
3. N-19°-21'-42"-W, A DISTANCE OF 276.87 FEET TO A POINT ON THE SOUTHERLY LINE OF PROPERTY CONVEYED TO GATEWAY TRADE CENTER, INC. BY DEED RECORDED AT LIBER 10886 OF DEEDS AT PAGE 1115, WHICH LINE IS ALSO THE NORTHERLY LINE OF PARCEL I-11;

THENCE N 71° 12' 22" E ALONG SAID NORTH LINE OF PARCEL I-11, A DISTANCE OF 49.95 FEET TO POINT OF THE FIRST MENTIONED WESTERLY BOUNDARY LINE OF THE HAMBURG TURNPIKE, NEW YORK STATE ROUTE 5.

THENCE ALONG SAID WESTERLY BOUNDARY LINE OF THE HAMBURG TURNPIKE THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1. S-19°-33'-00"-E A DISTANCE OF 279.01 FEET;
2. S-15°-04'-57"-E A DISTANCE OF 296.01 FEET TO THE POINT OR PLACE OF BEGINNING

CONTAINING ±0.66 ACRES OF LAND, MORE OR LESS.



# EXHIBIT B

Site Survey

LEGAL DESCRIPTION FOR BIKE PATH PARCEL

SECTION 17, TOWNSHIP 10 N, RANGE 10 E, COUNTY OF ALBANY, STATE OF NEW YORK

THE BIKE PATH PARCEL IS A LOT OF LAND, MORE OR LESS, BEING PART OF THE EASEMENT GRANTING THE BIKE PATH TO THE CITY OF ALBANY, COUNTY OF ALBANY, STATE OF NEW YORK, AS SHOWN ON THE MAP ATTACHED TO THIS INSTRUMENT, AND IS DESCRIBED AS FOLLOWS:

BEING A LOT OF LAND, MORE OR LESS, BEING PART OF THE EASEMENT GRANTING THE BIKE PATH TO THE CITY OF ALBANY, COUNTY OF ALBANY, STATE OF NEW YORK, AS SHOWN ON THE MAP ATTACHED TO THIS INSTRUMENT, AND IS DESCRIBED AS FOLLOWS:

BEING A LOT OF LAND, MORE OR LESS, BEING PART OF THE EASEMENT GRANTING THE BIKE PATH TO THE CITY OF ALBANY, COUNTY OF ALBANY, STATE OF NEW YORK, AS SHOWN ON THE MAP ATTACHED TO THIS INSTRUMENT, AND IS DESCRIBED AS FOLLOWS:

