

Comments on Sunderlin/Red Rock Quarry Associates, LLC. Application for Business Permit (S.B.L. No. 8.000 – 1 – 8)

Submitted By: Joseph Turczyn, Jr.

March 9, 2022, Public Hearing

Members of the Board:

I am one of the owners of the land that Stone Quarry Road runs directly over and through. This land has been owned by my family for over 66 years. The drive provides access to my property on either side to the White Lake Outlet. Attached are photos I took in mid-February of Stone Quarry Road and our property. I hope these photographs will assist the Planning Board to gain a better understanding of my concerns with the proposed reopening of the granite mine accessed by Stone Quarry Road.

I would like to raise the following concerns regarding Mr. Sunderlin's business permit application:

1. Stone Quarry Road

- a. The Forestport Highway Superintendent's statement regarding public maintenance of Stone Quarry Road is not accurate.

The Superintendent's February 11, 2022, letter claims the Town Highway Department performs "regular maintenance" on Stone Quarry Road each year. As a landowner of the property directly connected to Stone Quarry Road, I have firsthand knowledge of the public use, traffic patterns, and level of maintenance associated with the road.

Based on my personal observation, I make the following clarifications regarding the claimed "regular maintenance" done on the road:

- i. Stone Quarry Road has not been graded every 2 years, as the Superintendent claims. The road was last graded at least 10 years ago. Crushed stone was only placed on the road once years ago and this was only done as an accommodation to and at the request of Mr. DeTraglia.
- ii. The Forestport Highway Department has never cut or trimmed any brush on side of the road. This task would be impossible considering there is no brush on the side of Stone Quarry Road.

Any sporadic maintenance that did occur never extended past the 12-foot width of the road. The only significant "maintenance" performed was the installation of guardrails and culverts over the White Lake Outlet, which define the 12-foot width of the road's travel track.

- b. There is no documentation that road was deeded to the Town, either in the Town records or in my chain of title. At best, the Town has an easement for highway purposes by virtue of the public use over the years. Town records indicate that the width of Stone Quarry Road as it passed over my property was never wider than

approximately 12 feet. I note that the Town surveyor's recent survey of the road indicates that the travelled track of the road is only 12 feet wide. The survey also shows there are no other public highway improvements beyond the width of the travel track.

- c. This project will further impede any right of way that the Town can establish over Stone Quarry Road. Mr. Sunderlin has already placed a locked gate over Stone Quarry Road that illegally obstructs the public right of way down the road. Additionally, the right of way extends into the mining area, so any mining activities across and/or on top of the road illegally obstructs the right of way and endangers the public.

2. Construction of a New Road Would Require the Acquisition of My Property

- a. Stone Quarry Road is and has been a single-track roadway over my land approximately 12 feet wide. The width of the roadway is also further defined and limited by the width of the culverts over the White Lake Outlet. See the attached photos.

The construction of a new Road 49 ½ feet wide to handle the projected heavy truck traffic will impact our property beyond this historic 12-foot public use.

- b. To accommodate the large trucks and tractors necessary for this project, a new two-lane road is required to replace the existing one-lane. The culverts on the bridge must also be replaced to accommodate the weight of the tractor trailers.
 - i. As you can see from the attached photos, there is no room to widen the road without removing the trees on my property that line the road.
 - ii. There are also sections of the road that are unable to be widened due to protected wetlands on either side.
- c. There are multiple sharp turns and bends in the road that large trucks will find difficult to navigate unless the road is substantially re-widened and realigned. See attached photos.

This project will not just require alterations to the existing road, but the construction of an entirely new road to allow for the passage of these vehicles to the project site. This will result in the removal of trees and a likely need to straighten or relocate and realign the road to eliminate the curves and sharp turns.
- d. A commercial driveway permit is required for the connection of Stone Quarry Road to State Route 28. This will require many adjustments to the current Stone Quarry Road, including but not limited to widening the road at its interconnection with the State Highway. This will likely result in further encumbrances onto my property at the entrance of the road where it connects to Route 28, as land will need to be cleared and new turn lanes may need to be constructed which would affect not just Stone Quarry Road, but the State highway as well.

