

RACHEL COHEN
JAVIER GARCIA DIEGO
TYLER GUMPRIGHT
ROSE MARTINEZ
SAM LEVY

CLIENT:
NEW PARTNERS FOR COMMUNITY REVITALIZATION

PROJECT:
**EVALUATION OF THE
NEW YORK STATE BROWNFIELD
OPPORTUNITY AREAS PROGRAM**

CAPSTONE PROJECT
NYU ROBERT F. WAGNER GRADUATE
SCHOOL OF PUBLIC SERVICE



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Massena BOA, study area
Source: Massena Brownfield Opportunity Revitalization Plan

I. Forward

1. About New Partners for Community Revitalization

This study was commissioned by New Partners for Community Revitalization, Inc., (NPCR), a non-profit organization that supports the revitalization efforts of low- and middle- income communities burdened with contaminated properties known as brownfields. In collaboration with community, commercial, government, and non-profit partners, NPCR develops policies, programs, and projects aimed at achieving the remediation and sustainable reuse of brownfield sites in New York.

NPCR and its founders, Jody Kass and Mathy Stanislaus, were leaders in a large coalition of stakeholders that helped craft the policies underlying New York State's brownfields programs. Mathy Stanislaus, representing environmental justice communities in New York City, was instrumental in the creation of the Brownfield Opportunity Areas (BOA) Program, a program

specifically designed to address brownfields in poorer communities and communities of color that are lacking the economic dynamics necessary to attract investment to develop local brownfields, even when site-specific incentives are available. NPCR has championed the BOA Program from its earliest days, advocating for funding, providing networking opportunities for BOA communities, and working with other stakeholders to offer recommendations for policy initiatives in support of BOAs. NPCR's goal is to enhance the Program and ensure its effectiveness statewide, particularly in disinvested communities.

2. About This Study

While NPCR has published several reports over the last decade describing the unique promise and successes of the BOA Program,¹ its constituents have found that the Program is not easily explained or well understood, even by potential allies. Its accomplishments, obvious to participating communities, are not necessarily popularly attributed to the BOA Program. In fact, because community revitalization is both complex and gradual, it is challenging to identify and measure the BOA Program's role in achieving that revitalization. The BOA Program, the first of its kind in the nation, is essentially experimental, though it has been replicated in New York City's Community Brownfield Planning program and EPA's Area-Wide Planning (AWP) grant program. While there is enormous anecdotal data indicating that the BOA Program has been successful and holds real promise for distressed communities, there has been no systematic analysis or tracking of its accomplishments and potential.

For these reasons, NPCR asked a team of graduate students in urban planning at New York University's Wagner School of Public Service to undertake, as their Capstone project, the first comprehensive study of the BOA Program. A requirement of the Master of Urban Planning program at NYU Wagner, Capstone provides planning students with both a critical hands-on learning experience and an opportunity to perform a public service. Over the course of an academic year, a team of five graduate students, the authors of this report, worked with faculty advisor Michael Keane to conduct research, address challenges and identify opportunities regarding the BOA Program on behalf of NPCR.

The Capstone project had three core objectives: 1) a description: helping NPCR explain how the BOA Program currently operates on the ground and what BOA communities look like today; 2) an assessment: gathering and analyzing data to determine whether the BOA Program is meeting its purpose; and 3) recommendations: understanding both the

¹ These reports can be found at <http://www.npcr.net/npcr-reports.html>

impediments to success and the elements that contribute to revitalization to inform revision and strengthening of the Program.

NPCR was clear in its request that it was looking for objective and thoughtful analysis that would achieve these objectives, and include:

- Metrics for program evaluation and monitoring;
- Case studies to help explain the role of the BOA Program in urban revitalization; and
- Baseline data to assist in future assessment and policy development.

In pursuit of these objectives, the Capstone team has conducted a survey of 50 BOA Program participants, developed three in-depth case studies, and undertaken demographic and economic analyses comparing BOA data with that of the counties in which they are situated. The Capstone team also developed a set of original tools that NPCR and its partners can use for on-going monitoring and evaluation: a matrix that captures critical information about BOA contracts, one-page snapshots that describe the work and status of 32 BOAs, a set of proposed metrics for evaluating Program outputs and outcomes, and a proposed land value regression model to measure long-term Program impact. The Capstone work products are included in this report, along with recommendations for program enhancement and revision.



Peconic River Corridor BOA, section of study area
Source: Amy Beth Stern Real Estate

II. Executive Summary

The Brownfield Opportunity Areas (BOA) Program was created as part of the 2003 New York State Brownfields Reform Act, which provided uniform cleanup standards and protocols, tax incentives for remediation and redevelopment of brownfields, and assistance for municipalities in cleaning up certain municipally owned sites. The BOA Program, administered by the New York State Department of State (DOS), provides municipalities and community-based organizations (CBOs) with resources to engage community stakeholders in planning efforts for entire neighborhoods with multiple brownfields. Most other state programs, including New York State's other brownfields programs, take a site-by-site approach to brownfields redevelopment. BOA was designed to enable communities to attract investment through coordinated pre-development, community planning, and focused study. The BOA Program offers a three-step process: Pre-Nomination work (Step 1), a Nomination Study (Step 2), and Implementation Strategy (Step 3). The purpose of this Capstone project

was to assess how this program is working, to identify appropriate metrics for success, and to provide recommendations for its improvement.

1. Scope of Review

This report is based on a survey of nearly 50 BOAs and in-depth research on three cases: the Downtown Rome BOA, the South Genesee River Corridor Vacuum Oil BOA in Rochester, and the Wyandanch Rising BOA in Babylon. To assist with evaluation of the Program, the authors created a matrix showing illustrative program statistics for each BOA (e.g., number and size of grants received, time for advancement through program steps, designation status); developed one-page snapshots of more than 30 active BOAs; performed a demographic analysis comparing BOA communities with their surrounding areas; reviewed metrics used by other state brownfield programs; and constructed a regression model to assess the impact of Program participation on land values in BOA communities.

2. Overview of Findings

The report findings are organized according to four themes:

1. BOA Community Description Findings draw on demographic analysis of BOA communities;
2. Project Implementation Findings examined how BOA communities used BOA resources;
3. Integration and Coordination Findings look at how BOA plans work with larger planning efforts and as leverage for attracting or obtaining additional investment; and
4. Metrics, Tracking, and Data Management Findings draw on lessons learned from the survey and case studies.

In recent years, the BOA Program has begun to hit its stride and break out of the procedural delay, inconsistency, and lack of clarity that characterized the early history of the Program. The Program is having a positive impact in a number of New York communities. The research presented throughout the report indicates that:

- The BOA Program is achieving its intended purpose to reach low-income, high poverty, and minority communities;
- BOA has advanced re-investment in many communities affected by multiple brownfields and historic disinvestment;

- BOA plans have been formally adopted in a number of communities, contributing to comprehensive plans for communities and municipalities; and
- Land values in BOAs, especially those that had been in the Program for longer, showed a marginally larger increase in recent years, when compared to similar areas.²

3. General Program Findings

The BOA Program has been successful in engaging communities suffering from higher levels of poverty and unemployment.

- The average difference between BOA communities and their respective counties in terms of households below the poverty line is 8.9 percentage points, and more than 80% of BOAs have a larger share of their population living in poverty compared with their respective counties; and
- BOAs are characterized by higher unemployment rates and lower labor force participation rates. Median unemployment in the BOAs is 11.0% and the median difference in unemployment rate between BOAs and their respective counties is 2.4 percentage points. 69.2% of BOA communities experienced higher unemployment rates in 2014 than the county in which they sit and 77% of BOAs overlap with high-poverty/high-unemployment areas defined as En-Zones.

4. Project Implementation Findings

Many successful BOAs focus their work under the Program on pre-development planning and unmet infrastructure needs. These BOAs have also found that developing high-level connections with city officials is a key to successful implementation. The BOA Program should be nimble, flexible, and responsive in order to encourage communities to use funds to meet their local needs, and to avoid unnecessary delay.

- Survey evidence shows that delays associated with contracting are a challenge for BOA Program participants. Time lags between applying for a grant, receiving an official response from DOS, and executing a contract can be extensive. Lag time has been as long as five years, with the median lag between program enrollment and contract award at one year;

² This finding will require further tracking through time to determine the level of significance of the difference.

- The top three priority work areas for BOAs are infrastructure, zoning/land use, and site-specific work such as massing studies and pro forma development. Environmental assessment and demand studies were of secondary importance in terms of BOA prioritization;
- Having a high-level official engaged is important for moving a community through the BOA Program. 11 of 40 survey respondents named their local mayor or equivalent executive as the “most important advocate or champion” for the BOA; and of the 12 respondents to this question currently in Step 3, seven indicated that the municipal executive was a key champion; and
- The high degree of formal plan adoption by BOAs who have advanced to Step 3 shows the potential of BOA to become integrated into the larger comprehensive planning process.

5. Integration and Coordination Findings

BOA functions best as a truly community-based planning enterprise, and is notable for its ability to bring multiple stakeholders into the planning process. BOA planning results help communities fulfill requirements of other state programs and Program funding allows municipalities or CBOs to fill in funding gaps to achieve planning goals.

- Existing capacity for basic planning is an indicator for future BOA success. For example:
 - Rome’s planners already knew their basic demographics and land use patterns before entering the Program, and city officials made the case that they were ready to start the BOA Program in Step 2. This signaled to both the DOS and potential investors that they had internal capacity to advance their work.
 - The Town of Babylon had put a revitalization plan together for Wyandanch, which followed a series of community-based planning events, before entering the BOA Program.
- BOA planning offers a chance for municipalities to present a unified redevelopment plan. For example:
 - In Downtown Rome, BOA helped provide a development framework that connected a number of key projects in new ways.
 - In Rochester, BOA planning led to a favorable court ruling finding Exxon Mobil responsible for cleanup costs associated with historic

contamination.

- The most successful BOAs are able to leverage additional funding, from other grant programs and private investors, and use the outputs from their BOA work to meet the requirements of these programs/investors. For example:
 - Rome used BOA funding to produce marketing collateral and promotional materials in order to raise developer awareness of its ongoing projects.
 - BOA funding allowed a private developer and the City of Rochester to prepare for entrance into the State's Brownfield Cleanup Program (BCP), and the U.S. EPA awarded additional funding to be used for site assessments.
 - Wyandanch used BOA grants to put together documents necessary to undertake the legal and administrative procedures for formal town planning, including a blight study, an urban renewal plan, a Generic Environmental Impact Statement (GEIS), and authorizations and permits from water and sewer agencies.
- The flexibility of BOA funding is key to its success. As seen in all three case studies and the responses of many additional participants in the survey, each BOA has used their funding for different elements of the planning and pre-development process, and BOA has helped fill funding gaps at critical moments for many communities. For example:
 - Wyandanch's second BOA award was partly used to seek authorization from the Suffolk County Water Authority (SCWA) and the Suffolk County Department of Public Works (SCDPW) to get the permits necessary to connect to the sewer and the water supply system.
 - Rochester is using its Step 3 funds to conduct land appraisals for eight parcels within the boundary of the former Vacuum Oil Plant footprint that may be acquired as part of a right-of-way development, and are crucial for budgeting, cost estimation, financing, and legal due diligence processes.

6. Metrics, Tracking and Data Management Findings

Evaluation of the BOA Program is challenging for a number of reasons: it is designed to work in parallel and symbiotically with other programs, and it is difficult to determine with certainty the extent to which BOA-funded activities (community involvement, planning for land re-use and/or infrastructure improvements, marketing and feasibility studies, etc.) can be credited with driving redevelopment. What does appear certain is that many communities have been successful in

using BOA Program funds – in one or more ways – as part of successful, multi-dimensional efforts to catalyze community-supported redevelopment.

- Different BOAs have quite different characteristics and enter the Program at different stages of readiness to perform planning analysis. The flexibility of the Program allows BOAs to focus on activities most important to them, but also makes it difficult to come up with universally applicable metrics for the Program.
- Using a statistical model to measure changes in land value, BOAs that entered the Program in or before 2005 are shown to have seen an average increase in land values per acre of \$28,522, a marginally larger increase than a comparable group of non-BOA properties. There is uncertainty associated with these findings at this time, however, and further investigation is needed to confirm the validity of these results.
- While it is anticipated that the recently enhanced BCP tax credits for BOA projects (up to 5% of total development costs) will result in the advancement of BOA plans and an increase in property values, it is too early gauge what the impact of the tax credit bump-up will be because the first BOA designations, now numbering 26, did not occur until early 2015.

7. Recommendations & Implementation

Based on these findings, the report identifies three potential areas for program reform:

1. Streamlining: The BOA Program could eliminate certain early step requirements and combine the current three-step program into a single contract to lessen the administrative burden and capacity issues that currently impact all BOAs, and particularly smaller BOAs. This could be achieved by:
 - Creating one application and one contract for all three steps to avoid unnecessary work and additional delays;
 - Creating a more robust application process that asks BOA applicants to broadly identify the study area (subject to change through program study), collect baseline demographics, and organize an initial community outreach event to start the conversation around the need and vision for redevelopment; and
 - Transforming BOA from a pipeline to designation into a resource that supports area-wide, community-based planning activities for redevelopment.

2. Integration and coordination with other state and local programs: BOAs ability to generate planning outputs, which in turn are utilized to attract further funding from related government programs, is its biggest tangible asset. The Program should be repositioned to take advantage of this strength. This could be achieved by:

- Strengthening and clarifying the leveraging value of designation for obtaining State and municipal support and incentivizing private investment; and
- Advocating for funding programs that work symbiotically with BOA, such as Restore New York, and that provide funds necessary for development once BOA planning work is complete.

3. Metrics, Tracking, and Data Management: The BOA Program could better track progress and use tools already in place in other states to share best practices and market program accomplishments, improving both the public perception of the Program and its utility to participants. This could be achieved by:

- Using metrics that coincide with the Program's goals, such as:
 - Regulatory progress, e.g., zoning code changes;
 - Public monies earmarked for BOA-recommended infrastructure projects;
 - Leveraged grant funds (public and private);
 - Construction-readiness, private investment in development projects, and "shovels in the ground"; and
 - Economic development impact, especially jobs created.
- Providing BOAs with templates and promoting the sharing of best practices and lessons learned via database and Internet technology; and
- Making data public: information on all BOAs should be accessible to applicant communities, organizations doing brownfields revitalization, and to the general public. Though the Program formally requires studies to be published, much more could be done to ensure that this requirement is met and that the Department of State publishes and publicizes complete plans.



Kingston Waterfront Rondout BOA, section of study area
Source: *Marinas.com*

III. An Introduction to the BOA Program

A. Background on the BOA Program

The federal Environmental Protection Agency defines brownfields sites as “real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.”³ Many states, including New York, have used this definition as a basis for their own understanding of brownfields (though the definition as used in New York’s Brownfield Cleanup Program has been changed in subsequent amendments). Many brownfields sites across New York State present opportunities for redevelopment, especially in economically vibrant parts of the state; but, because of the high cost of cleanup and the liability associated with contaminated land,

³ EPA, Public Law 107-118

many more of these sites remain abandoned or underutilized, contributing to urban blight and disinvestment, particularly in communities with an industrial heritage.

The Brownfield Opportunity Areas (BOA) Program was created as part of a package of measures⁴ under the Brownfields Reform Act, which was signed into law by former New York Governor George Pataki in 2003. The centerpiece of the Act is the Brownfield Cleanup Program (BCP), which provides standards for cleanup and tax incentives for the remediation and redevelopment of individual sites. The BOA Program was designed to provide local municipalities and community-based organizations resources to engage community stakeholders in visioning an area-wide plan for the reuse of brownfields in order to spur redevelopment and attract public and private investment in communities for which the tax incentives might not be sufficient to offset the costs and risks of development. The BOA Program was particularly intended to give voice to communities in the areas of New York that are poorest and most impacted by brownfields, where the combination of clustered brownfields and a perceived lack of economic potential discourage development.

⁴ In addition to the BOA Program, these measures included: (1) the Brownfield Cleanup Program (BCP), by which owners and developers of brownfields agree to clean up, or “remediate” a site in accordance with a set of exacting requirements, in exchange for the State’s approval, a delimited release of liability and varying levels of tax credits; various tax credits, devised to incentivize BCP participation by compensating the site owner/developer for a percentage of remediation and redevelopment costs, with the amount of recompense dependent on a number of factors, including the level of cleanup and the nature and location of the development project; and (2) amendments to the Environmental Restoration Program (ERP), created as part of the State’s 1996 Clean Water Clean Air Bond Act to assist municipalities in the cleanup of municipally owned brownfields. Most notably, the amendments reduced the municipal share for a site cleanup from 30% to 10%, making ERP funding more accessible.

Brownfield Opportunity Areas Program Overview:

- Participants: Municipalities, community-based organizations, and community boards;
- Competitive Grants: Technical and financial assistance up to 90% of total project costs;
- Target Areas: Economically distressed communities, as measured by indicators such as low resident incomes, high unemployment, high commercial vacancy rates, and depressed property values; as well as areas with a concentration of known or suspected brownfields;
- Approach: Neighborhood-area planning versus site-by-site redevelopment;
- Benefits: Funding for critical pre-development study and analysis, meaningful community engagement, priority and preference in the receipt of other government funding, and a 5% tax credit bonus to development projects that conform to a BOA vision. (This bonus to the tangible property tax credits provided by the Brownfield Cleanup Program was initially created in 2008 and set at 2%; amendments to the Brownfield Cleanup Program tax provisions in March 2015 increased the bonus to 5%.)

The BOA Program, inspired by early brownfield policy discussions and the work of environmental justice leaders,⁵ is a community-based, area-wide planning approach to revitalization. While most of the 50 states, including New York, take a similar site-by-site approach to brownfield cleanups and cleanup incentives, New York's BOA Program is unique in its neighborhood area-wide planning strategy, intended to ultimately lead to site cleanups and redevelopment.⁶ Eligible participants are municipalities, community-based organizations, and community boards on behalf of distressed communities and/or communities affected by brownfields. Administered by New York's Department of State, participants are awarded technical and financial assistance up to 90% of total project costs, with the recipient providing a 10% match. Activities funded by BOA include but are not limited to environmental analyses, infrastructure inventories, market studies, and other pre-development activities.

⁵ Mathy Stanilaus, a co-founder of NPCR and a prominent environmental justice representative at the time of the 2003 brownfield enactments in New York State, was a leading advocate for this approach. He is now an Assistant Administrator at USEPA. See <https://blog.epa.gov/blog/2015/03/understanding-the-benefits-of-using-a-community-wide-approach-to-reusing-brownfield-properties/>

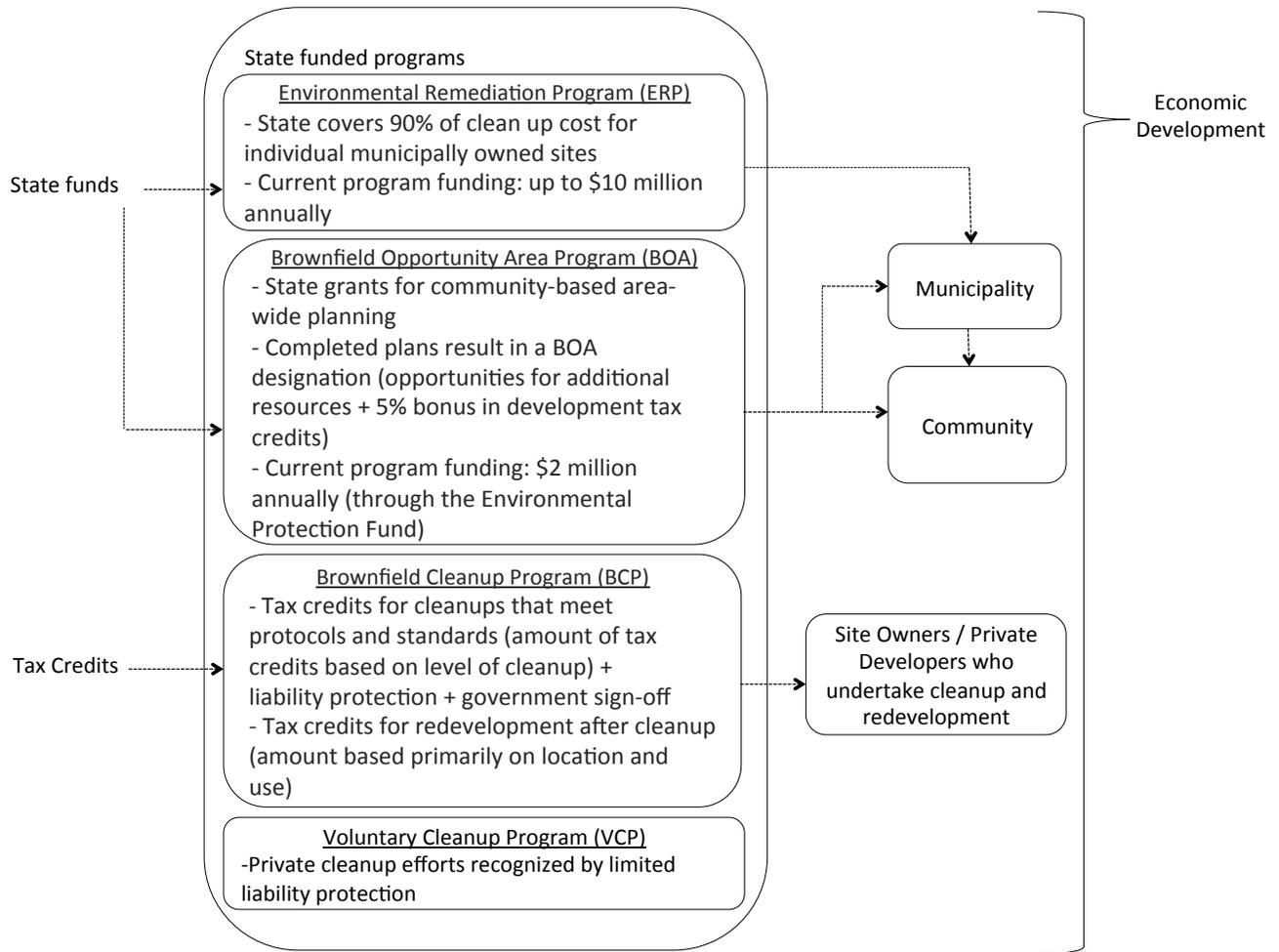
⁶ The Brownfield Cleanup program, Voluntary Cleanup program, and Environmental Restoration program.

All of this work allows communities to make brownfields a part of a larger revitalization plan, leading to remediation and redevelopment, by:

- Bringing the community together around a singular vision that meets resident and business needs, and creating “buy-in” that translates into support for partners and cooperative developers;
- Creating or strengthening working partnerships with various stakeholders such as property owners, businesses, developers, and local and state agencies; and
- Leveraging additional assistance in the form of state or local funding and private investment that can be used directly for plan implementation and redevelopment.

The BOA Program explicitly does not directly fund site development work. Rather, it provides a context for revitalization work, which may then be funded by other public and private sources. To further spur interest in developing sites within a BOA community, brownfield sites within “designated” BOAs receive a bonus above the standard tangible property tax credit under the Brownfield Cleanup Program, amounting to up to 5% of total development costs. BOA’s that receive “designation” under the Program (discussed below) are also intended to receive preference under several other government funding programs.

Figure 1: The Taxonomy of New York State Brownfields Programs



B. BOA Program Structure

1. As Set Up by the New York's General Municipal Law Section 970-r and Administered by the Department of State

The statute that authorized the BOA Program, GML 970-r, allows municipalities and community-based organizations to competitively apply for state assistance for three types of work: Pre-Nomination studies, Nomination studies, and Site Assessments. The Pre-Nomination study consists primarily of setting an area-wide study boundary and capturing basic demographic information about the community, including historic brownfield uses. The Nomination study outlines the ownership and condition of land; sets out goals, priorities and needed action for revitalization; and maps current and anticipated property uses, particularly those for strategic sites within the study area. The word “nomination” refers to the fact that the

applicant is seeking “designation” of the study area as a Brownfield Opportunity Area (BOA), once work consistent with the statute’s pre-designation funding criteria are met. One of the problems with the legislation is that it does not clearly define the criteria for designation beyond specifying that applicants must have performed work consistent with the funding criteria. Confusingly, all communities participating in the Program are referred to informally as BOAs from the time of their first application, though the statute refers to them as “proposed BOAs” until they are designated. For this reason, this report uses the term BOA in regard to all communities in the Program and “designated BOA” for those communities that have completed the Program and have been, essentially, certified by the Secretary of State. A third funding cycle awards money for site assessment of a brownfield within a designated BOA; this is the only grant money currently available to a BOA under this program after designation.

Funding preference is given to applications with one or more of the following characteristics:

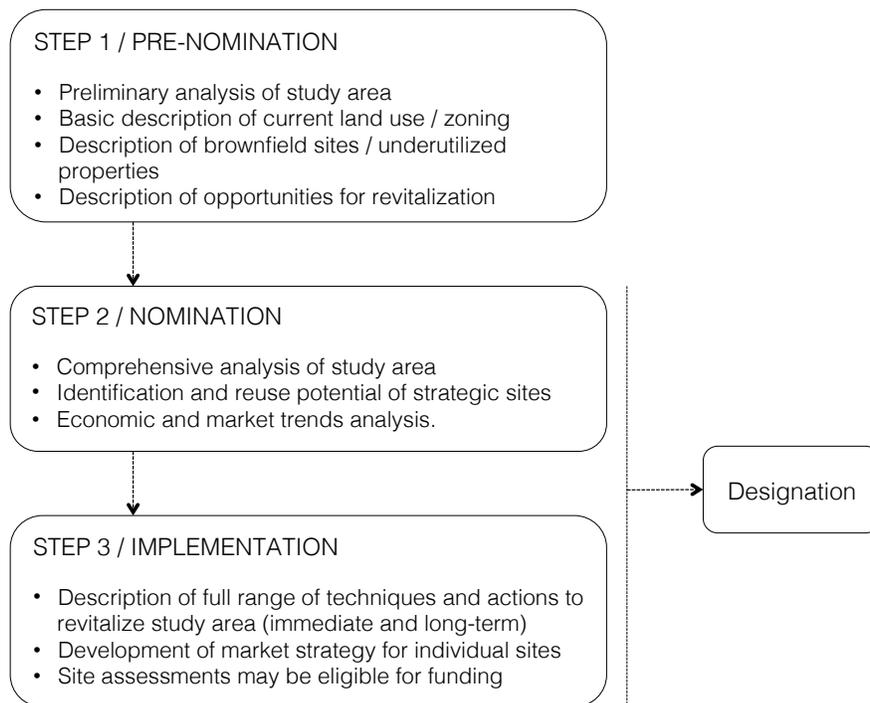
1. The municipality and community-based organization submit the application in partnership;
2. The proposed BOA has concentrations of known or suspected brownfields;
3. The application shows support from a municipality and a community passed organization;
4. The area is economically distressed; and
5. The area has brownfield sites that present strategic opportunity.

Figure 3 below provides a detailed outline and summary of eligible activities, timelines, application requirements, and applicant preferences given for each step, designation status, and site assessment.

Administratively, the Department of State divided the nomination process into three steps, each one eligible for funding. The statutory Pre-Nomination study was deemed to be “Step 1” and the Nomination study was divided to become “Step 2” and “Step 3,” the latter dubbed the “Implementation Phase,” and consisting of activities designed to move the community toward meeting BOA plan objectives through marketing studies and other types of pre-development analyses. In practice, the Department of State has not been rigid in the types of work it has funded in its administratively conceived steps, allowing the kind of fluidity it deemed appropriate in meeting the unique needs of the many community participants. The process for all types of grants follows the same general procedures, beginning with the submission of an application, followed by the notification of award granted to the applicant, the negotiation of a contract and scope of work between the applicant and the Department of State (or the Department of Environmental Conservation, in the case of assessment grants),

and, finally, the disbursement of grant funds. BOAs are eligible to be reimbursed for a total constituting 90% of the cost of the work elements, with 25% in advance, and the remainder upon completion of the work elements. In addition to the analytical work required in the contracts, applicants must fulfill several community participation requirements designed to incorporate the essence of BOA as a community-based planning program. Minimum requirements include public notices of application, identification of community stakeholders, public meetings, opportunities for public comment, and making reports and drafts publicly available.

Figure 2: BOA Program Steps



(Note on figure: In 2015, the Department of State issued guidance making it clear that designation could be granted after Step 2.)

Figure 3: BOA Program Details

	Applicant Requirements		Community Participation Requirements	Eligible Project Activities		Grant Award (Financial Assistance)	Preference	Timeline
Pre-Nomination	<ul style="list-style-type: none"> A statement of the relationship between the proposed assistance and the criteria set forth in this section for the evaluation and ranking of applications; The processes by which local participation in the development of the application has been sought; The process to be carried out with the state assistance including, but not limited to, the goals of and budget for the effort, the work plan and timeline for the attainment of these goals, and the intended process for community participation in the process; The manner and extent to which public or governmental agencies with jurisdiction over issues that will be addressed in the data gathering process will be involved in this process; Other planning and development initiatives proposed or in progress in the proposed brownfield opportunity area. 	<p>For applicants that are community based organizations, a copy of its tax exempt status issued by the federal IRS pursuant to section 501 of the internal revenue code, a description of the relationship between the CBO and the area that is the subject of the application, its financial and institutional accountability, its experience in completing planning initiatives and working with the local government associated with area.</p>	<ul style="list-style-type: none"> Identification of the interested public and contact list; Identification of major issues of public concern; Provide convenient public access to the draft and final application for pre-nomination; Public notice and newspaper notice of (i) the intent of the municipality and/or community based organization to undertake a pre-nomination process and (ii) the availability of such application. 	<ul style="list-style-type: none"> Proposed BOA borders; Known data about the environmental conditions of properties in the proposed BOA; Descriptions of the possible remediation strategies, brownfield redevelopment, necessary infrastructure improvements and other public or private measures needed to stimulate investment, promote revitalization, and enhance community health and environmental conditions. 	<ul style="list-style-type: none"> Number and size of known or suspected brownfield sites; Current and anticipated future conditions of groundwater in the proposed BOA; Ownership of the properties in the proposed BOA and whether owners are participating in the BOA planning process Current and anticipated uses of the properties in the proposed BOA. 	Up to 90% of project costs	<ul style="list-style-type: none"> Application is a partnered application by a municipality and a community based organization; Areas with concentrations of known or suspected brownfield sites; Areas for which the application demonstrates support from a municipality and a community based organization; Areas showing indicators of economic distress including low resident incomes, high unemployment, high commercial vacancy rates; Depressed property values; Areas with known or suspected brownfield sites presenting strategic opportunities to stimulate economic development, community revitalization or the siting of public amenities. 	<p>Application</p> <p>↓</p> <p>Notification of Award</p> <p>↓</p> <p>Contract</p> <p>↓</p> <p>Fund Disbursement</p> <p>↓</p> <p>(in Step 2) Designation</p>
Nomination	<ul style="list-style-type: none"> Application for such financial assistance shall include an indication of support from owners of brownfield sites in the proposed brownfield opportunity area. Applicant demonstrates that it has, to the maximum extent practicable, solicited and considered the views of residents of the proposed brownfield opportunity area, the views of state and local officials elected to represent such residents and the local organizations representing such residents. 	<ul style="list-style-type: none"> A comment period of at least thirty days on a draft application; A public meeting on a brownfield opportunity area draft application 	<ul style="list-style-type: none"> Location of each known or suspected brownfield site in the proposed BOA. Mapping of current and anticipated uses of the properties and groundwater in the proposed BOA. Type of potential developments anticipated for sites within the proposed BOA proposed by the current/prospective owners of such sites. Detailed assessments of individual brownfield sites and the need for conducting on-site assessments with site owner consent. The publicly controlled and other developable lands and buildings within the proposed BOA. Identification of strategic sites within the proposed BOA. Short and long term goals for the economic revitalization of the proposed BOA. Priorities for public and private investment in infrastructure, open space, economic development, housing, or community facilities in the proposed BOA. Local regulatory action which may be required to implement a plan. 					
DESIGNATION			<ul style="list-style-type: none"> Identification of the interested public and preparation of a contact list; Identification of major issues of public concern; Provide convenient public access to the draft and final application for pre-nomination; Public notice and newspaper notice of (i) the intent of the municipality and/or community based organization to undertake a pre-nomination process or prepare a BOA plan, and (ii) the availability of such application. 				<ul style="list-style-type: none"> To the extent authorized by law, projects in brownfield opportunity areas designated pursuant to this section shall receive a priority and preference when considered for financial assistance pursuant to articles fifty-four and fifty-six of the environmental conservation law; To the extent authorized by law, projects in brownfield opportunity areas designated pursuant to this section may receive a priority and preference when considered for financial assistance pursuant to any other state, federal or local law. 	<p>Secretary of State will determine whether applicant's Step 2 work and/or report is consistent with the provisions of the BOA Statute. The secretary may review and approve a nomination for designation of a brownfield opportunity area at any time.</p>

2. Changes in the BOA Program

Since its inception in 2003, the BOA Program has changed somewhat, both statutorily and administratively, resulting in some improvement in the speed of program administration and in the benefits of participation. The Program was originally overseen jointly by the Department of State and Department of Environmental Conservation, which created duplication and added delays in contract review. This ended in 2009, when the BOA Program came under the primary direction of the Secretary of State, who continues to administer the Program, though the DEC still participates in the site assessment grant process. In addition, the first cycles of BOA grants were subject to a Memorandum of Understanding between the State Legislature and the Governor, which complicated the grant administration process and increased the time required for BOAs to receive funding. Grants awarded after 2007 were not subject to the MOU.⁷ NPCR continues to advocate for amendments to further streamline the Program.

Changes have been substantive as well as administrative. As part of a package of amendments to the Brownfield Cleanup Program in 2015, the Legislature made changes to the tax credits that, among other things, reduced and targeted the availability of the credits, with the goal of awarding credits to projects that offered particular public benefits or were located in areas with the greatest need for assistance. The tax credits available to developers working on brownfields sites that conform to a BOA plan was increased from the 2% “bump up” added in 2008, to a more generous 5% bonus. This change amplifies the benefit of participation in the BOA Program and further incentivizes private developers to realize the ultimate development aims of the BOA Program.⁸

Finally, one of the most important changes in the BOA Program was DOS reconfiguring the stepwise process encompassed in the Pre-Nomination and Nomination Studies to be three steps, and clarifying that communities are eligible for designation following Step 2. Prior to October of 2014, Program participants understood that they were expected to complete all three steps in order to qualify for designation. In a guidance memorandum issued in October 2014, the Department of State stated that designation could be awarded after a Nomination Study that appropriately reflects community priorities, presents an attainable and realistic plan to promote redevelopment, and is consistent with the applicable provisions of the General Municipal Law, Article 18 - C, Section 970-r, all of which could be accomplished

⁷ The New York State Department of State. “Brownfield Opportunity Areas Program.” December, 2009.

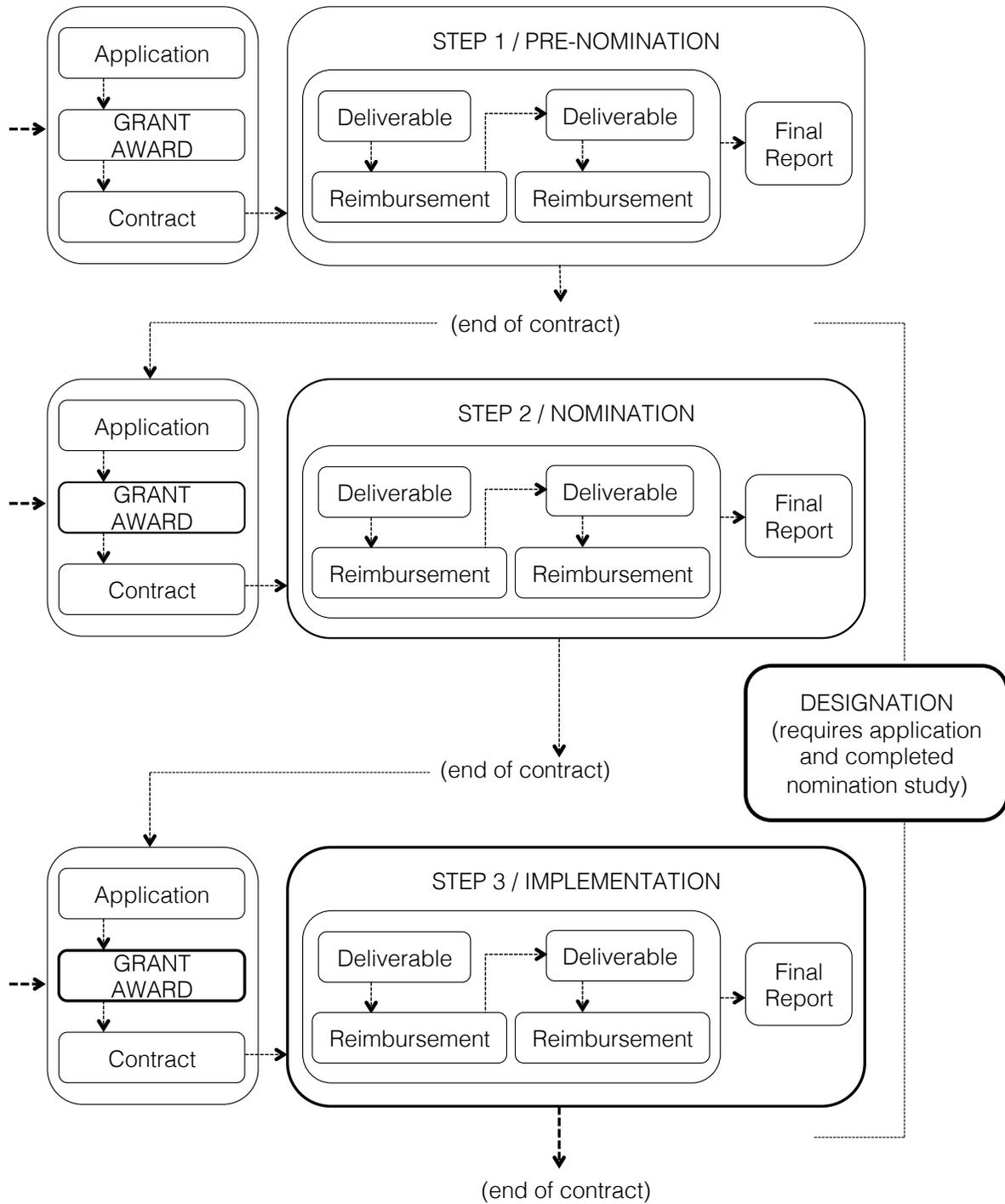
⁸ Alan J. Knauf, Esq. and Meaghan Colligan, J.D.1. “BROWNFIELD OPPORTUNITY AREA PROGRAM.” KNAUF SHAW LLP. November, 2015.

under a single grant. As discussed in greater detail below, there is a high degree of fluidity among the steps, with BOAs entering the Program at various stages, receiving multiple awards under the same Step, and adjusting their study area boundaries throughout their participation in the Program.

Key Moments in the BOA Program:

- 2003: Governor Pataki signs the Brownfields Reform Act, creating the BOA Program.
- 2005: The first fifty-three Brownfield Opportunity Areas grants are approved.
- 2008: The first grants are awarded.
- 2013: Governor Cuomo does not set aside funding for BOA Program in the State budget, halting the progress of many program participants.
- 2014: The Department of State issues guidance that BOAs can be designated after two steps instead of three.
- April, 2015: the first 12 BOAs are designated.
- December, 2015: an additional 14 BOAs are designated, leading to 26 total designated BOAs.
- 2016: the proposed state Budget allocates \$2 million in funding for BOA, the first time the Program has been funded since 2013.

Figure 4: BOA Program Structure



C. Understanding the BOAs: Program Matrix

Type of grant	Fiscal year	Total amount for grants	Total number of grants	Number of grants per step	Average amount of grant per step	Number of grants for existing BOAs	Number of grants for new BOAs	Average number of years lapsed between grant award and contract	Contracts completed	average years to complete contract per step	BOAs that pursued further BOA grants			
step 1	2004	\$5,359,414	41	26	\$64,490	0	26	1	1	41 (100%)	5.1	17	27	
step 2				13	\$245,205		13		1		13			5.9
step 3				2	\$247,500		2		1		2			5.5
step 1	2005	\$2,745,875	16	9	\$98,395	1 (6%)	9	3	3	16 (100%)	5.7	3	6	
step 2				7	\$265,760		6		3		7			5.4
step 3				0	\$0		0		x		0			x
step 1	2006	\$3,582,603	25	13	\$47,590	4 (16%)	13	2	2	18 (72%)	5.3	8	11	
step 2				11	\$237,168		7		2		5			5.6
step 3				1	\$402,300		0		2		0			x
step 1	2009	\$11,047,515	25	2	\$93,825	12 (48%)	2	0.2	0	21 (84%)	5	0	2	
step 2				21	\$377,035		11		0.2		18			5.2
step 3				2	\$1,471,059		0		0		1			6
step 1	2010	\$6,368,702	20	4	\$98,498	9 (45%)	4	1.4	1.8	12 (60%)	3.7	0	1	
step 2				13	\$292,246		8		1.1		8			4
step 3				3	\$725,170		0		2		1			4.7
step 1	2012	\$3,447,050	15	5	\$109,024	6 (40%)	5	1.5	1.8	2 (13%)	3	1	1	
step 2				8	\$271,684		4		1		1			3
step 3				2	\$364,225		0		2.5		0			x
step 1	2013	\$10,027,655	26	1	\$81,000	16 (62%)	1	1.6	2	0	x	0	0	
step 2				16	\$302,471		8		1.6		0			x
step 3				9	\$567,457		1		1.4		0			x
total		\$42,578,814	168			48 (29%)	120 (71%)	1.4		110 (65%)		48		
total step 1				60	\$73,584		60	1.6	54	5.0	29			
total step 2				89	\$296,481		57	1.2	52	5.2	18			
total step 3				19	\$623,710		3	1.5	4	5.4	1			

This matrix, which is based on BOA contract information provided by the Department of State, provides a full overview of the Brownfield Opportunity Areas Program's current and historic operation, and allows for four types of analysis:

- A snapshot of the Program: since the Program started operating, 120 BOAs have completed 168 contracts with the Department of State. To date, 64 BOAs have finished contracts with DOS and 56 BOAs still have open contracts;

- A basic understanding of the Program operation compared to its intended structure: the Program, as originally proposed, suggests most or all BOAs will move through the steps and receive several grants, but to date 74 BOAs (62%) have only received one grant. It has taken BOAs, on average, five years to complete each contract;
- An indicator of Program success: though the majority of BOAs have only received one grant, the fact that more than 40% of BOAs have received additional grants suggests community satisfaction with prior experience in the Program. So far, there have been 110 finished contracts and 48 grants awarded to communities that had already been in the Program;
- An understanding of the Program's evolution, with two primary takeaways: 1) the Program has become more efficient over time, with shorter contracts and fewer grants for Step 1, and 2) the Program increasingly faces a tradeoff between funding new communities or funding communities that are already in the Program.

1. Snapshot of the Program

BOA grants have been awarded on seven different occasions. The first round was in 2004, the latest in 2013. The first round awarded 41 grants. Subsequently, all rounds have given around 20 grants each. Over its lifetime, the BOA Program has distributed \$42,991,174 in grant awards.

Of the 168 grants that have been awarded, 60 have been for Step 1, 89 for Step 2, and 19 for Step 3. The average amount per grant has been, respectively, \$73,584, \$296,481, and \$623,710. So far, BOA communities have finished 54 Step 1, 52 Step 2, and only 4 Step 3 grants.

