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NEW YORK STATE URBAN DEVELOPMENT CORPORATION  
D/B/A EMPIRE STATE DEVELOPMENT CORPORATION

**THE RICHARDSON OLMSTED COMPLEX**

**PUBLIC HEARING**

**GENERAL PROJECT PLAN  
&  
DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT**

JANUARY 6, 2011  
6:00 P.M. - 8:00 P.M.

**DePAOLO-CROSBY REPORTING SERVICES INC.**

170 Franklin Street, Suite 601, Buffalo, New York, 14202

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PUBLIC HEARING FOR THE GENERAL PROJECT PLAN AND  
DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

Held at:  
Burchfield Penney Art Center  
1300 Elmwood Avenue  
Buffalo, New York 14213  
On Thursday, January 6th, 2011  
6:00 p.m. - 8:00 p.m.

- PRESENT:                    **Richard Stark**, Hearing Officer
- Eva Hassett**, Board Member
- Monica Pellegrino Faix**,  
Project Coordinator
- Mark Tytka**,  
Parsons Brinckerhoff
- Sam Hoyt**, Assemblymember
- Paul Tronolone**, ESDC

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**PUBLIC SPEAKERS**

<u><b>NAME</b></u>	<u><b>PAGE</b></u>
<b>Michael McLean</b>	46-47
<b>Tim Tielman</b> Executive Director of Campaign for Greater Buffalo	47-52
<b>John McNeil</b>	53-55
<b>Carl Dennis</b>	55-56
<b>Vincent Kuntz</b>	56-57
<b>Cynthia Van Ness</b>	58-59

**EXHIBIT LIST**

<u>EXHIBIT NO.</u>		<u>PAGE</u>
Exhibit 1	Notice of Completion for the Draft Generic Environmental Impact Statement and General Project Plan for the Richardson Olmsted Complex Project, which Appeared in the Environmental Notice Bulletin on December 29, 2010.	19
Exhibit 2	Public Notice, which appeared in the Buffalo News on December 20, 2010.	19
Exhibit 3	General Project Plan, Richardson Olmsted Complex, Civic and Land Use Improvement Project, adopted by Empire State Development Corporation on December 16, 2010.	19
Exhibit 4	Draft Generic Environmental Impact Statement, Richardson Olmsted Complex Master Plan, Dated September 2010.	19/20

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**OPENING REMARKS BY EVA HASSETT**

MS. HASSETT: Good evening. My name is Eva Hassett. I'm a Board member for the Richardson Center Corporation and I want to welcome you to our public hearing tonight. Tonight's meeting is really the beginning of completion of the legal requirement that allow for the Richardson Complex land use plans to move from planning to design and construction, so we're very excited about moving ahead with this process.

I want to make sure that I mention to you all that on January 26th we will have another public meeting. This is really a formal public meeting about the environmental impact process. On January 26th we will have another public meeting at Rockwell Hall to show you and share with you and talk with you about the design for the South Lawn and removal of parking that's there now. So I want to invite you all right away to another public meeting which will show you some of the specific design that we hope to be able to implement if we can finish this environmental impact process. So please join us

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1 on January 26th as well.

2 I want to introduce the Hearing Officer who  
3 will be running this hearing tonight, after I say  
4 a couple things, and some other people. Richard  
5 Stark, who's right there, so it's going to be  
6 Richard's meeting shortly. I want to thank all  
7 of you, and some other people on behalf of the  
8 Richardson Center Corporation Board. There are  
9 so many people who have assisted us. First and  
10 foremost, really, thanks to all of you and  
11 everybody who went to any public meeting because  
12 you really supported and provided input to and  
13 helped our plan be better because of all of your  
14 efforts. So thank you to you, first of all.  
15 Thank you to the Community Advisory Group that  
16 we've used. I know there are members of the  
17 Community Advisory Group here tonight. I thought  
18 we had a couple. They're here somewhere.  
19 Anyway, we had a great Community Advisory Group  
20 that has been part of our process to date and  
21 we're very grateful to them. We're grateful to  
22 the John R. Oishei Foundation and the Community  
23 Foundation for Greater Buffalo for their support

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1 with our operating expenses. We're grateful to  
2 the Board and the staff at the Empire State  
3 Development Corporation and we are grateful to  
4 Assemblymember Sam Hoyt and we would really like  
5 to thank Senator Mark Grisanti for their help in  
6 supporting the project and assisting the  
7 legislation that will transfer ownership of the  
8 surplus property and buildings to the Richardson  
9 Center Corporation, we hope, coming shortly. So  
10 Assemblymember Hoyt is here tonight and he would  
11 like to say a few words of welcome.

12 ASSEMBLYMEMBER HOYT: Good evening,  
13 everybody. Thank you, Eva, for the introduction.  
14 Eva, just a second ago kind of chuckled and said;  
15 yes, we'll be inviting you to another public  
16 meeting in just a couple of short weeks. The  
17 reality is, one of the things that I'm most proud  
18 of and one of the things that I've insisted on  
19 since its inception and favorable from the  
20 beginning is that this be a very public process.  
21 You might hear from Eva or one of the other  
22 speakers shortly about the number of meetings --  
23 public meetings that have taken place through

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1           this initiative, or the result of this initiative  
2           since we got started. I think it's in the  
3           scores. I think we're above 40 and that's  
4           something that I think is important.

5                     This is a project that's extremely  
6           important to the community, not just the  
7           immediate neighbors, but the entire community.  
8           It's something that is going to, in my opinion,  
9           put Buffalo on the map once again for the  
10          extraordinary architectural asset that the  
11          complex is, but also the significance of the  
12          Olmsted design and landscape. It has the  
13          potential and we fully anticipate that this  
14          Project is going to have a significant economic  
15          impact on the region and one of the things that  
16          I'm excited about is that it's going to bridge to  
17          neighbors; one that we sit on right now that is  
18          probably one of the most prosperous and one of  
19          the most successful in Buffalo, but to the east  
20          of us -- I'm sorry -- to the west of us is the  
21          Grant Street neighborhood that isn't doing as  
22          well, and I think that this Project has the  
23          potential to become a stabilizing force and, in

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1 effect, may be a catalyst for future economic  
2 growth in that area.

3 Some have complained that this process is  
4 taking too long. I would agree, and remember the  
5 history. It was back in, I think 1973 that the  
6 Richardson Complex was placed on the National  
7 Register of Historical Places. The last patients  
8 moved out of the buildings in 1974. The  
9 Administrative Towers were vacated, or the Twin  
10 Towers where the Administrative Building is was  
11 vacated in 1994. Since that time we've seen, and  
12 even before then, we've seen lots of blue ribbon  
13 committees; lots of task forces; lots of former  
14 senators, Masiello; former mayors; former  
15 assemblymen, Hoyt; and others talk about, and  
16 even governors, talk about we're going to do  
17 something here. Finally, we're going to get  
18 something done at the Richardson Complex. Well,  
19 something, in my opinion, is genuinely getting  
20 done and I'm very, very excited about the  
21 prospects.

