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2 what you did to your waterfront." Well, I think
3 now if we bring Bette Middler back, she'd see that
4 there has been advancement on the waterfront, and
5 the reason it's happened is because of groups like
6 this that get together and say this is what we want
7 as a community.

8 I just want to thank the Erie
9 Canal Harbor Development Corporation for bringing
10 Buffalo Place into the table to work with you, and
11 we're here to support this project. We believe it
12 as a project. It's good for downtown. What's good
13 for downtown is good for Western New York.

14 You'll receive our written
15 comments from the Board of Directors. But my -- my
16 point to be here tonight is to say that we have to
17 move this ahead. We have to move forward. We
18 can't stop. Downtown is on a momentum that's
19 moving forward. This is very important for
20 downtown and for Western New York, that we show
21 leadership. This is an opportunity to lead Western
22 New York, and bring retail, public space, and the
23 waterfront together, for all of Western New York.
24 Buffalo Place is in support of this.

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2 Thank you very much.

3 MR. WALTERS: Thank you.

4 Okay. Our next speaker is
5 Elizabeth Nichols.

6 And after that we have Carl
7 Burghardt.

8 MS. NICHOLS: Okay. My name is
9 Elizabeth Nichols. And I'm represent the Western
10 New York Sustainable Energy Association.

11 And pretty much what I have to
12 say was the same as Mr. Majewski, but I do hope
13 that you are going to take into consideration
14 alterative or renewable energy, and the impact on
15 the site.

16 MR. WALTERS: Thank you.

17 Okay. Carl Burghardt.

18 And after Mr. Burghardt we have
19 Dan Sack.

20 MR. BURGHARDT: I'm Carl
21 Burghardt from Orchard Park.

22 Several years ago when Governor
23 Pataki came to town, I was one of the first
24 supporters of building this real thing on

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2 Commercial Slip. And the New York State
3 Development was -- was found, and produced a very
4 quality, real thing in -- in Commercial Slip.

5 I commend the Erie Canal Harbor
6 Development Company's plan that's out here tonight,
7 outside of the historic district. I feel that the
8 historic district was designed at the time of
9 Pataki funding this project. And at that time it
10 was to be a historic entertainment district,
11 preserving the original street grids, and the
12 original village of Buffalo that contained the city
13 of Buffalo in 1802, and this has been totally
14 ignored in the original -- well, when they have --
15 they decided it.

16 I think a sustainable retail and
17 developed area outside of that is wonderful. But I
18 think we have to respect that Buffalo was the
19 eighth largest city in this country and it's gone
20 down the list ever since, because we've ignored our
21 history and that has hurt us.

22 One of Buffalo's greatest
23 industries in the 1900s was the George N. Pierce
24 Company, who sat in the center of that district of

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2 Erie and Hardwick. They -- they were Buffalo's
3 largest employer. That George N. Pierce Company
4 was the largest bicycle builder in Buffalo, Hunt
5 and Bickson (phonetic spelling) from Buffalo was
6 the third largest builder of bicycles in the -- the
7 country.

8 Over seven hundred and fifty
9 businesses in Buffalo were bicycle businesses
10 during the decade of the 1890s, and George N.
11 Pierce Company sat there for thirty years on that
12 site. They built their first Pierce automobile,
13 which contained the Arrow motor car, and then the
14 Pierce Arrow. The first eight years those cars
15 were built on that historic ground. There's been
16 no mention of a historic element that was so strong
17 in Buffalo during that period.

18 I commend the -- the Canal
19 District for including a liberty pole. That's a
20 strong element of our history. It stood in Buffalo
21 for over a hundred years as the tallest flag staff
22 in the world, flying the world's largest flag.
23 We've ignored it since 1939 when we tore it down at
24 the time of the -- the second World War, when we

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2 needed it most. It's a tradition that Buffalo
3 should be ashamed of.

4 I hope the Canal District puts
5 up, again, the largest, tallest flag staff in the
6 world, and maybe has a liberty pole plaza that
7 might commemorate the four previous ones in the
8 realistic size, leading up to the tallest one
9 today. We could have the icon of the Arch of St.
10 Louis, the tower in Seattle. We could have an icon
11 like the Golden Gate Bridge, and our icon could be
12 our liberty pole plaza.

13 We can't ignore that original
14 street grid and tear it apart. Leave that
15 twelve-and-a-half-acre site, save it for Buffalo's
16 historic buildings. The buildings of Buffalo,
17 which was the eighth largest city a hundred and --
18 hundred-so years ago -- and make us go up on that
19 list again.

20 We need a tourism destination.
21 We aren't building this for the people of Buffalo.
22 We can't support this in the city of Buffalo. We
23 need tourism dollars coming into Buffalo, and
24 tourism with -- is New York State's second largest

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2 industry, and that brings dollars here. It doesn't
3 send them out on airplanes to other places. Those
4 dollars help make Buffalo's hotels. We can't have
5 a hotel on historic ground.

6 Thank you.

7 MR. WALTERS: Thank you very
8 much.

9 At this time I'd like to call Dan
10 Sack.

11 And after Mr. Sack we have
12 Anthony Anderson.

13 MR. SACK: Thank you. Daniel
14 Sack, S-A-C-K.

15 Thanks for having this hearing,
16 but it's a few years late, because you've made a
17 lot of decisions and you haven't had this public
18 input before you made all those decisions.