2. Program Operation Compared to Intended Structure

More than half of the BOAs have only been in one step: out of the 126 BOAs, 74 have only received one grant (31 for Step 1, 41 for Step 2, and 2 for Step 3). 44 BOAs have received two grants. 2 BOAs have received three grants, but only one of these has received grants for all three steps. The fact that this many BOAs have only been on one step does not necessarily mean that communities are not willing to continue in the Program: 25 BOAs have still not completed their first contract, and 31 BOAs completed their first contract in 2013 or after, so they have not been able to apply for further grants due to lack of available funding.

However, eight BOAs have been designated after completing only one contract, so there is a possibility of graduating from the Program after completing a single grant.

As mentioned above, it has taken BOAs approximately five years to complete each contract and this is true regardless of the Step; on average, Step 1 contracts have been completed in 5.0 years, Step 2 contracts in 5.2 years, and Step 3 contracts in 5.4 years. These time periods are measured from start dates to end dates of contracts with the Department of State. However, for every contract there is an additional period between the grant being awarded and the contract being signed; these lags have varied greatly from year to year of Program operation.

While it is clear that the similarity in length is due more to the contract templates than to each BOA's individual performance, it is difficult to determine if the lengths correspond to the time BOAs actually spent working. More than 40 grants have been awarded to BOAs while still within another open BOA contract, this would indicate that BOAs have finished the work, that they are ready to take on more, and that the contract length is an administrative formality. However, more than 30 BOAs appear to have requested extensions in their contracts. It is not clear why the Department of State chose to have initial contracts of identical lengths to complete tasks that require such different amounts of funding and effort.

3. Indicators of Program Success

Receiving an additional BOA grant award while still finishing a previous BOA grant suggests a level of community satisfaction with experience in the Program. Reapplication is also an important indicator of capacity, as it suggests that many communities have the capacity to continue contract work while going through the process of applying for additional funding. The 82 awards given from 2004 to 2006 resulted in 75 contracts completed between 2010 and 2013. Of these, 44 BOAs, or 59%, received further grants.

Delays between awarding the grants and signing the contracts have negative effects on reapplication. When the percentage of BOAs that receive further grants is analyzed on an annual basis, the percentage is smaller as the delay grows. Grants awarded in 2004 had active contracts after one year, and 66% of the participants receiving this first round of grants reapplied to the Program. In contrast, 2005 grants took three years to have active contracts, and only 37% of the BOAs that were part of this "class" of BOAs have since continued on to

further grants within the Program.

The ability to apply this performance metric to BOAs who entered the Program later is limited, since BOAs whose grants were awarded in 2009 and later rarely had an opportunity to apply for additional funding rounds. DOS has not allocated new grants since 2013, so BOAs that successfully finished their contracts in recent years might simply be waiting for funds to become available again. Anecdotal evidence from several BOAs indicates that this is the case in at least some communities.

Designations are a clear metric of success. So far, 26 BOAs have been designated. To date, official designation has not coincided with the awarding of Step 3 contracts. Currently, 18 communities are in Step 3. Of these, only 11 have been designated, while 15 of the designated BOAs have completed a Step 2 as their most recent grant.

4. Program Evolution

The Program has shortened contract lengths. Since 2010, contracts began to be finished in 3 years, instead of 5, without reducing the amount of funds per grant. It is still early to evaluate if this decision results in a higher incidence of contract extensions.

The Program is also awarding fewer grants for Step 1. The first three rounds of funding (2004, 2005, and 2006) gave 77 grants for new BOAs and 62% were for Step 1. In later rounds of funding the percentage decreased: from 2009 to 2013 there were 43 grants for new BOAs and only 27% were for Step 1.

Out of the 54 BOAs that have completed a Step 1, only 29 have received further grants. If the probability of a BOA completing only one contract is high, then it is important that each contract generates stand-alone value, and it is not clear to what extent Pre-Nomination Work offers this.

Increasingly, the Program faces a tradeoff between allowing new communities to enter the Program and funding the advancement of communities already participating. Since 2009, more than half of the grants in every round have been given to BOAs that were already in the Program. The proportion has been different in every round, but the highest old to new ratio, 16:10, was in 2013. Applying for BOA Program grants is a competitive process and DOS has a scoring system to determine awards. Currently, there is no public access to this scoring

system. There is also no standardized amount for each grant. It is not clear if the Program has separate funds earmarked for new applicants or for communities to receive renewed funding for second and third grants. While some might argue that it is unfair to allocate an award to a community that has previously received a grant instead of one that hasn't, advancing through the Program requires multiple contract awards as a crucial component of its framework.

Figure 5: Map of Brownfield Opportunity Areas



D. Comparison to Other States

The BOA Program is the first of its kind. Reviewing the EPA's 2014 State Voluntary and Brownfield program report, which concisely summarizes the brownfield remediation programs and tools available in each state, and conducting a more in-depth review of the brownfield programs of Massachusetts, Michigan, Pennsylvania, and Ohio, shows that the BOA Program leads the way in its neighborhood-area approach versus the site-specific approach found in most brownfield programs.

While Massachusetts, Michigan, Pennsylvania, and Ohio have only site-specific brownfield remediation programs, they all mention community involvement either cursorily or with non-enforcing and non-specific language. For example, in the Ohio Brownfield Redevelopment Toolbox, a guide to explain the "brownfield redevelopment process in straightforward terms" for small and rural communities, encourages community-led brownfield redevelopment by listing the financial assistance available for community-led brownfield activities and recommends communities to create a "revitalization team," made up of "elected officials, planners, attorneys, environmental professionals, economic development officials, members of environmental and citizen interest groups and the like."⁹ This is very similar to the BOA Program's steering committee. In Pennsylvania's Land Recycling Program, a "public involvement plan" must be developed only if a municipal office requests one and no guideline of what an appropriate plan is has been described.¹⁰ In contrast, the BOA Program has clear community involvement requirements. To apply for designation, the participants need to document "community and public outreach methods and techniques used to ensure public participation" and have created a vision and goals that reflect redevelopment as "shaped and expressed by the community."¹¹

⁹ Ohio Brownfield Redevelopment Toolbox. Ohio EPA. 2007.
<http://www.epa.ohio.gov/portals/30/SABR/docs/Ohio%20Brownfield%20Toolbox.pdf>

¹⁰ PennFuture's Citizen's Guide to Pennsylvania's Land Recycling Program

¹¹ New York Department of State



Buffalo River Corridor BOA, study area
Source: Derek Gee for Buffalo News

IV. Understanding BOA communities

A. Demographic Analysis

As the brainchild of the environmental justice movement, the Brownfield Opportunity Areas Program is grounded in the ideas that economically disadvantaged communities and communities of color, which are often blighted by brownfields, should not suffer disproportionate health and environmental risks, and that they should have a voice in the redevelopment and re-use of brownfields in their communities. Because these were guiding principles behind the Program, it is important to make sure that poor and minority communities are being effectively targeted and helped, and that that they are given an

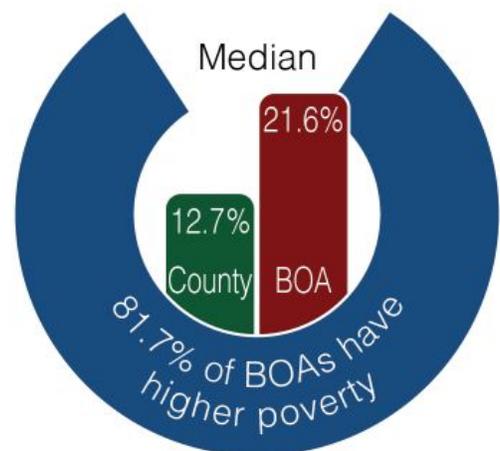
opportunity to participate in charting their own future. Looking at the comparison between BOA communities and the counties in which they sit, it becomes clear that the BOA Program has been successful in engaging communities suffering from higher levels of poverty and unemployment (as detailed below, 77% of BOAs overlap with high-poverty/high-unemployment areas defined as En-Zones), lower labor force participation rates and incomes, and higher concentrations of minority groups than the counties in which they sit.

In many ways communities in the BOA Program mirror those that are designated as Environmental Zones, or En-Zones. New York State defines En-Zones in two different ways. The first definition encompasses all census tracts that have a poverty rate of at least 20% and an unemployment rate that is at least 125% of New York State's unemployment rate, which is 8.9% according to the most recent census estimates. A second definition includes any tracts that have at least double the poverty rate of the county that they are in. According to the 2014 En-Zone definitions, 79 of the 103 BOAs used in this analysis directly intersect an En-Zone, and 21 of these are designated BOAs. An additional six BOAs, two of which are designated, fall within half a mile of an En-Zone.

In determining the demographic comparisons, this analysis used the 103 BOAs for which spatial boundaries were provided by the Department of State, and then performed a spatial join with census block group geography and 2014 five-year ACS estimates. The geographic selection for each BOA was then examined to make sure that only relevant block groups were included. Once the various metrics reported here were compiled for each BOA, they were then compared to the BOA's respective counties to determine median differentials.

While the BOA Program does not directly use poverty rates in its selection process, BOA communities have far greater incidences of households living below the poverty line than their county counterparts. In 2014, the median poverty rate for communities in the BOA Program was 21.6% while the New York state poverty rate was 15.6%. In fact, the average difference between BOA communities and their respective counties in terms of households

Figure 6: Poverty

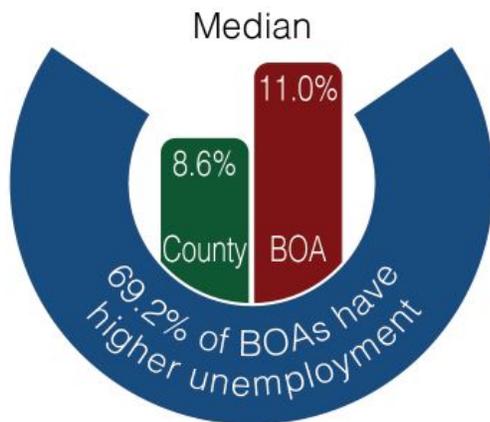


BOA Higher Than County By 8.9%

below the poverty line is 8.9 percentage points, and more than 80% of BOAs had a larger share of their population living in poverty than their county.

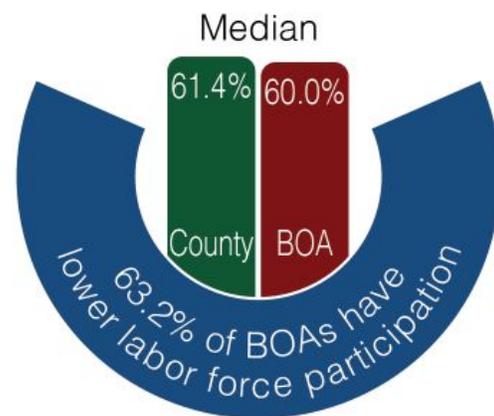
BOAs are also characterized by higher unemployment rates and lower labor force participation rates. Median unemployment in the BOAs was 11.0% and the median difference between BOAs and their respective counties was 2.4 percentage points. In fact, 69.2% of BOA communities experienced higher unemployment rates in 2014 than the county in which they sit. While not as drastic of a difference, BOAs had a median labor force participation rate of 60.0% in 2014, 1.4 percentage points lower than the county as a whole. This means that a lower percentage of the population above 16 years of age either has a job or is actively seeking one in BOAs compared to their surrounding counties. Labor force participation rates can serve as a supplement to unemployment rates, because together they capture all of the people that either do not work or have been discouraged from seeking employment. When taken in addition to the far higher unemployment seen in BOA communities, the lower labor force participation rate magnifies the problem of out-of-work individuals and families.

Figure 8: Unemployment Rate



BOA Higher Than County By 2.4%

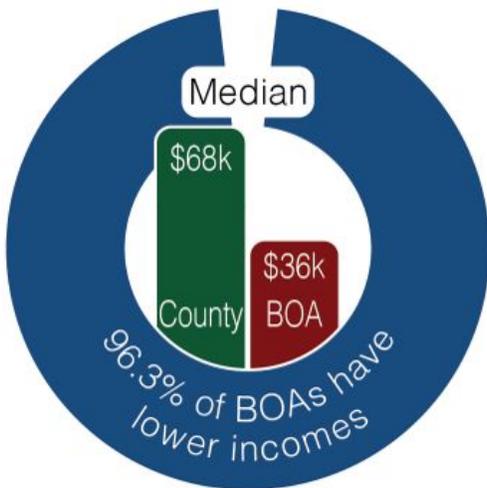
Figure 8: Labor Force Participation Rate



BOA Lower Than County By 1.4%

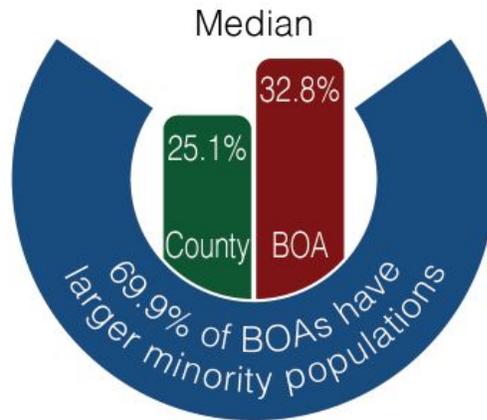
Adding to the problem of high poverty rates is the fact that incomes in BOA communities were also low. Median household income in BOA communities is only \$36,151, resulting in an income gap of \$31,491 between BOAs and their counties, with 96.3% of BOA communities having lower median incomes than the average household in their county pairing.

Figure 10: Income



BOA Lower Than County By \$31,491

Figure 10: Minority Populations



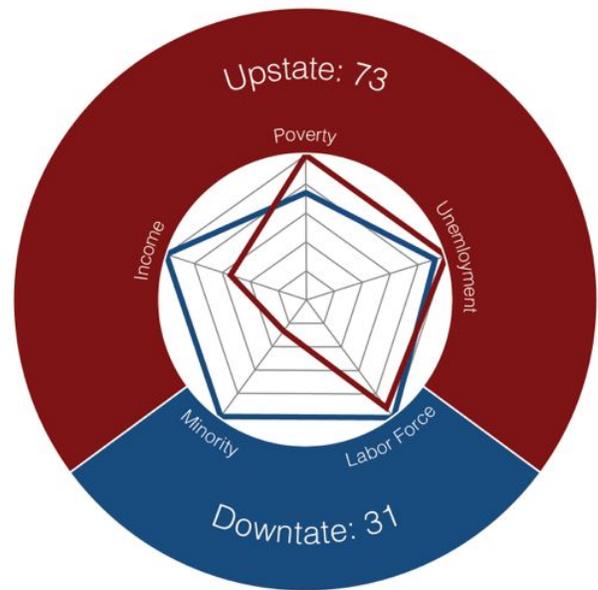
BOA Higher Than County By 7.7%

Communities participating in the BOA Program also tend to be in poorer city and town centers, and generally have higher concentrations of minority groups than the rest of the county. The median percentage of minorities in BOAs is 7.7 percentage points higher than in their respective counties. There was a large spread however, with BOA communities ranging from a high of 100% of the total population being white, to a low of around 1.7%, with the higher concentrations of minorities in downstate BOAs.

In addition to these differences between BOA communities and their surroundings, there are also very real differences among BOA communities themselves.

Downstate BOA communities, defined as New York City, Long Island, and Westchester, tend to have lower poverty rates than upstate BOA communities. This is in large part because downstate incomes are higher by over \$28,000, unemployment rates are lower by 1.1

Figure 11: Comparison between upstate and downstate BOAs

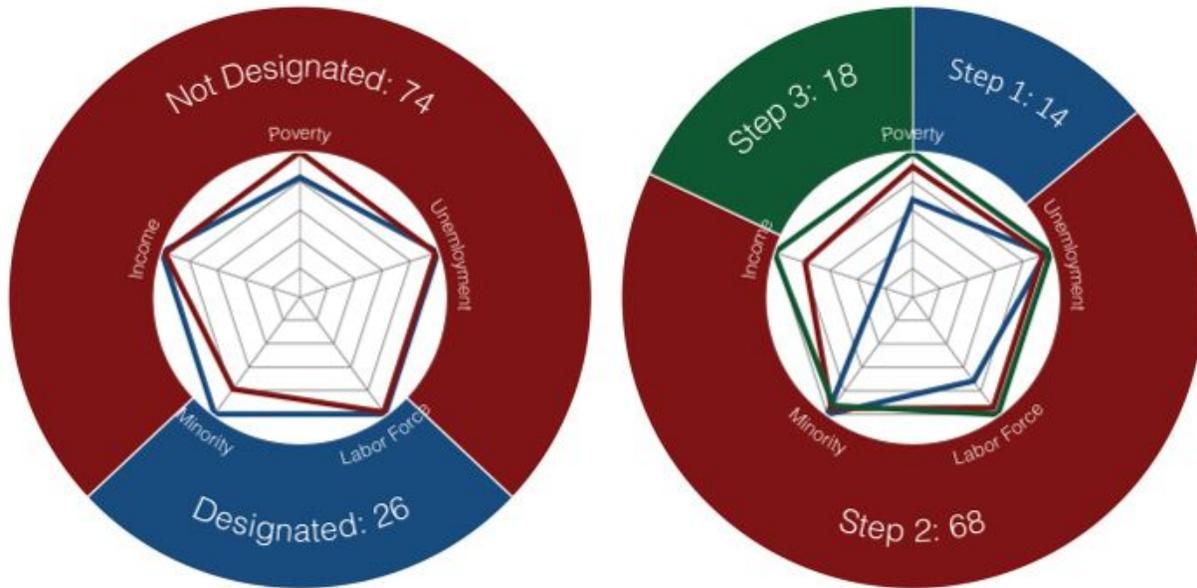


percentage points, labor force participation rates are higher by 5.4 percentage points, and median poverty rates 6.8 are percentage points lower than they are for upstate communities. Regional differences in poverty rates also reflect the fact that the census defined poverty rates account for neither regional cost of living differences nor government-provided benefits. As a result, the census tends to undercount poverty in high-cost regions and over count it in low-cost regions. It is unclear, however, whether accounting for this discrepancy would result in a reversal, a balancing of upstate and downstate poverty rates, or a smaller disparity.

	Poverty	Income	Unemployment	Labor Force	Minority
Downstate	18.4%	\$62,663	10.5%	64.2%	76.6%
Upstate	24.9%	\$33,944	11.4%	58.9%	20.4%

Differences can also be seen between BOAs in each of the three steps and between those that are and are not designated. Although it is unclear exactly why this might be the case, communities that are further along in the Program seem to be relatively poorer and have larger minority populations than those that are less far along. Designated BOAs tend to have lower incomes, higher unemployment, and higher poverty. Similarly, Step 3 communities have higher poverty and unemployment than Step 2 communities, and Step 2 communities have that same relationship with those in Step 1. An explanation of this phenomenon might be that the communities that were most in need of help began their participation earlier and were more persistent in pursuing Program assistance.

Figure 12: Comparing BOAs Based on Status Within the Program



	Poverty	Income	Unemployment	Labor Force	Minority
Not	21.1%	\$36,539	10.9%	60.3%	33.5%
Designated	25.6%	\$35,654	10.7%	59.4%	26.3%

	Poverty	Income	Unemployment	Labor Force	Minority
Step 1	17.5%	\$36,539	8.3%	63.2%	10.4%
Step 2	23.5%	\$36,022	11.0%	60.0%	32.8%
Step 3	26.1%	\$38,154	11.6%	58.5%	42.1%

Despite the fact that the BOA Program does not require that applicant communities suffer from poverty, unemployment, low earnings, or be communities of color, the communities in the Program do generally fit all of these characteristics when compared to the counties that they are in. This is an important finding because it confirms for policy makers that allocations to the BOA Program are, in fact, being directed to poor and minority communities in need of assistance. This is especially relevant in light of a persistent controversy in New York as to whether the generous tax credits of the Brownfield Cleanup Program are in greater or lesser proportion being employed where they are actually needed to spur cleanup and development – a controversy that is responsible for the significant changes in and attempt to target these

incentives, including the increased bonus for tax credits used within BOAs.

B. Survey Findings and Analysis

1. Summary of Process

As a core component of efforts to evaluate the strengths and weaknesses of the BOA Program, an electronic survey was distributed in December 2015. The survey contained 35 questions about the BOA Program, including its history and current status. (Complete output from the survey instrument is included as Appendix C. The survey was closed on February 12, 2016. Approximately 100 of the BOAs were contacted via email; the remaining 20 BOAs lack current contacts from Department of State and/or NPCR. Of those BOAs for whom contact information was available, 51 responded. A total of 35 complete surveys were received, and an additional 16 partially completed surveys that yielded usable data on at least one question.

The respondents include at least one BOA from each of the 10 Regional Economic Development Council (REDC) regions, as well as at least one BOA that is currently or was most recently in each of the three Steps of the Program. Figure 13 below summarizes respondents by region and current or most recent step, and a full list of survey respondents is at the end of this section. Throughout this section, the sample size of respondents for the question being discussed is indicated, as populations varied for each question.

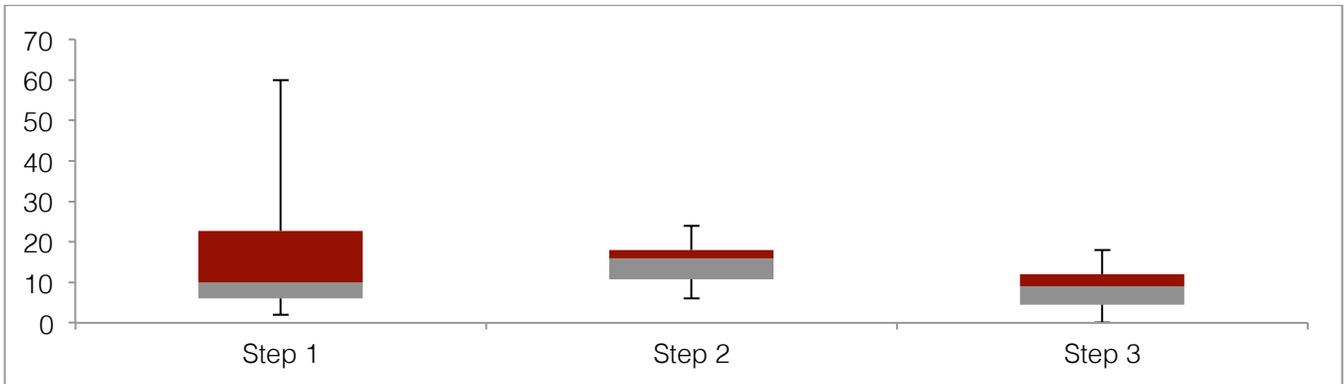
Figure 13: Survey Respondents by REDC Region and Current or Most Recent Step

Region	Current or Most Recent Step			Total in Region
	Step 1	Step 2	Step 3	
Capital	1	1	0	2
Central	1	2	0	3
Finger Lakes	1	2	2	5
Long Island	0	4	2	6
Mid-Hudson	2	2	1	5
Mohawk Valley	2	1	1	4
North Country	0	2	1	3
NYC	1	6	3	10
Southern Tier	0	2	2	4
Western	0	8	1	9
Total in the Step	8	30	13	51

2. Survey Results: BOA Process

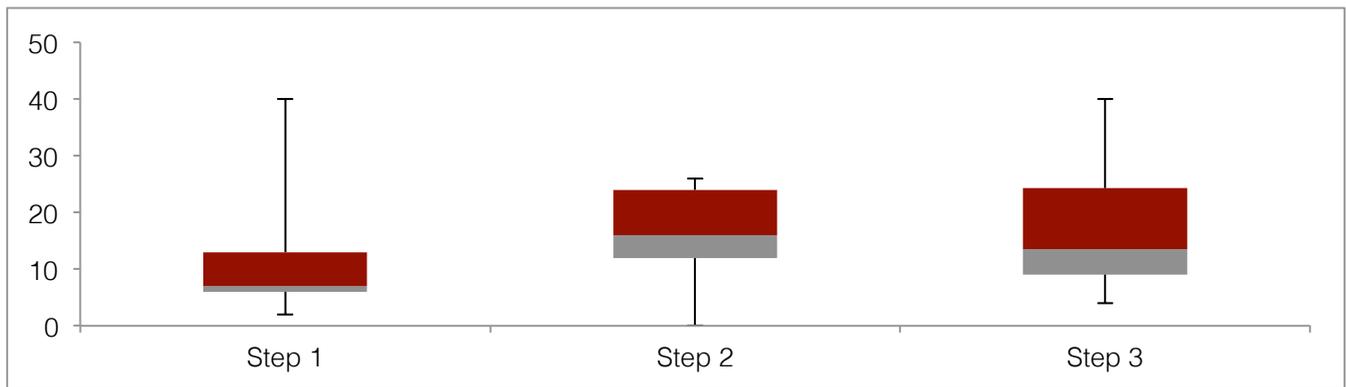
Nine survey questions asked respondents about the process of working in the BOA Program, including their interactions with Department of State and their Project Managers, contracting and reimbursement timing and related challenges, and how they have internally staffed and worked to advance the BOA Program locally. The tables and box-and-whisker plots below both summarize data about the time that respondents spent at two critical stages of the BOA Program that are potential sources of delay: the time between applying for a grant and having the application accepted by the Department of State, and the subsequent period from an accepted application/awarded grant to having a signed contract enabling the BOA to begin work. For example, looking at the Step 1 column of the left-hand plot shows that one BOA waited 60 months to have its application approved, while another BOA received a response in just two months (the extremes represented by the ends of the error bars), while most BOAs waited between six and 23 months at this point in the process (the range captured in the grey and red boxes).

Figure 14: Time in Months from Application to Enrollment



	Application to Enrollment Step 1 (n=14)	Application to Enrollment Step 2 (n = 28)	Application to Enrollment Step 3 (n = 10)
Shortest Wait Time	2	6	0
Median Wait Time	10	16	9
Longest Wait Time	60	24	18

Figure 15: Time in Months from Enrollment to Executing Contract



	Enrollment to Contract Step 1 (n = 15)	Enrollment to Contract Step 2 (n = 29)	Enrollment to Contract Step 3 (n = 10)
Shortest Wait Time	2	0	4
Median Wait Time	7	16	14
Longest Wait Time	40	26	40

Delays associated with contracting have been repeatedly raised as a challenge for BOA Program participants, and these survey results confirm that the time between applying for a grant, receiving an official response from State, and executing a contract can be extensive. In summary, the figures above indicate that:

- There is wide variance in the amount of time that BOAs spend waiting for decisions on grant applications and subsequently spend negotiating contracts with the Department of State, with some BOAs spending years waiting to hear about applications or finalize contracts. While some survey respondents indicated that they lost little time in delays at these moments in the Program, most respondents waited around a year to have applications accepted, and an additional year or more to finalize a contract (particularly in Steps 2 and 3);
- Variance is the largest for Step 1, indicating a more consistent process at later steps. This finding makes intuitive sense as BOAs experiencing the Program for the first time are likely to take the longest to work through the process; and
- While variance decreases, the longest median lags for both application response and contract negotiation were in Step 2, and five respondents said that it took more than one year to go from award notification to contract execution in Step 3. While one might assume that BOAs who return for Step 2 and 3 grants can complete the application and contracting process faster the second or third time around, this is not necessarily the case. Though the more specific nature of work under Steps 2 and 3 might require more contracting work, it remains problematic that BOAs who have already been through the application and contracting process continue to experience such long delays.

On the reimbursement side, respondents indicated that delays are less prominent and problematic. 18 of 39 respondents said that the “amount of time required for reimbursement” hindered or stopped progress on their BOA Program. Another 12 respondents indicated that reimbursement timing was a minor inconvenience, while 10 said this was not a challenge at all.

Though the negotiation and execution of the contracts is a key way in which BOA communities work with Department of State Project Managers, it is not the only area in which

State support is critical. Respondents indicate that, in addition to providing assistance with Scopes of Work and contracts, Department of State Project Managers provided notification of other grant/funding and learning opportunities, budgeting guidance, feedback on deliverables, and general planning and development advice. Most respondents have had positive experiences with their Project Managers, who they described as “very helpful”, “responsive”, “present and active.”

Finally, as regards the Program process, respondents indicate that they have an average of between two and three full-time equivalent staff working on their BOA. Seventeen indicated that they have one full time equivalent (FTE) working on their BOA, with several additional BOAs having two FTEs. While this number seems high based on discussions with BOAs about their work process, it may indicate that some respondents counted staff time from consultants, or misunderstood the question, as 7 respondents indicated that they have 5 or more FTE working on their BOA. The staff time number may also be skewed by the work of BOAs in larger cities, which may have greater municipal and/or non-profit capacity for BOA work.

3. Survey Results: Communications and Stakeholder Engagement

The survey included nine questions about how the organizations administering BOAs engage with stakeholders. Though the responses indicated that BOAs are broadly engaged with their community, the closest and most frequent communication is with consultants. This follows from the fact that consultants often play a key organizing role in developing community plans and are under direct contract with BOA communities. On average, BOAs communicate just over once a week with consultants, and also communicate frequently (between weekly and monthly) with local officials, community members, project managers, community organizations, and their steering committees.

As shown in Figure 16 below, of the stakeholders included in the survey, BOAs communicate least frequently with developers, reaching out an average of less than monthly (though closer to monthly than yearly, on average). While this finding is not surprising given the nature of the BOA Program, with its focus on community engagement and pre-development planning, it also represents a potential missed opportunity. BOAs should consider opportunities to engage with developers throughout the process, as developers will ultimately be a key stakeholder in the revitalization process, so engaging developers early may help shape more

realistic and viable plans. This is especially true for BOAs who are further along in the Program; three survey respondents never reach out to developers, with two of these BOAs in Step 2 and one is in Step 3. Once BOAs are selecting and even assessing strategic sites, engagement with developers can be critical in advancing plans even though they are not a required stakeholder in the BOA process.

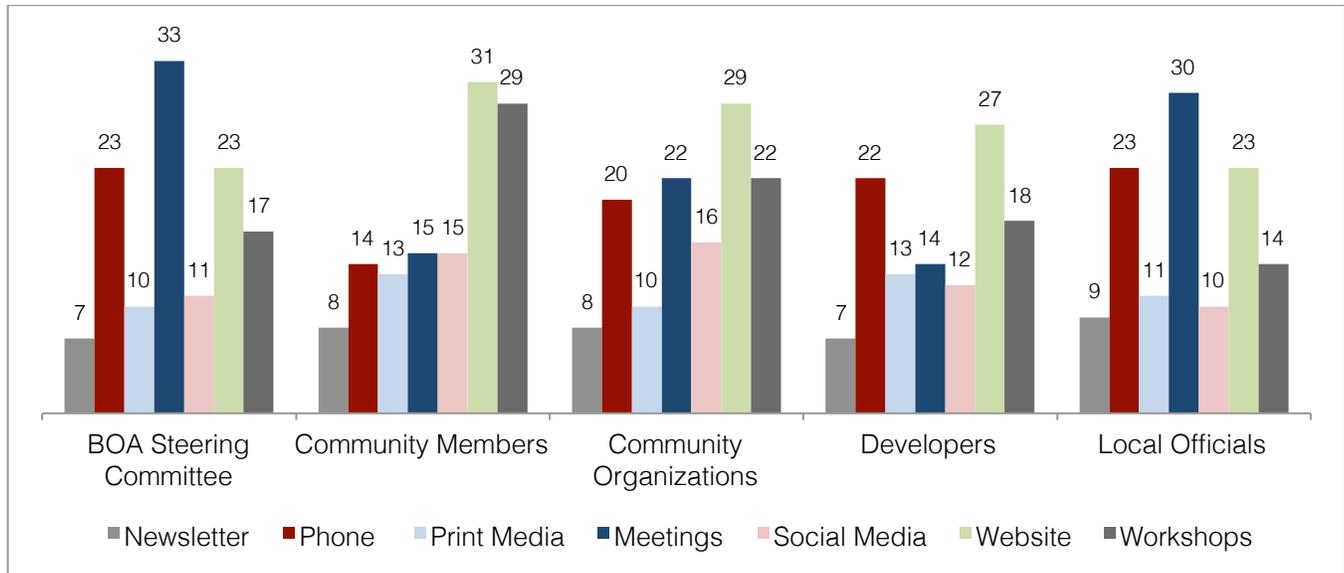
Figure 16 Average Frequency of Communication between BOAs and Key Stakeholders

Step	Community Member	Local Official	Steering Committee	Consultant	Community Organization	PM/ DoS Rep	Developer
1	2.5	2.0	2.8	3.0	2.3	3.0	2.8
2	2.9	2.6	2.7	1.7	3.1	2.7	3.4
3	2.6	2.1	3.1	2.2	2.4	2.8	3.0
Total	2.8	2.4	2.8	2.0	2.8	2.8	3.2

(1 = more than weekly; 2 = weekly; 3 = monthly; 4 = between monthly and yearly)

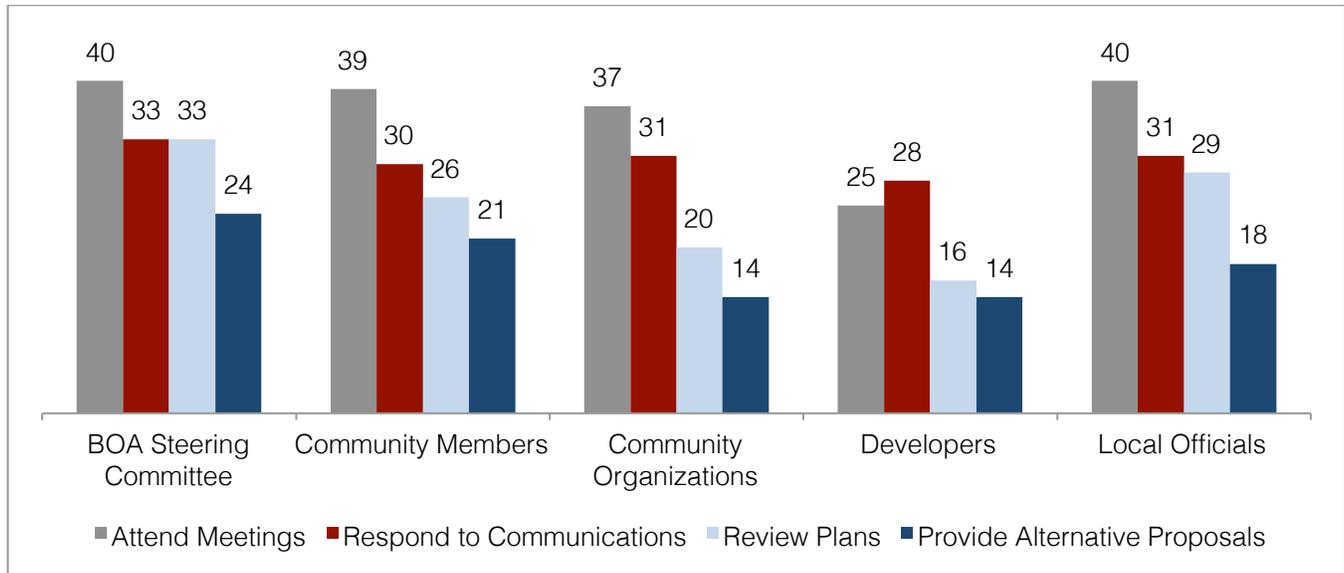
BOAs use a variety of tactics and media to engage with their community, political leaders, and developers in the planning process. Thirty-six respondents have websites where they post information about their BOA (n = 45). Most BOAs go beyond web-based communication to regularly engage stakeholders through meetings, workshops, and phone outreach. Social media, print media, and newsletters were found to be much less popular means of engagement.

Figure 17: Communications by Method and Stakeholder



The abundance of communication with the steering committee, and contrasting dearth of direct and two-way communications with developers, are notable. These communication patterns carry over to the types of engagement that each stakeholder group undertakes. While all key stakeholders – with the exception of developers – attend meetings in almost every community, some stakeholders are much less engaged in the substantive work of proposal review and particularly providing alternative ideas to proposals. Generally, this set of questions indicates that most BOAs are actively working to engage a diverse group of professional and community stakeholders. Community members and organizations are responsive to meetings and direct communications, while the work of developing plans themselves is mostly done by the steering committee.

Figure 18: Stakeholder Engagement Tactics

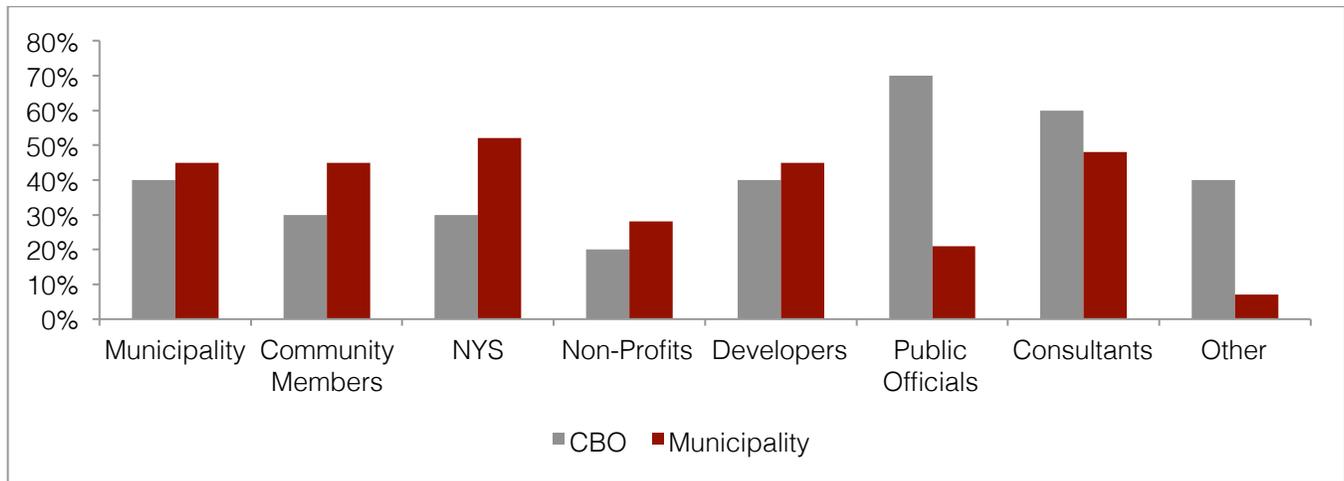


Respondents were asked to go beyond questions of communications to identify whom they see as key allies in the BOA Program. Consultants again topped the list, with 20 BOAs naming their consultant as a key ally, just ahead of the State (18), municipality and community members (17), and non-profits (10). This general pattern held for BOAs in Step 3; six named consultants as a key ally, and five named municipalities. Seventeen BOAs named developers as a key ally, which contrasts with the relative lack of engagement with developers found in prior questions. Five of the twelve Step 3 BOAs who responded to this question named developers as a key ally, a slightly higher percentage than the average for all BOAs. This may indicate that BOAs are engaging more with developers as they move through the steps, though the timing of when to best engage developers is an issue that warrants further investigation.

In addition to allies varying based on where BOAs are in the Program, key allies also varied between municipal and CBO-sponsored BOAs. The survey had 41 BOA respondents from municipally-sponsored BOAs, and 10 respondents from CBO-sponsored BOAs. As the side-by-side bar chart below indicates, 70% of all CBOs listed public officials a key ally, underscoring the degree to which CBOs and local governments must work collaboratively to execute a BOA plan. It also appears that municipally-led BOAs place a greater emphasis on engagement with the community and the State than CBO-sponsored BOAs, perhaps due to the natural affinity between state and local governments. Though their engagement with developers is less than with other stakeholders noted above, 40% of CBOs and 45% of

municipalities listed developers as key allies in the BOA process. This finding is in-line with the emphasis that many, but not all, BOAs put on predevelopment work.

Figure 19: Key BOA Allies: CBO & Municipality-Sponsored



Finally, respondents were asked to name the specific individual, if there is one, who they see as the “champion” or lead advocate for the BOA Program in their community. The respondent commonly self-identified as the BOA champion. However, 11 respondents (n = 40) named the mayor or equivalent local executive as the “most important advocate or champion” for the BOA; and of the 12 respondents to this question currently in Step 3, more than half (7) indicated that the municipal executive was a key champion. This may indicate that having a high-level official engaged is important for moving a community through BOA. A majority of respondents (35 of 41) across all Steps indicated that BOA is a priority for this champion. However, higher prioritization of BOA by the champion does not seem to correlate with progress through the Program in this sample.

4. Survey Results: Planning Work under the BOA Program

A second set of 15 survey questions addressed the content of work that communities are undertaking under the BOA Program. The answers to these questions support the idea that BOA allows grant recipients to pursue a variety of strategies and tactics across many topic areas, ranging from investment in infrastructure to zoning amendments to demand studies for housing, retail, or other land uses (the “work areas” discussed below). These questions also show that BOA helps participants with taking a broad view of redevelopment possibilities,

while also focusing on strategic sites for redevelopment.

This section included an open-ended question on the challenges that face BOA communities. Respondents cited several factors which prove challenging to successful implementation of their BOA plans. Factors most frequently cited included local economic conditions (such as poverty or market weakness), regulatory barriers (zoning and tax laws), site assembly and acquisition, and environmental contamination. Respondents also cited a lack of available outside funding (public and private) for site development. Many BOA communities suffer from a lack of connectivity to municipal infrastructure and are often poorly served by roads, sewer and utilities. Poor community engagement, lack of housing, perception of crime and demographic decline were also cited.

Figure 20: Challenges Facing BOA Communities

Challenge	Number of Responses (n = 36)
Site-specific Economic Conditions (lack of developer interest, property owner buy-in, risk)	22
General Market Conditions (poverty, disinvestment, competition over uses)	17
Zoning and Regulatory Barriers	14
Environmental & Health Concerns	14
Infrastructure	12
Community Issues (crime, awareness, vision, perception concerns)	12
Lack of funding	7
Housing	3

Respondents were asked to indicate which of 20 areas (including site-specific work such as environmental assessment and property disposition issues, as well as broader planning work on zoning, infrastructure, and demand for various land uses) they are working on under the BOA Program, and indicate level of priority among these work areas on a 1-4 scale. For each work area, at least three quarters of respondents indicated that they are working on that listed area. This highlights breadth of work under the BOA Program. However, trends emerged around prioritization of work as seen in Figure 21 below: the top 3 priority areas are infrastructure, zoning/land use, and site-specific work such as massing studies and pro forma development. A number of work areas around environmental assessment and demand studies were ranked in the middle of the prioritization, while media and political work both

ranked near the bottom. Based on this question, the majority of BOAs are focused on the tangible, physical work of infrastructure and site-specific planning, preparing directly for development, rather than undertaking more general demand studies or focusing on the political or communications aspects of development.

Figure 21: BOA Work Areas

Work Area	Priority	Number with Consultant
Infrastructure	1.4	18
Site-specific (i.e. massing study, pro forma development)	1.5	20
Zoning/Land Use	1.5	23
Blight	1.6	8
Commercial Demand	1.6	13
Property Acquisition/Disposition	1.7	12
Urban Design	1.7	20
Open Space	1.9	14
Phase 1 Enviro Assessment	1.9	21
Retail Demand	1.9	10
Housing Demand	2.1	16
Phase 2 Enviro Assessment	2.1	19
Traffic	2.1	12
Environmental Liability	2.2	5
Transportation Demand	2.2	8
Media Communications Strategy	2.3	12
Parking	2.3	8
Other	2.4	7
Political	2.4	1
Hotel Demand	2.7	5

In order to further tease out priorities, the survey asked in what areas BOAs retained consultant support. Responses show that consultants are engaged in a wide variety of work areas for BOAs, and that the areas supported by consultants generally correlate to the work areas named as priorities for the BOAs. The most popular areas for consultancy include zoning/land use, Phase 1 Environmental Site Assessments (ESA) and Phase 2 Environmental Site Investigations (ESI), site-specific work such as massing studies and pro forma development, and urban design. In contrast, more general demand studies (commercial,

open space, retail, traffic, transportation) were moderately popular, with 10-14 BOAs using consultants to study these areas, while “softer” applications such as media/communications and political consulting are less popular.

