



**Erie Canal Harbor
Development
Corporation**

A Subsidiary of Empire State Development

ERIE CANAL HARBOR DEVELOPMENT CORPORATION

at the offices of

Empire State Development – Buffalo Regional Office

95 Perry Street, Suite 500

Buffalo, NY 14203

Meeting of the Directors

Tuesday

October 15, 2019 – 10:30 AM

PROPOSED AGENDA

FOR CONSIDERATION

1. Canalside – Buffalo Heritage Carousel - Design Approval of Buffalo Heritage Carousel Architectural Design; and Authorization to Takes Related Actions
2. South Aud Block – Heritage Point - Design Approval of Heritage Point Architectural Design; and Authorization to Takes Related Actions
3. Canalside Design Committee – Authorization to Designate Canalside Design Committee Members and to Take Related Actions
4. Outer Harbor (901 Fuhrmann Boulevard) - Utility Easement – Authorization to Grant a Utility Easement to National Grid; and Authorization to Take Related Actions

Item 1



FOR CONSIDERATION

October 15, 2019

TO: The Directors

FROM: Steven P. Ranalli

SUBJECT: Canalside – Buffalo Heritage Carousel

REQUEST FOR: Design Approval of Buffalo Heritage Carousel Architectural Design; and
Authorization to Takes Related Actions

I. Background

In August 2010, the Board of Directors of the Erie Canal Harbor Development Corporation (“ECHDC”) authorized the corporation to develop a Canalside Cultural Master Plan that would integrate cultural projects, as well as refine the use of public spaces and special features, into Canalside. This cultural plan, recommended by the community-based Cultural Steering Advisory Group, was approved by the Board of Directors in January 2012. The Canalside Cultural Master Plan identified short-term and long-term opportunities for cultural attractions, entertainment, waterside and special events programming which maximize the use of the indoor and outdoor public spaces, increase the likelihood of commercial investment, and attract additional visitors to Canalside. The Master Plan recommendations included locating a carousel at Canalside.

On October 12, 2016, Governor Cuomo announced that ECHDC would commit \$1.2 million toward the construction of a structure to house a nearly century-old carousel at Canalside in Buffalo. The vintage menagerie, park-style carousel was manufactured in 1924 by Spillman Engineering in North Tonawanda. The Buffalo Heritage Carousel, Inc. (the “BHC”) acquired the carousel in 2015 to provide family-oriented recreation on Buffalo’s waterfront and to celebrate Western New York’s industrial heritage.

On September 9, 2019, the ECHDC Board of Directors took action to enter into Agreements regarding the acquisition of real property from the City of Buffalo for the Buffalo Heritage Carousel project and execute a Land Development Agreement and Lease with Buffalo Heritage Carousel. The agreement with Buffalo Heritage Carousel included the \$1,200,000 funding commitment.

II. Description of Project Design

The Project involves a \$4 million, approximate 6,000 GSF structure that would enclose the Buffalo Heritage Carousel.

The structure shape is designed as an octagon with a two-step roof that includes a clerestory and topped with a glazed cupola. The octagon form is a very traditional carousel design. The eight sides of the octagon would be formed by heavy timber columns and spanned by a glazed storefront system. Four of the eight

sides will have sliding glass doors centered within the walls to provide entrance from various access paths. In both the southwest and southeast corners, the building will be extended for the lower story to provide required display area and back-of house functions. The carousel will be centered within the structure.

The carousel building will sit upon a concrete foundation and concrete slab on grade. Parts of the concrete foundation will be exposed, specifically along the east elevation, as the grade elevation slopes down from the Central Wharf to the streets. The area between the Central Wharf and the carousel will be wood plank to match the adjacent boardwalk.

The exterior materials will have exposed heavy timber framing with a natural finish, black storefront and window framing, metal flashing and a metal panel roof. The metal panel roof will also have an integrated solar panel to assist in the operation of the carousel. At the built-out corners, the walls will be clad with horizontal wood siding with a natural finish and a flat roof. The interior finishes will include a polished concrete floor, exposed heavy timber framing with a natural finish, and a tectum acoustic panel ceiling.

Renderings and construction drawings of the Project are attached hereto as **Exhibit A**.

III. Compliance of Project with MGPP Objectives and Canalside Design Guidelines

The Project has been formally reviewed by the Canalside Design Review Committee (the "DRC") to determine its consistency with the Canalside Design Guidelines. After their technical review, the DRC convened and unanimously recommended the ECHDC approve the Project Plans as they were presented. A copy of the DRC's recommendation for approval letter is attached hereto as **Exhibit B**. Signage for the carousel building was not reviewed at this time and outlined as such in the recommendation letter.

The Project Plans were also referred to the City of Buffalo Planning Board for a public hearing and consideration on their consistency with the Design Guidelines prior to the ECHDC accepting the plans as complete and authorizing construction. The Planning Board held its public hearing on October 7, 2019. Based upon review and consideration of both the DRC's and Planning Board's recommendation, ECHDC staff finds that the Project is consistent with the Canalside Design Guidelines.

IV. Environmental Review

ESD, as lead agency, completed an environmental review of the Canalside Project, pursuant to the requirements of the State Environmental Quality Review Act ("SEQRA") and the implementing regulations of the New York State Department of Environmental Conservation. This review, which was coordinated with all involved agencies due to the Project's Type I classification, involved a full public scoping process and the preparation of a draft generic environmental impact statement ("DGEIS") and a final generic environmental impact statement ("FGEIS"). The ESD Board of Directors issued SEQRA findings for the Project on March 26, 2010.

In connection with the previously-approved action related to Property Acquisition for the Carousel Project at its September 9, 2019 meeting, ECHDC and ESD evaluated the continued applicability of the 2010 Canalside SEQRA findings with regard to the various actions associated with the Carousel Project (including design approval for the proposed enclosure structure) and concluded that no additional environmental review is required.

V. Requested Action

The Directors are requested to authorize the Corporation to: 1) based on the recommendations of the ECHDC's Design Review Committee and the City of Buffalo Planning Board, find that the Project is consistent with the Design Guidelines established by the Corporation as part of the MGPP for the Canalside Land Use Improvement Project without modification thereof; 2) to take all related actions.

VI. Recommendation

Based on the foregoing, I recommend approval of the requested actions.

Attachments

Resolution

Exhibit A – Project Renderings and Construction Drawings (Floorplans/Elevations)

Exhibit B – Canalside Design Review Committee Recommendation Letter

October 15, 2019

ERIE CANAL HARBOR DEVELOPMENT CORPORATION – Canalside – Buffalo Heritage Carousel - Design Approval of Buffalo Heritage Carousel Architectural Design; and Authorization to Takes Related Actions

BE IT RESOLVED, that upon the basis of the materials presented to this meeting (the “Materials”), a copy of which is hereby ordered filed with the records of the Erie Canal Harbor Development Corporation (the “Corporation”), and based on the recommendations of the Corporation’s Design Review Committee and the City of Buffalo Planning Board, the Canalside – Buffalo Heritage Carousel (“Project”) is found, without modification thereof, to be consistent with Design Guidelines established by the Corporation as part of the Modified General Project Plan for the Canalside Land Use Improvement Project; and be it further

RESOLVED, that the President or an Officer of the Corporation or his designee(s) be, and each of them hereby is, authorized to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing resolutions.

