



John Ernst, Agency Chair, Members and Designees
NYS Adirondack Park Agency
P.O. Box 99
Ray Brook, NY 12977

January 10, 2022

Re. Project 2021-0075, Red Rock Quarry, Forestport, White Lake

Dear Chairman Ernst, Members and Designees,

Adirondack Wild has serious concerns about the Staff Draft Permit proposed to be issued to Red Rock Quarry Associates, LLC. Our concerns are twofold:

1. In light of the extraordinary level of public interest in this complex project, it should be subject to an adjudicatory public hearing pursuant to Part 580 of the Agency's Rules and Regulations;
2. The draft permit contains no Findings of Fact upon which the issuance of the permit can be sustained. Further, the absence of Findings of Fact is not confined to this permit but is an issue that applies to other permit decisions.

Project 2021-0075 should be directed to an adjudicatory public hearing. This is a complex project involving extraction, drilling, blasting, crushing and transportation of mineral resources in a heavily settled residential and recreational area. It has also drawn an unprecedented level of concern by local residents. The first two criteria alone, under 9 CRR-NY 580.2 (a) thus strongly support a determination to hold an adjudicatory public hearing. Mineral extraction activities, especially in areas such as this, are notoriously incompatible with the surrounding uses and have been historically subject to adjudicatory hearings.

An application for granite extraction at this very location at White Lake was submitted to the Adirondack Park Agency in 2000. During that 2000 permit review APA staff expected the following to be performed because their results were needed to render a comprehensive and legal Agency determination. Studies requested by APA in 2000 but not requested nor undertaken as part of Project 2021-0075 review include:

1. A professionally prepared study of noise related impacts of actual versus anticipated decibels conducted in concert with the APA staff;
2. A professionally prepared study of visual impacts employing well known APA tools and methods of siting and analyzing visual impacts;
3. A detailed written study of all proposed water usage, storage, treatment, and flow management;

4. A hydrological study of the area including site specific ground water location, depth to groundwater at the project site, a water table map, flow direction and transmissivity. The proposed quarry lies above a principal aquifer. The applicant is estimating depth to groundwater at the proposed mine site and the separation between granite excavation and groundwater at the mine site. Estimates ought to be insufficient for Agency review;
5. A dust control study;
6. An engineering study, conducted in coordination with the town highway department, assessing the adequacy of Stone Quarry Road to perform as required by the application, including what is required for its long-term maintenance;
7. Professional study of blasting and ground vibration related to blasting, to be scoped in coordination with APA staff;
8. Alternative potential uses of the proposed quarry, including the economic implications of feasible alternative uses versus the desired use as a granite quarry.

The results of these professional studies in 2022 are likely to present significant issues relating to the criteria for approval of this project; have a high likelihood that the project can only be approved if major modifications are made or substantial conditions are imposed; and the information presented from those studies would assist the agency in its review. All criteria for an adjudicatory hearing are met. These studies are needed to render a rationale and comprehensive permit decision under the Act. The only way they can be undertaken now is through a Public Hearing employing sworn expert testimony.

The absence of any Findings of Fact in Permit 2021-0075 raises significant legal and practical issues. We understand that in an effort to streamline the review of Minor Projects (Single family dwelling, mobile home or two-lot subdivision) the Agency has eliminated Findings of Fact from permits.

This practice, however, is wholly inappropriate for complex projects such as White Lake Quarry for the following reasons:

1. It is a fundamental principle of law that agencies have a “rational basis” for their regulatory decisions. In that regard, there must be a nexus between permit conditions and the harm they seek to address. A permit condition must be linked to an identified impact. In this draft permit, no impacts have even been identified. Moreover, it is impossible to tell, based upon the information in the permit, whether the draft conditions are sufficient and how the applicable development considerations have been applied to the project in order to render a determination of no undue adverse impact.
2. Actions of the APA in administration of Class A and B Regional Projects are exempt from the procedures of the State Environmental Quality Review Act (SEQRA), because APA procedures substitute for those in SEQRA and its implementing Regulations. The extensive SEQRA case law has established that agencies must take a “hard look” at proposed actions and provide a “reasoned elaboration” of key facts and rationale for their decisions. Projects in the Adirondack Park are exempt from the need to prepare either a Negative Declaration or Environmental Impact Statement because APA review, according to the procedures and substantive requirements of the APA Act and implementing regulations, is assumed to satisfy SEQRA’s requirements.

Where, however, the APA permit, such as in this case, contains no Findings of Fact, it is impossible to determine whether it took the requisite hard look at this project nor whether its decision adequately considers adjacent landowners and the environment.

We respectfully suggest that the APA immediately review its current practice of eliminating Findings of Fact for major projects. We request that the staff amend the draft permit with Findings of Fact for discussion by the full Agency. For the reasons set forth above, we also request that this project proceed to an adjudicatory public hearing.

Thank you for considering our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "David Gibson".

David Gibson, Managing Partner

Richard W. Hoffman, Board Director
and Sec. of State Designee to Adirondack Park Agency, 1998-2008

Adirondack Wild: Friends of the Forest Preserve
P.O. Box 9247, Niskayuna, NY 12309
518.469.4081
www.adirondackwild.org

cc: Terry Martino, Executive Director
Rob Lore, Regulatory Programs
Chris Cooper, Counsel
Rajiv Shah, Executive Chamber

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Alexis Stubbe <info@protectadks.org>
Sent: Sunday, January 9, 2022 5:57:38 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
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RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

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A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
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population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

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Thank you very much.

Sincerely,

Alexis Stubbe <avstubbe@gmail.com>
1941 Westfall Rd
ROCHESTER, New York 14618-2829

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Anatoly Leshkevich <info@protectadks.org>
Sent: Sunday, January 9, 2022 3:08:50 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Our place is 12950 State route 28 Woodgate, NY. It is our back yard where this will be happening. We have many things that will be effected by this and I strongly beg you to review all the issues.

Thank you very much.
Anatoly Leshkevich.

Sincerely,

Anatoly Leshkevich <Aleshkevich26@gmail.com>
26 Bradley Road.
Utica, NY 13501

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Andrea Riedman <info@protectadks.org>
Sent: Sunday, January 9, 2022 5:47:47 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Andrea Riedman <andrea.riedman@gmail.com>
137 Newell Road
Forestport, NY 13338

From:
To:
Subject:
Date:

From: Andy M Spring <info@protectadks.org>
Sent: Sunday, January 9, 2022 7:32:15 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Sincerely,

Andy M Spring <springski@gmail.com>
13015 State Route 28
Forestport, New York 13338

From: [apa.sm.AgencyMeeting.PublicComment](#)
To:
Subject:
Date:

From: Angela Spartano <amspartano@yahoo.com>
Sent: Monday, January 10, 2022 2:21:21 PM (UTC-05:00) Eastern Time (US & Canada)
To: [apa.sm.AgencyMeeting.PublicComment](#)
Subject: Quarry project

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Please don't ruin our beautiful Adirondack Park. Angela Spartano

Sent from my iPad

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: annette hammond <info@protectadks.org>
Sent: Sunday, January 9, 2022 2:22:48 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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annette hammond <leefamily2014@hotmail.com>
3556 walker rds
boonville, ny 13309

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
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From: Anthony Ferraro <info@protectadks.org>
Sent: Sunday, January 9, 2022 5:10:18 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
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Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

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6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

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Thank you very much.

Sincerely,

Anthony Ferraro <toekneef@gmail.com>
11 Sandalwood dr
South Burlington, VT 05403

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: arthur j moore <info@protectadks.org>
Sent: Tuesday, January 11, 2022 4:19:21 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

arthur j moore <ajm@aasteel.com>
13327 indian creek rd
houston, tx 77079

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Barbara Barbara Kibling <info@protectadks.org>
Sent: Tuesday, January 11, 2022 3:47:02 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

Sincerely,

Barbara Barbara Kibling <bjeanie59@aol.com>
13715 oak harbor manor
Cypress, Texas 77429

From: [apa.sm.AgencyMeeting.PublicComment](#)
To:
Subject:
Date:

From: Barbara Reardon <breardon32@gmail.com>
Sent: Monday, January 10, 2022 10:30:37 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: APA Project 2021-0075

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Sent from my iPhone

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Barbara Reardon <breardon32@gmail.com>
Sent: Monday, January 10, 2022 10:49:20 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: APA PROJECT 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

I am a White Lake property owner. Thank you for your consideration of my request for a adjunctive meeting regarding the above noted project.

While it is my understanding that the application for the project is complete, it is important that a complete review be initiated. It is also my understanding that the APA has the project proposal on their agenda for a vote at the first week in January meeting so immediate action is necessary.

Again, I appreciate your consideration and am certain that once reviewed you will see it is prudent to hold the public adjunctive meeting prior to any decisions made by the APA.

Sincerely,
Barbara Reardon

Sent from my iPhone

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Barbara Reardon <info@protectadks.org>
Sent: Monday, January 10, 2022 9:44:36 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

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Thank you very much.

Sincerely,

Barbara Reardon <breardon32@gmail.com>
5 Riverside Drive, Apt. 610
Binghamton, New York 13905

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Barbara Spring <bspring828@gmail.com>
Sent: Sunday, January 9, 2022 5:57:57 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: Opposition to Quarry at White Lake

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never

recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Barbara Spring

13015 State Route 28

Forestport, NY 13338

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Barbara R Spring <info@protectadks.org>
Sent: Sunday, January 9, 2022 5:34:55 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Sincerely,

Barbara R Spring <bspring828@gmail.com>
13015 State Route 28
Forestport, New York 13338

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Barry M. Donalty <info@protectadks.org>
Sent: Tuesday, January 11, 2022 1:45:45 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Thank you very much.

Sincerely,

Barry M. Donalty <bmdonalty@gmail.com>
2219 Douglas Crescent
Utica, NY 13501

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Benjamin Fish <info@protectadks.org>
Sent: Monday, January 10, 2022 9:19:55 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
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Here are the six relevant criteria:

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2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

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Thank you very much.

Sincerely,

Benjamin Fish <benfish2025@gmail.com>
121 Newell Road
Woodhate, NU 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Benjamin Fisher <info@protectadks.org>
Sent: Sunday, January 9, 2022 9:34:23 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Benjamin Fisher <jfisher.2842@gmail.com>
12889 rt 28
Woodgate, NY 13494

From: [apa.sm.AgencyMeeting.PublicComment](#)
To: [McKeever, Keith P \(APA\)](#); [Caldwell, Elaine M \(APA\)](#); [Cooper, Christopher \(APA\)](#)
Subject: FW: APA#P2021-0075
Date: Saturday, January 8, 2022 2:06:36 PM

From: Beth Roberts <broberts6010@yahoo.com>
Sent: Saturday, January 8, 2022 2:05:50 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA#P2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

It is with great concern I am understanding the APA is approving or planning to approve the proposed quarry project.

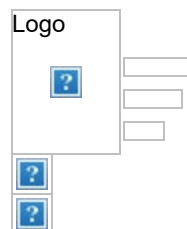
This brings no quality of life to those of us living in the immediate area of this proposed project.

The truck traffic will be dangerous in that particular area. Noise will affect this otherwise placid, relaxed area.

The homes on the immediate perimeter of this site will suffer from noise, dust, possible well contamination or their wells being dried up or sealed off & truck traffic on an otherwise seasonally, busy, 2 lane road.

To approve this project brings nothing positive to this town. Will these homes receive assessment decreases??

Beth Roberts
6010 Hemlock Rd
Woodgate, NY 13494



From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Bob Colicci <bob.colicci@gmail.com>
Sent: Sunday, January 9, 2022 2:46:29 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA Project 2021-0075

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Sirs:

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- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
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Respectfully submitted,

Bob Colicci
Little Long Lake
703-350-5213 (mobile)
Sent from my iPhone

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Brenda Petty <info@protectadks.org>
Sent: Monday, January 10, 2022 9:34:31 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Brenda Petty <unbearables59@gmail.com>
12962 State rte 28
Forestport, NY 13338

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Brian Smith <BTSmith@roadrunner.com>
Sent: Tuesday, January 11, 2022 9:08:11 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: White Lake Quarry

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Sent from my iPhone

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Brian Fish <info@protectadks.org>
Sent: Sunday, January 9, 2022 8:45:07 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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PO Box 99
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RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Sincerely,

Brian Fish <brianfish@msn.com>
121 Newell Road
Forestport, New York 13338

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Brian Goers <info@protectadks.org>
Sent: Sunday, January 9, 2022 4:30:52 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

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NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Brian Goers <tyhores@aol.com>
15 Lafayette Park
Rochester, NY 14607

From: Camaron Cohen <camaron.cohen@gmail.com>
Sent: Monday, January 10, 2022 11:22 AM
Subject: For Immediate Consideration – Project No 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Chairman Ernst and Members of the Board:

Please accept these comments as part of the public comment period on the proposed operation of mineral extraction of 125,000 yards of dimensional stone consisting of an initial five-year permit, to excavate an initial 5.2-acre area located within a 26.6-acre Life of Mine phased over 25 years (300 months), in Forestport, Oneida County, New York.

The community has raised credible concerns that are properly the subject of an adjudicatory hearing – there is sufficient doubt about the applicant's ability to meet statutory and regulatory criteria such that a reasonable person would inquire further. Robust environmental quality review of this project is essential, prior to the proposed quarry's operations, to properly assess and mitigate risk. The applicant's original application for mineral extraction was submitted to the APA in 2000. At that time, the agency asked for more robust submittals and environmental impact studies to deem the application complete. The applicant submitted nearly an identical application in 2021, and neither the DEC nor the APA requested any more of these materials relative to potential environmental impacts that were requested during the 2000 application review. We request due diligence is given to prevent environmental damage, and that the APA's process is as rigorous, if not more so, than SEQR. We request full transparency in this process.

Broadly, my opposition to this project is based on concern about significant environmental degradation, water quality, and quality of life in the community surrounding the facility, in addition to anticipated decreased property values – resulting in decreased tax base for the Town of Forestport – and the loss of businesses, tourism, and home buyers as a result of this industrial use. The expected economic benefits from the facility are limited compared to the anticipated environmental impacts (**this facility will employ 3 people, whereas countless tourism dollars will be lost, not to mention irreparable damage done to the water and ecosystems**), and I am deeply concerned about a precedent-setting effect for further heavy industrial development in the community. The scale of the project and its anticipated dust, impacts of noise on adjacent properties, and unintentional negative impacts of vibration from blasting are inconsistent with the community character (moderate intensity residential and rural use) and will harm the economic, environmental, and human health. **There are 27 homes within 500 ft., over 100 homes and tourist businesses within 1500 ft. of the proposed mining operation, and over 400 properties within 4000 ft. that could be severely affected.**

White Lake is spring-fed underground with an outlet; the proposed mine borders this outlet and federally designated wetlands, and these mining activities might very well compromise the watershed, a network of underground aquifers, ground water supply, and the delicate balance of the lake itself. **The "intended" access point/drive for the proposed mining operation runs over this outlet, and considerable industrial truck traffic over this outlet and wetlands could severely impact the quality and flow of water.** My family has lived in this area for four

generations – nearly a century – and we know that even minor changes to the outlet affect White Lake significantly and the surrounding system of waterways egregiously.

Of the many concerns I have with the application, I would like to call attention to a specific issue with “Stone Quarry Road”, which runs over the important White Lake Outlet and was never intended for industrial equipment and heavy/frequent truck traffic. **This applicant has not demonstrated titled access through merged lands of Owner of Oneida County Instrument 2008-001789 (MLUP requires a signed and sealed survey by a Professional Land Surveyor, and this applicant has not complied with requirements, submitting an unsigned and unsealed land survey)**; the access (labeled ‘Stone Quarry Road’) does not appear to be suitably improved for industrial access, and it is unclear whether it is a private driveway (rather than a public right-of-way that was dedicated to the Town as a public highway). This is a particular concern as the Town of Forestport has not yet approved or denied the project’s application relative to the Town’s Site Review Law (Local Law 1 of 2015) and roads must be suitably improved for Building Permits to issue for the proposed structures at the site.

As the webmaster for the Adirondack White Lake Association (AWLA), I affirm that the organization has long put lake ecology and water quality at the forefront of our efforts. The AWLA has been actively coordinating and funding our lake steward program in an effort to stave off invasive species, and we are one of the longest-standing members of the Adirondack Lake Assessment Program (ALAP). AWLA will do all that we can to support our mission: to conserve, protect, monitor, and safely regulate the precious resources of White Lake.

As you know, the New York Legislature created the Adirondack Park in 1892, encompassing both the state forest preserve and private lands in the central region, “amid concerns for the water and timber resources of the region,” according to the APA. The Park now is “the largest publicly protected area in the contiguous United States, greater in size than Yellowstone, Everglades, Glacier, and Grand Canyon National Park combined,” according to the APA.

I respectfully suggest that the application does not support even the most basic of the APA Act’s development considerations – “to preserve or improve the water quality in waterbodies in the Park” – nor the Applicant’s contention that there will be no undue adverse impact determination as set forth in APA Act § 809(10)(e) and request that an adjudicatory hearing be held.

Respectfully submitted,

Camaron Cohen
12967 State Rt 28 N
Forestport, NY 13338-3333

From: Camaron Cohen <camaron.cohen@gmail.com>
Sent: Monday, January 10, 2022 11:22 AM
Subject: For Immediate Consideration – Project No 2021-0075

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Respectfully submitted,

Camaron Cohen
12967 State Rt 28 N
Forestport, NY 13338-3333

From: [aga_sm_AgencyMeeting_PublicComment](#)
To:
Subject:
Date:

From: Camaron Cohen <camaron.cohen@gmail.com>
Sent: Monday, January 10, 2022 11:22:14 AM (UTC-05:00) Eastern Time (US & Canada)
Subject: For Immediate Consideration – Project No 2021-0075

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Respectfully submitted,

Camaron Cohen
12967 State Rt 28 N
Forestport, NY 13338-3333

 Reply  Forward

From: Carmen Druke <cbdruke@gmail.com>
Sent: Saturday, January 8, 2022 2:34:23 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA# P2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never

recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Carmen Druke

8137 Capron Road

Woodgate, NY

13494 (White Lake)

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Carol Kress <knittle240@gmail.com>
Sent: Sunday, January 9, 2022 11:09:26 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: White Lake

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

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- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
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recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Carol L Kress

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Carolyn Bielby <info@protectadks.org>
Sent: Sunday, January 9, 2022 5:57:23 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

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Thank you very much.

Sincerely,

Carolyn Bielby <cbielby29@gmail.com>
6770 Quaker Hill Rd.
Ava, New York 13303

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Carrie Fish <info@protectadks.org>
Sent: Monday, January 10, 2022 12:15:54 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

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6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

My family and I travel to Whiterock Lake from Texas every year and it is known as our second home. My dad grew up there and we have a family lake house that brings everybody all together. I would hate for anything to change due to what the APA states is what's right.

Sincerely,

Carrie Fish <mcfish18@sbcglobal.net>
8008 ambiance way
Plano, Tx 75024

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: charles hammond <info@protectadks.org>
Sent: Sunday, January 9, 2022 2:21:31 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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Thank you very much.

Sincerely,

charles hammond <leefamily2014@hotmail.com>
3556 walker rd
boonville, ny 13309

From:
To:
Subject:
Date:

From: Nick Ide <nick@ide123.com>
Sent: Saturday, January 8, 2022 3:33:04 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Cc: Karen Dwyer <karensdwyer@yahoo.com>
Subject: White Lake Quarry

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general

public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Charles Ide
3 South Shore Road
Woodgate, NY

Sent from my iPhone

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Christine Archer <info@protectadks.org>
Sent: Monday, January 10, 2022 11:48:50 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Christine Archer <cearcher6@gmail.com>
10 Davis Place
New Hartford, NY 13413

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Christopher Alberti <info@protectadks.org>
Sent: Sunday, January 9, 2022 4:32:11 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Christopher Alberti <chrisaa69@aol.com>
15 Lafayette Park
Rochester, NY 14607

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Connie Kennedy <info@protectadks.org>
Sent: Sunday, January 9, 2022 5:02:15 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Thank you very much.

