

Vol.2, Issue 3 March 2008

The Long View

By John Poorman, SOS Chairman

Imagine if you could hit a button on the remote and “fast forward” life. Click and it’s 2010. Another click and it’s 2015. Hold down the button and suddenly, it’s 2040. What do you see in Schoharie? A vibrant community? Or decline and decay?

Don’t try to answer.

There is no fast forward button in life. And no one can accurately predict the future. (Remember the flying cars, atomic this-and-that and personal robots we all were to have by now?) The truth is that too much can and will transpire over the coming decades both on a global scale and on the local scene to be able to correctly forecast the Schoharie that will be here in 2040.

We can be certain, however, that the future will be built from the actions, one by one, taken by each of us over the years.

This is a message worth pondering: *the future of Schoharie is not inevitable, it is built.* Too easily, we fall into the trap of believing that the future is already determined and what we do won’t affect it, rather than grasping that the future cannot be predicted but can be easily shaped by what we do.

... government can accomplish difficult things when it has strong support from citizens

That is the reason for Save Our Schoharie’s existence – not to stop quarry expansions, but to support a wide range of public and private actions that help realize the vision of a healthy, balanced, prosperous Schoharie that cherishes its natural and manmade resources. In other



Several of Schoharie’s Main Street shops are reflected in the windows of the Town Office Building. Both town and village governments, with SOS support, have stood strong in support of their comprehensive plan and land use laws.

words, SOS exists to help the town and village hold to and implement the adopted comprehensive plan that describes the collective aspirations of the whole community.

This mission requires taking a longer view than we each typically have in our daily lives.

This mission requires taking a longer view than we each typically have in our daily lives. It requires constantly remembering that the future is NOT inevitable; that government can accomplish difficult things when it has strong support from citizens; that the business community holds largely the same vision for the community as the residents; and that money does not necessarily hold sway over important decisions.

The longer view is the reason why SOS members have raised or contributed many tens of thousands of dollars and have donated thousands of hours of personal time – to make certain that the facts about the current quarry issue and the potential impact on this community’s future are fully considered. SOS has funded air quality data collection, taken

detailed noise readings, counted traffic, financed legal advice and shouldered the burden of many other tasks to assist town and village government in the quarry expansion matter.

Why? Because it is not certain that local and state governments can or will do this hard work on their own. Because the correct outcome of this issue is not inevitable without this work. And because we can do our small part to build the kind of future we all desire for Schoharie.

Schoharie can preserve its natural resources. Schoharie can enhance its historic buildings and places. Schoharie can revitalize its business environment. Schoharie can be a safe and convenient place to live. But this is by no means certain.

... we can do our small part to build the kind of future we all desire for Schoharie.

It will take actions, one by one, by each of us, with a longer view of this community’s needs, to attain the future we all desire.

Please take the longer view. Please consider your actions. *What part can you take in shaping the future of this community?*

Threat to community remains: *Patience, persistence needed in battle to halt quarry expansion*



When SOS members approach friends in the community to ask for assistance with fundraising or other SOS tasks, a common response is the question, "Isn't that all over...hasn't the issue of quarry expansion gone away?"

The frank reply is, "No. Nothing has gone away."

'The matter is not behind us . . . issues still loom ahead.'

For the majority of us, the fact that everything is still in play is hard to comprehend. After all, consider the following:

- The town of Schoharie has adopted a land use law in 2005 prohibiting the quarry expansion proposed by Cobleskill Stone Products. Given the clear authority for zoning given to municipalities in New York, that should have been the end of the matter.
- Every candidate running for town or village office in 2005, 2006 and 2007 has committed

to supporting the current land use law. There is no interest in changing the law.

- As it initiated a formal procedure to hear and settle the matter, the New York State Department of Environmental Conservation (DEC) District office recommended denying the CSP-requested mining permit based on a conflict between an expanded quarry and the community character of the surrounding areas of the town and village.