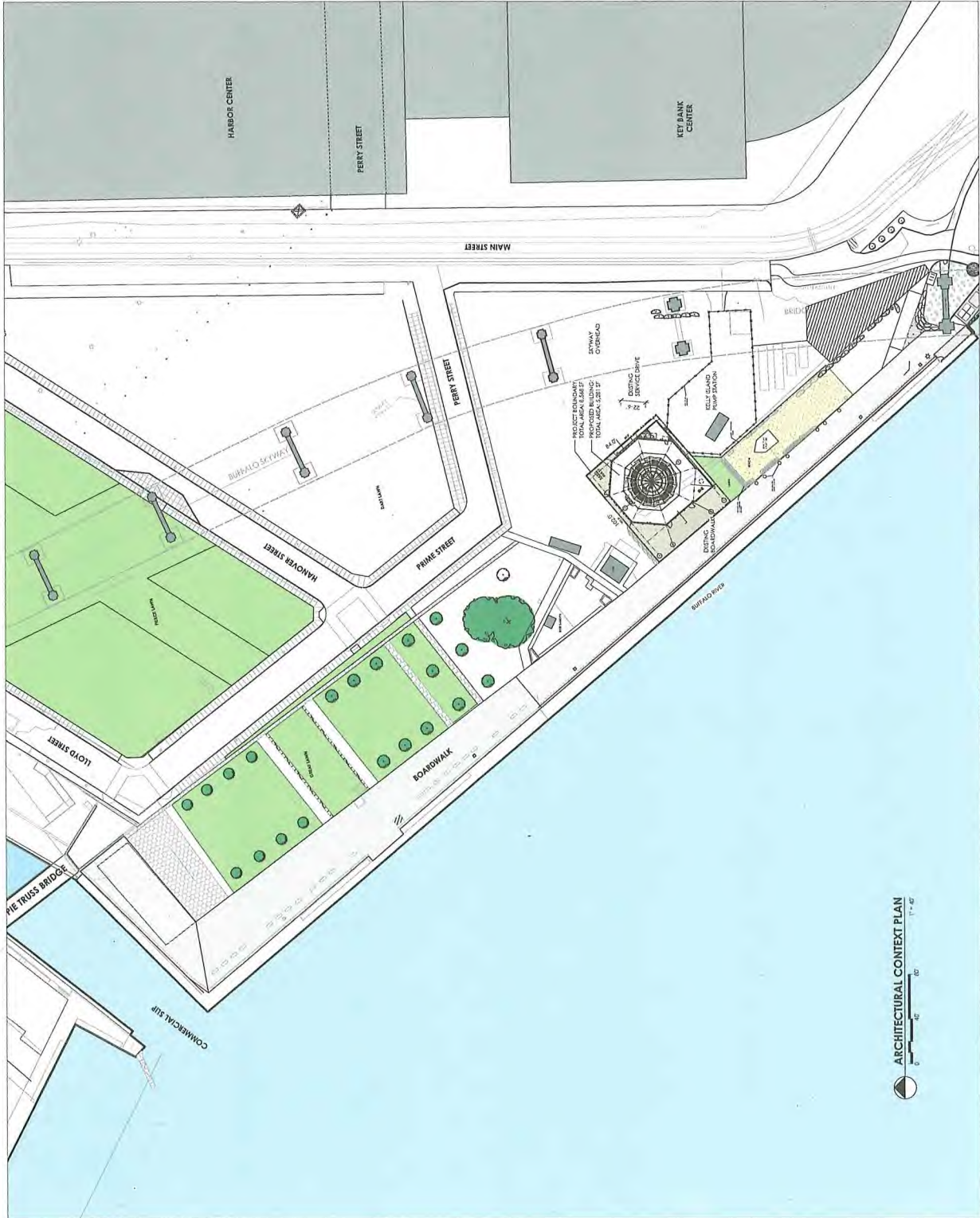
* * *

Exhibit A



CONTRACT NO. 15-001 PROJECT NO. 1560.5 DRAWN BY: ITS DATE: 03/09/2019 PROJECT: KEY BANK CROSSING SHEET: ARCHITECTURAL CONTEXT PLAN

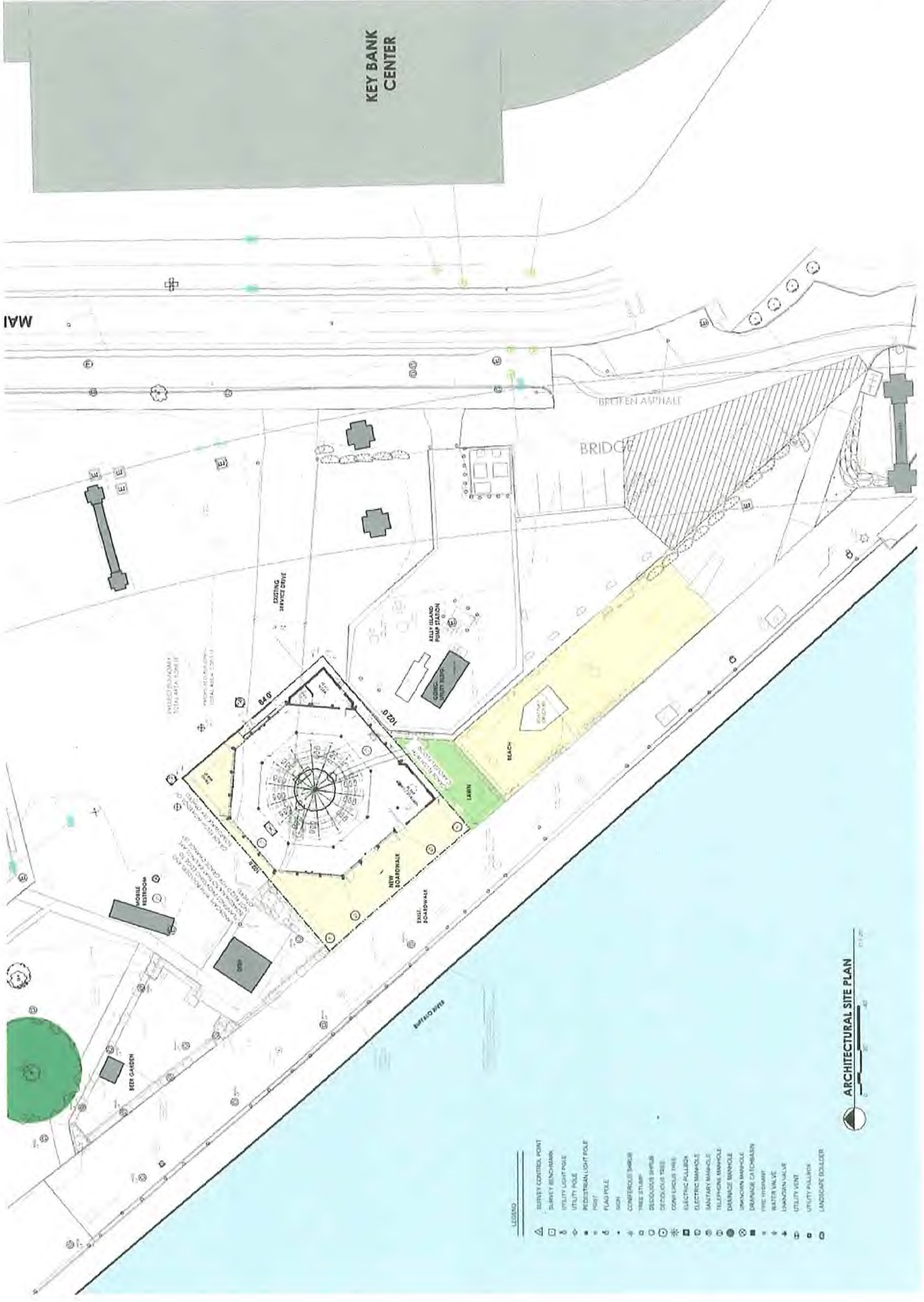
Key Bank Crossing NEW CONSTRUCTION Project # 1560.5 DRAWN BY: ITS 03 September 2019 ARCHITECTURAL CONTEXT PLAN DWG. NO. A-000



ARCHITECTURAL CONTEXT PLAN
 1" = 60'

Project # 1001 Drawing # 1001-01 Date 10/15/13 Scale 1/8" = 1'-0" Project Name Drawing Title

Key Bank Crossing Project # 1001 Drawing # 1001-01 Date 10/15/13 Scale 1/8" = 1'-0" Project Name Drawing Title



- LEGEND**
- ▲ SURVEY CONTROL POINT
 - SURVEY BENCHMARK
 - UTILITY LIGHT POLE
 - UTILITY POLE
 - UTILITY MANHOLE
 - TELEPHONE LIGHT POLE
 - FLOOD LIGHT
 - FLAG POLE
 - SIGN
 - CONCRETE/STAMP
 - TREE STAMP
 - SEEDING/GRASS
 - SEEDING/TREE
 - CONCRETE WALL
 - ELECTRIC FALLER
 - ELECTRIC MANHOLE
 - SANITARY MANHOLE
 - TELEPHONE MANHOLE
 - DRAINAGE MANHOLE
 - DRAINAGE COLLECTION
 - FIRE HYDRANT
 - WATER VALVE
 - HANGING VALVE
 - UTILITY VENT
 - UTILITY FALLER
 - LANDSCAPE BALLER

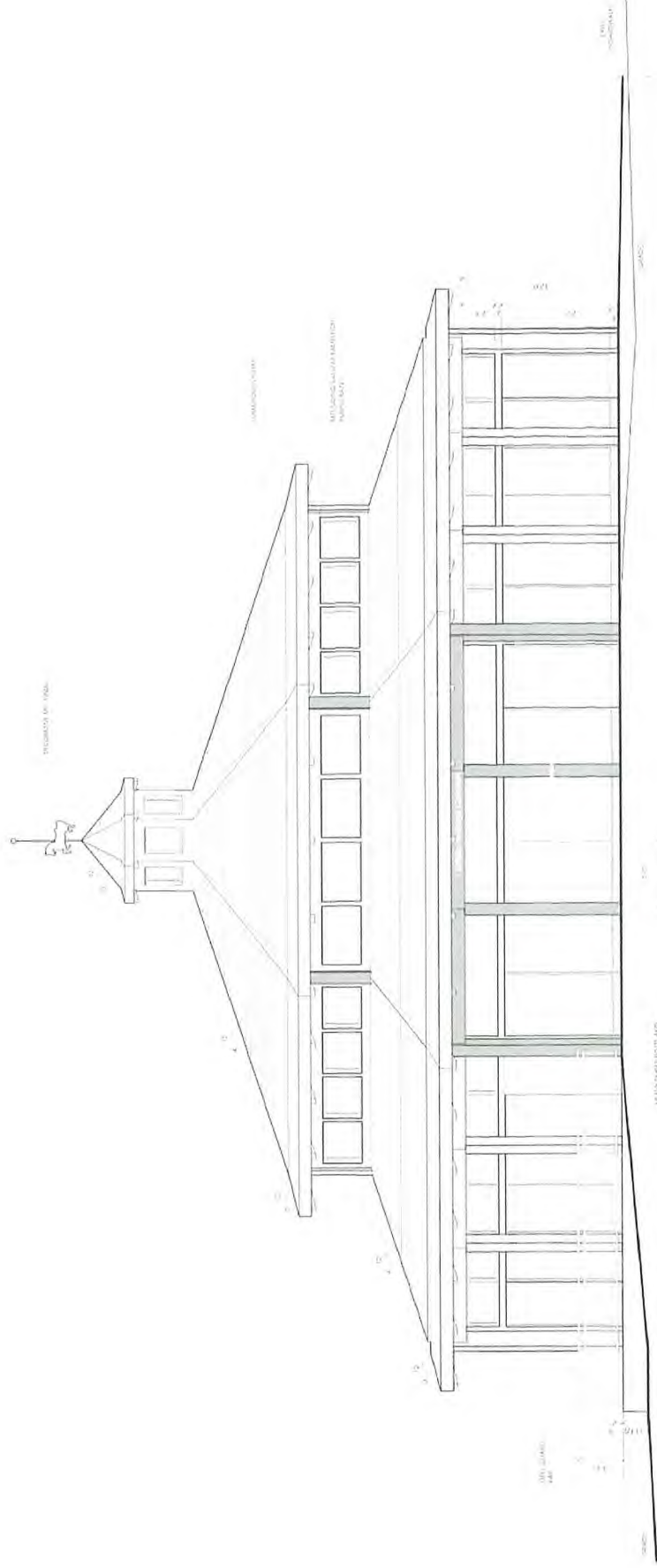
ARCHITECTURAL SITE PLAN
 1" = 100'