The survey also highlights the diversity of land use patterns seen in Brownfield Opportunity Areas, both in terms of land uses present before starting the Program and in terms of what communities hope to see on the land within their BOA after the Program. The charts below contrast the pre-existing land uses seen in each BOA before the community entered the BOA Program (at left in red) against the desired uses BOAs hope to see in their study area as a result of BOA plans, (at right in grey). The unit of measurement is the percentage of respondents who checked each land use type, with no limit on the number of choices each respondent could check. The information is presented separately for upstate and downstate BOAs.

Figure 22: Contrasting land uses in upstate BOAs before beginning the Program with the land uses communities hope to see in their BOAs after planning and development

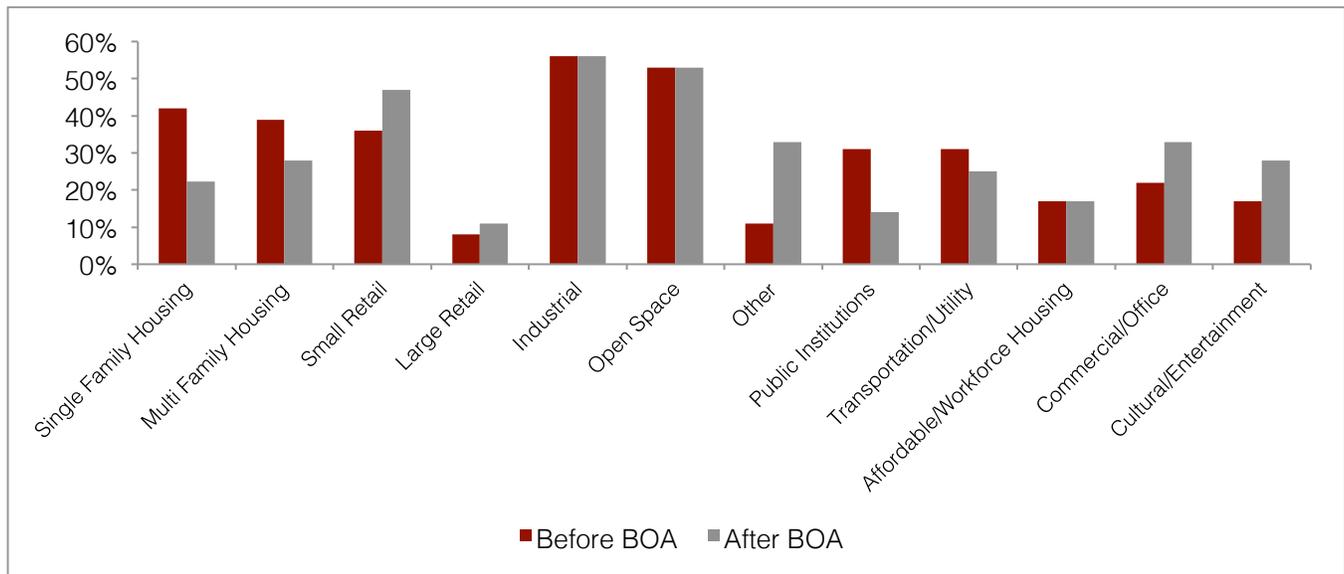
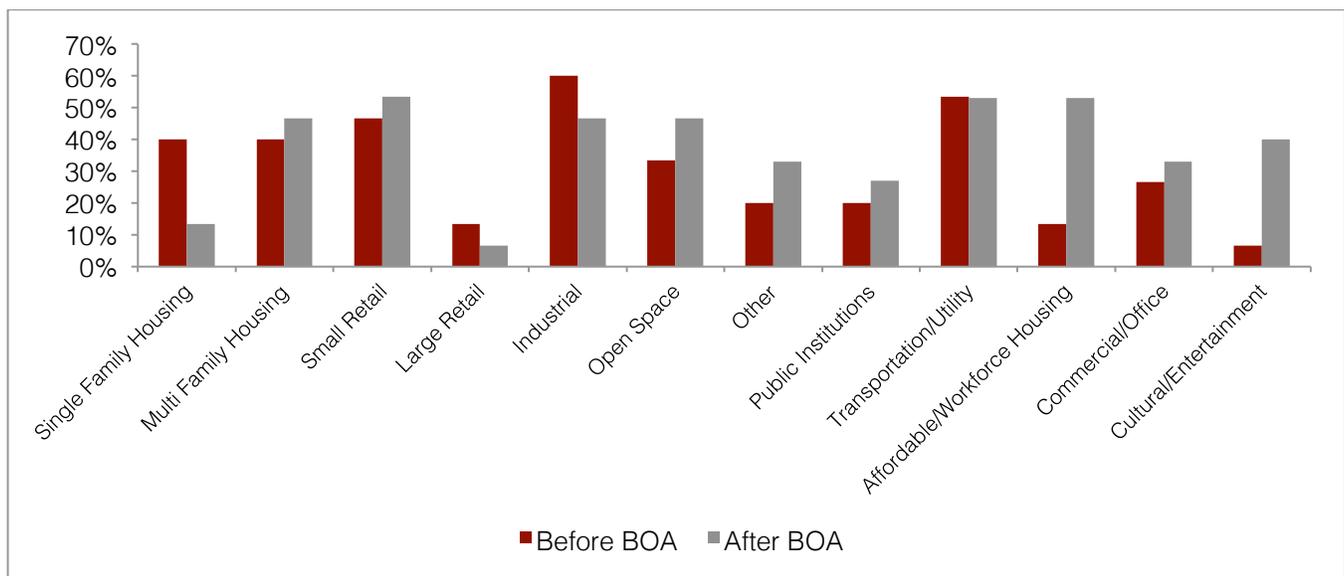


Figure 23: Contrasting land uses in downstate BOAs before beginning the Program with the land uses communities hope to see in their BOAs after planning and development



Note: 30 respondents identified vacant sites pre-BOA, though vacancy was not included as a potential post-BOA use

As expected, the majority of respondents indicated that sites were industrial or vacant before

the Program. However many BOAs also contained open space or parks, housing, and retail before entering the Program, indicating that brownfields sites play a variety of important roles in BOA communities, and are not limited to formerly-industrial land. Other trends illustrated in these comparisons include:

- The majority of communities hope to retain a diversity of land uses after the BOA Program, with industrial/manufacturing uses as the most commonly chosen desired post-BOA use. BOAs also hope to see open space, housing, and small retail – among other uses – on their brownfields after redevelopment;
- The majority of respondents from downstate BOAs expressed a desire to see affordable housing in their BOA after completing the Program (nearly half expressed a desire for multi-family housing). These downstate numbers are in contrast to only 17% of upstate BOAs hoping to see affordable housing in the BOA after the Program;
- Upstate BOAs want to keep manufacturing alive in their cities, with the majority of upstate BOAs hoping to see manufacturing and industrial uses in their revitalized BOA; and
- There is a sharp contrast around cultural/entertainment uses downstate, with only 7% of downstate BOAs seeing these uses before entering the Program but 40% hoping to see these uses after BOA. This may indicate that many downstate communities see BOA as an opportunity to attract needed amenities to underserved areas.

The land use patterns and diverse areas of project work show that BOA funds are being used to explore and plan for a variety of projects. However, survey responses also indicated that BOAs are using program funds to balance taking an area-wide planning approach, while also focusing on strategic sites for development. Respondents have identified an average of 55 brownfields per BOA, and of the 35 that have identified strategic development sites, they have narrowed their focus to an average of 12 such sites.

5. Measuring Progress

Respondents repeatedly stressed the challenge of connecting the planning work under BOA to measurable, tangible development impact. While there is no single method to measure BOA's impact, survey questions revealed a number of ways that communities are leveraging planning work and rethinking its potential for impact. One of the key strengths of the Program is that it provides a forum for community members to come together and develop a shared

vision for the future of the BOA area. In a sign of BOA's impact, two-thirds of respondents indicated consensus among various community stakeholders around a vision for the future of the community. Though this high level of consensus – considered a huge asset in expediting development – cannot be directly attributed to participation in the BOA Program, it is notable that most BOA communities have or are driving toward planning consensus. Of the 12 respondents in Step 3, 75% said there is consensus about their vision for the future, which may show that consensus emerges as communities move through the BOA Program, though the sample size is not sufficient to draw definitive conclusions on this point. It might be valuable for NYS DOS to track the BOAs that said they do not currently have consensus as they progress through BOA, to track change over time.

When asked which metrics they use to measure the impact of BOA funding, respondents gave dozens of different responses including both quantifiable and site-specific metrics such as dollars invested, future building permits and properties developed, new housing units, and jobs generated, and more general trends such as the degree to which future developers adhere to the BOA plans, participation in the process, reductions in crime, and growth of the tax base. While tracking all of these metrics may prove useful in informing BOA Program policy decisions as the Program evolves (see Recommendations section of this report), two metrics emerge as particularly important for identifying the concrete impact of BOA: the formal adoption of BOA plans (a process metric) and the dollars that communities are able to leverage through their BOA work (a substantive metric).

In terms of formal adoption, 10 of 32 total respondents (31%) stated that their BOA plan has been formally adopted in some way. Of these, 5 of the 8 respondents currently in Step 3 (63%) have formally adopted their BOA plans. The high degree of formal plan adoption by Step 3 shows the potential of BOA to become integrated into the larger comprehensive planning process.

Finally, the ultimate goal of the BOA Program is encourage real development – rebuilding on contaminated properties and revitalizing communities – though BOA itself does not fund such development. With relatively small grants, the BOA Program gives communities the tools and information to better position themselves to solicit funding from other public and private sources going forward. The survey results reinforce the contention that the work completed under the BOA Program provides a key source of leverage in obtaining both grants from other state and federal programs, and investment from private developers. Twenty-four of 31

(77.5%) of respondents to this question stated that they have been able to leverage the work done under the BOA Program for additional grants, including funding from local, state, and federal programs. A slightly smaller percentage (19 of 30, or 63%), though still a majority, responded that they have leveraged BOA work for direct investment in the area.

While average grants and investment numbers are skewed by a small group of outliers, the amount of grants leveraged range from \$40,000 to \$831,000,000, while investment numbers range from \$20,000 to \$1,500,000,000 numbers show that BOAs – even those early in the process – are able to leverage their work. This becomes increasingly true as BOAs get closer to implementation, a positive sign for the Program. For the Step 3 BOAs who responded to this question, nine of ten have leveraged BOA for grants, and eight of ten have leveraged BOA work for investment. The chart below illustrates the leverage numbers for Step 3 BOAs*, illustrating the power of work under the BOA Program to spark much broader investment in communities

Figure 24: Average Investment Attracted by Leveraging BOA Work

Step	Average of Private Investment	Average of Grants
1 (n = 2)	\$200,000	\$875,000
2 (n = 14)	\$23,303,334	\$222,583
3 (n = 7)	\$266,503,333	\$122,538,571
Grand Total	\$98,887,369	\$41,056,714

Figure 25: Investments in Step 3 BOAs Leveraging BOA Work

Grants	Investment
\$40,000	\$20,000
\$1,300,000	\$0
\$1,500,000	\$500,000
\$1,930,000	\$1,500,000
\$5,000,000	\$25,000,000
\$17,000,000	\$72,000,000
\$831,000,000	\$1,500,000,000

(Note: two BOAs in Step 3 said they have leveraged BOA for additional investment and/or grant funding, but did not give specific investment numbers.)

6. Program Strengths

The final purpose of the survey was to solicit participant feedback on the strengths and weaknesses of the BOA Program. Respondents were asked open-ended questions about strengths and areas for improvement, with more than 30 survey-takers responding to both questions. Detailed findings from this section are captured in Sections IV and V of this report, with the strengths feeding into the Program evaluation section and opportunities for reform directly informing the recommendations. To summarize program strengths, respondents highlighted three important themes: BOA is unique in its focus on engaging community stakeholders, the Program creates a space for community visioning and consensus-building, and the Program provides resources to do the research and data collection that are necessary to enable and speed up later steps in the redevelopment process. Several BOAs indicated that they have done work under the BOA Program that they could not have done otherwise, as shown in these examples from across the state:

“The extensive planning and analysis needed to gain nomination status is so comprehensive that it provides a basis for (and opens the door for) an abundant selection of grants, loans, tax credits, and further planning & development support to the municipality and Brownfield Opportunity Area.”

“The funding is used to work with professionals to accomplish goals indicated in the work plan that would be difficult at best without the professional assistance, i.e. environmental investigations, designs, marketing, pro formas...etc.”

“The resources and capacity it provides allows a comprehensive, multi-layered approach to determine re-use potential, as opposed to the inherent scope limitations imposed by smaller programs.”

“It is a powerful tool to be able to look at both site-specific strategies and community wide revitalization. It allows our organization to help forward its mission by making recommendations that will have a basis in research and community participation. It is a broad, comprehensive process and has given us many new connections and partners.”

Survey Respondents (by region)

* indicates completed survey:

Capital Region (2)
South Queensbury BOA
Village of Catskill

Central Region (3)
Southeastern Cortland
Auburn Sparks*
Village of East Syracuse

Finger Lakes (5)
City of Batavia
Lyell Lake State (LYLAKS)*
North End Neighborhood BOA
Perry Brownfield Opportunity
Area*
Vacuum Oil South Genesee River
Corridor - Rochester New York*

Long Island (6)
Greater Bellport BOA, Town of
Brookhaven*
New Cassel*
Riverside Hamlet, Town of
Southampton
Town of Riverhead Peconic River
Corridor*
Village of Farmingdale*
Wyandanch*

Mid-Hudson (5)
Kingston Waterfront*
Mount Vernon Canal Village BOA
Philmont
Ulster County County-wide BOA
The Village of Wappingers Falls*

Mohawk Valley (4)
Downtown Rome BOA*
Utica*
Main Street and Mohawk River
Erie Boulevard Corridor*

North Country (3)
Village of Lyons Falls / Lewis
County*
Massena*
Ogdensburg
Waterfront Core*
Downtown

New York City (10)
Cypress Hills BOA*
Flushing BOA*
HCCI Bradhurst BOA*
Industrial Business Zone*
Jamaica Queens
North Brooklyn BOA
Port Richmond/Mariners Harbor
BOA
Red Hook BOA*
Sunset Park*
West Shore BOA*

Southern Tier (4)
Endicott Johnson Industrial Spine
Elmira Southside Rising*
Norwich
Village of Painted Post BOA*

Western (9)
Buffalo River Corridor BOA*
Buffalo Harbor BOA*
Chadakoin River West - Step II*
Highland Community Brownfield
Opportunity Area*
Lockport Tourism Focus Area*
Northwest Quadrant Revitalization
Plan (Olean)*
Tonawanda Street Corridor BOA*
Town of Tonawanda*
South Buffalo

C. Introduction to BOA Snapshots

For each of the 36 BOAs that completed the survey, the Capstone team developed a one-page fact sheet or “BOA snapshot.” These snapshots aim to 1) to portray the individual trajectory of participants in the Program and understand how each has faced different challenges with different approaches, and 2) to compare all BOAs using the same criteria, with a view towards coming up with metrics that can, over time, reflect individual performance in a consistent way despite the variety of strategies used.

While these snapshots convey the stories of 36 BOAs, the ability to compare across all 36 snapshots is limited as all data is self-reported and respondents self-selected by completing the survey. Further, each of the 126 communities that have participated in the BOA Program is, in one way or another, unique. While there might be commonalities in the challenges that subsets of BOAs face, the conditions in which each community found itself when starting the Program and the work each developed in BOA is different: some evaluated the cost and possible means of improving infrastructure, others created local corporations that collect and manage funds, while still others pursued legal action in order to make sites development ready. Examples of ways in which the grants were used are numerous and varied.

However, the snapshots point toward several metrics that could be used to track BOA success moving forward. Beyond official designation, the metrics used captured in the snapshots are policy adoption measures, subsequent investment, and an investment / BOA funding ratio. Policy adoption measures capture any of the work developed under the Program that became part of the municipality’s planning framework, such as adoption of the BOA plan in whole or part, or inclusion in a master plan. “Subsequent investment” lists all investment in physical development, additional grants, and private funds received by the community partly or totally because of work developed under the Program. Importantly, this is a self-reported metric. The investment / BOA funding ratio is calculated by dividing the subsequent investment by the sum of all BOA grants received by the community.

There is no discernible relationship found between the other metrics analyzed and the investment / funding ratios. The snapshots showed no evidence of the Program having a more positive effect in certain regions, or after certain time in the Program, or with one or more grants. Years in the Program was not a relevant factor: BOAs that joined the Program in its first year reported ratios as low as 0.65:1 and as high as 875:1. BOAs that joined the Program in 2013 showed similarly vast differences, from 0.5:1 to 557:1. The differences

among BOAs with one grant or two grants are just as large, as are the differences between BOAs in Step 2 or Step 3. The upstate/downstate divide presented differences in ratios that were just as large: North Brooklyn BOA reported an investment ratio of 0.13:1 and Staten Island's West Shore BOA reported a ratio of 557:1. Not even designation was a good predictor of high investment / BOA funding ratios: New Cassel BOA reported 215:1 while Lyell-Lake Street BOA reported 0.65:1.

Further only 25 respondents provided investment figures that allowed the calculation of investment / BOA funding ratios. Self-reported investment from a subset of BOAs cannot be used as a metric of program success at this time, though it does indicate that many BOAs are leveraging their funds for subsequent investment, and that this metric may be used in the future to track Program progress and success, if collected in a more systematic and objective way. While the snapshots can't prove that the Program works better under certain situations, they do prove that results are unique to each individual BOA.

The information captured in these snapshots (in appendix E) reflects the input of BOA communities as directly as possible, with edits by report authors for consistency and completeness. These snapshots tell the stories of BOA communities in their own words. All aerial images of BOA boundaries came from the New York State GIS Clearinghouse or United States Geological Survey (USGS) (for New York City and Nassau County). The demographic information is derived from the database that the NYU Wagner Capstone Group built for this report with information from the U.S. Census. As further explained in the demographic section of the report above, it was important to show the disparity in income and the prevalence of poverty within the communities that participate in the BOA Program. To achieve this, figures from the BOA areas are compared to the counties in which they are located.



Buffalo Harbor BOA, study area

Source: Buffalo News

V. Case Studies

The following case studies illustrate how differently three quite disparate communities have experienced the BOA Program, with each becoming a participant at a different point in its local planning process, and with each facing a unique set of goals and obstacles. Still, all three communities make a number of similar, positive observations:

- While all of the communities had already begun some level of planning around revitalization goals, the BOA process provided cohesion, or “connectivity,” and community buy-in around a single vision (however complex);
- Because BOA grants are flexible, they allowed these communities to invest in the

specific planning elements needed to meet their respective unique goals;

- All three of the communities used BOA funding to strategically supplement and leverage other resources – grants, loans, private investment – and to fill gaps when other funding was not available as planning proceeded;
- Many of the studies, analyses and design elements funded by BOA grants were of a type the municipalities needed to attract private developers and to gain public agency support and commitments for public investment in infrastructure, which would not have otherwise been affordable.



A. Wyandanch BOA

1. Community Geography and Demographics

Wyandanch is a landlocked hamlet with a population of 14,127 located in the Town of Babylon, in southeast Suffolk County (see one-page summary for complete demographic information). The Long Island Railroad (LIRR) station, at the center of the hamlet, has been a definitive feature both for the town and for the BOA process. The Wyandanch study area encompasses 135 acres. It focuses on the properties along Straight Path, Wyandanch's main street, and intersects with the LIRR station. So far, seven strategic sites have been identified.

2. Community History and Pre-BOA Efforts

The idea of turning Wyandanch into an urban core concentrated around the LIRR train station appeared well before the Town of Babylon entered the BOA Program: planning for revitalization under the catchphrase "Wyandanch Rising" began in 2002. In June 2003, the town held a five-day community based planning event, which brought together over 500 homeowners, renters, business and property owners, civic groups, clergy, and government

officials. The outcome of this reunion was a comprehensive plan, “The Wyandanch Hamlet Plan” (2004), the first one of its kind in several decades.¹² A new multidisciplinary local agency, the Office of Downtown Revitalization, was created simultaneously to oversee the planning process.

The logic behind the Wyandanch Rising plan is the following: the proximity to the Long Island Railroad (LIRR) station makes demand for housing units and retail space possible, so all efforts should be focus on developing near it. An attractive development would jump-start the potential demand, which would then increase the value of property and shift dormant areas to productive use. The plan was to present locals and newcomers with the option of living within walking distance from stores, amenities, and, of course, the train. The affordability of the housing stock in Wyandanch, and the lack of similar alternatives in the nearby areas, could potentially make this a commercial success.

However, several factors stood between the desired outcome and the existing circumstances: abandoned and underutilized properties, the possibility that these properties were contaminated, and the fact that they had various owners and assembling them for development was complicated. Additionally, there was no sewer infrastructure, incompatible zoning, and a lack of funds for capital investments.

Babylon used the Wyandanch Rising plan to apply to the BOA Program. But since several entities became engaged with the town’s revitalization process following the 2003 community workshop, assistance was provided before the BOA awards arrived. The Environmental Protection Agency (EPA) awarded funding for brownfield assessments. The Federal Transit Administration (FTA) awarded a grant to complete a feasibility study for an Intermodal Transit Facility, which was completed in 2008. The New York State Department of Transportation (NYSDOT) funded new lighting, new traffic medians, tree planting, and new waste receptacles along Straight Path. The Town Board, in coordination with EPA, awarded funds for assessing the feasibility of extending the local sewer district infrastructure to Wyandanch.

3. Overview of BOA Approach

The Town of Babylon was granted its first BOA award for Wyandanch Downtown in 2004 and its second grant in 2009; it has received a total of \$1,742,228 from the BOA Program to fund planning endeavors. To date, Wyandanch has finished a blight study, been the subject of an

¹² Hearl, Steven. “Wyandanch Rising – Hamlet Grows with Sewer Extension”. Clear Waters. Spring, 2014.

Urban Renewal Plan, formally developed and adopted new zoning districts, successfully completed extensive property assemblage (in some instances utilizing eminent domain), and orchestrated the construction of a mile-and-a-half sewer line, a five-story parking structure, and two mixed-use buildings that surround a plaza.



4. Plan Advancement and Successes to Date

Already aware of the widespread presence of vacant and underutilized properties, Babylon used its first BOA grant to hire a consultant to do a blight study in 2007. As expected, the study identified certain tangible and intangible conditions of physical blight, which then allowed the Town of Babylon to be authorized as an Urban Renewal Agency in June 2008. The Urban Renewal Law¹³ grants powers to municipalities to carry out a specific Urban Renewal Project, which must be formally presented. In order to undertake the presented plan, municipalities gain the ability to apply for and accept financial assistance from federal, state, local, or private sources; to provide local grants-in-aid; to borrow money and issue bonds for the acquisition of property; to provide for the demolition and clearance, improvement, or development of property; and to carry out activities relating to the arrest and prevention of distressed conditions.

¹³ Article 15, Section 503 of the New York State General Municipal Law

The Town of Babylon was also aware of the development potential inherent in having Wyandanch close to the LIRR station, so it used another part of the first BOA award to hire the same consultant to perform an economic and market trends analysis. This study estimated that between 459 and 1,335 new households would likely move to Wyandanch by 2030. The justifications were a projected population growth of 4.2 percent in Babylon by 2015, and 9.0 percent by 2030, from 2005 levels; a large pool of potential buyers due to the easy access to New York City and the rest of Long Island via the LIRR; and the relative affordability of housing in Wyandanch.

The BOA-funded economic and market trends analysis also revealed the majority of households in the area were shopping and dining elsewhere due to the lack of local selection. A slight increase in local spending could create a demand for approximately 50,000 square feet of additional retail space. The market analysis was used as the basis for developing a preferred build-out scenario and development program in the master site planning and rezoning.

An amended zoning code was needed to create districts allowing higher-density mixed-use developments; the lots that the Town of Babylon envisioned as mixed-used developments were zoned industrial. Even the lots already zoned for commercial uses needed regulatory reforms since they were too small to fit the commercial restrictions of Babylon.

The second BOA award, granted in 2009, was used to produce the material required to gain approval from the Babylon Town Board for several discretionary actions needed to make redevelopment possible. The Town Board of the Town of Babylon acted as the lead agency and presented an Urban Renewal Plan and a GEIS in connection with the proposed rezoning. The powers granted to the Town of Babylon as an Urban Renewal Agency made the financing structure of the mixed-use buildings (described in detail below) possible. The GEIS was also necessary to make public funds available for this development.

As mentioned, Wyandanch did not have a public sewer system. Rather, sewage was handled by on-site septic tanks, which limited both the density permitted and the real-estate development of the area due to the threat of groundwater contamination. It would have been prohibitively costly for developers to finance the extension of the municipal sewer. In order to accommodate the envisioned development, finding a way to finance public sewers was crucial. When the Empire State Development Corporation (ESDC) agreed to cover \$2 million dollars of the cost of a sewer project, the Town of Babylon deemed it feasible to seek

additional financing for the remaining \$16 million, which came in the form of low-cost financing from the Environmental Facilities Corporation. The sewer line down the middle of Straight Path was the first tangible sign of progress in Wyandanch.¹⁴ The construction of the sewage collection and conveyance systems was completed in 2014. In addition, the sewer construction allowed the town to rebuild the roads with streetscape and traffic calming improvements.

The second BOA award was also used to seek authorization from the Suffolk County Water Authority (SCWA) to connect to the water supply system, and to get a permit from the Suffolk County Department of Public Works (SCDPW) to allow for sewer connections.

Many important tasks usually performed by real estate developers were in this case developed by the Town of Babylon: officials chose the sites and assembled them; hired an architect to develop a master site plan and design guidelines, and followed all necessary procedures to enact zoning that matched the master site plan. There were two important reasons for the Town to do all of this work: 1) Wyandanch is not a hot market and they had to make it attractive for developers, and 2) if development did happen, it would proceed how the Town and the public envisioned it.

The 2007 BOA-funded economic and market trends analysis identified seven potential strategic sites. Site A has become a critical component of the Wyandanch redevelopment: a 20-acre site occupying the area at the northeastern corner of Straight Path, and right next to the LIRR station. Site A is described in the study as “the northern gateway into downtown Wyandanch.”

Site A was originally composed of four surface parking lots that added up to 9 acres; these were separately owned by Suffolk County, the Town of Babylon, and the MTA. One was privately owned but operated by Suffolk County.

Cooperation between the LIRR and the Town of Babylon began with an agreement to swap parcels of land: the Railroad received a 2-acre parcel – now the site of the new parking facility; the Town, in turn, received a 1.5-acre parcel, which was incorporated into the mixed-use development.

¹⁴ Bonilla, Denise. “Work on Wyandanch Rising project begins”. Newsday. February 20, 2012.

Site A also included eight lots that were either vacant, run-down, or underutilized industrial buildings, in addition to a retail shopping center. The Town of Babylon purchased or acquired these by eminent domain, made possible as a result of the BOA-funded Urban Renewal Plan.

In 2011, the Town of Babylon released an RFQ searching for a master developer for the downtown redevelopment project; the winning bid was awarded to the Albanese Organization. After additional collaborative planning and design between the Town and Albanese, they settled on a first phase for the development program: two mixed-use buildings with 177 apartments and 37,000 square feet of retail.

Building A, with 91 units and 17,500 square feet of retail space was financed with \$18 million in housing tax credits allocated by the NYS Homes and Community Renewal and a \$2 million loan from the Housing Trust Fund for Building. That is in addition to \$14 million in private resources. Building B, with 86 units, was financed with more than \$26 million in tax-exempt bonds and \$1.7 million in a subsidy loan. Additional financing included: \$1.9 million in a Suffolk County Infrastructure Loan; \$330,000 from the Town of Babylon Home Program Loan; \$1 million through the Neighborhood Stabilization funds; and the remaining from private resources.¹⁵ Suffolk County contributed \$4.75 million for capital improvements to build the plaza area. The state Environmental Facilities Corp. has also provided a \$12.6 million mortgage for the project.¹⁶

Both buildings will remain the property of Albanese, but, as a condition of receiving public money, 123 units are reserved for low-income occupants. In June 2015, 1,500 applicants contacted the owner of the new development to express interest in just 177 apartments.¹⁷ To ensure that the commercial spaces get leased, the town is offering retailers 15-year tax abatements.¹⁸

Site A is the proposed location for the FTA's Intermodal Transit Facility (FTA). In August 2015, the ribbon was cut to inaugurate the 920-space parking facility built by MTA-LIRR, also in Site A. The cost of the five-story garage was \$29,000,000, and was funded through the 2010-2014 MTA Capital Program with most of the money provided by the FTA.

¹⁵ "Albanese celebrates opening of \$38 million Phase 1 of Wyandanch Village; Beatty Harvey Coco was architect; A3 Construction was builder". New York Real Estate Journal. June 2015.

¹⁶ Madore, James, "State to reimburse \$2M to town for Wyandanch sewer service". Newsday. November 20, 2014.

¹⁷ Plockova, Joann. New Albanese Project Revolves Around Transit. GB&D Magazine, January 2

¹⁸ Hughes, C.J. "In a Long Island Hamlet, a Downtown Is Being Built From Scratch". The New York Times. September 30, 2014.

5. Next Steps & Lessons Learned

Construction of a third building on Site A will start soon, and there is a clear intention to build a fourth building next to the MTA parking facility.

It is, of course, not possible to attribute all the changes that have happened in Wyandanch to the BOA Program; the changes are the result of the Town of Babylon's tireless efforts to use all tools available to make urban progress a reality. However, the BOA Program did provide the Town with the ability to reach for tools that have been widely used, and it is more than fair to say that BOA eased Wyandanch's route to progress.

There are three important lessons for the BOA Program from the Wyandanch case:

- 1) Wyandanch did not use the BOA grants to create a formal plan; it used them to put together documents necessary to undergo the legal and administrative procedures the town needed to advance: a blight study, an Urban Renewal Plan, a GEIS, authorizations and permits from water and sewer agencies;
- 2) While Wyandanch is one of only 26 BOAs to have been designated, it has made no use of its designation so far. Development did not require environmental remediation and Wyandanch therefore has not had a use for enhanced brownfield tax credits. Other benefits of designation are dependent on discretionary actions of government agencies, and have not been translated into anything tangible; and
- 3) Municipal management can change drastically from administration to administration. Since BOA is an effort-rewarding program targeted at planning for economic development, it depends on the presence of a proactive leader to succeed. The Wyandanch Rising initiative, and the agencies invested in the town's redevelopment early in the process, signaled the presence of such leadership. Given the importance of such leadership for BOA Program success, indications of proactive leadership should be taken into consideration in the application process for the BOA Program. (See Recommendations section for more on implications of the case studies and survey findings for the BOA application process.)



B. Vacuum Oil—South Genesee River Corridor BOA

1. Community Geography and Demographics

The City of Rochester, on the Southern shores of Lake Ontario, has a population of 210,000. It is part of the Finger Lakes REDC region. (See one-page summary for complete demographic information.)

The Vacuum Oil Brownfield Opportunity Area is a 148 acre site, southwest of downtown, characterized by largely vacant industrial building stock that includes 38 documented brownfields. Within the site boundaries is a defunct oil refinery owned by the Vacuum Oil Company that operated from the early 1860's, which remained active until 1930. The area has historically attracted little investment, and has been designated a New York State EnZone¹⁹.

The Vacuum Oil BOA is the only significant underdeveloped waterfront area on the Genesee River south of downtown Rochester and covers over a mile of riverfront. Rochester's largest employer, the

¹⁹ New York State Environmental Zones, known as EnZones, are census tracts that have a poverty rate of at least 20% and an unemployment rate of at least 125% percent of the New York State unemployment rate, or a poverty rate of at least double the rate for the county in which the tract is located. American Community Survey 2010-2014 5-year estimates were used to determine EnZones.

University of Rochester, is situated immediately across the Genesee River. The bed of the Genesee Valley Canal that once linked the southern tier of New York to the Erie Canal in Rochester runs through the center of the former refinery site.

2. Community History and Pre-BOA Efforts

The BOA includes a roughly 40 acre site north and south of Flint Street that housed the Vacuum Oil facility which included as many as 135 storage tanks processed up to 4 million gallons of oil per year in the 1800's, along with other hazardous products such as kerosene, petroleum-based lubricants and oils, and naphtha. The site, last owned by Standard Oil Company of New York, continued to warehouse bulk petroleum until it closed in 1930. The parcel at 15 Flint was later used as a salvage yard and junkyard. In the intervening years, other sites have housed industrial operations, including dry cleaning facilities, which involved the use of potentially hazardous chemicals and by-products. There is widespread petroleum and heavy metal contamination in soils and groundwater, and other contaminants such as PCB's and PNAH's also present.

Although ExxonMobil, corporate successor to Standard Oil Company of New York (which evolved out of Vacuum Oil), no longer owns any of the property, it has signed a petroleum spill cleanup stipulation agreement with the New York State Department of Environmental Conservation (NYSDEC). The site but is not currently in the state's brownfield cleanup program. The intervening presence of the auto junkyard has complicated cleanup liability.

3. Overview of BOA Approach and Leadership

In 2006, the City of Rochester applied for funding through Brownfield Opportunity Areas Program. The city elected to complete Pre-Nomination study work for the BOA Program on its own. In 2006, the South Genesee River Corridor BOA was awarded a Step 2 Nomination Study grant for \$215,100. The Nomination study allowed the City to create a revitalization strategy for the parcels within BOA boundaries. Using the Step 2 funding for the Nomination Study, the City completed a conceptual master plan for the 148-acre area centered on the Vacuum Oil Site. The City of Rochester Department of Environmental Quality spearheaded the BOA planning process alongside community members, city officials, consultants and its Project Advisory Committee. The local Plymouth Exchange Neighborhood Association (PLEX) was actively involved in the BOA planning process.

As part of the Master Plan, the City has recruited a private firm interested in developing the site.

DHD Ventures was consulted in the creation of a concept plan covering two strategic properties. The development concept calls for seven buildings, which would add 115 market rate units in three buildings (two new, one rehabbed and adapted), in addition to over 100 units of student housing. The plan also calls for the inclusion of an additional 36 units of medium rate²⁰ housing. The proposed plan includes additional parking, and space for passive recreation. The plan also calls for select vegetation clearing to take advantage of the Genesee River view shed.

4. Plan Advancement and Successes to Date

As a result of the information compiled during the Step Two Master Planning process, the Vacuum Oil BOA chose to focus its efforts on the following key areas: 1) Pre-development Studies and Assessments, 2) Capital Planning, 3) State Environmental Quality Review (SEQR) and Zoning, and 4) PLEX Civic Engagement and neighborhood branding. According to Mark Gregor, the BOA Program Manager for the City of Rochester's Department of Environmental Quality, site assessments of vacant and blighted property are critical to the ability to develop property. In accordance with the New York State Environmental Quality Review Act (SEQRA), the request for public financing is a discretionary action subject to environmental review. A Phase I ESI and Phase II ESA are required to identify Recognized Environmental Conditions (RECs) on site. Moreover, they provide the necessary conditions allowing developers to anticipate and control cleanup costs. In 2015, the City gained permission to access properties for site assessment, overcoming a major obstacle to sound redevelopment planning.

Cleanup was undertaken by DHD and the City under NYSDEC's Brownfield Cleanup Program (BCP) as a result of BOA Step 2 findings. While DHD has taken on the task of cleaning up its parcels at 5 and 15 Flint Street, in 2013 a State Appeals Court ruled that ExxonMobil is responsible for the historical — and extensive — pollution at these sites. ExxonMobil must either clean up the 7.2 acres at 5 and 15 Flint Street, or reimburse the developer for cleanup costs. A 2016 decision affirmed this ruling²¹.

In a tandem effort, the City of Rochester will enter the BCP for city owned properties. The city will focus its remedial investigation on 8 parcels – about 15 acres total south of Flint Street. It will coordinate its cleanup with the DHD cleanup project. These parcels front the riverbank. This is

²⁰ DHD Ventures has not yet defined 'medium rate'.

²¹Orr, Steve (2016, March 1). Exxon Mobile Ordered to Clean Up Rochester Site. *Democrat and Chronicle*. Retrieved from <http://www.democratandchronicle.com/story/news/2016/03/01/exxonmobil-cleanup-ordered/81144942/>

noteworthy, given that the project seeks to improve park, trail, and public access to the waterfront while also creating the possibility of a future potential land sale to DHD. It is also significant that the NYS BCP cleanup projects cover a total of 20 acres, which is roughly half of the footprint for the historic Vacuum Oil Refinery site.

Several stakeholders stated that the value of the BOA Program is in the flexibility of its funding. In the fall of 2014 the Vacuum Oil BOA was awarded \$868,500 in Step 3 Implementation Strategy funding. The City decided to execute a number of further investigatory measures, using the new funding for continued site assessments and work necessary to carry out the Master Plan developed during Step 2 of the planning process.

In 2014, the U.S. EPA awarded additional funding of \$200,000 in the form of a brownfield grant to the BOA to be used for site assessments. On March 18th 2015, the City held a workshop with the Center for Creative Land Recycling and the EPA. The workshop detailed the historic industrial characteristics of the site, disclosed potential sources of contamination and discussed BOA planning efforts to couple remediation with sound community planning practices.



Abandoned Vacuum Oil Refinery Site Building

5. Next Steps & Lessons Learned

Upon entering the Step 3 Implementation phase of the BOA planning process, the city revised and expanded its goals. The revised goals for the BOA Program Implementation Strategy were defined as follows:

1) Create market-based strategies to revitalize the former Vacuum Oil Works site and the residential areas within the PLEX neighborhood; 2) Undertake regulatory and design standards updates in support of community revitalization; 3) Create a waterfront master plan that reconnects the PLEX neighborhood with the Genesee River waterfront; 4) Identify and preliminarily design parks and open space improvements to support the residential neighborhoods; 5) Perform environmental investigations to inform future remedial activities for strategic sites; and 6) Conduct the preliminary design of critical vehicular and pedestrian infrastructure to aid future revitalization and investment.

Preliminary Geotechnical Investigations will be undertaken in order to determine the suitability of the land for redevelopment on the City owned property South of Flint Street, using a series of drillings and subsurface discovery techniques.

As part of the stated implementation goal of integrating the BOA with a Master Plan for Waterfront Redevelopment, the BOA has been integrated into the NYS Local Waterfront Revitalization Plan (LWRP) for the City of Rochester. The existing river wall along the Genesee River corridor is old and in poor condition. A Floodplain Engineering Assessment and Mitigation Plan will be developed include a review of historic documents pertaining to the wall's construction and an analysis of the existing topographic and bathymetric conditions. The hydraulic and hydrologic modeling based on FEMA floodplain specifications will be important to determining the design and engineering requirements for the wall's eventual replacement. Having a plan in place to fix the wall is a critical component of the overall redevelopment strategy for the BOA. Without the provisions of a plan in place for flood mitigation, securing the necessary financing for redevelopment would be impossible. The City will also execute a Wetland and Invasive Species Assessment and Mitigation Plan for the Vacuum Oil BOA in order to comply with all NYSDEC and National Wetlands Inventory guidelines for mapping wetlands. The presence of wetlands will impact the siting of redevelopment projects. Invasive plants and species will be removed with the dual purposes of maintaining and improving the existing trail corridor.

The existing structures at 5 Flint Street and 920 Exchange were identified as potential sites for adaptive reuse. Building Condition and Structural Assessments will be performed in order to determine the suitability of each of these buildings for reuse and will take into account structural conditions and the financial feasibility of adapting the buildings to the BOA master planning process.

During the Step 2 Nomination process, community members and residents of the PLEX Neighborhood Association expressed a desire for traffic calming measures along Exchange Street, which currently sees moderate amounts of commercial truck traffic. Bergman Associates will conduct a Traffic Study and Transportation and Infrastructure Feasibility analysis to determine the feasibility of alternate street design configurations to create a more pedestrian friendly environment for community members. These scenarios will also take into account the future traffic conditions under the "2035 Vision Plan" to include increased vehicular volume and parking demands in the

neighborhood. Public utility infrastructure for sewer and water mains will also be assessed.

The BOA Step 3 funds will also be used to conduct land appraisals for eight parcels within the boundary of the former Vacuum Oil Plant footprint. These land appraisals for the development parcels and other parcels that may be acquired as part of a right-of-way development will be important to budgeting, cost estimation, financing and legal due diligence processes necessary for BOA redevelopment.

The Vacuum Oil BOA plan is a long-term undertaking that may not be completed in the next several years. By assessing the present site conditions, eliminating regulatory barriers and planning for future development impacts, the BOA leadership is laying the groundwork for successful and vibrant redevelopment of an area currently designated an EnZone. The following major accomplishments have taken place as a result of the Vacuum Oil BOA planning process:

- Remedial Investigation projects covering 20 acres (50%) of former Vacuum Oil Refinery site, including:
 - DHD Ventures, owner of 5 & 15 Flint Street, is completing a remedial investigation under the NYS BCP;
 - The City of Rochester was accepted into NYS BCP for eight city-owned parcels south of Flint Street.
- Essential predevelopment studies, and studies meeting State Environmental Quality Review (SEQR) requirements;
- Environmental and geotechnical assessments of the Flint Street right-of-way underway;
- Urban Renewal District boundaries identified and plan drafted; and
- Zoning update and design standards proposed for Development.

As the physical conditions for redevelopment occur, private development and market backed development will likely increase. The Erie Lackawanna rail bridge conversion is completed and now provides direct pedestrian access from the University of Rochester campus.

Vacuum Oil BOA achieved designation status in April 2015. The future viability of the BOA will be linked to its ability to engage the immediate neighbors of the PLEX Neighborhood Association and private developers in the economic revitalization of the area. The BOA is actively seeking funding and assistance for workforce development programming. Student housing and the economic

pressures that accompany neighborhood change will likely increase as the amenity and infrastructure improvements associated with the BOA planning process are implemented.

In Rochester, the Vacuum Oil BOA planning process is focused on environmental remediation and predevelopment work. Huge strides have been made in this area. Information collected for the BOA process allowed the City and private developers to enter into the New York State Brownfield Clean-Up program. The recent court ruling finding Exxon Mobil accountable for cleanup costs also represents the clearing of a major hurdle toward the ultimate goal of redevelopment. These two factors alone indicate the utility of a master plan developed as a result of BOA funding.

Despite these successes the City faces a number of daunting tasks ahead. Site assembly and access to private parcels has proven challenging. A two year gap between the awarding of the implementation study grant in 2013 and the 2015 grant execution represents a delay that is ultimately difficult to reconcile with the timeline of successful private development. The uncertain funding status of the BOA Program has also clouded the prospects for the sites' continued remediation and pre-development activities.²²

²² Based on interviews conducted with: Mark Gregor, City of Rochester, Manager of Environmental Quality, Joe Biondolillo, Sr. Environmental Specialist/Remediation, Dorraine Kirkmire, Sr. Environmental Specialist/Planner, Rick Rynski, Sr. Economic Development Specialist, Zina Lagonegro, Director of Planning & Zoning, Vicki Brawn, Coordinator of Administrative Services, Kimberly Baptiste, Project Manager, Bergmann Associates and Adam Driscoll, Director of Development, DHD Ventures (February 25, 2016.)



C. Downtown Rome BOA

1. Community Geography and Demographics

Rome is a city of 32,300 located on the Erie Canal between Utica and Syracuse, in the Mohawk Valley REDC region. (See one-page summary for complete demographic information.) The Downtown Rome BOA encompasses more than 500 acres, covering much of the central city including parts of the Erie Canal waterfront, several large industrial parcels, and a stretch of the downtown main street. Current land uses in the BOA include working waterfront, open space, housing, and commercial uses, but many of the largest sites hosted past industrial uses, including the former site of the General Cable Company. Rome hopes to see diverse uses across the BOA once the area is fully redeveloped.