19 I don't know how tall the liberty
20 pole will be, but this design might have the
21 tallest Bass Pro sign in the world, so that's
22 something.

23 I -- I think one of the -- the
24 largest adverse impacts is the exclusion of the

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2 2004 master plan, which was so well put together
3 after many years of -- of litigation and dispute,
4 and a lot -- a lot of time spent. And now we've
5 spent another four, five years, and -- and that
6 plan has been rejected. There's a few remnants of
7 it, but four years later we have a plan that
8 isn't -- isn't what we had, and we're disappointed
9 by that.

10 We hear talk -- heard talk about
11 engaging the public. Well, the public was very
12 engaged, and I've been coming to meetings like this
13 and meeting in this room twenty, thirty years, and
14 I -- I have heard people talking about what they
15 want on the waterfront, and people talking about
16 walking and swimming and boating and canoeing and
17 ice cream and restaurants and the history and some
18 apartments, and fishing, and picnics.

19 Shopping, yes -- yeah, people
20 want shopping on the waterfront. But I never, ever
21 heard anybody from the public call for a shopping
22 center feature, with a -- with a big box store.
23 And -- and I think the idea, and in SEQRA, and in
24 their laws, they talk about the intent is to -- is

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2 to give weight to social, economic, and
3 environmental factors. So, the economics of
4 putting so much money into a Bass Pro store, or a
5 Bass Pro Benderson project doesn't make sense.

6 It was never asked for by the
7 public, and it was dreamed up by the Erie Canal
8 Harbor Development Commission, and -- and I regret
9 and I've been very sad, that all of the Board
10 members of -- are -- are not here to hear the
11 public speaking to you, telling you what our
12 suggestions are, and maybe you'll read the notes,
13 we don't know. But if -- but if the Board members
14 were here, they would hear us at least.

15 Bass Pro. I've always heard from
16 investment advisors to diversify. From what I
17 understood from a meeting I was at, showing the --
18 the designs a couple of months ago at Jordan Levy's
19 office, that the first -- the money first would go
20 to Benderson and Bass Pro. And then the market
21 might develop other things that -- that would be on
22 land controlled by -- by Benderson Development.

23 Well, this is an awful lot of
24 money and land to give to two corporations. It's

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2 certainly not diversity, and you certainly wouldn't
3 get diversity with one development agency
4 controlling the whole property.

5 We know now that the largest
6 corporations in America can fail. General Motors,
7 Ford, Chrysler, Bank of America, CitiCorp, Lehman
8 Brothers has failed. Shopping and stores, Circuit
9 City is out of business. And we're going to give
10 millions of dollars to Bass Pro? What do we know
11 of their finances? What do we know of Benderson's
12 finances?

13 Well, I can assure you, we won't
14 know. They're privately held corporations, I
15 believe, and even if they weren't, the best
16 auditors in the world couldn't tell us what was
17 going to happen to Citi Bank or Bank of America.

18 So, give some money to Bass Pro,
19 that's fine. But divide it up into -- into fifty
20 other pots. Give it to fifty other companies.
21 Give Bass Pro a little money if they want to build
22 an appropriate building. But give it -- give the
23 money to fifty other different companies, because a
24 few of them will go out of business. It's to be

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2 expected anywhere. Bass Pro could go out of
3 business. Maybe Dick's Sporting Goods will buy
4 Bass Pro, and they'll decide, well, we'd rather
5 keep the store out at Gallery, and we'll close this
6 one down in Buffalo. Well, then where would we be?

7 So, I think that the Erie Canal
8 Harbor Development Corporation has to come up with
9 another alternative. They've got an alternative,
10 the requisite one, to do nothing, and then all the
11 other alternatives are -- include a Bass Pro.
12 You've got to have alternatives that don't include
13 a Bass Pro.

14 Thank you.

15 MR. WALTERS: Thank you.

16 Okay. Next up we have Anthony
17 Anderson.

18 After Mr. Anderson we have Angelo
19 Coniglio.

20 MR. ANDERSON: My name is Anthony
21 Anderson. I -- excuse me. A-N-D-E-R-S-O-N.

22 I'm a trustee from Western New
23 York Adaptive Water Sports and the Great Lakes
24 Water Sports Institute.

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2 I'd like to lend a little more
3 positive note on what we have and where we're
4 going. First, applauding the people involved,
5 although they do have doubters. It's finally a
6 place where people with physical disabilities, and
7 people that want to use their boats and recreation,
8 have a place to go, that they can actually get to
9 the water, and to a certain extent, get in the
10 water.

11 For many years the Buffalo
12 waterfront has been set up so that on one side you
13 have people coming to the edge of the water, they
14 can look and see, and they couldn't get there.
15 From the water side, they had people coming in by
16 boat, from Port Colburn, from Dunkirk, from Erie,
17 Pennsylvania and so on; they didn't have a place to
18 dock.

19 But thanks to the last go around
20 with the harbor development, we now have the finest
21 and the primary access for people to get from the
22 land to the water and back. It's the largest
23 stretch of dock that a person with a physical
24 disability, that's either on crutches or a

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2 wheelchair or whether they have to be carried for
3 that matter, to get to the water, to get into a
4 boat, to enjoy the benefits of the water, enjoy
5 what God gave us, the Lake Erie waterfront and the
6 Buffalo Harbor.