A-001



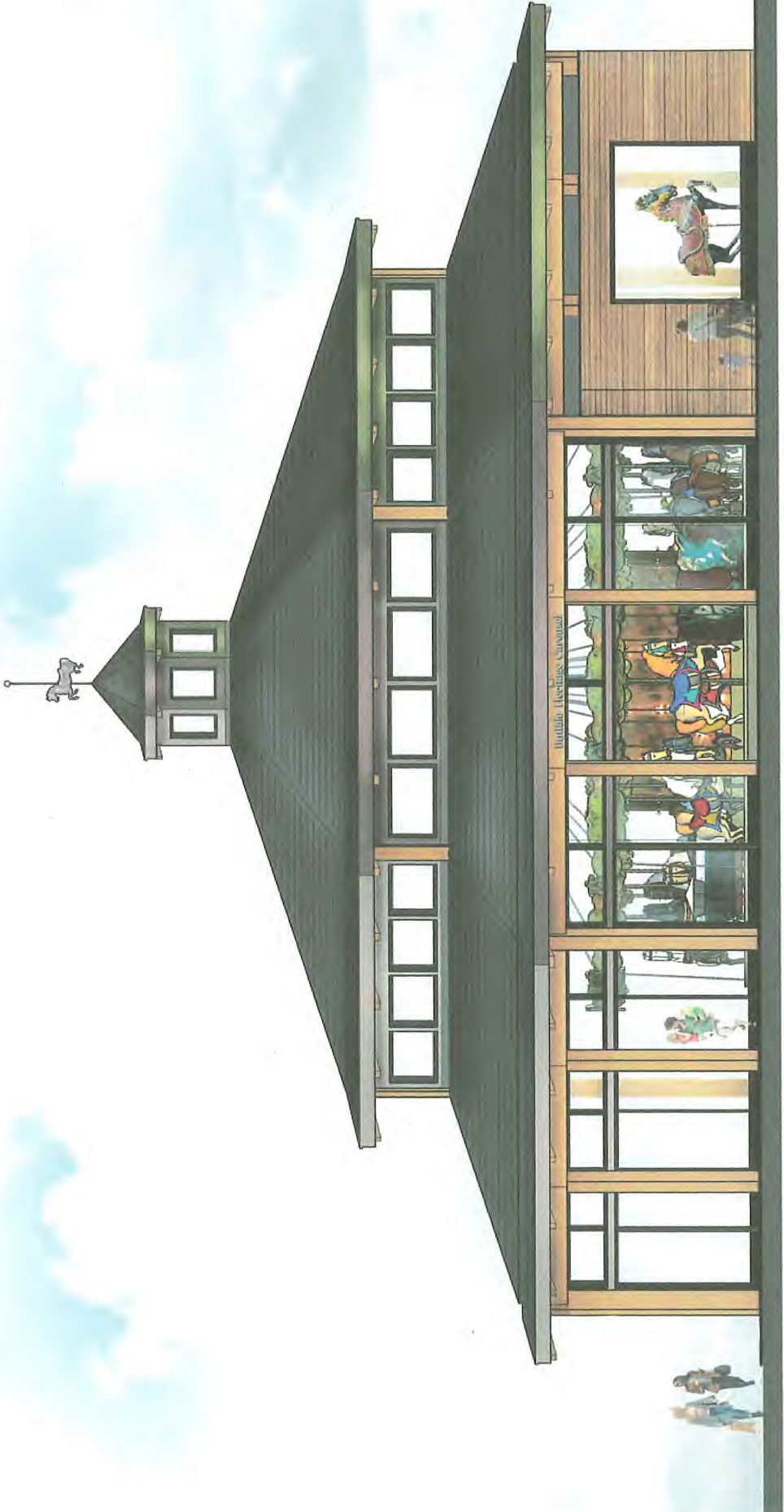
PROGRESS PRINT
 NOT FOR CONSTRUCTION

Key Bank Crossing
 1000 W. ASH
 SUITE 401
 BUFFALO, NY 14214



1 NORTH ELEVATION

DWG. NO.
A-204



WEST ELEVATION

Exhibit B



**Erie Canal Harbor
Development
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A Subsidiary of Empire State Development

August 29, 2019

Mr. Steve P. Ranalli, P.E.
President
Erie Canal Harbor Development Corporation
95 Perry Street
Buffalo, NY 14203

RE: Canalside – Buffalo Heritage Carousel - Recommendation for Approval

Dear Steve,

The Design Review Committee has reviewed the Buffalo Heritage Carousel 50% design documents and the exterior materials described during the presentation on August 15, 2019. (Material list attached). Since the meeting, the Design Review Committee was informed the design will include our recommendation of selecting black for the window and storefront framing color.

At this time, signage was not reviewed. Guidance for signage was provided by Erie Canal Harbor Development Corporation. Majority of the signage will be placed on totems beyond the building structure to match the Canalside totem signs recently installed. A removable sign board will be installed in the southeast corner of the building, facing Main Street. The design concepts for the signage are being created by ECHDC's graphic consultant Dixon Schwabl.

The Design Review Committee offers our recommendation for approval of this project.

Sincerely,

Design Review Committee:

Rishawn Sonubi, AIA

Audrey Ross Sanders, RA

Mark Mistretta, RLA

Item 2



FOR CONSIDERATION

October 15, 2019

TO: The Directors

FROM: Steven P. Ranalli

SUBJECT: South Aud Block – Heritage Point

REQUEST FOR: Design Approval of Heritage Point Architectural Design; and Authorization to Take Related Actions

I. Background

In December 2013, The Erie Canal Harbor Development Corporation Board adopted a Modified General Project Plan (“MGPP”) which described the development plan for the South Aud Block Redevelopment as being divided into smaller development parcels based on the historic street grid, including three mixed-use buildings on four development parcels, housing the Explore & More Children’s Museum and Interpreting the Prime Slip. The Children’s Museum completed construction in May 2019.

To facilitate the remainder of the plan adopted by the Board for the South Aud Block, ECHDC advertised a Request for proposals for the private development of Parcels A2.2 and A2.3. While there were no prohibitions on the inclusion of specific uses, the ECHDC required certain mandatory design features be included in any proposed development; such as the reservation space for ground floor (towpath, street and slip levels) retail, development of historic street and slip rights-of-way, canal lighting, and to provide a mixed-use development plan that further enhances the Canalside neighborhood.

On August 20, 2018, Sinatra and Company Real Estate was selected as the preferred developer for development Parcels A2.2 and A2.3. Sinatra proposed a multi-million dollar redevelopment of the Property, to be called “Heritage Point” (the “Project”), which would consist of two, mixed-use buildings with active ground floor uses that would further activate the South Aud Block and Canalside. The program will include a mix of restaurant, retail, office and residential units.

II. Description of Project Design

The Project includes two buildings of approximate 103,000 total gross square feet (“GSF”) for a construction budget of \$30 million. The two buildings will be separated by an open space component following a portion of the route of the former Prime Slip, which would be inclined to provide an accessible path to the towpath for the public.

The proposed buildings will be constructed to the parcel lot lines, creating uniquely-shaped buildings. Building 1 would have projecting bays on the north and south elevation to provide depth to a continuous elevation. Each building will be six stories in height, which includes a mansard roof level and also a basement level. The basement will be continuous below both buildings, providing both occupant and

service access between the two buildings. The north side of the buildings will provide direct access to the towpath level. The building exteriors will have a stone veneer base that will run continuous from the towpath level to the second floor window sills, terminating at a stone banding. The stone will be gray to match the granite stone utilized for the recreated canal walls. At Building 1, the stone will continue between the second floor windows to align with a second horizontal banding, helping to differentiate the buildings. The exterior of the upper floors of the buildings will be a brick masonry veneer. The brick veneer would be set back in select locations to provide some depth to the elevation. At the sixth floor, there will be a mansard roof with dormers. The mansard roof will include a gray standing seam roof. Each apartment unit would have an accessible balcony, which would include a black metal assembly projecting 42 inches from the exterior.

As mentioned above, the exterior building materials would be predominantly stone and brick masonry. The stone will also be used for the window sills and caps at the parapet terminations. The windows be aluminum-clad wood windows. The balconies will be black metal. The roof will be a gray standing seam metal roof.