2. Community History and Pre-BOA Efforts

Despite its relatively remote location, Rome grew as an industrial city in the early 20th century due to its direct access to the Erie Canal and the presence of several cable manufacturers, as well as the Griffiss Air Force Base. However, with the closure of the General Cable Company and other nearby factories in the mid-20th century, and especially after the Griffiss AFB closed in 1995, Rome's economy and population declined and the city was left with many large, vacant, and environmentally impacted lots in the heart of its downtown and along the nearby Erie Canal waterfront. City officials in Rome, led by the Community and Economic Development department, have been focused on downtown revitalization and redevelopment since the closure of the General Cable facility. They have taken part in numerous state and federal environmental cleanup and economic development programs including urban renewal, the Restore New York program, and the Local Waterfront Revitalization program.

Downtown Rome's experience in the BOA Program has been shaped by the fact that it entered the Program having recently done several large-scale planning exercises. Rome completed a Master Plan, urban design plan, and an assessment of its downtown streets between 2002 and 2005. Rome's planners already knew their basic demographics and land use patterns and challenges. As a result, city officials made the case that they were ready to start the BOA Program in Step 2, which also signaled to both the Department of State and potential investors that they had internal capacity to advance their work.

3. Overview of BOA Approach and Leadership

Rome was one of the first entrants into the BOA Program, being awarded its first grant in 2005. Rome received \$225,000 for its Nomination study, and an additional \$500,000 for its Implementation Plan work. Officials in Rome saw the BOA Program not as the start of a new planning exercise, but rather as an opportunity to bring together many of their existing plans and economic and environmental goals for redeveloping their city under a unifying framework. They wanted to use the BOA Program to increase community buy-in and advance existing plans, and advance targeted redevelopment projects that could have a catalytic effect throughout the city.

The BOA Program has become a driving force behind economic development work across Rome, especially for the downtown area. The city's economic development staff saw opportunities to make strategic use of BOA funds from the start, and worked closely with

then-Mayor Brown, who was supportive of BOA throughout his eight years of service as mayor. Today in Rome, BOA cannot be separated from the broader economic development agenda; the BOA maps and plans visible on the walls of offices throughout City Hall provide tangible evidence of how integrated BOA has become in the city's work. Though city staff and elected officials guided BOA efforts, Rome also worked to engage the entire community in their BOA efforts. To facilitate mixed uses and ease their planning process, they decided at the outset to divide their BOA into nine sub-areas, and go through a study and strategizing process for each area. Rather than using technical land use terminology, the areas seen on the map below are each organized around a use goal that is easy for both policy-makers and the public to understand, such as employment, recreation, residential, and the historic district. The strategies for redevelopment in each of the sub-areas are focused on realizing the broad land use goal.

Figure 26: Sub-area map, from the Downtown Rome Nomination Study



In addition to helping focus community engagement and steer the planning process, the sub-area plans were essential in the later process of land disposition. Although Downtown Rome will not officially adopt its full BOA plan until it completes its current Step 3 grant and undergoes formal SEQR review, it has adopted sub-area plans where possible. By adopting these plans, Rome made it easier to dispose of some of its strategic sites to developers. For example, because the land in the employment district was part of an existing official city plan,

the city was able to negotiate and sell a parcel on the former General Cable site directly to the developer rather than going through public auction, saving time and money in the process. A clean manufacturing and storage company now occupies this parcel.

In addition to its existing planning work and approach, when Downtown Rome started the BOA Program the city already owned several large parcels in need of remediation, following the closure and subsequent repossession of the General Cable site. As a result, it was able to focus its efforts on the steps required to prepare the land for disposition – including soil testing, environmental remediation, and marketing the parcels to potential developers. Because Rome was in this position, it was able to get an “early win” when American Alloy Steel purchased part of the former General Cable site and became an anchor tenant that both brought jobs and business back to the area and served as a proof of concept of the possibilities of revitalizing the area. Rome also continues to make use of its other plans, developed prior to BOA. When redeveloping properties within the BOA, city officials have used the design plan to ensure high-quality redevelopment projects, as evidenced in the design standards across the former General Cable property, which now has multiple industrial tenants and a newly opened public space.

Connectivity is an important theme for the Downtown Rome BOA, and illustrates much of the value that the BOA has brought to the city. Before BOA, Rome had a number of disconnected development projects in various city plans, but BOA helped provide a framework that connected these projects and showed that they were related in key ways. The Downtown Rome BOA is focused on physical connectivity, in terms of increasing public access to redeveloped sites, providing public open space and trails, and increasing transportation access through remapping streets through strategic sites. Connectivity is also the planning philosophy that undergirds Rome’s BOA work; BOA has allowed people in Rome to see the connections between previously disparate sites and put their economic development work in a coherent and compelling holistic framework.

4. Plan Advancement and Successes to Date

Rome was one of the first BOAs to be designated in 2015, and it is currently working through its Step 3 Implementation Strategy. (Note: the Department of State classifies both of the Downtown Rome BOA grants as Step 3/Implementation grants, although the report published in 2012 is named a Nomination Study, highlighting the confusion around steps seen

throughout the BOAs.) Though city officials are still working on their Implementation Strategy, Downtown Rome has already reached several important milestones in addition to designation. A key moment for the Downtown Rome BOA, which happened while it was working on its Nomination Study, was the release of RFPs for two strategic sites: the former City Hall building located in the downtown historic area, and the former Grand Hotel on East Dominick, the main street through downtown. Both sites attracted developer interest, and the Grand Hotel has already been successfully redeveloped as “The Grand,” a mixed-use apartment and commercial building.

BOA was essential in preparing both sites for eventual redevelopment, as work done under BOA allowed Rome to create pro formas for several alternative scenarios for these properties, helping market them to developers. As a former city official explained, many of the redevelopment successes recently achieved in Downtown Rome were only possible because the city had already done all the required planning pre-work through BOA, and was ready to respond by quickly developing site-specific packages as soon as development opportunities arose. Private investors have responded well to this approach.

The entire former General Cable site has been remediated and largely redeveloped with several new industrial tenants. BOA funds were also used to help finance soil testing on this site, a key pre-development step. The American Alloy Steel Company is an anchor tenant on the site, and only one parcel remains to be redeveloped. The site also now includes a new amphitheater shelter for boaters, and a new boat launch and multi-use trail on the Mohawk River, both opened in 2015. Finally, the city has applied some BOA funds directly toward discrete aspects of redevelopment projects. For example, BOA funded the design of signage for the recently opened Mohawk River Trail, which provides a new open space amenity and point of connectivity along the Erie Canal waterfront and to downtown.

Rome has leveraged the work done under their BOA grants to bring in millions of dollars of additional funding, from both other grants programs and private investors. BOA funds have been used to develop collateral materials and even give-away items such as branded water bottles, all used to educate policy-makers and developers about the BOA and the potential for redevelopment. Rome officials have also used information gathered through their Nomination Study in dozens of other grant applications and pieces of marketing materials for developers, and have found the research and planning work completed through BOA to be an essential asset in being prepared to win these other grants and seize development

opportunities. As of 2013, officials in Rome believe they were able to leverage each dollar of BOA funding for an additional \$77 of public and private investment across the BOA.

Finally, city officials credit the BOA process with helping change the public mindset about the potential of their city. As they work through their Implementation Strategy for Downtown Rome, they have also started work on a second BOA along another key commercial corridor and former manufacturing site. Rome hopes to build on its work and lessons learned from Downtown Rome to expand the redevelopment efforts in other areas of the community.



5. Next Steps & Lessons Learned

Staff involved in Rome's BOA work cite a variety of reasons for their success, but their lessons learned fall into three categories: building internal capacity, leveraging existing planning efforts, and using BOA strategically in concert with other state and federal programs. Rome knew from the beginning that pushing its work forward would require dedicated capacity, and city leaders kept several planners and economic development staff focused on BOA. Former city staff observed that capacity is the biggest obstacle to progress for many BOAs, so Rome made sure it had its BOA work appropriately staffed throughout the process. For their second BOA, Rome officials used a portion of their Step 1 grant funds to hire a short-term staff member fully dedicated to BOA, who was instrumental in completing the Pre-Nomination study. Rome also kept the same consultant – Bergman Associates – throughout the Step 2 and Step 3 work, to maintain continuity and avoid unnecessary delays.

Rome also built strategically on existing plans and programs, entering the BOA process in mid-stream rather than starting an entirely new planning exercise or entering the BOA at Step 1. It used BOA funds to fill gaps that were unfunded under existing programs, such as creating marketing materials for developers and increasing its mapping capabilities and customizing the Program to meet its needs. Rome officials found that the BOA Program provides a level of flexibility not seen in other programs, which gave them the space to engage the community so that the people of Rome took ownership of the BOA and it was not just in the hands of public servants.

Downtown Rome's success also illustrates that the BOA Program is most effective when used in conjunction with other programs that more directly fund redevelopment work; Rome's success relies just as much on other programs such as LWRP and the former Restore New York program as it does on BOA. Rome built on these other programs and funding sources, using BOA wherever possible but not trying to make the Program do more than the planning and pre-development work it was intended. As one former city official explained, there was a point in 2012 where the economic development team had work going on under 40 different grant programs, including the New York State Energy Research and Development Authority (NYSERDA) and the federal Community Development Block Grant (CDBG) program. While managing all of these funding sources was a challenge, it allowed Rome to leverage funding sources against one another and have more stability in their longer-term funding approach. BOA participation meant that, even if one or more funding source was not available at a given time, the city still had other grants available to keep its work moving forward. Their approach also meant that the economic development team was still able to advance their redevelopment efforts during moments of delay in the BOA process, as they faced the common challenges of the long contracting process that BOA often requires. Having this variety of funding sources lined up also meant that BOA work was never planning for its own sake – there were always multiple goals and opportunities in mind that BOA was supporting and driving toward.²³

²³ Based on interviews conducted with:

- Christian Mercurio, former City of Rome Planner and Director of the City of Rome Department of Community and Economic Development (November 25, 2015)
- Matthew Andrews, City of Rome Senior Planner (February 29, 2016)
- Diane Shoemaker, former Director of the City of Rome Department of Community and Economic Development (February 29, 2016)

All photos taken by the author unless otherwise noted, with images from the study from "FROM BROWN TO GREEN: A Revitalization Strategy for the Downtown Rome Brownfield Opportunity Area (Step 2: Nomination

Study)." September, 2012. Accessed from
http://docs.dos.ny.gov/opd/boa/Rome_Downtown_BOA_Nomination.pdf. February, 2016.



Lyons Falls BOA, section of study area

Source: Redevelopment of Lyons Falls Mill Joint Agency Public Meeting FERC Project No. 2548

VI. Evaluating the BOA Program

Evidence collected through stakeholder interviews, a review of published BOA plans, the survey, and case studies confirms the strengths of the BOA Program previously identified by NPCR – particularly that it provides essential funding for research and analysis, community engagement and education, and visioning to inform planning²⁴ – as well as identifying several additional assets of the BOA Program. While BOA communities themselves, and the analysis provided through this report, point to both current strengths and great potential in the BOA Program, this work also finds that there are few metrics in place to truly measure the impact, or even the outputs and outcomes, of the BOA Program, and that this lack of tracking is a shortfall of the Program as currently executed. After summarizing current strengths, the

²⁴ New Partners for Community Revitalization. “MEMO IN SUPPORT S.5143/Avella A.7970/Brindisi.”

section therefore outlines a series of metrics that could be used to measure progress through the BOA Program, including a proposed way to model the ultimate impact of the Program as seen in the land values of parcels within and immediately surrounding each BOA.

A. Summary of Program Strengths

The BOA survey asked respondents, in an open-ended question, to identify what they see as the biggest strength(s) of the Program. More than 30 survey-takers responded, highlighting a variety of elements of Program concept and design. Figure 27 below categorizes responses into seven groups and provides an example for each category. Each respondent framed things in his or her own way, and the responses do not fall perfectly into mutually exclusive categories. However, the responses do point to – and examples from case studies and other interviews support – three organizing themes:

- BOA adds value by providing space and support to engage community stakeholders and dedicate time to building consensus around a shared vision;
- BOA’s holistic view is an important compliment to site-by-site or agency-by-agency development work; and
- BOA provides resources to do the research and analysis necessary to enable and expedite later steps in the redevelopment process.

These themes closely echo the three core program strengths previously identified by NPCR, which include the importance of research and analysis for developers, public education leading to positive community engagement and support, and “the creation of a vision that becomes the focus for municipal planning.”²⁵

²⁵ *ibid*

Figure 27: BOA Program Strengths

Strength	Number of Respondents	Example From Survey <i>(direct quote from respondent)</i>
Truly community-based	12	“Focuses community attention on areas that are distressed and neglected.”
Drives toward common strategy, vision, goals	8	“(BOA) planning efforts are useful in guiding our municipality in a coordinated strategy for adding new private investment and balancing with community growth and revitalization goals”
Data-based planning exercise	7	“The main strength is the document created to use as a reference for a number of projects or other items that require information I don't have easy access to otherwise.”
Comprehensive/multi-stakeholder approach	5	“The resources and capacity it provides allows a comprehensive, multi-layered approach to determine reuse potential, as opposed to the inherent scope limitations imposed by smaller programs.”
Pipeline to other state/regional sources of support (technical assistance and funding)	5	“Brought various State resources together in a ‘one-stop shop.’ Allowed dialogue with regional stakeholders. Provided a significant boost (\$) to the already-existing local planning process.”
Outputs have direct use (i.e. GEIS development, access to tax credits, reduced liability)	5	“Identification of environmental issues at abandoned or otherwise unused parcels of property in and out of the downtown core. This study could lead to potential investment in those properties. Also, the additional tax credit benefit is a great tool to get developers interested in talking more about a property.”
Fills funding gaps	4	“Provides funding for strategic planning, visioning, marketing, zoning and strategic site planning and development that would not be available to the city. The funding is used to work with professionals to accomplish goals indicated in the work plan that would be difficult at best without the professional assistance, i.e. environmental investigations, designs, marketing, pro formas...etc.”
Program design (flexibility and administration)	3	“Flexible to meet local needs / Easy to administer”

B. Case Examples

The experiences of the case study communities profiled above illustrate each of these strengths in greater depth. The Rochester case shows the value of BOA for engaging the community, and forging a shared vision and strategy among many stakeholders. Rochester used its Step 2/Nomination funding to create the first master plan for the area around the large Vacuum Oil site and develop supporting revitalization strategies. The variety of community stakeholders included the Plymouth Exchange Neighborhood Association (PLEX) group, an active non-profit led by local residents. Working with the PLEX group led to traffic and transportation analyses to be undertaken as part of the Step 3/Implementation Plan, responding directly to a concern raised by the community. The Rochester case also shows how BOA can break down silos and connect the diverse players needed for successful development projects. The Vacuum Oil site cleanup requires work with a variety of local, state, and federal agencies and programs including EPA, FEMA, the New York State Local Waterfront Revitalization (LWRP) program, NYS Department of Environmental Conservation and others, and BOA provides a framework to bring all of these experts together with a common goal.

Connectivity was similarly a theme in Downtown Rome, which before BOA had a series of isolated projects, but now has a community-wide vision. The Downtown Rome BOA also shows the value of research and data-based planning funded by the BOA Program. As city officials in Rome explained, the BOA grants supported city staff in “doing their homework” so that they were ready to act quickly each time a redevelopment possibility came before them, with prepared RFP packages and template pro formas for many of the sites in the BOA. In Wyandanch, data-based planning comes through in the economic and market analysis completed by AKRF with BOA funds, which helped quantify the potential for bringing new residents in the area, and the need for retail to serve them.

Rome and Wyandanch also demonstrate the ability to put BOA funds to work directly to fill gaps among other funding sources and realize or improve the quality of project outcomes. BOA funding was used in Rome to market sites for redevelopment, and enhance the new waterfront trails with well-designed signage. Wyandanch also used BOA funds to make larger projects possible, such as connecting its sewer system and developing a mixed-use complex near the LIRR station. Rome credits their BOA Program with enabling them to gain an additional \$5 million in public grants and \$25 million in private investment, while Wyandanch

has leveraged their BOA work for \$17 million in public grants and \$72 million in private investment. (For more details see Case Study section.) Though the components funded directly by BOA are rarely effective in isolation, BOA funding was critical to the ability of Rome and Wyandanch to execute each of these projects successfully, and to secure the funds needed for project completion.

Rochester and Wyandanch both present several examples of the direct utility of certain BOA Program outputs, and the value of BOA in putting communities on a path that leads to other technical and funding support from state and federal sources. In both cases, work done for the Nomination Study led directly to an increased ability to access other state programs and funding sources. The Phase 2 Environmental Assessment and GEIS work done in Rochester with BOA funds are necessary prerequisites for the Brownfield Cleanup Program and attendant Tax Credits and other support for future development; and in Wyandanch the blight study laid the groundwork for future urban renewal opportunities. Wyandanch was strategic in ensuring their BOA work served purposes beyond the BOA Program itself, meeting urban renewal, environmental review, and other needs; without the work done under BOA Wyandanch would not have been ready and able to qualify for additional programs and funds. The Wyandanch and Rochester cases also demonstrate a benefit not highlighted in the survey, but critical to the work of the more successful BOAs to date – the opportunity to directly engage developers in the planning process.

An additional lesson learned from the Wyandanch case that applies across downstate New York is that community engagement is particularly important for successful planning and development efforts with rising concerns about gentrification. While BOA itself is not an anti-gentrification policy, there is some evidence that a community-based approach can help alleviate some concerns and eventual impacts of development for the community. As the ultimate goal of brownfields programs is to redevelop – which will presumably increase property values – concerns about gentrification are likely to arise in many contexts, and having a planning program that mandates meaningful community engagement can help surface and confront some of these concerns.²⁶

²⁶ Benjamin Harrison Fisher. “Brownfields redevelopment and gentrification: A socio-economic evaluation of the EPA Brownfields Pilot Program.” Iowa State University. 2011. <http://lib.dr.iastate.edu/cgi/viewcontent.cgi?article=3040&context=etd> and Daniel Faber and Shelley McDonough Kimelberg. “Sustainable Urban Development and Environmental Gentrification.” In *Uprooting Urban America*. 2014. <http://www.northeastern.edu/nejrc/wp-content/uploads/Faber-Kimelberg-env-gentrificate.pdf>

Finally, all three case studies pointed to the importance of flexibility, which allowed them to use funds for a variety of goals and projects, including drafting BOA plans in a way that met other needs, such as the Wyandanch Nomination Study also serving as a GEIS. The most successful BOAs are able to work within the confines of the Program but adapt its possibilities to their needs and often get multiple benefits from their BOA work. Another element of this flexibility is the ability of communities to skip steps, if they have already done much of the essential work that those steps require. All of the case study BOAs and many others started in Step 2 after funding Pre-Nomination level work through other channels, allowing them to move more quickly toward implementation, and leverage existing planning work rather than repeating it. The flexibility within the Program enables this efficiency, and is a testament to the dedication of Department of State Project Managers in making BOA work for as many communities as possible.

C. BOA as a Model

New York State has been an innovator in brownfields planning policy, and the BOA Program was the first of its kind in the nation. From its original inception, BOA was different from other state brownfields policies and programs, in that it held the area-wide and community empowerment components of its approach as co-equal principles with incentives and liability limitations.²⁷ The Program's environmental justice goals also separate BOA from other environmental and economic programs.

In addition to the strengths of the Program seen in communities across the state, a compelling piece of evidence for the value of the BOA Program approach is that it has served as a model for brownfields planning programs at both the federal level and at the municipal level in New York City. The federal EPA's Area Wide Planning program,²⁸ which is explicitly modeled after the BOA Program and focused on communities with multiple brownfields sites,²⁹ has provided millions of dollars in grants to communities around the country since 2010. The most recent round of grants provides \$4 million to twenty communities to create multi-family housing, expand green space, bring jobs to distressed regions and meet many

²⁷ Nager, Anita. "The Story of Brownfields: A Story in Five Parts." July, 2012.

<http://www.rbf.org/sites/default/files/brownfieldsreportjuly2012.pdf>

²⁸ United States Environmental Protection Agency. "Brownfields Area-Wide Planning Program." July, 2012.

https://www.epa.gov/sites/production/files/2015-09/documents/awp-factsheet-july-2012_0.pdf

²⁹ United States Environmental Protection Agency. "EPA Selects 20 Communities for Brownfield Grants to Revitalize Communities, Strengthen Local Economies." March 9, 2015.

<https://yosemite.epa.gov/opa/admpress.nsf/d0cf6618525a9efb85257359003fb69d/e95252f5efc7070e85257e030067fd3d!OpenDocument>

other community development goals. While BOA remains unique among state brownfields programs, it is a model for city and federal strategies for addressing brownfields that other programs don't reach, and is thus having an impact beyond New York State.

D. Metrics to Better Evaluate the BOA Program

The Brownfields Opportunity Areas Program has produced many examples of success, but to reach its potential it must develop systematic efforts to recognize success, measure progress, and institutionalize learning so that the Program can be scaled and replicated across the state. In December 2015, NPCR hosted a roundtable entitled Revising, Reforming and Strengthening the BOA Program. One of the main take-aways from that event suggested:

While designation is a good metric for measuring program progress and compliance, we need to be able to tell the stories of how the BOA-supported projects have helped catalyze community-based development – before or after designation. BOA planning has been a critical part of great projects, but the role it plays must be made better known – not just to investors, but to the Governor and the Legislature.³⁰

While the Capstone team has found compelling stories through its research, procedures should be institutionalized to measure and track progress on an ongoing basis. There is no simple way to do this, as the outcomes of planning often have time horizons and complex components that defy easy categorization and measurement. One study, Michigan's *Brownfield Redevelopment Innovation: Two Decades of Success*,³¹ highlights how developing metrics is complicated by the variation among unique local contexts:

Assessing the benefits of brownfield redevelopment is complicated. Projects vary greatly in their redevelopment objectives, extent of public sector involvement, and character of environmental contamination. Furthermore, state and local initiatives to promote brownfields differ widely across the US. Given such variation, is there a standard set of metrics than can be used to measure the public benefits of brownfield redevelopment? This question is further

³⁰REPORT ON NPCR'S Summit Roundtable: Revising, Reforming & Strengthening the BOA Program. December, 2015.

<http://nebula.wsimg.com/2ef98f8a70ec52b5d61fe93cd5a614d4?AccessKeyId=9CFDE2AF3455DBF2F5B3&disposition=0&alloworigin=1>

³¹ <http://www.miseagrant.umich.edu/downloads/focus/brownfields/10-201-EMU-Final-Report.pdf>

complicated because the evaluative metrics chosen imply particular definitions of the goals of a project and, therefore, of the character of “success.”

Still, the BOA Program could be strengthened if it established a series of clear metrics from the start. This section will address possible metrics that could be used to track BOA progress and outcomes in the medium- to long-term. There are dozens of possible metrics; this list is meant to be illustrative rather than exhaustive.

Figure 28: Potential Metrics for BOA Program Evaluation

Outcome	Timeframe	Metrics	Example	Formally Measured by DOS	Commonly captured in BOA reports
Designation	Mid-term	- Number of designated BOAs	26 designated over two cycles	Yes	No
Community buy-in	Mid-term	- Community vision articulated - Stakeholders engaged - Developer adherence to the plan	Canton	No	Yes
Plan adoption	Mid-term	- Official adoption - Inclusion in larger planning document	West Flushing	No	Yes
Remediation	Mid-term	- Sites identified/studied	En-Zone - BOA Map ex. Rochester	No	Yes
Execution of BOA projects	Mid-term	- Number of projects - Size of projects	Lyons Falls	No	Yes
Leverage - public	Long-term	- Number of grants - Grant dollars - Grants from new sources	Buffalo	No	No
Leverage - private	Long-term	- Investment dollars - New developers engaged	Buffalo	No	No
Regulatory progress	Long-term	- Zoning code changes	Lyons Falls	No	Yes
Construction-readiness	Long-term	- Building permits - Housing units built - Businesses attracted - Acres of public space	Greater Jamaica	No	Yes
Impact: Economic development	Long-term	- Jobs created - Tax base increased	(see section C below)	No	No

These metrics are based in the reality of BOAs observed throughout this study, and build on those suggested by other research initiatives. The Michigan study broadly characterizes metric by their contribution to public good in one of three ways: Environmental Benefit, Social Benefit or Economic Benefit.³² The descriptions below give life to what each metric could look like in reality, based on the experience of a single BOA that has excelled in that area. (It should be noted that any effort to improve metrics and evaluation of BOA funding should take into account the Department of State's limited authority and capacity to implement such a program on its own.)

1. Community Buy In

Canton was one of the first applicants to the BOA Program in 2005, and began work on its Step 1 grant in 2008. Though Canton originally applied for funding for a single study, it was able to use its BOA funding for two studies, after earlier planning work under the LWRP program showed that it had two potential BOA areas that warranted further study. Pre-Nomination studies were finished in 2011 and 2012 for the two BOA areas.

Though Canton has faced challenges in advancing its BOA work due to inconsistent funding, it did successfully use its first grant to engage diverse stakeholders in the community planning process. It created an Advisory Committee, which has remained engaged despite delays and the resulting inconsistent program work. Officials in Canton feel that the BOA process was critical to address concerns of both developers and community members regarding redeveloping contaminated or potentially contaminated brownfields sites. Their community feels that the research, analysis, and assurance that site-specific studies under the BOA Program will generate provide necessary information to better understand the risks and remediation steps, and how brownfields fit in the broader development puzzle. By engaging stakeholders and community members in the Pre-Nomination process, they were able to surface and confront some of these concerns and build community support. People in Canton are talking about planning around their riverfront and many have bought into the idea of redeveloping the waterfront into a whitewater park, encouraged by their participation in the BOA process. Their economic development staff feels that community engagement is a key strength of the BOA Program; the process gets brownfields issues on the public radar, and eventually the community carries the conversation forward without direct government urging or support.

³² Ibid pg 30

2. Plan Adoption

There are many ways that the documents that result from BOA studies can become part of a broader community planning process, and a key metric of success for the BOA Program should be the adoption of BOA plans or their integration into broader community planning efforts – both official and unofficial. By adopting the BOA plan itself or making its findings or goals part of a master plan or other policy document, the projects proposed in a BOA plan become more likely to be realized. For example, the commitment to brownfields redevelopment across New York City is reflected in PlaNYC, the City’s sustainability plan.³³ Although PlaNYC and its current iteration OneNY are mayoral reports and not binding master plans, the inclusion of brownfields programs in these documents reflects the elevation of this issue to the citywide environmental and economic development agenda. As stated in Section III above, among those BOAs who responded to the survey, ten of 32 have formally adopted their BOA plan in some way, with five of eight BOAs currently in Step 3 having adopted their plan. Because respondents to the survey are a self-selected sample, and because plan adoption is not a metric tracked for all participants in the Program, the total number of BOA communities that have integrated BOA planning into larger planning efforts is not known.

Short of adoption into a municipality’s comprehensive plan, there are more subtle ways in which BOA plans can be seen to influence planning processes. For example, the New York City Department of City Planning is currently leading a neighborhood planning study for the Flushing West area of Queens, which the agency explains is building directly on the Flushing West BOA study. The neighborhood study will help leverage and advance the BOA plan, which laid key groundwork for redevelopment in this area.³⁴ Going forward, it would be useful to give BOAs an opportunity to report on the fact that the work that goes into their studies is having an impact on broader community planning processes, either through direct adoption or the less direct influence seen in places like West Flushing.

3. Remediation

As seen in the Vacuum Oil Case, some BOA communities are undertaking projects that face significant barriers to redevelopment. In the case of widespread contamination and weak market incentives for redevelopment, a BOA must measure its progress differently. If a project is focused on fulfilling environmental review requirements of the State Environmental Quality

³³ Anita Nager.

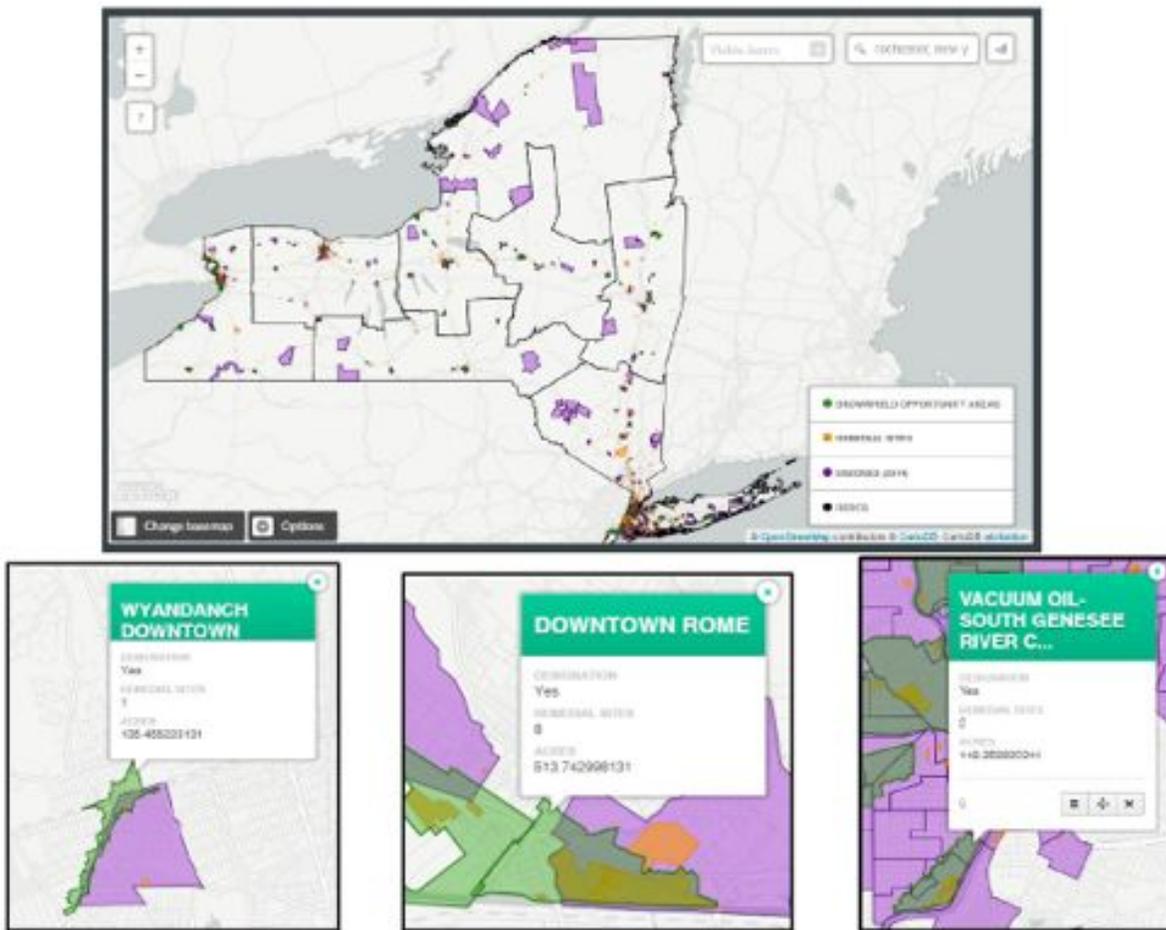
³⁴ New York City Department of City Planning. “Flushing West Neighborhood Planning Study.”

Review Act (SEQRA) and the Brownfield Cleanup Program, it makes sense that the metrics used to track its progress reflect these achievements. For example, the number of acres remediated may serve as appropriate measure of success.

Figure 29 is a series of screenshots depicting an online interactive map of the Brownfield Opportunity Areas Program that clearly demonstrates which sites are within a BOA, and a host of other remediation focused programs.³⁵ These programs include the Brownfield Cleanup Program (BCP), the Voluntary Cleanup Program (VCP), the Environmental Restoration Program (ERP) and the Resource Conservation and Recovery Program (RCRA-C), all of which have internal metrics to evaluate program performance. For example, 34% of all sites that are in a remediation-focused program, other than Superfund sites, are within a BOA's boundaries or ½ mile of the boundaries. Of these, 18% are in the BCP, 37% are active and 32% are either completed or have no further action is required. In cases where project boundaries overlap with BOAs, the BOA Program should incorporate this data into developing metrics driven outcomes.

³⁵ Brownfield Opportunity Area Program Evaluation Map. <http://rm2765.github.io/NPCR/> Rose Martinez.

Figure 29: Map of BOAs and Remediation Sites



4. Execution of BOA Projects

In addition to redevelopment of brownfields sites, the BOA process can advance other community goals and related projects. The measurement of how many of these project ideas are surfaced during the planning process, and then how many of those projects are realized, can be an additional metric for BOA Program impact. The small village of Lyons Falls in the North Country region was one of the first designated BOAs, having self-funded their Pre-Nomination Study and completed a Nomination study in 2012. Officials in the village and County found that BOA helped bring together diverse stakeholders ranging from property owners to regional government agencies to religious and community groups.

The BOA planning process helped Lyons Falls create a “wish list” of projects with community

support, and several projects proposed through the BOA Program have since been accomplished with the support of public grants, foundation and corporate funding. The village has installed a new boat launch and improved streetscapes and public access to the riverfront. In addition, a BOA meeting led directly to a new public space; in a BOA visioning discussion the community discussed their desire for a new trail to connect to their park, and a Boy Scout troop participating in the meeting took it upon themselves to build the trail, without additional funding. Without the BOA process, this need would not have been surfaced and the community would not have found the human resources to make the project a reality.

Each of these projects is a direct or indirect result of the BOA process, but is nowhere documented as such. The Lyons Falls BOA case shows the need for a tracking mechanism for BOA progress and impacts. Community officials feel that redevelopment is progressing, in terms of low vacancies and interest in adventure tourism, but they cannot quantify this progress since they have not formally base-lined or monitored these or any other metrics through their BOA process.

5. Leveraging Funding

In 2013 the South Buffalo BOA, in conjunction with the Empire State Development Corporation announced a \$750 million dollar investment from the state, backing a project of a renewable energy firm, SolarCity. This investment will be supplemented by significant private investment. The project involves the construction of a 1.2 million square foot facility and the creation of 5,000 jobs – 3,000 of which will be local. This is an outsized example of the potential for BOA to play a key role in economic development; the South Buffalo BOA credits their BOA work with enabling them to receive an additional \$831 million in public grants, and \$1.5 billion in private investment.³⁶ This investment ratio and other metrics, if collected systematically, could tell stories like this in BOAs across the state.

Short-term goals such as the number of new development projects started should be recorded and employed as a demonstration of BOA potential. In a similar vein, the number of new grants awarded emphasizes the potential of BOA Program to improve distressed areas and marshal resources in a manner consistent with community based planning, which carries

³⁶ This information was collected via our survey and follow-up with the South Buffalo BOA. This data is not currently tracked systematically by NYS DOS. For more on this topic please see Part C: Metrics, tracking, and data management of our recommendations.

the imprimatur of public approval. The importance of demonstrating a positive return on investment cannot be overstated. In this case, the metric is particularly powerful.

6. Regulatory Process

In many communities, regulatory changes such as new or updated zoning codes will be a necessary interim step between studies and site redevelopment. BOA can play an essential role in providing the space and funding to study and implement zoning and other regulatory changes that lay the groundwork for development. The Village of Lyons Falls is considering implementing a village zoning ordinance for the first time, spurred by their work under the BOA Program. As the Lyons Falls Nomination Study explains,

One significant incentive for redevelopment in any community is certainty. Certainty that the community is supportive of the type of development proposed; certainty that the use is a permitted use; and certainty of the development review process. The establishment of a basic, straightforward zoning ordinance would ensure certainty for property owners and those wishing to invest in the Village and allow the Village to shape its future.³⁷

For Lyons Falls, BOA helped make connections with a number of state agencies that could support their efforts through both funding and technical assistance. Lyons Falls officials are currently working with planners at the New York State Tug Hill Commission, a regional agency that works with local governments in four North Country counties, to educate themselves and their community about what a zoning code for Lyons Falls would look like and how it would impact development and support the village's vision. Studying and potentially implementing the zoning ordinance is a key element of their Implementation Plan. Participation in the BOA Program enabled Lyons Falls to connect with agencies like the Tug Hill Commission, create a plan, and fund the work needed to consider a new zoning code. Though Lyons Falls mentions consideration of a zoning ordinance in their Nomination Study, there is no way to track across the Program how many BOAs have suggested or taken such steps. By asking formally for this type of information, the BOA Program could track these important regulatory changes back to program participation and draw a stronger link between participation in BOA and setting the groundwork for development.

³⁷ Lewis County New York. "Village of Lyons Falls Brownfield Opportunity Area Nomination Study."

7. Measures of Construction Readiness

Land redevelopment in conformance with a thoughtful plan is the end-goal of all BOAs. For communities in Step 3, the “implementation” phase of the BOA process, the focus shifts to predevelopment activities. The Greater Jamaica Development Corporation in Jamaica, Queens was able to utilize BOA funds to do economic research and hire a public relations firm in an effort to attract developers. The BOA was also part of an area-wide rezoning that allowed for mixed-use development at higher densities around the transit station. As a result, the project has had significant success in attracting interest in the area. Of the ten strategic sites, four have generated shovel-ready projects. Another three sites are slated to get underway in 2016. Much of this work will take time because of scale, most particularly, a project of approximately 1,000,000 ft² in the so-called Station.

Measuring construction readiness is not a simple exercise. As with any complex, multivariate and coordinated process there is no one metric that could singularly indicate success. As one proxy measure, the BOA Program should consider tracking the number building permits issued. If there are a significant number of permits issued following a BOA planning effort, program managers could follow-up with businesses to capture whether or not the BOA was catalytic in incentivizing investment. In areas where BOA is looking to attract housing development, the number of new units constructed should likewise be tracked and the connection with BOA Program explored. Attention should also be given to the affordability of these units, as one measure of environmental justice impact.³⁸

If a BOA has design elements that call for and result in public open space and other public amenities, these too, should be measured, quantified and communicated to the public. The addition of open space acreage is a clear example that illustrates the potential transformative effect of BOA planning. The development of public space is often important for recreation and could be measured and credited as a public health and environmental justice success.

E. Land Value Model

The approach of the Brownfield Opportunity Areas Program, with its focus on area-wide planning and extensive community outreach in communities with multiple actual or suspected

³⁸ The EPA defines Environmental Justice as follows: Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.
<https://www.epa.gov/environmentaljustice>

brownfields, is intended to help redevelop and reinvigorate those areas in a more holistic way than traditional site-specific brownfield redevelopment. When assessing any program it is important to build metrics of success and methods for determining whether the program is meeting expectations. Despite the importance of these efforts, this tracking aspect of the BOA Program has remained largely undeveloped since its inception. In part, this can be attributed to the seemingly intractable nature of the question. It is inherently challenging to assess the efficacy of a planning program whose impact will likely not be felt for many years after a community enters and even completes the program.

This report suggests that a more rigorous approach to data collection and program evaluation be taken going forward, and that these efforts be directly incorporated into the Program. This report provides a baseline data collection methodology and suggests a model for the future assessment of the effects of the BOA Program. As summarized in this Section, the authors used a difference-in-difference analysis and a regression model in an attempt to show how a community's participation in the BOA Program may affect the direction and rate of change economic conditions in that community as compared with the direction and rate of change in similar non-BOA communities across the state ("comparison communities"). The driving hypothesis was that BOA communities would experience greater land value growth or lesser land value decline than similar communities that are not in the BOA Program, and in fact it seems that BOAs that spent longer in the Program did receive a corresponding benefit. BOAs that entered the Program in or before 2005 experienced land value increases that were over \$7,000 per acre greater than non-BOAs between 2004 and 2014. BOAs that entered the Program later also outperformed non-BOAs over this period, but by a much smaller margin.

1. Methodology

The data for this analysis comes from many different sources, including: New York State real property data,³⁹ census data from the decennial census and American Community Survey, and GIS and contract data about the BOA Program from the Department of State. It examines changes in parcel land value over time in and around the BOA with land value changes in comparison communities as a potential measure of the success of the BOA Program. Comparison communities were chosen in two ways. In the contract data provided by the Department of State, there were a number of contracts for communities that had been

³⁹ New York State Department of Taxation and Finance, Office of Real Property Tax Services – 2004-2010, and 2014

accepted into the Program, but had dropped out prior to completing any meaningful BOA work. These drop-out communities presumptively meet BOA criteria and therefore were added to the control group. The second method to identify comparable areas to add to the control group was to locate census tracts with high poverty and unemployment (using a modified definition of En-Zone⁴⁰) that also have open non-Superfund remediation sites. Initially, we looked at all modified En-Zone tracts more than one mile away from a current BOA and less than a quarter mile away from an active non-Superfund remediation site. This subset of tracts was then consolidated into clusters, filling in logical areas when necessary to create contiguous land areas. Finally, tracts that did not visually reflect BOA community characteristics, as evaluated by aerial view and Google Street views, were removed. While this step was subjective in nature, it was important to remove less clear cut cases in order to avoid skewing the data. For example, an area that was mostly open space would have been removed. Another example of an area that might have been removed would be one that had relatively little remediation near it and which looked relatively affluent. These areas are largely concentrated in upstate New York, where poverty tends to be overestimated since the census definition of poverty does not account for cost of living differences. In addition, when running the difference-in-difference analysis, six outlier comparison communities that had land values above \$200,000 per acre in 2004 were removed. Finally, only areas for which complete parcel land value data was available were included in this analysis. For example, BOAs and comparisons located in Nassau County were not included since the parcel data for that county was missing.

Figure 30: Demographic Comparison Between BOAs and Comparables

	Sample Size	Acreage (Mean)	Poverty (Median)	Household Income (Median)	Unemployment (Median)	Labor Force Participation (Median)	Non-White (Median)
BOA	77	595	21.6%	\$36,151	11.0%	60.0%	32.8%
Comparables	36	995	21.6%	\$41,724	10.1%	62.5%	20.6%

While these comparison communities might not be similar to every BOA (since actual BOAs display a range of characteristics), the demographic analysis presented earlier in this report sufficiently established the relationship between BOAs and various poverty metrics. In fact,

⁴⁰ A modified definition of En-Zones was used in order to include more tracts in our analysis. A tract can be defined as an En-Zone if it is either: 125% of New York State's unemployment rate and has a poverty rate of over 20%; or has a poverty rate that is twice that of the county that it is in. For this analysis, we used more inclusive criteria: 110% of New York State's unemployment rate and at least a 15% poverty rate; or 1.5 times the county's poverty rate.

approximately 76% of the BOAs in the sample intersected an En-Zone and 81% intersect the slightly less stringent modified definition of En-Zones described above. Additionally, the juxtaposition of BOAs and the comparison communities shows that by many metrics they are very similar or that in some cases the BOAs at certain points in time are actually worse off. A large point of departure between the BOAs and the comparables that were identified is the average size in acres. This is due in large part to the lack of a fine-grained, local understanding of the communities in which the comparables are located and therefore a use of larger geographies to delineate boundaries than a municipality or community based organization would use.

2. Difference-in-Difference Analysis

The difference-in-difference analysis compares the difference between period x and period y for an area that participated in the BOA Program (“received treatment”) with the difference between period x and period y for an area that did not participate in the Program.

