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## Commissioners back KOZ status for Fayette Building

By Paul Sunyak, Herald-Standard  
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The Fayette County commissioners voted 2-1 Thursday to grant Uniontown businessman Gary Gearing a resolution that would help put his Fayette Building in a tax-free Keystone Opportunity Zone.

However, Gearing must still gain approval from Uniontown City Council, which recently rejected his request 3-2, and the Uniontown Area School District board before his request can move up the approval ladder to the state level.

Commissioners Sean M. Cavanagh and Ronald M. Nehls voted in favor of Gearing's request, with Nehls noting that the original intent of KOZ legislation was to take underutilized property and make it more productive using temporary, tax-free incentives.

Nehls said that although Fay-Penn Economic Development Council did not push it at the local level as part of the county's original KOZ package, the state legislation did not exclude residential development.

Cavanagh said that his support for Gearing was rooted in the fact that he's come forth with a viable request for inclusion in this state-sanctioned program. Cavanagh said the county is only one-third of the hurdle that Gearing must clear, which gives the other two real estate taxing bodies a chance to block his proposal if they wish.

"I think we should put this in the hands of the City Council ... and the school district," said Cavanagh. "I would like to give them the power to decide their own fate."

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Commission Chairman Vincent A. Vicites voted no, making no comment. But during public comment, Gearing asked Vicites to elaborate on why he was against supporting the request.

Vicites said he reached within his own convictions and stuck with his personal belief that residential areas should not be included in the KOZ, largely because people living in those areas would be exempt from paying state income tax.

Vicites said that the Fayette KOZ was initially billed as a stimulus for industrial development, and even though residential zoning is allowable, he doesn't think it fair or wise to change the rules at this time.

"That's the way (as industrial) Fay-Penn had sold the program to all the municipalities," said Vicites. "I just don't want to get into residential KOZ."

Gearing countered that the old Fox Glass building, located within Uniontown, achieved KOZ status with commissioner approval even though it is zoned C-2, a status that permits apartments in the building.

"We already have a building (in the city and in a KOZ) that is zoned for residential," said Gearing.

Cavanagh said in eastern Pennsylvania, the city of York placed a significant portion of its downtown area into a KOZ, including areas zoned residential, with the idea of reaping maximum benefits from the tax abatement program.

Cavanagh said it might profit Uniontown to think as comprehensively in terms of long-range planning. "I personally think that downtown Uniontown needs a heart transplant," said Cavanagh, who chalked up his support for Gearing to wanting to maximize any potential that could help revitalize downtown.

Also at Thursday's meeting, the commissioners:

? Awarded \$7,920 to Noah's Ark and \$4,080 to the Fayette County SPCA for animal control efforts, based on the level of municipal support for each organization.

? Approved a resolution to consider leasing or selling the old Brownsville Senior Center site to a newly formed museum group spearheaded by Harold Richardson. Cavanagh said that assistant county solicitor John Cupp informed the commissioners that the county could only directly sell the property for \$1 to another government entity, such as Brownsville Borough or the Fayette County Redevelopment Authority.

? Approved a resolution to decertify 109.5 acres of KOZ land in the Fayette County Business Park, a move that leaves 60 acres of KOZ land in the park for industrial development. The Fayette County Redevelopment Authority, which is developing the park at the commissioners' behest, wants the designation removed so that pent-up commercial development demand can be unleashed.

? Approved a resolution that permits provider agencies of the county Mental Health/Mental Retardation Program to secure their own firms to perform annual single audits. MH/MR director Lisa Ferris-Kusniar made the request.

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