7 I'm hoping, and as a
8 representative for the Western New York Adaptive
9 Water Sports Foundation, that this continues, and
10 that you provide as much access as possible for
11 people that are both able-bodied, and people with
12 physical disabilities, to be able to enjoy the
13 waterfront, and get to the waterfront.

14 Everybody else has beat to death
15 Bass Pro, our heritage, access, green design, these
16 are all important factors. But the primary goal
17 for this area should be for everybody to get not
18 only to the water to see it, but actually to enjoy
19 the water, not just look at it.

20 Thank you very much.

21 MR. WALTERS: Thank you.

22 Okay. We have Anthony Coniglio.

23 And our next speaker after that
24 is Andy Graham.

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2 MR. CONIGLIO: It's Angelo

3 Coniglio, C-O-N-I-G-L-I-O.

4 If you want to slap this in your
5 list of five elements, this is under reasonable
6 alternatives.

7 MR. WALTERS: Very good.

8 MR. CONIGLIO: So, instead of
9 just one restaurant, or just one retail site, or
10 just one parking lot, or maybe just one Bass Pro, I
11 suggest an alternative should be a Buffalo Erie
12 Canal Museum.

13 Could I have a slide put up of
14 the -- of the area?

15 If -- if everybody in the Erie
16 Canal Harbor -- E.C.-- D.C. -- H.C. -- H.D.C.,
17 hasn't read this book, they should read it:
18 America's Crossroads, by Mike Vogel, Buffalo News
19 writer of several years ago.

20 And I'd like to read a quote from
21 Marvin Rapp, P.H.D., a historian who wrote the
22 forward. "Through this narrow terminal, thousands
23 of immigrants walked these few shorts blocks from
24 their canal boats to the sailing vessels or

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2 steamers bound for the western frontier and a new
3 life." He states that "During its prime more
4 people came through Buffalo on the Erie Canal than
5 went through Ellis Island." And he says, "Would
6 that today, in 1993, a canal packet, vintage lake
7 freighter or passenger steamer be docked
8 permanently in the Buffalo Harbor to remind us of
9 the days when America marched from the streets of
10 the great Port of Buffalo. Remember, this city was
11 once the largest in -- inland immigrant port of
12 America. But where is Buffalo's Ellis Island-type
13 museum? Maybe someday these things will be
14 represented."

15 That was sixteen years ago.
16 Sixteen years from today will be the two hundredth
17 anniversary of the Erie Canal.

18 Mr. -- I'm sorry -- the
19 architect, Mr. Eckstut made a comment about
20 nonnavigable waters. The -- the additions to the
21 canal are nonnavigable, but if we look at this
22 chart, down at the lower left is the Buffalo River.
23 If you take your boat out of the Commercial Slip,
24 down the Buffalo River, out the Inner Harbor,

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2 towards the Barge Canal, guess what? You can go to
3 Albany, and you can come back again.

4 And a statement in here, in
5 your -- on your Web site says that "We want this
6 destination to become a truly special place in the
7 hearts and minds of Western New Yorkers." You're
8 shooting way too low. It should be a destination
9 in the hearts and minds of the world. It should be
10 a destination for the world.

11 I'm a former hydraulic engineer
12 for the -- for the U.S. Army Corps of Engineers,
13 and I've taught hydrology for the University of
14 Buffalo for twenty-five years. The -- the Great
15 Lakes and the waterways leading to the Great Lakes
16 has been my -- my career. I'm a proponent of an
17 Ellis Island-type Buffalo Erie Canal Museum and a
18 database, where Americans could see Erie Canal
19 memorabilia, enroll their ancestors on a wall of
20 honor for Erie Canal workers, travelers, and
21 residents, and to search online databases.

22 My own family -- if you look at
23 that map to the upper left, my family, when they
24 moved to Buffalo, lived at 18 Peacock Street in the

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2 canal district, one of the most famous districts in
3 the world.

4 Among the things I propose is our
5 signage, at every major street coming into Buffalo,
6 that say "Buffalo, western terminus of the Erie
7 Canal." It is navigable. You can get at it. You
8 should get to it. You should come to it. The song
9 didn't say from Albany to Tonawanda. It said from
10 Albany to Buffalo. Let's tell the world that
11 Buffalo is here, you can get here by boat. You can
12 get -- come here by boat from New York City.

13 So, one element is signage.

14 MR. WALTERS: That's four
15 minutes. I'm sorry.

16 MR. ANDERSON: It's up?

17 MR. WALTERS: Yeah. If you could
18 just wrap up.

19 MR. ANDERSON: Okay. I'll wrap
20 up.

21 I -- when Lee Iacocca started
22 Ellis Island's museum, he wrote to Americans and
23 asked them if they wanted their parents' names on a
24 wall of honor at Ellis Island. Hundreds of

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2 thousands of Americans sent him a hundred dollars,
3 including eight of my siblings and myself. They've
4 got -- they've got fifty -- fifty-cent certificate
5 that looks something like this, and another
6 certificate that says they were a founder of the
7 Ellis Island Foundation.