Figure 31: Difference-in-Difference Analysis

Table 1	BOAs	Non-BOAs	Difference
2004	\$ 54,327	\$ 58,241	\$ (3,914)
2007	\$ 64,593	\$ 67,116	\$ (2,523)
Difference	\$ 10,266	\$ 8,875	\$ 1,391

Table 2	BOAs	Non-BOAs	Difference
2007	\$ 65,759	\$ 66,404	\$ (644)
2010	\$ 81,465	\$ 87,896	\$ (6,431)
Difference	\$ 15,705	\$ 21,492	\$ (5,787)

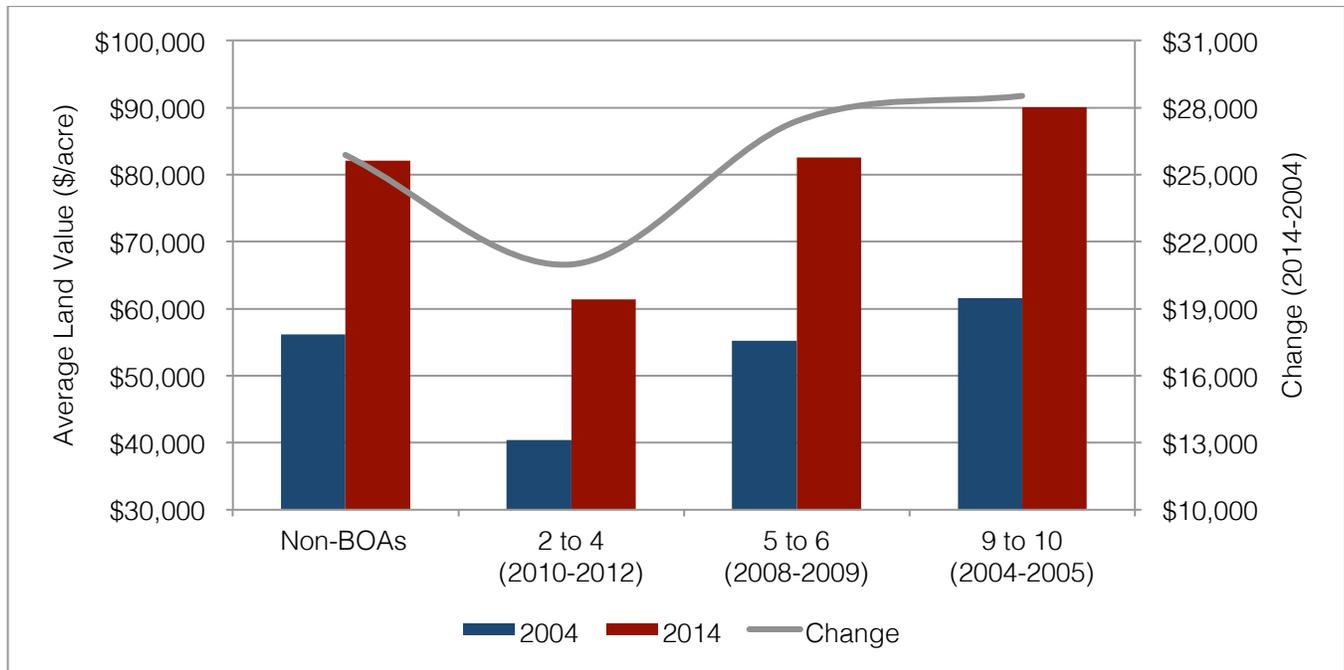
Table 3	BOAs	Non-BOAs	Difference
2010	\$ 81,943	\$ 88,983	\$ (7,040)
2014	\$ 83,204	\$ 86,841	\$ (3,636)
Difference	\$ 1,261	\$ (2,143)	\$ 3,404

The above examples illustrate the difference-in-difference process. For these tables any community that did not enter the BOA Program before the end period (2007 for Table 1; 2010 for Table 2; 2014 for Table 3) was considered not to be a BOA and any community that had entered the Program by that end period was considered to be a BOA. The highlighted cell is the difference-in-difference estimator, which is intended to capture the effect of having entered the BOA Program. In the middle period, ending in 2010, the DID estimator is

negative, meaning that BOAs fared worse than non-BOAs. By 2014 this trend had reversed. This might be because by 2014 the more mature BOAs, those that had been in the Program for several years, had started to realize the benefits of the Program.

Below are two additional difference-in-difference analyses: 1) comparison between four time-in-program bins by 2014 and 2) comparison between BOAs that entered before a certain year versus all non-BOAs.

Figure 32: Comparison Between Different Time-in-Program Bins as of 2014



The above bar graph shows the average change in land values of BOAs that spent varying amount of time in the Program by 2014. The largest increase in land value was seen in BOAs that spent the most time in the Program, where the difference between the 2014 and 2004 land values exceeded \$28,000 per acre. Notably, the most recent cohort of BOAs (those that entered between 2010 and 2012) saw a smaller net increase than any other cohort of BOAs and non-BOAs. This supports the notion that, on average, BOAs receive a larger net benefit when they spend more time in the Program.

Figure 33: Comparison Between BOAs Entering 2005 or Earlier and Non-BOAs

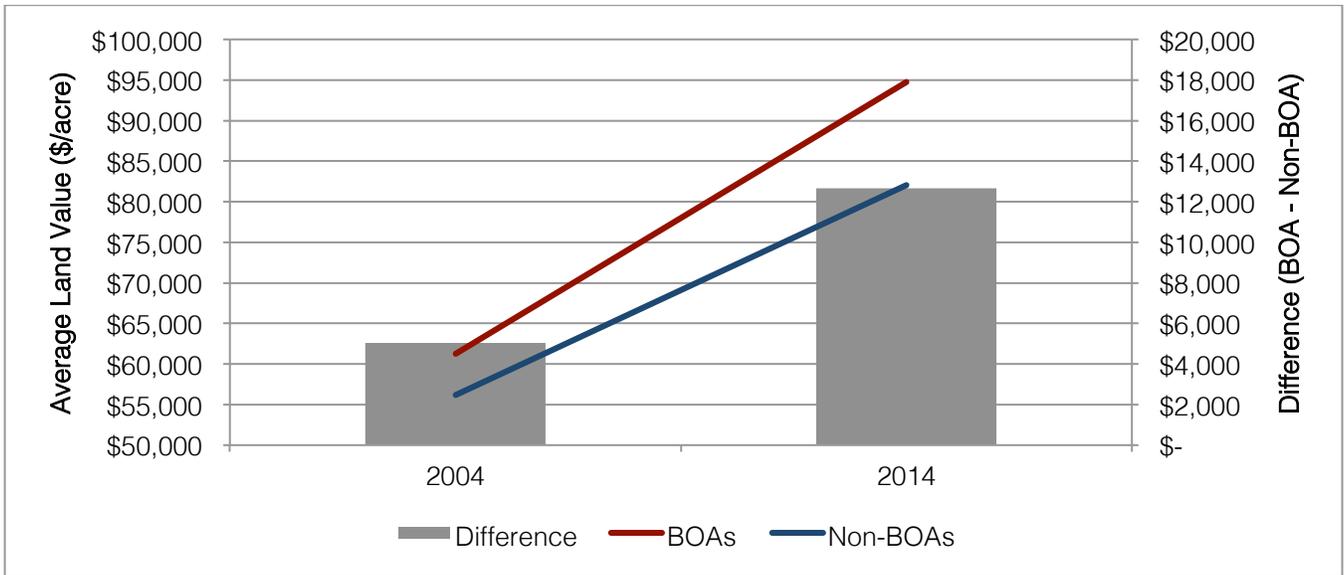


Figure 34: Comparison Between BOAs Entering 2010 or Earlier and Non-BOAs

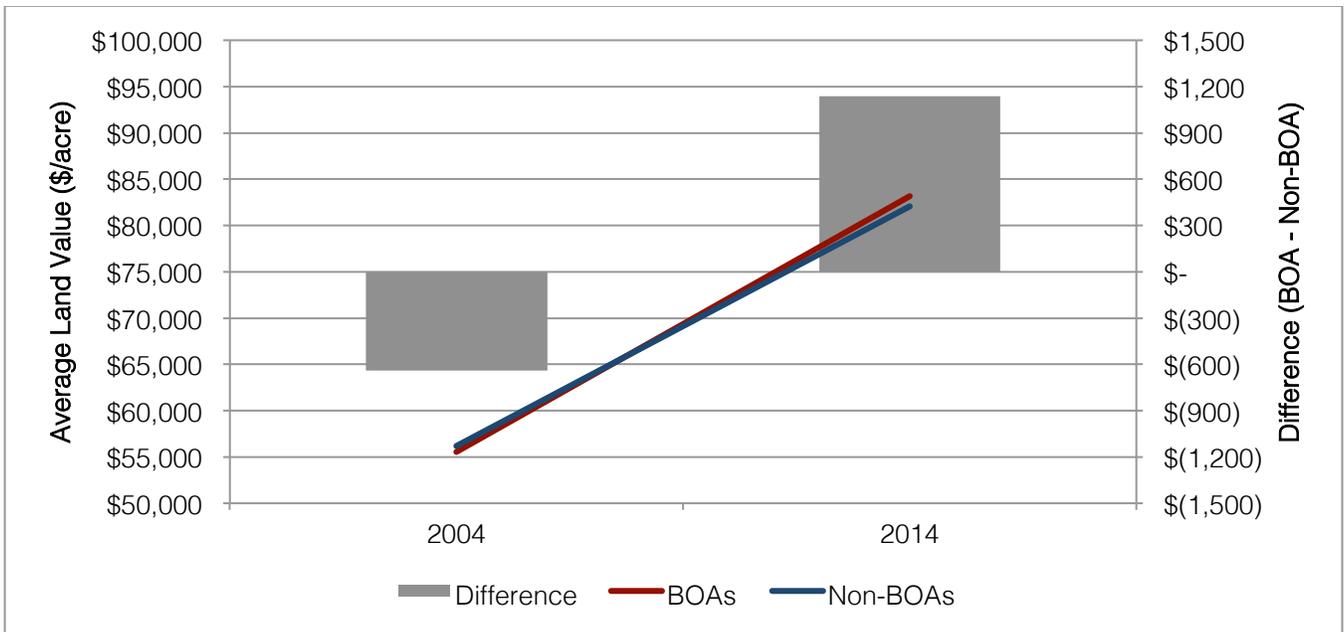
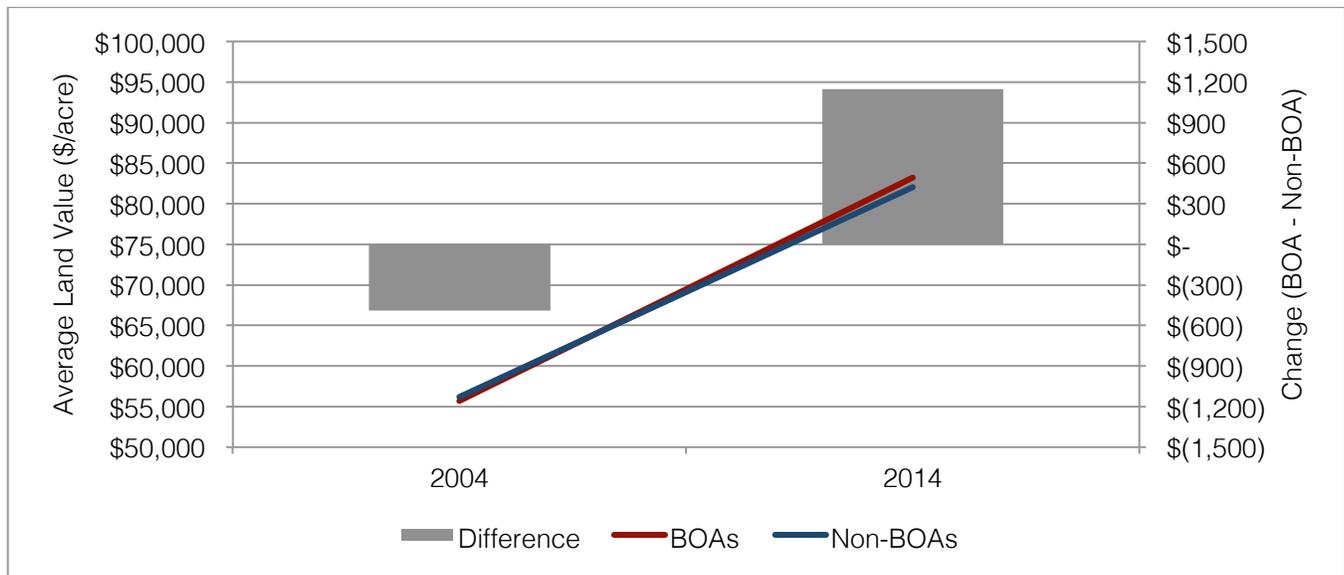


Figure 35: Comparison Between BOAs Entering 2014 or Earlier and Non-BOAs



The above three graphs illustrate the growth trends of BOAs that entered at different times compared to the non-BOAs in the sample. They continue to support the hypothesis that greater time spent in the Program is related to better outcomes in terms of land values. BOAs that entered between 2004 and 2005 experienced a relative benefit over non-BOAs of \$7,626 per acre, while those that entered in or before 2010 experienced a relative benefit of \$1,778. Similarly, those that entered in or before 2014 received a net benefit of \$1,637 per acre over non-BOAs.

3. Regression

A difference-in-difference regression model is based off the analysis explained above, but tests for statistical significance. The initial model is fairly basic; it attempts to clarify whether there is a relationship between participation in BOA and local economic outcomes over time.

$$[\text{Local Land Values}] = [\text{Period}] + [\text{Participation}] + [\text{Interaction}] + \text{residual}$$

This model looks at current BOAs over the period stretching from 2004 to 2014 and uses fixed effects⁴¹ for the individual BOAs. If they entered the Program during this period, they were

⁴¹ "Fixed effects" refers to the idea that the model accounts for the fact that it is using the same areas over time. This incorporates any characteristics of an area that are consistent over time into the model. As a result, a fixed effects model removes some of the noise that is associated with differences between areas by controlling for those differences. Instead of trying to predict the land value of an area based on whether it is in the BOA

considered to have received treatment, and if they entered at any point after 2014, they were considered to have been untreated. Results from this analysis were inconclusive, but can be seen in Appendix B.

4. Future Research

As more data becomes available and more BOAs are accepted into the Program, models like this should continue to be considered as a tool to evaluate the efficacy of the Program. In future iterations of this model, assuming statistical significance, it would be possible to compare the treatment effect with the value of the grants over that same time period to determine something akin to a return on investment. This report assesses the general trends and relationships that exist between areas that have or have not entered the BOA Program and land values, but a more rigorous analysis by a professional statistician is recommended. Future analyses could include things like comparing land value trends as percent change instead of total change, amending or altering the comparison communities, the addition of any future BOAs, using a more complete and error free land value dataset for New York State, and the inclusion of future land values. To that end, all data files that support this work will be provided in relevant and appropriate formats.

Program, this model attempts to predict the change in land value as a result of being in the BOA Program since it “knows” what the previous land value was.



Sunset Park BOA, study area

Source: WXY studio, Sunset Park BOA project <http://wxystudio.com>

VII. Conclusions and Recommendations

Throughout its first decade, the BOA Program has been valuable to participating communities in three distinct ways:

- Funding a range of discrete planning and pre-development tasks with tangible outputs (environmental assessment, land use and zoning studies, marketing sites to developers etc.);
- Incentivizing participating communities to forge a shared vision for revitalization, and in so doing build capacity for planning and development within and beyond City Hall; and

- Allowing communities to leverage both the work products and capacity developed to obtain other sources of public and private investment needed to fund actual construction and development.

All of these levels of impact meet the original intentions for the BOA Program, and anecdotal examples of the value of BOA are visible in all corners of the state, from the evolution from planning to shovels in the ground in Wyandanch on Long Island to Buffalo's successes in attracting millions of dollars of new investment in multiple BOAs. Still, advocates for the Program have faced challenges in conveying the value and successes of the Program in a systematic way. As the 2014 NPCR Roundtable concluded regarding New York State brownfields programs in general, "the cities know what they need to overcome their legacy of industrial contamination, but they have not made their voices heard by New York's decision makers."

In getting to the question of how to measure a particular BOA's success, the Capstone team first looked at the BOA Program itself to assess its strengths, weaknesses, and, ultimately, its value, as reported by program participants. A major source of the Program's value is flexibility: it allows each grant recipient to focus on what it determines are the biggest hindrances to development, whether that is the presence of hazardous waste, obstacles to site assemblage, outdated zoning, poor infrastructure, lack of interest by private capital, etc. However, the range of activities funded by BOA is not yet reflected in the Program's metrics. Regardless of where they enter the Program and their local conditions, designation is currently the de facto way for a BOA to show progress and readiness for development. The absence of metrics to track other BOA related activities has rendered many achievements incidental by-products of Program participation, when in fact they are valuable outcomes. As Section C outlines, a fully realized BOA Program should recognize the value of metrics by tracking and publicizing these output and outcomes, which would help demonstrate the value of the Program to potential future BOAs, policy-makers, and the public.

In addition to metrics that better reflect the BOA Program, there are opportunities to strengthen the Program itself. The recommendations captured in Sections A and B below seek to help communities through BOA by eliminating program inefficiencies, clarifying the BOA Program's purpose and ensuring participants enter the Program ready to maximize the benefit of limited grant resources. The BOA Program is about planning and preparing for

development; there are a variety of other funding sources to support development work that will follow from the essential planning work under BOA. With this clarity of scope in mind, it becomes important for BOA Program supporters to also be advocates for complimentary programs that fund actual construction and development activities.

Finally, though BOA cannot fund development work, it can be flexible in the planning and pre-development activities that it can fund, and participants should be able to call on the Program to fund as many of these activities as they can make a case for in their own circumstances. Therefore, recommendations A.2 and A.3 suggest that BOAs should enter the Program having completed certain baseline activities and that once BOAs have cleared this hurdle, they should face limited delays and be able to apply for funding as needed without the current pressure to move sequentially through a set of pre-determined steps. In this way, the Program can fully realize its potential as a funding source for planning, in communities that need it most, that is accessible, targeted, and efficient.

A. Program Streamlining

1. (A.1) Move to a single application and contract for the entire program, in order to avoid duplicative work and unnecessary delays.

The framework of the BOA Program currently requires communities go through a full application and subsequent contracting process for each step, even for those BOAs who are returning for grants to move through subsequent steps after completing a prior contract. This process has remained unchanged despite the fact that since 2009, the Program has awarded more than half of its grants to communities that have already been through an earlier step. The survey showed that, in some cases, contracting is lengthier in later steps. While the more complex and expensive activities under Steps 2 and 3 may warrant a longer contracting process, there are clearly opportunities to limit time spent in the administrative process by not requiring BOAs reapply for subsequent grants duplicating the application and contract process.

Much of the time and energy spent by both the participants and project managers in repeating the application and contracting process can and should be minimized by moving to one application and contracting process to gain entry into the Program in its entirety, with interim deliverables required prior to the release of additional funding. Having one application and contract wouldn't entirely eliminate delays between steps, as communities would need to

request funds based on an appropriate scope of work for each subsequent grant – and prove that they have accomplishments prior deliverables before further funding is released – but it could reduce administrative delays, and give communities more certainty that they will be in consideration in years when funding is available, in the form of “non-competing continuation” from one step to the next. NPCR and its allies have called for this type of program consolidation several times; and the evidence gathered throughout this report supports the conclusion that delays in the application and contracting process must be minimized to better meet BOA needs.

2. (A.2) Fold certain baseline activities, currently completed during the Pre-Nomination step, into a more robust application process.

Streamlining the Pre-Nomination Study is another opportunity to make program administration more efficient and ensure BOAs get to the essential pre-development activities currently funded in later steps as quickly as possible. There has already been discussion of eliminating Pre-Nomination as an independent step, and the Program has decreased the number of Step 1 grants over time, as discussed earlier in this report. The evidence presented throughout this report strongly supports continued movement in this direction for two reasons. First, to avoid BOAs getting “stuck” in the Pre-Nomination step, as the analysis above finds that of the 54 BOAs that have completed a Step 1, only 29 have received further grant awards, and those that have moved on to further steps have faced significant delays between steps.

Second, moving to the single application and contract process suggested in A.1 will by necessity raise the bar for program admission, requiring a more robust and competitive application process. This means that the most basic activities now completed in the Pre-Nomination Study should be folded into the application.

Raising the bar with a more robust application would also shift resources away from communities that are not suitable for the Program. In addition to the 120 BOAs that have completed at least one contract with DOS, 19 municipalities or community-based organizations received a BOA award and were never able to undertake a contract, or had the contract rescinded. To demonstrate program readiness and capacity to maximize the utility of BOA Program funds, the more robust application should ask entering communities to broadly identify the study area (subject to change through study), collect baseline demographics through simple online research, and organize an initial community outreach event to start the conversation around the need and vision for redevelopment. These basic

steps can be community-driven without consultant input or thousands of dollars in outside funding.

Though some current Pre-Nomination activities can be completed as part of the application, the work now completed in this step cannot not be either eliminated or entirely self-funded. The matrix shows that the average amount awarded for Step 1 grants throughout the Program to date has been \$73,000, so communities cannot be expected to do all of the work currently funded in Step 1 before application. Rather, the specific activities listed could be completed prior to the Program, with limited resources, to ensure the applicant is competitive for the single-contract BOA Program. The goal of a more robust application would not be to create a prohibitive barrier to Program entry, but rather to ensure communities entering BOA are doing so thoughtfully, and that they are not locked into the Pre-Nomination step for many years.

3. (A.3) Within this single contract program, allow BOAs to apply for a sequence of funding awards from a suite of appropriate activities, with each funding round released after the satisfactory completion of the prior round.

The BOA Program is currently structured to move a community in an orderly fashion from Pre-Nomination to Designation, to prepare a plan for the general revitalization and redevelopment of specific sites within a State-designated Brownfield Opportunity Area. Once a plan is created and a BOA designated, the community is on its own to implement the plan, with the help of two BOA-related sources of assistance: possible “priority and preference” from other government funding programs, and a 5% “bump up” in tax credits awarded through the brownfield cleanup program.

In practice, the vast majority of BOAs do not neatly follow the step-by-step structure. So far, only one BOA has been through all three steps, while more than half have only participated in a single step. In 2014 the New York State Department of State issued guidance on Designation, clarifying completion of a Nomination Study (Step 2) as a sufficient prerequisite for designation. Fifteen of the 26 designations have completed only a Step 2 study and correspondingly, 11 of the 18 BOAs that are or have been on a Step 3 have been designated. A handful of BOAs have received grants for the same step more than once: Waterfront Heritage received two Step 2s, so did the City of Fulton, Downtown Rome received two Step 3s, etc. Finally, a community is never necessarily “done with the Program” until it is designated; even a BOA that has completed a Step 3 grant can go back for another grant

prior to designation, as seen in the case of Downtown Rome.

Though these variations complicate understanding of how the BOA Program works, they also speak to the strength of its flexibility: BOAs that still need to complete work that is permitted within the State's guidelines seek and are often granted additional funding. The flexibility of the BOA Program to adapt to community needs is a strength, and it should be leveraged; instead of a pipeline, BOA can and should function as a supportive planning and pre-development system, where communities receive funding when they make the case that such funding is needed to accomplish specific tasks that will advance the community toward its vision of revitalization. In addition, these activities should have outputs that meet a need outside the creation of a BOA study itself, whether that need is satisfying the requirements of another funding source or legal process, or simply the need to bring new stakeholders into the planning process. The timing, sequence, and number of such needs will vary for each BOA.

Figure 37 illustrates how a sample BOA would move through the proposed revision of the BOA funding process. Highlights include a targeted process whereby a BOA selects plan focus areas as part of a community visioning process required in the application. Here, a BOA may choose to focus on site assembly or look at a few strategic sites. Once the BOA is accepted and the initial contract is awarded, the BOA will then begin a suite of appropriate activities that correspond to their focus areas. At this stage, a BOA may choose to use award funds to conduct a blight study, Urban Renewal Plan, Economic and Market Trends Analysis and creating an RFP for developers. The outputs for this set of activities would be submitted for NYS DOS approval. Upon approval of each activity, the BOA would be eligible for a renewed round of fund disbursement for subsequent activities.

As illustrated, designation would still be achieved when a BOA completes a sufficient body of work, but the BOAs would not be constrained by the current sequencing of steps or template of the Nomination study. In this scenario, unnecessary planning steps that do not apply to a given BOA's needs would be avoided. BOAs will have already shown through the more robust application that they are poised to undertake a meaningful planning process, and choose the activities that are needed to move that process forward in their community. BOAs would continue to complete many of the same activities completed under the current Pre-Nomination/Nomination/Pre-Development structure, but with more freedom to move through the Program in a way that meets local needs, both in terms of timing and size of grants.

Figure 36: Current BOA Program Structure

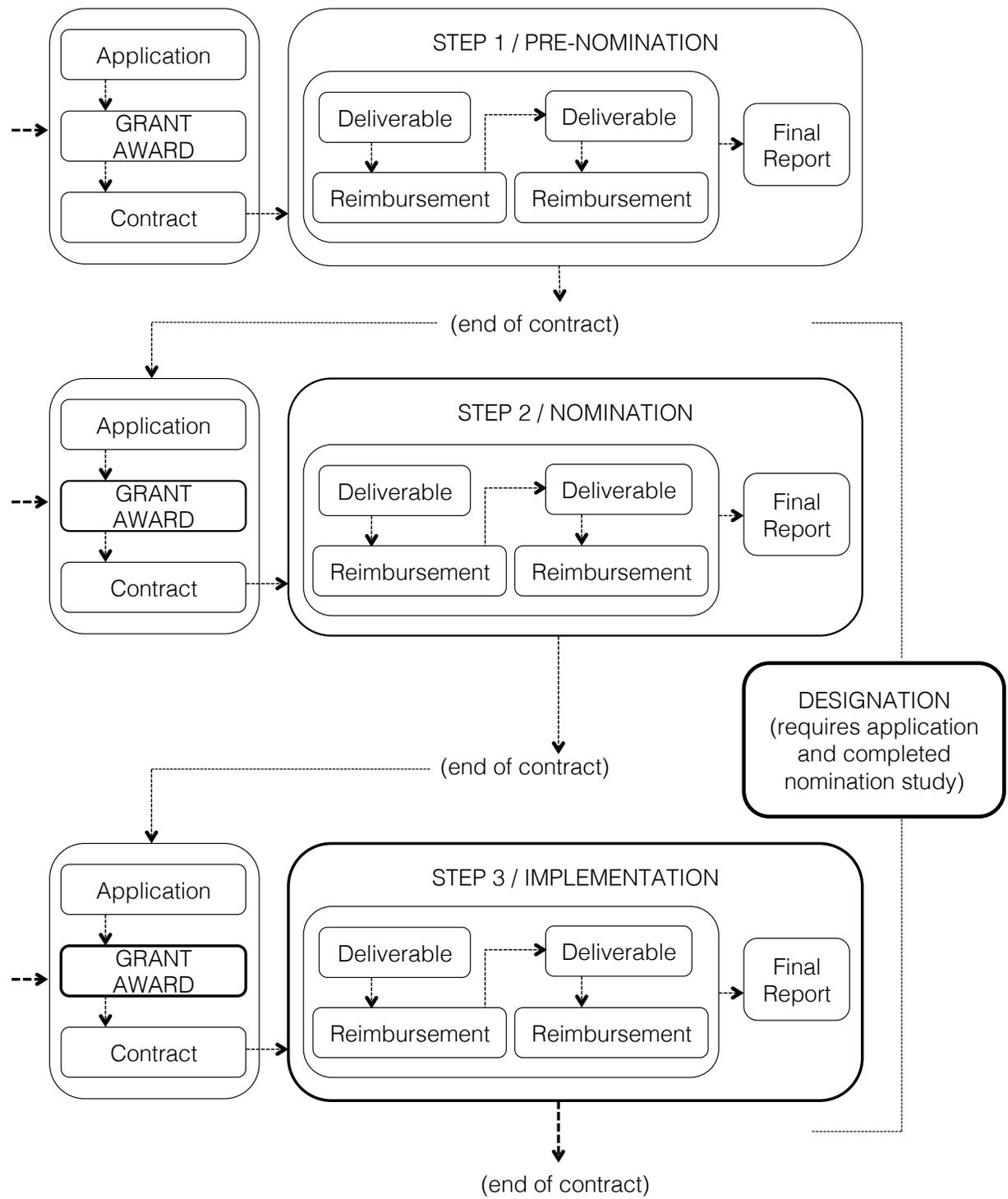
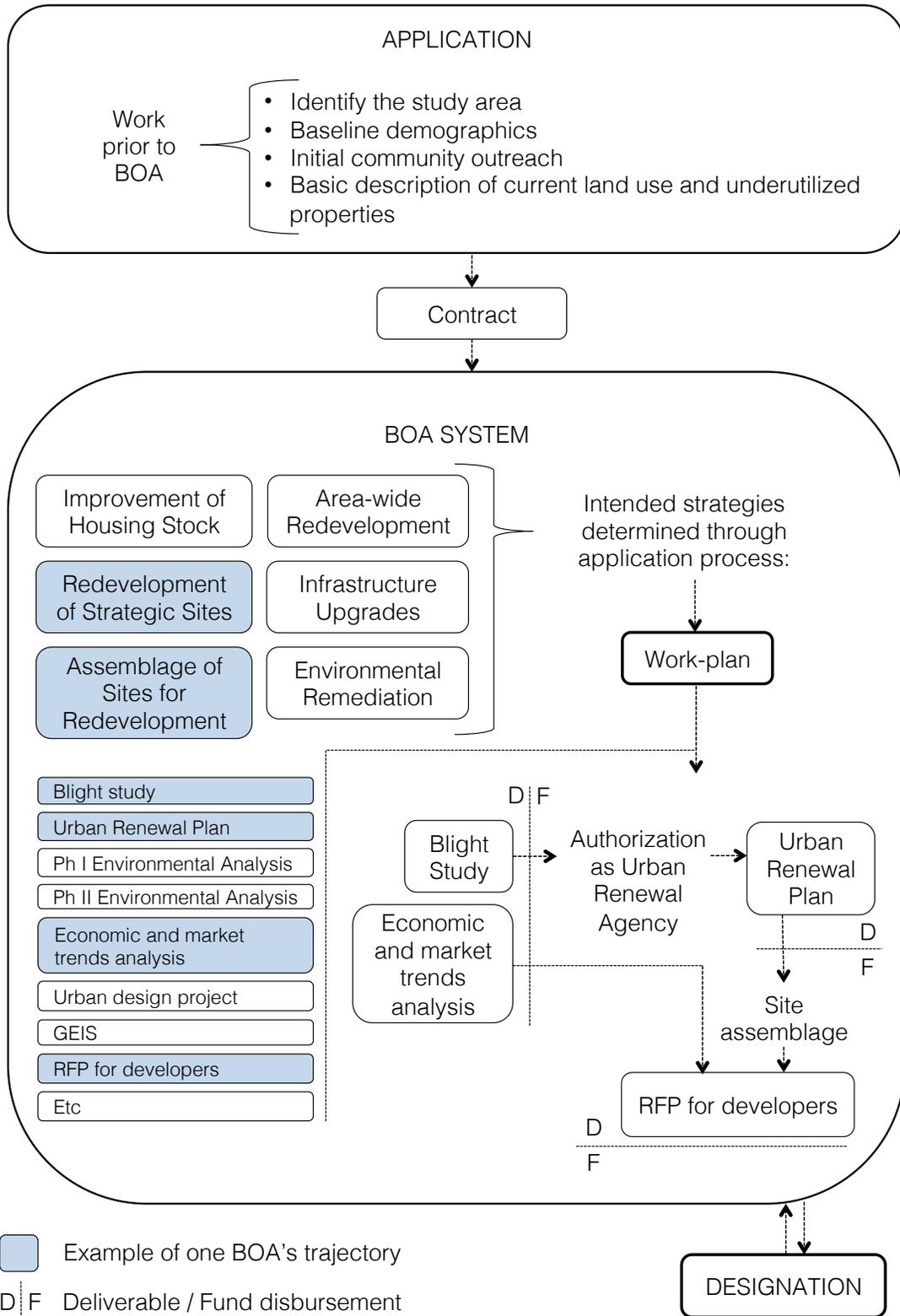


Figure 37: Proposed BOA Program Structure



B. Integration with Other Programs

1. (B.1) Highlight the BOA Program's endpoint and need for integration with other programs.

A common critique of the BOA Program is that it doesn't fund the actual implementation of the plan created by the BOA process, which is the ultimate goal of the BOA communities. The types of activities that can be funded in "Pre-Development" grants, the most advanced stage of the BOA process, include marking, additional strategic planning, site assessments, more targeted market studies, forming local development corporations or BIDs, and conceptual site design. While all essential pre-development steps, it is clear that this funding is not intended to "put shovels in the ground" and the funding for construction is not part of BOA as envisioned or implemented. One proposed response has been to add additional steps and funding that would support physical development work.

However, this research finds that staying focused on essential preparatory work is a strength, not a weakness of BOA. BOA's unique value is its support for community engagement in planning, and its ability to fill gaps in the pre-development process; the Program should stay focused on its areas of greatest value and ensure communities have the knowledge and access to leverage their BOA work for additional funding for development. An alternative to attempting to expand the scope of the BOA Program is to continue support BOA communities beyond their participation in the Program by helping them access the mechanisms (i.e. tax foreclosure, blight studies) and other programs (i.e. BCP, Restore New York) that can fund more direct development work. The case studies highlight that the value of the Program is in effective integration and leveraging other programs. DOS and advocates should promote other programs that provide funding for physical development work, including HUD's CDBG program, the New York Main Streets program, the Local Waterfront Revitalization Program, and FEMA Hazard Mitigation Planning grants.

The federal Area-Wide Brownfield Planning (AWP) Program provides an example of how a program can clarify its connection to other programs in its marketing. The EPA explains that federal DOT, one of the AWP partners, scores applications with a preference to those that show a connection to future funding sources such as DOT TIGER grants, explaining that "DOT has committed to prioritizing communities who use the outcomes of the AWP process to inform subsequent transportation projects in the DOT's TIGER grant selection process. Not only will this new grant award ensure a robust approach to brownfields reuse, it may also

assist the community in securing additional resources to implement the plan.” Similarly, when communities enter BOA they should already have in mind, or at least be thinking about how to identify, the additional funding sources that they will need to seek to implement their eventual plans.

2. (B.2) Clarify the process for and external value of designation.

What follows from B.1 above is that BOAs must actually be able to access these additional funding sources for development work. The recognition of the first two cohorts of designated BOAs in 2015 marks an important milestone for the Program. However, designation is designed to serve both as a program milestone and as a means of conferring “priority and preference” for funding under other state programs. This second value only exists to the extent that it is recognized as intended. While the authorizing statute says that designation implies “preference and priority” for BOAs applying for funding under other state programs, the actual meaning of such preference and priority is not clear, except in the case of the recently enacted Brownfield Cleanup Program tax credit bump-up.

This lack of transparent information undermines the value of designation, and many of the BOAs interviewed for this report agreed that designation is a useful target but has little practical benefit given the vague nature of preference and priority. The meaning of this preference and priority must be made clear to make designation something that BOAs can effectively leverage to move from planning to development. NPCR should work with the Department of State to clarify the implication of BOA designation for scoring of applications under the New York State Consolidated Funding Application (CFA) and through other programs. This level of transparency should be expected for public funding applications, and is especially relevant as more BOAs work toward the completion of Nomination studies and achievement of designation.

Additionally, BOAs should not face barriers to designation beyond completion of the work required to achieve this milestone. As the matrix analysis above indicates, there are seven BOAs who have completed a Nomination Study and started Implementation work but not achieved designation, and some or all of these communities may be deserving of priority and preference. Currently, BOAs must apply for designation in a separate process following completion of their Nomination Study, creating another potential source of confusion and delay. To streamline this process, communities who wish to be designated (understanding

not every BOA that completes a Nomination Study will seek designation, a short document asking the BOA recipient whether they would like to be designated should be included as part of the grant closeout documents for a Nomination Study. For BOAs who select yes, they should be reviewed for designation automatically with the submission of their Nomination study. BOAs who opt not to seek designation will be indicating their desire to exit the Program and not be eligible for additional grant funds.

Finally, besides clarifying the benefits of designation, it is crucial to define its relationship to “Pre-development” funding, for it might trigger conflicting incentives. Eight BOAs have been designated after completing only one contract, and are no longer eligible for further grants.

3. (B.3) Advocate for funding programs that work parallel to BOA, such as Restore New York.

In addition to ensuring designation has value, it is essential that the programs that do fund physical development work continue to exist and provide robust support for BOA communities. Two case study communities specifically named Restore New York as a key funding source that allowed them to bring BOA ideas to life, and many other BOA communities have made strategic use of the Environmental Restoration Program in getting key sites remediated. This report has showed many times that BOA has value as part of an ecosystem of support programs, and not in isolation. As an advocate for brownfields redevelopment, NPCR should be a voice for the programs that BOA communities need to succeed, not just BOA and the BCP. DOS should assist BOAs in identifying and accessing these funds post designation and NPCR should work with leading BOAs in advocating for implementation programs.

This program ecosystem may go beyond funding sources for development, to policies and programs that help mitigate the potential negative impacts of development for communities. Particularly in downstate and areas and communities with gentrification concerns, tools such as Mandatory Inclusionary Zoning may be appropriate to ensure communities retain an affordable housing stock even as development occurs, and policies to protect industrial uses may be complimentary to development as well. In the meantime, DOS should serve as a clearinghouse to help BOA communities understand the variety of policy tools available to compliment their development work under BOA, including but not limited to other sources of funding.

C. Metrics, Tracking, and Data Management

1. (C.1) Establish a set of metrics that coincides with the Program's achievements, in addition to existing metrics that focus on tracking progress through the Program itself.

Many BOAs have made substantial progress as a result of the Program funding: steps to formal plan adoption, funds leveraged (both grant and private investment), strategic sites assembled, changes in tax assessments, buildings reoccupied, etc. As discussed in the Program Evaluation section above, almost all of these important outputs have either gone unrecorded or been captured in an ad hoc fashion in Nomination Studies. A second set of tangible outcomes that more clearly reflect the positive outcomes and ultimate impact of redevelopment, has not been recorded: land-price increases, housing units built, jobs/businesses created, and acres of open space opened to the public.

All of the metrics listed and examples from current BOAs described in the Program Evaluation section above represent possible ways to monitor and evaluate BOA Program outputs and outcomes, as communities move through the Program in their own diverse ways. As the Michigan report illustrates, there are many other possible ways to evaluate progress in brownfields redevelopment, but the bottom line is that a set of output, outcome, and impact metrics beyond milestones within the Program itself must be chosen and base-lined before progress can be monitored. DOS should choose a set of metrics and ensure these metrics are tracked as a way that demonstrates BOA Program progress and success. Metrics should consider both measures of output and measures of outcome (i.e. grants applied for v. funds leveraged). Communities should get baselines when they enter the Program and meaningfully track their own progress.

Not all communities should be expected to meet the same goals. Metrics should be derived from and connected to the community's original objectives, which should be made explicit before it starts the BOA Program work. Recording early wins would also give BOA work momentum to keep moving forward, as the case of Downtown Rome demonstrated.

2. (C.2) Provide BOAs with templates and allow them to share best practices/lessons learned to make all individual experiences in the Program more effective.

The survey showed a widespread desire for project managers to provide more personalized

assistance to the BOAs. Responses also included requests for best practices examples from other BOAs. One respondent said, “There is no template for developing a contract between the community organization & the consultant team.” Another respondent echoed, “I do wish there was more assistance with templates. There was not a standard consultant contract, for instance. We had to develop that ourselves, which isn't easy with limited legal experience.”

Providing more tailored assistance to each BOA may not be possible given staffing levels. But while each BOA is unique, there are a number of common challenges. Having DOS provide templates (boilerplate contract language, application templates for BOA and other programs like Restore NY, templates for pro formas and other mechanical parts of the redevelopment process, etc.) would make the use of resources more efficient.

Likewise, having DOS incentivize the sharing of information among BOAs would expedite progress through the Program. Currently, communities who are earlier in the Program struggle to overcome logistical hurdles that others have previously overcome. BOAs could learn from each provided a platform: sharing ideas for sparking developer interest, tutorials on how to engage with them, or forums on reforms of existing zoning codes could all prove effective. State project managers, could convene more regular forums (such as a monthly webinar) for BOA communities to share lessons learned in specific topic areas ranging from pro forma development specific to a brownfield site to effective methods for community outreach. These opportunities to connect would strengthen the BOA community and increase the value of the Program.

There are many BOAs engaging with developers, and this is a particularly important area for the sharing of best practices, as it has been a persistent challenge. DOS and individual BOAs need to make developers aware of locations of developable land, market parcels, and target the right developers in their community. There are already guidance documents developed by CBOs with extensive BOA experience that can be shared across the BOA network. The SoBro BOA Implementation Guide for Community-Based Organizations makes a list of recommendations on how to best engage property owners and other stakeholders in the BOA process, including such specific ideas as including real estate developers on the Advisory Committee. Many of these recommendations are relevant to both CBO and municipality-led

BOAs; DOS should ensure that this guide and similar best practices documents are widely shared among the BOA community⁴².

3. (C.3) Make data public: information on all BOAs should be accessible not only to all other BOAs, but to other communities interested in applying for BOA, to organizations doing brownfields revitalization, to developers, and to the general public.

Making information available would leverage existing planning accomplishments, without adding administrative burden. This recommendation supports best practice sharing, but also responds to the concerns about marketing the BOA Program raised repeatedly at the BOA summit in December 2015. The public sharing of BOA studies is required under the authorizing statute, but to date the Department of State only publishes studies from designated BOAs. The studies of other BOAs are published in an ad hoc fashion and often difficult or impossible to access online.

As noted above, several states provide examples of high-quality public databases related to brownfields. DOS can look to examples from these states to provide for the best possible online database that would serve both BOAs and the public. Further, the New York City Office of Environmental Remediation (NYC OER) has already created the “EPIC Community” online database, where each BOA has a page to share their reports, engage with other communities, and find developers. DOS should work with NYC OER to scale up their database for use by all BOAs across the state. Several survey respondents indicated that the State could do more to promote the current work being done under the BOA Program, including linking them to other agencies and potential funders within New York State government; NYC OER’s platform would be a way to address this issue.

⁴² http://www.nyc.gov/html/oer/downloads/pdf/BOA_Implementation_Guide.pdf



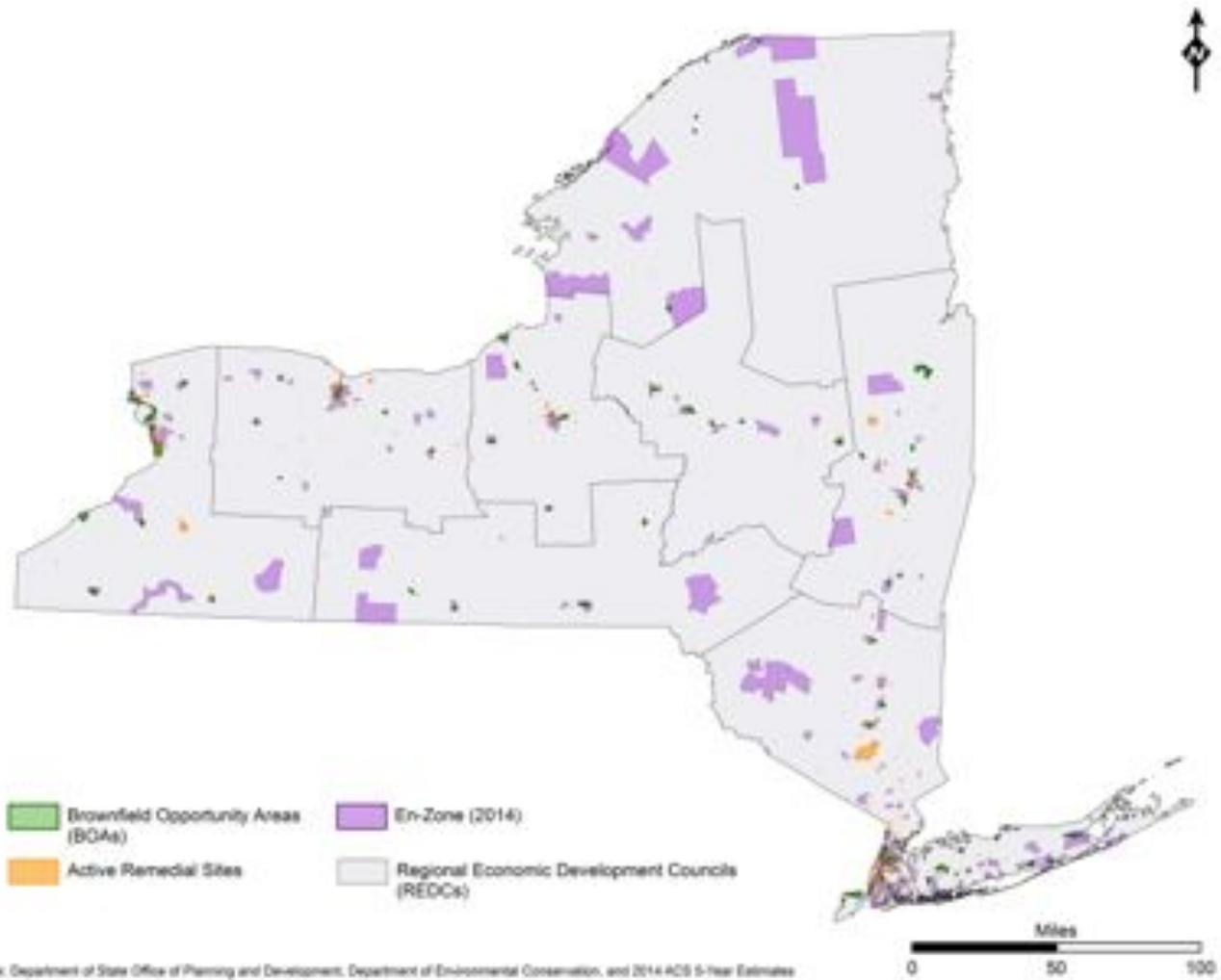
Oswego Canal Corridor BOA, section of study area

Source: *Oswego Canal Corridor Brownfield Opportunity Area Nomination Study 2013*

VIII. Appendices

A. Appendix A: BOA, En-Zone, Active Remedial Sites map

Figure 38: Intersection of Brownfield Opportunity Areas, En-Zones, and Active Remedial Sites



B. Appendix B: Regression Model

Two difference-in-difference regressions were run using different dependent variables. The first used land value per acre, while the second used total land value. The results of the two regressions were inconclusive since they seem to contradict one another. While on a per acre basis, the model seems to imply a negative relationship between being in the program and land value, on a total land value basis that relationship is positive. Of the two models, only the total land value model has a statistically significant coefficient on an interaction variable, which is the difference-in-difference estimator.