22 The bottom line is, there's more work that  
23 needs to be done. There will be constant

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1 opportunity for input from you. As a state  
2 legislator, I have some responsibilities to  
3 fulfill in getting the transfer of the property  
4 from the state government to the corporation that  
5 will be facilitating the development. I  
6 anticipate doing that early in the legislative  
7 session. I'm excited about having a new partner,  
8 Mark Grisanti. He sends his best. He was unable  
9 to attend but he's going to do a great job as our  
10 State Senator and we're continuing to protect the  
11 money. Remember, it was, I think back in 2006,  
12 Governor George Pataki, through the efforts of  
13 the Western New York Delegation, and others,  
14 dedicated a very significant sum of money to this  
15 Project. My challenge since then has been to  
16 protect that money from, you know, a lot of  
17 people who see the power of money of that amount  
18 and say they want to spend it elsewhere, in Long  
19 Island and New York City and other places in New  
20 York State. We're going to protect that money  
21 and we're going to make sure it's invested right  
22 here at this great Project.

23 So thank you all for attending. It's going

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1 to be, in the end, a very, very exciting Project.  
2 Progress is being made and you'll hear about that  
3 in just a few minutes and your input is very,  
4 very important. Thank you.

5 MS. HASSETT: Thank you, Sam. So now, Rich  
6 Stark is going to describe what the process is  
7 going to be tonight and I'm going to stand up  
8 here and make the slides move forward.

9 HEARING OFFICER STARK: Good evening ladies  
10 and gentlemen. I'd like to welcome you all to  
11 tonight's public hearing for the General Project  
12 Plan and Draft Generic Environmental Impact  
13 Statement, or DGEIS, for the Richardson Olmsted  
14 Complex Project. My name is Richard Stark and I  
15 have been asked by the New York State Urban  
16 Development Corporation doing business as the  
17 Empire State Development Corporation, or ESDC, to  
18 serve as Moderator for tonight's hearing.

19 Public Notice of this hearing appeared on  
20 December 20, 2010 in the Buffalo News and in the  
21 New York State Environmental Notice Bulletin on  
22 December 29, 2010. Letters announcing the  
23 hearing were also sent to various federal, state,

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1 and local agencies and interested organizations  
2 and individuals. In addition, e-mail notices  
3 were sent to approximately 900 persons on the  
4 Richardson Center Corporation distribution list.

5 The purpose of tonight's hearing is to  
6 provide an overview of the Plan for expending  
7 state funds administered by ESDC to help  
8 rehabilitate and reuse the Richardson Olmsted  
9 Complex and to afford the general public an  
10 opportunity to make statements and comments on  
11 this Plan and the Environmental Impact Statement.

12 I'd like to stress that this hearing is not  
13 intended to be a question and answer session.

14 All of the comments you make tonight are being  
15 recorded and will be addressed in subsequent  
16 documents that I'll go over in a moment.

17 Following my remarks, we will proceed with  
18 presentations by Eva Hasset, Board Member of the  
19 Richardson Center Corporation, and Mark Tytko of  
20 Parsons Brinckerhoff, the consulting firm that  
21 prepared the DGEIS. We will then open the floor  
22 for you to make comments. At a minimum,  
23 tonight's hearing will extend to 8:00 p.m. to

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1 receive public comments, but we will continue  
2 until each person that has expressed a desire to  
3 make a statement has had an opportunity to speak.

4 Tonight's hearing serves to address a  
5 component of the public review process required  
6 under a series of laws. These include:

7 Section 16 of the New York State Urban  
8 Development Corporation Act, which requires ESDC  
9 to solicit public comments whenever ESDC adopts a  
10 general project plan;

11 The New York State Environmental Quality  
12 Review Act, which requires state and local  
13 agencies to consider the environmental effects of  
14 their actions prior to implementing them; and

15 Section 14.09 of the State Parks,  
16 Recreation, and Historic Preservation Law, which  
17 requires state agencies to consult with the State  
18 Historic Preservation Office and seek public  
19 comment if a project may affect any historic,  
20 architectural, archaeological or cultural  
21 property that is listed on or is eligible for  
22 inclusion on the State and National Registers of  
23 Historic Places. The Richardson Olmsted Complex

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1 is such a listed property.

2 ESDC has addressed the requirements of  
3 these laws, among others, through a Draft Generic  
4 Environmental Impact Statement. The DGEIS was  
5 prepared by Parsons Brinckerhoff, which is under  
6 contract with the Richardson Center Corporation,  
7 the organization that is leading this effort and  
8 proposed to receive state funds. The document  
9 was accepted by the ESDC Board of Directors as  
10 complete on December 16, 2010.

11 The DGEIS contains a description of ESDC's  
12 proposed action, providing funds for certain  
13 rehabilitation and adaptive reuse efforts at the  
14 Complex, which is an outgrowth of a Master Plan  
15 for the Complex prepared in 2009 by the  
16 Richardson Center Corporation. The DGEIS then  
17 documents anticipated social, economic and  
18 environmental effects of implementing the Plan,  
19 as well as any future reviews, assessments,  
20 permits and other approvals that would be  
21 necessary prior to implementing the Plan. Where  
22 applicable, the DGEIS outlines measures to avoid  
23 or lessen the severity of any negative impacts.

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1           As part of the public review process, ESDC  
2           is requesting comments on the completeness and  
3           appropriateness of the assessments in the DGEIS.  
4           Following tonight's hearing and through the close  
5           of the public comment period, the agency will  
6           review any comments received. Responses to any  
7           substantive comments received would be made in  
8           the Final Generic Environmental Impact Statement,  
9           or FGEIS, along with any necessary refinements or  
10          revisions. Following the issuance of that  
11          document, ESDC would make official findings on  
12          the Project prior to giving it a final approval.

13          Although it is rare in most cases, in the  
14          event that the DGEIS identifies no significant  
15          impacts resulting from the Plan and if no  
16          substantive comments are received from agencies,  
17          organizations and/or the general public, ESDC  
18          could issue what is called a Negative  
19          Declaration, without issuing an FGEIS, indicating  
20          that the environment review process is complete.

21          I'd now like to go over the procedures for  
22          tonight's hearing. First, if you haven't done so  
23          already, please make sure that you have signed in

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1 at the table near the entrance to the auditorium.  
2 The sign-in sheet is our official record of  
3 attendance at this hearing. Copies of the  
4 General Project Plan, Notice of Completion and  
5 DGEIS Executive Summary are available at the  
6 sign-in table.

7 Second, if you wish to make a statement  
8 tonight, at the sign-in table there are speaker  
9 registration cards. Please fill out your name,  
10 address and if applicable, whether you represent  
11 an organization or agency. Then place the card  
12 in the speakers box. If you didn't get a card  
13 and would like to make a statement, please raise  
14 your hand. There are people on either side of  
15 the auditorium that will provide you with a  
16 registration card.

17 Following the presentation, cards will be  
18 selected at random and the floor will be opened  
19 to provide speaking time for each person. Please  
20 feel free to sign up to speak at any time  
21 throughout tonight's hearing. Because we'd like  
22 to give everyone an opportunity to make a  
23 statement, depending on the number of registered

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1 speakers, I may need to require time limits. If  
2 this is the case, each individual will be  
3 allotted five minutes to make their statement and  
4 any person representing an organization with a  
5 substantial number of members or a public agency  
6 will be afforded 10 minutes for a statement.  
7 After the presentation, I'll know how many  
8 speakers have registered at that point and will  
9 let you all know whether I'll have to require  
10 time limits.