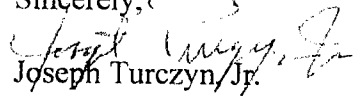
Reconstruction of Stone Quarry Road would also require removal of trees from my property to maintain the necessary sight clearances at the intersection with the State Highway. In addition, directional signage for the quarry would need to be

placed at the entrance of Stone Quarry Road off State Route 28. This signage would be placed on my property.

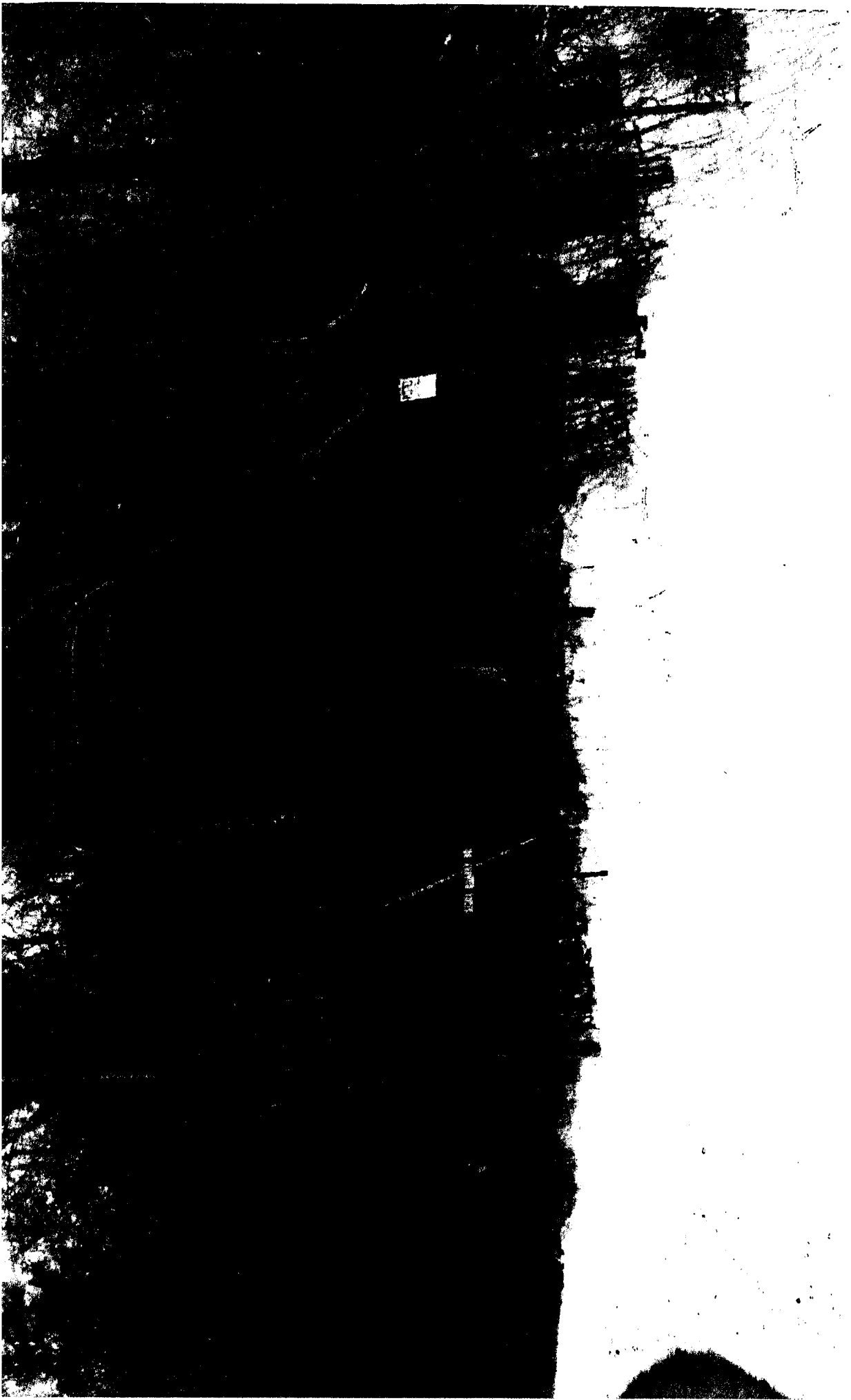
The construction and reconstruction of Stone Quarry Road to accommodate the projected heavy truck traffic leading to and from the quarry would require the taking of my property. I will not voluntarily consent to the use of my property for the reconstruction of Stone Quarry Road. Furthermore, I am hereby placing all parties involved on notice that I will permit no further encroachments onto my property and no improvement of the road or cutting of trees beyond the 12-foot historical limit of the width of Stone Quarry Road.