Dependent variable is the land value per acre:

Number of Observations	452
Number of Clusters	113
Prob > F	0.000
R-squared	0.931
Adjusted R-squared	0.906

Land Value Per Acre	Coefficient	Robust Standard Errors	p-value	95% Confidence Interval	
ReceivingTreatment	-1,176	8,948	0.896	-18,905	16,553
Period_2007	10,745	5,179	0.040	483	21,006
Period_2010	29,190	9,057	0.002	11,244	47,136
Period_2014	28,379	5,293	0.000	17,892	38,866
Interaction_2007	-1,199	6,907	0.862	-14,885	12,486
Interaction_2010	-1,250	10,201	0.903	-21,461	18,961
Interaction_2014	-	-	-	-	-

Dependent variable is the total land value expressed in 1,000s:

Number of Observations	452
Number of Clusters	113
Prob > F	0.000
R-squared	0.936
Adjusted R-squared	0.914

Land Value (in 000s)	Coefficient	Robust Standard Errors	p-value	95% Confidence Interval	
ReceivingTreatment	-12,690	5,949	0.035	-24,478	-902
Period_2007	3,665	2,239	0.104	-771	8,101
Period_2010	11,955	4,905	0.016	2,237	21,673
Period_2014	21,419	6,234	0.001	9,067	33,771
Interaction_2007	6,909	3,834	0.074	-688	14,505
Interaction_2010	9,154	7,816	0.244	-6,333	24,641
Interaction_2014	-	-	-	-	-

C. Appendix C: States Summary

Highlights from reviewing the brownfields programs of Ohio, Massachusetts, Pennsylvania, and Michigan are the following:

- Ohio's brownfield programs stress the importance of the future use of brownfield sites and focus on the economic development potential of redeveloping brownfield sites;
- Michigan's Brownfield Redevelopment Authorities (BRA) have the authority to raise revenue at the local level, revenue that the BRA can use to support a range of brownfield redevelopment project activities, such as feasibility studies, phase I & II assessments, to demolition and site assemblage of contaminated property;
- Massachusetts' brownfields program was the first to create a semi-privatized cleanup program that requires private sector Licensed Site Professional to carry out site assessment and cleanup work, which allows sites to be cleaned up much faster
- Pennsylvania's online SearchSite tool, as well as Ohio's Brownfield Inventory online database and Michigan's Real Estate Database, allow anyone to filter the interactive map to show where there are redevelopment ready communities. This is an excellent example of how to market remediated sites to developers.

Overall, all four states' brownfield programs have gone through, and are continually going through, program restructuring or have been shelved in order to make way for new programs. In addition, all of the states have gone through periods where funding streams for the brownfield programs were not renewed and have had varying amounts allocated over the years. New York State's BOA Program's funding woes are not exclusive; it is a phenomenon of all state brownfield programs. In addition, the successes and opportunities found in the BOA evaluation echo the brownfield program evaluation reports made for Michigan and Pennsylvania.

In the report, Michigan Brownfield Redevelopment Innovation: Two Decades of Success, researchers reviewed Michigan's six brownfield programs from 1989 to 2008. Michigan's most successful brownfield projects were those that 1) sought funding sources from "outside the local area, and even from outside the state" (the Wyandanch BOA is a good example of this), 2) worked at the level of regional planning cooperation; with cooperation

among the Brownfield Redevelopment Authorities instead of competition, 3) had a vision for redevelopment, and 4) had a high level of community support (p. 31). The researchers also noted about the projects and communities that were not showing immediate success, that projects require communities to be engaged in redevelopment efforts for the long haul, since “It can be a decade or more before the full benefits of brownfield revitalization come to fruition” (p. 36). This is where setting up metrics and models, such as the property land value regression model, to track successes is important. In addition, in the report Analysis of Pennsylvania’s Brownfields Program, the researcher recommended the creation of a job tax credit program, which would target brownfield tax incentives to job creation that is linked to site reuse, and clarifying to local municipalities that activities like demolition, cleanup, and site assembly are key for development (p. 22-23).

Below are snapshots of the state of the brownfield programs for Massachusetts, Michigan, Pennsylvania, and Ohio.

Ohio

Programs:

Clean Ohio Brownfield Revitalization Fund (CORF), 2000

JobsOhio Revitalization Program, 2013

Purpose:

Clean Ohio Brownfield Revitalization Fund - awards grants to municipalities and other public entities, such as counties and port authorities, to clean up sites and prepare them for redevelopment with private sector partners.

JobsOhio Revitalization Program - supports the acceleration of redeveloping brownfields. Preference will be given to projects where the cost of the redevelopment and remediation is more than the value of the land and a site cannot be competitively developed in the current marketplace. Priority will be given to projects that support near term job creation opportunities.

Structure:

Ohio’s brownfield redevelopment toolbox guide stresses the importance of the future intended use of brownfield sites and outlines a five step process to the brownfield renewal process: 1) site identification and project planning, 2) site assessment, 3) cleanup, 4) state assistance for cleanup, 5) redevelopment of brownfields. The guide suggests communities to form a ‘revitalization team’ composed of public and private stakeholders that will promote a well-planned brownfield redevelopment.

Clean Ohio Brownfield Revitalization Fund- provides competitive grants for Phase I, Phase II and Proposed Remedy. Up to \$300k can be awarded for Phase II Assessments and \$3 million for cleanup. Eligible project costs are for demolition, purchase, and infrastructure and cleanup costs. Applicants are required to complete VAP (Voluntary Action Program). The Clean Ohio Council selects applicants that are heavily involved with the local communities.

JobsOhio - removes the competitive grant process found in Clean Ohio where applications were scored and the top projects were funded. The new process is more flexible and less costly, since applicants no longer could spend a significant amount of money, \$30k just for the application, without being certain that they would receive an award. The new process also allows applicants to receive notification of award before it has to put together the more detailed aspects of the application. Applicants are selected if jobs are retained or created with priority for projects with

higher-than-average wage rate, if investment is private versus public, if there is certainty of completion, where there is an end user committed to the project, have redevelopment plans and sufficient funding to complete the project.

Stats/Metrics:

Clean Ohio Brownfield Revitalization Fund-

160 projects with a total of \$315,231,174 in grant funding (Greater Ohio Policy Center, 2013)
127 communities; 7,600 acres assessed/remediated; ROI: more than 10:1; \$4 billion leveraged;
9,197 jobs created (Ohio Development Services Agency)

Database: Brownfield Inventory Database, Clean Ohio Fund Project Location and Information Map.

Pennsylvania

Program Name:

Pennsylvania Land Recycling Program, 1965, revamped in 1995

Purpose: Pennsylvania Land Recycling Program encourages the voluntary cleanup and reuse of contaminated commercial and industrial sites

Structure: Four components: uniform cleanup standards based on health and environmental risks that also considers future land use; standardized review procedures; release from liability; and financial assistance. The Pennsylvania Land Recycling program consists of the industrial sites reuse program, infrastructure development program, and brownfield inventory grant program.

Stats:

5,048 project have been approved;

Over 1,213 site recycling projects underway;

Over \$600 million dedicated to redevelopment projects since 1995

360 sites listed on the online SearchSite finder tool, 40 of those sites have been leased or sold from the listing.

Database: Pennsylvania SearchSite Finder.

Michigan

Program Name:

Brownfield Redevelopment Grant Program, 1998

Brownfield Redevelopment Authority, 1996

Purpose:

Brownfield Redevelopment Grant program - offers municipalities grants of up to \$1,000,000 for investigation and cleanup activities on brownfield properties with a proposed redevelopment.

Brownfield Redevelopment Authority- allows municipalities to create a Brownfield Redevelopment Authority (BRA) to develop and implement brownfield plans, and establish redevelopment projects and priorities.

Structure:

Brownfield Redevelopment Grant program - Even though the program requires for the redevelopment potential to be considered, and applicants do include at least preliminary redevelopment plans, the Department of Natural Resources and Environment lacks authority and capacity to evaluate and monitor the redevelopment effort of the projects it funds.[1]

Brownfield Redevelopment Authority (BRA)- reviews proposals for the redevelopment of properties, determines financial incentives, prepares plans that identifies brownfield projects. BRA cannot include a project in a brownfield plan unless the affected municipality agrees that the site may be included in the county's plan application process.[2]

Stats/Metrics:

Brownfield Redevelopment Grant program - Over a ten year period, Michigan's Department of Environmental Quality received 180 project plans, which led to \$2.6 billion in private investment, 15,600 new jobs, and 3,400 acres redeveloped.

Brownfield Redevelopment Authority - 266 local brownfield redevelopment authorities created

Database: Environmental Mapper (<http://web1.mcgi.state.mi.us/environmentalmapper/mcgi.aspx>)

Michigan Economic Development Corporation Real Estate Database

(<http://www.michiganbusiness.org/site-selection/commercial-real-estate-database/>)

[1] Jones and Welsh. Michigan Brownfield Redevelopment Innovation: Two Decades of Success. Department of Geography and Geology Eastern Michigan University. 2010.

<http://www.miseagrant.umich.edu/downloads/focus/brownfields/10-201-EMU-Final-Report.pdf>

[2] Michigan Economic Development Corporation. Brownfield Redevelopment Authority. 2015.

<http://www.michiganbusiness.org/cm/Files/Fact-Sheets/BrownfieldRedevelopmentAuthorityPA381.pdf>

Massachusetts

Program Name:

Brownfields Program (MassDEP, 1996)

Brownfield Redevelopment fund (MassDevelopment , 1999)

Brownfields Redevelopment Access to Capital (BRAC) Program (1999)

Purpose:

Brownfields Program encourages brownfield redevelopment in order to revitalize derelict contaminated sites, protect human health and the environment, and promote sustainable development.

Brownfield Redevelopment fund supports brownfield cleanup and redevelopment.

BRAC Program - subsidizes the cost of high-quality, comprehensive environmental insurance to protect parties from environmental risks and overruns on cleanup expenses.

Structure:

Brownfields program- the first semi-privatized cleanup program, allows parties to hire private sector Licensed Site Professionals (LSP) to oversee assessment and cleanup work at brownfield and other contaminated sites, has flexible cleanup standards that permits parties to take the planned reuse of the site into consideration during cleanup design, and provides municipalities, non-profits and brownfield developers technical assistance to help resolve regulatory issues that can stall brownfields projects.

Brownfield Redevelopment fund - Four components: 1) Brownfields Site Assessment (provides interest-free financing of up to \$100,000 for environmental site assessment, which is conducted by a Massachusetts Licensed Site Professional), 2) Brownfields Remediation Loan Program (provides loans of up to \$500,000 per site are available clean-up, 3) Housing Initiative Loans (provides site assessment and remediation loans for housing development through a \$10 million targeted set-aside.), and 4) Priority Project Status (provides funding up to \$2 million per project for site assessment/ remediation high-impact sites that host communities prioritize and that have received substantial municipal investment).

BRAC Program - provided through AIG, covers cleanup costs that exceed the planned cost for the approved cleanup plan, for unknown pollution conditions discovered during cleanup and for unknown conditions discovered outside of planned cleanup, and legal defense coverage for claims arising from pollution being discovered outside the planned cleanup area.

Stats/Metrics:

Brownfields program-

1998-2008: 19,333 Sites Remediated through Licensed Site Professional; 723 projects received technical assistance; 199 communities affected; and 360 cleanups completed.

Brownfield Redevelopment fund -

1998- 2014: 646 individual awards, 4000+ housing units created, 2600 jobs created, \$82,667,536 invested, 90 towns/cities affected, 1,170 acres assessed or remediated.

Database: Individual sites or cleanup projects for which web pages have been developed. Online search site list for MassDEP.



Oswego Canal Corridor BOA, section of study area.
Source: Oswego Canal Corridor BOA Nomination Study 2013

D. Appendix D: Survey Instrument

BOA Communities

Q1 Thank you for taking the time for this survey. Your input is important in order to evaluate the BOA program and help tell its story across New York State. Responses are confidential and will not be shared with attribution. The survey should take 10-15 minutes of your time, and you can skip questions to which you do not know the answer - please just be sure to submit the survey when you have finished. Please contact Rachel Cohen at rbc299@nyu.edu if you have questions or difficulties with the survey.

Q2 Please enter the name of the BOA for which you are filling out this survey.

Q3 Please enter your name.

Q4 Please enter your email address.

Q5 Please enter the name of the municipality or organization with which you are affiliated.

Q6 Please enter your title/position within the municipality or organization.

Q7 Is there a website where information about the BOA is posted?

- No (1)
- Yes (please provide link) (2) _____

Q8 Which step is the BOA currently in?

- 1 (1)
- 2 (2)
- 3 (3)

Answer If Which step is the BOA currently in? 1 Is Selected Or Which step is the BOA currently in? 2 Is Selected Or Which step is the BOA currently in? 3 Is Selected

Q9 How many months elapsed between application to notification of grant award in Step 1?

Answer If Which step is the BOA currently in? 1 Is Selected Or Which step is the BOA currently in? 2 Is Selected Or Which step is the BOA currently in? 3 Is Selected

Q10 How many months elapsed between notification of grant award to execution of contract in Step 1?

Answer If Which step is the BOA currently in? 2 Is Selected Or Which step is the BOA currently in? 3 Is Selected

Q11 How many months elapsed between application to notification of grant award in Step 2?

Answer If Which step is the BOA currently in? 2 Is Selected Or Which step is the BOA currently in? 3 Is Selected

Q12 How many months elapsed between notification of grant award to execution of contract in Step 2?

Answer If Which step is the BOA currently in? 3 Is Selected

Q13 How many months elapsed between application to notification of grant award in Step 3?

Answer If Which step is the BOA currently in? 3 Is Selected

Q14 How many months elapsed between notification of grant award to execution of contract in Step 3?

Q15 To what extent, if any, did the amount of time required for reimbursement present a challenge to your BOA work?

- Not a challenge at all (1)
- Minor inconvenience (2)
- Made progress more difficult (3)
- Stopped our progress (4)

Q16 How often do you communicate with each of the following stakeholders?

	More Than Once A Week (1)	Weekly (2)	Monthly (3)	Yearly (4)	Never (5)
Project Manager or another Department of State representative (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Developers (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Community Organizations (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Hired Consultants (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
BOA Steering Committee (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Local Officials (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Community Members (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q17 In what ways does the BOA engage in community outreach with the following stakeholders? (check all that apply)

	Website (1)	Print Media (2)	Newsletter (3)	Social Media (4)	Phone Outreach (5)	Regular Meetings (6)	Workshops (7)
Developers (1)	<input type="checkbox"/>	<input type="checkbox"/>					
Community Organizations (2)	<input type="checkbox"/>	<input type="checkbox"/>					
BOA Steering Committee (3)	<input type="checkbox"/>	<input type="checkbox"/>					
Local Officials (4)	<input type="checkbox"/>	<input type="checkbox"/>					
Community Members (5)	<input type="checkbox"/>	<input type="checkbox"/>					

Q18 What types of assistance provided by your Department of State Project Manager have been most useful? What type of assistance do you wish you could receive?

Q19 In which ways do the following stakeholders engage with the BOA process? (check all that apply)

	Respond to Communications (1)	Attend Meetings (2)	Review Plans (3)	Provide Alternative Proposals (4)
Developers (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community Organizations (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BOA Steering Committee (3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Local Officials (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community Members (5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q20 For the stakeholder groups listed above, there is _____ about the vision for the future of the BOA. (check all that apply)

- consensus (1)
- disagreement between different groups (2)
- disagreement within groups (3)

Q21 How many full-time equivalent staff work on the BOA within the recipient municipality or organization?

Q22 Is there an individual who, more than others, is leading the BOA effort (please indicate if you are this leader)?

Q23 In addition to this leader, who do you see as the most important advocate or champion for your BOA?

Q24 How high does the BOA program rank on the priority list for these leaders/advocates?

- Top priority (1)
- A priority (2)
- Neutral priority (3)
- Not a high priority (4)
- Not a priority at all (5)

Q25 Who do you see as your key allies (check up to 3)?

- Municipality (1)
- Community Members (2)
- New York State (3)
- Non-Profits (4)
- Developers (5)
- Other (6) _____
- Public Officials (7)
- Consultants (8)

Q26 Approximately how many brownfields have been identified (please give your closest estimate)?

Q27 Have you identified strategic sites within the BOA area?

- Yes (1)
- No (2)

Answer If Have you identified strategic sites? Yes Is Selected

Q28 How many strategic sites have you identified?

Q29 What were the general land use patterns in the study area when you entered the BOA program? (check all that apply)

- Single Family Housing (1)
- Multifamily Housing (2)
- Small retail (shops and restaurants) (3)
- Large retail (big box stores, shopping malls) (4)
- Industrial / Manufacturing (5)
- Open Space/Parks (6)
- Other (please specify) (7) _____
- Public Institutions/Amenities (library, municipal offices, fire house, school, museum) (8)
- Transportation/Utility (9)
- Vacant (10)
- Affordable / Workforce Housing (11)
- Commercial Office Space (12)
- Cultural / Entertainment (13)

Q30 What are the major challenges to development in your community (list up to 3, i.e. inappropriate zoning, health risks)?

- Top challenge (1) _____
- Second challenge (2) _____
- Third challenge (3) _____

Q31 What topic areas are you focused on as part of your BOA plan and what is their relative importance? (check all that apply)

	Top Priority (1)	Secondary Priority (2)	Not a Priority (3)	Does Not Apply (4)
Phase 1 Environmental Assessment (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Phase 2 Environmental Assessment (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Environmental Liability (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Blight (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Property Acquisition/Disposition (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Commercial Demand (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Retail Demand (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Housing Demand (8)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Hotel Demand (9)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Transportation Demand (10)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Traffic (11)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Parking (12)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Open Space (13)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Site-specific (i.e. massing study, pro forma development) (14)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Infrastructure (15)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Urban Design (16)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Zoning/Land Use (17)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Media Communications Strategy (18)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Political (19)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (20)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q32 Of these areas, check all for which you have hired consultants:

- Phase 1 Environmental Assessment (1)
- Phase 2 Environmental Assessment (2)
- Environmental Liability (3)
- Blight (4)
- Property Acquisition/Disposition (5)
- Commercial Demand (6)
- Retail Demand (7)
- Housing Demand (8)
- Hotel Demand (9)
- Transportation Demand (10)
- Traffic (11)
- Parking (12)
- Open Space (13)
- Site-specific (i.e. massing study, pro forma development) (14)
- Infrastructure (15)
- Urban Design (16)
- Zoning/Land Use (17)
- Media Communications Strategy (18)
- Political (19)
- Other (20) _____

Q33 What types of uses do you hope to see in the study area as a result of the BOA program?

(check all that apply)

- Single Family Housing (1)
- Affordable / Workforce Housing (2)
- Small retail (shops and restaurants) (3)
- Large retail (big box stores, shopping malls) (4)
- Industrial / Manufacturing (5)
- Multifamily Housing (6)
- Open Space / Parks (7)
- Public Institutions / Amenities (library, municipal offices, fire house, school, museum) (8)
- Transportation / Utility (9)
- Commercial Office Space (10)
- Cultural / Entertainment (11)
- Other (please specify) (12) _____

Q34 Has your community used BOA funding to create materials to market sites to developers?

- Yes (1)
- No (2)

Q35 Aside from the BOA plan, have other plans been developed for the community in and around the BOA area?

- No (1)
- Yes (please specify) (2) _____

Answer If Aside from the BOA plan, are there other plans in and around the BOA area? Yes Is Selected

Q36 Is the BOA plan either formally adopted or otherwise aligned with other existing planning documents?

- The BOA plan is a departure from previous planning efforts. (1)
- The BOA plan is aligned with existing planning documents, but has not been formally adopted. (2)
- The BOA plan has been formally adopted. (3)

Q37 What metrics do you use to define success for your BOA? (This could be anything like building permits, jobs created, etc.)

Q38 Have you been able to leverage the work done under the BOA program to get additional grants (private, local, state, or federal)?

- No (1)
- Yes (please specify from whom) (2) _____

Q39 Roughly how much money in additional grants have you received?

Q40 Have you been able to leverage the work done under the BOA program to attract investment (public or private, including non-monetary investments such as technical assistance and in-kind services)?

- No (1)
- Yes (please specify from whom) (2) _____

Q41 Roughly how much additional money has been invested in the BOA area?

Q42 Please identify the main strengths of the BOA program.

Q43 Do you have any specific recommendations to improve the BOA program?



Fort Edward BOA, section of study area: dewatering facility on the Champlain Canal.
Source: Northeast Industrial Development and Reuse Strategy: Brownfield Opportunity Area Nomination Study

E. Appendix E: BOA Snapshots



THE VILLAGE OF WAPPINGERS FALLS

Location

County: Dutchess
Region: Mid-Hudson

Demographics

Wappingers Falls (Dutchess) - ACS, 2014

Population: 5,377 (297,388)

Racial composition: 51.4% (73.5%) white

26.5% (11.0%) latino

14.3% (3.8%) asian

7.1% (9.2%) black

Unemployment rate: 4.6% (9.3%)

Average annual income (hh): \$50,119 (\$90,923)

Percentage below poverty line: 5.5% (8.7%)

BOA Program

Grantee: The Village of Wappingers Falls

Step: 2

Year of entry: 2014

Total Grant Award: Step 2, 2014: \$333,360

Study area acreage: 640

Number of brownfields: 5

Milestones

Designated: No

Metrics

Subsequent investment:

- ESDC priority project grant to support a remediated superfund site: \$800,000.
- DOT grant for pedestrian improvements: \$699,000 + matching from the HUD CDBG to make ADA accessibility better in CBD: \$75,000
- CDBG funding for parking lot: \$150,000
- CDBG grant for boathouse: \$242,000 + complement from DEC-Hudson River Estuary Program: \$50,000 + Hudson River Foundation Grant: \$10,000.
- Construction of a mixed use building is in pre-development stage. If built, it would be an anchor for downtown: \$200,000 to date

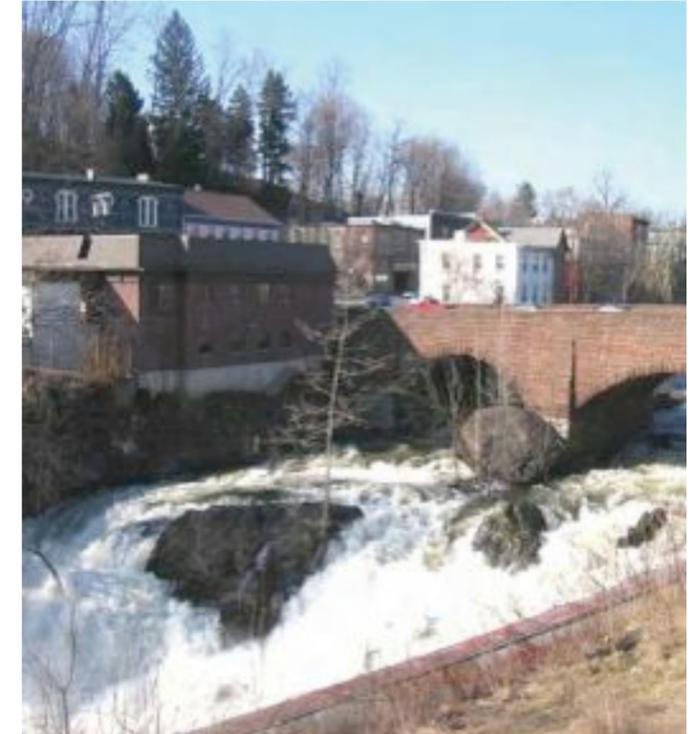
Investment/BOA funding ratio: 6.68: 1

New residential units: 98

Commercial space added: 35,000 sq. ft.

Links

<http://www.wappingersfallsny.gov>



Picture of the superfund site, the bleachery, from Hudson Valley Hikers (left) and picture of "The Gorge" from Wappingers Fall's Vision Plan (right).

Community challenges

- The cost of cleaning the contaminated sites was higher than the return on any real estate investment.
- When the degree of contamination was uncertain, investments were unviable.

Strategies adopted

Attracting new private investment that aligns with community growth and revitalization.

Promoting mixed use development by containing development within the Village boundaries and respecting areas of important open space.

The majority of waterfront land within the Village is privately owned. However, there are several key public lands located around it that represent important opportunities to benefit the general public.

Maintaining and improving water and sewer services.

Implementing streetscape improvements, intersection improvements, and traffic calming mechanisms.

Improving bus stops to promote the use of public transit.

Description of strategic sites

The Village of Wappingers Falls has identified 6 strategic sites: Downtown/West Main Street, Temple Field, Bain Parcel, East Main/Downtown Gateway, Route 9 corridor, and the Bleachery.

The Bleachery once housed one of the country's largest textile mills. And while it is a Superfund site, it's one of the largest parcels of developable land located along the Wappinger Creek waterfront. Using private investment, these old industrial buildings could be repurposed to meet contemporary needs.

Stakeholder engagement

There are monthly meetings scheduled for the Village Board, the Planning Board, the Water Board, and the Zoning Board.



Town of North Hempstead

NEW CASSEL

Location

County: Nassau County
Region: Long Island

Demographics

New Cassel (Nassau) - ACS, 2014
Population: 16,405 (1,350,601)
Racial composition: 49.9% (15.4%) latino
 36.6% (10.8%) black
 6.8% (63.7%) white
Unemployment rate: 5.4% (7.1%)
Average annual income (hh): \$77,018 (\$128,206)
Percentage below poverty line: 14.7% (6.2%)

BOA Program

Grantee: Town of North Hempstead
Step: 3
Year of entry: 2005
Funding received: Step 2, 2004: \$180,000
 Total: \$180,000
Study area acreage: 524
Number of brownfields: 176
Number of strategic sites: 14

Milestones

Designated: Yes, 12/2/2015
Policy adoption measures: Yes

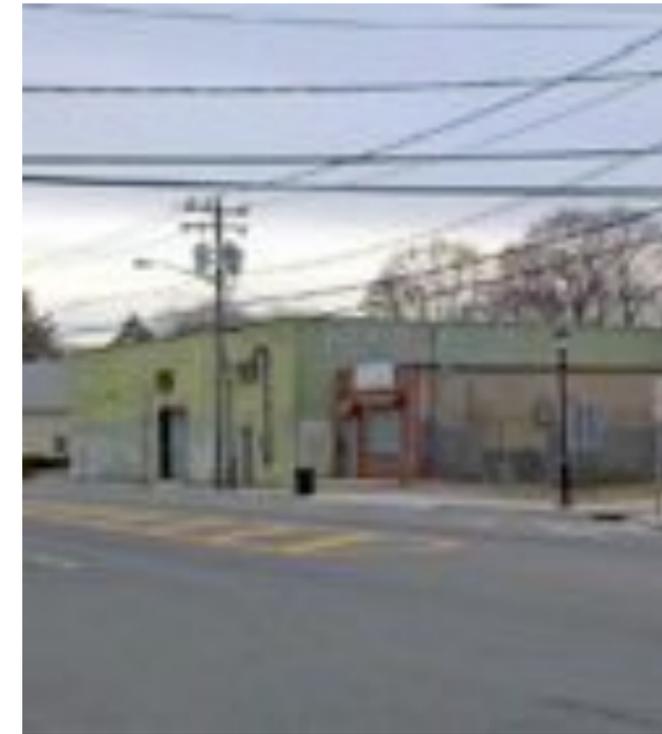
Metrics

Subsequent investment: \$38,796,000
 • Community Center (30,000,000)
 • EPA, HUD, FHWA (8,660,000)
 • County and Municipal Park Investment (\$136k)

Investment/BOA funding ratio: 216: 1

Links

<http://www.northhempsteadny.gov/New-Cassel-Planning-Documents>



Images from New Cassel Step 2 BOA Nomination (left) and Sustainable LI (right)

Community challenges

- Housing overcrowding
- Retail business retention
- Beautification

Description of strategic sites

A total of 10 strategic sites and 4 area-wide implementation strategies were developed through the BOA program. Special focus was given to using the arts to help create a more livable community for the residents of New Cassel.

Stakeholder engagement

Numerous outreach efforts sought to engage the community in the planning process, helping to identify potential sites for art installations and new outlets for community engagement with arts. Over 7,000 New Cassel residents were reached through presentations, posters, bilingual fliers, articles, and mailings.



Town of Southampton

RIVERSIDE HAMLET

Location

County: Suffolk County
Region: Long Island

Demographics

Riverside Hamlet (Suffolk) - ACS, 2014

Population: 6,242 (1,500,373)

Racial composition: 45.5% (70.3%) white
 30.1% (7.1%) black
 23.0% (17.4%) latino

Unemployment Rate: 23.5% (7.1%)

Average annual income (hh): \$32,348 (\$109,783)

Percentage below poverty line: 21.3% (6.8%)

BOA Program

Grantee: Town of Southampton

Step: 2

Year of entry: 2014

Funding received: Step 2, 2014: \$236,900

Total: \$236,900

Study area acreage: 468

Number of brownfields: 12

Number of strategic sites: None

Milestones

Designated: No

Links

<http://www.southamptontownny.gov/Archive.aspx?AMID=66>



Images from Riverside BOA, GEIS

Implementation Strategies

Through the implementation of a new Riverside Revitalization Action Plan (RRAP) and Zoning Code Amendments, the Riverside community hopes to restore the character and functionality of the commercial corridor, promote economic development, provide housing and employment opportunities, ensure adequate capital infrastructure, in order to create a vibrant, walkable, sustainable, transit-oriented hamlet center. The RRAP, and subsequent Zoning Code Amendments, use seven overlay districts to encourage and incentivize mixed-use development and densification as well as create linkages to nearby assets like the waterfront, the LIRR train station, and Downtown Riverhead.

Description of strategic sites

Strategic sites have not yet been identified.

Stakeholder engagement

In developing the RRAP and BOA Plan, the town of Southampton employed a full time outreach coordinator to help gather input from the community. A large part of their efforts to engage with community is a Crowd Sourced Place Making (CSPM) campaign. Through the use of traditional in-person meetings and internet-based tools, the Town is able to get ideas and feedback directly from the community. In addition to these efforts, the Town has also established an Advisory Committee made up of staff from various departments within the Town.



Town of Brookhaven

GREATER BELLPORT

Location

County: Suffolk
Region: Long Island

Demographics

Greater Bellport (Suffolk) - ACS, 2014

Population: 14,898 (1,500,373)

Racial composition: 54.1% (70.3%) white
 23.6% (17.4%) latino
 18.1% (7.1%) black

Unemployment Rate: 7.1% (7.1%)

Average annual income (hh): \$58,833 (\$109,783)

Percentage below poverty line: 20.3% (6.8%)

BOA Program

Grantee: Town of Brookhaven and Greater Bellport Coalition

Step: 2

Year of entry: 2014

Funding received: Step 2, 2014: \$303,958
 Total: \$303,958

Study area acreage: 279

Number of brownfields: 1

Number of strategic sites: 41

Milestones

Designated: No

Metrics

Subsequent investment: \$150,000

Investment/BOA funding ratio: 0.49: 1

Links

http://www.brookhaven.org/DesktopModules/Bring2mind/DMX/Download.aspx?Command=Core_Download&EntryId=8036&language=en-US&PortalId=0&TabId=134



Images from Google Street View (left) and Greater Bellport Land Use Plan (right)

Community challenges

- Public perception of crime
- Racism
- NIMBYism

Implementation Strategies

The two major pieces of Bellport's strategy are a housing and commercial market analysis and a transportation study. The completion of a housing and commercial market analysis will create data to support attached housing projects near the train station. The transportation study will evaluate transportation impacts from future development to quell uninformed opposition.

Description of strategic sites

41 groups of parcels are being intensively studied. As the project direction solidifies and the focus is decided, strategic sites will be determined more concretely.

Stakeholder engagement

The BOA Steering Committee consists of members of the Greater Bellport Coalition which is comprised of civic, business, faith-based, school, fire, library & ambulance districts.



Town of Babylon
WYANDANCH

Location

County: Suffolk
Region: Long Island

Demographics

Wyandanch (Suffolk) - ACS, 2014

Population: 14,127 (1,500,373)

Racial composition: 66.7% (7.1%) black
26.2% (17.4%) latino
4.7% (70.3%) white

Unemployment Rate: 12.9% (7.1%)

Average annual income (hh): \$66,197 (\$109,783)

Percentage below poverty line: 11.1% (6.8%)

BOA Program

Grantee: The Town of Babylon

Step: 3

Year of entry: 2004

Funding received: Step 2, 2004: \$258,179

Step 3, 2009: \$1,484,118

Total: \$1,742,288

Study area acreage: 135

Number of brownfields: 250

Number of strategic sites: 7

Milestones

Designated: Yes, 2015

Policy adoption measures: Yes

Urban Renewal Plan

Adoption of the Wyandanch Downtown

Revitalization Plan

Adopt new zoning districts and rezone the project area

Metrics

Subsequent investment:

Attracted investment from private developers,
\$75,000,000

FTA, ESD, EPA, NYSDOT, FHWA, NYSEDC, NYSEFC,
MTA/LIRR, \$37,000,000

Suffolk County, \$4,750,000

Investment/BOA Funding ratio: 52: 1

Links

<http://docs.dos.ny.gov/opd/boa/>

Town_of_Babylon_Wyandanch_Downtown.pdf



Photo credit: Wyandanch BOA.

Community challenges

- Historic disinvestment, poverty, regional stigma
- Many different types of property owners (making comprehensive redevelopment difficult)
- Lack of sewers

Strategies Adopted

Main recommendations to revitalize downtown Wyandanch are: infill development, green sustainable redevelopment and rehabilitation, following smart-growth and transit-oriented principles, constructing the intermodal Transit Facility to consolidate existing parking areas in the vicinity of the LIRR station, improving traffic operations, creating multi-family housing, a uniform streetscape, and improve overall safety of the area by enhancing the design, layout, and lighting of alleys, streets, and parking areas as well as by providing safe road crossings.

Description of strategic sites

The criteria for selecting the seven strategic sites were based on the site's proximity to the train station creating opportunities for transit-oriented development, location to the central business district, and location at the gateways of the project area which would attract visitors to the downtown. The seven sites vary in size from 2.84 acres to 19.71 acres and have underutilized commercial and industrial uses that are in blighted condition.

Stakeholder engagement

In the Summer of 2003, community residents and stakeholders met for a design weekend. Goals and objectives were identified for downtown redevelopment through interactive exercises. This was used a resource for the creation of the Wyandanch BOA steering committee BOA.



**Evergreen Exchange
NORTH BROOKLYN**

Location

County: Kings
Region: New York City

Demographics

North Brooklyn (New York City) - ACS, 2014

Population: 48,397 (1,618,398)

Racial composition: 43.5% (47.4%) white;

8.9% (12.8%) black;

38.6% (25.7%) latino;

6.8% (11.3%) asian

Unemployment Rate: 8.6% (8.2%)

Average annual income (hh): \$75,072 (\$132,838)

Percentage below poverty line: 17.9% (15.6%)

BOA Program

Grantee: Evergreen

Step: 2

Year of entry: 2005

Funding received: Step 1, 2005: \$63,450

Step 2, 2013: \$316,980

Total: \$389,263

Study area acreage: 930

Number of brownfields: Not yet identified

Number of strategic sites: Not yet identified

Milestones

Designated: No

Policy adoption measures: No but, aligned with existing plans

- Newtown Creek BOA, North Brooklyn Industry & Innovation Plan, Open Industrial Uses Study, Special Initiative for Rebuilding and Resiliency, DCP's Resilient Industry Study

Metrics

Subsequent investment:

- City Council, \$22,000
- NYC Brownfield Incentive Grant, \$25,000

Investment/BOA funding ratio: 0.13: 1

Other Metrics:

Industrial Jobs created/retained: pending

Number of affordable industrial rents: pending

Links

<http://evergreenexchange.org/projects/brownfield-plan>

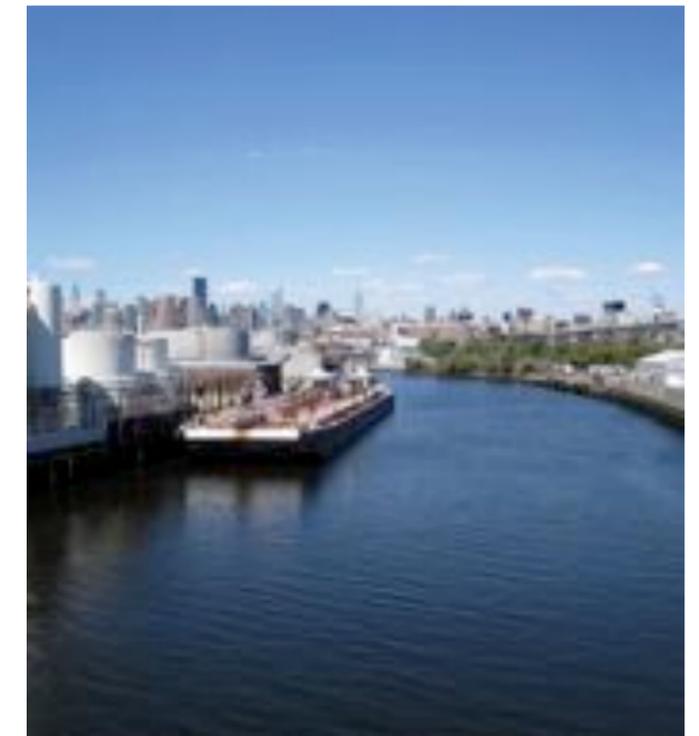


Photo credit: North Brooklyn BOA.

Community challenges

- Highly competitive real estate market
- Inappropriate Permitted Uses
- Transportation & Traffic

Strategies Adopted

Strategies to revitalize North Brooklyn are: 1) redevelop industrial property, 2) establish a framework for area-wide industrial development, 3) address infrastructure needs, 4) address environmental concerns and 5) plan for future implementation.

Description of strategic sites

Strategic sites have yet to be decided, but a short list should be developed in Spring 2016. Possible sites may include one of the 55 vacant sites, 4 NYS Brownfield and Voluntary Cleanup Program sites, or 44 NYS Open Petroleum Spill locations in the study area that have been identified by the NYC's Mayor's Office of Environmental Remediation, and others based on Evergreen's knowledge of the local real estate market.

Stakeholder engagement

Evergreen held the first public kickoff meeting in December 2015. More than 100 attendees including businesses, residents, elected officials, developers, community partners, and government agencies were present. The open house format boosted participation. In February 2016, we held seven small stakeholder panels with various types of businesses (ex: large industrial, open use industrial, retail & entertainment), one focused on transportation alone, and one for residents. Each included four to 12 attendees.

Our outreach process has been a partnership with Dept. of City Planning, who is also conducting a similar study. We anticipate hosting two more large public meetings, as well as a series of one-on-one interviews with property owners to focus more on strategic sites.



Southwest Brooklyn Industrial Development Corp.
RED HOOK

Location
County: Kings
Region: New York City

Milestones
Designated: No

Demographics
Red Hook (New York City) - ACS 2014
Population: 21,859 (1,618,398)
Racial composition: 37% (47.4%) white;
 20% (12.8%) black;
 35% (25.7%) latino;
 4.2% (11.3%) asian
Unemployment Rate: 21% (8.2%)
Median income (hh): \$49,396 (\$132,838)
Percentage below poverty line: 26% (15.6%)

Policy adoption measures:
 No formal adoption, but aligned with the existing plans listed below:
 Red Hook 197-A, NY Rising Reconstruction, Rebuild by Design, Ready Red Hook

Metrics
Subsequent investment:
 REDC, \$50,000
 Private and technical assistance

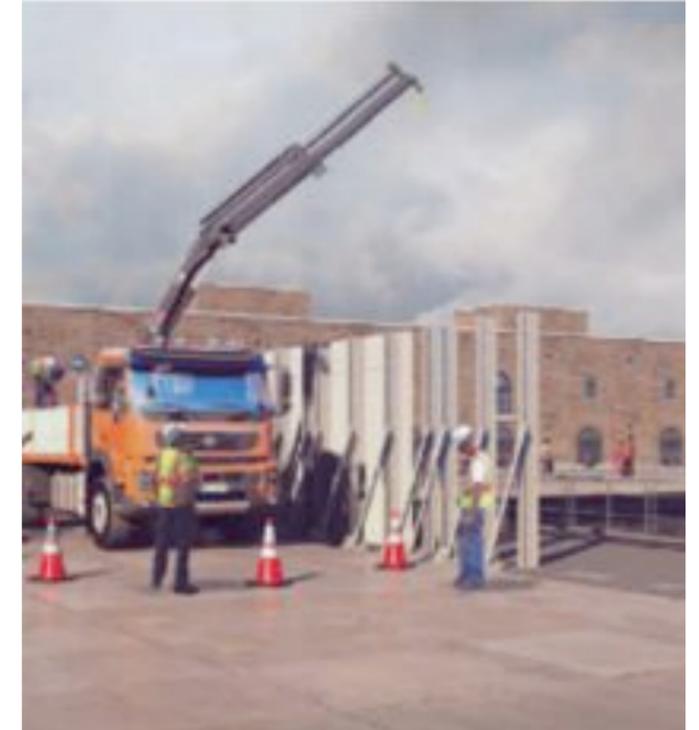
BOA Program
Grantee: Southwest Brooklyn Industrial Development Corporation
Step: 1
Year of entry: 2014
Funding received: Step 1, 2014: \$106,650
 Total: \$106,650
Study area acreage: 401
Number of brownfields: 13
Number of strategic sites: 4

Investment/BOA funding ratio: 2: 1

Links
<http://www.sbidc.org/services/planning-resiliency/>



Photo credit: Red Hook BOA.



