

SUMMARY OF THE TRANSCRIPT

PUBLIC SCOPING MEETING OCTOBER 24, 2012

1. Delores Drains-Outlet Road

- a. Noise in valley
- b. Truck noise and operational noise (specifically referenced the Front Loader)

2. David Pierce- 110 Lake Road

- a. Blue Neils report issues (at page 6-11).
 - i. Air quality monitoring– impact of VOC, PAH HAPs, and metals
 - ii. RAP and aggregate storage, closed vs open
 - iii. Enclosed load out area
 - iv. Stormwater controls
 1. Three tiered system
 2. Need for a Multi-sector SPDES Permit and facility spill prevention controls and countermeasure plan
 - v. Plant monitoring
 1. Air and water – enforces air and water quality permits? who pays for monitoring? What are the provisions for enforcing the permits?
 - vi. Oxides of Nitrogen
 - vii. Ozone and global warming
 - viii. Flow of watershed into the Hudson (Ballston Creek flows into Round Lake and the Anthony Kill which flows into the Hudson River) and decrease in level of toxins flowing into the Hudson.
 - ix. Cited comments made by Judith Enck (Director of EPA Region 2) at a conference last week to preserve clean water, wetlands and reduce toxin loading
Delivery of 28,000 tons of RAP and aggregate studied in traffic study

3. Melissa Lescault- Joran Court

- a. Traffic – consideration of all approved projects (Chapel Hill, Lake Road, Route 67, Development in Malta)
- b. Brookline and Route 67 intersection-traffic backs up/illegally pass on right when left-turn vehicles delay through traffic.
- c. Referenced Route 67 corridor study-LOS D to a LOS F in 2010 in CDTC study
- d. Requested that a crash study (not accident report) be performed from I- 87 to 50.

4. Francis Igoe

- a. Management of waste stream and presence of lime, equipment cleaning, equipment maintenance, fugitive dust, point source dust, runoff and leaching from materials transport, temporary storage, unloading and loading materials, screening and conveying.

5. James Pabis – 16 Chapel Hill

- a. Rt 67 and East Line Road intersection/accidents
- b. Study entire length of East Line Road and Round Lake Road

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- c. Tonnage cap – Claims there is no way that the proposed HMA Plant can be profitable only producing 100,000 TPY. A figure of 200,000 TPY or more is more realistic.
- d. Effect of 300 homes in Stonebridge Enclave, 100 in Chapel Hill.
- e. Noted there will be 28 trips per hour non-stop April to November from 7 to 4

6. John Warren – 25 Chapel Hill Boulevard

- a. Odor modifications recommended for draft scope
 - i. See handouts
 - ii. Inclusion of information on effect of use of recycled material in production – odors
 - iii. Effect of topography (valley) on odors.
 - iv. Wants the language in the Town Code regarding odors to be incorporated into the Final Scoping document.
 - v. Cited a Supreme Court case in which it was determined that odors are considered to be a public nuisance.

7. Lance Ida – 3 Sherwood Park Drive

- a. Impact on utilities (cited GlobalFoundries need for energy as stated in a newspaper article that appeared in the Schenectady Gazette last Saturday.)

8. David Druzynski- 14 Chapel Hill Blvd.

- a. Zim Smith Trail
 - i. Safety in intersection with entrance to park. During 2/29/12 presentation to the Planning Board, the Dolomite project team misrepresented the trail as being 150 feet from Route 67.
 - ii. Sight line issues because of trucks entering the Curtis Industrial Park.
 - iii. Distance from Route 67
 - iv. Truck size - stated that the trucks hauling asphalt will be a minimum 20-ton capacity
 - v. Impact of dust on air quality
Mitigation: Speed bumps, pedestrian bridge, additional stop lights at the trail.
Size of trucks versus production numbers—needs to make sense.

9. Brian Dingman – 40 Sherman Way

- a. Emergency access point – cited town code 113.20 requirement for adequate emergency access roadways. Cited that the emergency access route must be adequate for a Fire Truck with 100 ft ladder to get to the site.
- b. Other projects in the Town require two access points

10. David Whitehead – 916 Route 67 (near Brookline)

- a. Left hand turn at Brookline and Route 67. The traffic on Rt. 67 is “horrendous”.
- b. Redirection of traffic
- c. Route 67 narrows under RR bridge

11. Ian Murray-Route 67 (business)

- a. See handout

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- b. GEIS study of Route 67 corridor
- c. Traffic has increases 4.4% in 20 years
- d. Number of truck trips per season
- e. Congestion on rural roadways-people will divert

12. Paul Simpson – 80 Westside Drive, Ballston Lake

- a. Limit on plant expansion (initially 30,000 TPY and now 100,000 TPY)
- b. Plant will operate during the nighttime hours, and therefore noise study must take this into account
- c. Fire suppression equipment
- d. BACT standards for emissions

13. John Caffrey

- a. Noise
 - i. Leased vs. lot line vs. sensitive receptors (sensitive receptors need to be identified and listed in the Final Scoping document).
 - ii. 50 db standard
 - iii. Location of baseline monitoring recommended by CT Male
 - iv. Audibility at boundary
 - v. Nighttime noise – consistent with DEC standards
- b. Scope of the traffic impact study is insufficient. Applicant is ignoring comments submitted to the Town Planning Board by C.T. Male.

14. Claudia Bramer- Caffrey & Flowers

- a. Consider range of alternatives
- b. Reasonable less damaging alternatives – size, design, technology
- c. Production capacity limits at 30,000 tpy
- d. Warm mix asphalt alternatives

15. Dana Mahoutchian – 240 Lake Road

- a. Traffic and speeds on Lake Road- people cut-through from 50 to I-87. Requested that a traffic study be performed on Lake Road.
- b. Operates a daycare – concerned with air emissions and their impact on the children at the Daycare facility.

16. Reza Mahoutchian, P.E. (Former NYSDOT Engineer) – 249 Lake Road

- a. Devaluation of properties
- b. Valley – effect on emissions. Prevailing wind direction is from the SW to the NE.
- c. Mercury in air. The mercury air emissions will migrate to nearby subdivisions and then precipitate out and have a detrimental impact on children.
- d. Production monitoring – the HMA Plant will expand significantly over time. It will need to in order to stay profitable.
- e. Heating temperature for asphalt – asphalt must be heated to a temperature of 650 degrees F.
- f. This is the worst site ever that someone could choose to locate a HMA plant.

In The Matter Of:
Town of Ballston Planning Board
Dolomite Products, Inc.

Minutes of Planning Board
October 24, 2012

Martin Deposition Services, Inc.
Malta Commons Business Park
100 Saratoga Village Boulevard
Building 37, Suite 37C
Malta, New York 12020

TOWN OF BALLSTON, NEW YORK
PLANNING BOARD

In the matter of the Application of
DOLOMITE PRODUCTS, INC.
before the Ballston Town Planning Board

OCTOBER 24, 2012

7:30 p.m.