11 Speakers will be allowed to use their time  
12 to their best advantage without interruption from  
13 the floor. If you are reading from a prepared  
14 statement, please keep in mind that you may  
15 summarize your statement and submit the full text  
16 to be entered into the record.

17 Finally, if you are not comfortable in  
18 making a statement tonight, you may submit your  
19 comments in writing tonight or after the hearing  
20 until 5:00 p.m., January 17, 2011. At the  
21 sign-in table, there are comment forms for your  
22 use. You can fill them out and submit them  
23 tonight. They are also pre-addressed, if you

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1 wish to mail them to ESDC after tonight's  
2 hearing.

3 The General Project Plan and DGEIS are  
4 available for review during weekday business  
5 hours at ESDC. Please call 716-846-8200 for an  
6 appointment. The documents are also on file at  
7 both the Downtown and Crane Branches of the  
8 Buffalo and Erie County Public Library. Also,  
9 all of the documents can be downloaded from our  
10 Project website at: [Www.richardson-olmsted.com](http://www.richardson-olmsted.com).  
11 Click on the "documents" tab to download copies  
12 of all the Project documents. Again, ESDC will  
13 accept written comments on the General Project  
14 Plan and DGEIS and until 5:00 p.m., January 17,  
15 2011. Comments should be mailed to: Paul  
16 Tronolone, Empire State Development Corporation,  
17 95 Perry Street, Buffalo, New York, 14203. You  
18 may also fax or e-mail your comments. The  
19 contact information is shown here and is printed  
20 on the comment sheets available at the sign-in  
21 table.

22 Before we move on to the presentation, I'd  
23 like to take care of some administrative matters

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1 by noting that the transcript of this public  
2 hearing will be available for review in ESDC  
3 offices by no later than January 20th, 2011. It  
4 will also be made available on the Project  
5 website.

6 I would now like to ask the court reporter  
7 to mark the following documents as exhibits to  
8 the hearing transcript:

9 As Exhibit Number 1: Notice of Completion  
10 for the Draft Generic Environmental Impact  
11 Statement and General Project Plan for the  
12 Richardson Olmsted Complex Project, which  
13 appeared in the Environmental Notice Bulletin on  
14 December 29, 2010.

15 As Exhibit 2: Public Notice, which  
16 appeared in the Buffalo News on December 20,  
17 2010.

18 As Exhibit 3: The document entitled:  
19 General Project Plan, Richardson Olmsted Complex,  
20 Civic and Land Use Improvement Project, adopted  
21 by Empire State Development Corporation on  
22 December 16, 2010.

23 And finally, as Exhibit 4: The document

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1 entitled: Draft Generic environmental Impact  
2 Statement, Richardson Olmsted Complex Master  
3 Plan, dated September 2010.

4 Now, allow me to re-introduce Eva Hassett,  
5 Richardson Center Corporation Board Member.

6 MS. HASSETT: Thank you. Thank you,  
7 Richard. And I'm going to introduce Mark Tytka  
8 from Parsons Brinckerhoff, who's going to  
9 describe for you the DGEIS and what we're doing  
10 tonight, and I'll be back.

11 MR. TYTKA: Good evening. As Eva said, I'm  
12 Mark Tytka from Parsons Brinckerhoff and as you  
13 can tell, we're going to tag team a lot of the  
14 presentation tonight so I'll be starting out and  
15 people will be jumping in. Like Monica will also  
16 be jumping in and out and jumping back so we're  
17 changing places a lot tonight to keep things  
18 moving and somewhat fresh.

19 The purpose of the EIS is to make certain  
20 that environmental factors are considered during  
21 project development in the decision making  
22 processes, both positive impacts and adverse  
23 impacts. If potential significant adverse

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1 impacts are identified, the EIS should really  
2 then identify actions that the lead agency  
3 should consider to avoid, minimize and litigate  
4 those impacts as part of project mitigation.  
5 Based on the DGEIS that's been prepared for the  
6 ROC -- and is everybody familiar with the term  
7 "ROC" or should I say Richardson Olmsted Complex?  
8 ROC is okay? All right. Thanks. The project  
9 should generally result in positive and some  
10 minor adverse impacts, and we're going to talk  
11 about those tonight.

12 What I would really like to do first is  
13 give you a quick overview of what we're going to  
14 do. We're going to walk you quickly through the  
15 DGEIS process, public scoping comments received  
16 so far to date. We're going to recap why the  
17 DGEIS, the Generic Master Plan is being prepared.  
18 We're going to briefly go through the content of  
19 the EIS and also next up the Generic Master Plan.  
20 So there's a lot of coverage that we're going to  
21 go through very quickly and give you a high-level  
22 overview for you here tonight. It's going to be  
23 a super finish.

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1           Just by a quick show of hands, how many  
2           people have attended a previous meeting either on  
3           the Master Plan or on the Environment Impact  
4           Statement? That's a really -- we really  
5           appreciate your turnout. It's really good. It  
6           shows a lot of community investment, personal  
7           time on this Project. And for those of you, this  
8           is your first meeting, we welcome you and  
9           appreciate your time and input.

10           Okay. Let's recap our GEIS process. We  
11           started out with scoping the GEIS and that's  
12           basically where we work with you, the public and  
13           regulatory agencies to define what the scope of  
14           the study is, what the important issues are to be  
15           mitigated in the DGEIS. The Draft Generic EIS  
16           was then prepared and that really identifies  
17           potential harmful impacts and what potential  
18           mitigation measures are. We are now in the  
19           Generic Environmental Impact Statement Public  
20           Comment Period, and over this public comment  
21           period, we have a public hearing tonight where  
22           you can speak and offer comments and also there's  
23           a period where we accept written comments from

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1 members of the public and from regulatory  
2 agencies.

3 During the scoping, a Draft Scoping  
4 document was prepared. We had a Public Scoping  
5 Meeting, again with the public to get feedback on  
6 that. And then we also prepared a Final Scoping  
7 document which was based on comments received. A  
8 total of 61 persons attended the December 17th,  
9 2009 Public Scoping Meeting and at the conclusion  
10 of a 46-day scoping period, which was a period  
11 that was open to receive comments, a total of 15  
12 verbal, written and e-mail comments were received  
13 from agencies and the public. A large portion of  
14 those comments really pertain to the content of  
15 the ROC Master Plan and not so much on the scope  
16 of the Environmental Impact Statement.

17 Comments received basically, apparently are  
18 listed up here on the board, included the  
19 Cultural Resources, Visual Impacts, Land Use and  
20 Parking, Traffic and Transportation and Hazardous  
21 Materials. What I'm not going to do is show you  
22 all these slides because there's a lot of text up  
23 there. This is really just to illustrate some of

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1 the comments that were received during the  
2 scoping process and it's also not an inclusive  
3 list of all the comments that we received. For  
4 example, in the Master Plan, one of the comments  
5 was that the process should continue to involve  
6 the public, which we all agree with. From the  
7 Cultural Resources side, all the historically  
8 significant structures should be preserved and  
9 reused.

