

Kathryn,

Please see my answers below in Red.

Max Upton, MPA
Director
Building Housing and Planning
(o) 440-204-2085
(c) 440-714-0766

"If you stand for nothing, what will you fall for"

Max,

Please note I requested a copy of this information on November 22 and did not receive it until 4:05 on November 29, 2021, just 25-minutes prior to the scheduled meeting on this issue. Clearly, I could not review and comment on this information given a 25-minute window. And, I might note, it is more than disingenuous of you to note, in the documents you forwarded to me by email, that you had received no requests or comments to the application. It's also concerning that the information to request said information was not in the Morning Journal until November 21, 2021, when the comment period, I believe, was for the month prior to submission of the application.

Cleaning up any blight in Lorain is obviously beneficial, so I don't have any issues with the actual clean up of the property but would like clarification of the issues, below. My main concern is whether the city has the significant experience in Brownfield revitalization that is noted, but not detailed, in the application. If the St. Joe's demolition is any indication of the expertise of the Building and Housing Department, it might be beneficial to hold off on this project until such time there is a much stronger presence there. Additionally, there have been many projects in Lorain that have been started and discarded, thereby wasting taxpayer money when the city goes off in a different direction. I would hope if taxpayer money is to be spent on this project that all the appropriate planning to see the project to completion has been completed and approved.

I have the following comments and can provide this information to the Ohio EPA if you provide a contact (since it is my understanding the application will be sent today):

Questions related to the documents received:

1. A quick review of the information notes there are inconsistencies between the documents. It's clear there is soil contamination but the documents are not consistent regarding the groundwater contamination. **There is no groundwater contamination on site.**

2. It appears there are 5 parcels owned by Old Lake Properties LLC. Would all these parcels be included in the future acquisition of what is referred to as the Stove Works - Eastern parcel or is there only one parcel involved as noted in the documents? Since it appears this Eastern parcel will be included in the overall project, would it not be appropriate to have a Phase I and Phase II review completed before starting on remediation of the Western parcel? It would be unfortunate if the project could not be completed based on any unforeseen issues on the Eastern parcel. What funds will be used for the Eastern parcel – and what will happen with the development if adequate funds are not received or if the Eastern parcel cannot be developed? **The City of Lorain will be applying for funding under the state of Ohio brownfields program in early 2022 for the clean-up of the parcel**

3. Your statement in the documents (highlighted in yellow and attached) that no requests were received for the documents is untrue. I requested the information on November 22 and you replied on November 29. As noted above, I received the information at 4:05 which did not give adequate time for review prior to the meeting at 4:30: **That is a draft document that was sent you request for the document will be reflected in the final submission.**

4. The document notes that the properties will be safe. This area of town is one of the most dangerous. How will residents be kept safe? There are 17 percent of properties in this area that are vacant which presents significant safety issues for anyone living in the neighborhood. When will these properties be torn down? **I am not sure that will be torn down. The City of Lorain is working on a PILOT program for housing rehabilitation called our dollar home program and we will be focusing HOME investment partnership rehab program marketing in that neighborhood in advance of the project. We are also working on sidewalk improvements as well as park improvements to the adjacent parks.**

5. Does the city have funding to complete the remediation? It's unclear from conflicting comments in the documents. How many bids were received for the remediation work? Was the best/low cost bid selected? **There were no bids solicited, we have an opinion of probable costs from TRC Environmental, the firm that completed the phase II study and remedial action plan. That's what the cost estimates were based off of.**

6. The documents state that City of Lorain officials will manage this project and will put their SIGNIFICANT experience in Brownfield revitalization to overseeing and implementing the remediation. What specific experience do City officials have? Have resumes been included in the application? **Sanford Washington owned and operated an environmental services firm for a number of years. With specific experience in hazardous wastes and contaminated sites. I have significant experience with the development of brownfield sites. The day to day oversight of the remediation will be done by a certified environmental professional that will be paid for out of grant funding.**

7. What final tests will be performed to ensure the property is suitable/healthy for residential construction and for use as park land? **The City of Lorain will go through the Ohio voluntary action plan administered by the Ohio EPA and will have covenants in place certifying that the land is safe for residential use prior to the redevelopment.**

8. The documents note that Lorain determined the asbestos was abated after removal in 2018. Was this independently verified? Since the cost of the remediation will be affected by this answer, independent verification would be appropriate.

9. Why is more park area being developed, including a few pocket properties on this land, when the city cannot maintain the more than 50 parks currently in the city? What funds will be used to maintain these parks going forward? **This is based off of the conceptual site plan that Lorain City Council approved back in June that showed public open space.**

10. There are currently unpaid taxes on the property – \$39,247.51. Total taxes owed - \$41,491.31. Why are taxes not current? **I do not have an answer at this point in time.**

11. 30% or less of the median income for the owner-occupied homes will total \$500 or less. Does that \$500 include PITI? (Standard PITI – 28%/36%) Will the City handle the mortgages –and mortgage payments? How will the City make sure mortgage holders can actually pay off a home? It is unfair to give someone hope of home ownership if they truly can't afford to make the payments long-term. Will there be tax abatements on the properties? Will the city have to subsidize these properties? For how many years? From where will the funds (subsidies) be derived? Will there be a large, up-front investment from the City to support this project – and make the homes affordable? From where will that money be derived? Has a developer been selected? Does anyone in City administration/council/employee have any connection/taken any campaign contributions from said developers?

We have not solicited developers at this point in time. The goal of the project is the development of affordable for sale housing. This is the first step in the process. We are likely a year or more away from having a clean site to take to market. There are a number of factors that will go into what the structure of the project looks like at that time. The City of Lorain does currently run a down payment assistance program and the development of housing is an eligible use of HUD funding. All of which requires various federal regulations to be applied with respect to affordability all of which would be considered under future action plans. There has not been a developer selected at this point in time.

12. Is the city in a position to manage residential properties? **No, the city does not manage any occupied real estate at this time.** (Said another way, should the city be in the business of property management and real estate development?)

Will additional employees need to be hired? **No** (Since the City personnel costs total about 80% of general fund costs, there is no additional funding available to cover additional employees).

Are there other properties the city is handling currently? What is the condition of these properties? What issues have been encountered? What have the losses been on any of these properties? **The City of Lorain, through its administration of various federal programs owns a number of parcels throughout the City of Lorain. A good majority of them are vacant land.**

Would it be better to sell the property to the developer – and allow them to manage the property – from a risk and management perspective? **I think that is something that will be considered once the site is clean and “shovel ready”.**
