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TOWN OF BALLSTON, NEW YORK  
PLANNING BOARD MEETING

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In the Matter of the Application of

DOLOMITE PRODUCTS, INC.

Before the Ballston Town Planning Board  
August 31, 2011  
7:30 p.m.

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A P P E A R A N C E S :

- Richard Doyle, Chairman
- Jeffrey Cwalinski, Vice-Chairman
- Josephine Cristy, Board Member
- Joan Eddy, Board Member
- Derek Hayden, Board Member
- Lee Ramsey, Board Member
- John Vanvorst, Board Member
- Michelle Dingman, Secretary

1           Andeliz Matias, 1st Alternate

2           Tim Northrup, 2nd Alternate

3

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5       A L S O   P R E S E N T :

6

7           Peter Reilly, Esq.

8           Planning Board Counsel

9           Kathryn Serra, Town Engineer

10          Thomas Johnson, Building Superintendent

11

12

13          Stephanie Ferradino, Esq.

14          Jones & Ferradino

15          Attorneys for Applicant

16          John Gay, Northeast Land Survey

17          Peter Zeh

18          Andy Stokes

19          Catherine Sutton-Choate, Astec, Inc.

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1                   CHAIRMAN DOYLE: Could you turn  
2 on the lights, please. We are going  
3 to open the public hearing now. As  
4 Stephanie mentioned, it's important to  
5 state your name clearly and spell it  
6 and also your address. We have a  
7 microphone up here. There is one  
8 right at the podium. Step over to the  
9 podium. If you had --

10                   MR. REILLY: Perhaps you want to  
11 mention a time limit.

12                   CHAIRMAN DOYLE: There is a  
13 five-minute maximum time limit. We  
14 will have one of the board members,  
15 Jeff, keeping track of that.

16                   I ask as we go through this, if  
17 somebody else has already asked a  
18 question, please don't ask it again,  
19 because, you know, you have the  
20 information, or not all questions will  
21 be answered, because we may not have  
22 the answer to the question. Everyone  
23 who issued or sent us an e-mail or  
24 letter, we have all of that  
25 information. That will be part of the

1 record. If you do want to, you know,  
2 state that. You don't have to read  
3 the letter. We have the letters.  
4 Just state the questions you may have.

5 MR. CARUSONE: My name is Dick  
6 Carusone. I live in Ballston Lake.  
7 My first question is for the Board.  
8 If the Board finds that the applicant  
9 meets all regulations, federal, state  
10 and local, what options do you have?

11 CHAIRMAN DOYLE: We do not have  
12 many. You know, it is an authorized  
13 site. It's been approved by the  
14 County and, consequently, you have to  
15 come up with a reason why you cannot  
16 have this. It has to have some  
17 detrimental effect.

18 MR. CARUSONE: In front of this  
19 Board?

20 CHAIRMAN DOYLE: Yes, that's  
21 correct, the Planning Board. That is  
22 who you are addressing.

23 MR. CARUSONE: Is this project  
24 to be brought before any other Town of  
25 Ballston boards?

1                   CHAIRMAN DOYLE: Just the Zoning  
2 Board will take a look at this. They  
3 have been before the Zoning Board and  
4 maybe have items before the Zoning  
5 Board.

6                   MR. CARUSONE: As a neighbor,  
7 what are my options to legally bring  
8 forth an objection and get this  
9 project down the road someplace?

10                  CHAIRMAN DOYLE: I really don't  
11 know the answer to that. I imagine  
12 you would file some sort of a legal --

13                  MR. CARUSONE: Short of a legal  
14 suit.

15                  Can I ask, are the principals of  
16 this business involved in any other  
17 asphalt plants?

18                  MS. FERRADINO: Yes.

19                  MR. CARUSONE: They are?

20                  CHAIRMAN DOYLE: It's a major  
21 corporation.

22                  MS. FERRADINO: This company has  
23 several plants located throughout New  
24 York State.

25                  MR. CARUSONE: Any locally

1                   within the tri-state area?

2                   MS. FERRADINO: One we visited  
3                   in Watervliet, yes.

4                   MR. CARUSONE: Can I ask you  
5                   why you chose Curtis Industrial Park  
6                   for this move?

7                   MS. FERRADINO: It was based on  
8                   market analysis.

9                   MR. CARUSONE: Are there any  
10                  new projects coming up within the  
11                  state that caused you to chose this  
12                  site?

13                  MS. FERRADINO: No.

14                  MR. CARUSONE: Thank you.

15                  MR. GOSLIN: My name is Bill  
16                  Goslin. I live at 14 Skaarland Drive,  
17                  Ballston Lake.

18                  I stand in opposition to this  
19                  plant. Um, my concern is that the  
20                  potential for issues here are very  
21                  high with the emissions, the noise,  
22                  the dust, and traffic. The potential  
23                  benefit for our community is very low.  
24                  I just don't see this as a good  
25                  balance.

1                   My major concern is about the  
2                   ecosystem of the lake. I think there  
3                   are people in this room that have  
4                   spent basically a lifetime trying to  
5                   preserve that lake. I don't think  
6                   this plant is a step in the right  
7                   direction, again, from the emissions,  
8                   noise, dust and traffic.

9                   I spoke to residents. Most of  
10                  the residents I have spoken to are  
11                  against the plant. I have spoken to  
12                  businesses in the park. One business  
13                  in particular does electronic research  
14                  and development. They don't want the  
15                  fumes, the noise, the dust, the trucks  
16                  going past their place. You will gain  
17                  a few jobs for blacktop. You're going  
18                  to lose some jobs that are important  
19                  to this town in my opinion.

20                 It's nice to see that the turn  
21                 lane is being put in. That was a  
22                 major concern of mine.

23                 Another concern of mine is the  
24                 traffic going west. I don't know  
25                 where all of the trucks go when they

1           leave the park.  If they go to the  
2           Northway, I can kind of understand  
3           that.  If they go the other way, do  
4           they go through the Village of  
5           Ballston Spa, do they go up Charlton  
6           Road, Milton Road, go up to Route 50?  
7           Where are the customers for this stuff  
8           to the west?

9                         Are these things going on at  
10           rush hour time, school bus time?

11                        There are a lot of fatalities on  
12           country roads, and adding 100 trucks,  
13           which is what I heard, and 100 trucks  
14           out, big trucks -- these are not  
15           little U.P.S. delivery trucks -- these  
16           are tandem trucks with 21 tons apiece.

17                        The tower is a concern of mine.  
18           As a volunteer fireman, I can tell you  
19           that Union Fire Company does not own a  
20           ladder truck, nor does the Town get  
21           fire services from Union Fire Company.  
22           It's the Ballston Spa Fire Company.  I  
23           don't know who said they have trucks;  
24           they don't.