10 These are examples of the types of comments  
11 that we received:

12 Visual Resources - One of the comments  
13 received was proposed an East-West Address Road,  
14 a new development to the north from damage to the  
15 north-west view shed.

16 Land Use - Open space for parking is a  
17 priority for the adjoining neighborhoods.

18 Transportation and Traffic - the Project  
19 should have minimal impact on parking in the  
20 adjoining neighborhoods; and on

21 Hazardous Materials - The comment was to  
22 provide more information about potential  
23 environmental hazards within the property.

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1           As Richard mentioned earlier, the Master  
2           Plan is being evaluated for a Generic  
3           Environmental Impact Statement. And the State  
4           Environmental Quality Review Act permits for  
5           preparation with a generic EIS for projects that  
6           are broader and more conceptual in nature. These  
7           are projects that are typically longer term in  
8           nature and not all the elements have been  
9           completely defined as the project will evolve  
10          over time, much like the ROC Master Plan.

11          As impacts -- as assessments of impacts  
12          performed, we typically assess those elements now  
13          that are well defined and we establish what are  
14          called thresholds or actions or elements that are  
15          less defined. To give you an example of the ROC  
16          Project, we assume a maximum development of  
17          880,000 square feet of development at full  
18          build-out, so that down the road if we ever  
19          exceed that number of square footage or the  
20          intensity of land has changed, a supplemental  
21          environmental review will be required. So that's  
22          the difference between a project specific and a  
23          generic EIS. There are thresholds that have to

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1 account for future actions and that give us a  
2 direction for addressing those.

3 Another important issue, just to let you  
4 know, that there are several other agencies that  
5 are going to be involved in the environment  
6 review process and the implementation of the  
7 Project as it goes forward, in addition to ESDC.  
8 So each agency, before it approves an action or  
9 approves funding, also has to make its own  
10 finding under the State Environmental Quality  
11 Review Act.

12 The DGEIS, if you haven't seen it, it's  
13 comprised of eight chapters and tonight what  
14 we're going to do is really focus on providing  
15 you a quick overview of the Project and some of  
16 the potential environmental impacts and  
17 mitigation measures that are discussed in the  
18 DGEIS. I'd like to turn the microphone back over  
19 to Eva and she's going to give you a quick  
20 overview of the Project.

21 MS. HASSETT: Let me start this, because I  
22 didn't wear reading glasses -- I'm going to  
23 provide a very brief overview of the Master Plan.

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1 Those of you who have been to our public meetings  
2 will find, I hope most of this pretty familiar.  
3 The Richardson Center Corporation, a  
4 not-for-profit Board that has been managing this  
5 work, along with you, the public, in this series  
6 of public meetings, identified these five Guiding  
7 Principles for the Master Plan. That was one of  
8 the first things that we did. The Principles are  
9 to stabilize the historic buildings; to  
10 rationalize the site, that means both parking and  
11 circulation, foot and car transport; to  
12 prioritize the landscape investment; to identify  
13 perhaps for reusing the buildings and to  
14 establish public access. Those are really our  
15 Guiding Principles.

16 These Principles then led us to the  
17 development of several reuse alternatives that  
18 were evaluated by our Master Plan consultants for  
19 feasibility, and that was economic feasibility,  
20 market feasibility, management feasibility,  
21 physical feasibility and a lot of different ways  
22 of looking at feasibility.

23 The preferred alternative that we developed

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1 in the Master Plan was an outgrowth of their work  
2 as well as a very involved public -- I don't know  
3 if it was 40 public meetings, but we had a lot of  
4 public meetings and we had a very involved  
5 Community Advisory Group as well working with us.  
6 So the Master Plan -- and again, copies are  
7 available on-line and I hope there are copies  
8 here. Copies are available at Empire State  
9 Development Corporation -- the Master Plan is a  
10 long-term mixed-use development of the building  
11 and the grounds.

12 The Core Project, which is what we're  
13 looking at here, is the first phase. They're not  
14 necessarily time phases. They, in some ways have  
15 become economic phases as well, but this is  
16 really the first phase. And the Core Project  
17 consists of a mix of four interrelated uses and a  
18 tower building and two adjacent wards. That's  
19 what you see in blue on the slide. The four uses  
20 are the Buffalo Architectural Center; a Visitor  
21 Center; a Boutique Hotel, a small hotel; and  
22 Event Space, Conference and Event Space  
23 associated with that mix.

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1           Additionally, relocating the parking on the  
2           South Lawn. Again, there's no -- if you were  
3           looking at the Complex today there would be  
4           parking there. This core phase relocates the  
5           parking to those two red-dotted spaces that you  
6           see there, and so, relocates the parking and that  
7           allows for the landscaping of the South Lawn to  
8           be restored to create an attractive entry and  
9           sort of put back the landscape. And again, it's  
10          those two, that design, there's two designs that  
11          we will be showing on January 26th. Thirdly, the  
12          landscaping will be at the north of the Complex.  
13          Again, it's at the top of the slide. And last,  
14          to create a new northern entry and drop off the  
15          East-West Road. That's the Core Project.

16                 The Expanded Core Project calls for  
17                 expanding the reuse of the historic buildings to  
18                 include the buildings further to the east, one to  
19                 the west and further to the east, possibly for  
20                 use by Buffalo State College; a relocation of the  
21                 Psych Center Maintenance Building - you can see  
22                 to the very top of the slide the red-dotted  
23                 spaces would be where that building is now - that

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1 building would be relocated under the Expanded  
2 Core Project; and expanded landscape improvements  
3 to the north and the south, which you can see to  
4 the right; full reuse of the historic structures,  
5 means full reuse, expanded reuse of the  
6 historical buildings to include all the main  
7 buildings to the west. Our idea there, as  
8 mentioned in the Master Plan, was that that's for  
9 arts-related uses and possibly residences;  
10 relocation of the Buffalo State College  
11 Maintenance Building, the other new red square at  
12 the top of the slide and a full landscaping of  
13 the site.

14 And last, the development of the land  
15 holdings in the area identifies the location and  
16 some guidelines for compatible redevelopment,  
17 should the opportunity arise on the northwest  
18 corner of the site.

19 So that is a very brief description of the  
20 Master Plan. I want to turn it over to Monica  
21 Pellegrino Faix -- there she is -- who's going to  
22 go through some of the next steps of the proposed  
23 actions. Thank you.

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1 MS. PELLEGRINO FAIX: Good evening. The  
2 actions that are being approved through this  
3 process are to adopt the General Project Plan; to  
4 gain title to the property; to amend the zoning  
5 code to include the uses that we will be putting  
6 in place with the Master Plan; to expend the  
7 state funds; and to implement the Master Plan.  
8 And I'll tell you a little bit more about two of  
9 those.