Sincerely,

Connie Kennedy <connieinsomestate@gmail.com>
4066 Blue Waters Rd.
Forestport, NY 13338

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Cindy Gilbert <cymru15cg@gmail.com>
Sent: Saturday, January 8, 2022 3:38:03 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: Adjudicatory Hearing , Project 2021-0075

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- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Cynthia Gilbert

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Daniel Shaughnessy <dshanman0519@icloud.com>
Sent: Monday, January 10, 2022 2:14:17 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA Project 2021-0075/Thomas Sunderlin Red Rocks Associate White Lake Granite Quarry

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Mr. John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977
Email: AgencyMeeting.PublicComment@apa.ny.gov

January 10, 2022

Dear Mr. Ernst,

In addition to the aforementioned comments of my wife Judith Shaughnessy, we would like to add the following comments:

There may be concomitant federal wetlands and water quality violations not considered by NYDEC as well as SEQRA and EIS requirements for consideration that have failed to be a part of DEC's approval process.

At least we cannot discern based on the current filings which we believe therefore render the DEC's preliminary approval null and void as they failed to comply with the law above cited. Many have stated an adjudicatory hearing is necessary to take testimony and obviate an arbitrary and capricious "rush to judgment".

A hearing might show that the Town of Forestport Supervisor either mistakenly or without knowledge and therefore improperly disavowed the provisions of town law and Municipal Home Rule law by signing a form from DEC without proper consideration of legal advice, other town board members as well as provisions of NYS Executive law.

By reason of these circumstances, it is imperative that the application be deemed inadequate in violation of the law made and provided as set forth above.

In order not to appear to have just "rubber stamped" the actions by DEC and the Town, you have the responsibility and a compelling interest to follow the law even though others seem to have violated it.

If as is stated, the APA's mission is to protect the Adirondacks and Park from irreparable harm and damage to its waters, wetlands, flora and fauna, lakes, streams, fish population and wildlife and adjacent homeowner and all those who use the lake best interests, you must deny the application as woefully

deficient on most all accounts and immediately set forth a date, time and place sometime this late spring when most residents can appear to voice their due process rights not to have their property values diminished and their other rights to clean air and water taken from them in such an egregious, unconstitutional action.

We thank you for the care and concern you have shown for the beautiful area and surroundings we call White Lake and for protecting those who enjoy it's revered state and nationwide beauty.

Very truly yours,
Judy and Dan Shaughnessy
dshanman@aol.com
Shangirl9@aol.com

Sent from my iPhone

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Daniel Ferraro <info@protectadks.org>
Sent: Sunday, January 9, 2022 3:58:48 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
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population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

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5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

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Thank you very much.

Sincerely,

Daniel Ferraro <dannyf55@msn.com>
172 Henrietta st
Rochester, Ny 14620

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Daniel F. Vellone <info@protectadks.org>
Sent: Monday, January 10, 2022 11:57:51 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Daniel F. Vellone <dfvellone@gmail.com>
8866 moose river road
Forestport, NY 13338

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: David Bourgeois <info@protectadks.org>
Sent: Monday, January 10, 2022 8:53:26 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

David Bourgeois

Sincerely,

David Bourgeois <whitelakemusic@icloud.com>
71 Bridge Road
Woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: David L Schrader <info@protectadks.org>
Sent: Monday, January 10, 2022 9:37:53 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

David L Schrader <dschrader@sgarc.com>
652 South Warren Ave
Malvern, PA 19355

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Dayna Safferstein <info@protectadks.org>
Sent: Monday, January 10, 2022 11:18:27 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Sincerely,

Dayna Safferstein <dasafferstein@gmail.com>
30 Fox Street
Denver, CO 80223

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Deborah N Palmer <info@protectadks.org>
Sent: Tuesday, January 11, 2022 7:46:26 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Deborah N Palmer <beachrebel@gmail.com>
9287 Sessions Rd
Sauquoit, NY 13456

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Deborah Palmer <beachrebel@gmail.com>
Sent: Tuesday, January 11, 2022 7:34:41 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock

Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Deborah N Palmer
1147 Hunt Rd
Forestport, NY 13338
315-525-6708

From:
To:
Subject:
Date:

From: Debra Probst <info@protectadks.org>
Sent: Sunday, January 9, 2022 6:43:57 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Debra Probst <dprobst570@gmail.com>
3420 Scotch Pines Dr
Woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Devan Cornish (Adjoining Land Owner) <info@protectadks.org>
Sent: Sunday, January 9, 2022 2:27:25 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

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Thank you very much.

Sincerely,

Devan Cornish (Adjoining Land Owner) <devan.cornish@gmail.com>
3820 O'Neill Rd
Lima, NY 14485

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Donald Archer <info@protectadks.org>
Sent: Monday, January 10, 2022 11:47:11 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Donald Archer <Advancedhomeis@yahoo.com>
34 Homestead Rd West
Clinton, NY 13323

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Donald Graff <info@protectadks.org>
Sent: Sunday, January 9, 2022 4:10:23 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Donald Graff <lakes@frontiernet.net>
8742 Capron Rd
Woodgate, New York 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Donald Graff <info@protectadks.org>
Sent: Sunday, January 9, 2022 4:10:24 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Woodgate, New York 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Don Frank <info@protectadks.org>
Sent: Sunday, January 9, 2022 7:29:50 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

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5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

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Thank you very much.

Sincerely,

Don Frank <whitelake111@gmail.com>
10 Fox Lane
Woodgate, New York 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Donna MagRo Dye <info@protectadks.org>
Sent: Sunday, January 9, 2022 2:20:20 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Thank you very much.

Sincerely,

Donna MagRo Dye <dmagarodye@yahoo.com>
7044 Walnut Road
Woodgate, New York 13494

From:
To:
Subject:
Date:

From: Donna Romeo <dromeo33@aol.com>
Sent: Sunday, January 9, 2022 10:49:07 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never

recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Donna Romeo

Sent from my iPad

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Don Safferstein <info@protectadks.org>
Sent: Sunday, January 9, 2022 9:51:23 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Ray Brook, NY 12977

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Thank you very much.

Sincerely,

Don Safferstein <donsafferstein@outlook.com>
533 King Street
Chappaqua, NY 10514

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Doris Smith <info@protectadks.org>
Sent: Tuesday, January 11, 2022 12:01:29 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Thank you very much.

Sincerely,

Doris Smith <rsmith40033@roadrunner.com>
469 Larchmont Ave
Utica, New York 13502

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Dr. & Mrs Thomas P. Webb <info@protectadks.org>
Sent: Sunday, January 9, 2022 3:05:57 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Dr. & Mrs Thomas P. Webb <eyeoffice23@gmail.com>
12949 rt28 White Lake
Forestport, NY 13338

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Edward Probst <info@protectadks.org>
Sent: Sunday, January 9, 2022 6:42:28 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Thank you very much.

Sincerely,

Edward Probst <ewprobst@verizon.net>
3420 Scotch Pines Dr
Woodgate, NY 13484

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Eileen Welpé <info@protectadks.org>
Sent: Sunday, January 9, 2022 4:13:02 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

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Sincerely,

Eileen Welpé <eileenw43@aol.com>
131 Loomis Street
Little Falls, NY 13365

From:
To:
Subject:
Date:

From: Elisabeth Lorentzen <info@protectadks.org>
Sent: Sunday, January 9, 2022 6:22:30 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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Sincerely,

Elisabeth Lorentzsen <lizlor@hotmail.com>
PO Box 706
Old Forge, NY 13420

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Elisabeth Lorentzen <info@protectadks.org>
Sent: Sunday, January 9, 2022 6:08:03 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
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RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Elizabeth Balzano Riley <info@protectadks.org>
Sent: Sunday, January 9, 2022 5:51:36 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Elizabeth Balzano Riley <ebriley@gmail.com>
17 Devon Drive
West Orange, NJ 07052

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Elizabeth Riley <info@protectadks.org>
Sent: Sunday, January 9, 2022 5:29:46 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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PO Box 99
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17 Devon Drive
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From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Eric Sabotta <info@protectadks.org>
Sent: Sunday, January 9, 2022 9:14:19 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Ray Brook, NY 12977

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The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Eric Sabotta <elaws@hotmail.com>
12955 NY St. Route 28
Forrestport, NY 13338

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Erin Kress <duckthrw@gmail.com>
Sent: Monday, January 10, 2022 2:55:00 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: White Lake Quarry project hearing

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

To Whom It Concerns:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed White Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 “Determination to conduct public hearing” eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- “The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected.” This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- “The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations.” The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- “The presence of significant issues relating to the criteria for approval of the project.” The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant’s experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- “The possibility that the project can only be approved if major modifications are made or

substantial conditions are imposed.” Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it’s a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.

- “The possibility that information presented at a public hearing would be of assistance to the agency in its review.” The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- “The extent of public involvement achieved by other means.” The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- “Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act.” This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Erin Kress
12995 NYS Rt 28
Forestport, NY 13338

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Erin Kress <info@protectadks.org>
Sent: Sunday, January 9, 2022 8:25:19 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

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Thank you very much.

Sincerely,

Erin Kress <duckthrwr@hotmail.com>
12955 NYS Rt 28
Forestport, New York 13338

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Andy Sayles <fasayles@yahoo.com>
Sent: Sunday, January 9, 2022 11:09:52 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: Proposed Quarry, APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

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Respectfully submitted,
F.A. Sayles
Woodgate, NY

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Frank J Dubeck Jr <info@protectadks.org>
Sent: Sunday, January 9, 2022 3:22:04 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

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Thank you very much.

Sincerely,

Frank J Dubeck Jr <fjdubeck@gmail.com>
8157 Capron Rd
Woodgate, Ny 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Frank J. Felloe Jr. <info@protectadks.org>
Sent: Monday, January 10, 2022 9:50:38 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Frank J. Fellone Jr. <ffellone@flag1.us>
5085 Elmwood Road
Woodgate, New York 13494

From: [apa.sm.AgencyMeeting.PublicComment](#)
To: [McKeever, Keith P \(APA\)](#); [Caldwell, Elaine M \(APA\)](#); [Cooper, Christopher \(APA\)](#)
Subject: FW: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075
Date: Tuesday, January 11, 2022 1:45:52 PM

From: Barry M. Donalty <info@protectadks.org>
Sent: Tuesday, January 11, 2022 1:45:45 PM (UTC-05:00) Eastern Time (US & Canada)
To: [apa.sm.AgencyMeeting.PublicComment](#)
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

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Thank you very much.

Sincerely,

Barry M. Donalty <bmdonalty@gmail.com>
2219 Douglas Crescent
Utica, NY 13501

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: George Kress <info@protectadks.org>
Sent: Sunday, January 9, 2022 10:24:03 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

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PO Box 99
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2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

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3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

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The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

George Kress <budk2@frontiernet.net>
254 Mobile Dr
Rochester, New York 14616-2147

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Georgiana Ide <georgiana@ide123.com>
Sent: Monday, January 10, 2022 3:25:24 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA Project 2021-0075 related to the proposed /White Lake Quarry

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

January 11, 2022

Dear Sir/Madam:

I am writing **to demand an adjudicatory hearing** be scheduled to further examine APA Project 2021-0075 related to the proposed /White Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- ***"The size and/or complexity of the project,*** whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- ***"The degree of public interest in the project, as evidenced by communication from the general public,*** governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
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- **“The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed.”** Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it’s a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.

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- “Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act.” This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, ***the APA held 151 formal adjudicatory public hearings***, a rate on average of just over 3 per year. ***From 2011 to the present there have been none.*** It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. ***One needs to be held NOW, before any consideration of the application can go forward, unless it is disapproved, as it***

should, on the basis of the harm it will cause.

Submitted By,

Georgiana Ide

3 South Shore Road, White Lake, Forestport, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Georgiana Ide <georgiana@ide123.com>
Sent: Monday, January 10, 2022 3:25:24 PM (UTC-05:00) Eastern Time (US & Canada)
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Submitted By,

Georgiana Ide

3 South Shore Road, White Lake, Forestport, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Georgiana R Ide <info@protectadks.org>
Sent: Monday, January 10, 2022 2:45:02 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

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Sincerely,

Georgiana R Ide <georgiana@ide123.com>
3 S Shore Road
Forestport, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: glady lee <info@protectadks.org>
Sent: Sunday, January 9, 2022 2:27:01 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Ray Brook, NY 12977

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Thank you very much.

Sincerely,

glady lee <randyl@leepbg.com>
320 charles st
boonville, ny 13309

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Harold Kyle <info@protectadks.org>
Sent: Monday, January 10, 2022 5:03:22 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Harold Kyle <harold@boxcarpress.com>
307 Crawford Ave
Syracuse, NY 13224

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Harry Ballance <harryballance3@yahoo.com>
Sent: Monday, January 10, 2022 8:11:03 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Granite quarry

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

> Dear Board Members of The Adirondack Park Association-
>

>> My name is Harry Ballance I am writing to you concerning APA # P2021-0075: The Proposed Quarry at White Lake. My family has owned a house since 1987 which is in 1000 feet of the proposed quarry site. I am adding my request here to ask for an adjudicatory hearing to allow public and expert comment regarding the environmental impact on land and water, noise impact on humans and wildlife, and potential water impact issues. The severe traffic increase of 20 proposed truckloads of granite 6 days per week or even 1 day for that matter will have it's own ramifications and I ask you to please take this matter seriously when it comes to the true adverse impact of the proposed project, not just the financial gain of a business or individuals. This project in no way preserves the longstanding integrity of White Lake or the Adirondack Park as a whole.

>>

>> The White Lake Association has hired a mining expert who will clearly explain all of this in detail at an adjudicatory meeting. The citizens and environment deserve their voice and concerns to be heard regarding the alarming impacts before the APA Board Members are allowed to make any decision. Once again the proposed project will only adversely impact The Adirondack Park and you as Board Members are appointed with the understanding that you have the best interest of the Park in mind at all times.

>>

>> Thank you for taking the time to consider the overall history, health, and longevity of White Lake and for understanding our pleas to help preserve this pristine part of the Adirondack Park. Let's remember that it is one of the largest unbroken deciduous forests on earth. This decision is ultimately in your hands. Please do the right thing for all of us.

>>

>> Sincerely,
Harry Ballance

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Harry Ballance <info@protectadks.org>
Sent: Sunday, January 9, 2022 3:58:53 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Harry Ballance <harryballance3@yahoo.com>
761 Hidden Creek Rd
Arcata, CA 95521

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: JAMES P MOORE <info@protectadks.org>
Sent: Tuesday, January 11, 2022 4:29:53 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

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Sincerely,

JAMES P MOORE <jpm@aasteel.com>
11006 Sherwood ridge dr
houston, texas 77043

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: James Christian, Jr. <info@protectadks.org>
Sent: Monday, January 10, 2022 11:30:46 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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Sincerely,

James Christian, Jr. <jchristian0775@gmail.com>
2746 Mohawk Street
Sauquoit, NY 13456

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Jason Terrible <info@protectadks.org>
Sent: Sunday, January 9, 2022 2:28:53 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
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PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Jason Terrible <JasonWTerrible@gmail.com>
89 Wopowog Rd
East Hampton, CT 06424

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Jeanne H. Donalty <info@protectadks.org>
Sent: Monday, January 10, 2022 6:00:16 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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PO Box 99
Ray Brook, NY 12977

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Jeanne H. Donalty <jdonalty@verizon.net>
2219 Douglas Crescent
Utica, NY 13501

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Jeff Lyman <info@protectadks.org>
Sent: Monday, January 10, 2022 8:27:09 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Ray Brook, NY 12977

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Jeff Lyman <JEFFSR@Tonquin.com>
8 & 9 South Shore Dr. White Lake
Forsestport, New York 13036

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Jennifer Cook <info@protectadks.org>
Sent: Monday, January 10, 2022 10:15:30 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Jennifer Cook <jlc7975@hotmail.com>
13009 Route 28
Woodgate, Ny 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Jessica Jones <info@protectadks.org>
Sent: Sunday, January 9, 2022 4:26:38 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

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Thank you very much.

Sincerely,

Jessica Jones <adkgirl1976@gmail.com>
27 Ganado rd
Rochester, Ny 14617

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Jillian & Thomas Kelly <welvadk@gmail.com>
Sent: Sunday, January 9, 2022 7:01:18 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never

recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Jillian & Thomas Kelly

From: [apa.sm.AgencyMeeting.PublicComment](#)
To:
Subject:
Date:

From: Jillian & Thomas Kelly <welvadk@gmail.com>
Sent: Saturday, January 8, 2022 9:49:54 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: APA # P2021-0075 project number

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

I am a property owner in Forestport and I believe an adjudicatory hearing is essential regarding the Adirondack Park Agency's White Lake Quarry application No. 2021-0075. More evidence is needed to support the claim that there will be no adverse impact on our lake, water supply, and community.

Jillian Kelly

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: JoAnne Race <joracecaz@gmail.com>
Sent: Sunday, January 9, 2022 5:47:18 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>; Martha Druke <mhdruke@gmail.com>
Subject: APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear Members:

I am writing to request an adjudicatory hearing to be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

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"The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.

"The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.

"The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.

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Respectfully submitted,

Martha Druke

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Joan Vivel <info@protectadks.org>
Sent: Sunday, January 9, 2022 3:04:40 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

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population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

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The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Joan Vivello <vivellojo@gmail.com>
5100 Elmwood Rd.
Woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: John Darringer <info@protectadks.org>
Sent: Monday, January 10, 2022 2:26:38 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

John Darringer <jadarringer@verizon.net>
129 Newell Road
Woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: John K Mulvey <info@protectadks.org>
Sent: Tuesday, January 11, 2022 3:30:45 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

John K Mulvey <jkmmulvey@gmail.com>
25 boylan lane
blue point, NY 11715

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: John S Balzano <info@protectadks.org>
Sent: Monday, January 10, 2022 10:59:32 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

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6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Finally, the applicant cannot show that he has access to the site on a public road. And how does a mining operation located in close proximity to 3 lakes with the Black River downwind from it promote the mission of the APA to protect the Adirondacks?

Respectfully yours,
John Balzano seasonal resident of White Lake.

Sincerely,

John S Balzano <johnbalzano@verizon.net>
111 Arlington Rd
Utica,, New York 13501

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: John L Fish Jr <info@protectadks.org>
Sent: Sunday, January 9, 2022 9:57:40 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

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Thank you very much.

Sincerely,

John L Fish Jr <jack.fish@sbcglobal.net>
8008 ambiance way
Plano, TX 75024

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: John Fish <info@protectadks.org>
Sent: Sunday, January 9, 2022 9:54:05 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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Thank you very much.

Sincerely,

John Fish <ljfish8@gmail.com>
8008 Ambiance Way
Plano, Texas 75024

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: John Kowalczyk <info@protectadks.org>
Sent: Sunday, January 9, 2022 9:48:01 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

John Kowalczyk <johnkowalczyk@gmail.com>
5160 Elmwood Rd
Woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To: [McKeever, Keith P \(APA\)](#); [Caldwell, Elaine M \(APA\)](#); [Cooper, Christopher \(APA\)](#)
Subject:
Date:

From: JOHN MULVEY <jkmmulvey@gmail.com>
Sent: Monday, January 10, 2022 11:34:48 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: White Lake Quarry - APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear Sir/Madam:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

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- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
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- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Please review the original reason why the Adirondack Park was created and the role of the APA in keeping the Park in its natural state.

Operating a quarry is completely contrary to the goals of keeping the Park natural for all future generations.

Sincerely,

John K Mulvey

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: John Stevener <info@protectadks.org>
Sent: Sunday, January 9, 2022 7:25:08 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

John Stevener <johnstevener@yahoo.com>
9006 pine rd
Woodgate, New York 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Jon Gilbert <jonwgilbert@gmail.com>
Sent: Tuesday, January 11, 2022 3:03:42 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

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- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Jon W. Gilbert

From:
To:
Subject:
Date:

From: Jonathan Riley <info@protectadks.org>
Sent: Sunday, January 9, 2022 6:06:21 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Jonathan Riley <jriley2000@gmail.com>
17 Devon Drive
West Orange, NJ 07052

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Joseph Foley <info@protectadks.org>
Sent: Tuesday, January 11, 2022 9:53:56 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Joseph Foley <joefo944@gmail.com>
12988 state rt 28
Forestport, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Joseph isgro <info@protectadks.org>
Sent: Sunday, January 9, 2022 2:36:22 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Joseph isgro <joe@citysuburban.com>
63bridgerd
Forestport, Ny 13494

From:
To:
Subject:
Date:

From: Judith Shaughnessy <shangirl9@aol.com>
Sent: Monday, January 10, 2022 2:19:08 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: White Lake Quarry Application

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never

recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Judith B Shaughnessy

Sent from my iPhone

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Julie Crimmins <info@protectadks.org>
Sent: Sunday, January 9, 2022 8:50:27 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

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Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
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population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

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Thank you very much.