8 Guess what, I'm proud of that
9 hundred dollars that I paid. I'd like to get the
10 people in Utah and Oregon and all over the -- the
11 west, to pay a hundred dollars for a certificate
12 that says that their grandfather came through the
13 Erie Canal. Let's have a museum here.

14 Thank you.

15 MR. WALTERS: Thank you, sir.

16 MR. ANDERSON: If anybody would
17 like talk more about this, please see me
18 afterwards.

19 Thanks.

20 MR. WALTERS: Okay. Our next
21 speaker is Andy Graham.

22 But Mr. Graham, before you start,
23 I think our -- we need to save the disk.

24 (Off-the-record discussion)

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2 MR. WALTERS: Okay. Thank you
3 very much.

4 Mr. Graham.

5 MR. GRAHAM: Clear to go. Okay.

6 My name is Andrew Graham. I'm a
7 resident of Harbor Point, down on the waterfront.
8 So, that's -- that's one hat that I wear. I'm also
9 a member of the Buffalo Harbor Sailing Club, so
10 I've been asked to represent them, and also, Voice
11 Buffalo, which is a community-action group.

12 I think first of all I'd like to
13 compliment you all on getting a good notice out for
14 this meeting. One of the things that Voice is
15 concerned with is public input to making decisions
16 of this sort, and we really believe that the best
17 ideas, in terms of design, and ultimate use very
18 often come from people just walking on the street.
19 With respect to the 2004 plan, we -- we learned
20 that Niagara Limestone doesn't explode, from
21 people -- a couple that walked in off the street,
22 they headed up the docks -- floating docks along
23 the waterfront are under -- the sailing club and
24 we -- we happened to be at the meetings.

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2 Actually, the -- the restoration
3 of the -- of the Commercial Slip itself, I think
4 really probably started with Dave Baxter attending
5 these meetings. So, I urge you to start with --
6 with the people, and then develop their ideas.
7 This is what's wrong, and this a good start.

8 I already said that Voice Buffalo
9 got involved for the first time, I think, actively,
10 when the attempt to locate Bass Pro on the Central
11 Wharf occurred, and -- and we stepped in, and we
12 made some noise to -- to try to prevent that, and
13 preserve the -- the 2004 plan. I'd like to echo
14 that which has been -- Carl said in his comments,
15 that that twelve-acre plot is -- is very important
16 historically, and that the -- the plan to preserve
17 the original streets and restore them was laid out
18 before, and I think every effort should be made
19 to -- to maintain that.

20 Outside that area, we have -- we
21 have less to say. A couple of things you may want
22 to consider adding, with respect to the -- the
23 boating contingent, is something near those --
24 the -- the docks and floating docks, where

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2 transient yachts could come in, take a shower, pick
3 up some things that they may need, clothes. I'm
4 not sure if it's practical to put fuel there, but
5 it ought to be located nearby. It's something you
6 ought to think about locating close to there.

7 Another thing that I've talked
8 about before, and I don't think a lot of
9 consideration has been given to, is -- is the
10 impact and the facilities needed to attract cruise
11 ships to pull right into this harbor. That's a
12 growing industry in the Great Lakes. People have
13 done the Greek Islands, they've done the Caribbean.
14 They're looking for other places to go, and some of
15 these major cruise lines are looking at the St.
16 Lawrence Seaway and -- and this is a place that
17 they might go to if we make it available.

18 The -- I'd like to comment a
19 little bit about Bass Pro from my own experience.
20 I'm putting on my own hat for a minute. I've
21 attended a Bass Pro up -- up at Foxborough. If you
22 were to build this store in a cornfield near Ralph
23 Wilson stadium, that's sort of what the Foxborough
24 situation is. They have built it right next to

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2 Gillette Stadium. There's no dense population
3 around anywhere.

4 It's -- it's huge, but not as
5 huge as what we're putting in here. The local
6 population is not going to support this store, the
7 tourists will. And the tourists will support it.
8 From L.L. Bean for nearly fifty years, up -- up in
9 Freeport, everybody goes to L.L. Bean that goes up
10 and down the coast. It's a -- it's an ocean stop.
11 So, I think it's -- it's on that sort of magnitude.
12 It's a different -- different thing. It really is.

13 MR. WALTERS: That is four
14 minutes.

15 MR. GRAHAM: So, I -- I think
16 that, you know, if you put that store anywhere,
17 it's going to pull people. The impact here is
18 going to be huge. We've got to think of street
19 plans just quickly. You need lights at Erie and
20 Bingham. We need a light at Bingham and Church.
21 We should cut through Bingham into -- I think it's
22 Jackson that goes past Health now. So, those
23 people can spill out, get onto the one-lane and not
24 having any problems through town. All that is

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2 going to be affected by the traffic.

3 I think that's about it.

4 MR. WALTERS: Thank you very
5 much. We appreciate your comments.

6 Okay. Our next speaker -- I
7 don't think I put anybody on deck. I apologize.

8 We've got Tim Tielman.

9 After Mr. Tielman, I have Richard
10 Berger.

11 MR. TIELMAN: And thank you.

12 My name is Tim Tielman. I'm the
13 executive director of the Campaign for Greater
14 Buffalo History, Architecture, and Culture, and I'm
15 speaking on behalf of the organization this
16 evening.

