

City of Rochester

# NEWS RELEASE

**Dateline: Rochester, N.Y.**  
***AN URBAN SUCCESS STORY***  
**FOR IMMEDIATE RELEASE:**

## **TECHNOLOGY TRANSFORMS ‘DISASTER’ INTO ‘MIRACLE’** **UPSCALE SUBDIVISION BOUGHT-UP WHEN CITY LURES** **SUBURBANITES TO FORMER *BROWNFIELD* “WASTELAND”**

Here’s how a city in upstate N.Y. used its development and grant writing savvy to create the region’s first major grant-supported “brownfield” remediation project, harnessing technology that miraculously transformed a toxic wasteland into an upscale residential tract which totally sold out in just two weekends.

Housing success stories have been few and far between for America’s “rust belt” cities. Instead, urban blight has filled much of the vacuum created by the mass exodus of middle class residents and tax-generating industries to the suburbs over the past 40 years, as development has “sprawled” into formerly rural corners of these metropolitan areas.

This story includes a pivotal partnership with the local home builders association, which took a gamble in staging its first urban *Homearama* project on a city “brownfield” (defined as former commercial or industrial land where redevelopment is prevented by the threat of environmental contamination).

It’s also a tale of flexibility in enlisting a variety of technologies and approaches for a daunting challenge: Cleaning up a seven-acre tract containing thousands of cubic yards of soil tainted by over 70 years of accumulating construction debris and leaching chemicals.

In Rochester, N.Y., the prize for succeeding is Newcroft Park: a brand new subdivision on a parcel just off Main Street. Once called a “disaster” by the President of Rochester’s City Council, every one of its eight model homes and 16 market rate lots sold in two weekends of open house last Sept. City officials may have even more to celebrate than a \$4 million increase in the tax base from reclaiming this property.

They may have discovered a practical strategy for stemming the outward tide of home buyers and expanding their inventory of “new” parcels available for development to generate needed revenues that can underwrite city services and improvements.

The site in question is the new *Newcroft Park* housing subdivision, offering homes in the \$139,000-\$205,000 range on a new cul-de-sac atop an old brownfield surrounded by 41 fifties-era dwellings. Valued at an average of \$60,000 each when the project began, existing homes surrounding the site are now selling for above asking price.

About the time the City began facing the environmental concerns about the site, a housing initiative started in its Department of Community Development with a concept for forming a community partnership with builders and lenders called *CityScape* to develop market rate housing areas that could retain or attract middle class residents back into city neighborhoods.

The idea had a track record: *Home Expo*, is a similar partnership in which the City worked with builders and lenders to promote home ownership for moderate-income households. With a significant purchase subsidy from the City, eligible families could buy new housing which, in turn, replaced abandoned structures and vacant lots. The difficulty here was finding appropriate sites for a market-rate subdivision in an older, densely developed city.

Located in Rochester's southeast quadrant, Newcroft Park had been the longtime site of contracting operations with construction yards and informal dumps, where rusting equipment and chemical seepage contaminated soil and ground water. Refuse was piled up to 12 ft. high and buried underground to within five feet of neighbors' backyards.

Dangerous junked equipment and deteriorating structures littered the parcels.

Today, increasing property values boosted by the new subdivision may offer some solace to neighbors who, for more than six decades, endured the nightly roar of heavy equipment and iridescent flows of petroleum-laced water down their streets at every rainfall.

The owner of the largest and oldest contaminated parcel on the site had abandoned it in 1995 owing over \$150,000 in back city taxes. A still active smaller yard continued to cause complaints. Pre-dating the area's housing development, these operations enjoyed a "grandfathered," non-conforming use zoning status that preempted regulation.

The City had resisted taking ownership of the properties through tax foreclosure to avoid potential legal liability for the poor environmental conditions and related clean-up costs. After years of complaining about issues ranging from illegal waste disposal to night time operations and contaminated storm water runoff, neighbors organized the *Woodstock, Akron, Atlantic & Main Street Neighborhood Assoc. (WAAM)* and, in 1996, began working with the city to resolve the problems.

The City hired the Stantec Consulting Group (formerly the Sear-Brown Group, Inc.), to perform the initial environmental investigations of the site to help evaluate the feasibility of acquisition via tax foreclosure. The City had to address substantial legal and financial obstacles as well

Coincidentally, voters in 1996 overwhelmingly approved the historic \$1.75 billion N.Y.S. Clean Water/Clean Air Bond Act to support environmental protection and restoration

projects. The *Municipal Environmental Restoration* portion of the Act offered municipalities the promise of indemnification for cleaned up brownfield sites and grants that would fund up to 75 percent of cleanup costs.

Rochester quickly filed an application and was awarded N.Y. State's first Brownfields Grant under the 1996 Act. Finally, the means for reclaiming the blighted property was in hand.

With the impetus of Rochester City Council President Lois J. Giess, the City condemned, foreclosed and obtained title to nine parcels from 1995 to 1999.

Working closely with the N.Y. State Departments of Health and Environmental Conservation, the City and Stantec investigated the site to plan and implement a cleanup program that would end up removing more than 26,000 tons of various wastes, as well as cleaning up remaining soil and groundwater contamination.

