

To: region8@dec.ny.gov

Dear Timothy Walsh or (acting Region 8 Administrator),

On June 22nd. 2022 in the Dundee Observer we read in the legal notices section, that Public Hearing: 2022-PB-7, John A. Pipher, owner of Custom-Mix Concrete, Inc. 1229 Lowman Road, Lowman, NY 14861 was requesting a Special Use Permit to construct and operate a custom ready mix concrete batching plant at 6173 State Route 14A, Dundee, NY 14861 (parcel # 130.04-1-10) currently owned by Robert A Timberman, III (28.2 acres) of which a portion (5 acres) of parcel # 130.04-1-10 to be conveyed to Applicant (John Pipher) on agriculturally designated land in the Town of Starkey in Yates County, NY which is on the Schuyler and Yates County Line in addition to the Town of Starkey and Town of Reading Line.

The Applicant John Pipher presented his proposal at the Town of Starkey Planning board meeting on July 5th 2022. Over 50 people showed up for this meeting and due to the over whelming negative opposition to this Concrete Plants site, the board members decided to hold open this public hearing until the August 2nd planning board meeting. Also, the Yates County Planning board meeting held on July 28th 2022, was cancelled because they couldn't meet the needed quorum, and will be rescheduled in August.

Also, in Regards to some water issues only; at the July 5th town meeting Applicant John Pipher was asked about his water usage of 8,000 - 20,000 gallons as stated on his application. Mr. Pipher answer was 28-32 gallons per cubic yard, so it would be about 400-500 gallons per full load. Mr. Pipher also stated, that he may have to drill a third Well and may need to install underground or above ground water tanks which he stated would be pumped and filled over night from the underground aquifer in order to fulfill his daily water needs to run the Plant. Furthermore, Mr. Pipher stated that one or two reclamation ponds would be on the site plan. The surrounding areas adjacent to this proposed site consist of Farming, large Nursery, Residential Homes and Dairy's. They ALL depend on water from the same aquifer to survive.

DEC is surely well aware that the proposed concrete batch plant is in the watershed zone. Also, Rock Stream Creek is Flowing on the south and east sides, of this site into Seneca Lake.

Additionally we have attached a letter from the Seneca Lake Guardian. Addressed to and read out loud to the audience by the Town of Starkey's Planning Board at the July 5th meeting. In it, they categorize this proposed facility as Heavy Industry, and there are several other well publicized articles by the concrete industry professionals that have come up with the same conclusion.

This proposal, if approved, would negatively impact the environment, public health, aquifers and wells for life-sustaining water of its residents, farmers and nurseries. The

general health and welfare of the residents, rural character, high-quality agricultural land, vineyards, damage to valuable wildlife and flora corridors and damage to tourism wanting to experience natural scenic views, and property values.

We DO NOT feel Confident that this “local Starkey town planning board” is the appropriate one to be deciding the fate and environmental dangers and significant impact when the lives of the people living in another county are at risk. (Schuyler and Yates)

This is why we respectfully request that the DEC send a representative to the board meeting in Dundee this Tuesday night to express the DEC’s interest in the project. Again the meeting is Tuesday August 2nd. 7:30 pm at the Town of Starkey, 40 Seneca Street, Dundee, NY 14837

Therefore, this proposed project creates such a host of potential environmental hazards affecting residents of two counties (Schuyler and Yates) we are requesting that the DEC assert its right to step in as “lead regulatory agency”.

Sincerely,

Richard and Pamela Tierney  
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August 1st 2022