17 I want to address my comments
18 primarily to the area bordered by Main Street,
19 currently Memorial Auditorium, Commercial Street,
20 and the Buffalo River. And specifically, the huge
21 adverse impact that this project will have on
22 something that I think the public has a great stake
23 in.

24 Hundreds, thousands of people

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2 waged a campaign -- a fifteen-year campaign to get
3 to the point we're at today. Last summer, for the
4 first time in one hundred and twenty-five years,
5 because of the efforts of a lot of people in this
6 room, the public was able to go out on Central
7 Wharf, where the Buffalo River and the Erie Canal
8 met, the first time in one hundred twenty-five
9 years. It's a huge accomplishment, but we can't
10 stop there.

11 This plan, unfortunately, the
12 Canal Side plan, we're extremely disappointed,
13 angry even, that this 19 -- 2004 final
14 environmental impact statement is basically thrown
15 in the dust bin. There is absolutely no
16 recognition, nor apparent understanding, of how
17 important this landscape is, that it is, in fact, a
18 cultural landscape.

19 The core of the cultural
20 landscape is the public infrastructure, exactly
21 where the streets run, exactly where Prime Slip
22 runs, exactly how the Erie Canal runs. The
23 streets, the sidewalks, the wharfs, none of that is
24 apparent in the area known as the Historic Canal

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2 District. In fact, it's all destroyed. We have a
3 totally new landscape. It's a themed shopping
4 environment with fake canal stuff.

5 I -- I -- I mean, our concerns,
6 yes, within the canal district itself, but also
7 what the visitor is going to see looking into and
8 out of it. And I'm telling you, not since the ice
9 age was there a waterfall on the Buffalo River.
10 The entire point about -- about making the
11 mergeance there was it was level water, and now
12 that we're going to have introduced these fake
13 elements, a fake canal where we have the real
14 thing. We have a water wheel. I'm looking for the
15 log flume. I don't see it. But I'm -- I'm sure
16 I'm overlooking it.

17 So, those are real issues, the
18 huge adverse affect on the cultural landscape that
19 has got to be examined, and can't be examined just
20 in terms of the project proponents rationalizing
21 things. We have to hear from trained professional
22 academic historians, working in historic
23 preservation. We want to know what they think the
24 impact will be, not what Bass Pro thinks the impact

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2 will be of this waterfall. We want to know if that
3 is inappropriate, and you have to take having
4 waterfalls, having elevated canals, water wheels,
5 things like that.

6 I think if you go down there on a
7 summer's day, on Commercial Wharf and the
8 Commercial Slip, you'll see how successful the
9 authentic history is, and how important it is to
10 run the Erie Canal, run the streets, exactly as
11 they were in that district.

12 Outside the district, you know,
13 reasonable people can discuss it, but we have a
14 master plan of 2004, which was the result of a
15 very, very long and complicated and expensive legal
16 and public process. We simply do not understand
17 why it's being absolutely thrown into the garbage.
18 It's arrogance bordering on contempt, and we're
19 really, really disappointed that the public will is
20 being ignored in this fashion.

21 Thank you.

22 MR. WALTERS: All right. Our
23 next speaker is Richard Berger.

24 And after Mr. Berger, we have

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2 Steve Fitzmaurice.

3 MR. BERGER: Thank you.

4 Richard Berger. I'm speaking on
5 behalf of myself, but just to let you know, in 2000
6 I was the attorney who represented the Preservation
7 Coalition of Erie County in a law suit challenging
8 the decision of the Empire State Development
9 Corporation to build what, in effect, they wanted
10 to build there. It was a concrete park that would
11 ignore the historic nature of this very special
12 space. And after awhile, when there was some
13 public pressure, there was a proposal to put a fake
14 Commercial Slip, an ersatz one, on it, just to sort
15 of commemorate the -- what had been the terminus of
16 Erie Canal.

17 So, we brought the case, and we
18 said to Empire State Development Corporation, it's
19 not that we're anti-development. That's -- that's
20 quite to the contrary -- quite to the contrary.
21 We're pro-development. But historic tourism and
22 historic development will bring millions of
23 tourists to this area, whereas a concrete park
24 would bring few people from Buffalo. Why are you

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2 wasting this opportunity?

3 And we brought in a local
4 historic -- historian, David Gerber, who's a
5 professor at the University of Buffalo, and Judge
6 Skretny asked him, "Well, what's the difference?
7 What's difference does it make if it's a fake
8 canal, a real canal, and they're using the original
9 limestone blocks with just some steel sides? You
10 could put a sign there that says, this -- this --
11 this is like what the historic period of town used
12 to be." And Professor Gerber told him, "Judge, you
13 can't do that. People want authenticity."

14 And that's what I'm here to tell
15 you today, that one word, authenticity.

16 We go to Europe, we go to Greece,
17 we go to Israel, to see historic places, because
18 this is our heritage, to know where we came from,
19 to understand what -- how we got to where we are
20 today. This space -- this small space -- and we're
21 talking -- I'm talking about the historic district,
22 not the surrounding development area -- both Dr.
23 Gerber and our Department of Historic Presentation
24 of Parks, Recreation and Historic Preservation, the

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2 SHPO officer, said this is one of the ten most
3 important historic sites in all of America. It's
4 up there with Gettysburg and Liberty Hall.

