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Commissioners to vote Thursday on KOZ status change for busi

By Paul Sunyak, Herald-Standard
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The Fayette County commissioners plan to vote Thursday to decertify 109.5 acres in the Fay from tax-free Keystone Opportunity Zone status.

Commissioners Vincent A. Vicites, Ronald M. Nehls and Sean M. Cavanagh are likely to appr South Union Township supervisors have already blessed the change being sought by the Fay Redevelopment Authority.

That would leave only the third real estate taxing body, the Laurel Highlands School District, to approve the measure. If that happens, the redevelopment authority will petition Fay-Penn Economic Development Council to seek official state decertification of that KOZ acreage.

The move will still leave 60 acres of KOZ land in the fledgling business park, all of that zoned for industrial use. South Union Township is amenable to rezoning the 109.5 acres for business use but only if the land is taxed at regular rates, so commercial businesses locating in the park wouldn't get an unfair advantage over competitors.

"This is the first step in changing the zoning (on the 109.5) acres (from industrial) to business," said Raymond C. Polaski, redevelopment authority executive director, at Tuesday's commission agenda meeting. Polaski added that the park still would contain a big 60-acre chunk of tax-free land for any industrial or manufacturing facility that pops up on the horizon.

Vicites said that since that 60 acres is located right off the future Uniontown-to-Brownsville link of the Mon-Fayette Expressway, it should become a mor years. "Once the expressway is built ... I think there will be a lot of interest in companies comi area," said Vicites.

Nehls said that because the park is already in high demand, as evidenced by the fact that KO inducement for business or commercial development, he thinks the KOZ status should be stri

"I don't think that there's any of this that should be manufacturing," said Nehls, who added the established "to take land that is not so attractive and make it attractive," which isn't the case v

Polaski said that decertification is an open-ended option under current KOZ rules, meaning th authority wants to move the remaining 60 acres out of the program, it can do so by following t under way for the 109.5 acres.

"We can go back and revisit that in the next three years," said Polaski, citing one sample time

In a separate but related matter, Uniontown businessman Gary Gearing again appeared befo

time asking them to approve a pared-down KOZ inclusion request for his mostly vacant Fayette

Gearing said that he's deleted a parking lot from his proposal in order to make the request more palatable to the City Council, which as the municipal taxing body voted 3-2 against his original proposal.

Gearing said he's willing to take the parking lot out of the KOZ equation "because some people think that means he'll have to figure out how to build a parking garage later."

Cavanagh said he's willing to vote yes Thursday on Gearing's proposal, basically because the District and the City Council each have what amounts to a veto power over the request.

"If City Council does not vote to approve it, your application is basically DOA (dead on arrival). Ultimately, the city has to decide their own fate."

Gearing said that he's facing a deadline and that the commissioners must act now or hold a session should the council approve his request May 6 and the school board on April 23.

Nehls seconded the motion, echoing the sentiment that this could be an opportunity to help the district see an opportunity that could be missed if council changes direction and if the school district agrees.

"If we don't take action on this now, it will be too late if the city has a change of heart," said Nehls.

Vicites said he's talked to Uniontown councilman Bob Cerjanec, one of three members to vote in favor. He also wants to speak to the other opponents, councilman Gary Crozier and Mayor James Sileo.

Vicites said one issue that concerns him is the fact that any residents of the Fayette Building are not paying state income taxes - a fact confirmed by Gearing at Tuesday's meeting.

Because approval of Gearing's request may set a precedent for local KOZ usage, Vicites said he will look at the matter through very thoroughly. He added that he spoke to Cerjanec and that the councilman will support Gearing's request.

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