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

Richard Doyle, Chairman
Jeffrey Cwalinski, Vice-Chairman
Joan Eddy, Board Member
Derek Hayden, Board Member
Audilez Matias, 1st Alternate
Board Member
Lee Ramsey, Board Member
John VanVorst, Board Member
Debora Bradt, Secretary
Peter Reilly, Esq.
Counsel to Planning Board

Joan A. DeCaro
Martin Deposition Services, Inc.
(518) 587-6832

1 Also Present:

2 Thomas Johnson, Building Inspector

3 Kathryn Serra, CT Male

4 Terresa M. Bakner, Esq.

5 Whiteman, Osterman & Harris

6 John Munsey, CT Male

7 Richard Harris, CT Male

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10 Appearing for the Applicant:

11 Stephanie Ferradino, Esq.

12 Couch White, LLP

13 Stephen B. Le Fevre, P.G.

14 Barton & Loguidice

15 Don Fletcher,

16 Barton & Loguidice

17 Wendy Holsberger, Creighton Manning

18 Peter Zeh, Dolomite Products, Inc.

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20 Public Speakers:

21 1. Dolores Draina

22 2. David Pierce

23 3. Melissa Lescault

24 4. Francis Igoe

25 5. James Pabis

- 1 6. John Warren
- 2 7. Lance Ida
- 3 8. David Druzynski
- 4 9. Brian Digman
- 5 10. Tom Morrill
- 6 11. David Whitehead
- 7 12. Ian Murray
- 8 13. Terry Harlow
- 9 14. Paul Simpson
- 10 15. John Caffry
- 11 16. Claudia Braymer
- 12 17. Dana Mahoutchian
- 13 18. Reza Mahoutchian
- 14 19. Craig Scavullo
- 15 20. Bob Vinsick

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(The following is the public
speaker portion of the public
hearing.)

1 MR. MUNSEY: The first speaker
2 is Dolores Draina.

3 MS. DRAINNA: Good evening,
4 Dolores Draina; I live at 22 Outlet
5 Road near the industrial park.

6 My concern is the noise level of
7 the equipment that the going to be
8 running, especially the loaders, the
9 front loaders moving the equipment
10 around, the product, and the truck
11 noise.

12 The sounds echo. There is a
13 valley and all the noise echoes all
14 through the valley. I can hear it
15 when I sit in my house when I have my
16 windows open, and that is a big
17 concern of mine, and it should be
18 taken into consideration.

19 Thank you.

20 MR. MUNSEY: Thank you. The
21 next speaker is Kevin Draina.

22 MR. DRAINNA: I have no comment
23 at this time.

24 MR. MUNSEY: Kevin has no
25 comment.

1 The next speaker is David
2 Pierce.

3 MR. PIERCE: My name is David
4 Pierce, 110 Lake Road.

5 Can I ask a question to the
6 Board?

7 MR. MUNSEY: Again, we are not
8 here to respond to questions. The
9 purpose of tonight's hearing, with
10 respect, is to obtain comments from
11 the public on the Draft Scoping
12 Document.

13 MR. PIERCE: On December 9th,
14 2011, Blue Niles, the Saratoga County
15 storm water Management Coordinator and
16 Chairman of the Saratoga County Water
17 Quality Coordinating Committee sent a
18 report to the Town of Ballston
19 regarding the proposed Dolomite
20 Industries Hot Mix Asphalt Plant. On
21 page 6, paragraph D, he stated
22 critical questions that can be
23 addressed through SEQRA. I don't know
24 if these questions will be addressed
25 at a future date, but they haven't

1 been addressed in the Scoping
2 Document, that they have been omitted.
3 So I will review of the questions that
4 he proposed.

5 One of the things that he
6 brought up was the Air Quality
7 Monitoring. The second thing he
8 brought out was RAP and aggregate
9 storage, closed versus open, and the
10 conditions. RAP drying, it takes --
11 more emissions are produced if the RAP
12 is wet. Closed load out with the
13 scavenging duct system, storm water
14 control in the load-out area, and
15 putting in a three-tiered storm water
16 retention system on the site. Storm
17 water quality control monitoring,
18 monitoring the plant under the SPDES
19 Multi-Sector Permit and Facility Spill
20 Prevention Controls and Countermeasure
21 Plan.

22 In addition to the things that
23 Mr. Niles mentioned in his report, I
24 have the following concerns:

25 Number 1, oxides of nitrogen and

1 VOC's listed in Dolomite's "Critical
2 Pollutants released" are responsible
3 for ground level ozone production.
4 Increased ozone results in health
5 risks to children, the elderly and the
6 sick.

7 Number 2, concerning global
8 warming, this plant will release 600
9 tons of greenhouse gasses and
10 acidifying gases per year.

11 Number 3, who will enforce the
12 air and water quality permits?

13 Number 4, who will pay for this
14 monitoring of the plant?

15 Number 5, what are the
16 provisions for enforcing the permits?

17 In the past some asphalt plants
18 have gone to court. Who will pay for
19 litigation if they don't abide by the
20 permits?

21 Has the traffic study considered
22 the delivery of 28,000 tons of RAP and
23 aggregate?

24 Will Dolomite need a D.E.C.
25 wetlands permit for the wetlands in

1 Ballston Creek in that area.

2 And, finally, Ballston Creek, a
3 class A water source, flows into Round
4 Lake and the Anthony Kill and the
5 Hudson River. The Hudson River
6 Watershed Alliance is appealing to
7 towns in the watershed to decrease the
8 level of toxins that eventually flow
9 into the Hudson River.

10 Judith Enck, the Regional
11 Director of the Environmental
12 Protection Agency, stated at the
13 meeting I went to last week, that "We
14 all need to convince elected officials
15 that we must preserve clean water,
16 preserve the wetlands and reduce toxic
17 loading. Everyone benefits from clean
18 water."

19 And here are copies of my
20 statement.

21 MR. MUNSEY: Thank you, David.

22 Next is Melissa Lescault.

23 MS. Lescault: Melissa Lescault,
24 10 Joran Court.

25 Good evening, my name is Melissa

1 Lescault. I'm a resident of the Town
2 of Ballston.

3 First, I would like to thank
4 this Board for changing the meeting
5 date tonight. Certainly all of us
6 parents with young kids appreciate the
7 meeting was not held on Halloween.

8 There are many of us that are
9 here tonight as representatives of the
10 Citizens for a Clean Environment, one
11 would be myself, that shall speak
12 tonight with respect to raising the
13 issues with the applicant's Draft
14 Scoping Document.

15 To begin with, we identified
16 many traffic concerns and then move on
17 to impacts, particularly with the Zim
18 Smith Trail, the odor, the visual
19 impacts, and various other impacts.

20 With respect to the traffic, any
21 and all traffic study that will be
22 done with respect to this project, we
23 sincerely request that those studies
24 consider any and all approved
25 developments that have been passed by

1 this board in the Town of Ballston.
2 For example, the new developments that
3 are occurring near the Chapel Hill
4 subdivision, as well as on Lake Road,
5 and we would also expect that it
6 consider the new development that is
7 occurring on Route 67 in the Town of
8 Malta. So if you can make sure any of
9 the traffic studies that will be
10 raised throughout tonight, that you
11 consider those aspects.

12 Specifically, I would like to
13 talk to you about the intersection of
14 Brookline and Route 67. Nothing has
15 been stated about the impact of a hot
16 mix traffic on this particular
17 intersection. All hot mix asphalt
18 traffic that turns left on out of the
19 park heading west on Route 67 must go
20 through the intersection of Brookline
21 and Route 67 either to proceed west
22 along Route 67 or to turn left on
23 Brookline Road to reach Route 50,
24 ultimately to continue on to
25 Middleline Road and all roads west,

1 for example, heading to Amsterdam or
2 Galway. Anyone who goes on this road
3 knows that it's a terrible
4 intersection and already in dire need
5 of upgrades. The intersection has no
6 turn lane. As, again, anyone who
7 travels the road, it only takes one
8 truck turning left on Brookline to
9 back all the traffic up. And as we
10 all know, the majority of the traffic
11 at this intersection illegally passes
12 on the right when this occurs.