5 This is not something which can
6 be dealt with trivially. The Erie Canal
7 Development Corporation -- the Erie Canal Harbor
8 Development Corporation is entrusted with a very
9 important historical place, and they must be
10 faithful to that. The -- we -- we know now that
11 the original cobblestone streets are there. We
12 know that the building foundations are there. And
13 if you create something which is just a phony, it
14 will make Buffalo a laughing stock. We'll also
15 lose the opportunity for this real -- really
16 important historic tourism.

17 To the extent that I acknowledge
18 that it's absolutely necessary to have a generic
19 environmental impact statement, because we want to
20 know -- we want to appreciate -- we want to
21 understand what the effects of the surrounding
22 development will be to this historic district. But
23 there's an excellent environmental impact statement
24 already done for the Erie -- Erie Canal Harbor

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2 District -- the historic district, and that should
3 be -- should be followed.

4 The -- what do we need now? I
5 think we need architectural and zoning ordinances,
6 so that in the development of the historic district
7 we will stick to the scale of the buildings. This
8 was an intensely urban area. The streets were
9 small. The buildings were -- were brick, in its --
10 in the critical historical period, between 1850 and
11 1890, whatever the historians have -- have -- have
12 determined is the critical historical period. That
13 is the period that -- that should be recreated, not
14 something that is fictitious, glass ceilings and
15 glass roofs are not appropriate for this special
16 place.

17 Make this a special place. We'll
18 get tourists from all over the world, and we'll be
19 respected for it. And that's what I -- what I have
20 to say for tonight.

21 Thank you very much.

22 MR. WALTERS: Thank you.

23 Our next speaker is Steve

24 Fitzmaurice.

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2 After Mr. Fitzmaurice, we have
3 Joe Mascia.

4 MR. FITZMAURICE: Good evening.
5 My name is Steve Fitzmaurice. That's
6 F-I-T-Z-M-A-U-R-I-C-E.

7 I have a very keen interest in
8 this project from a few different standpoints.

9 First of all, I'm a Buffalo Place
10 Board member. As such, this entire development is
11 within our business improvement district. We were
12 fortunate enough over the last year to work with
13 the Erie Canal Harbor Development Corporation in
14 helping to maintain this area, the area that's
15 opened up to the public already, help with the
16 programming, and I think it was a very successful
17 first year. And we'd love to see canalside come to
18 fruition, because it will be a tremendous
19 improvement to our -- our business improvement
20 district.

21 Another area, I've -- I've worked
22 as a volunteer for quite a few years to promote our
23 waterfront, helped produce a waterfront forum, and
24 focused a lot of attention on what we needed to do

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2 going forward. I chaired the local partnership,
3 waterfront committee, and also remain active with
4 the -- Working for Downtown Waterfront Committee.
5 I've helped produce walking and bus tours of the
6 waterfront, taking people as far north as Squaw
7 Island, and as far south as Lakeside Commerce Park.

8 In addition, I'm also the chief
9 operating officer for Seneca One Realty. Nobody
10 really knows who they are, but we're the owner of 1
11 H.S.B.C. Center, which in 1972 was really the first
12 step forward in the -- in the revitalization of the
13 waterfront.

14 I -- I think that Erie Canal
15 Harbor Development Corporation has really done
16 their homework, and I know that I've been involved
17 in several of the focus groups that have been
18 conducted. And -- and before I go any further, I
19 just -- I want to recognize Jordy and the rest of
20 the people on -- on the volunteer board, Byron
21 Glennon, Dave Golligan, Andy Rich, and I'm -- I'm
22 sure I'm missing a few people. But those people
23 have given a tremendous amount of their time to
24 make this thing successful. And -- and the first

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2 part of it has been very successful.

3 I think they -- they've
4 recognized the regional history here. Yes, we can
5 do some tweaking and -- and make it better. But
6 the design reflects their respect for history, and
7 at the same time creates an area that will be
8 exciting, indoors and outdoors, year round. In
9 short, it sets the table for private sector
10 participation in the immediate and long-term
11 future.

12 Ultimately, it is a project that
13 will convince most of our residents and visitors to
14 this area that we're a waterfront city, and our
15 waterfront is a jewel, much like our incredible
16 architecture, and it's something that we take great
17 amount pride in.

18 My -- my sentiment is let's
19 continue the hearing process, make the tweaks that
20 we need to do to make this truly successful, and
21 get this thing going.

22 Thanks very much.

23 MR. WALTERS: Very good. Thank
24 you.

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2 Okay. Mr. Mascia.

3 And after Mr. Mascia we have

4 Ellen Carl.

5 MR. MASCIA: Thank you. I'm Joe

6 Mascia.

7 I'm actually a commissioner with
8 the Buffalo Municipal Housing Authority. I'm a
9 resident at Marine Drive, and basically the reason
10 I'm here is -- by the way, I did fill out the first
11 card. So, I was number one.

12 (Off-the-record discussion)

13 MR. MASCIA: But anyhow, I'm
14 always conspicuously absent, but every time I see a
15 rendering or a drawing, the Marine Drive Apartments
16 are sort of left out. You see from the parking lot
17 that they want to put a parking ramp south. You
18 never see Marine Drive Apartments, and I hope
19 they're not left out of this -- this project.