10 One of the actions is to expend the state  
11 funds. This is a chart that has a very rough  
12 outline of the costs to do the Core Project and  
13 where we will acquire the funds. So the \$76 and  
14 One-Half Million Dollar state allocation will be  
15 used to undertake this Core Project portion of  
16 the reuse and it will be leveraged to maximize  
17 tax credits and private development funds.  
18 Already approved to spend is \$10 Million for  
19 Planning and Design, and of that, \$2 Million has  
20 been spent and \$10 Million for stabilization,  
21 which will be expended by the end of this year.  
22 So approval to spend the remaining \$56 and  
23 One-Half Million Dollars will allow the core

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1 project construction activities to move forward.  
2 Activities such as the South Lawn landscape and  
3 circulation, which will cost about \$4 Million;  
4 and the parking lot relocation, which is about  
5 \$800,000. The remaining phases will be funded by  
6 a combination of private development funds, tax  
7 credits and private foundations.

8 Another one of the proposed actions is to  
9 gain title to the surplus land. We'll gain title  
10 to the state-owned property, which you see here  
11 in yellow and that's about 38 acres, and then  
12 there will be about another four acres that is in  
13 front of the Towers Building, between the Towers  
14 Building and Forest that we will also acquire.  
15 And as you heard from Assemblyman Sam Hoyt, the  
16 transfer of legislation is poised to pass early  
17 this year. And I'll hand it back off to Mark.

18 MR. TYTKA: I'm going to give Richard the  
19 box of people who have -- the names that have  
20 registered to speak to draw at random, but if you  
21 would still like to submit a comment card to  
22 speak, you're more than welcome to do that. This  
23 isn't your last chance.

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1           Okay. You're back with me. What I'm going  
2           to do tonight is briefly highlight some of the  
3           identified potential impacts, environmental  
4           resources and potential mitigation measures. I'm  
5           really going to cover five specific areas  
6           tonight: Social Resources, Visual Resources,  
7           Land Use, Socioeconomics and Traffic.

8           The DGEIS has assessed impacts to  
9           architectural resources. There are two types of  
10          potential impacts. There are direct impacts,  
11          which those directly affect the resource itself  
12          -- the physical resource, and there are indirect  
13          impacts, which are impacts that affect the  
14          context or setting of the site, as an example.  
15          We also look at the potential impacts of  
16          archaeological resources on the site. As we  
17          noted, Buffalo State Hospital buildings and  
18          grounds are important resources. On the sites  
19          are structures are an excellent example of a 19th  
20          century health institution and especially an  
21          example of a [inaudible] the site is also a  
22          collection of the works of significant architects  
23          and designers, including H. H. Richardson,

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1 Frederick Law Olmsted, and the entire site has  
2 also been determined to be archaeologically  
3 significant because of its proximity to  
4 Scajaquada Creek. The Project generally resulted  
5 in positive direct impacts on cultural resources.

6 The Buffalo State Hospital vacant property  
7 grounds will be stabilized, restored and reused.  
8 A new structure will be constructed on the north  
9 side of Building 45. That will provide public  
10 accommodations, ADA compliance and circulation  
11 and it's important to take place in an area that  
12 has non-significant impacts or change alteration  
13 over time. However, there are potential for  
14 adverse direct impacts, specifically to Building  
15 30, which is an old wagon shed and this is  
16 located in the area which is slated for the  
17 developmental land holding phase.

18 And the Project may also result in some  
19 adverse indirect impacts, particularly the site  
20 context as resulted in the northwest quadrant.  
21 However, to mitigate environmental impacts for  
22 historic resources, Empire State Development  
23 Corporation and the Richardson Center Corporation

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1 would enter into a Letter of Resolution with the  
2 Office of Parks, Recreation and Historic  
3 Preservation. They are the State Historic  
4 Preservation Office -- Officer out of New York  
5 State. And the Letter of Resolution would  
6 basically be in place to protect the resources on  
7 the site. And this would likely include  
8 programmatic provisions pertaining to future  
9 development on the site as the Project moves  
10 forward. Specifically, it would address how they  
11 would consult moving forward with final design  
12 plans for buildings, site clearance, and also how  
13 the Project would move forward with regard to  
14 archaeological resources, what types of  
15 excavation would be required and what type of  
16 supporting studies are needed to go along with  
17 that.

18 In addition, we are committed to making  
19 sure that the Project follows federal and state  
20 historic preservation standards. The Richardson  
21 Olmsted Historic Structures Report will be  
22 prepared as part of the Master Plan and also the  
23 Cultural Resource Report and the Master Plan

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1           itself.

2                   The one comment I wanted to make is  
3           tonight's hearing is not going to be the last  
4           time you'll have an opportunity to comment on  
5           this Project. There are several additional  
6           reviews that I mentioned earlier and these will  
7           go typically through the City process, things  
8           like site zoning and site planning and there will  
9           be additional public hearings that the City  
10          Planning Board and Common Council will also be  
11          holding as the Project is implemented. So,  
12          again, you'll have an opportunity to comment at  
13          those times.

14                   With respect to Visual Resources, again,  
15          the Project would generally result in positive  
16          impacts. Again, stabilizing and rehabilitating  
17          the historic buildings, creating a new identity  
18          for ROC, strengthen the connection between the  
19          ROC and what they call the Buffalo Olmsted Park  
20          and Parkway system, reestablishing a pervasive  
21          tree canopy that once covered the site, enhancing  
22          and preserving historic views. We'll be  
23          removing, that was mentioned earlier, the

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1 existing parking lot to the south along that  
2 area, just as some of the examples of positive  
3 impacts.

4 Again, however, the construction addition  
5 to the north -- to the north of Building 45, a  
6 new internal circulation system and a build-out  
7 of the northwest quadrant have a potential for  
8 adverse impacts, but again, as with historic  
9 resources mentioned earlier, a Letter of  
10 Resolution will be executed with the State Office  
11 of Parks, Recreation and Historic Preservation,  
12 which will, again, help guide how those  
13 developments occur, how to minimize and mitigate  
14 those impacts if they do arise. And this also  
15 pertains specifically to visual impacts as well.

16 With regard to advantages, the ROC Master  
17 Plan is generally supported by local development  
18 plans. It is generally compatible with existing  
19 site uses. However, the proposed uses under the  
20 Master Plan are currently not consistent with the  
21 City Zoning Code. It's currently zoned R-2 and  
22 does not permit a number of uses that are  
23 proposed. What would happen going forward is RCC

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1 would apply to the City to rezone the site. The  
2 zoning classifications that the court's proposed  
3 would be developed in the program, and the  
4 present division that it may be a C-2  
5 classification into the community business  
6 district. However, many of you may know that the  
7 City is in the process of rewriting its own code  
8 at this point in time, so as time goes on there  
9 may be new codes that will be adopted by the City  
10 that will fit this particular series of uses.  
11 And again, the City is also considering this  
12 Master Plan as part of its green code  
13 development. Again, as I said, the rezoning  
14 process will afford you the opportunity to again  
15 go before the City Planning Board and Common  
16 Council and offer comments on the proposed land  
17 uses.

18 With regard to Parking, the Project  
19 proposes to reduce the amount of surface parking  
20 on the South Lawn. The Buffalo Psychiatric  
21 Center parking will be relocated on the aqua  
22 [phonetics] portion of the center off of the  
23 surplus lands. Additional services in parking

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1 will be placed on the north sides off the  
2 building versus the south Forest Avenue side.  
3 Parking will be redistributed on site to  
4 on-street -- it will be called on-street parking  
5 or onto driveway parking or parallel parking on  
6 the street and also to smaller lots across the  
7 site. And the Buffalo State Maintenance facility  
8 needs associated parking also and will be  
9 relocated as part of the plan.