Sincerely,

Julie Crimmins <crimminsja@gmail.com>
213 Eagles Pointe Circle
Liverpool, NY 13090

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Julie Safferstein <info@protectadks.org>
Sent: Monday, January 10, 2022 9:56:23 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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PO Box 99
Ray Brook, NY 12977

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Thank you very much.

Sincerely,

Julie Safferstein <jsafferstein@gmail.com>
751 Union St, Apt 4L
Brooklyn, NY 11215

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Karen A Slade <info@protectadks.org>
Sent: Sunday, January 9, 2022 2:24:57 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Karen A Slade <karenandslade@yahoo.com>
2325 Bermondsey Drive
Bowie, MD 20721

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Katey DeTraglia <info@protectadks.org>
Sent: Tuesday, January 11, 2022 12:11:50 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
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Thank you very much.

Sincerely,

Katey DeTraglia <kateydetraglia@gmail.com>
17 Pine Hill Lane
Sudbury, MA 01776

From: [apa.sm.AgencyMeeting.PublicComment](#)
To: [McKeever, Keith P \(APA\)](#); [Caldwell, Elaine M \(APA\)](#); [Cooper, Christopher \(APA\)](#)
Subject: FW: APA Project 2021-0075/Thomas Sunderlin Red Rocks Associate White Lake Granite Quarry
Date: Tuesday, January 11, 2022 12:27:28 PM

From: Katey DeTraglia <kateyford@aol.com>
Sent: Tuesday, January 11, 2022 12:27:21 PM (UTC-05:00) Eastern Time (US & Canada)
To: [apa.sm.AgencyMeeting.PublicComment](#) <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA Project 2021-0075/Thomas Sunderlin Red Rocks Associate White Lake Granite Quarry

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APA Project 2021-0075/Thomas Sunderlin Red Rocks Associate White Lake Granite Quarry

Mr. John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977
[Email: AgencyMeeting.PublicComment@apa.ny.gov](mailto:AgencyMeeting.PublicComment@apa.ny.gov)

Dear Mr. Ernst:

As an abutter to the quarry property, I have found the Adirondack Park is idyllic. It was established as a peaceful escape from the hectic world for all to enjoy. I have great hopes that we can keep it that way for generations to come.

A quarry in White Lake is not the intent of the Adirondack Park. My husband's family land abuts the quarry land. The land is used for peaceful family time that we have hopes of maintaining for generations to come. We have all come to love the White Lake area so much that we purchased a home on the lake and my husband's family has a home in the White Lake Shores area. We do not want to see the peacefulness of the area destroyed. My children are already looking forward to bringing their children to the lake and the woods but it will be forever altered by a quarry.

On our abutting land, the wildlife will no longer be there. They will be scared away by the blasting and trucks entering and leaving the property. We have a right-of-way through the quarry land to access our land. It will be exceedingly dangerous to even access our own property with a quarry.

The curve road through the White Lake area is dangerous and cars travel at a high rate of speed. The crosswalk guides many young families to enjoy the beach. The large trucks traveling through the area put many lives in jeopardy.

The result of the quarry will take away the rights of many people to enjoy themselves peacefully.

Do the number of jobs that it might bring to the area and the rights of one landowner outweigh

the rights of so many others? The quarry is not for the good of the Adirondack Park; the only person who benefits from this one landowner. So many others lives and the landscape will be forever altered by the Quarry.

Please consider not voting for its approval.

Best regards,
Katey DeTraglia

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Katherine Cronn <info@protectadks.org>
Sent: Sunday, January 9, 2022 3:11:14 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

To approve this project would be an affront to all the local property owners. Many of us who invested in homes in the ADK preserve did so knowing that the natural conditions would be safeguarded and thus our investments protected. This project will have a negative impact on not only the quality of life but also the investment we have made.

Traffic through this area is already badly congested during much of the year. Adding large trucks carrying heavy loads is a recipe for disaster.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.

2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

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5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Katherine Cronn <kcronn@gmail.com>
12 North Point Road
Long Lake, NY 12847

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: KATHLEEN DISQUE <info@protectadks.org>
Sent: Sunday, January 9, 2022 7:27:28 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

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6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

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Thank you very much.

Sincerely,

KATHLEEN DISQUE <kathydisque@yahoo.com>
785 Fyler Rd
KIRKVILLE, NY 13082

From: [apa.sm.AgencyMeeting.PublicComment](#)
To:
Subject:
Date:

From: kate duffy <kdcruzy@mac.com>
Sent: Saturday, January 8, 2022 4:21:12 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear Sirs:

We have owned our camp at White Lake since 1956 and at no time was there a working quarry 200 yards from our back door. My dad borrowed the \$5000 it cost him to buy this beautiful old shack on a pristine lake. We have seen a lot of changes in our 65 years at the lake. Acid rain has changed the water, and with it the animals and water life in and surrounding the lake. But never has the ground water itself been threatened; nor the quiet life around the lake. This quarry threatens both. Also threatened are the lives of flora and fauna, as well as the peace at the lake for those of us who love it. Please reconsider fast tracking this ill-considered and poorly researched project. See message that follows.

Kathleen E Duffy
12927 State Route 28
Woodgate, NY 13494

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.

- “The possibility that information presented at a public hearing would be of assistance to the agency in its review.” The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.

- “The extent of public involvement achieved by other means.” The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

- “Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act.” This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Kathleen E Duffy

Sent from my fingers.

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Kathryn Cotter <info@protectadks.org>
Sent: Tuesday, January 11, 2022 9:06:21 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

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Thank you very much.

Sincerely,

Kathryn Cotter <ktevans12@gmail.com>
12906 State Route 28
Woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Katey DeTraglia <kateyford@aol.com>
Sent: Tuesday, January 11, 2022 12:27:21 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA Project 2021-0075/Thomas Sunderlin Red Rocks Associate White Lake Granite Quarry

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

APA Project 2021-0075/Thomas Sunderlin Red Rocks Associate White Lake Granite Quarry

Mr. John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977
[Email: AgencyMeeting.PublicComment@apa.ny.gov](mailto:AgencyMeeting.PublicComment@apa.ny.gov)

Dear Mr. Ernst:

As an abutter to the quarry property, I have found the Adirondack Park is idyllic. It was established as a peaceful escape from the hectic world for all to enjoy. I have great hopes that we can keep it that way for generations to come.

A quarry in White Lake is not the intent of the Adirondack Park. My husband's family land abuts the quarry land. The land is used for peaceful family time that we have hopes of maintaining for generations to come. We have all come to love the White Lake area so much that we purchased a home on the lake and my husband's family has a home in the White Lake Shores area. We do not want to see the peacefulness of the area destroyed. My children are already looking forward to bringing their children to the lake and the woods but it will be forever altered by a quarry.

On our abutting land, the wildlife will no longer be there. They will be scared away by the blasting and trucks entering and leaving the property. We have a right-of-way through the quarry land to access our land. It will be exceedingly dangerous to even access our own property with a quarry.

The curve road through the White Lake area is dangerous and cars travel at a high rate of speed. The crosswalk guides many young families to enjoy the beach. The large trucks traveling through the area put many lives in jeopardy.

The result of the quarry will take away the rights of many people to enjoy themselves peacefully.

Do the number of jobs that it might bring to the area and the rights of one landowner outweigh

the rights of so many others? The quarry is not for the good of the Adirondack Park; the only person who benefits from this one landowner. So many others lives and the landscape will be forever altered by the Quarry.

Please consider not voting for its approval.

Best regards,
Katey DeTraglia

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Keith Butters <info@protectadks.org>
Sent: Monday, January 10, 2022 2:08:59 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
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population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

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6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Keith Butters <kabutters@aol.com>
110 Dwight Drive
Rome, NY 13440

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Keith Butters <info@protectadks.org>
Sent: Monday, January 10, 2022 2:11:24 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Thank you very much.

Sincerely,

Keith Butters <kbutters@twcnny.rr.com>
13959 State Route 28
Forestport, NY 13338

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Keith Polcaro <info@protectadks.org>
Sent: Sunday, January 9, 2022 3:16:36 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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Sincerely,

Keith Polcaro <npolcaro@aol.com>
4017 Willow Road
Woodgate, Ny 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Kimberly Rieth <info@protectadks.org>
Sent: Sunday, January 9, 2022 4:09:06 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

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PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Sincerely,

Kimberly Rieth <kimberly.rieth@thehartford.com>
13422 State Route 28
Woodgate, New York 13494

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To:
Subject:
Date:

From: Kimiko Niskala <info@protectadks.org>
Sent: Monday, January 10, 2022 3:27:24 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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Kimiko Niskala <kniskytoo@gmail.com>
58 Old Ice House Road
Woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
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Date:

From: Kimiko Niskala <info@protectadks.org>
Sent: Monday, January 10, 2022 3:35:22 PM (UTC-05:00) Eastern Time (US & Canada)
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Thank you very much.

Sincerely,

Kimiko Niskala <kniskytoo@gmail.com>
58 Old Ice House Rd.
Woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: kim pavlus <info@protectadks.org>
Sent: Monday, January 10, 2022 7:30:51 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
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Thank you very much.

Sincerely,

kim pavlus <Mskim65@aol.com>
500 Summerhaven Drive North
E SYRACUSE, NY 13057

From: [apa.sm.AgencyMeeting.PublicComment](#)
To:
Subject:
Date:

From: Rieth, Kim (Small Commercial) <Kimberly.Rieth@thehartford.com>
Sent: Sunday, January 9, 2022 1:43:12 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Cc: Rieth, Rob (Middle and Large Commercial) <robert.rieth@thehartford.com>; Joe Turczyn <joet512@yahoo.com>
Subject: APA# P2021-0075 project number

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
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- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the

present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,
Robert & Kimberly Rieth
13422 State Route 28
Woodgate, NY 13494

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From: [apa.sm.AgencyMeeting.PublicComment](#)
To:
Subject:
Date:

From: Rieth, Kim (Small Commercial) <Kimberly.Rieth@thehartford.com>
Sent: Sunday, January 9, 2022 1:43:01 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Cc: Joe Turczyn <joet512@yahoo.com>
Subject: APA# P2021-0075 project number

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Respectfully submitted,
Donald & Betty Graff
8047 Capron Rd
Woodgate, NY 13494

Kim Rieth
Assistant Director – Small Commercial Agency Analytics

The Hartford Financial Services Group, Inc.
Phone: (315) 235-4427
www.thehartford.com
www.facebook.com/thehartford
www.twitter.com/thehartford



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From:
To:
Subject:
Date:

From: Kristy L. Christian <info@protectadks.org>
Sent: Monday, January 10, 2022 11:33:49 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Kristy L. Christian <kristylyn1977@gmail.com>
2746 Mohawk Street
Sauquoit, NY 13456

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Kyle J Christian <info@protectadks.org>
Sent: Monday, January 10, 2022 11:31:26 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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Sincerely,

Kyle J Christian <jchristian0775@gmail.com>
2746 Mohawk Street
Sauquoit, NY 13456

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Larissa Kowalczyk <info@protectadks.org>
Sent: Sunday, January 9, 2022 9:48:36 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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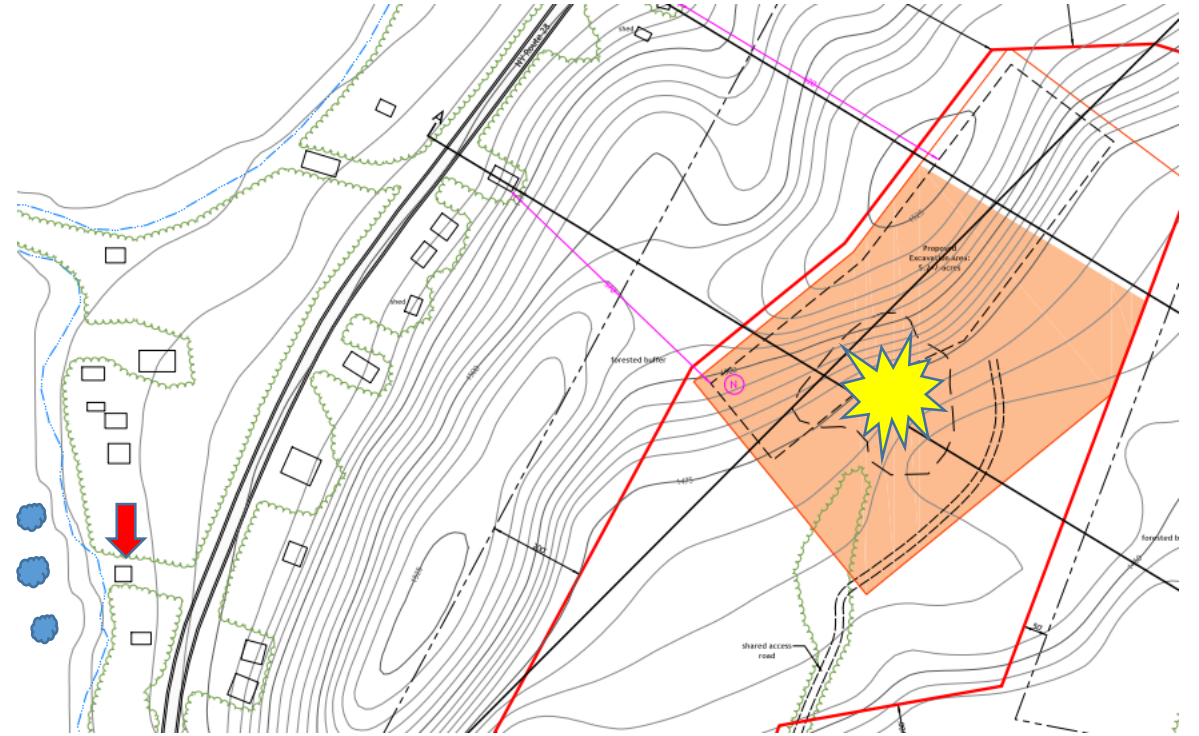
Larissa Kowalczyk <johnkow3@icloud.com>
5160 Elmwood Rd
Woodgate, NY 13494

White Lake Quarry and Water Resources

Comments by Larry Vicks

Proximity to Quarry

- 12959 Rt 28, Parcel 8.003-2-44
- Approx 1200' from quarry
- Drilled Well 400'
 - Encountered significant water at 127' and 240'
- Evidence of spring supply to lake 25' off shore line



Unique water Asset

- White lake is a sustained fresh water lake predominately spring fed
- Located on “massive” Principal Aquifer
- There are numerous springs that feed White Lake particularly on the east side of the lake.
- Source of the springs or contribution via aquifer ducts is unknown

Proposed Quarry Operation Impact

- Extraction process involves Sawing, drilling and low energy blasting
Intended to maintain integrity of the product.
- Process “surgical” by design,
 - Concussion is destructive to the crystalline nature of the rock formation.
 - Collateral damage is inevitable.
- Continuously exposing additional surface area of rock formation, will enable additional natural disturbance.
- Net Harvest 125,000 cy of rock requires more excavation
 - Accelerated erosion and degradation of the formation
- Restoration plan intends to re-establish a natural habitat.
 - **The integrity of the rock formation itself will not be restored.**

Impact on water resources

- Wells on the east side of the lake along Route 28
 - 200-400ft in depth through granite formation
- What goes the for wells may be true for springs into the lake
- Disturbance to formation
 - Contamination
 - Disruption of supply



Long term disturbance to rock formation

- Sustained vibration could generate resonant instability of the formation.
- Undamped low frequency oscillations could result in collateral subsurface fissure and fracturing.
- Formation fatigue could result in shifts in formation impacting water resources

Risk

- Proximity to the Lake and formation coexistence
- Daily quarry operations,
 - Impact probability low
 - Unlikely to be extensive impact
- Continual operation over time
 - Uncertain probability
 - Potentially high impact if extensive
- Catastrophic impact is IR-REVERSIBLE
 - Water quality
 - Water quantity
 - Sustainability of the lake water resources

Environmental Duty

- Conduct an Independent review of long term impact
 - Geological expert
 - Hydrology expert

References

Groundwater in fractured bedrock environments: managing catchment and subsurface resources – an introduction

U. Ofterdinger, A. M. MacDonald, J.-C. Comte and M. E. Young

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: LARRY W VICKS <info@protectadks.org>
Sent: Monday, January 10, 2022 7:21:45 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

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The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

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3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

LARRY W VICKS <larryvicks@gmail.com>
12959 St Rt 28
Woodgate, NY 13494

From: [apa.sm.AgencyMeeting.PublicComment](#)
To:
Subject:
Date:
Attachments:

From: larry vicks <larryvicks@gmail.com>
Sent: Tuesday, January 11, 2022 10:24:09 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Cc: louanne@hawaii.rr.com <louanne@hawaii.rr.com>; louanne1212@icloud.com <louanne1212@icloud.com>
Subject: Sunderlin Red Rock Proposed Quarry APA app #2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

My name is Larry Vicks, and I own property in Woodgate, NY. I believe an adjudicatory hearing is essential regarding the Adirondack Park Agency's White Lake Quarry application #2021-0075. More evidence is needed to support the claim that there will be no adverse impact on our lake, water supply, and community. I find it hypocritical on the part of those who are stewards of the environmental integrity of the Adirondack Park, that there is no hearing and/or investigation into the risks and impacts of the proposed project on the quality of a unique water resource within the park. If hydrofracking (hydraulic drilling) has been determined to be a health risk to residents of the state, then there must be at least a hearing to consider similar risks created by fracturing of rock in close proximity to a spring fed clear lake. The outcropping of granite targeted by the quarry operation, the springs feeding the lake and a massive aquifer underneath together present a potentially catastrophic environmental disaster. In reviewing the need for an adjudicatory hearing please consider the points outlined in the attached presentation.

From:
To:
Subject:
Date:

From: Laura Rhoades <info@protectadks.org>
Sent: Sunday, January 9, 2022 2:33:12 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Here are the six relevant criteria:

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Thank you very much.

Sincerely,

Laura Rhoades <minnieripperton@yahoo.com>
30 Mayberry Place
New Hartford, NY 13413

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

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Sent: Sunday, January 9, 2022 2:33:12 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
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NYS Adirondack Park Agency
PO Box 99
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RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Laura Rhoades <minnieripperton@yahoo.com>
30 Mayberry Place
New Hartford, NY 13413

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: lauren wilchacky <info@protectadks.org>
Sent: Monday, January 10, 2022 8:10:50 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Sincerely,

lauren wilchacky <lwilchacky@gmail.com>
121 Newell road
woodgate, new york 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Laurie A Hussar <info@protectadks.org>
Sent: Monday, January 10, 2022 3:30:02 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Laurie A Hussar <laurie.hussar@gmail.com>
143 Newell Road
Forestport, NY 13338

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Laurie Hussar <laurie.hussar@gmail.com>
Sent: Monday, January 10, 2022 3:34:37 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA Project 2021-0075 related to the proposed /white Lake Quarry.

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Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never

recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Laurie Hussar

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Lena Prestia Addison <info@protectadks.org>
Sent: Sunday, January 9, 2022 3:47:27 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Lena Prestia Addison <lenapaddison@gmail.com>
128 Higby Road
Utica, NY 13501

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Leonore Fleming <info@protectadks.org>
Sent: Monday, January 10, 2022 7:25:57 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
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population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

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Thank you very much.

Sincerely,

Leonore Fleming <leonore.fleming@gmail.com>
9 Hartford Ter
New Hartford, NY 13413

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Linda Carl <ldcarl@yahoo.com>
Sent: Saturday, January 8, 2022 6:34:17 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Cc: Linda Carl <ldcarl@yahoo.com>
Subject: APA Project 2001-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed White Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general

public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Linda Duffy Carl

PO Box 67

12927 State Route 28

Woodgate NY 13494

315-558-4616

ldcarl@yahoo.com

Sent from my iPhone

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Linda Duffy Carl <info@protectadks.org>
Sent: Sunday, January 9, 2022 3:25:26 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

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The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Linda Duffy Carl <ldcarl@yahoo.com>
12927 State Route 28
Woodgate, New York 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Lisa Druke <info@protectadks.org>
Sent: Sunday, January 9, 2022 7:19:02 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Lisa Druke <ldruke@twcny.rr.com>
323 Cleveland Blvd.
Fayetteville, New York 13066

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Lori Sonken <info@protectadks.org>
Sent: Sunday, January 9, 2022 11:12:26 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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Thank you very much.