13 I have one photo here that was
14 taken in the early morning hours which
15 basically shows traffic being backed
16 up heading east on Route 67, and as
17 you can tell, it backs up onto
18 Brookline, as well. So I just wanted
19 you to take note to that, as well.

20 In 2004, the Route 67 Corridor
21 Study prepared by the CEDC -- I'm
22 sorry, prepared for the CEDC,
23 indicated at that time surface was at
24 an LOS of D. And they projected --
25 and they projected that by 2010, even

1 with no significant building in that
2 area, conservative estimates of normal
3 increase would raise that LOS at that
4 intersection to an F. With any
5 significant knowledge in the area, the
6 LOS would be an oversaturated F. In
7 the words of the study with respect to
8 this intersection as well as others
9 along 67, "The large increase in
10 traffic volume is expected to cause
11 many intersections to fail given the
12 projected traffic volumes without any
13 improvement to the roadway
14 configurations."

15 One thing that I also would like
16 to point out we would request that an
17 actual crash study be done on the
18 Route 67 corridor starting from
19 Interstate 87 all the way to Route 50.
20 We know there were accident reports,
21 but I believe that a crash study would
22 be more prevalent. I'm sure there are
23 several people in this audience who
24 can say that they witnessed accidents,
25 particularly at this intersection on

1 Route 67 and Brookline. I want to
2 thank you again for your time.

3 MR. MUNSEY: The next speaker is
4 Francis I. Please come forward and
5 introduce yourself.

6 MR. IGOE: Francis Igoe. I
7 would like to insure that the scoping
8 document or the impact statement
9 appropriately covers the management of
10 all waste streams, including but not
11 limited to the control of lime,
12 equipment cleaning, equipment
13 maintenance, fugitive dust, point
14 source dust, runoff and leeching from
15 the expected processes at the site,
16 including but not limited to
17 transportation of materials, temporary
18 storage, unloading and loading of
19 materials, screening, and conveying.

20 Thank you.

21 MR. MUNSEY: Thank you.

22 Next speaker is James Pabis, 16
23 Chapel Hill. Please come forward and
24 introduce yourself.

25 MR. PABIS: Hello. My name is

1 Jim Pabis, P, as in Paul, A, B, as in
2 boy, I-S, 16 Chapel Hill, and the
3 first thing I would like to say to the
4 Chairman and members of the Board is
5 thank you for what you do. Thanks for
6 listening to us.

7 My request to be included in the
8 Scoping Document is traffic, traffic
9 and more traffic. To echo and
10 supplement what Melissa has already
11 said, I would like to see included in
12 the analysis the intersection of Route
13 67 and Eastline Road. If you've ever
14 traveled through that intersection,
15 which I do on a daily basis, it's like
16 a demolition derby course. You have
17 -- when left turn, when you have two
18 cars which are faced off to make a
19 left turn, there is a slight grade in
20 the middle so you can't see the cars
21 that are coming straight, but they
22 come around from a blind spot. So it
23 makes for an interesting situation.
24 And every time I go through there,
25 there is always debris of reflectors,

1 accident debris of what I would call
2 fender-benders. So it's obviously a
3 dangerous intersection.

4 The other thing, the other
5 location I would like to see included
6 in the scoping document is the length
7 of Eastline Road, as well as Round
8 Lake Road, because if they leave the
9 asphalt plant, the proposed asphalt
10 plant and go south, that could
11 possibly be the route they take, that
12 would be Eastline Road which is a high
13 traffic road. So 67 and Eastline, the
14 intersection of Eastline Road in its
15 totally, as well as Round Lake Road,
16 because of its entrance to the
17 Northway.

18 What I would say to the Board is
19 please don't let us down. Please
20 facilitate an all-encompassing,
21 thorough analysis, not only on these
22 things, but on all the things you will
23 hear about tonight.

24 I think it's safe to say we know
25 that 100,000 tons per year is a

1 fictitious number. It's probably more
2 like 200,000 tons or more, which is
3 consistent with the market in Saratoga
4 County, and if we just stay at 200,000
5 tons per year, when the plant is
6 running, that equates to 28 trips per
7 hour from April through November, say
8 from seven in the morning until four
9 p.m. That's a lot of traffic.

10 Now, I have already said traffic
11 is already outrageous and intense. We
12 have 100 units in Chapel Hill, we have
13 300 more additional units plus that
14 are going in the Stone Bridge enclave,
15 which you have approved, which is
16 going to be even more traffic. It's
17 high volume. It's dangerous now. I
18 can only imagine what it will be once
19 we have the big trucks making 28 trips
20 per hour. They can't accelerate very
21 quickly. Once they have accelerated,
22 they can't stop on a dime. I can't
23 imagine what that will do to our
24 already demolition derby course on the
25 corner of Eastline and 67. So please,

1 please consider the intersection of
2 Route 67 and Eastline, Eastline and
3 Round Lake.

4 What will the impact be? I
5 don't know. So please, please find
6 out. Do a thorough analysis -- Yes,
7 sir, I got it -- Do a thorough
8 analysis. Please include what I
9 requested. Do a thorough analysis on
10 this and do a thorough analysis on
11 everything else you hear tonight.

12 Please don't let us down, and I
13 thank you.

14 MR. MUNSEY: The next speaker
15 will be John Warren, 25 Chapel Hill
16 John, please come forward.

17 MR. WARREN: John Warren is my
18 name, 25 Chapel Hill Boulevard,
19 Ballston Lake.

20 I have two issues tonight I want
21 to discuss. Is it okay if I pass out
22 my presentation to the members here?
23 I have a copy for everybody.

24 I have broken it down into two
25 parts, looks like a lot but when I

1 explain it, it's not a lot. Would you
2 pass each of these out?

3 The one I have marked in red at
4 the top concerns page 12. That is the
5 one I will start with here. This is
6 section 5.6, which deals with odors.

7 I am recommending that we change
8 some of the wording to better deal
9 with what we have going on here. The
10 first recommendation that I have is
11 that I recommend that a similar
12 reference for odor, which is in
13 section 138-44 of the Code, be
14 included as a sentence in page 12 of
15 this document. This is consistent
16 with the previous section of 5.5. If
17 you look at the first sheet that just
18 follows my first page, I have
19 something here labeled sheet 1, this
20 shows the actual -- on the left, the
21 actual page 12 that I'm discussing.
22 Over on the right, it shows the actual
23 wording changes that I am proposing
24 that this document go through to go
25 along with my line of reasoning.

1 The second part of my pitch here
2 is if I make a wide literature search
3 on "asphalt plants" and the recycling
4 materials that they can use in this, I
5 know that with this, they talked about
6 the usage of recycling road materials.
7 I also note by reading literature,
8 there are other things out there under
9 consideration and being used from time
10 to time such as recycling of old
11 automobile tires for the rubber, maybe
12 even shingles off roofs. I don't
13 know. There is stuff going on in the
14 future that could end up in a mix at
15 this plant because of the
16 profitability. So the concerns that I
17 have for this is, is that these
18 various things that you can put into
19 the batch have different aromas that
20 come off when you heat it up and mix
21 it in. The problems that you have
22 with this is that it's not -- you can
23 separate odor from emissions -- I
24 think those really are two different
25 topics. The various asphalt plants

1 can have a pretty good record with
2 emissions, but at the same time, the
3 odors that come off of this are not
4 necessarily captured by the emission
5 control systems. I want to point this
6 out.

