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EDITORIAL



BUFFALO PLANNING BOARD

A rendering of the proposed new six-story building at 172 Goodell St., which would add 220 apartments and 21,000 square feet of retail space. Legal battles have unfortunately delayed this much-needed project.

Unfortunate impasse

Affordable housing is ultimate loser as medical campus battles developers

There are no winners, only delays. While all parties involved agree on the importance of workforce housing in the city's medical corridor, a battle between the Buffalo Niagara Medical Campus and BFC Partners, the would-be developers of a six-story McCarley Gardens apartment complex, has entered another contentious phase.

As reported by The News' Jonathan D. Epstein, State Supreme Court Justice Dennis E. Ward has objected to the Buffalo Planning Board's decision that the project would not have any significant impact on the surrounding community — specifically singling out its possible effect on other McCarley Gardens residents who would live along a reconfigured North Oak/Virginia intersection and possibly be subjected to more traffic.

Ward's objection comes from his July 12 interim decision in a case brought by the medical campus against the city and the McCarley developers. The campus contends that the city failed to comply with State Environmental Quality Review Act's requirements. Ward gave both sides a month to provide additional information before he issued a final ruling.

Whatever that ruling turns out to be, it seems certain that an appeal will result.

And so it drags on. The McCarley apartment project has been the object of strenuous objections and multiple lawsuits by the medical campus for at least two years. Both sides seem unwilling to budge from their positions. As affordable housing projects begin to take shape across Buffalo, this one, planned for a crucial location, is stuck in legal limbo.

There is no talk of compromise. There should be. St. John Baptist Church and BFC Partners want to build a six-story structure that would accommodate affordable apartments as well as ground-level retail space on Goodell Street, near their newly renovated McCarley Gardens Apartments. The project also asks for a rerouting of North Oak Street, which intersects with Ellicott and Virginia streets at this

location. That change has the approval of Buffalo's planning board.

The medical campus has concerns about this major addition within its footprint and the disruption that could result from the street change. It's willing to work with the addition of a smaller complex, but seems adamantly opposed to the street changes.

For their part, the developers' plans for the North Oak/Virginia reconfiguration, which would put North Oak back on a straight line to intersect with Virginia to the north, rather than curving west to meet Ellicott, have not changed. Nor have they wavered from a housing mix of 132 one- and 88 two-bedroom apartments for households earning 40%, 60% or 80% of the area median income.

These apartments are urgently needed, but it looks less and less likely that they'll make it beyond the drawing board any time soon. As it stands now, further delays could include a more extensive environmental impact review by the planning board or appeals by either (or both) sides in the legal dispute.

It's understandable that the medical campus is objecting to a street change that will surely be disruptive while in progress. But some of its complaints about the apartment complex itself — that it will impact parking and possibly impede the campus's own future expansion plans — are not nearly as convincing.

The medical campus itself has had major impacts on all the residential neighborhoods that surround it, especially when it comes to parking and those impacts have not always been perceived as positive. Yet, the campus has grown, unimpeded, and largely to general applause. The missions of its institutions are essential.

Housing is also essential, especially housing like this, which could provide people who work in this area with a walkable neighborhood. This complex is tailor-made for those just entering the workforce and starting families.

Unfortunately, that good purpose may not be served at this location for years, if ever. Legal wrangling has replaced productive compromise that works toward a common good. And that's a shame.

MY VIEW

Tracing one's ancestry an enlightening journey

I would like to start off by saying that tracing my ancestry has been quite a journey.

After a gift of 23 and Me from my daughter one birthday, I became interested in my mutt heritage. My mother told me more than once, "You are 25% Italian, British, Irish and German. Each grandparent was 100% that heritage." After the spit test came back, the results showed almost exactly that.

Nice going, Mom! The experience was so enlightening, I also signed up for Ancestry.com. I hit the jackpot combining the two organizations: all four of the names of my grandparents appeared.

Wow — did I learn some stuff.