Sincerely,

Lori Sonken <sonkenlori@gmail.com>
110 Blackstone Ave
Ithaca, NY 14850

From: [apa.sm.AgencyMeeting.PublicComment](#)
To: [McKeever, Keith P \(APA\)](#); [Caldwell, Elaine M \(APA\)](#); [Cooper, Christopher \(APA\)](#)
Subject: FW: 1/13/2022
Date: Wednesday, January 5, 2022 6:21:20 PM

From: louanne@hawaii.rr.com <louanne@hawaii.rr.com>
Sent: Wednesday, January 5, 2022 6:21:11 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: 1/13/2022

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Hello,

My name is Louanne Cossa 808 393-3199 louanne@hawaii.rr.com - I'm requesting the opportunity to speak at the January 13, 2022 agency meeting. Thank you

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Louanne R Petronio Cossa <info@protectadks.org>
Sent: Sunday, January 9, 2022 4:24:13 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Louanne R Petronio Cossa <louanne1212@mac.com>
74 Old Ice House Road
Woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Louise Trevillyan <info@protectadks.org>
Sent: Sunday, January 9, 2022 8:04:23 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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Louise Trevillyan <louise.trevillyan@gmail.com>
101 Newell Road
Forestport, NY 13338

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Luann Bowen <info@protectadks.org>
Sent: Monday, January 10, 2022 10:12:04 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

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Sincerely,

Luann Bowen <megmarcone@yahoo.com>
13009 ST Rt28
Woodgate, NY 13494

apa.sm.AgencyMeeting.PublicComment

From:
To:
Subject:
Date:

From: Lucca James Riley <info@protectadks.org>
Sent: Sunday, January 9, 2022 6:05:48 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Lucca James Riley <luccariley@icloud.com>
17 Devon Drive
West Orange, NJ 07052

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Luciann Gould <info@protectadks.org>
Sent: Monday, January 10, 2022 9:26:42 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Luciann Gould <luciannndesign@gmail.com>
1133 Hunt Road
Woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Luciann Gould <luciannndesign@gmail.com>
Sent: Monday, January 10, 2022 9:18:42 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: Adjudicatory Hearing - 2021 - 0075

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Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.
Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.

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- “The extent of public involvement achieved by other means.” The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- “Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act.” This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Luciann M Gould
White Lake Property Owner in Forestport, NY

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Luciann Gould <luciannndesign@gmail.com>
Sent: Monday, January 10, 2022 9:29:54 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: Adjudicatory Hearing - 2021 - 0075

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From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Robert W Gould
White Lake Property Owner
1133 Hunt Road
Woodgate NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Margaret Marcone <info@protectadks.org>
Sent: Monday, January 10, 2022 10:10:58 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Margaret Marcone <megmarcone@yahoo.com>
Summer 13009 St Rt 28/ 6 Hillside Rd
Summer Woodgate/ Danbury, Summer NY/ CT Summer 13338/ 06811

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Mariann Archer <info@protectadks.org>
Sent: Monday, January 10, 2022 11:46:08 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

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Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

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Thank you very much.

Sincerely,

Mariann Archer <Marcher17@roadrunner.com>
34 Homestead Rd West
Clinton, NY 13323

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Marie Angelhow <info@protectadks.org>
Sent: Sunday, January 9, 2022 6:05:17 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

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Thank you very much.

Sincerely,

Marie Angelhow <mangelhow@gmail.com>
55 Janet terr
New Hartford, NY 13413

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Mark Kiyak <Mark.Kiyak@fredonia.edu>
Sent: Tuesday, January 11, 2022 11:45:31 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA# P2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hello,

As I understand, the White Lake Quarry project is on the agenda of the next APA meeting. I also understand that there is a staff recommendation that the Board approve the application with conditions. I would like to request an adjudicatory hearing so that all concerns can be heard publicly. I have been part of the White Lake community for over 60 years and I believe there are many issues (both financial and environmental) that need to be fully discussed prior to any decision being made.

Thank you,

Mark

--

Mark Kiyak
Associate Professor
Department of Communication
326 McEwen Hall
SUNY Fredonia
(716) 673-3410



Virus-free. www.avast.com

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Martin Zanolli <info@protectadks.org>
Sent: Tuesday, January 11, 2022 12:47:00 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Martin Zanolli <martinzanolli@gmail.com>
910 Riverside Dr. #3A
New York, New York 10032

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Karen <karensdwyer@yahoo.com>
Sent: Saturday, January 8, 2022 5:59:04 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: White Lake Quarry

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never

recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Martin & Karen Dwyer

14 Point Road

Woodgate, NY 13413

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Mary Niemi <info@protectadks.org>
Sent: Monday, January 10, 2022 6:30:55 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

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Thank you very much.

Sincerely,

Mary Niemi <maryrwniemi@gmail.com>
1234 Salt Springs Rd.
Syracuse, NY 13214

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Mary Anne Ryan <info@protectadks.org>
Sent: Sunday, January 9, 2022 3:33:11 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

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Thank you very much.

Sincerely,

Mary Anne Ryan <mimiryan44@gmail.com>
50 Saybrook Road
Shrewsbury MA 01545, MA 01545

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Marybeth K McCall <info@protectadks.org>
Sent: Monday, January 10, 2022 6:22:04 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Sincerely,

Marybeth K McCall <marybeth.mccall@gmail.com>
1012 Waterside Drive
Utica, NY 13501

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Mary Lynn <info@protectadks.org>
Sent: Sunday, January 9, 2022 8:31:17 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Sincerely,

Mary Lynn <lynnlaw45@yahoo.com>
132 Pine Ridge Rd
Fayetteville, NY 13066

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Matthew Archer <info@protectadks.org>
Sent: Monday, January 10, 2022 11:50:25 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Sincerely,

Matthew Archer <mattsarcher@gmail.com>
10 Cresthill Drive
Whitesboro, NY 13492

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Maynard Cosnett <info@protectadks.org>
Sent: Monday, January 10, 2022 8:49:59 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Maynard Cosnett <mcosnett@juno.com>
1812 North George Street
Rome, NY 13440

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Meredith Fish Keperling <info@protectadks.org>
Sent: Sunday, January 9, 2022 2:19:50 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Meredith Fish Keperling <07stinger@gmail.com>
779 Gulph Road
WAYNE, PA 19087

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Michael Hurd <info@protectadks.org>
Sent: Monday, January 10, 2022 3:08:15 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Michael Hurd <mhurd1@att.net>
12889 State Route 28
Woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Michelle Lamberti <info@protectadks.org>
Sent: Tuesday, January 11, 2022 5:54:06 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
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Thank you very much.

Sincerely,

Michelle Lamberti <hewsonfan@hotmail.com>
1382 Wheelertown rd
Forestport, New York 13338

From: apa.sm.AgencyMeeting.PublicComment
To: [McKeever, Keith P \(APA\)](#); [Caldwell, Elaine M \(APA\)](#); [Cooper, Christopher \(APA\)](#)
Subject:
Date:

From: Neal Rothfuss <info@protectadks.org>
Sent: Monday, January 10, 2022 12:40:26 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

I am writing to express our deep concern about the quarry project at White Lake.
My wife and I have been residents of the local area for 50 years and are against this project.
The quarry is much to close to the lake and to the surrounding residential properties.. Perhaps 75+ years ago it might have been a viable project however now for the many reasons expressed by others it is no longer viable. this is no place for a granite quarry.

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project

is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.

2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

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6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

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Thank you very much.

Sincerely,

Neal Rothfuss <nrothfuss@dalpos.com>
11 Lyon Pl
Utica, NY 13502

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Nicholas Riley <info@protectadks.org>
Sent: Sunday, January 9, 2022 6:05:08 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Nicholas Riley <nicholasriley27@icloud.com>
17 Devon Drive
West Orange, NJ 07052

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Nicole Polcaro <npolcaro@twcny.rr.com>

Sent: Saturday, January 8, 2022 7:01:58 PM (UTC-05:00) Eastern Time (US & Canada)

To: apa.sm.AgencyMeeting.PublicComment

Subject: APA# P2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear Governor Hochul,

My name is Nicole Polcaro. I own property in Forestport, NY, in the Adirondack Park. I believe an adjudicatory hearing is essential regarding the Adirondack Park Agency's White Lake Quarry application No. 2021-0075. More evidence is needed to support the claim that there will be no adverse impact on our lake, our water supply, and our community. Please consider the adjudicatory hearing.

Sincerely,

Nicole Polcaro

315-949-0623

4017 Willow Road

Woodgate, NY 13494

Sent from my iPhone

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Nicole Polcaro <info@protectadks.org>
Sent: Sunday, January 9, 2022 3:15:58 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

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1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

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Thank you very much.

Sincerely,

Nicole Polcaro <npolcaro@twcny.rr.com>
4017 Willow Road
Woodgate, Ny 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Nicole Polcaro <npolcaro@twcny.rr.com>
Sent: Saturday, January 8, 2022 9:01:56 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never

recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Nicole Polcaro
4017 Willow Road
Woodgate, NY 13082

Sent from my iPhone

From: [apa.sm.AgencyMeeting.PublicComment](#)
To: [McKeever, Keith P \(APA\)](#); [Caldwell, Elaine M \(APA\)](#); [Cooper, Christopher \(APA\)](#)
Subject: FW: Comment - Red Rock Application P2021-0075
Date: Tuesday, January 11, 2022 3:58:18 PM
Attachments: [PELC Comment.pdf](#)

From: Ommen, Todd D. <tommen@law.pace.edu>
Sent: Tuesday, January 11, 2022 3:57:48 PM (UTC-05:00) Eastern Time (US & Canada)
To: [apa.sm.AgencyMeeting.PublicComment](#) <AgencyMeeting.PublicComment@apa.ny.gov>
Cc: Executivedirector@protectadks.org <executivedirector@protectadks.org>; Louanne Cossa <louanne1212@me.com>
Subject: Comment - Red Rock Application P2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Please see attached comment letter.

Todd D. Ommen
Managing Attorney - Pace Environmental Litigation Clinic, Inc.
Professor of Law - Elisabeth Haub School of Law
78 North Broadway, White Plains, NY 10603
tommen@law.pace.edu
914-422-4343 (O) - 914-422-4437 (F)



PACE ENVIRONMENTAL LITIGATION CLINIC, INC.

ELISABETH HAUB SCHOOL OF LAW

78 NORTH BROADWAY

WHITE PLAINS, NEW YORK 10603

PHONE: 914.422.4343

FAX: 914.422.4437

SUPERVISING ATTORNEYS

KARL S. COPLAN

TODD D. OMMEN

ADMINISTRATOR

JENNIFER RUHLE

January 12, 2022

VIA Email (AgencyMeeting.PublicComment@apa.ny.gov)

Mr. John Ernst, Chair
New York State Adirondack Park Agency
P.O. Box 99
1133 NY State Route 86
Ray Brook, NY 12977

Re: P2021-0075 (Red Rock Quarry Associates, LLC)

Dear Mr. Ernst:

The Pace Environmental Litigation Clinic respectfully submits this comment on behalf of Protect the Adirondacks and the Adirondack White Lake Association (“AWLA”) with respect to the recently published draft permit and related documents for P2021-0075 (the “Red Rock Application”). As the Adirondack Park Agency (“APA”) is aware, the Red Rock Application has generated a tremendous amount of public opposition, including a detailed engineering assessment of still unexplored environmental concerns. In view of these concerns, and as summarized below, it is patently obvious that the APA must conduct an adjudicatory public hearing on the Red Rock Application. Indeed, granting the permit as it now stands would be entirely contrary to the procedures the APA is required to follow.

This application comes in the context of a disturbing practice at the APA of refusing to hold *any* adjudicatory public hearings. As you are well aware, the agency has not held a single adjudicatory hearing in over a decade. This dereliction of the express mandate to hold hearings is especially concerning given the regulatory context of the APA’s review process. First, APA holds an almost unique position in the environmental review process. All state permitting agencies are required to comply with the State Environmental Quality Review Act (“SEQRA”), one of the most robust state environmental review statutes in the country, before granting a permit. But many applications overseen by the APA are granted Type II status under SEQRA, which, as a general rule, exempts those applications from being subject to a full SEQRA environmental review including an Environmental Impact Statement. The theory behind this

exemption is that the APA has (and actually undertakes) a “SEQRA-like” environmental review process that, in theory, supplants SEQRA. *See* DEC SEQR Handbook at p. 8; *see also* Adirondack Park Agency Act, § 805(4). Thus, as here, where the APA fails to conduct a full review, projects that may well be environmentally devastating can slip through the cracks and be approved without any significant environmental review being conducted by any state agency.

Second, APA’s failure to conduct any adjudicatory hearings is further exacerbated by the fact that APA lacks the authority to simply deny a permit without a hearing. As such, refusal to conduct a hearing essentially means guaranteed approval of an application.

This combination of factors makes the APA’s ongoing refusal to conduct any adjudicatory hearings simply untenable. Affected parties, like the hundreds of commentors on the Red Rock Application, are left entirely without a voice or a remedy. Any applicant with the resources to paper over faults in an application is virtually guaranteed approval, often without any significant environmental review. This practice must stop, and the Red Rock Application cannot be allowed to proceed without a hearing. This application *requires* an adjudicatory hearing under the APA regulations, and the draft permit must not be approved.

I. An adjudicatory public hearing is required.

Pursuant to Part 580.2 of the APA’s Rules and Regulations, the determination whether an adjudicatory hearing should be held is based on a number of factors. The APA’s decision to send a project to public hearing can be triggered if just one factor is met. In the case of the Red Rock Application, at least six separate factors are met.

1. The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected [580(a)(1)]

The Red Rock Application seeks approval for extraction, drilling, blasting, crushing and transportation of mineral resources in a well-settled residential and recreational area. As such, it has direct effects on the local municipality and potential (and still not explored) effects the otherwise pristine White Lake and the surrounding environment.

2. The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations [580.2(a)(2)]

As the APA is aware, the Red Rock Application has generated an extraordinary level of public interest. It has also drawn an unprecedented level of concern by local residents, including our clients. In addition to the numerosity of public comments, the APA has before it a detailed engineering study from the LA Group, discussed further below, providing substantive questions that remain unresolved. Since the draft permit was issued on the afternoon of January 7th, more than 175 new public comments have been submitted to the APA calling for an adjudicatory public hearing. There are very few private land development projects in the last two decades that have engendered more public involvement or concern as this project. Accordingly, this factor, too, suggests that a hearing is necessary.

3. The presence of significant issues relating to the criteria for approval of the project and the possibility that information presented at a public hearing would be of assistance to the agency in its review [580(a)(3) and (5)]

In addition to addressing the dozens of significant issues raised in individual comments, AWLA submitted a detailed engineering analysis from the LA Group on July 28, 2021. The multiple issues raised in that report have largely not been addressed. We are aware that the applicant attempted to respond on November 15, 2021, but that response did not add any significant new information or address many of the issues raised in the LA Group report. *See* December 21, 2021, email to APA from Kevin Franke. Just to take a few examples, the project does not include the required SWPPP and the noise impacts – especially given the close proximity of local residents – have not been appropriately studied. Moreover, as discussed in detail in the LA Report and the attached analysis (annexed hereto as Exhibit A) by C.J. Randall, there are many unanswered questions with respect to access to the site that appear to cast doubt on the ability to legally enter the site at all. Finally, another stakeholder has shown through a 1990 deed (annexed hereto as Exhibit B) that the public was granted an easement on the entirety of the Stone Quarry Road. If true, and if, as shown on some maps, the road traverses the entire quarry site, then any operation of the mine would seem to violate this easement.

All of these issues implicate the criteria for approval of the permit and should be addressed at a public hearing. Such a hearing would provide invaluable guidance for the APA's determination on the Red Rock Application.

4. Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act [580.2(a)(7)]

DEC has already determined that the Red Rock Application is a type II SEQRA action, so it will not require preparation of an EIS. If the APA does not require an adjudicatory public hearing, it is apparent that no significant environmental review will be conducted.

5. The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed [580.2(a)(4)]

Any of the issues cited above and raised in public comments could require major modifications prior to approval of the project. Addressing access issues and avoiding, mitigating or abating environmental damages will likely require significant changes. As such, this factor, too, indicates that a public hearing is necessary.

In a presentation to the APA Board on December 16th, an APA attorney stated that the regulatory affairs staff uses the threat of an adjudicatory public hearing to reshape projects or bring them into compliance. Given that this project has changed very little since its initial application was filed, that it is significantly short of what the APA previously determined in 2000 to be necessary prior to approval (discussed below), and all of the disputed and unresolved issues about potential negative impacts to area landowners, we do not see how the APA can forgo an official adjudicatory public hearing.

II. APA's review contains insufficient factual basis for approval.

The draft permit contains no Findings of Fact upon which the issuance of the permit can be sustained. This raises significant legal and practical issues. We understand that in an effort to streamline the review of Minor Projects (single family dwelling, mobile home or two-lot subdivision) the APA has eliminated Findings of Fact from permits. This practice, however, is wholly inappropriate for complex projects such as White Lake Quarry for the following reasons.

First, agencies must have a "rational basis" for their regulatory decisions. It is impossible to tell, based upon the information in the permit, whether the draft conditions are sufficient and how the applicable development considerations have been applied to the project in order to support the purported finding of no undue adverse impact. Second, looking to SEQRA case law by analogy, agencies must provide a "reasoned elaboration" of key facts and rationale for their decisions. Given that the APA permit contains no findings of fact, it is impossible to determine whether it took the requisite hard look at this project nor whether its decision adequately considers adjacent landowners and the environment. Third, as discussed above, the Red Rock Application has long faced factual questions regarding environmental harms, road access, and sufficiency of scientific support. In the absence of any significant analysis and conclusions regarding these facts, there would not be any apparent basis for granting the permit.

III. Approval of the Red Rock permit now would be an unexplained reversal of a prior APA determination that additional environmental review is required.

As APA is aware, an agency cannot simply reverse a prior determination without a sufficient explanation. For a largely identical mining application at the same site, the agency required substantially more environmental information prior to approval. Specifically, a similar application for granite extraction at this very location was submitted to the APA in 2000. During that 2000 permit review, APA staff required the following to be performed:

- A professionally prepared study of noise related impacts of actual versus anticipated decibels conducted in concert with the APA staff;
- A professionally prepared study of visual impacts employing well known APA tools and methods of siting and analyzing visual impacts;
- A detailed written study of all proposed water usage, storage, treatment, and flow management;
- A hydrological study of the area including site specific ground water location, depth to groundwater at the project site, a water table map, flow direction and transmissivity since the proposed quarry lies above a principal aquifer;
- A dust control study;

- An engineering study, conducted in coordination with the town highway department, assessing the adequacy of Stone Quarry Road to perform as required by the application, including what is required for its long-term maintenance;
- Professional study of blasting and ground vibration related to blasting, to be scoped in coordination with APA staff;
- Alternative potential uses of the proposed quarry, including the economic implications of feasible alternative uses versus the desired use as a granite quarry.

LA Group Report, Attachment 3.

While there are minor differences between the two applications, the area and nature of the project are the same, as are the citizen concerns. The failure of the APA to require substantially the same additional information is inexplicable here. With no explanation or justification, this reversal of a prior determination is the very definition of arbitrary and capricious.

For all of these reasons, the APA must hold an adjudicatory public hearing prior to deciding whether to issue a permit for the Red Rock Application. Thank you for your careful consideration of this matter.

Sincerely,



Todd D. Ommen

Exhibit A

January 11, 2022

NYS Adirondack Park Agency
P.O. Box 99
Ray Brook, NY 12977

RE: Potential Mining Operations adjacent to White Lake, APA Project No. 2021-0075

NYSDEC Application ID: 6-3038-00081
OPRHP Project No: 21PR1815

Dear Adirondack Park Agency and Board:

Please accept these comments on the proposed operation of mineral extraction of 125,000 yards of dimensional stone consisting of an initial five-year permit, to excavate an initial 5.2-acre area located within a 26.6-acre Life of Mine in Town of Forestport, Oneida County (Tax Parcel No.: 8.000-1-8).