PROPOSED DESCRIPTION

PARCEL A, INTERSECTION 171

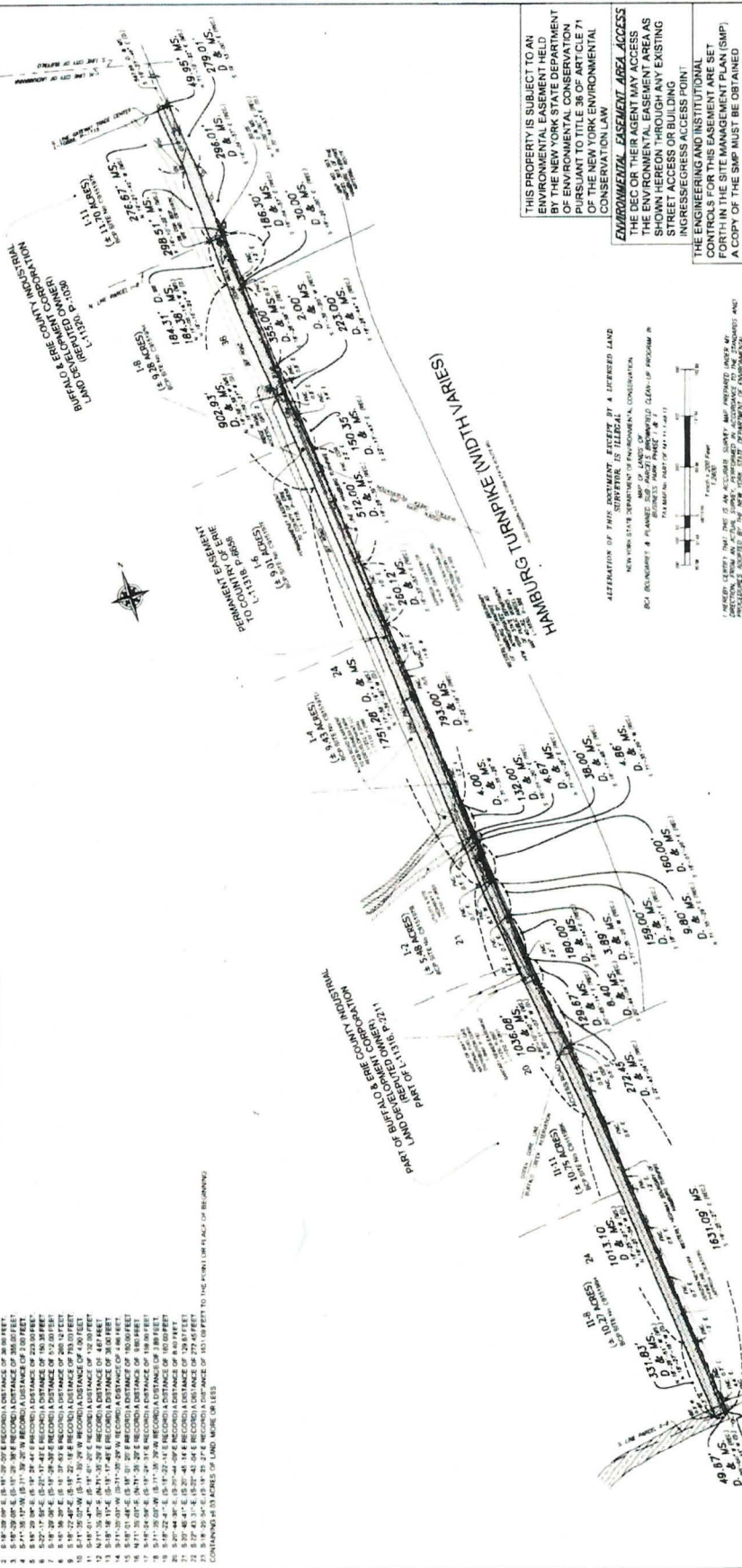
THE BIKE PATH PARCEL IS A LOT OF LAND, MORE OR LESS, BEING PART OF THE EASEMENT GRANTING THE BIKE PATH TO THE CITY OF ALBANY, COUNTY OF ALBANY, STATE OF NEW YORK, AS SHOWN ON THE MAP ATTACHED TO THIS INSTRUMENT, AND IS DESCRIBED AS FOLLOWS:

BEING A LOT OF LAND, MORE OR LESS, BEING PART OF THE EASEMENT GRANTING THE BIKE PATH TO THE CITY OF ALBANY, COUNTY OF ALBANY, STATE OF NEW YORK, AS SHOWN ON THE MAP ATTACHED TO THIS INSTRUMENT, AND IS DESCRIBED AS FOLLOWS:

BEING A LOT OF LAND, MORE OR LESS, BEING PART OF THE EASEMENT GRANTING THE BIKE PATH TO THE CITY OF ALBANY, COUNTY OF ALBANY, STATE OF NEW YORK, AS SHOWN ON THE MAP ATTACHED TO THIS INSTRUMENT, AND IS DESCRIBED AS FOLLOWS:

