

**City of Olean  
Brownfield Opportunity Area (BOA) Project Meeting Minutes  
Initial Public Information Meeting  
Council Chambers, Olean Municipal Building  
Thursday, March 15, 2007  
7:00 p.m.**

**BOA Steering Committee Attendance:**

Dave McCoy, TVGA  
Daniel Riker, TVGA  
John Sayegh, Catt. Empire Zone  
Mary George, City of Olean, CD Program Coordinator  
George Fillgrove, Representing Senator Young  
John Padlo, City of Olean Alderman, Ward 7  
Philip Smith, City of Olean Planning Board  
George Pancio, City of Olean Planning Board  
Tom Biel, NYSDEC  
Don Benson, Benson Construction

**Staff:** Keri Kerper, City of Olean Stenographer

**Media:** Kathy Kellogg, Buffalo News

**I. Welcome/Introductions**

John Sayegh called the meeting to order at 7:00 p.m. and an Olean BOA Fact Sheet prepared by TVGA Consultants was distributed to those in attendance. Mr. Sayegh introduced himself to the public and thanked everyone for taking time to attend the initial Brownfield Opportunity Area (BOA) Project Public Information Meeting.

Mr. Sayegh explained that the City of Olean was awarded \$72,960 in grant funds from the New York State Department of State in order to establish a Brownfield Opportunity Area (BOA) and is seeking public input as part of the planning process for the project. He advised that the City completed a radius around the 500+ acre BOA area and letters were sent to over 500 residents from Mayor Carucci informing everyone about the meeting tonight so that residents may express their needs, opinions, suggestions and/or ask questions concerning the project.

Mr. Sayegh explained to the public that per the United States Environmental Protection Agency definition, "Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the present or potential presence of a hazardous substance, pollutant, or contaminant."

Mr. Sayegh advised that the properties in question have environmental challenges and the City, along with partnering agencies, are trying to address those challenges and remediate the land in order for reuse.

Mr. Sayegh indicated that the Department of Environmental Conservation (DEC) traced the contamination (from years ago) on the Felmont-Agway site to Exxon Mobil, who has expressed its willingness to help remediate the parcels.

Mr. Sayegh explained that TVGA consultant representatives will be making a brief presentation to give background information on the project and history of the site. Mr. Sayegh reiterated to the public to express any concerns, comments or questions they may have and the BOA Steering Committee and consultant will respond to the best of their knowledge or they will research any information and promptly get back to them.

Ward 7 Alderman Padlo thanked everyone for attending and reiterated that the meeting is intended for informational purposes and to obtain public input on the project. Mr. Padlo explained that he has already expressed his concern to the BOA Steering Committee that all residential areas along the project be respected; in addition, Mr. Padlo raised concern for the sanitary sewer lines extending to some residents along West Fall Road.

Daniel Riker and Dave McCoy of TVGA Consultants introduced themselves to the public and explained that they work from offices in Jamestown and Elma, New York. Mr. Riker advised that he and Mr. McCoy will be explaining the BOA Program in general and then Olean's BOA Program specifically and the history behind it. He explained the goal of the program is to foster the redevelopment of brownfield properties and to increase the quality of life in the area. Mr. Riker explained that there are a number of steps involved in the program including strategic planning that will consider current trends and environmental assessments.

Mr. Riker began reviewing the attached PowerPoint presentation and explained the overall goals of the BOA Program. He briefly outlined each of the three BOA Program steps including the outcomes of the pre-nomination study report and the project goals and objectives.

Mr. Riker outlined the BOA Project Tasks as presented in the PowerPoint presentation, including the six components: project start-up, community participation, pre-nomination study, pre-nomination study report, SEQRA and project reporting.

Mr. Riker referred to the Olean BOA Project Area aerial photograph and explained that the public input process will permit review and possible revision of the boundaries for the project. Mr. McCoy explained that the photograph was taken in 2004 and identifies different landmarks (natural and manmade) that were used to delineate the proposed study area.

Mr. McCoy explained the challenges to the BOA study area, due largely as a result of the history of previously heavy industrial activity. He briefly outlined the positive attributes—the site is relatively flat, and does not lie in a flood plan, and all utility and transportation infrastructure is already in place.