I am a municipal land use planner (resume attached) with ten years of experience in City and Town development review (site plan and subdivision), zoning and land use regulations, local roads, and environmental quality review in New York State relative to both actions on private property and government operations. The following are my observations regarding the review process, which I have been following since May 2020:

1. DRAFT Permit Writing Form 'Findings of Fact – Environmental Setting - Character of Area' contains factual errors with respect to Proposed Development, Buildings / Structures.

The draft APA Permit references Project Plans but the referenced link omits the [Survey "Lands of Thomas J. Sunderlin, Jr. and Martin Zarnock, Sr."](#) prepared by Parker Land Surveying, P.C. dated 01/10/2012 (revised 05/06/2014) included in the Mined Land Use Plan, which is required to be signed and sealed by a Professional Land Surveyor but is missing both a stamp and signature from Thomas A. Parker, L.S. #050268. Omission of this survey from the final Mined Land Use Plan documentation is misleading about the extent and scope of proposed operations; the aforementioned Survey indicates a 30' x 50' pole barn to be constructed on the property.

Per New York State Uniform Code, a Building Permit is required for 30' x 50' structures, and for the Town of Forestport to issue a Building Permit for construction of that structure, access to the site must be suitably improved or a performance bond be issued under Town Law §280-a(2). This is for life-safety

reasons, largely revolving around adequacy of emergency vehicle access to structures, and both of the following requirements must be satisfied before a Building Permit may issue: 1) it must be demonstrated that the road providing access to the lot upon which construction is proposed is possessed of a formal status; and 2) the roadway must be suitably improved per specifications set by the Forestport Town Board.

2. DRAFT Permit Writing Form ‘Findings of Fact – Environmental Setting - Character of Area’ contains factual errors with respect to Access as Applicant fails to demonstrate suitable, titled access to Tax Parcel No. 8.000-1-8 and authorizing Permit for project across the lands of Registered Owner Joseph Turczyn Tax Parcel No 8.000-1-1 as described his 1980 deed.

The White Lake Granite Quarry’ April 2021 MLUP materials submitted to both APA and NYSDEC included the aforementioned unsealed, unsigned land survey suggesting that the access point (AKA ‘Stone Quarry Road’) to the project site via NYS-28 is a Town Road per an alleged conversation with the Town Highway Superintendent on 1/18/2012.

Adequate evidence or proof of sufficient title or interests in title could include: (i) an express deed of conveyance or cross-easement or (ii) an ALTA/NSPS survey to verify legal titled access. It is incumbent on the applicant – not the Town nor APA nor NYSDEC – to demonstrate this. An ALTA survey will verify Applicant’s assertion that project has direct access to a public highway (NYS-28) or if access is by easement across TPN 8.000-1-1. DRAFT Permit Writing form seems to suggest that these access issues will be sorted out at a future (unknown) date.

There also seems to be misunderstanding as respects to the NYS Highway Law as the Town’s approval, rejection, or filing or non-filing of a certificate of abandonment does not change the status of the road. If the road was ever a public highway, and if it was abandoned by non-use as a public highway per the meaning and intent of NYS Highway Law, it remains abandoned even if the Town never filed a certificate of abandonment. Likewise, the use is not merely any use, it is use in a manner that a public highway is used, along the normal course of the roadbed. Use as a driveway, occasional use for access, or by hunters and hikers is not sufficient.

3. DRAFT Permit Writing Form ‘Findings of Fact – Environmental Setting - Character of Area’ contains factual errors with respect to seasonal roads.

Highway Law §205-A requires that the Town Highway Superintendent annually designate town highways as seasonal limited use highways and those are “without occupied residence or commercial buildings dependent on such highways for access.” As the purpose of Town Law §280-a(2) is to insure that

provision is made for suitable access to land before a Building Permit is issued, a proposal that includes erection of new structures must meet this standard.

4. **Project does not meet the minimum standards of ECL § 23-2713 (a) which requires “The mining plan shall consist of a written and graphic description of the proposed mining operation including the boundaries of the land controlled by the applicant...”**

The applicant has definitively **not** demonstrated titled access or full site control. The adjacent owner (R.O. Turczyn) claims that road was abandoned long ago per his deed and thus is not a public highway providing titled access to the proposed quarry site through his land. It is unclear to me whether the potential access (labeled ‘Stone Quarry Road’ on some map services but notably absent from others, including the Oneida County Tax Map 8.00, prepared by LiRo GIS and Survey, P.C., dated 12/3/2018) was ever a true public highway. The absence of the road from the County Tax Maps indicates that the access is likely to be a private drive as these maps often form the basis for emergency services (per the aforementioned Town Law 280-a).

Also of note:

The applicant’s original application for a mineral extraction was submitted to the Adirondack Park Agency in 2000. At that time, the agency asked for more robust submittals to deem the application complete. The applicant submitted a nearly identical application in 2021, and neither the DEC nor the APA requested any of these more supplemental materials relative to potential environmental impacts that were requested during the 2000 application review.

The tenor of APA communications within some sections of the DRAFT Writing Permit that suggest that the public is circulating misinformation about the project. Perhaps the public and interested parties would be best served with a basic info sheet or a staff report on the complexity of a coordinated review between the Town of Forestport, Adirondack Park Agency, and New York State Department of Environmental Conservation.

Thank you for considering these comments and for your service!

Respectfully submitted,

C.J. Randall, LEED AP ND
Land Use Planner
(607) 252-6710



C.J. Randall, LEED AP ND, is a researcher and planner with experience in development review, transportation demand management, sustainability, and environmental quality review as they relate to long-term planning and government operations. Her professional focus is the strategic implementation of local and regional planning as essential components of effective governance and sustainable energy policy.

EDUCATION

Cornell University, M.R.P., City and Regional Planning, 2011

Concentration in Land Use and Environmental Planning

Coursework in Methods of Planning Analysis; Public & Spatial Economics; Devolution, Privatization & the New Public Management; Legal Aspects of Land Use Planning; Legal Aspects of Public Administration; Affordable Housing Policy; Labor & Employment Law; Geographic Information Systems Analysis; Economic Development

Florida Atlantic University, B.A., Multimedia Journalism; minor, Biological Sciences, 2008

Coursework in Site Planning; Planning & Growth Management; Biodiversity; Chemistry; Physics; Media Coverage of Public Affairs; Feature & Freelance Writing; Mass Communication Law & Regulations; Media Studies; Public Opinion and Modernity; Broadcast Journalism; Multimedia Journalism

ACCREDITATIONS

U.S. Green Building Council, LEED AP in Neighborhood Development, August 2014

SELECTED EXPERIENCE

Director of Planning, Town of Lansing, May 2019-present

- Supervise and direct all activities of the department, including annual work plan and daily activities of Clerk, Building Inspector, Code Enforcement Officer, and Planner
- Supervise the execution and implementation of specialized planning projects, including transportation system upgrades and other municipal long-term capital projects
- Assist the Planning Board and Town Board in the implementation of the Comprehensive Plan via implementation of land use regulations
- Perform completeness and compliance reviews for development review applications to ensure all documentation required for applications is submitted; provide background information and draft Resolutions for the Planning Board and Zoning Board of Appeals for consideration of approval/denial of applications
- Direct the organization, maintenance, and preservation of records for all development review applications, including meeting minutes for site plan review, variances, zoning permits, Certificates of Compliance / Occupancy, subdivision plats, and other planning related records required by ordinances and of the hearings and actions
- Review, draft, and present proposed annual budget to the Town Board for approval; maintain the adopted departmental budget throughout the year and ensure all expenditures are in compliance with all applicable rules and requirements
- Prepare administrative reports outlining progress and activities provided to statutory boards and councils and Town Board
- Prepare and deliver presentations to citizens groups, the Town Board, Planning Board, and others as needed

- Maintain the official map and associated GIS data
- Appoint and/or hire, with the approval of the Town Board, technical professionals and other employees necessary to carry out the duties and functions of the department; prepare RFPs and contracts for special or temporary services as needed
- Attend a number of regularly scheduled evening Town meetings, including Broadband Committee, Conservation Advisory Council, Parks, Recreation, and Trails Advisory Committee, and Lansing Advisory Committee on the Power Plant Future, Planning Board, Town Board, and Zoning Board of Appeals
- Conduct long-range sustainability planning, including implementation of NYSEG LED streetlight conversion project, monitoring of NYSEG Lansing Non-Pipe Alternatives, coordination with Tompkins County Business Energy Advisers program for new construction, and preparation of successful grant application (\$31,000) to the Park Foundation for preparation of GEIS for Lansing Town Center including a Multi-Modal Transportation Impact Assessment and Stormwater Management Study
- Act as Floodplain Development Administrator
- Assisted with preparation of successful Appalachian Regional Commission (ARC) Partnerships for Opportunity and Workforce and Economic Revitalization (POWER) grant application (\$404,170) with Ithaca Area Economic Development (IAED, formerly TCAD) and Cayuga Operating Company to fund broadband expansion to former Milliken Station Power Plant
- Conduct/oversee various research studies necessary for planning and policy development
- Develop and oversee implementation of administrative procedures and policies
- Promote an image of professional, courteous service as a representative of the Town of Lansing, and maintain positive relations with public, county, state, and federal officials

Planner, Town of Danby, May 2015-April 2019

- Responsible for drafting and administering the Town's planning and zoning regulations, including lot line adjustments, rezonings, special use permits, variances, subdivisions, environmental quality review, aquifer protection, and historic preservation
- Performed review of project applications and submittals and capital improvement projects for compliance with federal, state, and local laws and prepare resolutions for Board / committee vote
- Performed research, planning, codes administration and GIS operations
- Provided professional and technical staffing for Planning Board and advisory boards plus technical support and policy analysis for infrastructure development, including a successful New York State Department of Environmental Conservation Water Quality Improvement Program (WQIP) Non-point source grant for Brown Road Streambank Stabilization Project to reduce sediment load to Cayuga Inlet
- Prepared reports and briefs regarding Town's land use, environmental quality review, infrastructure, and cultural and natural resources to the Town Board, Planning Board, Conservation Advisory Council, and Board of Zoning Appeals
- Conducted long-range sustainability planning, including NYSDEC Climate Smart Communities and NYSEDA Clean Energy Communities certification; prepared successful New York State Energy Research & Development Authority Clean Energy Communities Southern Tier region Block 1 Grant (\$100,000) for improvements to Highway Building
- Developed and implemented Town Open Space and Natural Resources Inventory
- Completed Zoning Audit on behalf of the Planning Board to advise the 2019-2024 Department Work Plan
- Acted as Fair Housing Officer, implementing and applying for Community Development Block Grants (CDBG) housing grants
- Prepared successful New York State Department of Transportation BRIDGE NY grant application with Dondi Harner, P.E., T.G. Miller, P.C. (\$499,274) for three culvert replacement projects using North Atlantic Aquatic Connectivity Collaborative (NAACC) data collected by Tompkins County Soil & Water Conservation District

Principal, Randall + West Planners, September 2011-May 2019

Ithaca Green Building Policy Project, City of Ithaca, 2017-2018

- Coordinated with multidisciplinary team (STREAM Collaborative Architecture + Landscape Architecture, DPC and Taitem Engineering, PC) to study and evaluate the potential of various green building policy approaches
- Assisted with and supervised completion of Development Forecasts and Building Stock Survey and Green Building Policy Study and Social Impacts Study

Zoning Update, Town of Ulysses, 2015-2018

- Conducted audit of the Town's existing zoning in relation to the existing Comprehensive Plan and Agriculture & Farmland Protection Plan
- Drafted text and created GIS maps for three new zoning districts: (1) the Hamlet of Jacksonville, (2) agricultural lands, and (3) commercial/mixed use areas
- Developed updated Subdivision Regulations referencing the Town's new Natural Resources Inventory

Schuyler County Guide to Environmental Planning, 2017-2018

NYSERDA and the Southern Tier Central Regional Planning Board

- Prepared a guide to assist municipalities adopt environmentally-sensitive regulations including model local laws, zoning regulations, conservation subdivision standards based on a Natural Resource Inventory, and model comprehensive plan amendments

Chain Works District Redevelopment

UnChained Properties, LLC, City + Town of Ithaca, NY, 2015-2019

- Assisted with preparation of the master site plan and development program for the 95-acre former industrial site targeted for LEED for Neighborhood Development Gold level certification
- Drafted Town Planned Development Zone code and City Planned Unit Development Zone code
- Coordinated with multidisciplinary team to complete GEIS, LEED certification submittals, and NYSERDA contract management
- Coordinated with multidisciplinary team to submit successful NYS Energy Research & Development Authority's Cleaner Greener Communities program grant application (\$1,750,000)

Ithaca Form-Based Code Project, NYSERDA, 2013-2015

- Prepared successful grant application to NYS Energy Research & Development Authority's Cleaner Greener Communities program (\$175,000) for drafting of a sample unified development ordinance for the City and Town of Ithaca
- Project received an Honorable Mention at the 2014 and 2016 American Institute of Architects Southern New York Biennial Design Awards

Collegetown Crossing Parking Study, Ithaca, NY, 2012

- Conducted extensive technical research and inventory of parking to assist with determining the feasibility of dense infill development without addition of new surface or structured parking

Greenways Market Report, Ithaca Neighborhood Housing Services, Ithaca, NY, 2012

- Developed a market report for a proposed development of 48 for-sale townhomes utilizing Census demographic information and data analysis to draw conclusions about the state of the market for townhome units targeted to households earning less than 80% of AMI

Planner, Genesee/Finger Lakes Regional Planning Council, August 2013-May 2015

Seneca Lake Watershed Management Plan, 2014

- Prepared Assessment of Local Laws, Programs and Practices Affecting Water Quality including analysis of the federal, state, and municipal planning regulatory and programmatic environment for Seneca Lake, a NYS Department of State project

- Coordinated the efforts of 40 municipalities, five County Water Quality Coordinating Committees, five County Soil and Water Conservation Districts, two regional planning councils, a project advisory committee, landowners, and public groups

Keuka Lake Watershed Management Plan, Wayne, NY, 2014

- Prepared the Assessment of Local Laws, Programs and Practices Affecting Water Quality including analysis of the federal, state, and municipal planning regulatory and programmatic environment for Keuka Lake
- Facilitated the internal evaluation of eight municipal local law frameworks as well as the external comparison of local laws between neighboring municipalities within the watershed. She helped coordinate the efforts of eight municipalities, two counties, two regional planning councils, a steering committee, landowners, and public groups for the project

Black and Oatka Creek Watershed Management Plans, 2013

- Prepared Assessment of Local Laws, Programs and Practices Affecting Water Quality including analysis of the federal, state, and municipal planning regulatory and programmatic environment as part of 9 Key Element Watershed Plan to implement US EPA TMDL 303(d) requirement
- Facilitated the internal evaluation of six municipal local law frameworks as well as the external comparison of local laws between neighboring municipalities within the watershed and coordinated the efforts of six municipalities, two counties, two regional planning councils, a steering committee, landowners, and public groups
- Organized and submitted funding request for streambank erosion and sedimentation control through Great Lakes Restoration Initiative with support from NYSDEC

HONORS

Professional Award for Implementation, American Planning Association NY Upstate, 2018

Honorable Mention, AIA Southern New York Biennial Design Awards, 2014 and 2016

Clarence S. Stein Institute for Urban and Landscape Studies research award, 2012

The Sustainability Consortium, Energy Fellow, 2010

American Planning Association Judith McManus Price Scholar, 2009

AFFILIATIONS

American Planning Association

City of Ithaca Comprehensive Plan Committee, 2013-2015

City of Ithaca Planning & Development Board, member 2013-2016, 2020-present

City of Ithaca Conservation Advisory Council, member 2012-2015

Tompkins County Planning Advisory Board, Chair, 2019-present

SKILLS AND EXPERTISE

- | | | |
|---|--------------------------------------|--|
| • SEQRA / NEPA | • Growth Planning and Management | • Efficiency |
| • Site Plan Review | • Environmental Planning | • Strategic Communications |
| • Comprehensive Plans | • Policy Analysis | • Comprehensive Planning |
| • ArcGIS, QGIS | • Community and Economic Development | • Greenhouse Gas (GHG) Emission Inventory |
| • Adobe Creative Suite | • Project Management | • Form-based Codes and Zoning Code Calibration |
| • Stormwater Management | • Proposal and Grant Writing | • Agricultural Environmental Management (AEM) |
| • MS4 MCMs | • Sustainable Development | • Brownfield Opportunity Areas |
| • TMDL compliance | • Regional Planning | • Environmental Justice |
| • Transportation Demand Management (TDM) | • Planning and Design Guidelines | • Opportunity Zones |
| • Purchase and Transfer of Development Rights | • Energy Benchmarking and | |
| • Land Use and Zoning | | |

Exhibit B

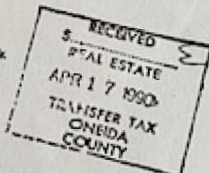
THIS INDENTURE, made the 31st day of December, nineteen hundred and eighty-nine.

BETWEEN

TERESA M. GENTILE of 704 Jefferson Street, Utica, New York, KAREN GENTILE RUAS of 1206 Madison Avenue, Utica, New York, JOSEPH N. GENTILE of 1020 Beckwith Place, Utica, New York, and NICHOLAS J. GENTILE, JR. of 302 Hartford Place, Utica, New York, together being all the heirs at law of NICHOLAS J. GENTILE, SR., deceased,

party of the first part, and

NICHOLAS J. GENTILE, JR. of 302 Hartford Place, Utica, New York



party of the second part,

WITNESSETH, that the party of the first part, in consideration of -

ONE DOLLAR AND NO/100

-\$1.00 dollars,

lawful money of the United States, and other good and valuable consideration paid

by the party of the second part, does hereby grant and release unto the party of the second part, their heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Forestport, County of Oneida, and State of New York, beginning at a spruce tree being the northeast corner of Lot No. 8, Adgate's Eastern Purchase, Miller & Swanton Tract; running thence, north 87 degrees W., along the northerly line of said Lot Eight 1000 ft. (more or less) to a spruce tree cornered and marked; thence, southwesterly to a stake standing S. 80 degrees E., 500 ft., from S.W. corner of F. Gaus' camp site (now or formerly) on White Lake; thence, south 60 1/2 degrees E., to the center of the outlet of White Lake; thence down the stream as it winds and turns 462 ft. to the center of the highway bridge (said highway being known in 1989 as Stone Quarry Road); thence down the center of said stream to the westerly bounds of the Mohawk and Malone Railway Company's property (now or formerly); thence, northerly along the westerly bounds of said railway company's property to the place of beginning, containing 60 acres of land more or less.

The above-described premises are conveyed SUBJECT TO all easements, rights-of-way and restrictions of record.

The above-described premises are also conveyed SUBJECT TO the rights of the public in and to those portions of the premises situate within the highway boundaries of Stone Quarry Road and New York State Route 28.

Being the same premises conveyed to Nicholas J. Gentile and Joseph County Clerk's Office on September 29, 1970 in Liber 1920 of Deeds at Page 346, the said Nicholas J. Gentile, (a/k/a Nicholas J. Gentile, Sr.), having died, intestate, a resident of the City of Utica, Oneida County, New York, on the 20th day of June 1979, leaving him surviving as his sole and only heirs at law, the

[Description is continued on reverse side hereof]

grantors herein, the said Joseph Gentile having thereafter conveyed his ownership interest in the said premises to Theresa M. Gentile, one of the grantors herein, by deed dated July 20, 1982 and recorded in the Cassida County Clerk's Office on October 15, 1982 in Liber 2133 of Deeds at 33, this deed being intended to convey all of the ownership interests of the grantors herein to Nicholas J. Gentile, Jr. so as to vest title in him, fee simple absolute, to the premises herein described.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

LIBR 2522 REC 76

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the costs of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

AND the party of the first part covenants as follows:

FIRST.—That said party of the first part is seized of the said premises in fee simple, and has good right to convey the same;

SECOND.—That the party of the second part shall quietly enjoy the said premises;

THIRD.—That the said premises are free from incumbrances, except as aforesaid;

FOURTH.—That the party of the first part will execute or procure any further necessary assurance of the title to said premises;

FIFTH.—That said party of the first part will forever warrant the title to said premises.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires. IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Theresa M. Gentile
Theresa M. Gentile

Karen Gentile Buss
Karen Gentile Buss

Joseph N. Gentile
Joseph N. Gentile

Nicholas J. Gentile, Jr.
Nicholas J. Gentile, Jr.