25                        The concern about the tower that

1 contains heated liquid, trying to put  
2 it out with a ladder truck requires a  
3 flow of water down there and it  
4 requires some footing for a ladder  
5 truck. That is why there's ordinances  
6 for height, because it takes  
7 specialized fire equipment to put that  
8 stuff out.

9 So, in summary, in summary to  
10 the Planning Board, I would say the  
11 Planning Board, unless you are 100  
12 percent sure that there is going to be  
13 no issues with this plant, I would  
14 urge you to vote against this plant.  
15 Thank you.

16 MR. MURRAY: I am Ian Murray,  
17 824 Route 67.

18 First of all, I want to say  
19 thank you to the Board for the  
20 thankless job that you do. I JUST  
21 want to say, I have issues with the  
22 business summary of operations. It  
23 doesn't add up with the planning  
24 capacity and the traffic study. I  
25 don't know how well the Board has

1 reviewed it at this point, but the  
2 proposed plan has a four ton batch  
3 plant with a 100 ton silo producing 30  
4 tons annually. Mr. Stokes stated in  
5 minutes from the July meeting that the  
6 proposed plant can produce five tons a  
7 minute, with 50 batches per hour.  
8 That equals 250 tons per hour. Why  
9 would you want to put in a 100 ton  
10 silo? Why don't you just load the  
11 trucks down.

12 Modern trucks in our day hold 20  
13 tons of material. The traffic study  
14 states there will be 18 trips per day,  
15 9 arriving empty, 9 leaving full.  
16 That will equal 180 tons. What do the  
17 four employees do for the rest of the  
18 day when they made 180 tons of  
19 blacktop in an hour?

20 I think there is an ulterior  
21 motive for expansion here that's not  
22 being discussed. Eight trucks  
23 carrying 20 tons a day equals 160 tons  
24 a day, times 200 days equals 32,000  
25 tons annually. It's hard to believe

1           you would make a multi-million-dollar  
2           investment for eight dump trucks of  
3           blacktop five days a week, maybe five  
4           and a half days a week.

5                     Is this what the traffic study  
6           was based on? Again, further, the  
7           business summary and traffic study, it  
8           does not account for the impact of raw  
9           materials that will be trucked into  
10          the site, the liquid asphalt that will  
11          be delivered to the site, the fuel  
12          deliveries to the site, importing the  
13          wrap material for the design, and the  
14          minutes of the last meetings that they  
15          are proposing to do and the  
16          maintenance repair of equipment  
17          trucks, they will come to come in and  
18          maintain the plant. Also in the  
19          traffic study, in peak hours of the  
20          study states that generally the hours  
21          are 7 to 8 a.m. is the general peak  
22          hours. I welcome anyone to come to  
23          824 Route 67 to watch the traffic.  
24          It's more than seven or eight in the  
25          morning. Also the direction it was

1 taking is the directional turns  
2 heading west on 67, that wasn't  
3 addressed. If you put in a turning  
4 lane for entrance into the park and  
5 you increase the outside lane to 45,  
6 but it states in the traffic study the  
7 traffic is going actually going 55,  
8 and you will have dump trucks pulling  
9 out, going uphill over an overpass.  
10 Doesn't make much sense to me, the  
11 traffic study.

12 The increased traffic speeds on  
13 the roads, the accidents and also  
14 mainly is the sun orientation on that  
15 road. It's a direct east-west road  
16 -- excuse me, a -- yes, an east-west  
17 road. If you ever traveled it when  
18 the sun is coming up or going down,  
19 you can't even see on it.

20 Also part one of the SEQRA long  
21 form, question 12, generation of  
22 traffic significantly above present  
23 levels, it was checked "no." I think  
24 that will have to be looked at again.  
25 I think that is wrong. I think the

1 plant is due for expansion here. That  
2 is what it's being set up for.

3 Question 25, approvals needed  
4 for D.E.C. and D.O.T.; the question is  
5 have they submitted, the town, the  
6 D.E.C. Air Permit? I have had the  
7 opportunity to review the application  
8 today in your offices -- thank you,  
9 Michelle -- and I didn't see it on  
10 file. And there is nothing on the  
11 D.E.C. website when I checked. Also,  
12 too, the D.O.T. proposed mitigation  
13 for traffic impacts turn lane, who is  
14 paying for this? We, the residents of  
15 Ballston Spa, have to pay for this?  
16 Then also, too, would the Board leave  
17 the SEQRA hearing open? If you close  
18 it up, you have to make a  
19 determination on it? I urge you to  
20 hold this application. It requires an  
21 EIS form.

22 Lastly, it states in the  
23 presentation tonight that the net  
24 increase in sales tax for the County,  
25 all you will doing is redistributing

1           it. That is all you will do, because  
2           there are plants north and south of  
3           us. That is just going to be taking  
4           away business, so -- the other thing I  
5           wanted to say, doing research on the  
6           company I think there was a question  
7           asked about Dolomite. Dolomite is one  
8           of many companies called Old Castle.  
9           That is typically how they work, a  
10          monopoly type thing. If you take a  
11          look at their company's  
12          infrastructure, throughout the  
13          organization, what they own are  
14          aggregate mines, businesses, blacktop,  
15          concrete, granite and everything else  
16          they have taken over. That's what  
17          they do, they try and come in and  
18          propose small businesses like this and  
19          beef them up over time.

20                   MR. CWALINSKI: Sir, your time  
21                   is up.

22                   MR. MURRAY: Okay, thank you for  
23                   your time.

24                   MR. SZCZEPANIAK: Good evening.  
25                   I am Tim Szczepaniak. I just want to

1 clarify, I'm here as a concerned  
2 resident and not as a Town Board  
3 member, all right? I'm very concerned  
4 about this project as are many other  
5 citizens that are seated here in the  
6 audience tonight and probably several  
7 others that couldn't be here this  
8 evening.

9 You know, I really feel that you  
10 are still going to be creating  
11 environmental and health dangers in  
12 our community. I know we talked about  
13 the noise pollution, you know, all of  
14 the trucks per day, the air pollution,  
15 the odor. Think about the residents  
16 in Beacon Hill, Chapel Hill and the  
17 Ballston Lake area, out there on a  
18 beautiful sunny day, you know, even  
19 though it might be causing a low odor  
20 to meet the regulations, nobody here  
21 wants to breathe, you know, breathe  
22 that in, all right?