Mr. McCoy opened the meeting up for public comment and advised that it is important for the vision of the project.

Shirley Anastasia, 215 West Forest Avenue, suggested that the proposed development be of the sort that will add to the tax base. Ms. Anastasia questioned if proposed development would be deemed “tax-free.” Ms. George responded that a project has not yet been identified for development but incentives such as Empire Zone benefits offered to the developer, i.e. property taxes, would be paid through this State program. Ms. Anastasia expressed concern about potential development creating additional toxic waste in the area, and Mr. Sayegh assured her that those responsible would ensure that environmental precautions would be in place.

A resident in attendance suggested installing windmills on a section of the property for power.

Steve Pancio, Wayne Street, questioned the position of Exxon Mobil. Tom Biel (DEC Representative) explained that in examining the site, DEC has identified the contamination present and traced it back to Exxon Mobil and their former entities. Mr. Biel reiterated that Exxon Mobil was contacted and agreed, once a type of use was identified, to help remediate the site. Mr. Biel explained that if a residential use for the property were identified, then remediation will be more extensive and costly. He advised that if the land is used for industrial or commercial purposes costs would be much less than for residential use.

In response to Steve Pancio’s question, Mr. Biel explained that Agway is in bankruptcy and their attorneys are trying to divest the company’s assets, which will be a long process, since some properties are more difficult to dispose of than others, especially if they are contaminated. Mr. Biel explained that the trust will exist for awhile until all the Agway properties are dispersed.

Steve Pancio commented that he is glad to see officials coming together and working on this project.

Mr. Pancio questioned how long it would be before any development would take place on these brownfield sites. Mr. Sayegh explained that if the project is driven by a developer, realistically it would take at least two years to redevelop, depending on the use of the land. Mr. Sayegh explained that there still needs to be testing (this is a planning grant) and a sign-off of the land from DEC and clean-up, which will also take time.

Mr. Sayegh explained that a Phase II environmental assessment has been completed for the Felmont parcels and the report should be released within the next few months. Mr. Sayegh indicated that the cost of clean-up, depending upon the use, could run approximately between \$5 million - \$55 million.

Dave Padlo, Olean, indicated that he is not enthused about retail development in the 500+ acre area. He explained that he lived in California and he saw a number of photovoltaic

(solar cell) farms and suggested that this type of development be considered for the project. Mr. Padlo explained he knows that solar farms will work in the area because he knows 4 families that operate solely on solar power. He advised that the Vanderhorst site would be ideal for the farm and that BOCES has a program to train people to install the solar farms. He suggested the need to negotiate with the local power-company to sell the power back to area residents. There was brief discussion concerning geothermal energy production at the site. Mr. Padlo expressed concern about Exxon Mobil's participation in any proposed project as it may be limited or not done in accordance with accepted environmental standards. Mr. Padlo stated that Exxon Mobil would be a good company for another developer to partner with and possibly receive emission credits. Mr. Padlo commented that windmills would be an eye sore for the City.

Eileen Smith, 1207 Spruce Street, referred to the aerial photograph and questioned the boundaries identified as the BOA Study area. Mr. McCoy explained that he drew the boundary lines based on natural and manmade features, however, these lines are fluid and part of the Planning process is to review these boundaries.

Ms. George and Mr. Sayegh explained that nothing is going to happen to the residential areas around or within the boundaries.

In response to Ms. Smith's question, Mr. Sayegh explained that the amount of contamination on the Felmont property is at a level that can be addressed. He referred to the Cattaraugus County Building located on Leo Moss Drive and explained that properties within the study area can be remediated the same way the County Building was by removing and adding new soil and building on a foundation (no basement).

Ms. Smith commented that she does not think retail space is an ideal use. She suggested that high-tech offices should be considered in order to bring in good paying jobs.

Connie Gergel, 1607 Avenue A, also questioned the project boundaries per the aerial photograph. Mr. McCoy advised that the boundary does indeed go to the railroad track and includes the Vanderhorst Plant I & II site. Ms. Gergel commented that she does not want to see a Wal-Mart at the site.

