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A move to take over a derelict, dangerous Callowhill property is initiated

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A petition has been filed to appoint a so-called conservator to take possession, launch an environmental remediation and possibly the eventual demolition of a hulking Center City property known as the Willow Street Steam Generation Plant.

Considered an eyesore and a blight in the burgeoning Callowhill neighborhood, Scioli Turco Inc. has filed documents in Philadelphia Court of Common Pleas to start the process of getting the building under its control. The Philadelphia nonprofit initiated the effort under the state's Abandoned and Blighted Properties Conservatorship Act that was adopted in 2009 as a tool to fight blight and revitalize older communities.

Commonly referred to as Act 135, it allows a nonprofit, such as a civic association, or even a neighbor of a derelict or abandoned property, to follow a court process that gives that entity control of a piece of real estate as a conservator who will rehabilitate, renovate, abate any contamination and otherwise stop it from being a drag on a community.

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Scioli Turco of Philadelphia was formed in 2011 for the sole purpose of becoming a conservator of such properties and has taken on that role with roughly 70 sites throughout the city. The Willow Street Steam Generation Plant on almost an acre at 411-419 N. 9 St. is the largest property it has taken on.

The steam plant was built by the Philadelphia Electric Co. in 1927 and ceased operating in 1989. Its ownership over the decades involved several different companies and ultimately it was bought in 2005 by Quyen V. Tran of Philadelphia, according to court documents and Philadelphia property records. Attempts to reach Tran were unsuccessful.

The property has deteriorated as it sat vacant for the last three decades, according to court documents. It lacks flooring, which makes entry into the structure hazardous. It is filled with asbestos, "which has made private development difficult – if not cost prohibitive," the documents said. It has been cited for several violations and sealed off to prevent someone from entering it and potentially being injured.



The former Willow Street Steam Plant in Philadelphia has sat vacant for the last three decades.

Philadelphia City Councilman Mark Squilla approached Scioli Turco to undertake the process of getting the nonprofit named as conservator and put the property on a track to becoming less of an eyesore. The property is in Squilla's district.

"It's blighted, it has had no developers, no buyers and this is a way to get it back on the tax rolls, have it spruced up and help it improve the area," said Anne Kelly King, Squilla's chief of staff. "It's hard to say what will happen but this is the first step in hopefully getting it developed."

The area surrounding the plant has seen investment and gentrification in recent years. More development activity is expected as the former Reading Viaduct is transformed into Philadelphia's version of New York's High Line. That is one of the main reasons the property is being targeted for conservancy.

Someone might want to paint this as a land grab or a version of eminent domain. However, it's not the case, said Gaetano Piccirilli, a lawyer with Klehr Harrison Harvey Branzburg who filed the petition along with attorney Richard Vanderslice for Scioli Turco.

"The statute provides for significant court control over the activities of the conservator and the conservator does not act as a developer," Piccirilli said.

Wawa threatens to stop expanding in Philadelphia

The goal of the petition is to force the issue and finally get something done with the property, Piccirilli said.

"Whether it's Scioli Turco as conservator or the present owner, at some point someone is going to have to do something with this property," he said. "It can't sit and be riddled with asbestos, numerous L&I violations and be a blighting influence on an area of Philadelphia that ought to be growing."

Scioli Turco doesn't petition the court to become conservator until it has completed a lengthy due diligence, said Joel Palmer, who formed the company with Jeffrey Goldman. Palmer hasn't been inside the steam plant but is aware of its contamination, asbestos, structural and other issues.

"We are confident we can abate the blight," Palmer said. "Whether we take it down to the ground, we can't get into that until we get conservatorship."

Among the options Palmer initially sees involves cleaning it up of all of its environmental hazards and then finding a developer to buy the site and take it through the approval process. Alternatively, it will remediate it, razing the building and then sell the parcel.

Act 135 efforts can be controversial and hitting its goal is not always a sure thing. A petitioner must meet a minimum of three elements out of a list of nine before the court will grant conservatorship. Among the criteria: a building can't be occupied for at least a year, a property cannot have been actively marketed for sale, it's not in foreclosure, attracts vermin, is a nuisance and uninhabitable. Piccirilli believes the court will be able to find multiple reasons to grant the conservatorship with the steam plant.