Renderings and construction drawings of the Project are attached hereto as **Exhibit A**.

III. Compliance of Project with MGPP Objectives and Canalside Design Guidelines

The Project has been formally reviewed by the Canalside Design Review Committee (the "DRC") to determine its consistency with the Canalside Design Guidelines. During the technical review, it was discovered the Building 2 roof line along Main Street exceeds the maximum height of 60 feet per Design Guidelines Section 3.2. The remaining portion of Building 2 and all of Building 1 would comply with the Design Guidelines' maximum height of 70 feet for portions of buildings set back 15 feet from Main Street. The approved design solution would set a cornice line at 60 feet, which would also be the spring point for the mansard roof. The sloped roof will be barely visible from pedestrians at street level. A copy of the DRC's recommendation for approval letter is attached hereto as **Exhibit B**. Signage for Heritage Point was not reviewed at this time.

The Project Plans were also referred to a public meeting of the City of Buffalo Planning Board on October 7, 2019 to review consistency with the Design Guidelines prior to the ECHDC accepting the plans as complete and authorizing construction. Based upon consideration of both the DRC's recommendation and Planning Board's courtesy review, ECHDC staff finds that the Project is consistent with the Canalside Design Guidelines.

IV. Environmental Review

ESD, as lead agency, completed an environmental review of the entire Canalside Project, of which the South Aud Block is a part, pursuant to the requirements of the State Environmental Quality Review Act ("SEQRA") and the implementing regulations of the New York State Department of Environmental Conservation. This review, which was coordinated with all involved agencies due to the Project's Type I classification, involved a full public scoping process and the preparation of a draft generic environmental impact statement ("DGEIS") and a final generic environmental impact statement ("FGEIS"). The ESD Board of Directors issued SEQRA findings for the Project on March 26, 2010.

These SEQRA documents set forth an anticipated level of development that was presented in the original General Project Plan ("GPP") for Canalside, inclusive of an almost-250,000-GSF big-box retail development

(i.e., Bass Pro Shop), together with restaurant and aquarium/museum uses, as well as 537 structured parking spaces on the Aud Block parcels (i.e., on both North and South Aud Blocks). While subsequent Modified GPPs adopted through 2018 further divided the Aud Block into smaller development parcels and refined anticipated uses, the anticipated maximum level of development on the Aud Block assumed in the 2010 FGEIS remains as the basis for the SEQRA documentation of social, economic, and environmental impacts.

ECHDC and ESD staff conducted an evaluation of the potential effects of the Heritage Point Project against those effects documented in the 2010 Canalside FGEIS and SEQRA Findings. This evaluation determined that the Project is permitted under the Canalside MGPP and together with the already-developed, 43,000-GSF Explore & More Museum, would represent a total of 146,000 GSF of new development on the Aud Block and would not include any on-site parking (i.e., parking demand would be satisfied with existing off-site parking facilities). This total would be well below the anticipated level of development included in the 2010 Canalside FGEIS and SEQRA Findings. Thus, prior projections of anticipated environmental impacts (and any associated future mitigation) would in no way be impaired or require additional assessment as a result of the proposed Heritage Point Project. Therefore, no further environmental review is required in connection with this action.

It should be noted that ECHDC is currently conducting a public planning process for the balance of the Aud Block, specifically the North Aud Block. This process will ultimately result in refined design standards and development assumptions that will shape future solicitations for private infill development on the block. It is anticipated that as part of this process, depending on the scope/scale of development to be facilitated on the Aud Block, supplemental assessments of anticipated social, economic, and environmental impacts, and associated SEQRA documentation, will be completed.

V. Requested Action

The Directors are requested to authorize the Corporation to: 1) based on the recommendations of the ECHDC's Design Review Committee and the City of Buffalo Planning Board, find that the Project is consistent with the Design Guidelines established by the Corporation as part of the MGPP for the Canalside Land Use Improvement Project without modification thereof; 2) to take all related actions.

VIII. Recommendation

Based on the foregoing, I recommend approval of the requested actions.

Attachments

Resolution

Exhibit A – Project Renderings and Construction Drawings (Floorplans/Elevations)

Exhibit B – Canalside Design Review Committee Recommendation Letter

October 15, 2019

ERIE CANAL HARBOR DEVELOPMENT CORPORATION – South Aud Block – Heritage Point - Design Approval of Heritage Point Architectural Design; and Authorization to Take Related Actions

BE IT RESOLVED, that upon the basis of the materials presented to this meeting (the “Materials”), a copy of which is hereby ordered filed with the records of the Erie Canal Harbor Development Corporation (the “Corporation”), and based on the recommendations of the Corporation’s Design Review Committee and the City of Buffalo Planning Board, the South Aud Block – Heritage Point (“Project”) is found, without modification thereof, to be consistent with Design Guidelines established by the Corporation as part of the Modified General Project Plan for the Canalside Land Use Improvement Project; and be it further

RESOLVED, that the President or an Officer of the Corporation or his designee(s) be, and each of them hereby is, authorized to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing resolutions.

* * *

Exhibit A



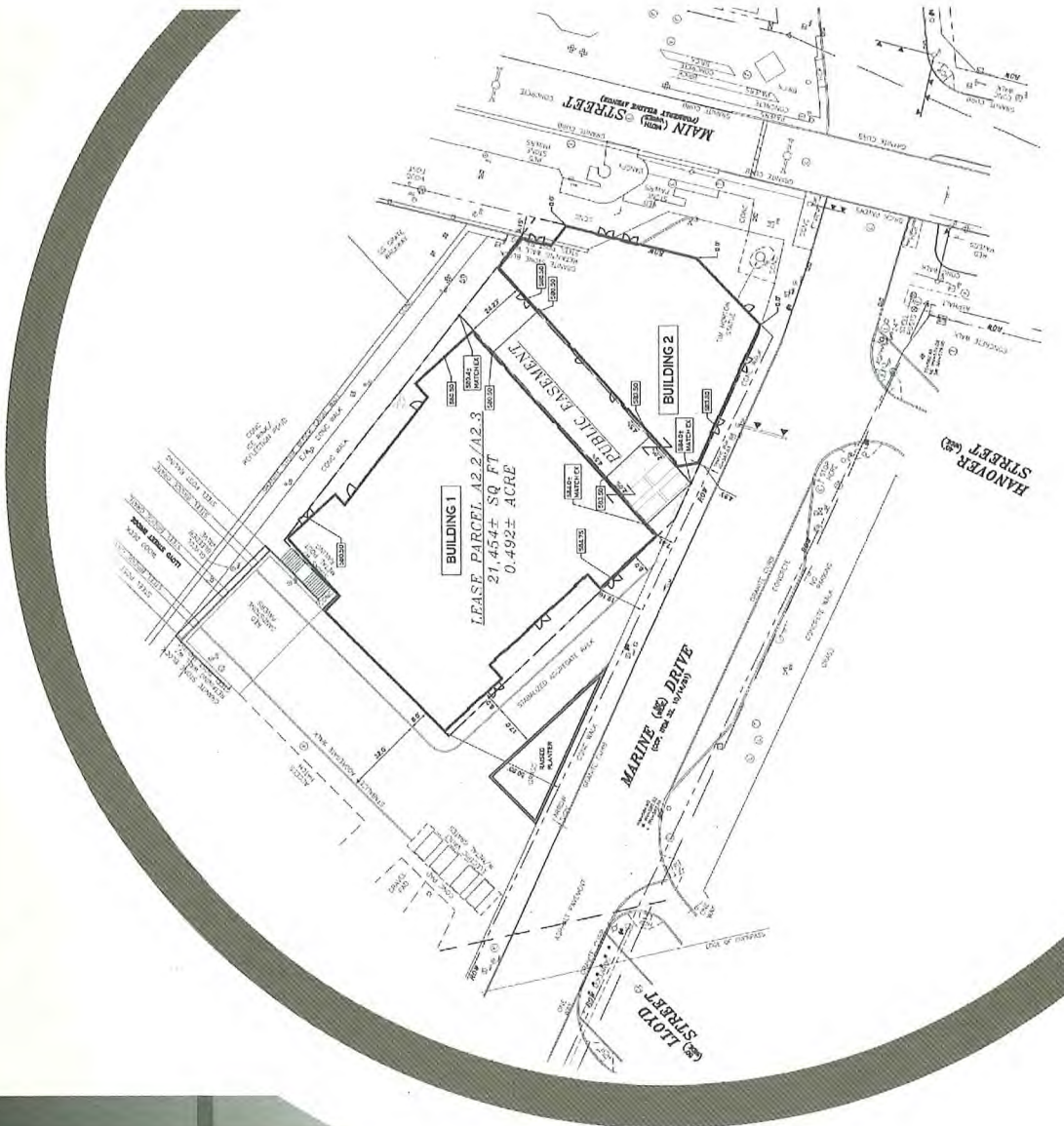
Original Submission Date: 05.10.2019
Revised Submission Date: 06.28.2019