7 That is what the first set of --
8 after sheet 1, I have some articles
9 here, attachments from various parts
10 of industry. Maybe I will just get
11 through the first section here.

12 But the first one is from a
13 consultant in the asphalt industry.
14 He brings up the fact that "Another
15 seldom considered issue is odor
16 control at our plants. To us hot
17 asphalt smells good, but to the
18 general public, it stinks. As more
19 and more neighborhoods complain about
20 the proximity of an asphalt plant, I
21 think we will have to find ways of
22 masking or eliminating the smells
23 produced by our plant operations."

24 The second sheet is from the
25 outfit that is in the business of

1 controlling the odors. They conclude,
2 "However, increasingly, governments
3 are demanding the recycling of asphalt
4 returning from overhauled roads and
5 highways. This recycle asphalt can be
6 polluted with components that, when
7 reheated in the process ovens, will
8 become volatile and smelly. As the
9 off-gas flows can be considerable in
10 the asphalt production, it is not easy
11 to find a good solution for this odor
12 problem."

13 The last -- the third attachment
14 is from workers in the asphalt
15 industry especially rubber products.
16 The quote is that "You can't believe
17 the odors that come off the paver and
18 mat" referring to the asphalt rubber
19 millings. I would think that the
20 source where you make it would be a
21 problem as well.

22 The attachment for that I have
23 given you here is from an actual state
24 case where it was taken to court. In
25 this way, they have proven that odors

1 can be a public nuisance in this
2 particular Supreme Court case. And
3 the way that they proved it and the
4 data collection, I think, has merit
5 here. I think that we should use this
6 type of data in the collection
7 procedure for future studies with how
8 odors impact the neighborhoods around
9 Ballston Lake.

10 The final one is an attachment
11 -- I'm sorry -- is from my own house.
12 We're in a valley from where this
13 plant is going to be. I think this
14 traps odors.

15 Thank you very much for your
16 time.

17 MR. MUNSEY: Thank you.

18 The next speaker is Lance Ida, 3
19 Sherwood Park Drive. Please come up
20 and introduce yourself.

21 MR. IDA: I'm Lance Ida, 3
22 Sherwood Park Drive, which is quite a
23 ways from where the asphalt plant is
24 going to go. Basically I'm up here
25 because of an article that I read in

1 the Gazette this past Saturday with
2 reference to the impact of not the
3 asphalt plant, but Global -- the chip
4 plants that are offer in Luther Forest
5 and their demands on utilities. Their
6 demand, it says here, is 400 megawatts
7 of which they say they will use all
8 when they complete their development,
9 okay? The reason I'm here is my
10 concern is I would assume an asphalt
11 plant is going to put, have an added
12 impact on utilities. I think that the
13 Planning Board should consider, okay,
14 that impact in determining how are we
15 going to deliver that, what the impact
16 will be on the community, what the
17 impact will be on the environment,
18 what impact it will have on the
19 wildlife, et cetera. They need it,
20 they need it over at Luther Forest and
21 over here. Luther Forest is over
22 there. It's a clean industry over
23 there. I am not going to comment on
24 whether I think this is a clean
25 industry or not, okay, for our

1 community.

2 Thank you.

3 MR. MUNSEY: Thank you, sir.

4 The next speaker is David
5 Druzynski, 14 Chapel Hill Boulevard.

6 Please come forward and
7 introduce yourself.

8 MR. DRUZYNSKI: My name is Dave
9 Druzynski, 14 Chapel Hill. I have
10 significant concerns over the safety
11 of the Zim Smith trail users as they
12 attempt to cross the Curtis Industrial
13 Park, and I feel it should be
14 addressed in the Draft Scoping
15 Document. This is peak fall season.
16 Children when out of school will have
17 additional access to the trail. The
18 trail is growing in size and
19 popularity. This June the trail was
20 recognized by the Department of the
21 Interior as a national recreation
22 trail because it is an exemplary trail
23 and will become part of an exclusive
24 network as a designated NRT where it
25 gets an array of benefits including

1 trail promotion and additional access
2 to funding. There are plans to extend
3 the trail to the south and also up to
4 the north to meet up with Saratoga
5 State Park. With the trail extension,
6 this trail will be used by visitors as
7 one of the biggest tourist attractions
8 in Saratoga Springs.

9 The peak tourist season also
10 coincides with the peak asphalt
11 season. After the Dolomite company
12 blatantly misrepresented the fact it
13 was 150 feet from Route 67 in an
14 attempt to falsely prove the crossing
15 would be safe. I measured it out and
16 found it to be well less than half of
17 that. In skewing the numbers in their
18 favor, you have to wonder what else
19 they've misrepresented in their favor
20 as well.

21 Referring to the comment on the
22 myths versus facts speech given by
23 John Gay during the December Planning
24 Board meeting, he stated that 200 tons
25 was a myth and the plant would only

1 produce 30 tons. It seems like every
2 time we meet, the plant production
3 level increases. He also stated it
4 was a myth they would be tri-axle 22
5 ton trucks. He said the fact is, they
6 would be using only 10 ton trucks.

7 On February 29th in front of
8 forum, he misrepresented a scenario
9 showing 20 ton trucks that were going
10 to be used. Once again, the size of
11 the trucks in question keeps getting
12 raised.

13 I went onto Crabapple Lane to
14 run by the asphalt plant that Dolomite
15 runs in Watervliet. As you go up the
16 street, there is one large tri-axle
17 truck entering the street from the
18 south entrance of the plant, and there
19 is a second similar size truck already
20 dropping off materials. As you
21 continue, you see a third tri-axle
22 truck is exiting the plant from the
23 north. All along the way, there's
24 dust in the air and debris on
25 Crabapple Lane. I will submit

1 additional pictures to the Board.
2 These were not the minimal 22 ton
3 trucks that John was talking about.

4 Based on my estimation, they
5 appeared to be 50 to 80 ton trucks.
6 John from Dolomite would like you to
7 believe that we just caught a unicorn
8 on camera. These trucks are more
9 commonly used and this is a snapshot
10 of the truth.

11 I'm also going to submit
12 pictures to the Board that are near
13 the entrance to the Zim Smith Trail
14 over at the Curtis Industrial Park
15 where one single truck was waiting to
16 make a turn on Route 67. It's not
17 only obstructing the view of oncoming
18 traffic, and but it's obstructing the
19 path of people as they attempt to
20 blindly cross over the path. If you
21 walk around the truck to get a view of
22 oncoming traffic, you've lost your
23 line of site of traffic coming behind
24 you.

25 The pictures of the trucks I'm

1 submitting are showing the current
2 Curtis driveway and are significantly
3 smaller than the large trucks that I
4 showed on the pictures at the
5 Watervliet plant.

6 Keep in mind all of the oncoming
7 traffic could be these large 50 to 80
8 ton trucks that cannot stop on a dime
9 if a child enters the driveway. These
10 trucks are trying to make a turn while
11 containing scalding hot asphalt and
12 emitting a toxic odor. Trail users
13 are in very close proximity while
14 waiting for opening to cross. Due to
15 the heavy volume of the trucks we
16 anticipate, I don't believe the trail
17 users will have a chance.

18 Dolomite is looking to mitigate
19 this by posting additional signs. I
20 don't think this is going to be a
21 useful deterrent. All it will do is
22 warn people of the danger present and
23 they will not be protected. I feel a
24 pedestrian bridge, additional stop
25 lights at the trail and a row of speed

1 bumps would be the only thing to help
2 the trucks going to be racing against
3 the clock to enter the road. The
4 scoping document should address the
5 Kim Smith Trail and also trucks
6 leaving the driveway and entering on
7 Route 67.