23 I also heard some other  
24 corporations that have the asphalt  
25 plant put in an additive type of

1           thing, some type of, some gentleman  
2           explained to me like a cherry  
3           additive, so it will smell better.  
4           Well, you know what, I don't think  
5           that is an acceptable solution either.  
6           Again, to bring three to four jobs for  
7           our town -- and I'm here to tell you  
8           I'm pro business, okay -- but three to  
9           four jobs with really no tax  
10          revenue -- I know you said there was a  
11          major tax revenue here. I'm not  
12          seeing it. There are a lot of  
13          municipalities here that will be  
14          purchasing the asphalt, and, again,  
15          that is as you mentioned earlier, they  
16          are tax free. So, again, absolutely  
17          no revenue and really doesn't promote  
18          many jobs in our community.

19                 A gentleman earlier stated, you  
20                 know, we have asphalt plants at the  
21                 northern end of our town, Ballston  
22                 Spa. Why do we need another here?  
23                 Essentially, they have everything  
24                 right here, all the aggregate that  
25                 doesn't have to be transported,

1            basically one-stop shopping. This  
2            company, Dolomite, they're all over  
3            the country, including Canada. And  
4            you know what, the Town of Ballston,  
5            it's really is not necessary for them  
6            to be here, okay?

7                       Again, nine loads of blacktop  
8            per day? Why would you invest in this  
9            for nine loads of blacktop per day?  
10           It's one of deadliest roadways in our  
11           town, okay? With all of the traffic  
12           going in and out of there, and folks,  
13           guess what, AMD is not even here yet.  
14           When they are here, it's going to be a  
15           lot of added traffic. It's going to  
16           be an added problem to our town  
17           residents to deal with on a daily  
18           basis.

19                      One clarification that I needed,  
20           when I actually looked at the maps of  
21           this, okay, Saratoga County Map  
22           Viewer, it's a parcel identified on  
23           here, okay, and I went back to  
24           actually 2001. For some reason where  
25           the site is being proposed, okay, the

1 actual parcel number changed. I was  
2 wondering why that changed on the map  
3 because the way the parcel shows, it  
4 actually shows in D.E.C. wetlands. I  
5 just would like, you know, a clear  
6 explanation of that piece there.  
7 Again, why that actual parcel that you  
8 are proposing, you know, you can't  
9 pull the same parcel up today as you  
10 could have a few months ago. Can  
11 anybody explain that to me?

12 MS. FERRADINO: We are leasing a  
13 portion of a very large parcel. We  
14 are leasing 10 acre sites. It may be  
15 that your question, part of the entire  
16 parcel that is owned by the landlord  
17 could be in wetlands, not 10 acres of  
18 the site where we are.

19 MR. DOYLE: Okay?

20 MR. SZCZEPANIAK: Okay, thanks.

21 MS. FERRADINO: There is a  
22 disclosure. It's their best effort.  
23 You want to go directly to the maps.

24 Mr. SZCZEPANIAK: I appreciate  
25 that. I did see a variation there.

1 MS. FERRADINO: I catch them all  
2 the time.

3 MR. SZCZEPANIAK: So,  
4 ultimately, what I recommend to the  
5 Town Board because I'm very concerned  
6 here, again, going back to just  
7 creating a health hazard, I  
8 recommended that the Town Board acting  
9 as a Board of Health, really take a  
10 closer look at this. I think we owe  
11 it to the residents here.

12 Again, I appreciate all of the  
13 presentations made tonight. You guys  
14 did a great job, but, again, that all  
15 of the regulations with that being  
16 met, you know, we have an obligation  
17 to the Town residents here to make  
18 sure that we are not missing anything.  
19 Ultimately, I really urge the Planning  
20 Board to vote against this project.  
21 You know, ultimately, it's not the  
22 right place for our town.

23 Thank you.

24 MR. SIMPSON: My name is Paul  
25 Simpson of Ballston Lake. I want to

1 speak signs, because I have a little  
2 chart if you want to call it that.  
3 Years ago, I worked with a guy. We  
4 were in the sales business, and we had  
5 to go back and forth with the  
6 contractors. They were trying to get  
7 us to do something that was not  
8 necessarily in our best interests.  
9 And even to say a good deal, you know,  
10 has to be a good deal for both sides  
11 of the arrangement, and I put down  
12 some things, most of which have  
13 already been addressed tonight. This  
14 won't be a long presentation. But a  
15 good deal has to be for both sides a  
16 good thing.

17 The noise issue has been  
18 addressed. The emissions issue has  
19 been addressed. The visual impact has  
20 been addressed. The decreased  
21 property value has been disputed.

22 There are lots of things on the  
23 health issues. The acid rain  
24 presentation has been presented. I  
25 believe it's true. With the storm we

1           just had, there would have been some  
2           runoff. Contrary to what we were  
3           told, that insignificant wetland is  
4           east of that thing is the heron  
5           rookery. And I think it's something  
6           we should protect, not intentionally  
7           drive out the birds.

8                     Minimum sales tax revenue,  
9           because the majority of the sales at  
10          these plants are for municipalities of  
11          the state. The mom and pops, my  
12          driveway, your driveway, that's not a  
13          significant source of sales tax  
14          revenue. Again, it's been said  
15          before, the impact on the adjacent  
16          businesses in the park.

17                    Something that hasn't been  
18          addressed is the increased road where  
19          around the site on roads not  
20          necessarily controlled by the plant  
21          itself. People have to come and go on  
22          town roads, county roads, state roads,  
23          and all of those roads have to be  
24          repaired at our expense.

25                    The aggregate, there was a talk

1 of the numbers of vehicles coming in  
2 and out of the plant. If the plant  
3 has the capability of producing enough  
4 product to fill 12 trucks an hour,  
5 which was initially claimed, that  
6 means you have 12 empty ones coming  
7 in. Either those or other 12 trucks  
8 going out, loaded. Nobody addressed  
9 where does the raw material come from?  
10 You have aggregate products, you have  
11 big stones, small stones, mid-sized  
12 stones and dust and all of these have  
13 to arrive somehow, either by truck or  
14 train. And when they are finally  
15 delivered to the site, they have to be  
16 manipulated, maneuvered around into  
17 sorting bins, and there has to be  
18 vehicles in there to do that. You're  
19 going to hear the backup alarms,  
20 you'll hear the loaders as they shift  
21 the material around.

22 On the original plan that was  
23 presented here, they showed an  
24 aggregate pile, a little dog pile in  
25 the corner. The people that have have

1           been to the site in Watervliet and  
2           others, you will find the aggregate  
3           piles are substantially different from  
4           what was shown. They are huge. They  
5           have to be.

6                     I don't see anything on the good  
7           side of the column for Ballston. I do  
8           urge the Board to disapprove this  
9           project.