STATE OF NEW YORK, COUNTY OF ONEIDA

On the 31st day of December, 1989, before me personally cameTheresa M. Gentile and Karen Gentile Russ

It is my duty to be the individuals described in and who executed the foregoing instrument, and acknowledged that they executed the same.

James P. Roman
Notary Public, Madison County

My commission expires 3-30-91

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed in name thereto by like order.

STATE OF NEW YORK, COUNTY OF ONEIDA

On the 31st day of December, 1989, before me personally cameJoseph N. Gentile and Nicholas J. Gentile, Jr.

It is my duty to be the individuals described in and who executed the foregoing instrument, and acknowledged that they executed the same.

James P. Roman
Notary Public, Madison County

My commission expires 3-30-91

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed in name as witness thereto.

Warranty Deed
WITH FULL COVENANTS

TITLE NO.

GENTILE

TO

GENTILE

RETURN BY MAIL TO:

James P. Roman, Esq.
PO Box 277
Chittenango NY

By No. 13057

10112522 77

From:
To:
Subject:
Date:

From: Pam Fish <info@protectadks.org>
Sent: Sunday, January 9, 2022 10:25:49 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Pam Fish <jpfish@sbcglobal.net>
8008 Ambiance Way
Plano, TX 75024

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: PATRICIA SYLVESTER <info@protectadks.org>
Sent: Sunday, January 9, 2022 7:45:27 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Thank you very much.

Sincerely,

PATRICIA SYLVESTER <pasly23@gmail.com>
290 E. Davis st.
DeLeon Springs, Florida 32130

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Patricia Darringer <info@protectadks.org>
Sent: Monday, January 10, 2022 2:28:02 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
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Thank you very much.

Sincerely,

Patricia Darringer <pkotulak@verizon.net>
129 Newell Road
Woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Trisha <itztrisha@gmail.com>
Sent: Sunday, January 9, 2022 4:24:53 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: Comment: APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed White Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never

recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Patricia Torrey

12955 State Rt 28

Forestport, NY 13338

.....

Trisha Torrey Kritsberg

ItzTrisha@gmail.com

352-459-0456 (*Please do not text to this number. It's a landline!*)

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Patricia Urban <info@protectadks.org>
Sent: Sunday, January 9, 2022 7:23:54 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Thank you very much.

Sincerely,

Patricia Urban <sabharp@att.net>
121 Farwood Drive
Baldwinsville, NY 13027

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Patrick F Romeo Jr. <info@protectadks.org>
Sent: Tuesday, January 11, 2022 12:46:28 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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48 Old Icehouse Rd.
Woodgate, NY 13494

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To:
Subject:
Date:

From: Patrick Christner <info@protectadks.org>
Sent: Sunday, January 9, 2022 4:46:25 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
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PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Patrick Christner <pepperhollow84@icloud.com>
27 ganado rd
Rochester, NY 14617

From:
To:
Subject:
Date:

From: Patricia Lasek <info@protectadks.org>
Sent: Sunday, January 9, 2022 4:47:40 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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Thank you very much.

Sincerely,

Patricia Lasek <daisyl376@gmail.com>
8432 Trenton Falls Rd
Barneveld, NY 13304

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: patrick romeo <patromeo1223@gmail.com>
Sent: Saturday, January 8, 2022 8:15:38 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation

measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.

- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Patrick Romeo

48 Old Icehouse Road

Woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Patti Stevener <info@protectadks.org>
Sent: Sunday, January 9, 2022 7:32:34 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

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The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Patti Stevener <plstevener@yahoo.com>
9006 Pine Road
Woodgate, New York 13494

From:)
To:
Subject:
Date:

From: Paul MacArthur <notepaper@yahoo.com>
Sent: Monday, January 10, 2022 9:04:02 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

To: NYS Adirondack Park Agency
From: Paul J. MacArthur
Date: January 10, 2022
RE: APA Project 2021-0075 – Proposed White Lake Quarry

I own property in the Adirondack Park in the Town of Forestport near White Lake. I am exceptionally concerned about APA Project 2021-0075, the proposed White Lake Quarry.

During the public comment period for this project last summer, your agency received more than 1,000 letters and petitions objecting to the proposed White Lake Quarry. A significant number of these objections indicated that if the APA did not see fit to outright reject the quarry application, it should – given the numerous deficiencies in the application combined with the valid concerns of the White Lake and neighboring communities that have yet to be addressed – send this project application to an official adjudicatory public hearing.

Regretfully, the APA has declined to schedule an adjudicatory hearing regarding APA Project 2021-0075.

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed White Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 “Determination to conduct public hearing” several criteria are listed for the APA to use when it decides whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for an official adjudicatory public hearing based on several of these criteria.

A project is appropriate for a public hearing if it triggers just one of the criteria.

This project triggers several.

The criteria this project triggers are:

580.2(a)(1) “The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected.” This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.

580.2(a)(2) “The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations.” The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials. The overwhelming number of signs in opposition to the proposed quarry posted along Route 28 near White Lake also provide ample evidence that this project is of significant concern to White Lake and the surrounding communities.

580.2(a)(3) “The presence of significant issues relating to the criteria for approval of the project.” The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant’s experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.

580.2(a)(4) “The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed.” Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it’s a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing ... if a permit were to be issued at all.

580.2(a)(5) “The possibility that information presented at a public hearing would be of assistance to the agency in its review.” The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.

580.2(a)(6) “The extent of public involvement achieved by other means.” The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

580.2(a)(7) “Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act.” This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year.

From 2011 to the present there have been none.

It stands to reason that the need for formal adjudicatory public hearings has not gone away.

Indeed, the comments submitted by Kevin J. Franke, Senior Associate/Director of Environmental Services of the LA Group, addressed a variety of deficiencies in the White Lake Granite Quarry application. These include deficiencies the APA itself acknowledged were of concern in its April 27, 2000, Notice of Incomplete Application for a similar mining project proposed at the same location.

That some of the same issues the APA found concerning “during (its) review of a very similar mining proposal for the same site in 2000” were not addressed in the 2021 application is problematic. That this project might be allowed to go forward without an adjudicatory public hearing is even more troublesome.

The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing.

Please schedule a formal adjudicatory public hearing on this project now, before the application is approved.

Respectfully submitted,

Paul J. MacArthur

PO Box 8310
Utica, NY 13505

From: [apa.sm.AgencyMeeting.PublicComment](#)
To:
Subject:
Date:
Attachments:

From: Boor, Paul J. <pboor@UTMB.EDU>
Sent: Monday, January 10, 2022 11:23:27 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: requests re: proposed stone quarry near white lake, town of Forestport

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Boor, Paul J. has shared a OneDrive for Business file with you. To view it, click the link below.



quarry letter town of forestport 2nd.docx

Attached requests from Dr. Paul Boor, Woodgate, NY

From: [apa.sm.AgencyMeeting.PublicComment](#)
To:
Subject:
Date:

From: Boor, Paul J. <pboor@UTMB.EDU>
Sent: Monday, January 10, 2022 11:23:29 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: Boor, Paul J. wants to share the file quarry letter town of forestport 2nd.docx with you

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To view quarry letter town of forestport 2nd.docx, [sign in](#) or create an account.

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Paul Zanolli <info@protectadks.org>
Sent: Sunday, January 9, 2022 8:17:28 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Paul Zanolli <paulzanolli@gmail.com>
383 Crescent Ave
Buffalo, NY 14214

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Peter Tamburro <info@protectadks.org>
Sent: Monday, January 10, 2022 6:19:56 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

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5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Peter Tamburro <petertamburro@gmail.com>
7 southshore rd
Woodgate, Ny 14494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Peter Mertz <info@protectadks.org>
Sent: Monday, January 10, 2022 8:41:33 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

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Thank you very much.

Sincerely,

Peter Mertz <peter.s.mertz@gmail.com>
12988 State Route 28
Forestport, NY 13494

From: Ted Colebeck <ted.colebeck@gmail.com>
Sent: Saturday, January 8, 2022 3:02:55 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA# P2021-0075 project

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

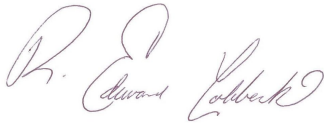
Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

A handwritten signature in blue ink, reading "R. Edward Colebeck". The signature is written in a cursive, flowing style.

R. Edward Colebeck

43 Point Rd

Woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: rachel cohen <info@protectadks.org>
Sent: Sunday, January 9, 2022 5:36:19 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

rachel cohen <rcohen3108@aol.com>
12967 RT 28
Forestport, NY 13338

From: [apa.sm.AgencyMeeting.PublicComment](#)
To:
Subject:
Date:

From: Ralph Cossa <ralph@pacforum.org>
Sent: Saturday, January 8, 2022 6:13:44 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>; Korn, Devan F (APA) <Devan.Korn@apa.ny.gov>
Cc: Executivedirector@protectadks.org <executivedirector@protectadks.org>; David Gibson <dgibson@adirondackwild.org>; tommen@law.pace.edu <tommen@law.pace.edu>; john@waysandmeansny.com <john@waysandmeansny.com>; johnbalzano1945@gmail.com <johnbalzano1945@gmail.com>; Young, Randall C (DEC) <randall.young@dec.ny.gov>; louanne@hawaii.rr.com <louanne@hawaii.rr.com>; Ralph Cossa <ralph@pacforum.org>
Subject: response/corrections to APA Draft Permit Writing Form re APA2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to take strong exception to the comments provided in your [APA Draft Permit Writing Form \[https://apa.ny.gov/Mailing/2022/01/Regulatory/P2021-0075-PWF-Final.pdf\]](https://apa.ny.gov/Mailing/2022/01/Regulatory/P2021-0075-PWF-Final.pdf); they are misleading, confusing, and in some cases completely inaccurate.

For example, in your “Findings of Fact” section, you state “The DEC had a complete mining permit application for the project on August 18, 2021 and held an adjudicatory public hearing on September 2, 2021.” The public hearing on September 2 was a legislative hearing, NOT an adjudicatory hearing; no witnesses were sworn in to testify and the applicant, while reportedly listening in, made no comments. Most importantly, there was no opportunity to pose questions to the applicant or others. This is one reason why we have repeatedly called for an adjudicatory hearing from the APA.

In addition, under “Public comments received,” you state that “The Agency notified all adjoining landowners and other parties . . .” While you were supposed to have notified (by registered letter?) the 27 property owners whose camps (and wells) are situated on the same granite shelf to be mined this past spring, we reached out to a number of them in July and August and were told that our outreach was the first they had heard of the mining application. A few landowners did receive a notice which stated it was a registered letter but it came by regular mail. Could you also explain who the “other parties” are that were advised? While the Adirondack White Lake Association (AWLA) and White Lake Shores Association together represent the homeowners on and in close proximity to the lake (and proposed quarry), neither organization, despite its members being directly affected by the proposed mining operation, have ever received notification or updates. As you (should) know, the AWLA has formally requested party status given its vested interest in the outcome.

In addition, while you note that “most” of the letters expressed opposition, it would have been more accurate to state that “the overwhelming majority of hundreds of comment letters received

were in opposition to the proposed mineral extraction, although two (or three?) were also received from area residents (one of whom was the applicant’s daughter) in support of the project.” While you make passing reference to the “technical review of application material prepared by a private consultant,” you claim that “many” of the public comments “indicated

confusion or misinformation.” In fact, the vast majority of public comments made reference to the technical review prepared by a well-informed expert, Mr. Kevin Franke from the LA Group; others drew from analysis prepared by environmental specialists from the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and elsewhere. Public health concerns were expressed by a registered nurse; transportation concerns were expressed by a former NY Department of Transportation official. Many of the letters were written by engineers, lawyers, current and former judges, professors, business professionals, etc. Several also pointed out the misinformation being put out by the applicant who, for example, published a letter in the local press claiming that the application called for five trucks a day, 25 per week (rather than 20/day, 6 days a week).

Many of the public comments, including those presented verbally to the APA Board during public comment periods, asked questions directly to the APA; none was answered. Let me add two questions here. Why was the announcement for the January meeting posted on Wednesday, Jan 5, as required but the agenda was not posted until around noon on Friday? And why was your Board, and those of us listening in, told at the December meeting that it would be “several months” before this issue was going to come before the Board if you planned to table it in January?

In addition to the topics you mentioned in the “public comments received” section, and for the record, letters from the community also expressed concern about the economic impact on local business and our tourist-based economy (not to mention property values) and on noise concerns which were not adequately addressed in the application.

You ended the Draft Permit Writing Form by asserting that “The applicant and the applicant’s authorized representative responded to the public comments received in addition to providing technical responses to comments.” Have you compared the July 28 technical report prepared by the LA Group with the response sent by the applicant’s mining expert, David Shank from Strategic Mining Solutions (SMS) on Nov 15, to determine if all the points raised by the mining expert were satisfactorily addressed, or even addressed at all? I’m no expert, but I could find a number of discrepancies and/or omissions so I presume your staff can easily do so as well and I believe, unless I’m confused or misinformed, that it is your job to do so.

We discovered Mr. Shanks Nov 15 response buried several hundred pages back in the FOIL documents (despite being one of the last letters received according to your date stamps) after you updated this file for the first time since mid-summer, on December 10. Neither the LA Group nor the AWLA was informed of this response despite being specifically referenced in the letter. When we shared the SMS response with the LA Group, Mr. Franke noted that “the majority of the responses in that letter refer back to the same application record that was in place at the time we wrote our comments. Some additional information/clarification has been added on some topics, but it is mostly of a non-technical nature and, while this new information may shed some additional light on some topics, the new/additional information does not address the technical deficiencies we still believe exist with the permit applications to both agencies. As such, the letter does little to substantiate their claims that the quarry can be operated without impacts to the surrounding area.”

We also found an August 19 APA letter from Mr. Robert Lore to SMS asking three questions about 1. the location of Putt’s Monument, 2. the maximum limits of vegetative clearing, and 3. the location of the proposed water supply well. Unless there was an additional response not posted among the FOIL documents, the only response we have seen is an Email from Mr. Shank on Sept 15 which ignored the first two questions completely and responded to the third by saying “the precise location of the well will be determined by a certified contractor familiar with local conditions within the proposed affected area shown on the plans on file” which we read as somewhere within the 5.2 or 8.8 or 26.6 acres. Is that a satisfactory answer?

In closing, let me also note that your [APA Draft Permit](#)

<https://apa.ny.gov/Mailing/2022/01/Regulatory/P2021-0075-DRAFTPermit.pdf> ends with a “Conclusion of Law” stating that the project “will not have an undue adverse impact upon the natural, scenic, aesthetic, ecological, wildlife, historic, recreational or open space resources of the Park.” Where is the “Findings of Fact” that back up this assertion? Where is the environmental impact statement or the scientific and technical data required to reach this conclusion? It is nowhere to be found in the application. Isn’t it the APA’s/applicant’s responsibility to provide an assessment in lieu of a DEC SEQRA, or am I again confused and misinformed?

Please acknowledge receipt of this letter and provide assurance that it will be provided to Mr. Ernst and the other Board members so they will not be confused or misinformed by the information they are otherwise being provided.

Respectfully submitted,

Dr. Ralph A. Cossa, Colonel, USAF (ret)

Member, Adirondack White Lake Association

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Ralph Cossa <info@protectadks.org>
Sent: Sunday, January 9, 2022 7:30:53 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Ralph Cossa <Ralph@Pacforum.org>
74 Old Ice House Road
Woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Randy lee <info@protectadks.org>
Sent: Sunday, January 9, 2022 2:20:33 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Randy lee <randyjameslee@hotmail.com>
13494 st rt28
woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Regina Balzano <reginabalzano@verizon.net>
Sent: Sunday, January 9, 2022 5:06:13 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA Project 2021-0075

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Reasons I am requesting a formal adjudicatory hearing related to APA Project 2021-0075/proposed White Lake Quarry

Personal impact on our property and family:

- We own property on State Rt. 28 within 1000 ft. of the proposed project property. We've reviewed the application from the perspective of long-time property owners and taxpayers and found that little to no supporting data was given relating to the realistic impact blasting and other mining processes will have on the surrounding properties, lake environment, and wildlife and people who reside here. The application doesn't adequately address water studies, particle mitigation, environmental impact, and noise levels.
- Our 279-foot deep, drilled well has run dry once already this year. Its source flows underground from across Rt. 28 in proximity to the proposed quarry. We have valid concerns about the impact the use of water during the processes associate with mining will have. Will contaminants or sediments enter our water source? How will the quantity, recovery rate, and quality of our water be affected in future years? The assurances in the proposal are not based on any clear study or information.
-

Dust particles floating from the mine operation may well impact the breathing of those who stay with us over the summer. One of our grandsons already uses an inhaler. How will the difference in the air affect him? The proposal mentions forest, mine faces, water, and approved palliatives to prevent fugitive dust and limit exposure—not reassuring measures. There no specific plan for the dust particles. Smoke and particles from this year’s California wild fires have drifted across the nation. On a smaller level dust particles can easily travel 1000 feet into our atmosphere.

- We are also concerned about how the blasting and boring will affect our camp’s structure. Our camp is built on pylons which have remained structurally sound for the past 35+ years that we’ve lived there and for many years before that. After a recent single explosion in Old Forge, an August 5th article in the Observer Dispatch mentioned that inspections were recommenced because quite a few buildings were “tweaked” by the explosion. Certainly, small, but persistent explosions and vibrations will eventually impact the structural integrity of our camp.
- The proposal’s decibel figures and related narratives appear theoretical rather than based on tested on the actual conditions of this proposed quarry. Specifically, the information does not take into account the echo effect that will occur because of the rock face structures on the west side of the lake-- directly opposite of the blasting site. Our property sits between the blasting site and that rock face. The project will be active for 70 hours each week from April to October. The constant industrial din created by micro blasting, trucking, and equipment will likely diminish the value of our property. The White Lake area not industrial in nature, but has evolved as a residential and recreational area. Having a quarry in the midst of this area is contradictory to maintaining the intent of the Adirondack Park.

Impact on White Lake and its immediate environment:

- White Lake is primarily feed by underground springs. If the lake’s natural

balance is upset by the mining process, the lake's most essential resource and its surrounding environment will be harmed. Any draw on the springs that feed the lake will negatively upset its natural balance.

- Settling dust particles from the mining process will also impact the natural balance of the lake. It is probable that a film of particulate dust will pollute the lake during the total of 60 operational hours each week-- six days a week from April until October. This will affect the fish, loons, ducks, birds, (a bald eagle sighted several weeks ago) and other wildlife that inhabit the lake and its surroundings. While the application addresses the area of the proposed mine and its adjacent environment, its application doesn't appear to address the impact on wildlife at the lake area at all.
- Noise pollution affects the health and emotional well-being not only of humans, but also of wildlife. Will noise pollution drive away the variety of animals that live in and near our lake community?
- The project's heavy, large vehicles will additionally affect the noise and safety of White Lake residents as well as travelers on Route 28. The proposal states up to 100 vehicles each week, will carry materials from the quarry site. Those trucks also need to enter the site. Potentially 200 vehicles will travel on Route 28 each week. Each of those trucks will have an impact on roads, bridges, and traffic. Maintenance required to Quarry Road and Route 28 will place a financial burden on both the town and New York State. Traffic on Route 28 will be affected. The temptation to pass slower moving vehicles may likely result in more risk taking and possibly more accidents. Citizen safety must not be disregarded. Families with children, swim gear, strollers, and water toys have safely walked across Route 28 for generations. How will their safety be impacted?

This proposed quarry has the potential to impact multiple aspects of the White Lake community and beyond. Approval of this project should be taken lightly. Once approved, there is no opportunity to change the many harmful

effects of this proposed long-term project. The application should not be approved. The Adirondack Park should remain pristine and not be altered by mining enterprises.

I am requesting that a formal adjudicatory hearing be held to further discuss **APA Project 2021-0075 related to the proposed White Lake Quarry.**

Respectfully,

Regina Balzano—13021 State Rt. 28, Woodgate, NY
reginabalzano@verizon.net

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Regina Balzano <reginabalzano@verizon.net>
Sent: Sunday, January 9, 2022 5:04:31 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA Project 2021-0075

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Members of the Adirondack Park Agency Board:

I respectfully request an adjudicatory hearing be set to further review and discuss APA Project 2021-0075 related to the proposed /white Lake Quarry. There are eight criteria set in the APA Rules and Regulations Section 580.2 that determine that a public meeting be held. The proposed Quarry project qualifies based on seven of the eight criteria as follows:

“The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected.” This industrial operation is proposed in a residential area. Potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy are all but certain. The applicant has not provided scientific data and monitored testing as required to demonstrate conclusively there is no harm. My property is within 1000 feet of the proposed quarry.