The cleanup eventually involved a number of residential properties adjacent to the site, as well. Neighbors prepared for more noise, dust, odors, traffic and physical inconveniences.

An open and inclusive interactive process was needed to re-establish good faith with those neighbors, address their concerns and involve them in planning the cleanup. The City's Division of Environmental Quality and Stantec held outreach meetings, surveyed residents and negotiated individual access agreements with each neighbor, whose input helped shape a cleanup process.

In the beginning, meetings were emotional and highly charged, but the residents and their neighborhood group remained key partners. "We, as a neighborhood, insisted on an active role...(We) had fought for over 20 years to have this land cleaned up.... We were given access to information...and were represented throughout." said WAAM Pres. Eileen George.

Shortly after the City started considering the shape of the eventual reuse of the property, Michael Spaan, owner of Atlas Builders, and Rick Herman, Executive Vice President of the Rochester Home Builders' Association, approached Mayor William A. Johnson, Jr. about doing a *Homearama* in the city. Newcroft Park became the opportune site.

At design charettes, the neighborhood group created concept sketches depicting how they would like to see the subdivision laid out. Their input was solicited on every issue from home styles to pricing. The City met with each neighbor individually to discuss perimeter fencing that would back up to their properties. Trees located along the property line were flagged to be saved if the home owner desired.

The resulting subdivision plan was embraced by everyone, from the state officials to the builders and the citizens whose lives and major family investments bordered the site. The community participation process of open dialogues, frequent meetings and the continuous involvement of affected citizens that was designed by the City and Stantec has become a model for similar ventures across the U.S., as Newcroft Park project managers are invited to discuss their formula for inclusive planning at local, state and national conferences.

The actual remediation, which approached \$579,000 per acre in costs (a \$4.05 million

total, of which the city's share was \$1.26 million) combined a variety of strategies to deal with various conditions and substances at the site, including:

- An in-situ (“in the ground”) treatment oxygen injection system to reduce contaminants from two large underground fuel storage tank areas that caused two separate groundwater plumes. Groundwater contamination extended beneath neighboring properties and the system removed hazardous chemicals including volatile organic compounds like toluene and xylene to levels well below drinking water standards.
- An ex-situ bio-remediation cell (designed and constructed for treatment of excavated material) rendered more than 5,200 cu. yds. of petroleum contaminated soil clean enough to be classified as unrestricted fill material.
- Salvageable materials, such as scrap steel, were recycled after being sorted from unusable construction and demolition debris, scrap metal and tires, drums and other containers, etc.
- Concrete was crushed and re-used on site as backfill
- More than 26,000 tons of non-reusable construction and demolition debris were removed, along with 300,000 gal. of contaminated water, plus soils containing heavy metals and semi-volatile organic compounds and asbestos-containing materials that couldn't be treated on site. A geophysical survey even located a buried truck, which was then excavated and removed.

Successful completion of the clean-up construction phase in 2002 drew the N.Y.S. Environmental Conservation Commissioner to Rochester for a celebration, and then won an *Engineering Excellence Gold Award* for Stantec in 2003 from the N.Y. Assoc. of Consulting Engineers. City and Stantec environmental project managers were selected to present a paper about the cleanup and redevelopment project at the US Environmental Protection Agency 2002 National Brownfield Conference in Charlotte, NC.

An important attraction for Newcroft Park's middle class home buyers, who could select from among market rate properties region-wide, was its blending of the best of old and new amenities, of urban and suburban conveniences and of standard and custom features, like:

■ Shady and quiet tree-lined settings with grassy yards, ■ streetlights, ■ municipal refuse pick-up and recycling and ■ sidewalks (plus sidewalk plowing) for the kids; charmingly traditional architecture featuring ■ porches, ■ ornamental trim, ■ foyers and ■ “great rooms” with cathedral ceilings, but also a choice of ■ modern floor plans, ■ contemporary kitchens and baths ■ back decks and ■ custom cabinetry.

Add to all that, a central location close-by employers, cultural resources and downtown entertainment options with quick access to major highways.

Although Newcroft Park is still under development, the kudos are already coming. In January, the project received the National Association of Home Builders' *Innovation in Workforce Housing Award of Distinction*, one of 12 projects receiving national recognition. The Newcroft Park site project also received of the 2004 Project of the Year Award for Environmental Projects by the Monroe County/Genesee Valley Branch of the American Public Works Association. The participating builders, @home Builders, Atlas Builders, Barden Homes, J. DiMarco Builders, Morrell Builders, and Jeff Shear Homes, are enthusiastic about future opportunities to build in the city through the CityScape initiative.

Commented Rochester's Mayor Johnson, "We seem to have provided the right mix of housing options and values at the right time, because the people have responded in a very positive way. This rediscovered interest in city living is a welcome breath of fresh air. Bringing once forsaken land back to reuse and the tax rolls makes this a double win for Rochester."

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**News Media:**

Contact Linda Luxenberg, City Housing & Project Development Director, at 428-6814 and Mark Gregor, Division of Environmental Quality Manager at 428-5978 for more information.

**Web links for project photos and background information:**

<http://cityscape.cityofrochester.gov> (and click on the news link)

<http://tinyurl.com/5hx62> (background on NYS Clean Water/Clean Air Bond Act)