Carmina Wood Morris DPC



Aud Block Location





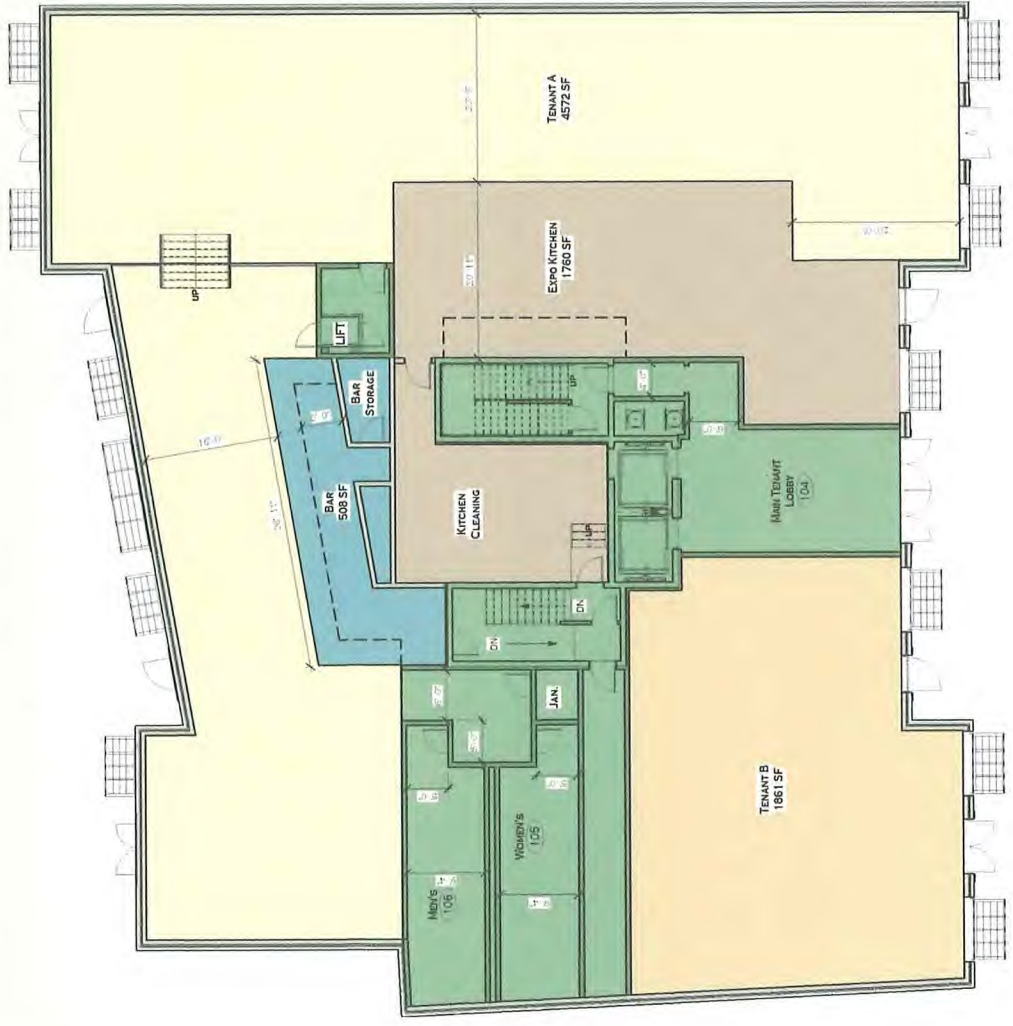






Building 1 Ground Floor Uses

- Mix of uses
- Pedestrian friendly



Building 2 Ground Floor Uses

- Active Uses along street frontages

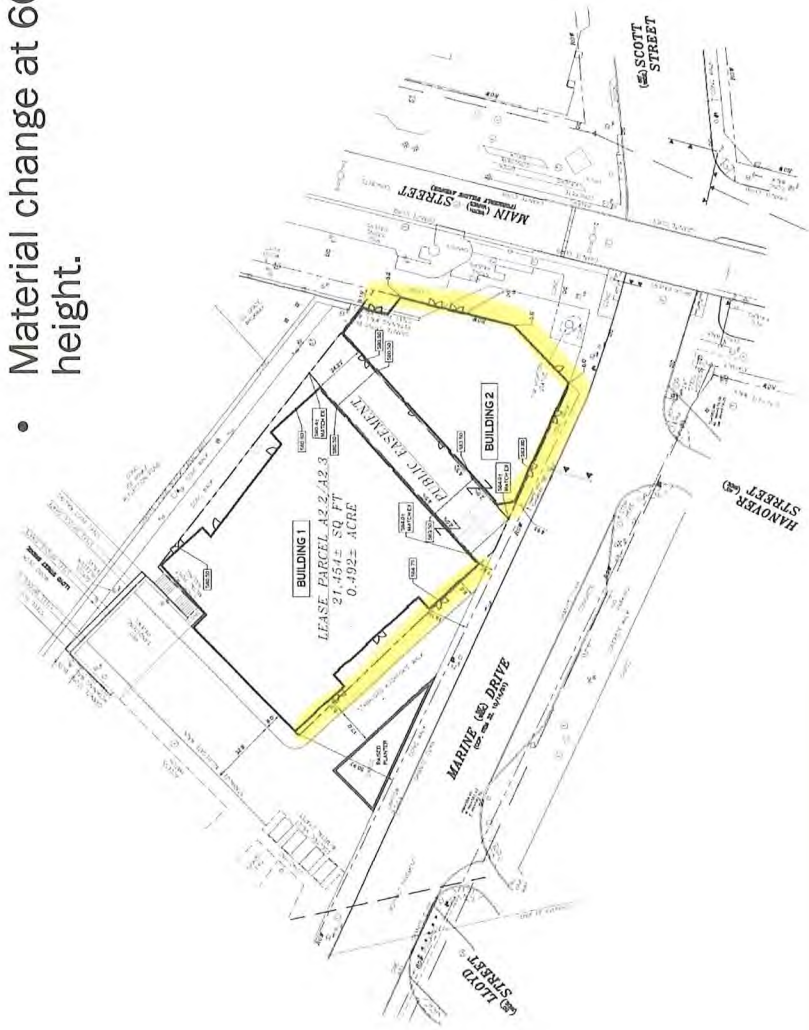
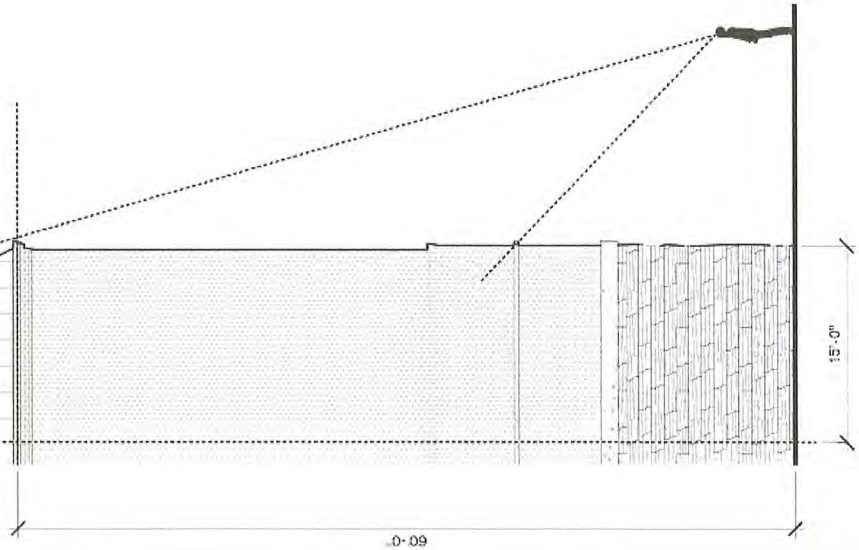


Height Limits



Massing

- Minimum of 75% of building's lineal length is located at the street line or within 10' from it.
- Material change at 60 feet in height.



Circulation

- City approved materials
- Streetscape vegetation
- Pedestrian friendly environment