10                    Thank you.

11                    DR. PIERCE: I'm Dr. David  
12           Pierce. As a health care  
13           professional, I'm really concerned  
14           about the health issues with this  
15           asphalt plant. Going to the SEQRA  
16           process form, the first item on the  
17           form, the backside, part 2-C it said  
18           existing air quality, surface  
19           groundwater are -- could the action  
20           approving this have resultant adverse  
21           effects of air quality and  
22           groundwater? I appreciate the  
23           comments the lady from Chattanooga  
24           made. I have some other data from  
25           other sources. The Environmental

1 Protective Agency said there is  
2 documentary evidence from health  
3 experts and federal and state  
4 regulators of the serious health  
5 effects of asphalt emissions. They  
6 went on to say if the asphalt plants  
7 meets all of the Federal and state air  
8 pollution standards, people nearby are  
9 still exposed to cancer-causing  
10 substances that can cause long-term  
11 damage. In the majority of cases it's  
12 theoretical, predicted by computer  
13 modules, and used by the plant owners  
14 to accurately reflect the air  
15 emissions from plants during the  
16 operations.

17 The E.P.A. said the plants  
18 release millions of pounds of  
19 chemicals in the air during the  
20 introduction, including many  
21 cancer-causing air pollutants such as  
22 arsenic, benzene and formaldehyde  
23 ketamine and other toxic chemicals.

24 I called Tom Johnson from the  
25 Department of Health in New York State

1 over in Troy, and he verified this,  
2 that the vapors given off during truck  
3 loading, storage, and production of  
4 the asphalt plant do produce these  
5 chemicals.

6 One of the major chemicals  
7 that's produced is ozone and nitrates.  
8 Nitrates go into the air and it comes  
9 down as acid rain in the surface  
10 water. After a rain like we had, it  
11 might be such a degree of  
12 concentration of nitrates in the  
13 surface water and lakes, it could  
14 cause fish kills and other kinds of  
15 immediate effects on the surface  
16 waters.

17 In February of this year, Scott  
18 Miller from the (inaudible)  
19 organization made a presentation to  
20 the Town Board and he analyzed the 20  
21 year ski slat data Ballston Lake had  
22 received in relationship to acid rain,  
23 and the acidity of Ballston Lake had  
24 dropped from 8.3 in 1990 to 7.5 in  
25 2008. So that's in 20 years, it's

1           dropped quite a bit. This  
2           extrapolates to a neutral pH in 10  
3           years. Well, we don't want to see  
4           acid rain affecting our lakes, and we  
5           also don't want to see nitrates coming  
6           into the lake. Because nitrates  
7           coming into the lake increases allergy  
8           production and increases weed  
9           production. We have been working --  
10          for the nine years that I have been on  
11          the lake, to try to reduce the  
12          detriment effects of nitrates and  
13          phosphates into the lake. And this  
14          plan does not help us.

15                 The health effects of acid rain  
16                 and the emissions of plant to, into  
17                 topic that is on the SEQRA form, that  
18                 is the long term, short term human and  
19                 other effects not identified above.  
20                 And a statement made by the D.E.C. --  
21                 and I gave Mr. Doyle a copy of this  
22                 regulation. It's paragraph 2-12 of  
23                 the Environmental Conservation Law, I  
24                 think you passed it out to everybody  
25                 on the Board. And in there it states

1 the short term and long exposures to  
2 ambient ozone have been linked to the  
3 number of adverse side effects.  
4 People are particularly susceptible to  
5 the effects of ozone on children,  
6 adults who are active outdoors, to the  
7 elderly people with respiratory  
8 diseases. So I hate to see these  
9 people affected by it.

10 What is permitted by the State  
11 of New York? It's a level that is 20  
12 or 30 times what is detectable in the  
13 air. You can detect odors in the air  
14 of eight parts per billion. The State  
15 of New York allows 450 parts per  
16 billion as an acceptable limit. Do we  
17 want to live in an environment where  
18 you smell asphalt fumes? The fumes  
19 are there, you might not smell them,  
20 but they are affecting your health. I  
21 don't think so.

22 They said one of the items on  
23 the SEQRA application, that growth,  
24 subsequent development of, you know,  
25 the community's existing plans and

1 goals are officially adopted for chain  
2 in use is affected by the asphalt  
3 plant. You have housing developments  
4 of Beacon Hill and Chapel Hill. You  
5 just approved the Davis project; you  
6 said what a wonderful project for the  
7 town. And that's going to be within a  
8 half mile downwind of the asphalt  
9 plant. You are approving another  
10 project, the Stoneridge project, off  
11 of Lake Road with how many units, 300?  
12 That is within half a mile to three  
13 quarters of a mile downwind from the  
14 asphalt plant.

15 MR. CWALINSKI: Sir, your time  
16 is up.

17 DR. PIERCE: I'm done.

18 SUPERVISOR SOUTHWORTH: If  
19 anybody else wants to speak, if they  
20 can line-up so we can get to  
21 everybody.

22 CHAIRMAN DOYLE: Again, I would  
23 like to mention that if someone has  
24 already addressed an issue, please  
25 don't feel you need to do so again.

1 We have it, we have our court  
2 stenographer here.

3 UNIDENTIFIED SPEAKER: Why not?  
4 This is a public hearing. We're  
5 allowed to speak.

6 CHAIRMAN DAVIS: So we have that  
7 information. So we are looking for  
8 new information, new concerns

9 MR. DRUZYNski: I'm Dave  
10 Druzynski, a Ballston Lake resident.  
11 I'm concerned about we got mixed use  
12 trail that goes in front of the plant.  
13 I am a marathon runner, a triathlete.  
14 I'm on the trail -- I went through  
15 today, but I had to wait because there  
16 were trucks coming through. I have  
17 sinusitis, and my wife, who is a  
18 marathon runner, has asthma. Going  
19 through that plant, we're going to  
20 have issues. You put out a trail that  
21 people are using, there is going to be  
22 a heavy stench. You are not talking  
23 about people taking light breaths.  
24 I'm breathing in as if it's my last  
25 breath sucking in as much air as I

1 can. That means I am exposed to more  
2 toxic chemicals. I think it's a  
3 concern.

4 Also the traffic. There is a  
5 pedestrian crossing right there where  
6 you frequently have families crossing  
7 and now you have trucks passing  
8 through. You have families with  
9 children, people going through on  
10 bikes. I think there is a significant  
11 safety concern to the pedestrian  
12 traffic that is using the trail that  
13 is going to be crossing through the  
14 entrance of this plant.

15 In addition to the remaining  
16 odors, you made mentioned there were  
17 no objections coming from the people  
18 close to the Watervliet plant. Did  
19 you go door to door, did you poll  
20 people? How were you measuring the  
21 amount of objections you were  
22 receiving?