10 The site currently has about 1,400 parking  
11 spaces and based on the City Zoning Code at the  
12 present time, about 180,000 square feet is what  
13 we're working with, the site will require  
14 approximately 1,700 off-street parking spaces at  
15 full build-out. And again, that's at the end of  
16 four phases of construction. The ROC Master Plan  
17 provides the whole parking guidance, but a more  
18 detailed parking plan needs to be developed as  
19 the Project and plans progress. So to minimize  
20 and mitigate potential impacts associated with  
21 the parking plan, the RCC would undertake and  
22 assess a parking pass in the future that would  
23 include a demand analysis which particularly

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1 would look at configurations of parking lots and  
2 designs and also look at a parking management  
3 plan. The parking plan would also be subject to  
4 the review by the State Historic Preservation  
5 Officer. Again, because they're changing and  
6 would impact the site, so again, there would  
7 still be some coordination with the State  
8 Historical Preservation Officer.

9 And in addition, the RCC would continue to  
10 consult with existing site users and with the  
11 adjoining neighborhoods to make sure that the  
12 parking plan is consistent with on-site uses and  
13 is not going to impact the University and any of  
14 the adjacent neighborhoods. Again, the parking  
15 regulations may change to its City Zoning Code  
16 changes in the future.

17 In terms of Socioeconomics, the DGEIS has  
18 assessed various socioeconomic factors. Impacts  
19 associated with the Project were generally  
20 positive. Full build-out of the Project, as well  
21 as the Core Project, result in construction jobs  
22 as well as permanent jobs. In addition, it would  
23 result in new tax revenues for both the City and

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1 the County.

2 With regards to Traffic, the DGEIS looked  
3 at two phases of the Project; one being the  
4 completion of the Core Project, which is  
5 estimated around 2015, and at that point there's  
6 still 188,000 square feet of development; and the  
7 second phase, the final phase, which would be  
8 full build-out, and that's estimated in the year  
9 2035, 880,000 square feet of development.

10 Based on the traffic analysis,  
11 implementation of the Project would result in  
12 minor adverse impacts of traffic operations. At  
13 the time of completion of the Core Project, it  
14 would generally result in approximately 210 to  
15 290 new trips that would be generated during the  
16 weekday AM (A), and PM (B) periods. The level of  
17 service for traffic operation would be in the (A)  
18 to (C) range. And basically in traffic, you have  
19 a level of service, Level (A) through (F). (A)  
20 being free flow, (F) being failure. And levels  
21 of service for all intersections resulted in  
22 positive, acceptable levels of service at the  
23 nine intersections studied.

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1           At the full build-out, which was estimated  
2           at 2035, the Project would generate about 1,100  
3           to about 1,400 new vehicle trips during a weekday  
4           AM, PM periods. Ten intersections were studied  
5           and all operated at acceptable levels of service,  
6           again, (A) through (C). However, intersections  
7           approaches, you've got three approaches that did  
8           have some congestion and were reaching a capacity  
9           issue. However, through mitigation, we're able  
10          to bring those back into compliance and  
11          acceptable operating standards. And those are  
12          actually described. They're a little small on  
13          the screen, but you can see them on the screen  
14          and they're also in the DGEIS.

15          Finally, Thresholds. Back to that topic.  
16          It was mentioned earlier that the DGEIS  
17          establishes thresholds, that if exceeded, would  
18          trigger an issue on environmental reviews. And  
19          the following items are things that if the items  
20          are exceeded, basically they would not be deemed  
21          to be consistent with the GEIS and additional  
22          environmental review would be required. So these  
23          are basically project program changes that

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1 establish patterns exceeding limits developed by  
2 the ROC Master Plan, and we talked about 880,000  
3 square feet as an example.

4 Introduction and land uses to the ROC are  
5 significantly dissimilar to those identified in  
6 the Project programming and assessed in the  
7 DGEIS. The acceleration and construction  
8 schedules requiring 24/7 construction, weekend  
9 construction, right now we're just assuming a  
10 regular weekday schedule for construction.

11 Street modifications that would permanently  
12 reduce land capacities in the Project area.  
13 Modifications of programming that would increase  
14 the pervious surfaces that would result in storm  
15 water runoff.

16 Project Programming that would directly  
17 impact architectural and archaeological resources  
18 listed on the State and National Register of  
19 Historic Places that cannot be adequately  
20 mitigated. The discovery of archaeological  
21 artifacts during grounds activities associated  
22 with build-out of various phases of the project.

23 So what happens next? Following today's

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1 meeting, written comments will be accepted to  
2 January 17th. Following the close of the comment  
3 period and comments received, there's basically  
4 two options, as Richard mentioned earlier; there  
5 are substantive comments, responses to be  
6 addressed in the FGEIS, Finding Statement issued  
7 and the GPP will be refined for approval. If  
8 there are no substandard comments, a negative  
9 declaration would be adopted based on the  
10 findings of the draft GEIS and the Project would  
11 be implemented. Thank you for your attention  
12 tonight and I'll turn you back over to Rich.

13 HEARING OFFICER STARK: Thank you, Mark.  
14 I'll now open the floor to receive public  
15 comment. In order to ensure an accurate  
16 transcript and to enable everyone to better hear  
17 your remarks, I'll ask that you to come up to use  
18 one of the two floor microphones set up. I'd  
19 also ask, if applicable, that you please set up  
20 any display materials that you may have for your  
21 remarks and have them marked as exhibits for the  
22 public record.

23 As you begin your comments, please state

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1 your name, and if you are appearing as a  
2 representative of an organization or governmental  
3 entity, please also identify the name of the  
4 organization or agency. Once again, I want to  
5 remind you that the purpose of this hearing is to  
6 afford an opportunity to make comments concerning  
7 the General Project Plan and DGEIS. It is not  
8 intended to be a question and answer session.

9 Comments received at this hearing will be  
10 taken into consideration by ESDC as part of the  
11 final approval of the proposed Project. And as  
12 Mark had mentioned, if any substantive comments  
13 are received tonight on the components of the  
14 DGEIS, they will be addressed in a Final Generic  
15 Environmental Impact Statement.

16 Currently, there are only three people that  
17 have signed up to make a statement. Therefore, I  
18 will not hold to strict time limits. I would  
19 ask, however, for the benefit of all present,  
20 that you try to keep your statements concise. If  
21 your comments are similar to other speakers, you  
22 may elect to state that you are in agreement with  
23 the comments of that prior speaker.

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1 I will now ask the name of the first  
2 speaker to come up to the podium, or to the  
3 microphones. Jeffrey Drago. The next is Michael  
4 McLean.