“The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations.” I have written letters as well as spoken to both the DEC and the APA with my concerns. The number of public comments more than satisfies these criteria. Besides the interest in our property and its long term value, we have made personal, monetary contributions to engage an independent mining consultant to review application materials.

“The presence of significant issues relating to the criteria for approval of the project.” My comments have previously addressed issues relating to this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy, impact on the well-being of wildlife, and humans. Independent experts must be allowed to provide information and the applicant’s experts must be subject to cross-examination. This can only be accomplished through a formal adjudicatory hearing.

“The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed.” Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it’s a near certainty that a public hearing for this project would

produce a permit substantially different from a permit issued without the benefit of a public hearing. To grant a permit based on the existing proposal will create a project that will not respect the mission statement of the APA.

“The possibility that information presented at a public hearing would be of assistance to the agency in its review.” The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.

“The extent of public involvement achieved by other means.” The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

“Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act.” This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. Setting a formal adjudicatory public hearing is reasonable in this case since there are so many factors that have not been addressed before the members of the APA Board vote to approve or deny the application.

Your jobs are not easy, for certain, but the impact you will have on the lives of the citizens who live full or part time near White Lake will be impacted by your vote. Please allow the hearing so that you will be fully informed before you vote.

Respectfully submitted,

Regina Balzano

reginabalzano@verizon.net

From: renee lee <leefamily2014@hotmail.com>

Sent: Wednesday, January 5, 2022 1:47:40 PM (UTC-05:00) Eastern Time (US & Canada)

To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>

Subject: request to speak at the January 13 2022 APA meeting RE: The red Rock White lake Quarry,APA file P2021-0075

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Good after noon.

I am requestion to have the opportunity to speak at the upcoming APA on January 13 th between 9 am and 9:30 am.

The cell phone I will be calling in on is 315-225-2035.

Renee Lee ,

I am a full time very concerned resident with my home being approximately 1000 ft from this proposed Granite quarry.

Thank you

Renee lee

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: renee lee <leefamily2014@hotmail.com>
Sent: Sunday, January 9, 2022 8:02:49 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: project 2021-0075 demand for Adjudicatory hearing to make facts know.

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Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 “Determination to conduct public hearing” eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- “The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected.” This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- “The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations.” The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- “The presence of significant issues relating to the criteria for approval of the project.” The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be

allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.

- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted, from Randy lee a full-time resident with the quarry to be 1000 ft from my house I worked my whole life for to retire in clean quite place. Please have this hearing to ensure all bases have been covered. Thank you

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: renee lee <leefamily2014@hotmail.com>
Sent: Monday, January 10, 2022 9:37:07 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Cc: Louanne Cossa <louanne@hawaii.rr.com>
Subject: Fw: Project 2021-0075 relating to white lake Quarry APA review Dec. 13th 2022

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please provide this information to John Ernst as the e mail that was provided did not send to him. Please send this to all the APA board members to review before the Jan 13 2022 meeting RE: the white lake quarry 2021-0078.

Renee Lee

From: renee lee <leefamily2014@hotmail.com>
Sent: Monday, January 10, 2022 9:28 AM
To: johnernst@apa.ny.gov <johnernst@apa.ny.gov>
Cc: Louanne Cossa <louanne@hawaii.rr.com>
Subject: Fw: Project 2021-0075 relating to white lake Quarry APA review Dec. 13th 2022

Good Morning,

I am forwarding you the below e mails that I have sent to ensure this information is available for you to read.

I am asking that you provide myself and hundreds of people at White Lake an Adjudicatory hearing RE: The APA project 2021-0075.

I was a long-time employee of the State Of NY in the Regional office.....When there were situations that we could not resolve it would go to a fair hearing.....In this situation RE: the Quarry in the Adirondack park region, and proposed to be have the quarry operate 6 days a week less than 1000ft from my full-time residents is not an option. This decision needs to be made by a Judge who can review all information. Someone who does not have a relationship to the APA or anyone else. This would be the fair, professional way to resolve this concern.

Please forward this e mail to the other APA board members for their review prior to the Jan 13,2022 meeting.

Thankyou for all the work you and the board are doing to save the Precious Adirondack park so generations to come can enjoy.....It is up to everyone to make the right decisions to preserve our earth .

Renee Lee and family members.

From: renee lee <leefamily2014@hotmail.com>

Sent: Sunday, January 9, 2022 10:29 AM

To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>

Subject: Fw: Project 2021-0075 relating to white lake Quarry APA review Dec. 13th 2022

Please make the decision for an adjudicatory hearing be scheduled to further examine APA project 2021-0075.

I am sure you would not want a quarry 1000 Ft from your home which you live full time.

I am asking that you read line by line the information listed below .

Thank you

Renee lee and family.

From: renee lee <leefamily2014@hotmail.com>

Sent: Sunday, January 9, 2022 10:22 AM

To: agebcymeeting.publiccomment@apa.ny.gov <agebcymeeting.publiccomment@apa.ny.gov>

Subject: Re: Project 2021-0075 relating to white lake Quarry

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 “Determination to conduct public hearing” eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- “The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected.” This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- “The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations.” The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an

independent mining consultant to review application materials.

- “The presence of significant issues relating to the criteria for approval of the project.” The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant’s experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- “The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed.” Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it’s a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- “The possibility that information presented at a public hearing would be of assistance to the agency in its review.” The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- “The extent of public involvement achieved by other means.” The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- “Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act.” This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is

approved.

Respectfully submitted,

Renee Lee and family, a full-time resident at white lake with the project 1000 ft
from my home

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: renee lee <leefamily2014@hotmail.com>
Sent: Sunday, January 9, 2022 10:29:42 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: Fw: Project 2021-0075 relating to white lake Quarry APA review Dec. 13th 2022

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I am sure you would not want a quarry 1000 Ft from your home which you live full time.

I am asking that you read line by line the information listed below .

Thank you

Renee lee and family.

From: renee lee <leefamily2014@hotmail.com>
Sent: Sunday, January 9, 2022 10:22 AM
To: agebcymeeting.publiccomment@apa.ny.gov <agebcymeeting.publiccomment@apa.ny.gov>
Subject: Re: Project 2021-0075 relating to white lake Quarry

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demonstrate conclusively there is no harm have not been provided to date.

- “The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations.” The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- “The presence of significant issues relating to the criteria for approval of the project.” The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant’s experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- “The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed.” Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it’s a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
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Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Renee Lee and family, a full-time resident at White Lake with the project 1000 ft from my home

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Rhonda Ballance <ballance.rhonda@gmail.com>
Sent: Monday, January 10, 2022 1:50:01 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: APA # P2021-0075: The Proposed Quarry at White Lake

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Dear Board Members of The Adirondack Park Association-

> My name is Rhonda Ballance and I am writing to you concerning APA # P2021-0075: The Proposed Quarry at White Lake. My family has owned a house since 1987 which is in 1000 feet of the proposed quarry site. I am adding my request here to ask for an adjudicatory hearing to allow public and expert comment regarding the environmental impact on land and water, noise impact on humans and wildlife, and potential water impact issues. The severe traffic increase of 20 proposed truckloads of granite 6 days per week or even 1 day for that matter will have it's own ramifications and I ask you to please take this matter seriously when it comes to the true adverse impact of the proposed project, not just the financial gain of a business or individuals. This project in no way preserves the longstanding integrity of White Lake or the Adirondack Park as a whole.

>

> The White Lake Association has hired a mining expert who will clearly explain all of this in detail at an adjudicatory meeting. The citizens and environment deserve their voice and concerns to be heard regarding the alarming impacts before the APA Board Members are allowed to make any decision. Once again the proposed project will only adversely impact The Adirondack Park and you as Board Members are appointed with the understanding that you have the best interest of the Park in mind at all times.

>

> Thank you for taking the time to consider the overall history, health, and longevity of White Lake and for understanding our pleas to help preserve this pristine part of the Adirondack Park. Let's remember that it is one of the largest unbroken deciduous forests on earth. This decision is ultimately in your hands. Please do the right thing for all of us.

>

> Sincerely,

> Rhonda Ballance

> ballance.rhonda@gmail.com

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Richard J. Chwazik Jr. <info@protectadks.org>
Sent: Sunday, January 9, 2022 4:15:57 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

I stand with my fellow residents in opposition to this proposed mining operation. My Grandfather bought my property circa 1940 and built a seasonal cottage still owned and used by my family. I have spent my entire life on the wonderful waterfront of White lake every summer.

My father is 97 and is nearing the end of his time here. He STRONGLY opposes any project that lessens the natural beauty of our lake. He has spent his entire adult life as a steward of the nature of the southern Adirondack's.

I don't understand how the APA, who was formed to protect the Adirondack Park, could even consider granting permission to mine this area. Granite is available outside the Adirondack Park, and there is no national security or public interest reason to allow this project.

As a former NYSDOT employee, I have spent more than my share of time counting stones in various plants in NYS. I know how noisy and dusty crushing operations are, and how much run off there is at these sites. Many quarries fill with water and need constant pumping to keep them operating.

Also, when abandoned the water filled quarries are an attractive nuisance, and many young people have lost their lives at these sites.

In closing, I just don't see the public benefit from approving this proposal. I only see lower property values leading to lower taxes in an area that can least afford it. I can only advise you to protect the Adirondack Park for future generations. Thank you for listening to my opposition.

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

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The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria

for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.

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The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Richard J. Chwazik Jr. <ricktheratty@yahoo.com>
62 Old Ice House Road and 3303 Florence Drive
Woodgate and Newtonville, NY 13494 and 12110

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Richard B Hoke <info@protectadks.org>
Sent: Sunday, January 9, 2022 7:13:30 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

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NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Richard B Hoke <dhoke8025@gmail.com>
8025 Poplar Road
Woodgate, New York 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Rob Zahensky <info@protectadks.org>
Sent: Monday, January 10, 2022 3:44:27 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

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NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Rob Zahensky <gottaway@verizon.net>
7009 Walnut Rd
Woodgate, Ny 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Robert Gould <info@protectadks.org>
Sent: Monday, January 10, 2022 9:27:09 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Ray Brook, NY 12977

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Robert Gould <rgould@mvcc.edu>
1133 Hunt Road
Woodgate, NY, ny 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Robert Angelhow <info@protectadks.org>
Sent: Sunday, January 9, 2022 3:50:28 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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775 Castlebar Dr
North Tonawanda, NY 14120

From:
To:
Subject:
Date:

From: Robert Rieth <info@protectadks.org>
Sent: Sunday, January 9, 2022 4:11:28 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Robert Rieth <robert.rieth@thehartford.com>
13422 State Route 28
Woodgate, New York 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Robert Rosati <info@protectadks.org>
Sent: Sunday, January 9, 2022 9:49:56 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
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population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

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Thank you very much.

Sincerely,

Robert Rosati <brosati@twcny.rr.com>
312 Meadow Road
Syracuse, NY 13219

From: [apa.sm.AgencyMeeting.PublicComment](#)
To:
Subject:
Date:

From: Robert Spear <rspear2@aol.com>
Sent: Saturday, January 8, 2022 8:35:52 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Cc: Korn, Devan F (APA) <Devan.Korn@apa.ny.gov>
Subject: White Lake Quarry Application # APA P2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

My wife and I are property owners at White Lake !

I notified the APA and DEC in the past regarding the apparent intentional misinformation in the original application for a permit to open and operate the old quarry site. In addition there are inconsistencies and many questions in the applications unanswered. I can't find any revised application in the APA public posting correcting the misinformation.

I searched the deed record to the property and found that the property is owned by Red Rock Quarry Associates LLC not Tom Sunderlin as represented in the application. He is not the only partner in the LLC. It is clear that Sunderlin did not want to show the correct property owner as it would have required disclosure of other LLC members in the application. Why,

maybe because according to the Oneida County Clerk's records Sunderlin is being sued for a \$129,000+~ balance on a note by a member of the LLC. While investigating the title to the subject property and reviewing prior deeds, I found that in a previous deed affecting title(copy attached) a paragraph that was not in the deeds submitted to the APA and DEC. The paragraph gives the public rights in and to that portion of the premises being the Stone Quarry Road. The road does not stop at the quarry site, it continues thru the quarry site to the railroad crossing and beyond to neighboring property. The missing paragraph from the subsequent deeds submitted by Sunderlin and his expert, appears like an attempt to avoid disclosure of the grant in the previous deeds creating a public access thru the proposed quarry site (26 acres of the 60 acres). It would seem therefore, that in addition to all of the other good reasons previously stated, the operation of a quarry in the immediate proximity of the public road would not support any approval for the quarry.

Why was there a missing paragraph in the deeds submitted??

Robert Spear
315-797-2200
Rspear2@aol.com

Book 2522 page 74
Oneida County Clerk'S Office

006457

THIS INSTRUMENT, made the 31st day of December, nineteen hundred and eighty-nine.

BETWEEN
 THERESA M. GENTILE of 704 Jefferson Street, Utica, New York, KAREN GENTILE BIAS of
 1206 Madison Avenue, Utica, New York, JOSEPH N. GENTILE of 1010 Beckwith Place,
 Utica, New York, and NICHOLAS J. GENTILE, JR. of 302 Hartford Place, Utica, New York,
 together being all the heirs at law of NICHOLAS J. GENTILE, Sr., deceased.

parties of the first part, and
 NICHOLAS J. GENTILE, JR. of 302 Hartford Place, Utica, New York

parties of the second part,

WITNESSETH, that the party of the first part, in consideration of -
 - - - ONE DOLLAR AND NO/100 - - - (\$1.00) dollars,
 lawful money of the United States, and other good and valuable consideration paid
 by the party of the second part, does hereby grant and release unto the party of the second part, their heirs or
 successors and assigns of the party of the second part forever.

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
 lying and being in the

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of
 Forestport, County of Oneida, and State of New York, beginning at a
 spruce tree being the northeast corner of Lot No. 8, Adgate's
 Eastern Purchase, Miller & Swanton Tract; running thence, north 87
 degrees W., along the northerly line of said Lot Eight 1000 ft.
 (more or less) to a spruce tree cornered and marked; thence, south-
 westerly to a stake standing S. 60 degrees E., 500 ft., from
 S.W. corner of F. Gaus' camp site (now or formerly) on White Lake;
 thence, south 60 1/2 degrees E., to the center of the outlet of
 White Lake; thence down the stream as it winds and turns 462 ft. to
 the center of the highway bridge (said highway being known in 1989
 as Stone Quarry Road); thence down the center of said stream to the
 westerly bounds of the Mohawk and Malone Railway Company's property
 (now or formerly); thence, northerly along the westerly bounds of
 said railway company's property to the place of beginning,
 containing 60 acres of land more or less.

The above-described premises are conveyed SUBJECT TO all easements,
 rights-of-way and restrictions of record.

The above-described premises are also conveyed SUBJECT TO the
 rights of the public in and to those portions of the premises
 situate within the highway boundaries of Stone Quarry Road and New
 York State Route 28.

Being the same premises conveyed to Nicholas J. Gentile and Joseph
 Gentile by deed dated September 28, 1970 and recorded in the Oneida
 County Clerk's Office on September 29, 1970 in Liber 1920 of
 Deeds at Page 346, the said Nicholas J. Gentile, (a/k/a Nicholas J.
 Gentile, Sr.), having died, intestate, a resident of the City of
 Utica, Oneida County, New York, on the 20th day of June 1979,
 leaving him surviving as his sole and only heirs at law, the

[Description is continued on reverse side hereof]

RECEIVED
 REAL ESTATE
 APR 17 1990
 TRANSFER TAX
 ONEIDA
 COUNTY

1871-2532 JUL 71

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Ronald Cuccaro <info@protectadks.org>
Sent: Sunday, January 9, 2022 3:05:54 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

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Thank you very much.

Sincerely,

Ronald Cuccaro <rcuccaro@rphc.com>
2230 Douglas Crescent
Utica, NY 13502

From: [apa.sm.AgencyMeeting.PublicComment](#)
To:
Subject:
Date:

From: ronald santino <ronntino@yahoo.com>
Sent: Monday, January 10, 2022 9:09:53 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: White Lake Quarry

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hello:

I am writing to you today to oppose of the quarry that is under consideration in the White Lake area of Woodgate/Forestport.

I have been visiting our family camp on Walnut Rd for over 50 years, as our 3rd generation camp has seen so many beautiful moments.

More recently, there are many large trucks, mainly delivery rucks heading back and forth to Old Forge and places North. With the addition of the quarry, there will be so many more, 2 to 3 times more Dump Trucks traveling on Rt 28 and it will be a major detriment for noise, pollution and safety. Rt 28 is NOT conducive for the size and weight of the vehicles hauling thousands of pounds of rock on a continuous basis. The noise of tumbling, blasting and loading the rock onto the trucks, will echo throughout the woods and area, leaving the pristine forests dusty, and unsettled..

The email is basically about the destruction of the land in the quarry area, the water levels of the area will also suffer, as it will take a significant amount in the process of quarrying the rocks. This can cause permanent damage to wildlife, human life, roads, woods and peace and serenity, in which the residents and camp owners are accustomed to.

I am currently in the process of purchasing land in the White Lake Community to retire at and enjoy summers at the beach and boating, and winters snowmobiling and snow-shoeing with my family. This quarry will definitely hinder all the things we love White Lake for.

Please, not allowing the QUARRY to operate would be a welcomed decision and would save the environment for decades to come to enjoy the land as it was supposed to be used.

Thank you,

Ronald V Santino
141 Eastwood Ae
Utica NY 13501
315-292-3900

From: [apa.sm.AgencyMeeting.PublicComment](#)
To:
Subject:
Date:

From: Ryan Dempsey <ryan.dempsey.pharmd@gmail.com>
Sent: Sunday, January 9, 2022 3:30:11 PM (UTC-05:00) Eastern Time (US & Canada)
To: [apa.sm.AgencyMeeting.PublicComment](#)
Subject: APA Project 2021-0075/Thomas Sunderlin Red Rocks Associate White Lake Granite Quarry

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John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

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Thank you very much.

Ryan Dempsey
8411 Filaree Circle
Baldwinsville, NY 13027
315-383-1368

Sent from my iPhone

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Sadieann Spear <info@protectadks.org>
Sent: Sunday, January 9, 2022 3:04:55 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Sadieann Spear <sadieanns@gmail.com>
10 South Shore Road
Woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Sally Gangell <info@protectadks.org>
Sent: Monday, January 10, 2022 7:34:59 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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It also appears that the permit application has changed over this past year as the applicant continues to modify what they want to do.

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During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

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6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Sally Gangell <forge23toga@gmail.com>
314 North Street
Old Forge, NY 13420

From:
To:
Subject:
Date:

From: Sandra Manca <info@protectadks.org>
Sent: Monday, January 10, 2022 7:35:55 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
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Thank you very much.

Sincerely,

Sandra Manca <smank777@aol.com>
2186 conley road
Chittenango, NY 13037

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Sarah Fisher Cotter <info@protectadks.org>
Sent: Tuesday, January 11, 2022 9:21:20 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. The quarry application contains numerous errors, which an adjudicatory hearing, if allowed, would bring into evidence. Your staff has ignored--not even responded to--the 56-page report from Kevin Frank of the LA Group that found deficiencies in the application in the areas of hydrology, storm water drainage, wetlands, noise, crushing stone, and site access. These areas represent the ecological resources of the Adirondack Park it is the APA mission to protect! Moreover, your staff has disrespectfully deemed the written input from hundreds of residents as "misinformed" and "confused".

I ask that you and the other Board members at least take the time to look at the Environmental Report submitted by Franke, and then follow your own established rules and require an adjudicatory hearing.

Thank you for taking the time to read this.

Sincerely,

Sarah Fisher Cotter <jcotter465@gmail.com>
12889 State Rt. 28
Woodgate, New York 13494

From: Sarah Cotter <jcotter465@gmail.com>

Sent: Monday, January 3, 2022 7:57:56 AM (UTC-05:00) Eastern Time (US & Canada)

To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>

Subject: Transcript of Public Comments

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Attached please find a transcript of public comments made by

Sarah Cotter

during the public comment period of the 12/16/21 APA meeting.

Please add these to the documents presented for that meeting.

Thank you.