As a landowner and resident of the Town of Forestport, I do not approve of this project and urge the Board not to approve it.

Sincerely,


Joseph Turczyn Jr.

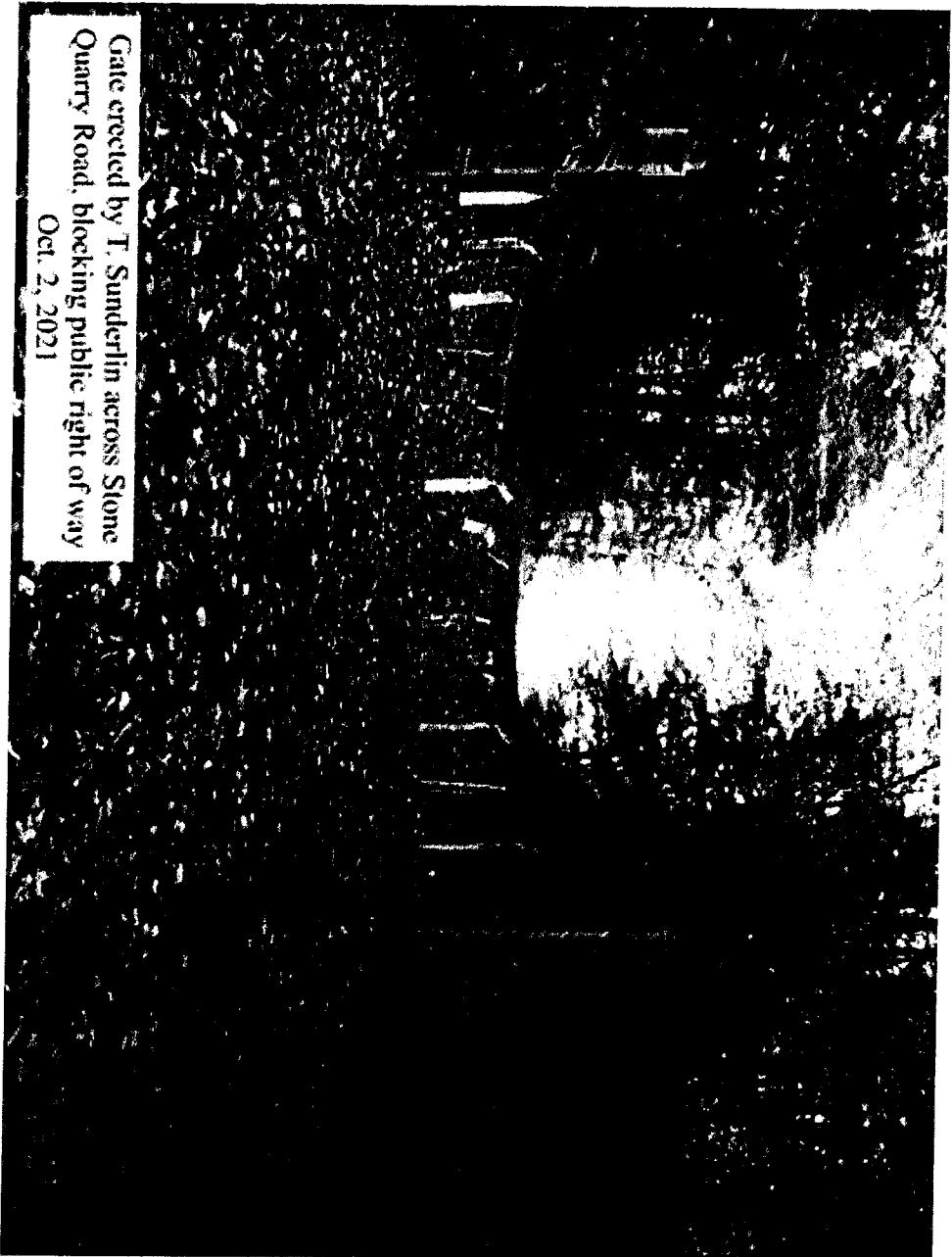












Gate erected by T. Sunderlin across Stone
Quarry Road, blocking public right of way
Oct. 2, 2021