20 But anyhow, my -- my first
21 concern always is the residents at Marine Drive and
22 the impact it's going to have on the residents at
23 Marine Drive. We have, oh possibly, eleven hundred
24 people there already that you don't have to bring

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2 in. They're there. They appreciate the water.

3 They appreciate the waterfront. And I think that's
4 why most of us live there.

5 The concern I have and the
6 question I have, and -- and the remark I want to
7 make today is basically the same thing about Bass
8 Pro. You know, I -- I understand that there may be
9 Bass Pro itself, because of the economic
10 environment, has put sort of a hold or backed up
11 the project a little bit, they're not sort of
12 moving forward.

13 And you know, it -- it -- just
14 like most everybody says here, we can throw bushels
15 of money at these companies, and sometimes it
16 doesn't really make any difference. But I've
17 always -- in working with the housing authority in
18 the last couple of years, I'm always the kind of a
19 person that says, well, what happens -- where's the
20 plan B? If, in fact, you know, the bushels of
21 money we're throwing at Bass Pro doesn't work, Bass
22 Pro, because of the economic environment, decides
23 not to build in Buffalo.

24 I've also seen the Bass Pro in

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2 Perrysburg, Ohio, which is just a little east of
3 Toledo. And you know, what -- I've been there a
4 few times, and it's a nice place, but there's only
5 a couple of hundred cars in the parking lot. So,
6 you know, eight million or ten million people a
7 year visiting a Bass Pro, I can't see.

8 But that's basically the
9 statement. I'm always worried about plan B. In
10 case Bass Pro -- I don't -- I don't hear or see a
11 plan B. And you know, there's always a chance that
12 Bass Pro may not build there. I'd like to see, you
13 know, some -- some alternate designs -- some
14 alternate plans for that site.

15 Thank you.

16 MR. WALTERS: Thank you.

17 Okay. I believe we have Ellen
18 Carl.

19 And after Ms. Carl we have Matt
20 Crowley.

21 MS. CARL: I'm Ellen Carl,
22 C-A-R-L.

23 Did you know -- did you know,
24 once upon a time, the Buffalo dock region was a

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2 hotbed of industry and innovation? It's hard to
3 believe, I know. Did you know that because of
4 this -- because of the enterprise in this region,
5 the people -- the region's people, the auto
6 industry was able to take off and become the
7 driving engine of our economy? Those of you who
8 know the answers to these questions are most likely
9 to have been to a small, unpretentious facility in
10 Orchard Park that houses the world's largest
11 collection of bike history in the world, it's
12 called the Pedaling History. Visit it on the Web.

13 Bikes, you say? What could a
14 child's toy or sport have to do with launching
15 transportation, up to and including the space
16 shuttles that we know and love today? Well, I
17 think you need to find out. But do it soon. We
18 are in the process of losing this regional treasure
19 to others, who know full well the value of this
20 collection, and will take away. I suggest,
21 instead, that this local asset be brought to
22 this -- to the waterfront, to this project.

23 It is a seed that could bear
24 extraordinary fruit. It will not only draw people

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2 interested in its history, but engineers, bike
3 enthusiasts, and racers. These are people that
4 visit the museums -- who would visit the museum as
5 well as ordinary citizens.

6 The tourists profit center, I
7 feel, is a shallow pool that ebbs and flows with
8 the economy. But the museum will build the economy
9 with customer base. It would create a prime
10 location for businesses that sell and service bikes
11 and -- and -- and all that goes with them. There
12 could even be bike rentals for the waterfront, so
13 people could travel up and down, into the outer
14 part. People would be drawn to the museum, and
15 indeed, they would need lodging and meals.

16 They'd come from around the
17 world. And this is impossible, you say? It's
18 happening now. In addition to the pedaling
19 history, in addition, this museum could very well
20 help to the addition of the region to take -- to
21 take -- region to take advantage of the growing new
22 economy and the demand for more efficient use of
23 energy.

24 Let's be on the forefront of

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2 change, instead of waiting fifty years behind
3 everyone else, as we always do.

4 Thank you.

5 MR. WALTERS: Thank you.

6 Now we have Matthew Crowley.

7 And after Mr. Crowley we have

8 Chuck Banas.

9 MR. CROWLEY: I'm afraid -- I'm
10 just going to reiterate a few things that some
11 people said once before, but one thing we're
12 compromising on already is the fact that we have an
13 elevated highway running right through the middle
14 of the site. I think everybody understands that
15 that's probably not going to change for a while.
16 You won't see anything like that in a place like
17 Baltimore.

18 But at a bare minimum, you have
19 to have to have a navigable waterway with the Erie
20 Canal. I mean, that's one of the most important
21 reasons why it existed, why people came here. With
22 the plan we have right now, we have a series of
23 inland ponds. We have one on the side of Main
24 Street that you can't get to by boat, unless you're

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2 already there, and we have an elevated section.

3 So, at the bare minimum, before
4 getting any state and federal dollars, instead of
5 giving them out to private enterprises, we ought to
6 improve the infrastructure around there, to make
7 the land more valuable, so development can occur in
8 that vein.