23 There were a couple of studies  
24 in other plants in the area. I did a  
25 lot of research on the web on this.

1           One of the things that is common,  
2           there are numerous, numerous  
3           complaints of communities with  
4           existing asphalt plants with the  
5           adverse effects and noxious odors that  
6           are just constant in the area. I back  
7           up to a wooded area where I live. I  
8           like to smell the trees, not to have  
9           the noxious odor of asphalt constantly  
10          looming in my house.

11                   The Blue Ridge Environmental  
12          Defense League released two studies  
13          showing adverse effects on property  
14          values and public health for people  
15          living near properties operating  
16          asphalt plants. Property values  
17          showed loses of up to 56 percent as a  
18          direct result of the asphalt plant.  
19          Another study of residents that live  
20          within a two mile radius of an asphalt  
21          plant, a survey showed 45 percent of  
22          the residents living within a half  
23          mile of the plant showed a  
24          deterioration of their health which  
25          began after the plant opened, the most

1 frequent problems including high blood  
2 pressure, 18 percent sinus problems,  
3 and another 18 percent headaches and  
4 migraines, 14 percent, and shortness  
5 of breath, 9 percent.

6 Another study that they ran also  
7 showed the rate of brain cancer in  
8 children was 11 times that of the  
9 expected rate for people living near  
10 asphalt plants.

11 And the studies also show there  
12 is a 99.96 removal of the toxins.  
13 What about the other .04 percent we  
14 are breathing in? I think that should  
15 be taken into consideration as well.

16 MR. GOODE: My name is Michael  
17 Goode and I live at 15 Kaleen Drive,  
18 Ballston Spa. I'm concerned regarding  
19 the traffic. So we understand, does  
20 the plant intend to use railways to  
21 truck in the materials or export out  
22 the finished goods? It concerns not  
23 only increased traffic, but what the  
24 effect of leaving rail trucks parked  
25 at our facility would leave -- which

1 is a real nuisance -- so can we  
2 understand the real traffic?

3 MS. FERRADINO: Currently there  
4 are no rails connected to the site.  
5 It's something that is proposed and  
6 possibly under construction. We have  
7 looked at the possibility of utilizing  
8 rail and it's something that we are  
9 considering in order to mitigate some  
10 of the truck traffic to the site, but  
11 it has not, it is not available to us  
12 at this time. So certainly when it is  
13 made available, it will be something  
14 that the company considers utilizing.

15 MR. GOODE: Thank you.

16 MR. HILCO: I am Joe Hilco and  
17 I'm glad I could be here tonight. I'm  
18 a committeeman from the National Fire  
19 Protection Association, and NFPA-211,  
20 which is the standards for chimneys,  
21 fireplaces, vents and solid  
22 fuel-burning appliances.

23 I have travelled all over New  
24 York State for years with published  
25 representatives of schools and

1 libraries. I'm a businessman and  
2 owner of a small manufacturing company  
3 in Schenectady that makes heat  
4 exchanges with the solid fuel burning  
5 industry, and my personal interest in  
6 education and research has been in  
7 particulate pollutants. Tonight there  
8 are things here that have come up that  
9 I have a real concerns with. One  
10 study had been cited is a European  
11 study, one study that asphalt plants  
12 are not carcinogenic -- just one study  
13 I saw.

14 On the internet you can find  
15 multiple studies in the United States  
16 that show the opposite, multiple  
17 studies -- in the United States, not  
18 in Europe, but in the United States.

19 Okay, number two, you cited 90  
20 acres are available in the industrial  
21 zone. How much of this is available  
22 for expansion? Once we set a  
23 precedent with an asphalt plant here,  
24 production increases, more demand for  
25 asphalt increases throughout the

1 state. How do we know what is going  
2 to happen here in terms of adding onto  
3 this plant and future construction?  
4 Okay, that is something that has not  
5 really been spoken about completely.

6 I have a personal interest in  
7 public health, because this particular  
8 pollution I have been involved with  
9 for over 40 years. My education  
10 project in college was for this,  
11 particulate pollution, for my degree.  
12 If we take our pencils and make one  
13 period, a dot on your paper, there is  
14 a half a million particulates in that  
15 one dot, 500,000. It doesn't take too  
16 much particulates into our lungs and  
17 bloodstreams and into our pancreas and  
18 into our liver and in any of our  
19 internal organs for cancer. And the  
20 Dolomite Corporation admitted tonight  
21 they will increase particulate  
22 pollution in the Town of Ballston.  
23 They also said no hospitals and  
24 schools -- I had two affidavits from  
25 the two daycare centers where there

1 are children playing outdoors all day  
2 long over by the wetlands, almost  
3 within the industrial park on Lake  
4 Road. I have affidavits of both of  
5 them which they have given me. There  
6 is a park on East Line Road filled  
7 with kids all day long playing. This  
8 will be in operation when kids are in  
9 the park. If you look at studies  
10 about asthmatics, there's an increase  
11 in asthma cases in industrialized  
12 zones. There aren't soccer moms  
13 there. They are moms taking kids to  
14 the hospital for asthma treatment  
15 every week, week and a half. What is  
16 the purpose of this, putting this in  
17 recreational zones like Ballston Lake?  
18 I moved up here because I would be  
19 close to fishing and recreation. Now  
20 we will be involved with industrial  
21 plants and the possible expansion of  
22 280 acres. I don't think so. I don't  
23 think the residents are going to like  
24 this very much, and I'm not for it at  
25 all now. The State on the other

1 hand -- I have been following this  
2 closely -- they're going in to  
3 opposite direction. There are -- the  
4 D.C.A. is outlawing outside burning  
5 furnaces. Now you have to have  
6 setbacks from property lines. You  
7 can't go into restaurants now and find  
8 people smoking anymore. They are  
9 coming up with laws. In Westchester  
10 they are stopping smoking outside of  
11 the restaurants, because people are  
12 getting secondary smoke which is  
13 regularly recognized as a hazard.

14 Dolomite indicated tonight there  
15 will be an increase in particulate  
16 pollution for all of us. Why do we  
17 have to go through colonoscopies and  
18 other things? Because it goes through  
19 the air we breathe and comes from the  
20 most precious resources, our air and  
21 water and the quality of it. Let's  
22 not give it up.

23 CHAIRMAN DOYLE: I would like to  
24 say again we are looking for new  
25 information. We certainly have heard

1 a lot of the effects on personal  
2 health. That would be helpful.