5 MICHAEL McLEAN: Hello. Good evening.

6 HEARING OFFICER CLARK: Mr. McLean, please  
7 state your name.

8 MICHAEL McLEAN: Michael McLean. I'm  
9 representing the patients of Buffalo Psychiatric  
10 Center. I've been sitting on the Community  
11 Advisory Group for a few seasons, since its  
12 inception. It's been a couple of years now and  
13 representing clients for the hospital is why I  
14 was asked to step forward, and to realize that  
15 we're going to be sharing a space with clients of  
16 the hospital who sometimes might look different  
17 and think different than what we think is normal  
18 and acceptable. To make the necessary internal  
19 preparations to realize that the people that are  
20 going to be sharing this space with us are our  
21 cohabitants of this community and this planet,  
22 and as I visualize that, I think how can you best  
23 integrate this interaction and facilitate this

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1 interaction with being artists active in the  
2 community. I thought some of this space could be  
3 for galleries and have projects of tutorials  
4 involving local artists working with the  
5 patients. This sort of interaction. And then  
6 the patients could receive something out of the  
7 community in return. It's hard to visualize how  
8 we're going to integrate, how we're going to  
9 interact, how it's going to be peaceful, gainful  
10 and good for us, and that's the bottom line. How  
11 can it be good for us all. And then somehow,  
12 some way, keep that spark of energy, which is  
13 needed in this Project to gain the momentum. And  
14 speaking of energy, it's needed not just on the  
15 grounds of the center and not just in this  
16 neighborhood, but what is the energy needed to  
17 nurture a language in this community and a  
18 language in this country that's suffering, and  
19 somehow, some way, perhaps we can spark something  
20 essential here that will be truly good for us  
21 all. Thank you.

22 HEARING OFFICER STARK: The next speaker  
23 up, Tim Tielman.

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1                   TIM TIELMAN: My name is Tim Tielman. I'm  
2                   the Executive Director of the Campaign for  
3                   Greater Buffalo, History, Architecture and  
4                   Culture and I'm making comments on behalf of the  
5                   organization. Before I get started with my  
6                   comments, I just want to build upon what  
7                   Assemblyman Hoyt stated about this being a very  
8                   long process, and indeed it has been a very long  
9                   process, but it's worthwhile because when we make  
10                  haste, we make waste. So it's worthwhile. As  
11                  we've seen with complexities of the Martin House  
12                  project, the Roycroft restoration and now this,  
13                  good things take time. It took a lot of time to  
14                  build this and it's going to take a lot of time  
15                  to do right.

16                  So that stated, the turning point really  
17                  was public initiative. It was a lawsuit brought  
18                  by the Richard Lippes and the Administration of  
19                  polls of Erie County. Based on the legislation  
20                  that actually Sam's father, Bill Hoyt, very  
21                  wisely, they passed that held that New York State  
22                  was required to maintain historic architecture  
23                  and it was that lawsuit that created the chain of

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1 events which released \$100 Million for this  
2 Project and other worthy projects in Western New  
3 York. So the public has had a very long interest  
4 in this and if it weren't for consistent pushing  
5 by the community, I don't think we'd be here  
6 today. So I just wanted to get that on the  
7 record.

8 Our organization has participated in a lot  
9 of these meetings, the Community Advisory Group  
10 and we've generally been very happy with the  
11 process. There are still a couple sticking  
12 points that we think the Draft EIS does not  
13 adequately address and I'll conceptualize the two  
14 major points and we'll submit written comments as  
15 well.

16 But on page 157 of the DGEIS there's a  
17 statement which we agree with. Key changes that  
18 would impact the visual resources of the ROC  
19 site, include, among others, "to rationalize the  
20 site to create a more cohesive site and reduce  
21 perceived divisions in the property". Very good.  
22 We're onboard with that. But on the very next  
23 page, on page 158 it states: The Project

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1 includes the construction of a new East-West Road  
2 and a new arrival loop. These changes would  
3 essentially reorientate Building 45 -- that's the  
4 administration building here -- so that the  
5 existing backside of the building becomes the  
6 front or entrance to the ROC. That would seem in  
7 two ways that East-West Road and the  
8 reorientation of the arrival sequence to  
9 contradict the whole other previous page for  
10 these reasons:

11 The East-West Road is not justified beyond  
12 giving an address to speculative buildings. It's  
13 not demonstrated in the DGEIS, but merely  
14 asserted that using the public open spaces in the  
15 northwest quadrant will somehow help to  
16 rehabilitate the ROC. That's quite a tradeoff  
17 that the public is being asked to do. To give 25  
18 acres of open space to be used for recreation in  
19 a neighborhood that sorely needs it, and so  
20 there's no way for us to evaluate that proposal.  
21 Is it a worthwhile trade for the public? We need  
22 to know that information.

23 And also, not allowing automobiles access

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1 from the front, through the existing subways that  
2 Olmsted Richardson designed kind of allows for  
3 dilation from the south part or the front part of  
4 the complex to the back. We feel that that would  
5 shut out the majority of vehicle base visitors to  
6 the site and would require a lot of redirecting  
7 of traffic, which would subvert  
8 Olmsted-Richardson's design. This is probably  
9 the grandest example of saying, hey, this is an  
10 entrance that you're going to see of  
11 architectural landscape architecture. In fact,  
12 it's interesting that throughout the slide  
13 presentations that the DGEIS, where the  
14 property's show, even though it's purported that  
15 the entrance would be on the front, all views are  
16 from the south, which it properly should be. So  
17 we have to think very carefully when we're going  
18 to switch the design intent of Richardson and  
19 Olmsted on this very important thing, that it be  
20 weighed very carefully.

21 And then finally, the East-West Road, all  
22 the alternatives except the no-build alternative,  
23 essentially the East-West Road, there was no

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1 other alternative that did not show essentially  
2 the extension of Bradley Street, which would, of  
3 course, lead to a perceived division of property  
4 between areas north of Bradley Street, would be  
5 perceived as being part of Buffalo State College  
6 and available for that expansion and would have  
7 that ulterior effects on how the people perceive  
8 the buildings and the landscape from the north  
9 end. That's the only area that you can see the  
10 totality of what Richardson and Olmsted laid out  
11 and potential moves that needed resource, in  
12 addition to that open space that's lost is very  
13 great and that needs a very lengthy discussion in  
14 the Environmental Impact Statement which hasn't  
15 occurred in the draft. Thank you.

16 HEARING OFFICER STARK: I'd like to call  
17 Jeffrey Drago again. Is Mr. Drago present? It  
18 appearances that he is not present. At this  
19 time, is there anyone else who would like to make  
20 a statement regarding the General Project Plan or  
21 the Draft Generic Environmental Impact Statement?  
22 Okay. The time is now 7:00 PM. I will call for  
23 a recess in these proceedings until such time as

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1 someone requests an opportunity to make a  
2 statement. Again, at any time during this recess  
3 you may request an opportunity to make a  
4 statement. We will hold the hearing open until  
5 8:00 PM, in order to afford any late comers an  
6 opportunity to make a presentation. Thank you.  
7 And we're now currently in recess.

8 [Brief recess]

9 HEARING OFFICER STARK: Excuse me, please.  
10 I've been informed that we do have another  
11 individual that would like to make a comment.  
12 Please state your name for the record, sir.

13 JOHN McNEIL: Hi. I'm John McNeil. I just  
14 moved back here from San Diego. I used to live  
15 here, so to speak, and coming back I've been -- I  
16 really, really appreciate that building and it's  
17 historical and when you come back to Buffalo  
18 after living away for 25 years, you really come  
19 back with some new appreciation for things, and  
20 I've seen so many of the historical churches on  
21 the east side and possibilities that just, you  
22 know, kind of like lost or changed and I, you  
23 know, I've heard about the Cloister on Delaware.