9 And that's basically my major
10 point.

11 MR. WALTERS: Thank you.
12 Appreciate it.

13 All right. And this is my last
14 comment card. So, if anybody else would like to
15 make a comment and has not, please fill out a card
16 in the next few moments.

17 And with that, I'll ask Chuck
18 Banas to come up.

19 And Chuck, if nobody else fills
20 out a card, you're our last speaker. But you still
21 have four minutes, my friend.

22 MR. BANAS: All right. I'll try
23 to make my comments short.

24 My name is Chuck Banas. I'm from

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2 the New Millennium Group. And a couple -- a couple
3 comments I'd like to dovetail to what several of
4 the prior statements said.

5 The -- the single word,
6 "authenticity," is an important word. And I was
7 going to use it, even before I heard a couple of
8 the prior speakers used it.

9 The public and legal process that
10 led to the 2004 document was very important.
11 There's a lot of -- there was -- there's a lot of
12 consensus that went into building that plan -- that
13 original plan. And we at N.M.G. are very concerned
14 with the fact that a lot of that is being ignored.
15 It's a good plan. It even borders on a great plan.
16 And we're very concerned that the recent
17 developments, especially what we're seeing here in
18 this plan, have turned this -- this site into what
19 might be called an urban theme park.

20 And as a lot of people know in
21 planning circles, that's kind of what we don't want
22 to do, because it can become very one-dimensional,
23 very kitschy, very unsubstantial places. What you
24 want to do is create a real neighborhood of some

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2 kind. This obviously is in a historic district,
3 very important historically, and all those points
4 should be respected.

5 Again, N.M.G. has always been
6 involved in the public process, trying to make sure
7 that the public's voice is heard. In this case,
8 that 2004 document is a record. It's a great plan.
9 There's no reason to deviate from it in any -- in
10 any significant way.

11 Thank you.

12 MR. WALTERS: Thank you.

13 All right. Last call for
14 speakers?

15 Has everybody who wanted to speak
16 gotten a chance?

17 Yes, sir.

18 MR. MEYER: I'll fill out the
19 card.

20 MR. WALTERS: Please. Why don't
21 you -- you can state your name for the record.

22 Matt's got a card right behind
23 you.

24 MR. MEYER: My name is Charles

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2 Meyer, Jr., M-E-Y-E-R.

3 I'm a licensed captain for
4 pleasure boats, and I'm associated with the Buffalo
5 State College Maritime Center at 901 Fuhmann
6 Boulevard, which is our temporary home.

7 We will be providing you with a
8 PowerPoint presentation, and a written document
9 about what we're doing, and what we would expect
10 from the plans that you're considering.

11 That's all I have to say, is that
12 we will have it soon. It's -- right now it's over
13 at the Buffalo Yacht Club being presented to a
14 group of partners, and we only have one copy. So,
15 we will provide you with a copy, and our written
16 documents.

17 MR. WALTERS: Thank you.

18 Just a reminder, the cut-off date
19 for comments is March 13th.

20 Matt, if you can deliver this
21 gentleman a comment card, just so he can fill it
22 out and we'll have his name for the record.

23 I think we also have another
24 speaker, and Matt's bringing me the card as we

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2 speak.

3 So, Rick Mathews.

4 MR. MATHEWS: Yes. I -- I waived
5 on that.

6 MR. WALTERS: Ah, welcome.

7 MR. MATHEWS: We decided that his
8 may or may not be the right forum, but we thought
9 we'd get our thoughts out.

10 I represent the Buffalo Music
11 Hall of Fame. I'm also here as a representative of
12 the Buffalo Broadcasters Association, and the
13 Greater Buffalo Sports Hall of Fame.

14 And the three of -- our three
15 organizations have collaborated, at least for the
16 next year and a half, and what we're -- what we're
17 trying to do is go along with the historical
18 leading that you're doing here for the historical
19 area.

20 And of course, we represent quite
21 a bit of history of the city of Buffalo. So, we'd
22 like to let you know that we think it's a great
23 plan, and that we think that there's a business
24 part in the museum areas. That it's a good

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2 business area.

3 MR. WALTERS: Very good. Thank
4 you.

5 All righty. Well, I think we've
6 heard from everybody.

7 We -- let me say a couple of
8 things and wrap up. Certainly we appreciate
9 everybody's time this evening, their investment in
10 the future of Buffalo, in the waterfront.

11 We -- again, I want to remind
12 people that written comments will be received by
13 the lead agency, Empire State Development, through
14 March 13th. Please get your comments in if you
15 want to submit written comments.

16 You can also download the scoping
17 document. Here's the Web site right up on the
18 screen, the eriecanalharbor.com. We encourage you
19 to do that. You can also, through the Web site,
20 you can actually join an e-mail list, so you'll get
21 notices when the next public meetings are. And we
22 certainly encourage you to do that.

23 Again, I want to thank the
24 Waterfront School for hosting us tonight.

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And again, we thank you for
coming out, and have a good night.

(The hearing concluded at 9:00
p.m.)

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I, G. Michael France, do hereby certify that the foregoing was taken by me, in the cause, at the time and place, as stated in the caption hereto, at Page 1 hereof; that the foregoing typewritten transcription, consisting of pages number 1 to 92, inclusive, is a true record prepared by me and completed by Associated Reporters Int'l., Inc. from materials provided by me.

G. Michael France, Reporter

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