3 MS. BROWNELL: Hi, my name is  
4 Crystal Brownell. I live at 10  
5 (inaudible) Drive. I'm part of the  
6 group there over in the Kaleen Manor  
7 Development. We would like to address  
8 concerns we have on this particular  
9 project. You recall the Board has  
10 received letters from our group dated  
11 August 1st and August 16th, especially  
12 stressing concerns about the issues  
13 pertaining specifically to the rail  
14 line that runs behind the Kaleen Manor  
15 development. Canadian Pacific owns  
16 that. No one has any idea how the  
17 rail traffic will affect these  
18 railroad lines. I have to believe 95  
19 percent is coming from there. There  
20 is no quarry on site. It has to be  
21 getting there somehow. The reasonable  
22 thing is to assume at some point we  
23 will have increased rail traffic.

24 I spent well over a year  
25 contacting at least 20 federal

1 agencies and many more. Patti  
2 Southworth has received more phone  
3 calls for me. I have been in front of  
4 the Town Board, and I called the  
5 Canadian Pacific police. They tell  
6 me, hey, it's already an issue, trains  
7 like to idle and they use part of the  
8 back side of this development as a  
9 rail yard versus trying to just  
10 passing trains. It's already kind of  
11 an issue. That they will add onto it  
12 is not a good answer for me. You  
13 can't tell me right now what this will  
14 look like in a year or three years;  
15 what will it look like in five years?  
16 There are no promises.

17 To think because this plant is  
18 three miles south of our development,  
19 it's not a good argument. I mean, you  
20 got to think about, hey, well, ask  
21 about this rail traffic, and then  
22 what? I'm left holding the cards.  
23 What happens to my property values  
24 with increased diesel fuel? I'm -- I  
25 honestly don't want to be here, but,

1           you know, you have to think of the big  
2           picture, you have to think of long  
3           term, and not hope and cross your  
4           fingers that they will decide we will  
5           not continue to idle here, we will not  
6           continue with the traffic. If you  
7           will go ahead, do this anyway, maybe  
8           you should put the noise absorption  
9           law to mitigate some of the fumes and  
10          make it liveable. Honestly, we didn't  
11          sign up for this. I understand the  
12          Village approved of it and (inaudible)  
13          he doesn't want to involvement with  
14          this particular issue. I understand  
15          there is a secondary issue here, but  
16          this is the totally going to add onto  
17          it.

18                 I'm asking you guys to deny this  
19                 project. If you don't deny the  
20                 project, make a five- or six-hundred  
21                 foot fence about 15 foot high for  
22                 noise mitigation, and safe us a lot of  
23                 health and heartache. I didn't sign  
24                 up for this, neither did my neighbors.

25                         MS. PIERCE: Ann Pierce, 110

1 Lake Road. I have been doing reading  
2 I have yet to read anything that says  
3 asphalt plants are safe. Yes, many of  
4 the articles are from environmental  
5 groups, but I found many groups from  
6 the Illinois Department of Health and  
7 North Carolina Department of  
8 Environmental and Natural Resources,  
9 and Canada, and New Hampshire Division  
10 of Environmental Services stating that  
11 an asphalt plant affects air for the  
12 radius of ten miles. Then our own New  
13 York State Department of Environmental  
14 Conservation has a 12 page article, 6  
15 NYCRR, part 2, dealing with the ozone  
16 and the particulate matter and their  
17 concerns.

18 This is not a good application  
19 for the town, and I urge the Planning  
20 Board to protect our health, our  
21 environment and our town by voting to  
22 deny and stop this project now.

23 MR. POMPA: I'm Ed Pompa of  
24 Malta Avenue of Ballston Spa. I can't  
25 really say I'm for or against this

1 project, because I run two of the  
2 blacktop plants at the north end of  
3 Ballston. My question to the Board is  
4 they should be questioning Dolomite  
5 groups'S willingness to spend probably  
6 3,000,000 on the plant, another  
7 600,000 in their estimate for the road  
8 widening, and how much more for the  
9 rail spur to sell 30,000 tons of  
10 blacktop annually? I know Dolomite is  
11 owned by a multi-national company and  
12 they have very deep pockets.

13 I got a solution for them to  
14 save 400 million. There are four  
15 blacktop plants in the north side of  
16 Ballston. I'm sure we can sell them  
17 all they need on an annual basis.

18 MR. DRAKE: My name is Harold  
19 Drake and I live on Lake Road and I  
20 just heard a couple of things going  
21 here I'm confused about. I hear the  
22 Board say something about this is  
23 zoned industrial, which means, I  
24 guess, asphalt plants are okay there.  
25 But it sounds like, from what I hear

1 from the Dolomite people, it's an  
2 entitlement because you zoned it  
3 industrial at some point in the past.  
4 Doesn't make it right, doesn't make it  
5 that it needs to be that way. We  
6 don't have to roll over and play dead  
7 because it's zoned that way now  
8 because I, I witnessed something very  
9 similar to this in Round Lake, and I  
10 think that was about 15, 20 years ago?  
11 If anyone remembers, it was Callanan.  
12 I think they are related to Dolomite.  
13 Well, they wanted to mine the hill  
14 above Round Lake on the Northway and  
15 also I believe produce asphalt as  
16 well. Well, that is a little town.  
17 There are not a lot of people there.  
18 It's a village, actually. Those folks  
19 got together. It was zoned  
20 industrial, I believe, as well, but  
21 they, they were determined it was not  
22 good for them, and it dragged on for  
23 several years that I remember, and it  
24 didn't happen. So just because it's  
25 zoned that way doesn't mean it's that

1 way. We had a lot of stupid laws in  
2 this country and in the state that we  
3 have overturned. I think we should  
4 explore that possibility as well.

5 MR. CAFFRY: My name is John  
6 Caffry and I'm an attorney from Glens  
7 Falls. I have been asked by Mike  
8 O'Connor to appear here on his behalf  
9 tonight. There are several  
10 circumstances that we would like to  
11 address. I have a letter that I will  
12 file with the Board. We have itemized  
13 some things and I want to summarize  
14 some of the main points.

15 First, the main points are that  
16 the noise and traffic studies are not  
17 credible. If you look at the noise  
18 issue closely, you will find that the  
19 noise levels will violate limits set  
20 in your Town Code, which right there  
21 is grounds to deny this application.

22 Under SEQRA there ought to be a  
23 positive declaration and environmental  
24 impact statement. As I read your Town  
25 Code, this project requires

1 subdivision review even though it's  
2 only a lease. The definition of  
3 subdivision and subdivision ordinance  
4 does not say it has to be sold or  
5 deeded, so you need to look at that  
6 language closely.

7 The project ultimately does not  
8 comply with the code. It prohibits  
9 noise audibly beyond the boundary of  
10 the contiguous lot lines and prohibits  
11 noise to 50 decibels. When they first  
12 came in, they said the nearest  
13 resident is 2500 feet away. They  
14 don't appear to have read the code.  
15 They were not addressing those limits  
16 in the code.