8 MR. MUNSEY: Thank you.

9 Next speaker is Brian Digman, 45
10 Sherman Way.

11 Please come forward and
12 introduce yourself.

13 MR. DIGMAN: Good evening I'm
14 Brian Digman, 45 Sherman Way.

15 I would like to start by
16 thanking you for the opportunity to
17 address my concerns.

18 I will show you a map. I'm
19 concerned about the lack of two
20 emergency access points for this
21 project. As it is right now, the
22 project only has one source of ingress
23 and egress, which is the main entrance
24 driveway to the Curtis Industrial
25 Park. Please note that Curtis does

1 not own this driveway. In fact, they
2 have to cross the Zim Smith Trail,
3 which is owned by the County of
4 Saratoga, and the remaining land is
5 owned by Lane Enterprises. This only
6 gives them one entrance. Curtis does
7 not have -- Curtis does has road
8 frontage on Eastline Road, but there
9 is no indication that there will be
10 future sources of ingress or egress
11 through that road. In fact, if that
12 were the case, we would have to
13 address the traffic studies from a
14 little bit different perspective that
15 would aggravate the already existing
16 traffic concerns.

17 As per Section 113.20 of the
18 Town's code "Adequate emergency and
19 service access shall be provided." On
20 every recent apartment and business
21 project in Ballston, this Planning
22 Board has maintained that there needs
23 to be two emergency access points or
24 access roads. Considering this is a
25 large industrial project with heavy

1 equipment that could block the road
2 and inhibit emergency vehicles from
3 entering the second access, that
4 really should be mandated. Especially
5 if you look at the map, given the fact
6 there is only one access point from
7 67, and this is a large industrial
8 complex -- we know that there needs to
9 be access for a fire truck, a ladder
10 truck of 100 feet -- one access road
11 is not going to be adequate. So as
12 part of the study, we would like to
13 look at an another access point. And
14 that is my comment. Thank you.

15 MR. MUNSEY: Next speaker is Tom
16 Morrill, 18 Sherman Way.

17 MR. MORRILL: No comment.

18 MR. MUNSEY: No comment from
19 tom. The next speaker signed in is
20 David Whitehead, 916 Route 67. David,
21 please introduce yourself. I
22 apologize if I mispronounced your
23 name.

24 MR. WHITEHEAD: No, that's fine.

25 My name is David Whitehead. I thank

1 you very much for listening to my
2 comment.

3 I moved to the town -- I live at
4 916 Route 67 at that intersection
5 across from Brookline -- and since
6 1974, the traffic has become
7 horrendous. And with the increase of
8 all of these trucks coming in and out,
9 again, there have been many, many
10 accidents there. And I like my house,
11 but the traffic is just horrendous.
12 Each morning I found it very difficult
13 to get out of my driveway, and
14 particularly to make a left-hand turn.
15 So, again, I just call on the Planning
16 Board to consider -- Route 67 is, is
17 impossible. There is not any way that
18 we can handle all of the traffic, and
19 I have been there 30 plus years. It's
20 just getting worse and worse.
21 Particularly where it narrows down and
22 goes under the overpass where the rail
23 overpass is. That had been changed
24 once. There is not very much we can
25 do except to think of alternate ways

1 of moving traffic some other way.
2 It's just very, very dangerous. I
3 found it very difficult to feel safe
4 living here. Thank you.

5 MR. MUNSEY: Next speaker is Ian
6 Murray, who also lives on Route 67.
7 Please introduce yourself.

8 MR. MURRAY: Good evening. Ian
9 Murray, 824, 830, 838 and 934 Route
10 67. I want to echo what Jim Pabis
11 said to you this evening. Thank you
12 for the thankless job for serving on
13 this board. I, as well, have served
14 on two planning boards and I know what
15 you are up against.

16 I think the Planning Board must
17 request or require that the applicant
18 conduct a DEIS study for the Route 67
19 corridor as part of the EIS study. I
20 think this would be beneficial for the
21 traffic concerns that have been raised
22 here and at numerous meetings
23 throughout their last application
24 process.

25 Looking at this from an economic

1 standpoint of view to the Planning
2 Board, you know, regarding development
3 and stuff like that, looking at cost
4 of Community Service studies, what
5 training you have had over the years,
6 that subdivisions do not support the
7 town tax base. Ultimately they cost
8 the town money. Route 67 is zoned for
9 industrial and commercial zones. By
10 approving this application, you are
11 talking about putting 20,000 truck
12 trips per season on this road to feed
13 a 100,000 ton plant. If that happens,
14 no one will ever want to develop the
15 corridor, therefore, you have no
16 business, you have no tax base, and
17 you have no revenue.

18 If this application is approved,
19 the impact far outweighs the benefits
20 to the town. You are looking at
21 creating four jobs, barely any tax
22 assessment, virtually no sales tax
23 revenue. Is this what the town
24 expects to support their town budget?
25 By approving this application, you

1 will be compounding numerous traffic
2 problems without having corrective
3 measures. You will force all current
4 vehicular traffic onto the town's
5 rural roads because of the congestion
6 that's created on Route 67. If you go
7 back and review the traffic studies
8 from when State Farm relocated here,
9 the traffic increased 4.4 percent for
10 the past 20 years. This industrial
11 park site has no road entry on 67 as
12 indicated tonight, and inadequate
13 emergency access, and radius curve at
14 an access point that won't support
15 turning without impacting the near
16 properties and the Zim Smith Trail.

17 Lastly, I just want to mention
18 something to you, see if anybody can
19 remember -- I don't know if anybody
20 paid attention but when the Twin
21 Bridges started construction this
22 year, they ran into a couple of
23 problems. They rolled over onto the
24 Monday and the Northway was shut down.
25 Well, guess what? Route 67 is the

1 first northwest road -- sorry,
2 east-west road that connects Route 90
3 to Route 87, and the place was a
4 parking lot, because everybody
5 traveled that road, both vehicular
6 traffic and truck traffic. In case
7 there was a catastrophic emergency or
8 anything like that, what would happen
9 at that point? We would be crippled.

10 Okay, thank you for your time
11 tonight.

12 MR. MUNSEY: Thank you, Ian.

13 Next is Terry Harlow, Ballston
14 Lake.

15 MS. HARLOW: No comment.

16 MR. MUNSEY: No comment from
17 Terry. The next speaker is Paul
18 Simpson, 80 Westside Drive.

19 Paul, come forward and introduce
20 yourself.

21 MR. SIMPSON: I'm Paul Simpson,
22 Westside Drive, Ballston Lake. When
23 this dog and pony show began about a
24 year ago, we were all told that this
25 plant was going to produce 30,000 tons

1 per hour, and it would really have no
2 significant impact on anything, no
3 truck traffic, no smell, no anything.

4 The document that I'm looking at
5 here, page 3, says now the output is
6 up to 100,000 tons per season, and the
7 gentlemen earlier on indicated that
8 that really isn't financially
9 attainable, so probably the output
10 would be up. I don't know what else
11 you have been misled with there.

12 There doesn't seem to be any
13 limit on plant expansion in here,
14 which I think that should be a part of
15 this.

16 The original presentation said
17 it was going to be only a daytime
18 plan. I really find that hard to
19 believe that if this plant was in
20 place during this particular season
21 when they repaved 50, I don't think
22 they would have used another asphalt
23 plant when they had this one there.
24 And all that work was done at night.

25 The language says maybe there will be

1 a few operations. Now that has
2 changed, as well.