Community challenges

- Land use speculation
- Resiliency Needs
- High infrastructure and construction costs

Strategies adopted

The BOA program is an opportunity to address the need for an organized and comprehensive approach to future planning in Red Hook. Priorities to revitalize Red Hook are: 1) the attraction of new job-intensive industries to vacant and underutilized spaces, 2) industrial and commercial business retention and expansion in the Red Hook industrial area, and 3) cleanup and redevelopment of key strategic sites that will create jobs for local residents via the establishment of businesses.

Description of strategic sites

Out of the 14 potential strategic sites, four strategic sites were chosen based on the following criteria: 1) the parcel is vacant/underutilized and is a feasible site for redevelopment, 2) the parcel may have a history of usage that could have resulted in environmental contamination, 3) the parcel has characteristics that lend themselves to the progress of community visions and development goals and 4) ability to engage property owners as all sites are privately owned.

Stakeholder engagement

SBIDC's community participation plan sought to engage key community stakeholders, property owners and Red Hook residents. SBIDC created a local steering committee to guide the process from start to finish. Members of the committee included community leaders and businesses with an articulated interest in the study area, community organizations with missions specific to Red Hook, governmental agencies, property owners, local businesses and residents. SBIDC conducted a series of community presentations and focus groups at community-wide events throughout the project.



Harlem Congregations for Community Improvement

BRADHURST

Location

County: New York
Region: New York City

Demographics

Bradhurst (New York City) - ACS 2014

Population: 45,218 (1,618,398)

Racial composition: 55% (12.8%) black;

32% (25.7%) latino;

8.6% (47.4%) white;

2% (11.3%) asian

Unemployment Rate: 19.2% (8.2%)

Average annual income (hh): \$42,003 (\$132,838)

Percentage below poverty line: 27% (15.6%)

BOA Program

Grantee: Harlem Congregations for Community Improvement, Inc. (HCCI)

Step: 2

Year of entry: 2008

Funding received: Step 1, 2008: \$138,879

Step 2, 2015: \$369,147

Total: \$508,026

Study area acreage: 198

Number of brownfields: 13

Number of strategic sites: 4

Milestones

Designated: Not

Policy adoption measures: Not formally adopted, but is aligned with existing plan:

The Bradhurst Plan

Metrics

Subsequent investment:

Supplemental grants, \$100,000

Public and private investments, \$50,000,000

Investment/BOA funding ratio: 99: 1

Other Metrics: (Fill in)

Demographic stability and fluctuations

Links

bit.ly/1O8SLi6

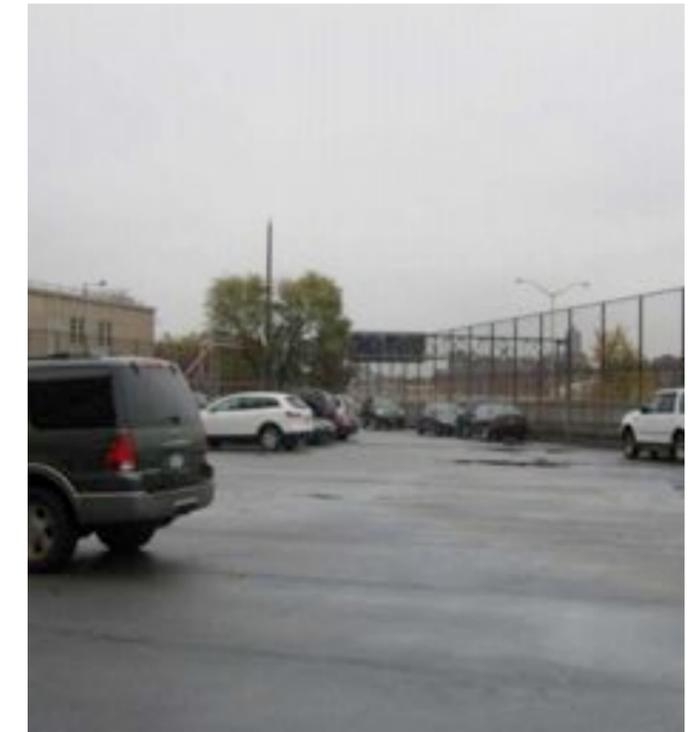


Photo credit: Bradhurst BOA.

Community challenges

- Landscape (Lack of physical and social connectivity within the BOA to the rest of Harlem and the waterfront and other open spaces);
- Community Awareness;
- Zoning

Strategies Adopted

Goals to revitalize Bradhurst are to: create employment, job training and youth recreational/ educational opportunities, assess business needs and need for services to best implement a diverse mix of land uses, develop environmentally friendly business practices, create appropriate waterfront access, shoreline and habitat restoration and recreational use opportunities, create a set of Harlem urban design principles for the Bradhurst Area that improve physical connections in the neighborhood and make it more walkable, accessible and integrated, and reinvigorate the area under the 155th Street viaduct into a community focal point.

Description of strategic sites

Based on feedback from HCCI, HCDC, and BOA Steering Committee, the Consultant Team created preliminary development programs for the sites, utilizing assumptions based on current market conditions that would maximize revenue-generating uses in order to offset the cost of community uses. Sites were selected based on their location relative to transit corridors/nodes, existing and potential open spaces, and view corridors.

Stakeholder engagement

Between November 2005 and December 2010, HCCI and the Harlem Community Development Corporation (HCDC) held a series of meetings with the community. The December 2010 meeting was particularly important in terms of framing community goals for the preliminary Step 2 process.



Cypress Hills Local Development Corporation
CYPRESS HILLS BOA

Location

County: Kings
Region: New York City

Demographics

Cypress Hills (New York City) - ACS, 2014

Population: 51,156 (1,618,398)

Racial composition: 43.9% (12.8%) black;
 2.8% (47.4%) white;
 46.1% (25.7%) latino;
 5.3% (11.3%) asian

Unemployment Rate: 11% (8.2%)

Average annual income (hh): \$39,687 (\$132,838)

Percentage below poverty line: 34.6% (15.6%)

BOA Program

Grantee: Cypress Hills Local Development Corp.

Step: 3

Year of entry:

Funding received: Step 2, 2010: \$412,743

Step 3, 2014: \$1,006,002

Total: \$1,418,745

Study area acreage: 453

Number of brownfields: 37

Number of strategic sites: 6

Milestones

Designated: Not yet

Policy adoption measures: No, but there are other existing plans

NYC DCP East New York Community Plan, SBS East New York Plan

Metrics

Subsequent investment:

Development Funding, \$NP

Investment/BOA funding ratio:

(\$NP)/(\$1,418,745)

Links

http://www.dos.ny.gov/opd/programs/brownFieldOpp/BOA_Projects/region02.html

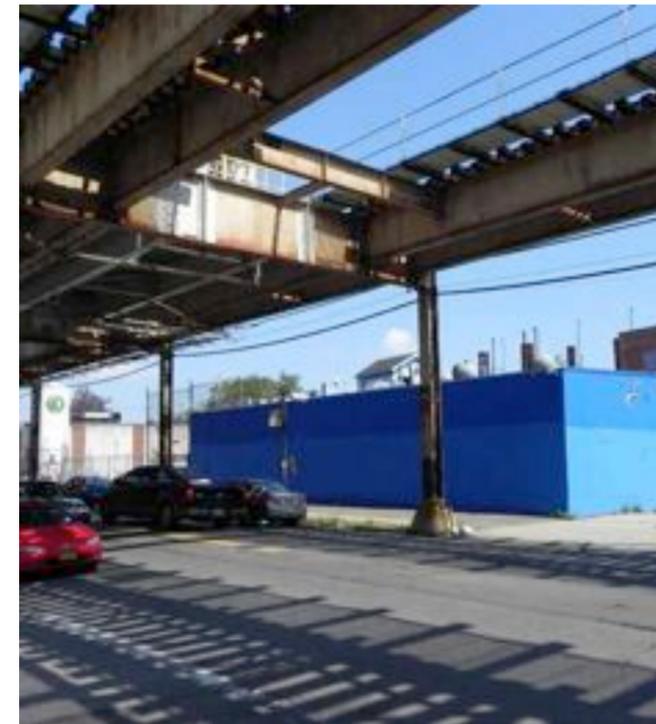


Photo credit: Cypress Hills BOA.

Community challenges

- Real estate speculation
- Financing
- Zoning

Strategies Adopted

Community residents have made clear their priority to protect, improve and expand services and to create safe, affordable housing opportunities. Therefore, the main recommendations to revitalize Cypress Hills are to: 1) expand the neighborhood's stock of affordable housing, 2) increase manufacturing and retail opportunities, 3) increase community arts and recreation space, 4) expand access to fresh food and open space, 5) create living wage jobs for neighborhood residents, and 6) improve transportation.

Description of strategic sites

Many of the 6 priority strategic sites are located within three to four blocks of mass transportation and range in size from between 30,000 to 300,000 square feet, prime indicators of housing market viability. One of the sites is envisioned to serve as a gateway to the Cypress Hills community. All of the sites currently contain hazardous environs such as petroleum spills or bulk storage tanks.

Stakeholder engagement

Cypress Hills Local Development Corp's participatory redevelopment process identified local priorities and concerns through an innovative neighborhood satisfaction survey. The survey was designed to gauge overall wellbeing. Cypress Hills Local Development Corp. then worked with community residents to create the tools and information they needed to prepare them as "Citizen Planners," who were then able to provide input on strategic sites. On October 21-22, 2011, over 200 community residents attended the Verde Summit visioning session.



City of Auburn
AUBURN SPARKS

Location

County: Cayuga
Region: Central New York

Demographics

Auburn (Cayuga) - ACS, 2014

Population: 17,853 (79,481)

Racial composition: 82.5% (91.0%) white

9.1% (3.9%) black

4.6% (2.6%) latino

Unemployment rate: 12.6% (8.3%)

Average annual income (hh): \$35,080 (\$62,824)

Percentage below poverty line: 20.8% (12.3%)

BOA Program

Grantee: City of Auburn

Step: 2

Year of entry: 2014

Total Grant Award: Step 2, 2014: \$389,338

Study area acreage: 562

Number of brownfields: 26

Milestones

Designated: No

Metrics

Subsequent investment:

• EPA Brownfield Assessment Grants

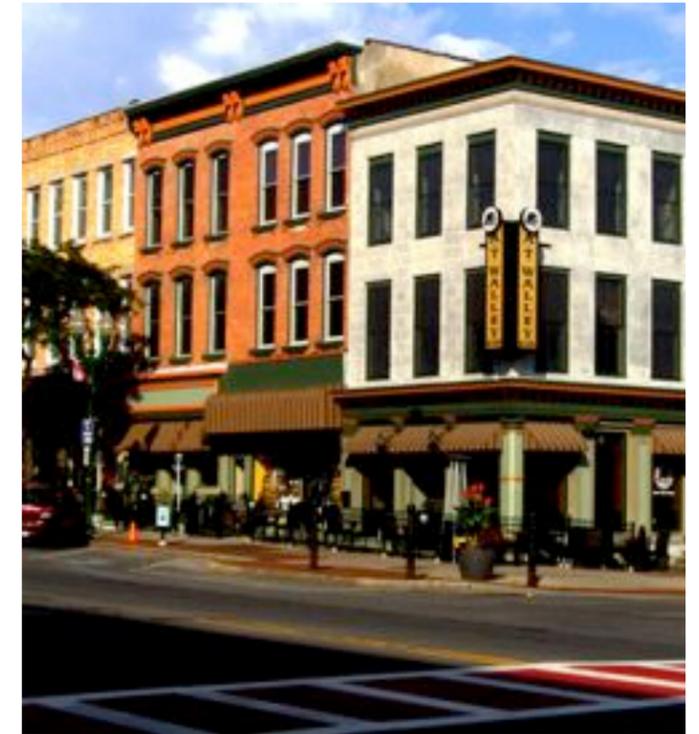
• Community Development Block Grant

All grants add up to \$1'000,000

Investment/BOA funding ratio: 2.57: 1

Links

auburnsparks.com



Picture from the City of Auburn's Brownfields Phase 2 Environmental Assessment (left) and picture of Auburn's downtown from auburnsparks.com (right).

Community challenges

- Inappropriate zoning
- Lack of cooperation from site property owners
- Large scale of the brownfield area

Strategies adopted

The strategy is to develop a comprehensive framework for the Downtown/Owasco River Corridor study area that considers the community's strong industrial history centered on Route 20 and the Owasco River.

Description of strategic sites

The City of Auburn has identified four strategic sites.

Stakeholder engagement

The first public meeting for Auburn Sparks took place on October 2015 and was considered a success.

As part of an outreach effort, over 200 Auburn high school students attended sessions on brownfields and the impact they have in their community.



City of Elmira

ELMIRA SOUTHSIDE RISING

Location

County: Chemung
Region: Southern Tier

Demographics

Elmira (Chemung) - ACS, 2014

Population: 7,319 (88,681)

Racial composition: 79.8% (86.9%) white
 6.2% (5.6%) black
 5.3% (2.8%) latino

Unemployment rate: 9.2% (6.1%)

Average annual income (hh): \$30,196 (\$64,707)

Percentage below poverty line: 26.9% (15.6%)

BOA Program

Grantee: City of Elmira

Step: 2

Year of entry: 2005

Total Grant Award: Step 1, 2005: \$31,850

Step 2, 2008: \$239,886

Total: \$271,736

Study area acreage: 440

Number of brownfields: 36

Milestones

Designated: No

Metrics

Subsequent investment:

- Private investment, \$120,000
- NYS Homes and Community Renewal, \$200,000

Investment/BOA funding ratio: 1.18: 1

Links

southsiderising.com



Picture of Elmira's downtown from Sobriquet Magazine (left) and from Elmira Downtown's facebook profile (right).

Community challenges

- Difficulty in assembling large developable sites
- Aging and underperforming housing stock
- Infrastructure, especially roads, poorly planned

Strategies adopted

Subject to funding availability from HUD, the City of Elmira offers low to moderate income individuals or families grants and loans to make home improvements. It also contracts with Catholic Charities to administer a program that offers grants to first time homebuyers.

A 52-block Business Improvement District (BID), which includes South Main Street, is administered by Elmira Downtown, a local not-for-profit. New York Main Street funds were sought and awarded to South Main Street for building renovations including upper story residential and streetscape enhancements.

Elmira also identified a housing developer for a scattered site neighborhood revitalization project using Low Income Housing Tax Credits and Historic Rehabilitation Tax Credits. The project will involve infill development along South Main Street and rehabilitation.

City of Elmira is currently developing a new Comprehensive Master Plan and recommendations from BOA Step 2 will be carried forward.

Description of strategic sites

The City of Elmira has identified six strategic sites.

Stakeholder engagement

Engaged Elmira Downtown Development has engaged property owners along South Main Street, the Brand Park Beautification Committee, the Zoning Board Chair, and the Project Advisory Committee



City of Kingston

KINGSTON WATERFRONT

Location

County: Ulster

Region: Mid-Hudson

Demographics

Kingston (Ulster) - ACS, 2014

Population: 9,140 (181,598)

Racial composition: 77.7% (80.8%) white

12.5% (5.1%) black

6.3% (9.3%) latino

Unemployment rate: 10.1% (10.2%)

Average annual income (hh): \$43,653 (\$77,548)

Percentage below poverty line: 9.5% (11.2%)

BOA Program

Grantee: City of Kingston

Step: 3

Year of entry: 2005

Total Grant Award: Step 2, 2005: \$72,000

Step 3, 2008: \$402,300

Total: \$474,300

Study area acreage: 70

Number of brownfields: 28

Milestones

Designated: No

Policy adoption measures:

Officially adopted in planning documents

Metrics

Subsequent investment:

- DoS Local Waterfront Revitalization Program

- EPA Brownfield Assessment

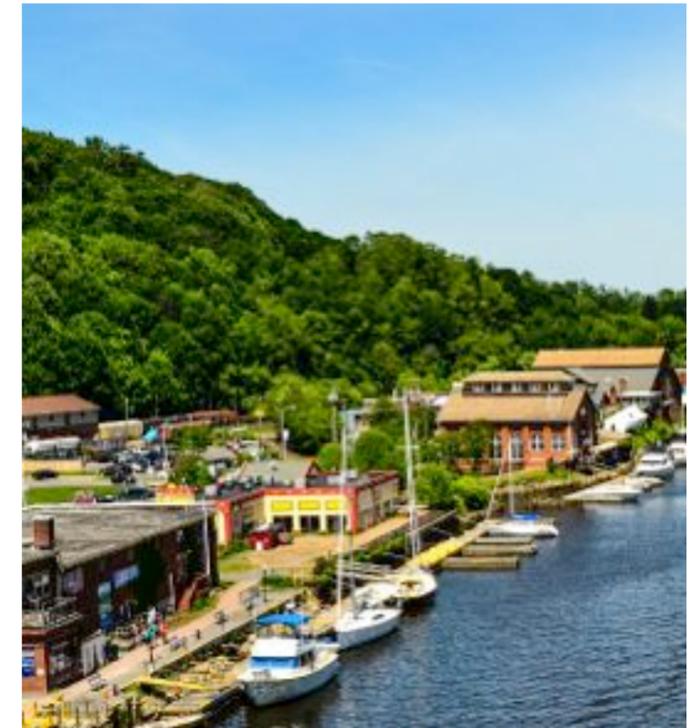
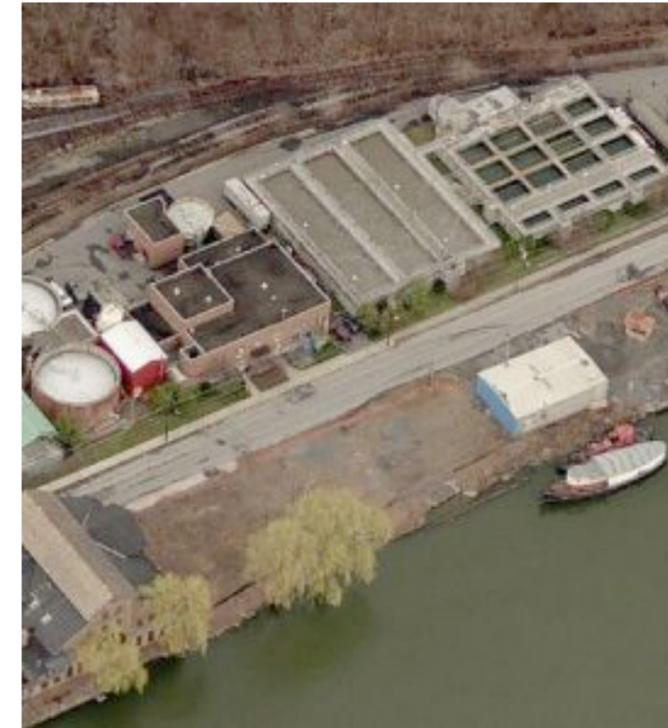
All grants add up to \$1'500,000

- Avison Young, \$500,000

Investment/BOA funding ratio: 4.23: 1

Links

kingston-ny.gov/Hudson-Riverport



Picture of Kingston's waterfront (left and right from the 2015 Implementation Plan).

Community challenges

- The presence of brownfields
- Accepting change
- Motivating all stakeholders

Strategies adopted

The redevelopment of the area focuses on quality mixed-use developments; this vision is laid out in three zones.

A key element is the creation of a two-mile holistic, end to end waterfront that provides a variety of unique moments along the way. Distinct parks at each end will function as anchors.

The sewage treatment plant needs to be addressed visually, and efforts need to be made to minimize odor.

Description of strategic sites

The City of Kingston has identified five strategic sites, all of them vacant or underused, and all of them at least partially along the waterfront: 1) KOSCO Assemblage and 2) The Landing, both acquired by Historic Kingston Waterfront; 3) Block park/ Island Dock, a city operated public space; and 4) Millens and Son Site and 5) Noah Hotel Site, currently privately owned.

Stakeholder engagement

The public was engaged through traditional community presentations but also through digital outreach and non-conventional tactics- such as leading walking tours and setting up information booths at local Kingston Events. Feedback was collected and used to refine ideas as the plan evolved.

The Steering Committee, comprised of over a dozen key stakeholders, was engaged in workshops and small scale meetings



Village of Lyons Falls
LEWIS COUNTY

Location

County: Lewis
Region: North Country

Demographics

Lyons Falls* (Lewis) – ACS, 2014

Population: 3,728 (27, 164)

Racial composition: 2.6% (1.0%) Black;
0.6% (1.6%) Latino;
95.6% (96.2%) White

Unemployment rate: 11.8% (9.2%)

Average annual income (hh): \$38,006 (\$59,166)

Percentage below poverty line: 15.5% (13.3%)

**defined as black groups intersecting with BOA. Actual Village population is 560*

BOA Program

Grantee: Lewis County/Village of Lyons Falls

Step: 3

Year of entry: 2009

Funding received: Step 2, 2009: \$148,637

Step 3, 2013: \$553,761

Total: \$702,398

Study area acreage: 627

Number of brownfields: 12

Number of strategic sites: 4

Milestones

Designated: Yes (April, 2015)

Policy adoption measures:

The BOA plan has been formally adopted. Lyons Falls is exploring implementing a zoning ordinance for the village based on work in Step 2.

Metrics

Subsequent investment: \$1.3M, including Empire State Development Corporation grant for paper mill site; NYSERDA Cleaner, Greener Communities grant; National Grid brownfield cleanup program, Kruger Energy matching funds

Investment/BOA funding ratio: 1.85: 1

Other metrics: BOA process led directly to the Lyons Falls Boy Scout troop building a new trail connecting to the park, an idea which arose from the BOA visioning process.

Links

http://docs.dos.ny.gov/opd/boa/Lewis_County_Lyons%20Falls.pdf



Images from the Lyons Falls Nomination Study show current land uses in the study area (left) and planned uses for the former mill site (right).

Community challenges

- Lack of private investment
- Lack of sites for development
- The cost of cleaning up brownfield sites

Strategies adopted

The Lyons Falls BOA is a partnership between the Village and the County, and the Mayor is a key champion, engaging with community members, County government, and beginning discussions with developers. Steps 1 (self-funded) and 2 established a vision for redevelopment based on a four-season adventure tourism economy, as well as parks and open space on former brownfields sites. In Step 3, Lyons Falls will focus on specific sites and priority action items identified in Step 2. The strategy focuses on growing the emerging adventure tourism industry, as well as evaluating existing conditions and future needs for transportation. Lyons Falls is working with the regional Tug Hill Commission (a non-regulatory state agency) to evaluate the need for the Village's first-ever zoning code.

Description of strategic sites

The Lyons Falls Mill closed in 2001, and redevelopment of this site is at the core of the BOA plan. Step 3 will also include further study of nine acres of the Black River Canal, which runs under the mill, and three other privately-owned properties that could be redeveloped as part of a Village-wide approach.

Stakeholder engagement

The Steering Committee includes county and regional government representatives, and the non-profit development company that owns the mill site. The Lyons Falls Alive community group meets monthly and was particularly involved in shaping early work. The BOA engaged the community at large through meetings, an interagency working group, and a public visioning workshop.



City of Rome
DOWNTOWN ROME

Location

County: Oneida
Region: Mohawk Valley

Demographics

Downtown Rome (Oneida) – ACS, 2014

Population: 7,018 (233,944)

Racial composition: 3.9% (5.6%) Black;
6.9% (5.0%) Latino;
82.7% (83.8%) White

Unemployment rate: 8.1% (8.0%)

Average annual income (hh): \$25,456 (\$63,439)

Percentage below poverty line: 26.5% (15.1%)

BOA Program

Grantee: City of Rome

Step: 3

Year of entry: 2005

Funding received: Step 2, 2005: \$225,000

Step 3, 2014: \$500,400

Total: \$725,400

Study area acreage: 513

Number of brownfields: 92

Number of strategic Sites: 22

Milestones

Designated: Yes (April, 2015)

Policy adoption measures: plans for some of the 9 identified sub-areas were officially adopted after Step 2, allowing for expedited disposition of properties within those areas. Rome hopes to formally adopt the full BOA plan and update its zoning code for key development areas at the end of Step 3.

Metrics

Subsequent investment:

- \$5M in grants including the Canal Corporation, EFC, DEC and others
- \$25M from private investors to build or adaptively reuse structures on key sites

Investment/BOA funding ratio: 40: 1

Other metrics: all but 3.5 acres of General Cable site redeveloped; X of 24 action steps (identified in Step 2) complete.

Links: <http://romenewyork.com/community-and-economic-development/brownfield-redevelopment/>



The iconic water tower remains on the former General Cable site as a symbol of Rome’s history (left); BOA funds supported the design of maps for the new Mohawk River Trail (right). Photos by report authors.

Community challenges

- Generating market interest to redevelop available sites
- Connectivity between sites and to potential public spaces

Strategies adopted

Rome used the BOA process to create an implementation plan that builds on existing Master and Urban Design plans, and BOA has since become a key planning framework. To facilitate specific action steps, the Step 2 study identified 9 sub-areas that embody its “Live, Work, Play” framework, and identified 24 action steps. BOA work focuses on attracting new businesses and making open space more accessible. Planners in Rome dedicate consistent internal capacity to ensure progress and integration with other plans, and they had strong support from former Mayor Brown.

Description of strategic sites

Strategic sites can be found across all 9 sub-areas. RFPs for two key downtown sites – the old City Hall and former Grand Hotel – were issued under Step 2, and the Grand Hotel has been redeveloped to a mixed-use apartment building. The former General Cable facility, a large waterfront site, was acquired by the City and divided into several parcels for redevelopment. American Alloys Steel and clean tech manufacturer MSP have since relocated to the site, and the nearby Erie Canal waterfront is being revitalized as active recreation space with a new boat launch, amphitheater, and connections to the Mohawk River Trail opened in 2015.

Stakeholder engagement

Members of the community were involved in shaping the vision for the BOA from the start. The Steering Committee continues to engage in Step 3, meeting regularly to discuss elements with a public engagement component, such as zoning and marketing efforts. The BOA works with business owners, residents, the Historical Society, and several government agencies.



City of Rome

ERIE BOULEVARD

Location

County: Oneida
Region: Mohawk Valley

Demographics

Erie Boulevard (Oneida) – ACS, 2014

Population: 9,925 (233,944)

Racial composition: 4.9% (5.6%) Black;
 5.6% (5.0%) Latino;
 84.7% (83.8%) White

Unemployment rate: 7.8% (8.0%)

Average annual income (household): \$28,945
 (\$63,439)

Percentage below poverty line: 27.0% (15.1%)

BOA Program

Grantee: City of Rome

Step: 2

Year of entry: 2009

Funding received: Step 2, 2008: \$80,000

Step 2 (supplemental), 2013: \$350,000

Total: \$430,00

Study area acreage: 721(437?)

Number of brownfields: 100

Milestones

Designated: No

The Rome Cable site was voted the 2010 Environmental Brownfield Project of the year by the Central New York Chapter of the American Public Work's Association

Metrics

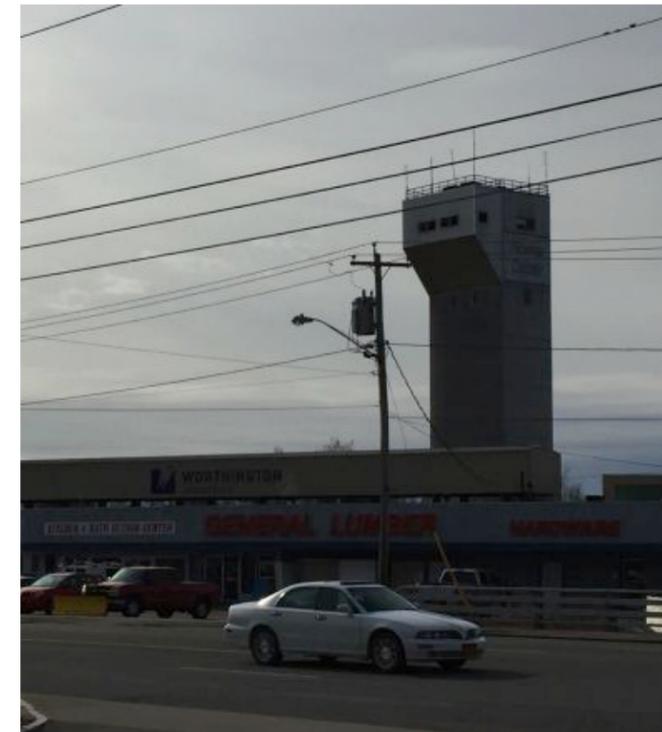
Subsequent investment: \$351,000 including grants from Environmental Facilities Corp., National Grid

Investment/BOA funding ratio: 0.82: 1

Other metrics: there are an estimated 175 vacant properties in the study area, so the number of properties redeveloped will be a key metric of success for this BOA.

Links

<http://www.romeboa2.com/>



The Rome Cable tower is visible from Erie Boulevard (left); a portion of the former Rome Cable site has been remediated and is ready for a new tenant (right). Photos by report authors.

Community challenges

- Lack of vision for the future
- Need for zoning to facilitate that vision
- Lack of developer interest

Strategies adopted

Erie Boulevard is Rome's second BOA. Step 1 work focused on vacant and blighted properties, as well as transportation and infrastructure demand. Rome used some funding to hire a staff member to focus solely on BOA, and is working with the NYS Canal Corporation and private developers on strategic sites. An assessment of zoning and land use conditions is needed, with possible zoning changes to allow commercial uses to maximize building occupancy rates, while maintaining separation between residential and industrial uses. They also want to leverage environmental features of the area to provide more open space and recreation opportunities. Finally, Rome plans to split the BOA into two sub-areas – the Erie Boulevard corridor and Martin St. Gateway – for Step 2, since the areas have different land uses and infrastructure.

Description of strategic sites

The BOA is focused on the Rome Cable Facility, a 240,000 sq. ft. area that has been remediated and is now being marketed for redevelopment. They are also focused on vacant and city-owned lots near the train station and on the West Dominick Corridor, including a proposed Microenterprise Center. They hope to bring jobs and businesses to these sites and improve arrival in the city by train, bike, and car.

Stakeholder engagement

Rome held nine public meetings in 2011/2012 and used their BOA website as an interactive forum to gather community ideas. The Steering Committee and community created a vision of the BOA as a well-designed area with recreational, commercial, and cultural opportunities for residents and visitors, as well as an improved downtown housing stock and more local job.



Town of Massena
ST. LAWRENCE COUNTY

Location

County: St. Lawrence
Region: North Country

Demographics

Massena* (St. Lawrence) – ACS, 2014

Population: 4,097 (112,015)

Racial composition: 0.5% (1.1%) Asian;

0.2% (2.1%) Black;

0.1% (2.1%) Latino;

47.8% (92.4%) White

49% (0.8%) Native American

Unemployment rate: 22.4% (10.8%)

Average annual income (household): \$27,623

(\$58,928)

Percentage below poverty line: 20.8% (17.4%)

**note on block group usage in methodology*

BOA Program

Grantee: St. Lawrence County

Step: 2

Year of entry: 2012

Funding received: Step 2, 2012: \$360,00

Study area acreage: 345

Number of brownfields: 1

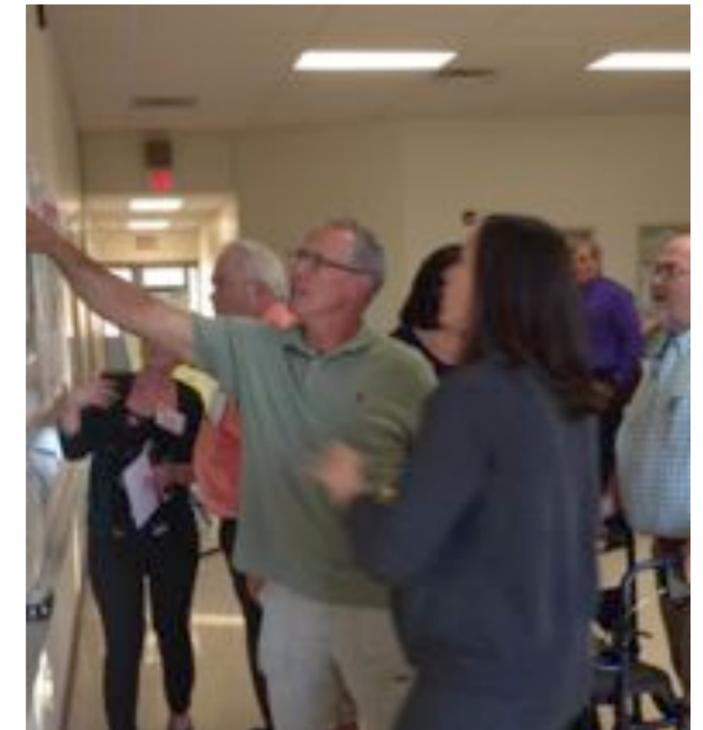
Milestones

Designated: No

The cleanup of the General Motors site is ongoing and is being addressed in three stages: immediate actions that included the installation of an interim cap on the Industrial Landfill in the late 1980s to prevent migration of contaminants, and two long-term cleanup phases focusing on the cleanup of St. Lawrence and Raquette River system sediments; excavation and removal of contaminated soils; removal of contaminated soils and sediments on St. Regis Mohawk Tribal properties and treatment of contaminated groundwater. Remaining work includes the installation of a permanent groundwater treatment system, replacement of the Industrial Landfill cover and the creation of a buffer zone around the landfill. Cleanup work is expected to be completed in 2017.

Links

<http://massenaboa.skeo.com/>



*The former General Motors site in Massena (left); community members meet to discuss their vision for Massena's future as part of their Pre-Nomination Study.
Photo credit: <http://massenaboa.skeo.com/>*

Community challenges

- Insularity & geographic isolation
- Inadequate infrastructure

Strategies adopted

The site has already been studied extensively under state and federal Superfund programs. The BOA aims to leverage these studies and engage the community to forge a unified vision for redevelopment, and ensure the proper infrastructure is in place to dispose of the site. Massena's work is focused on both site-specific requirements, including infrastructure needs and acquisition/disposition issues, and wider media/communications work around the site.

Description of brownfield site

The BOA focuses on a single large site, a former General Motors plant on the Canadian border that closed in 2009. The site is an EPA Superfund, and is currently owned by RACER Trust, the organization. The RACER Trust was created in March 2011 by the U.S. Bankruptcy Court to clean up and position for redevelopment properties and other facilities owned by the former General Motors Corp. before its 2009 bankruptcy.

Stakeholder engagement

The BOA builds on the work of the North Country Redevelopment Task Force, a regional revitalization group that includes representatives from municipal and tribal government, private property owners, business leaders, organized labor and economic development agencies. The Steering Committee, which includes Town, County, and tribal governments, as well as economic/business voices, and RACER, is guiding the process. The BOA posts public engagement opportunities on their website. The project has hosted two community visioning forums and plans additional public input opportunities, as well as focus group discussions as the plan is refined. The draft plan will be presented to the community at a public meeting.



City of Utica
ERIE CANAL INDUSTRIAL CORRIDOR

Location

County: Oneida
Region: Mohawk Valley

Demographics

BOA Area (Oneida) – ACS, 2014

Population: 6,384 (233,944)

Racial composition: 7.7% (3.4%) Asian;

17.8% (5.6%) Black;

7.7% (5.0%) Latino;

50.8% (83.8%) White

Unemployment rate: 19.1% (8.0%)

Average annual income (household):

\$23,975(\$63,439)

Percentage below poverty line: 35.5% (15.1%)

BOA Program

Grantee: City of Utica

Step: 1

Year of entry: 2009

Funding received: Step 1, 2009: \$111,600

Total: \$111,600

Study area acreage: 1100

Number of brownfields: 45

Number of strategic sites: 10

Milestones

Designated: No

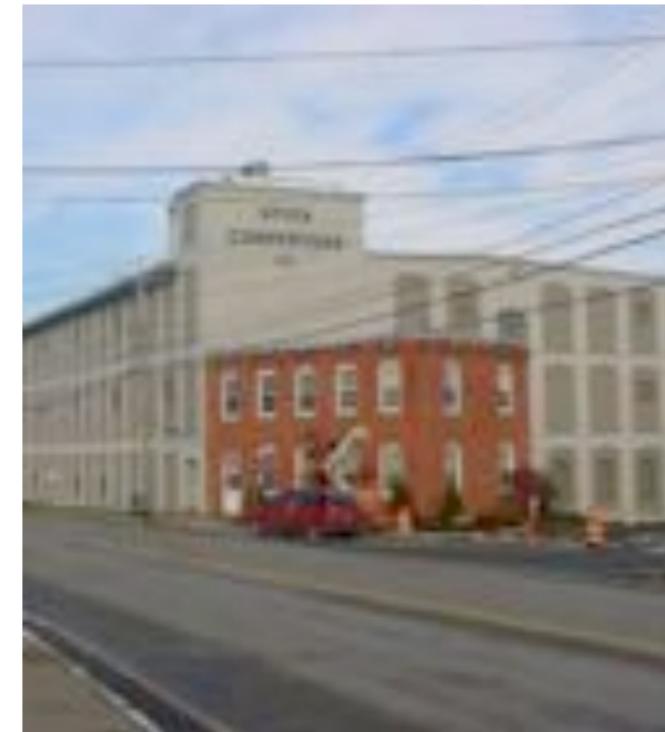
Policy adoption measures: Utica completed Step 1 in 2014 so has not formally adopted a BOA plan, but plans to integrate BOA work with the City's 2011 Master Plan, Local Waterfront Access Plan, and other commercial revitalization and waterfront plans.

Metrics

Utica plans to track the number of sites redeveloped as a key metric in later phases of their BOA work.

Links

<http://www.cityofutica.com/Assets/Departments/Urban-and-Economic-Development/PDF-Documents/Final%20Report.pdf>



Images from the Utica Pre-Nomination Study show a former rubber and tire factory (left) and former electric facility now housing a warehouse as well as vacant buildings (right).

Community challenges

- Considerable number of brownfield sites and lack of greenfields
- Lack of public financial resources for redevelopment

Strategies adopted

Utica divided the large BOA into four sub-areas and developed a targeted strategy for industrial, commercial, residential, or infrastructure development for each area. Step 1 work included both developing community-wide visions for both the BOA and the sub-areas, as well as site-specific environmental assessment and disposition strategies. The focus is industrial and commercial development, aligning with existing plans and a regional technology corridor.

Description of strategic sites

The BOA is developing a targeted development plan for the Harbor sub-area, with a focus on public-private partnerships due to this area's complex environmental and property owner history. The Harbor area could be redeveloped as a mixed-use area, and become a catalyst for broader development.

Stakeholder engagement

The BOA communicates weekly with community groups and elected officials, especially the Mayor; as well as engaging property owners and developers for feedback on plans and alternatives. The BOA was introduced to the community at an open house event, and Steering Committee meetings were held at City Hall and open to the public. The vision came directly from public engagement, where the community articulated its desire to integrate BOA work with other plans, make better use of underutilized sites, collaborate with property owners, and rebuild the city's image. All notes and findings from public events are documented in the Step 1 study. The Advisory Steering Committee includes members who participated in the Master Planning process, to ensure the BOA is integrated into existing plans.



City of Ogdensburg

OGDENSBURG WATERFRONT

Location

County: St. Lawrence
Region: North Country

Demographics

Ogdensburg (St. Lawrence) – ACS, 2014

Population: 8,289 (112,015)

Racial composition: 0.4% (1.1%) Asian;
 0.2% (2.1%) Black;
 2.9% (2.1%) Latino;
 93.2% (92.4%) White

Unemployment rate: 13.9% (10.8%)

Average annual income (household): \$31,459
 (\$58,928)

Percentage below poverty line: 25.0% (17.4%)

BOA Program

Grantee: City of Ogdensburg

Step: 2

Year of entry: 2009

Funding received: Step 2, 2009: \$355,500

Total: \$355,500

Study area acreage: 330

Number of brownfields: 38

Number of strategic Sites: 6

Milestones & Metrics

Designated: applied for designation

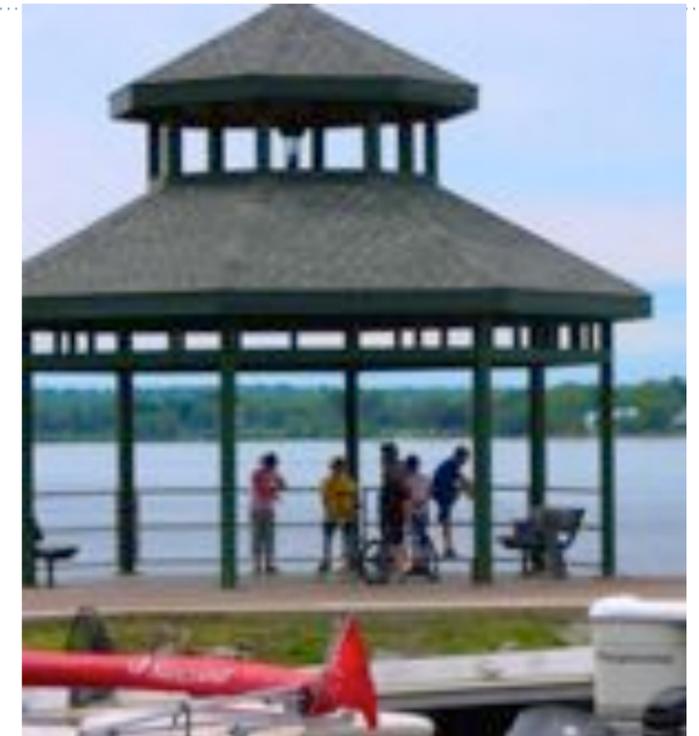
Subsequent investment: \$420,000 including Great Lakes Restoration Initiative, Northern Boarder Regional Commission, and EPA grants

Investment/BOA funding ratio: 1.18:1

Other metrics: since the BOA is focused on disposition of properties on the riverfront, progress will be measured by the number of properties that are eventually redeveloped.

Links

<http://www.ogdensburgwaterfront.com/>



*Images of the Ogdensburg waterfront, which includes several strategic sites for the BOA.
 Photo credit: <http://www.ogdensburgwaterfront.com/>*

Community challenges

- Weak regional market
- Lack of funds to implement brownfields redevelopment plans
- Lack of funds for demolition and cleanup efforts

Strategies adopted

Ogdensburg went through the EPA area-wide planning and Local Waterfront Revitalization Planning processes before BOA, and is focused on putting these plans into action. In Step 2 they defined a community vision, with a focus on strategic sites along the St. Lawrence River, and collected demographic and market data to enable outreach to potential developers. They also did extensive demand analysis in housing and retail, as well as Phase 1 and 2 environmental analysis. The BOA website is framed around development opportunities on the waterfront. Ogdensburg hopes to see a variety of retail, residential, and open space/public facility uses on the waterfront after BOA, while maintaining a working waterfront.

Description of strategic sites

Strategic sites are found across four waterfront parcels ranging in size from 25-50 acres, each including a number of vacant and brownfield properties. The land use goals for each site are different, ranging from a moderate to high-end residential/commercial complex on the Diamond/Standard Shade Roller site, to an upgraded historic complex to bring in tourists and other visitors on the Fort de La Presentation site.

Stakeholder engagement

The Steering Committee has played a key role, helping develop alternative plans for strategic sites and making BOA a community priority. The BOA also works closely with elected officials and engaged community members, and has brought these stakeholders together around a vision for the revitalized waterfront.



Northfield Community Local Development Corp.

PORT RICHMOND

Location

County: Richmond
Region: New York City

Demographics

Port Richmond (Richmond) – ACS, 2014

Population: 26,050 (471,522)

Racial composition: 5.5% (7.9%) Asian;

29.7% (9.6%) Black;

44.3% (17.7%) Latino;

18.1% (63.2%) White

Unemployment rate: 7.8% (7.6%)

Average annual income (household): \$55,915 (\$90,681)

Percentage below poverty line: 28.3% (12.3%)

BOA Program

Grantee: Northfield Community Local Development

Step: 2

Year of entry: 2008

Funding received: Step 2 (Sub-Area A), 2008: \$145,800

Step 2 (supplemental), 2014: \$398,025

Total: \$543,825

Study area acreage: 375

Number of brownfields: 64 (Sub-Area A)

Number of strategic sites: 6 (Sub-Area A)

Milestones

Designated: No

Policy adoption measures: BOA work is coordinated with the City-wide Vision 2020 waterfront plan and the Staten Island North Shore 2030 plan, and builds on an MTA analysis that recommended bus-rapid transit in the area.