17 Then they finally addressed the  
18 limits at the property lines, but they  
19 were using the wrong property lines.  
20 They are looking at the property lines  
21 of the entire Curtis Industrial Park.  
22 Their application refers to the lot 55  
23 of the Curtis Industrial Park. If you  
24 read the definition of what is a lot  
25 and isn't a lot in the zoning and

1 subdivision ordinances, this is a lot  
2 even though it's a long-term lease.  
3 Therefore, you need to look at the  
4 boundaries of the 10 acre site. If  
5 you do that, the dryer which they say  
6 is the noisiest piece of equipment is  
7 only 200 feet from the property line  
8 where the noise levels will certainly  
9 exceed 50 decibels. It's 300 feet  
10 from the property line in the other  
11 direction. The dryer -- the trucks  
12 will come in and drop the dryer  
13 materials and that will be a very  
14 noisy process.

15 For all of those reasons, the  
16 project will violate the noise parts  
17 of the ordinance.

18 The Chazen study says the  
19 materials stockpiles will block the  
20 noise. They don't say where those  
21 will be. They didn't measure them or  
22 locate them. They looked at the  
23 ambient noise levels. The D.E.C. has  
24 a noise impact assessment policy it  
25 uses for SEQRA purposes for noise

1           impact review. It talks about a noise  
2           study. You need to look at the  
3           ambient levels and compare it to the  
4           proposed levels. They didn't do that.  
5           They didn't look at the noise levels.  
6           They only looked at the dryer. They  
7           didn't look at the other equipment.  
8           The noise levels created by trucks and  
9           loaders are as high or higher than  
10          what this talked about. They didn't  
11          look at the cumulative noise levels.  
12          So for all those reasons, we have a  
13          problem with the noise.

14                    There are a couple of gentlemen  
15                    that pointed out the traffic study  
16                    totally underestimates the amount of  
17                    trucks, because they say it will only  
18                    be 30,000 tons a year. Unless they  
19                    will agree that that is a permanent  
20                    condition that they will not sell more  
21                    than 30,000 tons a year, then the  
22                    traffic study is a joke because they  
23                    didn't take into account the fact that  
24                    the capacity claims 200 to 300 tons a  
25                    day, which translates into much higher

1 potential sales and much higher truck  
2 loads. Nor did they take into account  
3 the trucks coming in as one gentleman  
4 pointed out. The traffic study is  
5 pretty worthless and needs to be  
6 redone.

7 People mentioned the railroad  
8 line. If they bring in a railroad  
9 spur, as the applicant's attorney said  
10 they are looking at that, they will  
11 have accumulative noise. In addition  
12 to the problems these people will  
13 have, there will be more trains coming  
14 in and sitting at the yard, at the  
15 asphalt yard idling. Those are  
16 cumulative impacts and need to be  
17 revised as part of this application.

18 Lastly, the D.O.T. and OPRHP  
19 have failed to do their reviews that  
20 has to be done before you make a SEQRA  
21 determination. For all of these  
22 reasons, it's pretty clear you need  
23 (1) a environmental impact statement  
24 and, (2) unless they get a qualified  
25 noise study and proof that the noise

1 impacts will meet your code at the  
2 real property lines of the lot, you  
3 have got a problem there. So I would  
4 urge you to require a statement for  
5 this project. Thank you.

6 CHAIRMAN DOYLE: Is there anyone  
7 else would like to speak? Anyone else  
8 who would like to speak, please line  
9 up at the wall, we'd appreciate it  
10 very much. Again, I will ask for new  
11 information. I express, new  
12 information.

13 MS. WARDEN: I don't know if I  
14 qualify for that.

15 THE STENOGRAPHER: May I have  
16 your name, please?

17 MS. WARDEN: Oh, Elizabeth  
18 Warden, Lake Road, Ballston Lake.

19 I don't have any statistics, but  
20 I do think as I look around in our  
21 towns and I see what we desire for our  
22 towns, what we are working for, what  
23 we are aiming for, I wonder does this  
24 plant fit into that? You know, is  
25 this what we are looking for? I think

1 we have an awful lot to offer, but I  
2 really believe from what I have heard  
3 tonight from others and their feelings  
4 that this is something that just does  
5 not enhance the quality of our towns.  
6 I think the -- I think that the  
7 business is wonderful. We need, the  
8 country needs it. But I don't think  
9 our area needs this kind of business.  
10 I'm all for business, but there are  
11 different kinds and I just don't feel  
12 that this is the kind that will really  
13 increase the value of our town and  
14 especially in the economy we have.  
15 This is a wonderful area to live in,  
16 to raise families, and I just look at  
17 this plant that wants to come in, and  
18 I don't think it adds anything of  
19 value to this area.

20 MR. RUNYON: Hello, my name is  
21 Ken Runyon, I live at 17 Burton Drive.  
22 I'm here just finding out about this  
23 project for the first time. I live in  
24 the area, really kind of surprised  
25 that -- I read the newspapers every

1 day and this is the first -- I  
2 actually had a real estate agent drop  
3 off a pamphlet in my neighborhood that  
4 prompted me to come here. I'm really  
5 concerned because I actually lived  
6 near an asphalt plant before. Despite  
7 what anybody says, the smell is there,  
8 it has an effect. I lived a half mile  
9 from an asphalt plant before moving  
10 back up here.

11 I am not originally from this  
12 area, but I moved here in 1985. I  
13 went to college at SUNY Albany, I  
14 drove Route 67, I have seen all of the  
15 changes that happened to this area and  
16 how the communities have changed.  
17 Twenty-five years ago, this place was  
18 pretty rural and there weren't as many  
19 communities or as many people and  
20 families.

21 The Curtis Industrial Park had  
22 been there a long time. I don't think  
23 that this usage of that park area  
24 meets our community needs as it is now  
25 today. So I would urge everybody to

1           vote against this because it doesn't  
2           meet our needs.

3                   MR. DIGMAN: Hello, I'm Brian  
4           Digman, 45 Sherman way. In listening  
5           to the presentation today, I am  
6           wondering does this equipment ever  
7           need to be cleaned or have  
8           maintenance? If it does, do they  
9           clean it with water or use chemicals?  
10          If they use chemicals, which I expect  
11          they do, I would like to know what  
12          quantity of chemicals are kept onsite,  
13          how they are maintained, how they are  
14          protected from leaks.

15                   The same is true with the  
16          trucks. Are there requirements? Are  
17          they attended to by drivers in the  
18          event of fire? Also, will they be  
19          allowed to clean, will they be allowed  
20          to do any maintenance activity while  
21          onsite? I expect they will.