3 There has been no mention of any
4 fire suppression activity on this
5 plant at all. There have been some
6 discussions of access for emergency
7 vehicles, but most of us know that if
8 there is an effective state of the art
9 fire suppression system, the really
10 bad situations can be extinguished
11 early on and prevent a disaster.

12 There is a term in the
13 industrial engine business called
14 BACT, B-A-C-T, Best Available Control
15 Technology. I would think the asphalt
16 plant industry would have a similar
17 type of documentation and control
18 technology for the emissions. There
19 should be some mention of control
20 technology in this document so that
21 you, the Planning Board, know what it
22 is that you may be approving. That is
23 all I have.

24 MR. MUNSEY: Next speaker is
25 John Caffry of Caffry and Flower.

1 Please come forward and introduce
2 yourself.

3 MR. CAFFRY: John Caffry, Caffry
4 & Flower. We represent Citizens for a
5 Clean Environment and many of the
6 speakers you heard earlier are
7 affiliated with that group.

8 We were very pleased when the
9 Planning Board adopted a positive dec
10 last winter and we were also pleased
11 when the applicants said they wanted
12 to do a scoping. However, we were
13 very disappointed with the first draft
14 scope. Seemed like the applicant
15 wasn't paying attention to what the
16 Board said at its meeting last
17 February or what the citizen's
18 concerns were. Fortunately, you have
19 got good input from CT Male, and the
20 current Draft Scope reflects some of
21 that, but the applicant has still
22 ignored other points what CT Male
23 pointed out, and as we heard tonight,
24 it's still an incomplete document.
25 Just for instance, the Planning Board

1 said it wanted more information on
2 traffic and more detailed information,
3 but the Draft Scope says, well, we
4 will look at the existing studies and
5 then we will decide if we should do
6 anything else. That is not what the
7 scoping regulations require and that
8 is not what the Board asked for. I
9 think CT Male pointed out there needed
10 to be more detail, and the applicant
11 didn't really buy into that.

12 What I found interesting, too,
13 once we got a copy of CT Male's letter
14 that resulted in the changes to the
15 Draft Scope, you would see many of the
16 concerns we raised are the ones that
17 CT Male raised in its letter and that
18 they were, again, ignored by the
19 applicant.

20 Under the SEQRA regulations, the
21 Final Scope is your document. The
22 regulations say you will provide it to
23 the project sponsor. I urge you to
24 rewrite it yourself or have CT Male
25 rewrite it. Don't let the applicant

1 keep doing this and not take your
2 comments to heart. You have every
3 right to rewrite it yourself and send
4 it to them and not have them do it,
5 and then vote on the document if they
6 try to avoid responding to your
7 concerns.

8 We ask that, in particular, you
9 focus on the methodology that is going
10 to be used for the impacts. If you
11 don't get specific in the scope, you
12 will be at the applicant's mercy more
13 or less when they provide you with a
14 DEIS. It's a lot easier if it's clear
15 now.

16 I will address one specific
17 issue that your clients have not
18 addressed yet. That is the noise
19 section. It is improved in the second
20 version of the Draft Scope compared to
21 the first version, but there is still
22 one glaring error. The town code says
23 the noise levels have to be assessed
24 at the lot line, which if it's a 10
25 acre lot line, it's not the industrial

1 park property line. We've documented
2 that in writing more than once.
3 Section 138-14 says the facility can't
4 cause noise audible beyond the
5 boundaries of the user's lot -- again,
6 the lot line, not the property line.
7 Section 138-49 states that the noise
8 level can't be more than 50 decibels
9 at the lot line. CT Male recommended
10 specific points for base line
11 monitoring, and impact assessment
12 should be presented in the scope.
13 This wasn't done. The applicant
14 failed to do that. Instead, it says
15 they will look at sensitive receptors.
16 This is asking you to look
17 specifically at the lot line as
18 required by the town code.

19 They said they will follow the
20 D.E.C. SEQRA noise policy when they do
21 their study. That is good, but that
22 D.E.C. policy specifically does not
23 supersede any local noise ordinances
24 and it also says you should assess the
25 levels they use at the property line

1 or adjacent uses given what the town
2 code requires. I think it's incumbent
3 on the DEIS in its scope to require
4 that the noise assessment be done at
5 the lot line of the lot, not just at
6 the line of the sensitive receptors.

7 I think you need three things,
8 that it be assessed at the lot line,
9 that the scope does not mention 138-14
10 B, the noise beyond the boundaries, it
11 only mentions 50 decibels. I think it
12 should mention both of those
13 requirements, and, lastly, it should
14 address the nighttime noise impacts.
15 They admit they will have nighttime
16 operations. The D.E.C. has a
17 different criteria for nighttime noise
18 than it does for daytime noise. I
19 think that ought to be there, as well.
20 Study both situations. And we will by
21 providing you with detailed comments
22 by Friday.

23 Thank you very much.

24 MR. MUNSEY: Next speaker is
25 Claudia Braymer from Caffry & Flower.

1 Please come forward and introduce
2 yourself.

3 MS. BRAYMER: I am Claudia
4 Braymer from Caffry & Flower and I am
5 also representing the Citizens for a
6 Clean Environment.

7 One of the critical components
8 of the SEQRA process is a
9 consideration of range of alternatives
10 that may have less environmental
11 impact than the proposed action when
12 still allowing the project sponsor to
13 achieve its objectives. Under the
14 SEQRA regulations, reasonable
15 alternatives for avoiding or reducing
16 impacts include, for example,
17 alternative sizes, design and
18 technology.

19 The Final Scoping Document for a
20 project must identify the reasonable
21 alternatives that will be considered
22 and addressed in the Environmental
23 Impact Statement. Dolomite's Draft
24 Scoping Document failed to adequately
25 identify potentially less damaging

1 alternatives that should be
2 considered. It is not the Planning
3 Board's responsibility to include
4 additional alternatives in the Final
5 Scoping Document.

6 As has already been alluded to
7 by our clients, the members of
8 Citizens for a Clean Environment, the
9 annual capacity of the plant has
10 jumped from what we heard last year,
11 30,000 tons per season, to now 100,000
12 tons per season. An alternative that
13 should be considered and added to the
14 Scoping Document is an annual
15 production capacity of 30,000 tons or
16 at most now 100,000 tons per season.
17 Such a limitation will reduce all of
18 the aspects of the plant's impact,
19 especially including the ill defined
20 number and the size of trucks that
21 will be entering and exiting the
22 Curtis Industrial Park.

23 An alternative technology that
24 should be considered is a technology
25 called "warm mix asphalt" which allows

1 asphalt to be produced, transported
2 and placed on the roadways at a lower
3 temperature than the proposed hot mix
4 asphalt. A warm mix asphalt would
5 still pose the same truck traffic
6 problems as the proposed HMA plant,
7 however, the lower temperature of warm
8 asphalt would result in lower
9 emissions from the plant, which, in
10 turn, lowers the levels of air
11 pollutants and odors that are released
12 into the environment. Warm mix
13 asphalt has already proven to be a
14 cost effective technology that's used
15 throughout the country, and it's been
16 approved for use by New York State
17 Department of Transportation. It is a
18 reasonable, straightforward
19 technologically based alternative that
20 should be addressed in the EIS.
21 Therefore, we ask you add this
22 alternative to the Final Scoping
23 Document.