Metrics

Subsequent investment: New York State Main Street award for \$392,375

Investment/BOA funding ratio: 0.72: 1

Other metrics: while Port Richmond completes its full BOA study, they are working to implement findings from the Sub-Area A study completed in 2014, including working with city agencies and non-profits to bring a new park and livable neighborhoods initiatives to the area.

Links

<http://discoverportrichmond.com/brownfield-opportunity-area/>



Images from the sub-area A Pre-Nomination Study show current vacancy and refuse on strategic sites (left) and a planned future mixed-use main street corridor (right).

Community challenges

- Insufficient transportation & sewer infrastructure, with community facilities (parks & schools) at capacity
- A deteriorated commercial corridor, lacking a Business Improvement District
- Zoning that limits new, non-industrial uses, despite underutilized floor area

Strategies adopted

Port Richmond first applied for Step 1 funding, but was able to use existing studies to move directly to Step 2. They divided the BOA into Sub-Area A (for which the Step 2 study was complete in 2014), and Sub-Area B, which is still under study. The Sub-Area A plan recommends five strategies: support and create neighborhood centers, create quality jobs and work places, reconnect people with the working waterfront, address environmental challenges, and improve connections and mobility.

Description of strategic sites

Sub-Area A includes six strategic sites and three properties of interest that either became available for sale after the study (“potential strategic sites”), or could become strategic sites if current businesses relocate and wish to sell (“conditional strategic sites”). Five of these nine large parcels are directly on the waterfront and the rest are nearby. All but one are privately-owned, and they include shuttered businesses, a junk yard, a parking lot, and a former factory that has since been declared an EPA Superfund site.

Stakeholder engagement

The Port Richmond BOA cultivated consensus among stakeholders through the Sub-Area A study, and continues to nurture community engagement and consensus through the Sub-Area B study. The Steering Committee, which includes community leaders and government officials, provides overall guidance; the Sub-Area A study also included meetings with issue-specific focus groups, direct engagement with developers, and open houses on existing conditions, visioning, and reviewing draft recommendations.



Staten Island Economic Development Corporation

WEST SHORE

Location

County: Richmond
Region: New York City

Demographics

West Shore (Richmond) – ACS, 2014

Population: 26,050 (471,522)

Racial composition: 6.9% (7.9%) Asian;

0.0% (9.6%) Black;

18.5% (17.7%) Latino;

73.2% (63.2%) White

Unemployment rate: 6.5% (7.6%)

Average annual income (household): \$69,807

(\$90,681)

Percentage below poverty line: 7.5% (12.3%)

BOA Program

Grantee: Staten Island Economic Development Corporation

Step: 2

Year of entry: 2014

Funding received: Step 2, 2014: \$360,000

Study area acreage: 178

Number of brownfields: 2

Number of strategic Sites: 10

Milestones

Designated: No

Policy adoption or alignment measures: BOA work is aligned with the West Shore Business Improvement District. Both BOA and the BID are part of the West Shore Green Zone, an effort to bring clean technology industries to this relatively undeveloped part of Staten Island.

Metrics

Subsequent investment:

- \$420,000 in other grants including GLRI, NBRC, EPA
- \$200,000,000 of private investment in the Green Zone

Investment/BOA funding ratio: 557:1

Other metrics: 14 new firms moved to the area in the last 18 months

Links

<http://siedc.org/programs-and-projects/signature-projects/green-zone/>
(West Shore Green Zone effort)



Current challenges include lack of infrastructure and wetlands/water resource protection (left); SIEDC and partners are working to re-tenant former industrial sites with new businesses (right). Photo credit: SIEDC.

Community challenges

- Lack of existing infrastructure
- Need to develop around existing wetlands
- Regulations and their impacts on the cost of doing business

Strategies adopted

The BOA is zoned for industrial/manufacturing and transportation uses and is located within an Industrial Business Zone, so it has potential for large-scale industrial redevelopment. The BOA is part of a strategy to remove obstacles to business and employment expansion on the West Shore; other efforts include the 2014 Business Improvement District establishment. BOA partners hope to improve infrastructure while addressing environmental challenges, improve connections and mobility, and develop stormwater and transportation pilots projects.

Description of strategic sites

The BOA is still studying potential strategic sites and developing its full list. Current opportunities include four sites that are the points of entry to the BOA, which could provide a more welcoming entry and help better define the area.

Stakeholder engagement

The West Shore BOA is currently in the midst of its community engagement phase; they have both a steering committee and public meeting opportunities, and hope stakeholders will help create a visioning plan for the BOA.



Town of Niagara Falls

HIGHLAND COMMUNITY

Location

County: Niagara County
Region: Western New York

Demographics

Niagara Falls (Niagara) - ACS, 2014

Population: 10,288 (214,973)

Racial composition: 58.9% (86.8%) white;
 34.3 % (7.1%) black;
 3% (2.4%) latino

Unemployment Rate: 9.8% (8.1%)

Average annual income: \$37,689 (\$63,175)

Percentage below poverty line: 29.5% (14.1%)

BOA Program

Grantee: City of Niagara Falls

Step: 2

Year of entry: 2004

Funding received: Step 2, 2004: \$375,000

Study area acreage: 560

Number of brownfields: 565

Number of strategic sites: 76

Milestones

Designated: Yes (December 2015)

Policy adoption measures:

- Yes, plan has been formally adopted

Metrics

Subsequent development investment:

- \$20,000,000 from Private Sources, DEC, EPA

Investment/BOA funding ratio: 53.3: 1

Links

http://www.egovlink.com/public_documents300/niagarafalls/published_documents/PDFs/Highland_BOA_Nomination_Document_Step_2_FINAL.pdf

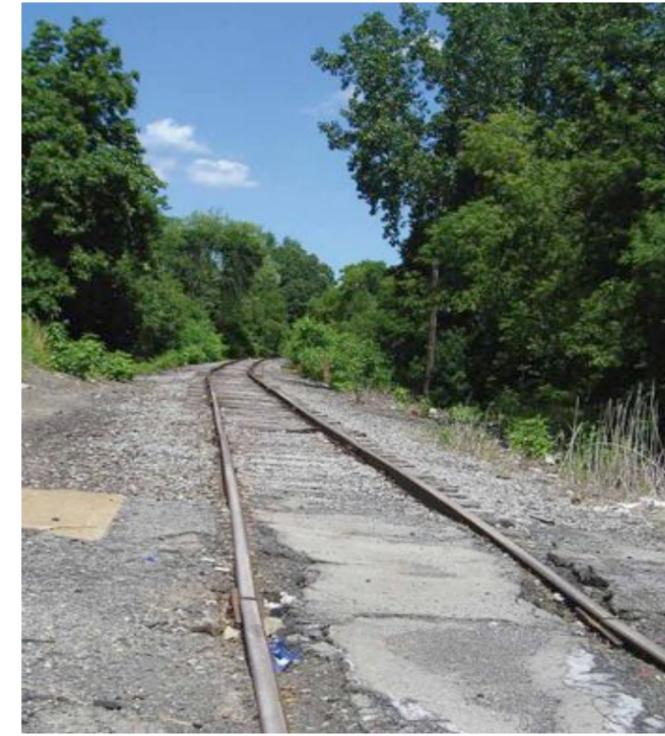
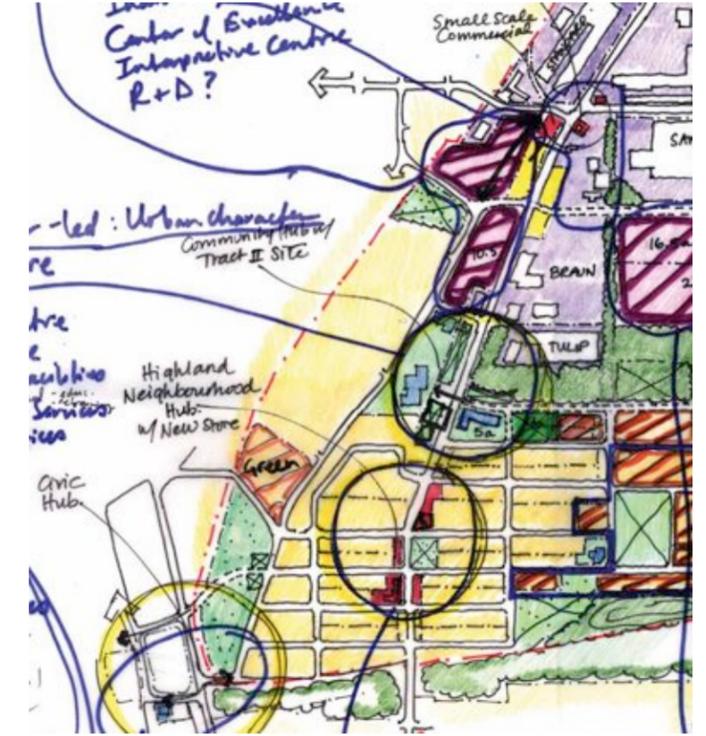


Photo credit: Highland Community BOA.



Community challenges

- Heavy Urban Decay
- Perceived Issues (All types)
- Loss of Jobs (Manufacturing)

Strategies adopted

To help the City and its partners best realize the community vision and BOA environmental remediation opportunities, this section presents a series of implementation tasks bundled within the following actions:

- leveraging the BOA opportunity
- establish the necessary delivery & regulatory frameworks
- strengthen community benefit
- position Highland for economic development opportunities.

Description of strategic sites

The City of Niagara Falls has initiated the remediation and development of 560 acres, 275 (+) acres being brownfield land. BOA a total of 285 parcels, bundled across 62 sites and covering approximately 133 acres, have been identified as strategic sites for which site assessments are recommended.

Stakeholder engagement

Highland Community employed a two pronged approach to community participation. The first, was the creation and implementation of a Community Participation Plan. Second, the BOA plan consistently referenced pre-existing local studies during the planning process in order to reinforce formerly stated goals and objectives for the region.



City of Lockport

LOCKPORT TOURISM FOCUS AREA

Location

County: Niagara County
Region: Western New York

Demographics

Lockport (Niagara) - ACS, 2014

Population: 12,411 (214,973)

Racial composition: 81.3% (86.8%) white;
 9.9%(7.1%) black;
 3.9%(2.4%) latino

Unemployment Rate: 12% (8.1%)

Average annual income: \$33,797 (\$63,175)

Percentage below poverty line: 23.5% (14.1%)

BOA Program

Grantee: City of Lockport

Step: 3

Year of entry:

Funding received: Step 1, 2004: \$70,000

Step 3, 2009: \$370,800

Total: \$440,800

Study area acreage: 533

Number of brownfields: 50

Number of strategic sites: 6

Milestones

Designated: Yes (December 2015)

Policy adoption measures:

- No, this plan has not yet been adopted.

Metrics

Subsequent development investment:

Private Parcels Purchased by Developers

- \$700,000

Public investment

- \$400,000 for small business services and facade upgrades

Investment/BOA funding ratio: 2.5: 1

Other Metrics

- underachieving properties developed (or purchased by new developers)
- new businesses (OCR's microenterprise grants) opening within the district.

Links

<http://www.oneregionforward.org/plan/the-city-of-lockport-brownfield-opportunity-area-draft-pre-nomination-study/>

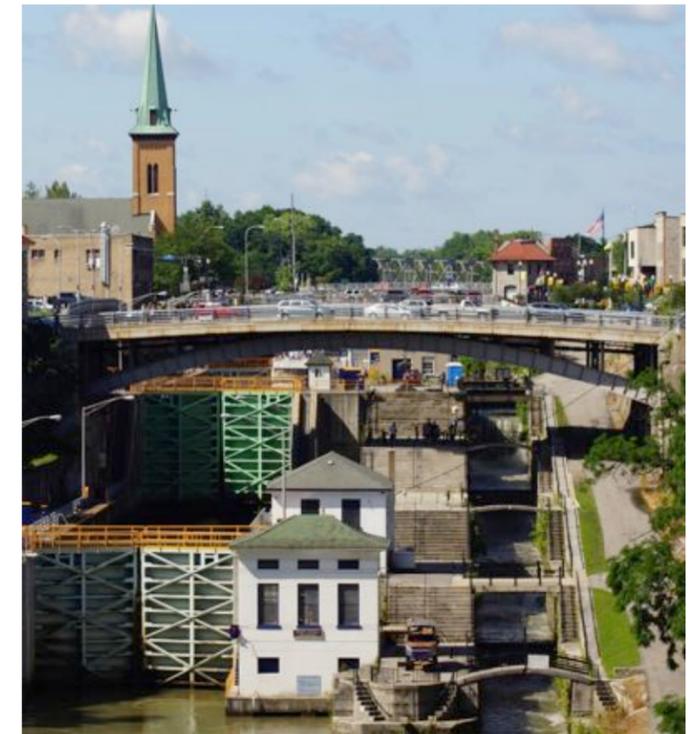


Photo credit: Lockport Tourism Focus Area BOA.

Community challenges

- Zoning
- Funding for Implementation

Strategies adopted

The City of Lockport has a wide variety of options to obtain the necessary funds for the projects that are described in the Study as well as incentives to help developers make projects financially viable. Examples include:

- Transportation Funding: Identifies sources for vehicle-based transportation as well alternative transportation such as walking, bicycling and transit
- New York State Regional Economic Development Council: Describes the state funding programs that are run through the Regional Economic Development Council's Consolidated Funding Application (CFA) process

Description of strategic sites

Eleven (11) Strategic Sites were identified in the Tourism Focus Area, accounting for 29 properties covering 57.8 acres.

Stakeholder engagement

The BOA Pre-Nomination stage is rooted in community participation. Opportunities for community involvement include: the Community Participation Plan (CPP), a steering committee of active community members, and a Community Visioning Workshop. The latter seeks to identify the community's core values, and uses the results as guiding principles for continued development.



City of Buffalo

TONAWANDA STREET CORRIDOR

Location

County: Erie
Region: Western New York

Demographics

City of Buffalo (Erie) - ACS, 2014

Population: 28,937 (920,694)

Racial composition: 42.5% (77)% white;
 20.7% (12.9)% black;
 23.3% (4.8)% latino

Unemployment Rate: 12.8% (7.9 %)

Average annual income (hh): \$29,117(\$67,277)

Percentage below poverty line: 37.1% (14.4 %)

BOA Program

Grantee: City of Buffalo

Step: 2

Year of entry: 2006

Funding received: Step 2, 2006: \$382,500

Total: \$382,500

Study area acreage: 559

Number of brownfields: 25

Number of strategic sites: N/A

Milestones

Designated: No

Policy adoption measures:

Aligned with existing planning documents, but not formally adopted.

Metrics

Subsequent development investment:

- N/A

Investment/BOA funding ratio: N/A

Links

<https://buffalobrownfieldopportunities.com/tonawanda-street-corridor-2/>

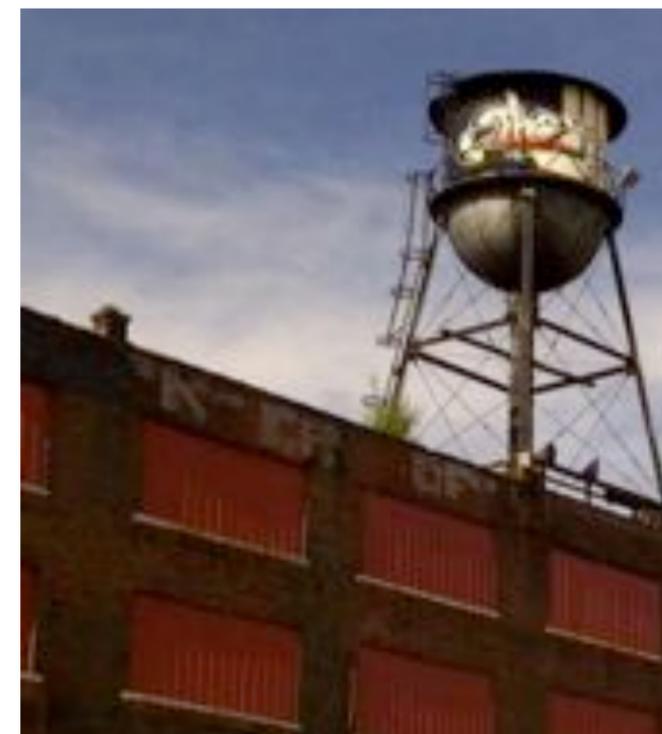


Photo credit: Tonawanda Street Corridor BOA.

Community challenges

- Environmental Conditions
- Privately owned sites
- Funding for implementation

Strategies adopted

Redevelopment of this area will be based on its strategic location. Highways and rail lines connect to destinations in both the US and Canada. The Niagara River and Scajaquada Creek offer sought-after access to natural settings. Ongoing efforts to restore waterfront lands, improve public amenities, and leverage nearby neighborhood attractions will bolster interest in the area and create opportunities for land uses that match the needs of the community.

Description of strategic sites

The BOA encompasses 650 acres – or one square mile – in the northwest section of the city. It contains a large number of brownfields and underutilized parcels; a legacy from the industries that were once located along the Belt Line rail corridor that serves as the geographic basis for the BOA.

Stakeholder engagement

Stakeholder sessions and public open houses were part of the community participation plan. A 20-member steering committee was appointed to review material prepared by the consultant team, provide input regarding project direction, and serve as liaisons to the larger community. Members included representatives from local businesses, developers, community-based organizations and other non-profits, institutions, and the general public. Staff from agencies providing project support were also invited to attend steering committee meetings. A total of five meetings were held during the course of the Step 2 process.



City of Buffalo

BUFFALO HARBOR

Location

County: Erie
Region: Western New York

Demographics

City of Buffalo (Erie) - ACS, 2014

Population: 11,125 (920,694)

Racial composition: 36.6% (77)% white;
 30.3% (12.9)% black;
 29.2% (4.8)% latino

Unemployment Rate: 15.6% (7.9) %

Average annual income (hh): \$40,975 (\$67,277)

Percentage below poverty line: 35.7% (14.4 %)

BOA Program

Grantee: City of Buffalo

Step: 2

Year of entry: 2009

Funding received: Step 2, 2009: \$540,000

Study area acreage: 1,045

Number of brownfields: 47

Number of strategic sites: 10

Milestones

Designated: No

Policy adoption measures:

Aligned with existing planning documents, but not formally adopted.

Metrics

Subsequent development investment:

\$150,770,000 Public

\$285,000,000 Private

Investment/BOA funding ratio: 806.98: 1

Links

<https://buffalobrownfieldopportunities.com/buffalo-harbor-2/>

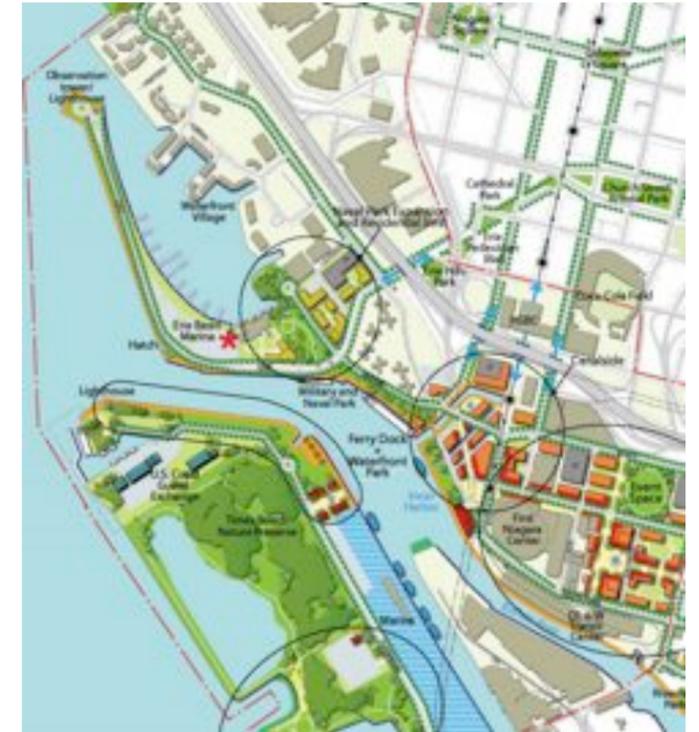
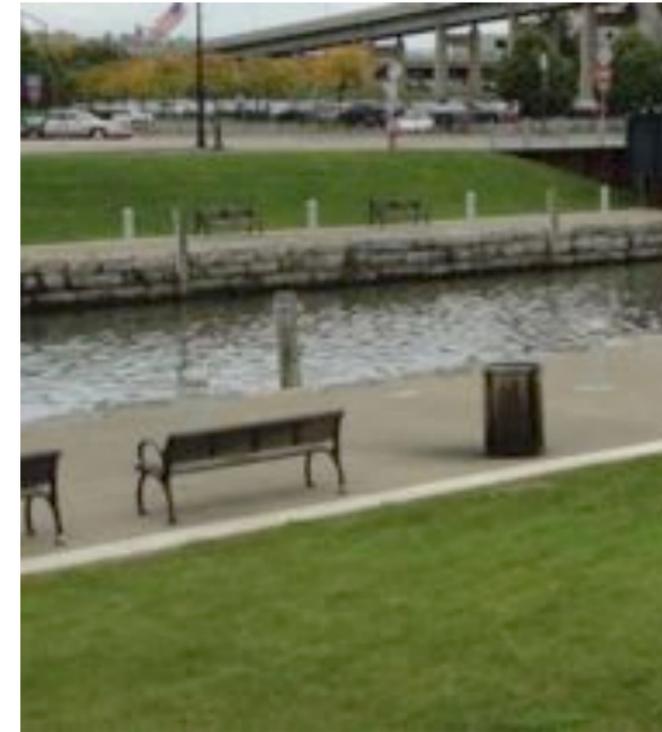


Photo credit: Buffalo Harbor BOA.

Community challenges

- Environmental Conditions
- Lack of Infrastructure
- Outdated Zoning

Strategies adopted

Recent planning and development activities have begun to show progress. The city is finalizing a new Land Use Plan, Zoning Code, and Local Waterfront Revitalization Program, all of which will impact the BOA. Canalside is taking shape, and the State Office of Parks, Recreation & Historic Preservation recently purchased 50 acres of lakefront for the development of an Outer Harbor State Park.

Description of strategic sites

The 1,045-acre Buffalo Harbor BOA includes the Inner and Outer Harbors and a portion of the city's Central Business District. Five strategic sites were selected including: Lower Niagara, Waterfront Village, Canal side, Cobblestone District and Outer Harbor.

Stakeholder engagement

The BOA program is structured to create redevelopment strategies designed by stakeholders, including residents, property owners, businesses, developers, environmental advocates, and government. Consensus building begins at project inception, to ensure that all concerns are discussed early and in an open fashion.



City of Buffalo

BUFFALO RIVER CORRIDOR

Location

County: Erie
Region: Western New York

Demographics

City of Buffalo (Erie) - ACS, 2014

Population: 10,383 (920,694)

Racial composition: 68.9% (77)% white;
 12% (12.9)% black;
 14.7% (4.8)% latino

Unemployment Rate: 16.2% (7.9) %

Average annual income (hh): \$31,359 (67,277) \$

Percentage below poverty line: 31.7% (14.4 %)

BOA Program

Grantee: City of Buffalo

Step: 2

Year of entry: 2004

Funding received: Step 2, 2004: \$472,500

Total: \$472,500

Study area acreage: 1,052

Number of brownfields: 15

Number of strategic sites: N/A

Milestones

Designated: No

Policy adoption measures:

Aligned with existing planning documents, but not formally adopted.

Metrics

Subsequent development investment:

- \$66,400,000 Public
- \$41,900,000 Private

Investment/BOA funding ratio: 229.21: 1

Links

<https://buffalobrownfieldopportunities.com/buffalo-river-corridor-2/>



Buffalo River Corridor BOA, study area. Source: Derek Gee for Buffalo News <http://www.buffalonews.com/city-region/state/cuomo-plans-changes-for-brownfields-tax-breaks-20150118>ridor BOA.

Community challenges

- Contaminated Sites
- Aging Infrastructure
- Private Property Owners

Strategies adopted

Redevelopment of this area will be based on its strategic location, which includes highways and rail lines that connect to destinations in both the US and Canada, as well as access to the Buffalo River and Lake Erie. Ongoing efforts to restore waterfront lands and improve public amenities will bolster interest in the area and create opportunities for land uses that match the needs of the community.

Description of strategic sites

The BOA covers 1,052 acres – over 1.5 square miles – to the southeast of downtown. It contains a large number of brownfields and abandoned parcels; a legacy from the industries that were once located along the Buffalo River.

Stakeholder engagement

The BOA process seeks to initiate, prioritize, and guide land remediation and redevelopment by identifying economic, social, and cultural opportunities. A vision for the future must be guided with broad-based community, municipal, and state support; and solidly grounded in current and emerging challenges, initiatives, and opportunities. The long-term goal is to pursue both environmental enhancement and sustainable development by creating a plan designed by stakeholders, including area residents, businesses, environmental advocates, and government.



City of Buffalo
SOUTH BUFFALO

Location
County: Erie
Region: Western New York

Demographics
City of Buffalo (Erie) - ACS, 2014
Population: 17,843 (920,694)
Racial composition: 76.7% (77)% white;
 5.8% (12.9)% black;
 14.2% (4.8)% latino
Unemployment Rate: 11.3% (7.9 %)
Average annual income (hh): \$33,241 (\$67,277) \$
Percentage below poverty line: 22.5% (14.4 %)

BOA Program
Grantee: City of Buffalo
Step: 3
Year of entry: 2004
Funding received: Step 2, 2004: \$600,000
 Step 3, 2009: \$1,458,000
 Total: \$2,058,000
Study area acreage: 1,968
Number of brownfields: 85
Number of strategic sites: 18

Milestones
Designated: Pending
Policy adoption measures:
 Aligned with existing Urban Renewal Plans, but not formally adopted.

Metrics
Subsequent development investment:

- \$831,000 in additional grant money.
- \$1.8 Billion from Buffalo High Tech Manufacturing Innovation Center (SolarCity)
- Additional Investment

Investment/BOA funding ratio: 875.04: 1

Links
<http://www.oneregionforward.org/plan/south-buffalo-brownfield-opportunity-area-nomination-document/>



Photo credit: South Buffalo BOA.



Community challenges

- Economy
- Population Growth
- Brownfields

Strategies adopted

During the Master Plan process, several redevelopment themes coalesced:

1. High Environmental Performance and Economic Resiliency
2. Emphasis on Employment
3. Strong Places and Mixed Use Communities
4. Complete Streets along Hopkins Street, Tifft Street, and Riverbend Drive
5. Enhanced and Integrated Network of Open Spaces
6. Restoration and Development along the River

Description of strategic sites

Within the 1,968 acre BOA there are approximately 900 tax parcels. Approximately 400 tax parcels, on approximately 1,000 acres include vacant and underutilized land and industrial and commercial uses. Brownfield, abandoned and vacant sites within these areas became the primary focus for site assessment prioritization consistent with the goals and objectives of the BOA program.

Stakeholder engagement

The consultation program employed numerous outreach methods to ensure robust public and private participation throughout the course of preparing the Nomination Document. The South Buffalo BOA broad communication strategy included the following approaches: creating a contact list, building a project website, distributing newsletters and bulletins.



City of Olean

NORTHWEST QUADRANT REVITALIZATION PLAN

Location

County: Cattaraugus
Region: Western New York

Demographics

City of Olean (Cattaraugus) - ACS, 2014

Population: 10,658 (79,397)

Racial composition: 94.1%(91.4)% white;
 1.6%(1.4)% black;
 .6%(1.8)% latino

Unemployment Rate: 8.8%(8.9%)

Average annual income (hh): \$46,925 (\$55,277)

Percentage below poverty line: 15.6% (15.6%)

BOA Program

Grantee: City of Olean: Department of
 Community Development

Step: 2

Year of entry: 2004

Funding received: Step 1, 2004: \$72,960

Step 2, 2009: \$360000

Total: \$432,960

Study area acreage: 904

Number of brownfields: 6

Number of strategic sites: 4

Milestones

Designated: Yes (December, 2015)

Policy adoption measures:

Yes, the plan has been formally adopted

Metrics

Subsequent development investment:

- Private investment--Hotel Site development proposal.

Investment/BOA funding ratio: 11.55: 1

Links

<http://www.cityofolean.org/commdev/brownfield.html>



Photo credit: Northwest Quadrant Revitalization Plan.

Community challenges

- Real Property Taxes
- Lack of Information about BOA program for Developers
- State Taxes

Strategies adopted

The Master Plan supports the implementation of Smart Growth development principles to improve the form, function and quality of both the public and private realms. Recommended improvements seek to improve the pedestrian friendliness of existing transportation infrastructure while reconnecting local neighborhoods with the necessities of daily life via enhanced sidewalks and an expanded trail system. New investments in infrastructure and buildings should focus on walkable, human scaled environments that are convenient, enjoyable, and comfortable.

Description of strategic sites

Twelve strategic sites were selected based on the criteria above. Some sites are comprised of multiple contiguous parcels. In all, 13 parcels are included covering 166.5 acres.

Stakeholder engagement

Outreach activities included public informational meetings, visioning workshops, design workshops, a project newsletter and interactive website. Additionally, public engagement was key in gaining insight into desired goals and objectives of the community. In order to provide direction to stakeholders (e.g., City employees, regional partners, the general public and other governmental agencies), four overarching goals were identified. The goals include: Goal 1 – Advance environmental clean -up Goal 2 – Advance economic development and job creation. Goal 3 – Facilitate neighborhood stabilization and reinvestment Goal 4 – Advance community design principles that support healthy living



THE VILLAGE OF FARMINGDALE

Location

County: Nassau
Region: Long Island

Demographics

Farmingdale (Nassau) - ACS, 2014

Population: 12,555 (1,350,601)

Racial composition: 78.3% (63.7%) white
12.5% (15.4%) latino
1.3% (10.8%) black

Unemployment rate: 6.0% (7.1%)

Average annual income (hh): \$85,670 (\$128,206)

Percentage below poverty line: 4.7% (6.2%)

BOA Program

Grantee: Village of Farmingdale

Step: 2

Year of entry: 2009

Total Grant Award: Step 2, 2009: \$286,710

Study area acreage: 60

Number of brownfields: 18

Milestones

Designated: No

Policy adoption measures:

Officially adopted in planning documents

Metrics

Subsequent investment:

- Private investment

Links

farmingdalevillage.com/BOA-DGEIS.htm

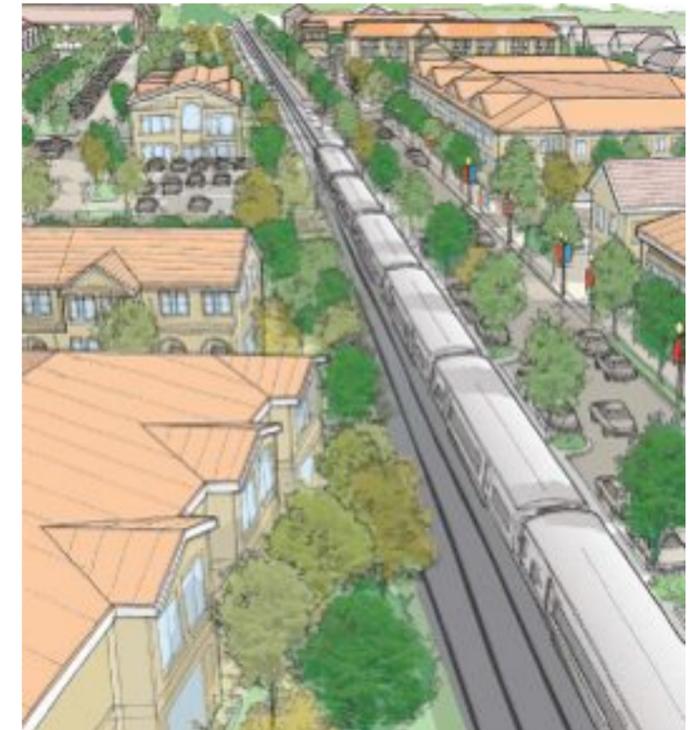


Photo credit: The Village of Farmingdale BOA.

Community challenges

- Inappropriate zoning
- Competition from big-box retail
- Traffic congestion

Strategies adopted

The Downtown Master Plan includes beautifying and revitalizing the downtown core along Main Street with a mix of uses and connecting it to the Long Island Rail Road station. This includes design, signage, public parking areas, and open spaces.

Strategies include the rezoning of the downtown area for mixed use to accommodate future needs on already vacant or underutilized parcels downtown; working closely with the Chamber of Commerce; and exploring the possibility of establishing a Business Improvement District.

Description of strategic sites

The Village of Farmingdale has identified 35 strategic sites. Although these are spread throughout the downtown area, the Master Plan focuses especially on those concentrated on the northern end of Main Street and along South Front Street near the LIRR train station.

Stakeholder engagement

Farmingdale established a Downtown Revitalization Committee that reflects the varied viewpoints of Village residents, property owners, and businesses. The committee solicits input from a broad range of perspectives through a variety of techniques: meetings, public meetings, mailings, etc.

Farmingdale also identified and engaged project partners (e.g., Nassau County, MTA/LIRR) that were integral to successful revitalization of the downtown area.



Town of Riverhead
PECONIC RIVER CORRIDOR

Location

County: Suffolk
Region: Long Island

Demographics

Riverhead (Suffolk) - ACS, 2014
Population: 15,684 (1,500,373)
Racial composition: 55.9% (70.3%) white
 23.8% (17.4%) latino
 19.1% (7.1%) black
Unemployment rate: 9.2% (7.1%)
Average annual income (hh): \$52,537 (\$109,783)
Percentage below poverty line: 15.2% (6.8%)

BOA Program

Grantee: Town of Riverhead
Step: 2
Year of entry: 2011
Total Grant Award: Step 2, 2011: \$567,000
Study area acreage: 452
Number of brownfields: 17

Milestones

Designated: No

Metrics

Subsequent investment:

- New York State grant, \$1'000,000
- Private developers

Investment/BOA funding ratio: 1.76: 1

Links

townofriverheadny.gov/pView.aspx?id=38896&catid=118



Photo credit: Peconic River Corridor BOA.

Community challenges

- Multiple jurisdictions controlling zoning
- Blight resulting from deteriorating pre-existing uses that are too close to Peconic River and NYS Route 25
- Crime

Strategies adopted

- Rebranding and doing marketing efforts. Improve signage and landscaping.
- Pursuing National Register historic designation for homes on 2nd street.
- Organizing recreational activities to make downtown more appealing for locals and tourists.
- Developing more housing and mixed use projects downtown to provide more “eyes on the street”.
- Improving sewer system.

Description of strategic sites

The Town of Riverhead has identified 10 strategic sites.

Stakeholder engagement

Community input has been gathered through four focus groups, a survey with 812 respondents, 19 interviews and several open houses. The steering committee has regular meetings and has organized workshops with the Town Board, with the Department of Transportation, and the Department of Public Works.



City of Jamestown

CHADAKOIN RIVER WEST

Location

County: Chautauqua
Region: Western New York

Demographics

City of Jamestown (Chautauqua) - ACS, 2014

Population: 7,596 (133,556)

Racial composition: 79.7% (88.6)% white;
 5.9%(2.3)% black;
 10.1%(6.6)% latino

Unemployment Rate: 16%(8.5) %

Average annual income (hh):\$26,511 (\$53,971)

Percentage below poverty line: 31.5% (17.7 %)

BOA Program

Grantee: City of Jamestown

Step: 2

Year of entry: 2006

Funding received: Step 1, 2006: \$53,093

Step 2, 2013: \$269,100

Total: \$322,193

Study area acreage: 710

Number of brownfields: 50

Number of strategic sites: N/A

Milestones

Designated: No

Policy adoption measures:

Aligned with existing planning documents, but not formally adopted.

Metrics

Subsequent development investment:

- Federal Funding

Links

<http://chadakoinrevitalization.com/>

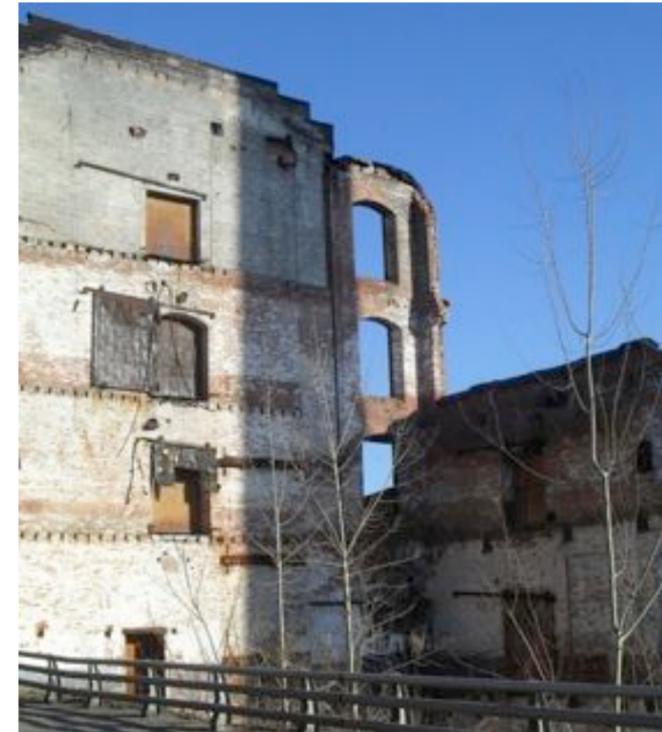


Photo credit: Chadakoin River West BOA.

Community challenges

- Lack of Investment
- Abandoned Properties
- Old Housing Stock

Strategies adopted

This study is being prepared to advance the revitalization of the Chadakoin River through improved uses, connectivity with the City, and the redevelopment of brownfield and underutilized commercial and industrial sites. The study will balance and integrate the environmental, social and economic needs of the Jamestown community. Strategic development sites and actions will be identified that will accommodate recreational activities and business development.

Description of strategic sites

The study area includes approximately 350 acres of high quality wetlands that surround the Chadakoin River. On the Southwestern flank of the wetlands, a number of commercial and industrial properties are located between Jones and Gifford Avenue and a short rail road line. This area was originally developed for manufacturing operations that included a wool mill, furniture making, and voting equipment manufacturing. Many of these once prosperous properties are now underutilized brownfield sites.

Stakeholder engagement

A community participation and visioning plan were created. The Plan included Public meetings, press releases were created and distributed to local news media in advance of public meetings. A website <http://chadakoinrevitalization.com> was created in order to provide residents and local businesses with updates and access to meeting minutes, agendas, presentations, maps and news stories related to the BOA planning process.



City of Rochester

VACUUM OIL--SOUTH GENESEE RIVER CORRIDOR

Location

County: Monroe
Region: Finger Lakes

Demographics

City of Rochester (Monroe) - ACS, 2014

Population: 9,043 (748,076)

Racial composition: 32.7% (72)% white;
55.5%(14.5)% black;
4.5% (7.7)% latino

Unemployment Rate: 17.3% (8.1 %)

Average annual income (hh): \$30,179(\$70,767)

Percentage below poverty line: 29.2% (14.2 %)

BOA Program

Grantee: City of Rochester

Step: 3

Year of entry:

Funding received: Step 2, 2006: \$215,100

Step 3, 2013: \$868,500

Total: \$1,083,600

Study area acreage: 148

Number of brownfields: 38

Number of strategic sites: 3

Milestones

Designated: Yes (April, 2015)

Policy adoption measures:

Aligned with existing planning documents, but not formally adopted.

- Brownfield Cleanup Program
- Park & Open Space Plans
- Riverwall and Floodplain Plans
- Solarize and Microgrid Plans

Metrics

Subsequent development investment:

- Private investment DHD Ventures (\$1,500,000)
- New York State Local Waterfront Redevelopment Plan

Investment/BOA funding ratio: 1.38: 1

Links

<http://www.cityofrochester.gov/VacuumOilBOA/>



*Photo of Abandoned Vacuum Oil Refinery (Left) Nomination Study Master Plan (Right)
Photo credit: rochestercitynewspaper.com & Vacuum Oil BOA.*

Community challenges

- Environmental Conditions
- Funding
- Access Ownership and Control of Property Sites

Strategies adopted

In order to encourage private investment in the site. The BOA planning process will perform the following:

- Preliminary Geotechnical Investigations
- Floodplain Engineering Assessment and Mitigation Plan
- Wetland and Invasive Species Assessment and Mitigation Plan
- Building Conditions and Structural Assessments

Description of strategic sites

The Vacuum Oil-South Genesee Brownfield Opportunity Area has several sites of strategic importance to the future revitalization of the PLEX neighborhood and the South Genesee River waterfront. The 17 strategic sites include 95 properties covering 46 acres that, either separately or in tandem with other sites, have the highest potential to act as catalysts for renewal and investment within the Study Area. The largest underutilized parcel is the privately-held 5.5-acre site at 15 Flint Street.

Stakeholder engagement

The City of Rochester has developed a Community Involvement Plan which incorporates: City Staff Meetings DHD Meetings State Agency Meetings Project Advisory Committee Meetings Public Information Meetings Monthly PLEX Meetings Project Stakeholder Meetings Website Support SEQR Public Hearing and Comment Period. The city will engage closely with the Plymouth Exchange Neighborhood Association to provide outreach support in connection with building public support and civic engagement.



City of Rochester

LYELL LAKE STATE STREET

Location

County: Monroe
Region: Finger Lakes

Demographics

City of Rochester (Monroe) - ACS, 2014

Population: 20,640 (748,076)

Racial composition: 22.4%(72)% white;
 45.9%(14.5)% black;
 19.8%(7.7)% latino

Unemployment Rate: 20.2 (8.1 %)

Average annual income (hh): \$22,175 (\$70,767)

Percentage below poverty line: 44.1% (14.2 %)

BOA Program

Grantee: City of Rochester

Step: 2

Year of entry: 2004

Funding received: Step 1, 2004: \$90,000

Step 2, 2009: \$214,509

Total: \$304,509

Study area acreage:

Number of brownfields: 7

Number of strategic sites: 7

Milestones

Designated: Yes (April 2015)

Policy adoption measures:

Aligned with existing planning documents, but not formally adopted.

Metrics

Subsequent development investment:

- The EPA has invested an additional \$200,000 Area-Wide Planning Grant.

Investment/BOA funding ratio: 0.65: 1

Links

<http://www.cityofrochester.gov/LYLAKS/>



Photo credit: Lyell Lake State Street BOA.

Community challenges

- Real Estate Market
- Poverty
- Ownership of Sites

Strategies adopted

Several major projects in LYLAKS will be made possible through collaboration between private investors and the City of Rochester. The redevelopment of the Orchard-Whitney site; the conversion of vacant lots into an urban farm and food hub; the redevelopment of former industrial sites along the River into mixed use waterfront development; and deteriorated neighborhoods that will be rehabbed by townhomes and mixed use development surrounding the stadiums will be defining projects for the LYLAKS of tomorrow.

Description of strategic sites

The BOA encompasses approximately 602 acres of land located west of the Genesee River immediately north of Downtown Rochester. The Study Area expands around two primary corridors – Lyell Avenue which runs east to west and Lake Avenue/State Street which runs north to south. Lands within the BOA have been adversely impacted by not only brownfield sites themselves, but also by the indirect impacts associated with vacant and underutilized properties, including vandalism, theft, drugs, loitering and other criminal misconduct.

Stakeholder engagement

The Community Participation Plan included events that focused on specific individuals and stakeholders, as well as the broader public. Community participation events included Steering Committee meetings, regular liaison with City of Rochester staff, public meetings, public workshops, neighborhood meeting presentations, and posting of materials on a project website hosted by the City of Rochester.