GENERAL NOTES

1. HORIZONTAL CONTROL: NORTH AMERICAN DATUM OF 1983 (NAD 83) USED FOR SURVEY
2. MONUMENTS: ALL MONUMENTS ARE OF IRON OR BRASS, AND ARE SET IN CONCRETE
3. ELEVATION: ALL ELEVATIONS ARE IN FEET ABOVE MEAN SEA LEVEL
4. AREA: ALL AREAS ARE IN SQUARE FEET
5. DISTANCE: ALL DISTANCES ARE IN FEET
6. BEARING: ALL BEARINGS ARE IN DEGREES, MINUTES, AND SECONDS
7. CURVATURE: ALL CURVES ARE IN FEET
8. ADJUSTMENT: ALL ADJUSTMENTS ARE IN FEET
9. TOLERANCE: ALL TOLERANCES ARE IN FEET
10. DATE: ALL DATES ARE IN MONTHS AND YEARS



THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 38 OF ARTICLE 71 OF THE NEW YORK ENVIRONMENTAL CONSERVATION LAW.

THE DEC OR THEIR AGENT MAY ACCESS THE EASEMENT AREA THROUGH ANY STREET ACCESS OR BUILDING INGRESS/EGRESS ACCESS POINT.

THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THIS EASEMENT ARE SET FORTH IN THE SITE MANAGEMENT PLAN (SMP) A COPY OF THE SMP MUST BE OBTAINED FROM THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION. THE SMP CAN BE OBTAINED FROM THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT DERWEB@DEC.NY.GOV

SEE ENVIRONMENTAL EASEMENT SURVEY DATED MAY 2014, TITLE NO. 1313-25073 (AMENDED) AND 1313-25073, FOR THE LOCATION OF SUBJECT PROPERTY WITHIN THE CONTROLLED SITE.

2000 HAMILTON TURNPIKE  
ALBANY, NY 12206-4218  
TEL: 518-486-1234  
FAX: 518-486-1235  
WWW.TURKEYKEY.COM

2000 HAMILTON TURNPIKE  
ALBANY, NY 12206-4218  
TEL: 518-486-1234  
FAX: 518-486-1235  
WWW.WENDEL.COM

CITY OF ALBANY  
STATE OF NEW YORK  
BUREAU OF PUBLIC WORKS  
100 STATE STREET  
ALBANY, NY 12242-1000  
TEL: 518-486-1234  
FAX: 518-486-1235  
WWW.CITYOFALBANY.ORG

NO.	DEC COMMENTS	DATE
1	DEC COMMENTS	11/16/2014
2	DEC COMMENTS	11/16/2014
3	DEC COMMENTS	11/16/2014
4	DEC COMMENTS	11/16/2014
5	DEC COMMENTS	11/16/2014
6	DEC COMMENTS	11/16/2014
7	DEC COMMENTS	11/16/2014
8	DEC COMMENTS	11/16/2014
9	DEC COMMENTS	11/16/2014
10	DEC COMMENTS	11/16/2014

BIKE PATH: PARCEL

1 OF 1







NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Site Management Form

4/8/2020



SITE DESCRIPTION

SITE NO. C915197L

SITE NAME Bethlehem Shoreline Trail

SITE ADDRESS: 2303 Hamburg Turnpike ZIP CODE: 14218

CITY/TOWN: Lackawanna

COUNTY: Erie

ALLOWABLE USE: Commercial and Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES: YES NO

IC/EC Certification Plan



Monitoring Plan

Operation and Maintenance (O&M) Plan



Periodic Review Frequency:



Periodic Review Report Submitted Date:

Description of Institutional Control

County of Erie c/o Comm. of Env. & Plan.

95 Franklin Street, Rm. 1012

2303 Hamburg Turnpike

Environmental Easement

Block: 1

Lot: 48.1

Sublot:

Section: 141

Subsection: 11

S\_B\_L Image: 141.11-1-48.1 (portion of)

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Site Management Plan

Soil Management Plan

Description of Engineering Control

**County of Erie c/o Comm. of Env. & Plan.**

95 Franklin Street, Rm. 1012

**2303 Hamburg Turnpike**

Environmental Easement

Block: 1

Lot: 48.1

Sublot:

Section: 141

Subsection: 11

S\_B\_L Image: 141.11-1-48.1 (portion of)

Cover System