24 Thank you.

25 MR. MUNSEY: Our next speaker is

1 Dana M.

2 MS. MAHOUTCHIAN: Oh, it's
3 Mahoutchian. I went from Warren to
4 Mahoutchian.

5 My name is Dana Mahoutchian and
6 I live on 249 Lake Road. I live right
7 next to the new development that is
8 coming in. As a day care operator for
9 the last 15 years, my obvious concern
10 is the emissions. However, that seems
11 to be addressed, and the other
12 secondary one that I didn't really
13 realize it would be a problem is the
14 traffic on Lake Road. Right now I
15 find it's been used as a thruway to
16 get from Route 50 to the Northway and
17 vice versa. And right now we haven't
18 had the development even open up yet.
19 So that is going to be a concern.

20 I cross six children in the
21 morning before school, six kids across
22 the road. Unfortunately, the bus
23 cannot go on the other side because
24 they have to consider Eastline Road
25 and they feel that is a more hazardous

1 road for kids to cross. Next door to
2 me is another day care. I don't think
3 she has any school-aged kids right
4 now, and on the other side, there is a
5 family of four children where they
6 will have four kids crossing. The
7 trouble where we are -- I have been
8 there 22 years, I can't tell you how
9 many people have gone off the curve.

10 Now, the town is great. They
11 put up a sign "watch for children,"
12 but that doesn't help and visibility's
13 poor on Lake Road. When my five
14 children were little, I wouldn't let
15 them ride their bikes on the road.

16 I just wish this applicant was
17 as straightforward like your building
18 inspector. Tom Johnson is great. I
19 can't tell you what an honest,
20 straightforward guy he is. When he
21 says he will do something, he follows
22 through. He was great with helping
23 with a fence around the development
24 that you built with the town. I was
25 going to be required to put an entire

1 fence around my play area, which is
2 over a half an acre, so he solved some
3 problems there.

4 I guess my main concern is
5 because Lake Road has people coming in
6 and out of the boating area and that
7 what is going to happen now is that
8 people from Beacon Hill and Meadow
9 Brook will probably come around and
10 get to Lake Road to get to the
11 Northway at Exit 11 to avoid all of
12 Route 67 traffic.

13 I advise them to look at the
14 traffic study on Lake Road. It's
15 getting increasingly crowded,
16 especially during the rush hour in the
17 morning and afterwards. The bus makes
18 a stop about five times on that road.
19 You do it across the street from where
20 our day care is. But I know it's
21 going to be tough for you, because of
22 the environmental study. You know,
23 it's straightforward, the state
24 environmental laws with the emissions.
25 So far it might be approved, but

1 traffic is probably where you will
2 have the most control over this being
3 developed. I hope you will consider
4 this carefully. I know you will.
5 Thank you.

6 MR. MUNSEY: Reza Mahoutchian is
7 our next speaker. Would you please
8 come up and introduce yourself?

9 MR. MAHOUTCHIAN: I'm sorry, my
10 parents had trouble with my name, too.
11 My name is Reza Mahoutchian. My
12 beautiful wife just presented herself.
13 We also live in the Town of Ballston
14 at 249 Lake Road, and for those
15 members of the board that know me, I'm
16 always greatly appreciative what you
17 folks do. I know you would rather sit
18 at home with your favorite beverage
19 and not go through this nonsense. But
20 it is very important. I was working
21 today for 14 hours, and I had to come
22 and state some of my concerns.

23 I'm all for development. I'm an
24 engineer, a licensed engineer
25 practicing in the State of New York.

1 You know, I have always promoted
2 development. This is not a voice
3 coming from an anti-development type
4 of individual. However, this
5 particular plant does have some very
6 serious concerns. Aside from the
7 obvious stigma of living across or in
8 the vicinity of an asphalt, a hot
9 asphalt plant, and devaluation of the
10 properties by hundreds of millions of
11 dollars, it's astonishing what impact
12 it will have -- aside from all of that
13 and aside from the traffic concerns,
14 if you look at the topography of the
15 area, this plant is situated at low
16 lying grounds. The particulates
17 emitted, that will be emitted from the
18 Hot Mix Asphalt Plant would rise to
19 the level of about 45, 50 feet and
20 travel across. The prevailing winds
21 during the season of hot mix asphalt
22 will move from southwest to northeast.
23 So anybody that has their property and
24 their homes in that vicinity, and they
25 have small children, they should be

1 very concerned about emissions,
2 particularly mercury. Mercury is a
3 particulate that, once heated, it
4 elevates, and it travels with the
5 current. And once it reaches 20 feet
6 -- because this is coming from ground
7 this low and going across the
8 developments at that height, the
9 rooftops of all of these homes, it
10 will start settling down. Anybody who
11 has young children should be very,
12 very concerned about that.

13 You know, I'm sure the
14 developers will tell you anything you
15 want to hear. We are hearing 30,000
16 tons, 100,000 tons, 200,000 tons. The
17 reality is nobody is going to be able
18 to police that. The town doesn't have
19 the resources. The citizens don't
20 have the resources. The reality of
21 the matter is the economics of a plant
22 like that will dictate how much
23 asphalt they will produce. The
24 general size of the parcel is huge.
25 It will start with the tip of the

1 umbrella. Once it's approved, slowly
2 they will begin expansion. Once they
3 do expansions, we will not go through
4 all of this. It will be slow
5 expansion, one at a time, 50,000 tons,
6 100,000 tons that becomes 200,000 tons
7 and 300,000 tons.

8 I'm in this business. Asphalt
9 and producing asphalt, you will not be
10 able to send little four-ton trucks to
11 go pick up asphalt. It just doesn't
12 work at diesel selling for \$4.36 a
13 gallon. You need to send tri-axles.
14 It's not like going to a grocery store
15 and buying clean chicken breasts.
16 It's a dirty job and it's a dirty
17 process. Trucks have to come in and
18 fuel has to come in. It has to be
19 heated to excessive temperatures.

20 When I was working for the
21 Department of Transportation, any
22 asphalt that came to the job site if
23 it was south of 300 degrees Farenheit,
24 we would send them down the road. We
25 would reject it. The asphalt that

1 goes into those trucks has to be in
2 the neighborhood of 400 degrees
3 Farenheit. To get it to 400 degrees
4 Farenheit, the plant has to work with
5 it at 600, 650 degrees. This is a
6 great location. It's right off of the
7 Northway. There are all of these side
8 roads across and a tiny driveway
9 behind the industrial park. It's
10 perfect to come in from the minds of
11 the developer. From the minds of the
12 homeowners in this area, it is crazy.
13 To pick this site -- if I were to
14 recommended the site to these people,
15 this is the last site I would
16 recommend to them. I can't imagine
17 they would have picked this site.

18 As far as the town residents and
19 the traffic pattern, here is what is
20 going on. We all heard about the
21 traffic on Route 67 in the morning.
22 You know when your contractors are
23 calling for asphalt, you don't care
24 what the town says what is going on
25 and what the opposition and what the

1 environmental situation is. You push
2 the gas and get the material out
3 because the customers are asking for
4 it. What is going on is that those
5 trucks are going to pull out of the
6 driveway, get on Route 67, and the
7 traffic will be backed up on Route 67
8 so people --

9 CHAIRMAN DOYLE: We have a
10 five-minute time limit. Please wrap
11 it up.

12 MR. MAHOUTCHIAN: I'm on my last
13 30 seconds. The traffic that normally
14 takes Route 67 and people in the
15 developments that take 67 still going
16 down towards the Northway -- because
17 everybody is getting on the
18 Northway -- they will have to take the
19 alternate road, Brookline Road, and
20 get on 50 heading south on Route 50,
21 and from Route 50, they will turn left
22 into Outlet Road, get on Lake Road
23 coming across my house. The problem
24 is none of these roads -- Lake Road is
25 a recreational road; 15 miles an hour

1 is the suggested speed limit. Lake
2 Road itself is not the kind of road
3 that can handle that kind of traffic.
4 The road has a sharp bend in it. None
5 of the roads are designed and
6 maintained to withstand that kind of
7 traffic. So I would expect and
8 suggest to the Board if I may, with
9 all due respect, at least please
10 incorporate a third larger study of
11 the larger corridor of the traffic
12 study that includes and encompasses
13 Route 50, Outlet Road, Lake Road,
14 Eastline Road, Brookline Road.