I don't know much about my father's background, so I started there. He grew up in Brooklyn in the midst of a family of eight children. My Italian grandad, a tailor, handmade his four daughters' first communion dresses. Irish grandmother Annie made do when her husband died at a young age supposedly of "sunstroke"; my mother always suspected the cause was diabetes. I still celebrate her birthday every year. It falls on that most Irish of days, St. Patrick's Day.

I was also taken by the tale of grandparents, William and Mary. A street preacher for the Salvation Army, she fell in love with his pastoral ways. As a minister's wife, I could relate.

I found a first cousin listed in a document I received and reached out to her. Very amenable to chatting with me, she shared a rather bizarre story. A daughter of an uncle of mine, yes, but she only was told that at the age of 13. She learned then that her biological father was the neighbor next door. When both biological parents were free, they decided to move to



Lois Vidaver, of Tonawanda, is enjoying researching family history.

gether and begin a new family. My cousin seems to have taken all this in stride and writes me warm, family-accepting messages.

I watch "Finding Your Roots" every week on the telly and get drawn into the drama of it all. Host Henry Gates gets so enthusiastic about the story-telling he is sharing, it's like he is one of the family. The stories cause a lot of rollercoaster emotions, ranging from scallywags running away with the family silver to tired migrant families settling down in a land of hollow promises and broken dreams.

But in the end, all the guests of the evening are glad to have made the journey. Good news or bad, those folks in their background have made it possible for them to live in this wonderful country and drink from its many blessings.

My favorite part of the show is when they produce a surprise, a new star to their family, an unexpected cousin or half-brother to attach to their family tree. Doing their DNA research, Henry's team comes forth with a photo of an unknown person. When they turn the page of their family scrapbook, there is a relative they meet for the first time and may have met before since they are both celebrities. Their joy at this discovery lights up their faces and makes their searches even richer.

In my life, too, I have a new face on my family tree. She is undoubtedly a celebrity in her own right and I am very anxious to hear more about her story. My face, too, lights up with joy when I write, "How are you doing, cuz?"

My View is a first-person column open to all Western New Yorkers. If your article is selected for publication, a photo of you is required. Email submissions to editpage@buffnews.com.

ANOTHER VOICE | ENVIRONMENT

Environmental justice needs strong enforcement

ARTHUR J. GIACALONE

New York State's Department of Environmental Conservation (DEC) recently hosted an "environmental justice listening session" in Niagara Falls, inviting the public to express its concerns. DEC's representative described the agency as a nationwide leader in implementing environmental justice policies.

In 2003, DEC defined environmental justice as the "fair treatment" of all people regardless of race, color, or income so that no group bears "a disproportionate share" of the negative environmental consequences of industrial, municipal, and commercial

operations or the implementation of federal, state, local, and tribal programs and policies.

The now two-decade-old policy statement recognized that SEQRA (the State Environmental Quality Review Act), and the preparation of an EIS (Environmental Impact Statement) play a critical role both in creating an "effective" environmental justice program and in analyzing disproportionate adverse environmental impacts. However, despite the passage of 21 years, DEC — the agency empowered to draft and issue SEQRA regulations — has not enacted proposed amendments intended to better protect

the poor and people of color from environmental harm through the information gathered during the EIS process.

Failure to strengthen the SEQRA regulations is not DEC's only omission.

DEC has stood by for decades and done nothing to prevent the near extinction of the usage of environmental impact statements by local and state agencies. According to DEC's own data, in 1989, 385 EIS were prepared statewide. By 1995, that number had fallen to 171. In 2023, the statewide figure was a dismal 41 EIS.

Western New York's compli-

ance SEQRA's requirements is even worse than the statewide record, with only two environmental impact statements prepared in both 2022 and 2023.

Until the DEC and state and local agencies take their responsibility to fully comply with the letter and spirit of SEQRA seriously, there will be no such thing as an "effective" environmental justice program and no ability to adequately assess and compare a proposed project's disproportionate adverse environmental impacts.

Arthur J. Giacalone, attorney-at-law, utilizes SEQRA on behalf of his clients.

Editorial Board

The editorials on this page represent the opinion of The Buffalo News editorial board. Members are Publisher Tom Wiley; Executive Editor Sheila Rayam; and editorial writers Dawn Marie Bracely and Elizabeth Licata.

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