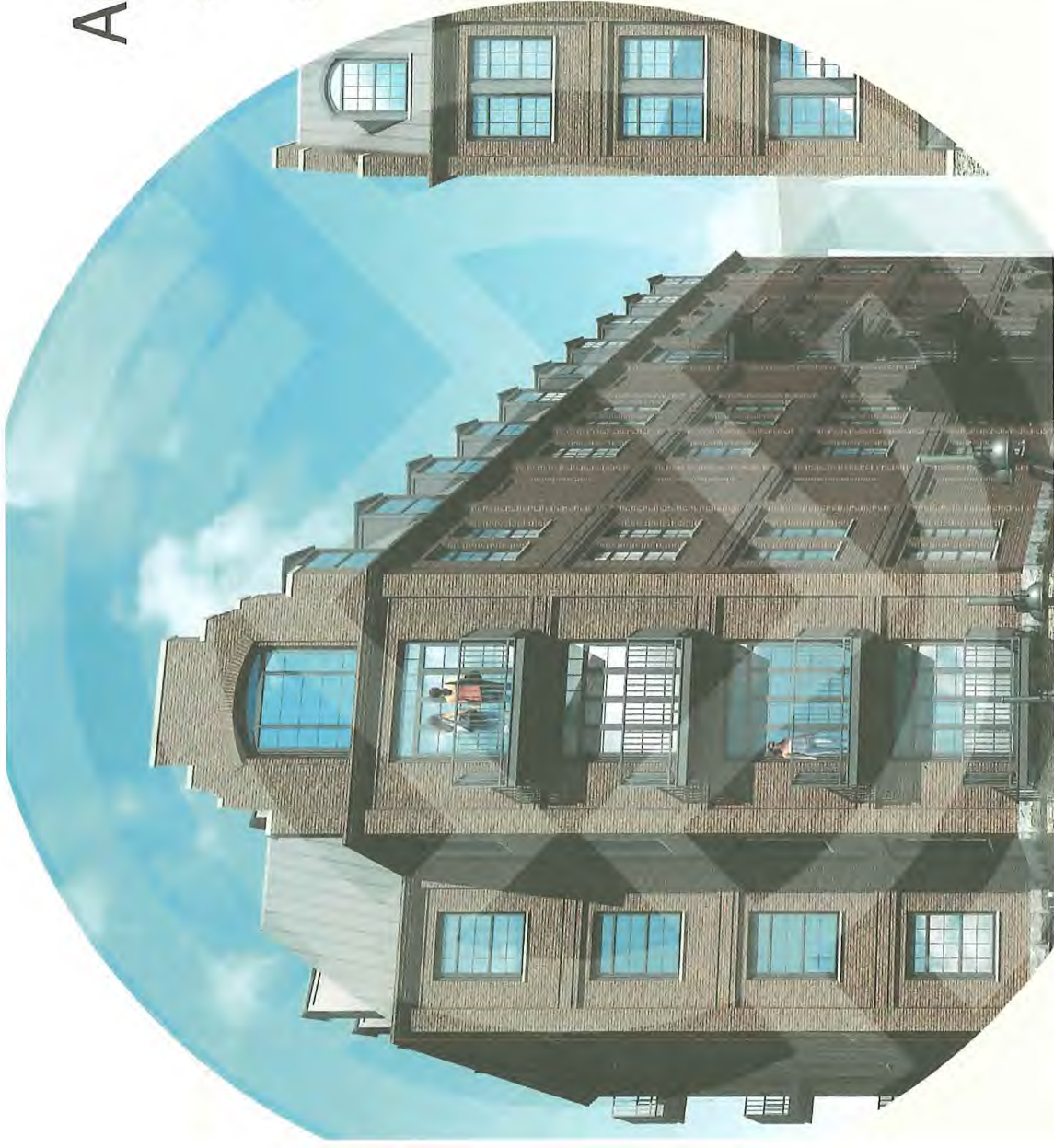
Architectural Features

- Storefronts and entrance ways feature overhangs that promote a sense of openness.
- Bases are articulated to respond to individual users.



Architectural Features

- Corners are visible and changes orientation, shapes, and projections.
- Cornices wrap the top of both buildings and follow the precedence of the 19th century office building.
- HVAC screen wall with metal panel to match the mansard roofing



Materials

- Finish materials give a modern expression to the materials commonly used throughout Buffalo.
- Conveys a solid lasting look.
- Glazing covers a minimum of 75% of ground street wall frontages.



Future Design Implementations

- Signage
- Lighting



Exhibit B

June 20, 2019

Mr. Steve P. Ranalli, P.E.
President
Erie Canal Harbor Development Corporation
95 Perry Street
Buffalo, NY 14203

RE: Heritage Point - Recommendation Letter

Dear Steve,

The Design Review Committee has reviewed the Heritage Point schematic building shell and offer our approval with the following conditions:

- All balconies are to be limited to a 36" depth.

Sincerely,

Design Review Committee:

Rishawn Sonubi, AIA

Audrey Ross Sanders, RA

Mark Mistretta, RLA

Item 3



FOR CONSIDERATION

October 15, 2019

TO: The Directors

FROM: Steven P. Ranalli

SUBJECT: Canalside Design Committee

REQUEST FOR: Authorization to Designate Canalside Design Committee Members and to Take Related Actions

I. Background

The Erie Canal Harbor Development Corporation's (the "Corporation") Canalside Project (the "Project") is a mixed-use neighborhood that will reconnect Downtown Buffalo to the Lake Erie waterfront through a network of streets, canals and public spaces, evoking the City's history, while creating a timeless neighborhood that will help define its future. With approximately 1.1 million square feet of development, including retail, restaurant, hotel, office, cultural, and residential uses, Canalside is made up of multiple development parcels within approximately 20± acres on the Buffalo Riverfront ("Project Area").

The Canalside Design Guidelines ("Guidelines") were prepared in July 2009 and revised March 2010 and apply to all development parcels within Canalside. These Guidelines take as their foundation, both in terms of intent and detail, the guidelines approved as part of the 2005 Erie Canal Harbor Amendment to the Urban Renewal Plan for the Waterfront Redevelopment Project. The emphasis of the Guidelines is on public spaces and the goals are to provide high quality, attractive and active spaces that employ contemporary techniques but connect to the unique history of the site and Buffalo as a whole. To this end, the Guidelines are focused on the impact of buildings on the public environment. The Guidelines seek to create spaces, not projects. The goal is to create an ever changing, lively atmosphere and visual appeal throughout the Project Area (which is not a traditional business or residential district). The focus is on the pedestrian - to provide a human scale, good wayfinding, and a comfortable walking environment.

The Guidelines are also intended to create visual interest from near and far. Up close, ground level design standards produce comfortable, inviting, and stimulating environments. From afar a variable skyline of roof edges, vertical shafts, and signage create interest.

These objectives are achieved through a general consistency of design intent, communicated through standards concerning such features as fenestration, materials, color, scale, lighting, and signage. The Guidelines also encourage visual interest throughout the Project Area, achieved through a variety of forms and materials. At full build-out, the Project will have the appearance of a variety of buildings and spaces that have been built over time, by different owners and designers. The Guidelines are mostly concerned with visual content relating to any and all parts of buildings (seen up close as well as from afar) in Canalside. They are guidelines and not rules.

The purpose of the Guidelines is to give direction and help provide an efficient review and response to proposed development actions. To facilitate the process, the Corporation established a Design Review Committee in 2010, which is composed of local professionals with specific training and/or expertise in urban/architectural/landscaping, design, construction, and development to review and make recommendations to the Corporation Board of Directors on the design of private development proposals at Canalside with regard to their consistency with the Guidelines.

II. Canalside Design Committee Composition and Function

A. Purpose

As articulated in the Guidelines, the purpose of the Canalside Design Committee (“Committee”) is to assist the Erie Canal Harbor Development Corporation Board of Directors (“Board”) with the development, adoption and implementation of the Guidelines. The Committee’s role is to help ensure that the Guidelines and all development at Canalside promote a cohesive atmosphere that is inspired by the architecture of Buffalo’s historic canal district.

B. Composition, Selection, and Qualifications

As originally drafted, the Guidelines anticipated that the Committee would be comprised of three members appointed by, and serving at the discretion of, the Board with input from the Mayor of the City of Buffalo. The members are to serve until their resignation, retirement, removal by the Board, or until their successors are appointed. The Guidelines also contemplated that once the Committee has completed review of all proposed permanent structures within Canalside, the Committee shall be dissolved and have no further duties.

The Committee currently consists of three (3) members: Rishawn Sonubi, Audrey Ross Sanders, and Mark Mistretta. At this time, the Board is being requested to appoint two (2) new members and two (2) alternates, that will be available to replace a DRC member if he/she can no longer fulfill their Committee duties.

From a member selection perspective, Committee members are to be knowledgeable in matters pertaining to architectural design and historical context as it relates to Canalside. The Guidelines state that Committee members are prohibited from being an employee or an immediate family member of an employee of ECHDC, ESD or any developer or tenant of a proposed permanent structure within Canalside.

III. Committee Member and Alternate Member Appointments

A. Elaine Chow

Elaine Chow is requested to be designated as a member of the Erie Canal Harbor Development Corporation’s Canalside Design Committee.

Elaine is an adjunct instructor within the School of Architecture & Planning at the State University of New York at Buffalo. She also has a private practice that includes retail and private residential projects which include an Energy Star rated Net-Zero residence. She previously worked internationally, including a courthouse and embassy, with the firm Kallmann, McKinnell and Wood Architect’s located in Boston, Ma. While living in Shanghai, China, she worked with zerolaboffice on large-scale commercial and mixed use projects as well as a villa located in Ordos, Inner Mongolia.

Elaine graduated from State University of New York at Buffalo with a Bachelor of Professional Studies in Architecture, and then graduated from Columbia University with a Master of Architecture. She is a registered Architect in Massachusetts.

Personal accreditations include recipient of the Outstanding Academic Achievement Award and AIA Eleanor Allwork Portfolio Grant while attending the State University of New York at Buffalo. Elaine received the Lucille Smyser Lowenfish Memorial Prize while attending Columbia University, which is awarded to the graduating student whose work is most outstanding.

B. Deborah Pease

Deborah Pease is requested to be designated as a member of the Erie Canal Harbor Development Corporation's Canalside Design Committee.

Deborah has a private practice that provides both architectural design and construction management services. She previously worked Cannon Design, Wendel Companies, and Clark Patterson Lee in Buffalo, NY. Her expertise covers a wide range of project types, including college and university, primary education, municipal, healthcare, hospitality, transportation, housing facilities, historic preservation, and commercial buildings.

Deborah graduated from Erie Community College with an Associate's Degree in Civil Engineering, then Buffalo State College with a Bachelor of Science in Graphic Design, followed by earning a Master's in Education from the State University of New York at Buffalo. She is a registered Architect in New York.

She is an active Board Member for the Buffalo/ Western New York American Institute of Architects who is leading their Diversity Committee. She is also Board President for the Niagara Frontier Industry and Education Council. Deborah was recipient of the 2015 Erie Community College Distinguished Alumni, and a member of the 2008 Class of Leadership Buffalo.