Sarah Cotter

Thank you. My name is Sarah Cotter. I am a property owner whose home lies near the proposed quarry.

I understand that commercial development needs to take place within the Park. However, that justification for this White Lake quarry project is invalid. As admitted by the applicant, the mine will only provide 4 -8 jobs for specialized workers who will almost certainly live outside the Park, and the granite itself will be trucked out of the Park affording no sales tax or other revenue for the Town of Forestport or the Park.

The argument is also invalid that since it once was a working quarry, there is precedent for its current development. It was a working quarry nearly a hundred years ago, when White Lake itself was a commercial enterprise, harvesting ice for downstate refrigerators, and not surrounded by hundreds of residences as it is today.

The burden of upgrading and maintaining a one-lane dirt "road" to handle large trucks will fall on the State and the town, representing a net loss to the local and state jurisdictions. In addition, the property values of homeowners close to the mine will also drop, causing a loss of tax revenue. The only person who will benefit from this enterprise is the owner, who doesn't live in the Park or anywhere near where he could be affected by the noise and other environmental havoc his quarry will cause. If you approve this application, you are holding the interests of a very few above the deeply expressed concerns of the hundreds of local residents and landowners whose quality of life will be affected by it. You are adding nothing to the commercial development of the Park.

My land contains wetlands adjoining those on the mine's property. In the application, we have not seen the the Stormwater Pollution prevention plan, or the Spill Prevention, Control and countermeasure. I believe these documents must be provided with any Land Use application. The owner's plan states that

quote excess water will be internally drained unquote

with no explanation of what that means. Drained into the water table? My drilled well lies in the same granite bed that the proposed mine does.

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Sarah Cotter <scotter465@gmail.com>
Sent: Sunday, January 9, 2022 7:32:36 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Sarah F. Cotter

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Sarah F Cotter <info@protectadks.org>
Sent: Sunday, January 9, 2022 7:27:03 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

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4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Sarah F Cotter <jcotter465@gmail.com>
19 Fair Meadow Ln
Clinton, NY 13323

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Sariann Wightman <info@protectadks.org>
Sent: Sunday, January 9, 2022 5:44:32 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Sariann Wightman <sarilachut@gmail.com>
4989 Westmoreland Rd.
Whitesboro, NY 13492

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Sean Connolly <info@protectadks.org>
Sent: Monday, January 10, 2022 10:39:03 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

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NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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Thank you very much.

Sincerely,

Sean Connolly <sean.connolly253@gmail.com>
321 Avalon Lake Road
Danbury, Connecticut 06810

JOSEPH A. GRIFFO
SENATOR, 47TH DISTRICT
ASSISTANT MINORITY LEADER



THE SENATE
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(518) 455-3334
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UTICA OFFICE:
207 GENESEE STREET, ROOM 408
UTICA, NEW YORK 13501
(315) 793-9072
FAX: (315) 793-0298

EMAIL ADDRESS:
griffo@nysenate.gov

Jan. 10, 2022

Devan Korn
NYS Adirondack Park Agency
PO Box 99, 1133 NYS Route 86
Ray Brook, NY 12977

Dear Mr. Korn:

I am writing to reiterate my position regarding a proposed granite quarry near White Lake in the Town of Forestport.

As a state representative of this community, I have heard from constituents who have expressed concerns with this project. These have included potential machinery/equipment noise and pollution, traffic and safety issues, the location of an industrial mining operation near a lake and residential/tourist community, the possible loss of property value and environmental concerns. These and other issues and concerns should be addressed before a project such as this can move forward.

I continue to advocate and support the creation of jobs and economic development opportunities in my Senate District and Upstate New York. However, it is imperative that such actions do not detrimentally affect our communities, especially at a time when many are looking to rebuild and reset as a result of the coronavirus pandemic.

Sincerely,

A handwritten signature in black ink that reads "Joseph A. Griffo".

Joseph A. Griffo
New York State Senator, 47th Senate District

From: [apa.sm.AgencyMeeting.PublicComment](https://apa.sm/AgencyMeeting/PublicComment)
To:
Subject:
Date:
Attachments:

From: Joseph Griffo <griffo@nysenate.gov>
Sent: Tuesday, January 11, 2022 11:26:51 AM (UTC-05:00) Eastern Time (US & Canada)
Subject: Sen. Griffo Letter Re: APA# P2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hello.

Attached is correspondence from Sen. Joseph Griffo regarding APA# P2021-0075.

Thank you.

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: shannon lee <info@protectadks.org>
Sent: Sunday, January 9, 2022 2:23:56 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

shannon lee <shannonlee345@hotmail.com>
13053 st rt 28
woodgate, ny 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: shawna lee <info@protectadks.org>
Sent: Sunday, January 9, 2022 2:24:51 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

shawna lee <shawnarlee@hotmail.com>
13053 rt 28
woodgate, ny 13494

From: apa.sm.AgencyMeeting.PublicComment
To: [M](#)
Subject:
Date:

From: Sheila Cuccaro <info@protectadks.org>
Sent: Monday, January 10, 2022 9:50:01 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Sheila Cuccaro <scuccaro@rphc.com>
2230 Douglas Crescent
Utica, NY 13501

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Sheila Cuccaro <scuccaro@rphc.com>
Sent: Sunday, January 9, 2022 10:49:46 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: White Lake Quarry 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
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- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

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there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Sheila J. McCarthy Cuccaro
Sent from my iPad Sheila McCarthy Cuccaro
Rising Phoenix Holding Corporation
126 Business Park Drive
Utica, NY 13502

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Sieglinde E. Schwinge <info@protectadks.org>
Sent: Monday, January 10, 2022 8:50:41 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

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Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
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During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

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The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Sieglinde E. Schwinge <sigischwinge@aol.com>
212 Tilden Drive
E. Syracuse, NY 13057-1630

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Stefano (Steve) Napolitano <advancedtec1@aol.com>
Sent: Monday, January 10, 2022 2:37:07 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: White Lake Quarry

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear sirs:

My name is Stefano Napolitano and I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed White Lake Quarry.

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recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Stefano (Steve) Napolitano
712 Ronald Street
Herkimer, New York 13350
315-868-5155

and

4 South Shore Road
Woodgate , New York 13494

585-815-5012 (Cell)

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Stefano Napolitano <info@protectadks.org>
Sent: Monday, January 10, 2022 3:05:43 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
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PO Box 99
Ray Brook, NY 12977

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The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

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6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

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Thank you very much.

Sincerely,

Stefano Napolitano <advancedtec1@aol.com>
712 RONALD STREET
Herkimer, NY 13350

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Stephanie Cuccaro-Alamin <info@protectadks.org>
Sent: Sunday, January 9, 2022 3:55:25 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

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Thank you very much.

Sincerely,

Stephanie Cuccaro-Alamin <scalamin@aol.com>
15 Stetson Avenue
Mill Valley, CA 94941

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Stephen R. Spring <info@protectadks.org>
Sent: Sunday, January 9, 2022 7:27:38 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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Thank you very much.

Sincerely,

Stephen R. Spring <srspring715@gmail.com>
13015 State Route 28
Forestport, New York 13338

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Susan Sickels <suesickels@aol.com>
Sent: Tuesday, January 11, 2022 7:54:21 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project [2021-0075](#) related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never

recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Susan Sickels
www.BehaviorDVM.com

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Susan M miller <info@protectadks.org>
Sent: Sunday, January 9, 2022 3:12:43 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Susan M miller <ghostladu607@gmail.com>
45main Street PO Box 464
Cherry Valley, New York 13320

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Suzanne Przybyla <info@protectadks.org>
Sent: Monday, January 10, 2022 1:44:14 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Thank you very much.

Sincerely,

Suzanne Przybyla <suzy@rivettsmarine.com>
12925 State Rt 28
Woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Tammy Riedman <tjriedman@gmail.com>
Sent: Sunday, January 9, 2022 8:48:36 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: RE APA# P2021-0075 project

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Sirs:

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From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Respectfully submitted,

Tammy Jo Riedman
Property Owner
137 Newell Road
Forestport NY 13338

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Theodore M Spring <info@protectadks.org>
Sent: Sunday, January 9, 2022 7:30:21 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

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5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

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Thank you very much.

Sincerely,

Theodore M Spring <tedspring@nycap.rr.com>
13015 State Route 28
Forestport, New York 13338

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Theresa J. Evans <info@protectadks.org>
Sent: Sunday, January 9, 2022 8:17:59 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Please keep the White Lake Community in sync with its natural environment. A reopening of the quarry will create adverse conditions for this beautiful , quaint Adirondack town.
Theresa Evans, a member of ADK.

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Thank you very much.

Sincerely,

Theresa J. Evans <tj_evans@verizon.net>
131 Rigi Ave
Syracuse, NY 13206-2231

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To:
Subject:
Date:

From: Theresa J. Evans <info@protectadks.org>
Sent: Sunday, January 9, 2022 8:17:59 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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Ray Brook, NY 12977

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Theresa J. Evans <tj_evans@verizon.net>
131 Rigi Ave
Syracuse, NY 13206-2231

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Theresa J. Evans <info@protectadks.org>
Sent: Sunday, January 9, 2022 8:13:26 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

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NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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Sincerely,

Theresa J. Evans <tj_evans@verizon.net>
131 Rigi Ave
Syracuse, NY 13206-2231

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: The Riedman's <mactr@hotmail.com>
Sent: Sunday, January 9, 2022 8:51:19 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: Proposed APA# P2021-0075 project

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official

adjudicatory public hearing.

- “Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act.” This is a Class A regional project where the APA review serves the purposes of SEQRA.

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Respectfully submitted,

Charles L Riedman III
Property Owner
137 Newell Road
Forestport NY 13338

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Thomas Buono <info@protectadks.org>
Sent: Tuesday, January 11, 2022 9:00:12 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Thomas Buono <tbuono@roadrunner.com>
177 Paris Rd
New Hartford, New York 13413

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Timothy James Fisher <info@protectadks.org>
Sent: Tuesday, January 11, 2022 10:10:28 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

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6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Timothy James Fisher <timfisher18@gmail.com>
12889 State Rt 28
Woodgate, NY 10023

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Toly Leshkevich <info@protectadks.org>
Sent: Sunday, January 9, 2022 3:10:09 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Toly Leshkevich <Nautica9tl1@aol.com>
1242 Kossuth ave.
Utica, NY 13501

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Tony Ferraro <toekneef@gmail.com>
Sent: Sunday, January 9, 2022 5:06:08 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: White Lake Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed /white Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

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- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
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Respectfully submitted,

Anthony Ferraro

From: [apa.sm.AgencyMeeting.PublicComment](#)
To:
Subject:
Date:
Attachments:

From: TURCZYN, JOSEPH J CIV USAF AFMC AFRL/RIBA <joseph.turczyn@us.af.mil>
Sent: Monday, January 10, 2022 4:29:15 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Cc: Louanne Cossa
Subject: Red Rock Mining application

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From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Valerie Andersen <info@protectadks.org>
Sent: Sunday, January 9, 2022 8:18:26 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

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Thank you very much.

Sincerely,

Valerie Andersen <andersenval@gmail.com>
383 Crescent Ave
Buffalo, NY 14214

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Victoria Safferstein <info@protectadks.org>
Sent: Tuesday, January 11, 2022 5:25:52 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

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TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

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Thank you very much.

Sincerely,

Victoria Safferstein <vsafferstein@gmail.com>
533 King St
Chappaqua, New York 10514

From: [apa.sm.AgencyMeeting.PublicComment](#)
To:
Subject:
Date:

From: Virginia Vorhis <vvorhis@outlook.com>
Sent: Tuesday, January 11, 2022 7:37:35 AM (UTC-05:00) Eastern Time (US & Canada)
To: [apa.sm.AgencyMeeting.PublicComment](#) <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: Thomas Sunderlin and Red Rock Quarry Associates, LLC, APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear APA Board,
Please listen to our concerns regarding the application to allow mining operations at the White Lake Quarry. They are very real to us. Many in the White Lake community are against this quarry in our backyard. Yes, I voice concerns and am not presenting scientific data to substantiate why I am worried. Neither has the applicant provided satisfactory evidence to allay our concerns. The LA Group's document provided by the Adirondack White Lake Association spells out many deficiencies in the application which have not been addressed. Please review this document again.

I am writing to demand an adjudicatory hearing be scheduled to further examine APA Project [2021-0075](#) related to the proposed /white Lake Quarry.

The White Lake community expects and deserves your due consideration and full transparency.

The quarry does not benefit the community nor the Town of Forestport. It benefits the pockets of the owners. Has the owner finally paid his back taxes?

Thank you for listening and considering my concerns and those expressed by my White Lake neighbors.

Virginia E. Vorhis

5048 Bentriff Rd

Woodgate, NY 13494

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Virginia Vorhis

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From: Wayne Niskala <niskytoo@gmail.com>
Sent: Saturday, January 8, 2022 2:36:02 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: APA Project #P2021-00075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Sirs:

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- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never

recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. **One needs to be held NOW, before the application is approved.**

Respectfully submitted,

Wayne and Kimiko Niskala

58 Old Ice House Rd.

Woodgate. N.Y. 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: Will Fish <info@protectadks.org>
Sent: Monday, January 10, 2022 7:45:37 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment
Subject: Public Comment on Thomas Sunderlin/White Lake Granite Quarry APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

TO: The NYS Adirondack Park Agency

John Ernst, Chair
NYS Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

RE: Public Comment on Red Rock Quarry Associates White Lake Granite Quarry Project APA Project 2021-0075

Dear John Ernst, Chair

Please accept these comments on the proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC, White Lake Granite Quarry Project (APA Project 2021-0075) in Forestport, NY.

A draft permit should not be approved. It contains numerous errors, and the impacts on neighboring and nearby residences, businesses, properties have not been adequately examined and scrutinized. This project should be sent to a formal adjudicatory public hearing by the APA Board.

The APA Rules & Regulations Section 580.2 "Determination to conduct public hearing" lists seven principal criteria for the APA to make its decision about whether a proposed project merits an official adjudicatory public hearing. Based on at least six of these criteria, the White Lake Granite Quarry project qualifies for a public hearing. A project is appropriate for a public hearing if just one of the seven criteria is applicable, and this project triggers six of the criteria.

Here are the six relevant criteria:

1. "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area where greater scrutiny is needed for potential negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. There are serious gaps in the application about noise and traffic impacts that merit additional studies and scrutiny that at this point can only be accomplished through an adjudicatory hearing.
2. "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." Hundreds of public comments from neighboring residents throughout the White Lake area more than satisfy these criteria. Beyond the sheer numbers, the concerned citizen

population in the general White Lake area also invested in an independent mining consultant to review application materials as well as legal representation.

During APA discussion of public hearings, APA staff has dismissed projects where hundreds of letters have come in as insignificant, comparing comments on Forest Preserve projects where tens of thousands of comments are made. This is a false choice as Forest Preserve projects require statewide hearing. By any rational standard "the degree of public interest in this project" has been more than satisfied.

3. "The presence of significant issues relating to the criteria for approval of the project." Independent analysis on five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy were submitted to the APA and merit independent scrutiny through an adjudicatory public hearing. Independent experts must be allowed to provide information. In addition, the applicant's experts must be subject to cross-examination. The submission on an independent study by an outside expert shows that the White Lake community is prepared to bring additional information to this project. Though the APA deemed this application to be complete, there are many facts in dispute.

4. "The possibility that the project can only be approved if major modifications are made, or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing. Moreover, the DEC Administrative Law Judges that oversee APA adjudicatory public hearings are required to facilitate mediation if the parties agree.

5. "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The White Lake community and other organizations have demonstrated the capacity to bring in outside, independent mining expertise to this issue that will assist the APA in its review. The evaluation to date of noise, dust, truck traffic, water quality have not received adequate scrutiny in the APA staff review and additional factual information must be brought to the review of this through the adjudicatory hearing.

6. "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a final decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.

The APA can only deny a project if it has gone through an adjudicatory hearing. The APA cannot deny a project like a local planning or zoning board can in New York State. Given the wide range of controversial issues, and the weaknesses of the application with many facts in dispute, the APA's only other responsible course of action is to send this project to an official adjudicatory public hearing.

Thank you very much.

Sincerely,

Will Fish <willfish2023@gmail.com>
121 Newell Road
Woodgate, New York 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: William Cotter <wkcotter@yahoo.com>
Sent: Tuesday, January 11, 2022 12:55:13 PM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: Request for Adjudicatory Hearing for White Lake Quarry - APA Project 2021-0075

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear APA:

I am writing to request that an adjudicatory hearing be scheduled to further examine APA Project 2021-0075 related to the proposed White Lake Quarry.

Under the Adirondack Park Agency (APA) Rules and Regulations Section 580.2 "Determination to conduct public hearing" eight criteria are listed for the APA to use to make its decision about whether a proposed project merits an official adjudicatory public hearing. The Thomas Sunderlin and Red Rock Quarry Associates, LLC project qualifies for a public hearing based on seven of these criteria. A project is appropriate for a public hearing if just one of the seven criteria is applicable and this project triggers six of the criteria. Here are the criteria:

- "The size and/or complexity of the project, whether measured by cost, area, effect upon municipalities, or uniqueness of resources likely to be affected." This project is an industrial operation in a residential area. It may have negative impacts on the water quality, forests and open space, residential quality of life, and local tourism/resort economy. The scientific data and monitored testing required to demonstrate conclusively there is no harm have not been provided to date.
- "The degree of public interest in the project, as evidenced by communication from the general public, governmental officials or private organizations." The number of public comments more than satisfies these criteria. Beyond the sheer numbers, the concerned citizen population in the general White Lake area also invested in an independent mining consultant to review application materials.
- "The presence of significant issues relating to the criteria for approval of the project." The comment letters from the groups listed above, and from local residents, details five significant issues relating to the approval of this project including impacts to the hydrology of White Lake, noise from blasting/mining operations, traffic study/safety, particulate matter/dust, and impacts on the local residential quality of life and tourism/resort economy. Independent experts must be allowed to provide information and the applicant's experts must be subject to cross-examination. This can only be accomplished through a formal public hearing.
- "The possibility that the project can only be approved if major modifications are made or substantial conditions are imposed." Given other mining projects that have gone to public hearing, such as NYCO Minerals, Inc., where a long list of mitigation measures was adopted in the permit to protect the local environment and rural quality of life, it's a near certainty that a public hearing for this project would produce a permit substantially different from a permit issued without the benefit of a public hearing.
- "The possibility that information presented at a public hearing would be of assistance to the agency in its review." The APA staff do not possess a mining expert, traffic expert, noise expert or a hydrogeologist. Such expert testimony provided by the intervening parties would greatly assist the APA in its review of this project and in developing a factual record for the APA Board to make its decision.
- "The extent of public involvement achieved by other means." The Town of Forestport Planning Board has tabled this application until the APA makes a decision. The only meaningful way for the hundreds of concerned local residents and property owners to participate in this project is by intervening in an official adjudicatory public hearing.
- "Whether an environmental impact statement will be prepared pursuant to the State Environmental Quality Review Act." This is a Class A regional project where the APA review serves the purposes of SEQRA.

From the inception of the APA in the early 1970s through the beginning of the Andrew Cuomo Administration, the APA held 151 formal adjudicatory public hearings, a rate on average of just over 3 per year. From 2011 to the present there have been none. It stands to reason that the need for formal adjudicatory public hearings has not gone away. Since 2011, organizations

such as the Adirondack Council, Adirondack Wild, Protect the Adirondacks, and the Sierra Club, along with the general public, have called on the APA to hold an adjudicatory public hearing on a number of projects, but the APA staff never recommended one and the Board never approved one. This must end. The proposed Thomas Sunderlin and Red Rock Quarry Associates, LLC project more than qualifies for a formal adjudicatory public hearing. One needs to be held NOW, before the application is approved.

Thank you,

William Cotter

12906 State Route 28

Woodgate, NY 13494

From: apa.sm.AgencyMeeting.PublicComment
To:
Subject:
Date:

From: William Cotter <wkcotter@yahoo.com>
Sent: Tuesday, January 11, 2022 7:39:12 AM (UTC-05:00) Eastern Time (US & Canada)
To: apa.sm.AgencyMeeting.PublicComment <AgencyMeeting.PublicComment@apa.ny.gov>
Subject: Request to comment at the January 13 meeting

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APA,

I would like to provide comments at the 1/13 meeting.

Thanks,

William Cotter
315 725-2611