Marcia Phillips, 204 W. Water Street, questioned why residential area was put in the project boundary to begin with if nothing will happen to the residential area. Mr. McCoy advised that when he originally drafted the map and the boundary area he did it because the surrounding properties have co-existed with the project site, and resident input was considered vital to the project's success.

Mr. McCoy explained that is it possible for the residential neighborhood to reintegrate itself. There was discussion regarding the history of the area and how it was separated from the Homer Street area when the expressway was constructed through the middle of that property. Mr. McCoy noted that if there were better planning back then, some of the neighborhood issues (lack of a park) could have been addressed and remedied. He suggested that this idea or an extension of the trail could be made part of the plan.

Ms. Phillips said that she is very skeptical because whatever is said never happens and if a line is drawn showing boundaries in a residential neighborhood, that usually means that the property will be taken.

Mr. Sayegh commented that it is important to remember that this is a planning effort to create a document for the BOA Steering Committee to recommend to the Council for adoption and advised that there are no plans for a Phase I Study or site cleanup, this is strictly a planning study.

Ms. George explained that the process is driven by the BOA Steering Committee with numerous opportunities for public comment and input. There was brief discussion concerning the purpose and intent of the committee. Ms. George advised that staff will put recent BOA meeting minutes and all future minutes, meeting times and dates on the City's web-site and at the library so that resident may have a better understanding.

Dolores Beville, 710 Wayne Street, questioned if the neighboring residential property values would increase because of the project. Mr. Sayegh responded that is not the "charge" of the BOA Steering Committee.

Residents questioned if the property was being "marketed" by the City. Mr. Sayegh advised that he and other City Officials recently met with 3 developers, a local company (Park Centre Development); one company from Syracuse and the other from Jamestown. He explained that they are independent, each having their own specific type of mechanism and function in terms of redevelopment. Mr. Sayegh commented that many good ideas and concepts were presented during the meeting.

Mr. Riker explained that with State grant programs, if you are in a State-designated BOA, other grant programs may place you at the top of the list in terms of funding awarded. Mr. Riker explained that a not-for-profit corporation could apply for a grant for fixing roofs and earn extra points on the grant application for being in a BOA, which would increase the chances of receiving the grant.

In response to residents' questions, Mr. Sayegh advised that contaminated land would be remediated within the perimeter if development does or does not go there.

Eileen Smith expressed concern for the Vanderhorst property and she asked if it would be a detriment to any newly proposed project in the BOA area. She then suggested trying to get high paying, high-tech jobs, for young adults graduating from college in order to keep them in the area.

Mr. Riker indicated that the Vanderhorst property has already been remediated by the State and the Plant II parcel is only one small part of the study area.

Steve Pancio stated that the project needs to move forward because it is a detriment when cars exiting I-86 at exist 26 pass through, adding the first sight in the area is an eye sore.

Mr. Pancio commented that he would like to see a Wegman's go on the site and urged that those involved keep an open mind to various types of development.

Residents questioned if the development would be tax exempt. Mr. Sayegh explained that there would be government incentives offered from the State in terms of taxes, however revenues will still be paid to the municipality through any State funded program.

Dave Padlo suggested that condos be built for people 55 or older. He commented that there are people in the area that would like to live in Olean for part of the year if they chose to. In response to Mr. Padlo's question, Mr. Sayegh stated that the STAR program is available to residents.

Mr. McCoy reiterated that recent and future meeting dates/times, BOA minutes and PowerPoint presentations would be made available on the City of Olean web-site at [www.cityofolean.com](http://www.cityofolean.com) and in the Olean Public Library.

Ms. George advised that the next BOA Steering Committee meeting (open to the public) is scheduled for Thursday, April 19, 2007 at 6:00 p.m. with the location to be announced. She advised to check the City web-site at a later date for the meeting location, noting that a tentative location is the City of Olean Water Treatment Plant.

Ms. Sayegh thanked the public for their input and interest in the project. He then declared the meeting closed at 8:10 p.m., as there were no further comments from the public or members.