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1 Now it just sits there doing nothing. Because  
2 it's historic, nothing's getting done. Well, I'd  
3 hate to see that happen with this because I'd  
4 really love to see the inside of that building  
5 and I'd love to see those grounds opened up and  
6 made into a park and I just think it would be  
7 just a huge boost to Buffalo's, like a beautiful  
8 place in Buffalo to go.

9 Coming back I pass it all the time and I  
10 really appreciate it. So I just think that the  
11 road coming through that they want to do is  
12 something that really shouldn't be done because  
13 it would just ruin the grounds. I'm a landscape  
14 designer by trade. That's what I went to school  
15 for and I know the grounds there and the  
16 integrity would be compromised with putting a  
17 road through it. It would just be a mistake and  
18 I think that more people should, if they really  
19 agree -- when they drive by, look at it from that  
20 perspective and if they agree they should really  
21 try to talk or support rethinking the idea of a  
22 road and keeping it kind of like a park-like  
23 setting. Opening up the gates. I just -- when I

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1 drive by and look at that building I just wish  
2 the gates were open so I could drive around the  
3 grounds at least. I'd love to be able to be  
4 inside the building and see what it looks like  
5 so, and I'd love to see people come. It gives a  
6 boost to that whole neighborhood, because  
7 considering that I'm going to be opening a  
8 business right there on Forest and I'd like to  
9 see things kind of like remain the same, because  
10 obviously, the view from the business side that  
11 I'm going to be opening would be much nicer  
12 without that road there and all the, you know,  
13 the changes that would occur. So, thanks. I  
14 just wanted to go on the record with that.  
15 Thanks.

16 HEARING OFFICER STARK: Thanks. Would  
17 anyone else like to make a comment at this time?  
18 Please state your name, sir.

19 CARL DENNIS: My name is Carl Dennis. I  
20 just wanted to reaffirm that comment of Tim  
21 Tielman's comment. Everyone coming to this  
22 architectural masterpiece needs to confront it  
23 first the way it's presented. It was presented

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1 by the building on the side, which is coming at  
2 it from the side and I understand why there has  
3 to be an entry from the back for handicapped  
4 reasons and other reasons, but I think people  
5 should be invited to approach it the way it was  
6 meant to be approached, so that otherwise, if  
7 they just have a side entrance, if the side  
8 entrance is made central, somehow you could come  
9 and go, you never understand why this building is  
10 really significant and you won't be able to  
11 orient yourself when you're in the building. So  
12 that's one point I would make.

13 And the second point I wanted to make is  
14 that we -- to be true to Olmsted's plan, you have  
15 to be true to as many of the roadways that made  
16 walking an easy, slow travel in the front of the  
17 building possible and rationalizing. Not  
18 rationalizing in the way that it moves a lot of  
19 those very inviting curves or something that  
20 simply moves traffic around. Thank you.

21 HEARING OFFICER STARK: Would anyone else  
22 like to make a comment at this point?

23 VINCENT KUNTZ: My name is Vincent Kuntz.

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1           When I look at the northwest -- what's referred  
2           to as the northwest quadrant, I always remember  
3           that as the asylum was built, it was built in the  
4           context of the plan that it was being used in in  
5           the 19th century where there was a consideration  
6           that useful, productive activities was an  
7           important part of treatment for people who are  
8           mentally ill, so when I see that area being  
9           described as historically undeveloped and I look  
10          at the Agricultural Building and the Piggery  
11          [phonetics] -- if you're not familiar with the  
12          term. You can tell, it's a building where pigs  
13          were. It's that short building with the short  
14          doors. It's for housing pigs. I can't think of  
15          that area or the areas that where the barn where  
16          the patients work for therapeutic activity and  
17          produce some of their own support that's  
18          undeveloped in the Olmsted and Richardson plan.  
19          And so I think making that assumption that it was  
20          undeveloped and could be used for anything  
21          disregards part of that original plan and should  
22          be considered.

23                           HEARING OFFICER STARK: Thank you. Again,

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1 at this time is anyone else present that would  
2 like to make a comment? Okay. The time is now  
3 7:25 and we'll again go back into recess until  
4 8:00 PM.

5 [Brief recess]

6 HEARING OFFICER STARK: Excuse me, ladies  
7 and gentlemen. We have another individual who  
8 would like to make a comment.

9 CYNTHIA VAN NESS: Hi. Cynthia Van Ness  
10 representing just me. I want to go back to some  
11 of the renderings I saw at the last meeting,  
12 which I think was this last summer, I want to  
13 preface that, literally that were addressed only  
14 vaguely that we're talking about tonight and that  
15 is the potential entrance new exhibit building to  
16 the north side of the Administration Towers. The  
17 rendering I saw before showed something that was  
18 completely out of character. This new building  
19 here, and it seemed to be a willful  
20 misinterpretation of the standards. Those permit  
21 new construction on historic sites like this and  
22 they call for new construction to be  
23 distinguishable from old construction, but I

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1 detected that they interpreted that to mean that  
2 new construction must clash in every possible way  
3 with what's already on the site. If you have a  
4 stone building then the new construction must be  
5 plaster. If we have strong verticals then the  
6 new building must be horizontal. If you have  
7 window openings of one shape then the new opening  
8 must be a completely different shape, and that's  
9 actually not what the standards call for. They  
10 call for synthetic maskings, synthetic materials,  
11 synthetic colorings, et cetera. So my concern is  
12 that these standards be interpreted correctly and  
13 strongly when it comes to any construction on the  
14 west side. Thank you.

15 HEARING OFFICER STARK: Would anyone else  
16 like to make a comment at this time? Okay.  
17 We'll now go back into recess. It's 7:40.

18 [Brief recess]

19 HEARING OFFICER STARK: Excuse me. Recess  
20 is now over. The time is now 8:00 PM. Before we  
21 close the hearing, is there anyone else present  
22 who would like to make a statement regarding the  
23 General Project Plan or Draft Generic

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1 Environmental Impact Statement?

2 Let the record show that no one has  
3 appeared to make a statement, and no one seems to  
4 be in the room ready to do so.

5 The time is now 8:01 PM. I'd like to thank  
6 you all for attending tonight and the hearing is  
7 now concluded.

8 (Hearing concluded at 8:01 p.m.)

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STATE OF NEW YORK)

) ss.

COUNTY OF ERIE )

I, Judith E. Peterson, in and for the County of Erie, State of New York, do hereby certify:

That the witness whose testimony appears hereinbefore was, before the commencement of their testimony, duly sworn to testify the truth, the whole truth and nothing but the truth; that said testimony was taken pursuant to notice at the time and place as herein set forth; that said testimony was taken down by me and thereafter transcribed into typewriting, and I hereby certify the foregoing testimony is a full, true and correct transcription of my shorthand notes so taken.

I further certify that I am neither counsel for nor related to any party to said action, nor in any way interested in the outcome thereof.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal this \_\_\_\_\_ day of January, 2011.

-----  
Judith E. Peterson, Notary Public  
State of New York, County of Erie  
Expiration: 3/19/11

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