15 And I appreciate your time.
16 Thank you very much.

17 MR. MUNSEY: Next speaker is
18 Craig Scavullo. Please come forward
19 and introduce yourself, Craig.

20 MR. SCAVULLO: Good evening.
21 Thank you.

22 Greg Scavullo, 27 Everson Way.

23 I would just like to address the
24 visual plume that this plant will
25 produce. The town code requires an

1 impact be, the visual impact be less
2 than two on the regulated scale
3 measurement point of emissions. The
4 Environmental Impact Study needs to
5 present this data showing the
6 requirements are met. As you see in
7 the photo, this occurs in front of
8 these plants. This is a plume that we
9 will see from our house in Beacon
10 Hill. All of us, 100 of us, will see
11 that every day throughout the time.
12 You know, all summer long when our
13 kids are playing. I just request this
14 visual impact study be complete and
15 really, you know, be done. I'm asking
16 a full visual impact study be done
17 from all neighborhoods, Beacon Hill,
18 Chapel Hill, Rolling Brook, Meadow
19 Brook and the Lake Association. Thank
20 you.

21 MR. MUNSEY: Last speaker to
22 sign in tonight, one more, next to
23 last is Bob Vinsick, 232 Lake Road.
24 Bob, please come forward and introduce
25 yourself.

1 MR. VINSICK: My name is Bob
2 Vinsick -- I think everybody can hear
3 me -- 292 Lake Road. What I want to
4 talk about is the impact the plant
5 will have on our rights to enjoy our
6 properties in the area, and that is in
7 keeping with New York State Real
8 Estate Law. What I wanted to talk
9 about, every issue they have, air
10 quality, noise, odor, health, traffic,
11 dust -- if I can take air quality,
12 think about when you follow a truck
13 that has blacktop, hot asphalt on it,
14 and it's covered, do you know how bad
15 -- sometimes I say, look, what is in
16 this stuff that it can stink that bad?
17 What is it doing to me as I'm
18 following it? Our houses are going to
19 be there. My house is basically
20 downwind from the plant. What I want
21 to say, too, I heard they want to
22 supply this for highways. We know
23 when they work on highways is when the
24 general public is sleeping. What I'm
25 concerned about, everyone of these

1 issues can affect me and my house.
2 When we talk about the smell that
3 could affect me, I can't open my
4 windows when they are in operation.
5 The other thing is the noise; we're
6 talking 50 dB's. I heard a compressor
7 out in that room. That was probably
8 80 dB's. 50 dB's is nothing. Are we
9 going to talk about impulse; is it
10 going to be 95, 100, 105, 110 dB's of
11 impulse, would it be 115? Just the
12 truck slamming, that is 110 dB's. I'm
13 a half mile away easily. Some of
14 these things are really important.

15 When we talk about traffic, I'm
16 a bike rider. I know traffic. Lake
17 Road, I have ridden it for many years.
18 I tell you what, there are days I
19 don't go on Lake Road because that
20 road is turning into what I call a
21 highway. Where the traffic is going,
22 it's filtering one of two places.
23 It's going on either to Round Lake
24 Road or going down to 67 where we know
25 that is congested. The way I think

1 this is -- and the condos still aren't
2 in down the road, that's going to be
3 300 whatever units. My take is what
4 Global Foundries and this whole
5 infrastructure has done, that requires
6 we look at what the impact is not only
7 on 67, but Lake Road, and everything
8 else because they are combined there.

9 A couple more issues, I will be
10 done. I really feel this plant will
11 be a 24 hour a day, seven day a week
12 plant -- at least six days. And it's
13 going to run -- and they keep telling
14 us one thing after another. I never
15 heard anything good out of them. They
16 busted all the myths with lies in
17 front of you. They disrespected the
18 Board. They never even answered the
19 questions they were supposed to
20 answer. That is disrespect. I don't
21 know what they will do in the future.
22 I'm concerned, too, about the dust.
23 All the trucks dumping aggregate,
24 where is the dust going? Wherever the
25 wind blows it will go. I have to wash

1 my house every year a couple of times?

2 I don't know about that.

3 I think that is probably about
4 it. I don't need to say anything
5 more. The last thing, once this plant
6 gets approved, nobody will stop them.
7 If they can get this thing approved,
8 nobody will stop them from doing
9 anything else. You guys can have this
10 (indicating).

11 Thank you.

12 MR. MUNSEY: The last speaker to
13 sign in is Tom Morrill of 18 Sherman
14 Way. Please come up and introduce
15 yourself, Tom.

16 MR. MORRILL: I'm Tom Morrill
17 and I live on Sherman Way in the Town
18 of Ballston. My concern is about the
19 future traffic issues specifically
20 related to Outlet Road. As all of you
21 know, Outlet Road is a highly
22 populated recreational bike path with
23 a park entrance. It's a popular place
24 to fish on a bridge and there's a
25 put-in and put-out there for kayaks on

1 the lake. I think there will be
2 future traffic issues there for all
3 residents from Beacon Hill, Meadow
4 Brook, Charlton Road residents,
5 because I, myself, as a resident know
6 I would be trying to avoid Route 67
7 due to all of the trucks, and we are
8 looking for an alternate route on
9 Outlet Road as I come out of Sherman
10 Way. Instead of turning right on 67,
11 I'll now turn left, go to Outlet Road
12 to avoid all of that.

13 My request is a traffic study be
14 done in the existing residential areas
15 including roads from Beacon Hill,
16 Meadow Brook and Charlton Road, those
17 roads that will be used to avoid the
18 67 corridor in Ballston.

19 The second thing I ask that the
20 study show all improved subdivisions,
21 and the third thing I ask is for a
22 cost analysis and life expectancy of
23 town roads be done based on the
24 traffic.

25 That's it. Thank you for your

1 consideration.

2 MR. MUNSEY: Thank you.

3 We have gone through the list of
4 everybody that has signed in. Is
5 there anybody else that would like to
6 make a comment on the Draft Scoping
7 Document that is here tonight?

8 Okay. If there are no further
9 comments, we will close this public
10 meeting. Thank you for attending and
11 participating. As previously stated,
12 written public comments on the Draft
13 Scoping Document for the proposed Hot
14 Mix Asphalt Plant will be accepted by
15 the Town Clerk until Friday, October
16 26th, 2012. If you have any questions
17 regarding the SEQRA process and the
18 next steps for this project, feel free
19 to talk with me or Terresa at the end
20 of the meeting. If you have questions
21 regarding the proposed project, the
22 applicant's team from Dolomite is
23 here. I think they will stay at the
24 back of the room and hang out around
25 the drawings that are back there. If

1 you have any questions you would like
2 to address to them about the project,
3 they will be there.

4 This concludes the Public
5 Scoping Meeting of the proposed
6 Dolomite Hot Mix Asphalt Plant. Good
7 night.

8 (The meeting was concluded at
9 9:14 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: _____

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