22                   Anybody that had been to an  
23          industrial zone, these are very common  
24          activities. All you need to do is  
25          walk around in them -- not during a

1 special guided tour, but actually  
2 while they are in operation. In terms  
3 of the pictures, I found it curious  
4 the pictures were taken in the middle  
5 of summer. I would encourage the  
6 Board to have pictures taken  
7 independently -- no offense, but I  
8 would have them taken independently.

9 The back of my property, if you  
10 look at a map, and the adjoining  
11 property to mine is right next, right  
12 behind the tracks there. I'd love to  
13 take a couple of pictures. I can see  
14 Curtis Lumber clearly from my  
15 property. So I would be happy to --  
16 of course, I'm not granting anybody  
17 permission to, but I would be happy to  
18 take the pictures if the Board would  
19 be interested in seeing them.

20 In terms of the variance and  
21 what is being considered here, I find  
22 it curious the residents of Beacon  
23 Hill cannot so much as cut a branch  
24 off a tree unless it's for safety  
25 violations, yet we are considering the

1           70 foot wonderful tar-containing  
2           tower. That is insane.

3                     That's all I have. Thank you.

4                     Mr. Mueller: My name is  
5           (inaudible) Mueller --

6                     MS. FERRADINO: Sir, would you  
7           spell your name for the stenographer?  
8           She is having trouble hearing you.

9                     MR. MUELLER: Yes, it's  
10          M-U-E-L-L-E-R.

11                    What inference this will have on  
12          our environment because there is  
13          nothing on earth that has more  
14          quality, more purity and cleanliness  
15          than the production of computer chips  
16          in the area just west of here. This  
17          will put something in the air, in this  
18          thing. This is all I have to say. I  
19          think this is important, too.

20                    CHAIRMAN DOYLE: We will close  
21          the public hearing at this point. I  
22          want to summarize a little bit for the  
23          audience. This is the second time --  
24          Stephanie, we will not have rebuttal,  
25          thank you.

1                   This is the second time the  
2                   Planning Board has heard this. The  
3                   first time we heard about, you know,  
4                   the location, the equipment that was  
5                   going to be installed, much of the  
6                   presentation that you heard tonight  
7                   were Planning Board questions.  
8                   Certainly there was a traffic study as  
9                   pointed out by many people. The  
10                  Planning Board can add, subtract and  
11                  if it doesn't make sense, you know, if  
12                  you look at quantity, so we were  
13                  asking those kinds of questions and  
14                  there were modifications we wanted on  
15                  67, talking with D.O.T. about that.  
16                  The Planning Board is doing many  
17                  things.

18                 As I say, we have just completed  
19                 our second meeting. We are learning.  
20                 We have a long way to go. You know,  
21                 we are certainly not approving  
22                 anything that is detrimental to the  
23                 town or in violation of any  
24                 requirements, so forth. We need to  
25                 work at this. It's not something that

1 will be decided tonight or in the very  
2 near future.

3 Stephanie, the reason I ask, we  
4 normally don't have rebuttal of this.  
5 With the information you have, all of  
6 this, we would like a copy of the  
7 transcript. We would like written  
8 answers to all of these items, you  
9 know, rather than instructions at this  
10 particular time.

11 MS. FERRADINO: That is no  
12 problem. While we have the benefit of  
13 the expert here tonight, I thought  
14 perhaps --

15 CHAIRMAN DOYLE: I would prefer  
16 something written.

17 MS. FERRADINO: That is no  
18 problem. We will take that care of  
19 that.

20 IAN MURRAY: Just a procedural  
21 question --

22 THE STENOGRAPHER: May I have  
23 your name, sir?

24 MR. MURRAY: Ian Murray.

25 CHAIRMAN DOYLE: We closed the

1 public hearing. Everything that we  
2 got tonight is in a public record.  
3 That includes all of the letters and  
4 e-mails that were submitted. That  
5 will all be in a public record  
6 including the steno minutes. We have  
7 a court stenographer and they will all  
8 be included.

9 If there are no other questions  
10 or concerns asking the Board, I  
11 appreciate your comments. We will  
12 look at the comments and we provided  
13 comments; we will take your comments.  
14 We have concerns like everybody else  
15 has concerns. We need to understand  
16 all of those.

17 UNIDENTIFIED AUDIENCE MEMBER:  
18 When is the next meeting?

19 CHAIRMAN DOYLE: That is up to  
20 the applicant. When the applicant  
21 thinks they have enough information to  
22 answer the questions, they will submit  
23 a request to appear before the Board.  
24 That will be posted on our website.  
25 When they give us the information and

1 we read through it and we decide  
2 whether the questions have been  
3 adequately answered, we will have  
4 discussions with them and when we feel  
5 we have all of the information --  
6 probably not all, but most of the  
7 information -- then, again, they will  
8 appear before the Board.

9 AUDIENCE MEMBER: Will it go  
10 before any other committees?

11 CHAIRMAN DOYLE: The Zoning  
12 Board will hear some of it.

13 AUDIENCE MEMBER: When?

14 CHAIRMAN DOYLE: We don't know  
15 yet -- okay, September 7th.

16 MS. FERRADINO: Just as a point  
17 of clarification, the Zoning Board  
18 can't vote until a SEQRA decision has  
19 been made. We will not be appearing  
20 on the next agenda.

21 CHAIRMAN DOYLE: I was going to  
22 mention that.

23 MS. DINGMAN: I'm sorry. I  
24 didn't realize that. I apologize for  
25 that.

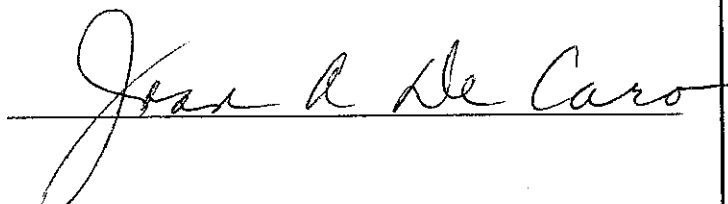
1                   CHAIRMAN DOYLE: We have to go  
2 through SEQRA. We are a long way from  
3 SEQRA right now. There is a lot that  
4 is required. So I guess it doesn't  
5 matter. If there are no other  
6 questions, we will move onto the next  
7 item.

8                   (The Dolomite portion of the  
9 hearing ended at 10:15 p.m.)  
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C-E-R-T-I-F-I-C-A-T-I-O-N

I, **JOAN A. DE CARO**, Shorthand Reporter and Notary Public in and for the State of New York, do hereby **CERTIFY** that I recorded stenographically the foregoing testimony taken at the time and place herein stated and the preceding testimony is a true and accurate transcript hereof to the best of my knowledge and belief.

  
\_\_\_\_\_  
**JOAN A. DE CARO**

**Dated:** 9-7-11