Alternate Members

C. Michael Lennon

Michael Lennon is requested to be designated as an alternate member of the Erie Canal Harbor Development Corporation's Canalside Design Committee.

Michael worked for Flynn Battaglia Architect over the past 25 years and has been working in the field of Architecture since the late 1970s. He has been involved in a variety of projects, which include educational facilities, historic restoration and other urban/suburban projects. Some of his most significant projects are restoration projects on some of Buffalo's most iconic buildings: the Guaranty Building, Buffalo and Erie County Botanical Gardens, Asbury Delaware Church, and the Buffalo Psychiatric Center (now Hotel Henry). He has also worked on numerous projects at the Roycroft Campus, including a building master plan. His responsibilities have included design, technical detailing, and project management.

Michael graduated from the University of Detroit with a Bachelor of Architecture. He is a registered Architect in New York. He is also an active member in the national organization Association of Preservation Technology (APT).

Personal accreditations include recipient of the AIA Mentor of the year award in Western New York, twice.

He has been a speaker at multiple state and national conferences, including APT and the New York State AIA Conference.

D. Seth Amman

Seth Amman is requested to be designated as an alternate member of the Erie Canal Harbor Development Corporation's Canalside Design Committee.

Seth is an adjunct instructor within the School of Architecture & Planning at the State University of New York at Buffalo. He is the founder of Arch & Type, a Buffalo based architecture and development practice. He previously worked for Architectural Resources which included working on the interpretive canals within the Aud block.

Seth graduated from State University of New York at Buffalo with a Bachelor of Professional Studies. in Architecture. He is a registered Architect in Massachusetts.

Seth is active in the community, serving as an advisor to the Allentown Association and Vision Niagara. Both groups harness collective energies to better the urban districts they serve.

IV. Environmental Review

ESD staff has determined that the appointment of a Canalside Design Committee member does not constitute an "action" as defined by the New York State Environmental Quality Review Act ("SEQRA") and the implementing regulations for the New York State Department of Environmental Conservation. No environmental review is required in connection with this appointment.

V. Requested Action

The Directors are requested to appoint Elaine Chow and Deborah Pease as members to the Canalside Design Committee to assist the Erie Canal Harbor Development Corporation with the development, adoption and implementation of the Canalside Design Guidelines issued by the Corporation in July 2009 and revised March 2010 and to take all related actions.

The Directors are requested to appoint Michael Lennon and Seth Amman as alternate members to the Canalside Design Committee to assist the Erie Canal Harbor Development Corporation with development, adoption and implementation of the Canalside Design Guidelines issued by the Corporation in July 2009 and revised March 2010 as necessary and to take all related actions.

VI. Recommendation

Based on the foregoing, I recommend approval of the requested actions.

Attachments
Resolution

October 15, 2019

ERIE CANAL HARBOR DEVELOPMENT CORPORATION – Canalside Design Committee – Authorization to Designate Canalside Design Committee Members and to Take Related Actions

BE IT RESOLVED, that upon the basis of the materials presented to this meeting (the “Materials”), a copy of which is hereby ordered filed with the records of the Erie Canal Harbor Development Corporation (the “Corporation”), Elaine Chow and Deborah Pease are hereby appointed as full members and Michael Lennon and Seth Amman are hereby appointed alternate members to the Canalside Design Review Committee to assist the Erie Canal Harbor Development Corporation Board of Directors with the development, adoption and implementation of the Canalside Design Guidelines; and be it further

RESOLVED, that the President or an Officer of the Corporation or his designee(s) be, and each of them hereby is, authorized to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing resolutions.

* * *

Item 4



FOR CONSIDERATION

October 15, 2019

TO: The Directors

FROM: Steven P. Ranalli

SUBJECT: Outer Harbor (901 Fuhrmann Boulevard) - Utility Easement

REQUEST FOR: Authorization to Grant a Utility Easement to National Grid; and Authorization to Take Related Actions

I. The Project

In September 2016, Erie Canal Harbor Development Corporation started the process to bring activity and natural design elements to the Outer Harbor through the Access & Activation Civic Improvements Project. The goals of the project were to improve seasonal, recreational, and tourist access; enhance pedestrian and bicycle access; and minimize adverse impacts on communities and the environment.

At the conclusion of the design process, the scope of work included a bike park, event lawn, and natural landscape habitats. The bike park included a skills track, a pump track, and three mountain bike trails of various levels of difficulty. It also includes paved paths that connected to the existing bike trail network. Pedestrian and bike paths circulate through the site, and provide access to the large oval event lawn. The project was completed in the summer of 2019.

II. Easement

Erie Canal Harbor Development Corporation has finished constructing the bike park and event lawn at the Outer Harbor, for which they planned and undertook required State environmental reviews/approvals in 2015. In order to provide electrical service to these improvements, a utility easement needs to be granted by ECHDC as the property owner to the National Grid ("NG") to permit extension of electrical service from Fuhrmann Boulevard to the subject locations on the Property .

The easement consists of a twenty foot width throughout its extent as shown on Exhibit "A". The proposed easement would prohibit building construction on the section and grants NG the right to access the property to inspect, maintain and repair the electric cabling as necessary.

III. Compliance with the Public Authorities Accountability Act

Pursuant to the provisions of the Public Authorities Accountability Act ("PAAA"), ECHDC is required to dispose of property through a competitive process unless a specific statutory exception applies. In the present case, the relevant exception permits negotiated transactions when the transfer supports the purpose or mission of the public authority.

Furthermore, as the transfer will be to NG for nominal consideration and therefore for below fair market value, the PAAA requires that the transfer is within the purpose, mission or governing statute of the public authority. As the granting of the easement is necessary to provide electric service to project site, the transfer will support the mission of ECHDC, namely development of the City of Buffalo's outer harbor.

The following information is provided for the below market transfer pursuant to the PAAA:

- (i) A full description of the asset: a 20-foot wide and will encumber an area of about 2,700 sf (.062 acre).
- (ii) An appraisal of the fair market value of the asset: Pursuant to an independent appraisal, the value of the property right granted to NG is \$3,800.
- (iii) A description of the purpose of the transfer, and a reasonable statement of the kind and amount of the benefit to the public resulting from the transfer, including but not limited to the kind, number, location, wages or salaries of jobs created or preserved a required by the transfer, the benefits, if any to the communities in which the asset is situated as are required by the transfer: As more fully described in these materials, the public benefit expected includes permitting electric service that is necessary for development of the City's outer harbor.
- (iv) A statement of the value to be received compared to the fair market value: The transfer will not provide any monetary compensation to ECHDC but will provide electrical service to the site and allow State Parks to maintain and ECHDC's Site Manager to operate the site.
- (v) The names of the private parties participating in the transfer: National Grid. No other private parties are participating in the transaction.
- (vi) The names of the private parties who have made an offer for such asset, the value offered, and the purpose for which the asset was sought to be used: No other offer has been received.

The goal of the transfer is to provide necessary electric service which is required in order for ECHDC to operate and maintain the project site which supports ECHDC's mission of waterfront development. As the easement is needed by NG to install and maintain the electric service, there is no reasonable alternative to the proposed below market transfer that would achieve the same purpose of such transfer.

IV. Environment Review

ECHDC completed a coordinated environmental review of the Buffalo Outer Harbor Access & Activation Civic Project, pursuant to the requirements of SEQRA and the implementing regulations of the New York State Department of Environmental Conservation and made a Determination of No Significant Effect on the Environment on November 9, 2015. No further environmental review is required at this time.

V. Recommendation

Based upon the foregoing, the Directors are requested to: 1) authorize the Corporation to grant an easement to the National Grid as described in these materials; and 2) take all related actions.

Attachments

Resolution
Exhibit "A" – Description of Easement

October 15, 2019

ERIE CANAL HARBOR DEVELOPMENT CORPORATION – Outer Harbor (901 Fuhrmann Boulevard) - Utility Easement – Authorization to Grant a Utility Easement to National Grid; and Authorization to Take Related Actions

RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Erie Canal Harbor Development Corporation (the "Corporation"), the Corporation is hereby authorized to grant an easement to National Grid as described in these materials on the terms and conditions set forth in the materials; and be it further

RESOLVED, that the President of ECHDC or his designee(s), be and the same hereby is, authorized in the name of and on behalf of the ECHDC to enter in any such agreements and take any and all actions necessary or appropriate to implement the foregoing.

* * *

Exhibit A

GRANT OF EASEMENT

ERIE CANAL HARBOR DEVELOPMENT CORPORATION, A New York corporation and subsidiary of New York State Urban Development Corporation, having a mailing address of 95 Perry Street, 5th Floor, Buffalo, New York, 14203, (hereinafter referred to as "Grantor"), for consideration of One Dollar (\$1.00), and/or other valuable consideration paid, the receipt and sufficiency of which are hereby acknowledged under seal, hereby grants to NIAGARA MOHAWK POWER CORPORATION, a New York corporation, having an address at 144 Kensington Avenue, Buffalo, New York, 14214 (hereinafter referred to as "Grantee"), for Grantee and its lessees, licensees, successors, and assigns, the perpetual right and easement as described in Section 1 below (the "Easement") in, under, through, over, across, and upon the Grantor's land, as described in Section 2 below (the "Grantor's Land").

THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 36 OF ARTICLE 71 OF THE ENVIRONMENTAL CONSERVATION LAW.

Section 1 – Description of the Easement. The "Easement" granted by the Grantor to the Grantee consists of a perpetual easement and right-of-way, with the right, privilege, and authority to:

a. Construct, reconstruct, relocate, extend, repair, maintain, operate, inspect, patrol, and, at its pleasure, remove any poles or lines of poles, supporting structures, cables, crossarms, overhead and underground wires, guys, guy stubs, insulators, transformers, braces, fittings, foundations, anchors, lateral service lines, communications facilities, and other fixtures and appurtenances (collectively, the "Facilities"), which the Grantee shall require now and from time to time, for the transmission and distribution of high and low voltage electric current and for the transmission of intelligence and communication purposes, by any means, whether now existing or hereafter devised, for public or private use, in, upon, over, under, and across that portion of the Grantor's Land described in Section 3 below (the "Easement Area"), and the highways abutting or running through the Grantor's Land, and to renew, replace, add to, and otherwise change the Facilities and each and every part thereof and the location thereof within the Easement Area, and utilize the Facilities within the Easement Area for the purpose of providing service to the Grantor and others;

b. From time to time, without further payment therefore, clear and keep cleared, that portion of Grantor's Land described in Section 3 below (the "Trimming Easement Area") of any and all trees, limbs, branches, roots or vegetation and trim and remove danger trees adjacent to the Easement Area that, in the opinion of the Grantee may jeopardize the integrity of the Grantee's electric distribution facilities; Grantee shall follow accepted arboricultural standards which may require Grantor to make pruning cuts closer to the tree stems, outside the 10-foot easement area.

c. Excavate or change the grade of the Grantor's Land as is reasonable, necessary, and proper for any and all purposes described in this Section 1; provided, however, that the Grantee will, upon completion of its work, backfill and restore any excavated areas to reasonably the same condition as existed prior to such excavation; and

d. Pass and repass along the Easement Area to and from the adjoining lands and pass and repass over, across, and upon the Grantor's Land to and from the Easement Area, and construct, reconstruct, relocate, use, and maintain such footbridges, causeways, and ways of access, if any, thereon, as is reasonable and necessary in order to exercise to the fullest extent of the Easement.

Section 2 – Description of Grantor's Land. The "Grantor's Land" is described in certain Deeds recorded in the Erie County Clerk's Office on August 30, 2016, in Liber 1301 of Deeds at Page 1308 and consists of land described as being part of Tax Parcel No. 122.17-1-1.1 and Liber 11263 of Deeds at Page 8987, recorded May 12, 2014, being part of Tax Parcel 122.17-1-1.2 of the City of Buffalo, County of Erie, State of New York, and part of Lot No. 1, 2 and 3, of the Ogden Gore Tract, part of Outer Lots Nos. 42-50 and part of the lands formerly under the waters of Lake Erie, commonly known as 901 Fuhrmann Boulevard and 825 Fuhrmann Boulevard.

Section 3 – Location of the Easement Area. The "Easement Area" shall consist of a portion of the Grantor's Land twenty feet (20') in width throughout its extent, the centerline of the Easement Area being the centerline of the Facilities. The general location of the Easement Area is shown on the sketch entitled Exhibit A, which sketch is attached hereto and recorded herewith, copies of which are in the possession of the Grantor and the Grantees. The final and definitive location(s) of the Easement Area shall become established by and upon the final installation and erection of the Facilities by the Grantees in substantial compliance with Exhibit A hereto. The "Trimming Easement Area" shall be a strip of land measured ten (10) feet from the outermost electric conductor on each side of the line.

Section 4 – Facilities Ownership. It is agreed that the Facilities shall remain the property of the Grantee, its successors and assigns.

Section 5 – General Provisions. The Grantor, for itself, its heirs, legal representatives, successors, and assigns, hereby covenants and agrees with the Grantee that no act will be permitted within the Easement Area which is inconsistent with the Easement hereby granted; no buildings or structures, or replacements thereof or additions thereto, swimming pools, or obstructions will be erected or constructed above or below grade within the Easement Area; no trees shall be grown, cultivated, or harvested, and no excavating, mining, or blasting shall be undertaken within the Easement Area without the prior written consent of the Grantee; the Easement shall not be modified nor the Easement Area relocated by the Grantor without the Grantee's prior written consent; the present grade or ground level of the Easement Area will not be changed by excavation or filling.

The Grantee, its successors and assigns, are hereby expressly given and granted the right to assign this Easement, or any part thereof, or interest therein, and the same shall be divisible between or among two or more owners, as to any right or rights created hereunder, so that each assignee or owner shall have the full right, privilege, and authority herein granted, to be owned and enjoyed either in common or severally. This Grant of Easement shall at all times be deemed to be and shall be a continuing covenant running with the Grantor's Land and shall inure to and be binding upon the successors, heirs, legal representatives, and assigns of the parties named in this Grant of Easement.

IN WITNESS WHEREOF, the Grantor has duly executed this Grant of Easement under seal this _____ day of _____, 2019.

ERIE CANAL HARBOR DEVELOPMENT CORPORATION

By: _____
Print Name: _____ (sign here)
Print Title: _____

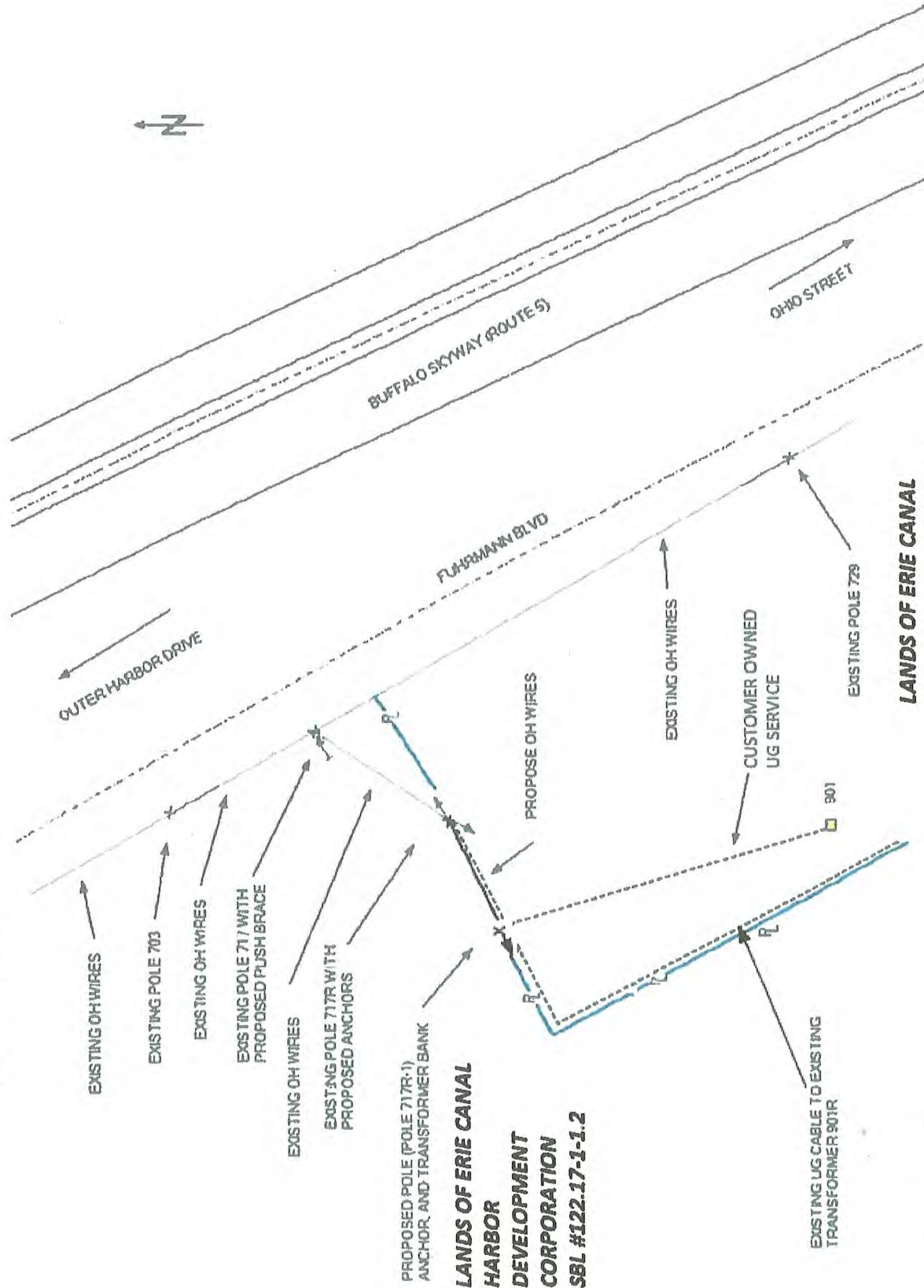
State of _____)
County of _____) ss:

On the ____ day of _____ in the year 2019, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

**CITY OF BUFFALO
COUNTY OF ERIE**

EXHIBIT A



**LANDS OF ERIE CANAL
HARBOR
DEVELOPMENT
CORPORATION
SBL #122.17-1-1.2**

**LANDS OF ERIE CANAL
HARBOR DEVELOPMENT
CORPORATION
SBL #122.17-1-1.1**

**WR 28309431
NOT TO SCALE**