- The noise, air pollution and other data collected by SOS and the town and village of Schoharie for the formal DEC judge's review demonstrate that the operation of the quarry within current limits already violates terms of its DEC permit.

Yet, the matter is not behind us. These issues still loom ahead:

- CSP's law suit against the town over the land use law remains. Largely as a result of delaying tactics by CSP, a judge has yet to hear any arguments regarding the case.

- The DEC adjudicatory hearing has not occurred. The administrative law judge presiding over the hearing has deferred any further action until the Commissioner of DEC rules on a petition from the town, village and SOS that seeks to ensure that current quarry operations are subject to current environmental law in the review of a proposed expansion.

This poses a big challenge to all of us who want to give downtown Schoharie a fighting shot at an economic renaissance, who want to ensure that Schoharie is a safe, clean and inviting place to live, and who want to see a business base that balances tourist trade with necessary industry such as quarries.

The challenge is perseverance.

Further data-gathering by professionals is likely to be required and legal processes may continue for a considerable time period.

'The challenge is perseverance.'

It is important to insure that the community's message is conveyed loud and clear in these technical and legal processes: Quarries are necessary but this expansion is not. The community can work with the existing quarry to minimize its negative impacts, but cannot entertain unrelenting consumption of greater and greater amounts of land ringing the historic village center.

Study shows fugitive dust migrating to school & elsewhere

At the public hearing in June of 2007, Schoharie residents, a handful of school teachers, and an individual who had worked on the school's severely clogged air filtration system all expressed concerns regarding what they viewed as adverse health impacts potentially or actually being caused by fugitive dust escaping from Cobleskill Stone Products' (CSP) Schoharie quarry.

SOS followed up on these concerns by contacting the Region 4 NY State Department of Environmental Conservation (DEC) to see if any air quality studies of the quarry had been conducted and, if so, what the findings were.

David Picket, of DEC's Division of Air, indicated that he had indeed recently inspected CSP's Schoharie quarry. He admits, however, the day of his inspection, machinery was shut down for maintenance, so quarry activity was not typical.

Mr. Picket further said that his interpretation of DEC policy is that he should assess emissions only from stationary sources. He explained that mobile sources of fugitive dust coming from heavy truck traffic, drilling, blasting, and earth-moving equipment are not regulated nor inspected by his department.

So, in sum, the inspection observed a quarry whose stationary machinery was idle, and ignored some of the largest producers of dust coming from the facility.

Earlier, when CSP first applied for a DEC permit to expand, SOS had requested that air monitoring or modeling be conducted during the Environmental Impact Study, but DEC deemed CSP's application complete without conducting such assessments.

Since the regional DEC appeared disinclined to further examine the issue of fugitive dust, SOS decided to undertake air quality monitoring on its own. Bob Montione, SOS vice-chairman and an environmental scientist with 27 years experience, under the direction of John Hinckley, of Resource Systems Group's

Environmental Division, set up dust monitors around the community for about three weeks. Mr. Montione also arranged for laboratory analysis of a dust sample previously collected from the school by a former teacher.

Data from these tests indicate the following:

- Fugitive dust from the CSP facility is clearly migrating to adjoining properties, including Schoharie Central School and likely the nearby senior citizens apartment complex.
- During CSP's working hours, the concentrations of dust on adjoining properties were sometimes higher than NY State DEC Air Guidance Concentrations for fugitive dust when measured as an hourly average. These guidance values and federal regulations are compared on various time scales (e.g., average for one hour, average for 24 hours, average for one year).

• Based on reasonable silica percentages of 4-20 percent, the daily average concentrations of dust may be exceeding NY State DEC Air Guidance Concentration (annual average) for silica.

- After the single blast event captured during the testing, dust concentrations on an adjacent property increased sevenfold for a low intensity blast located 2,000 feet from the property line. Logically, the increase in dust distribution from a more typical blast, located closer to the

quarry's property line (25 feet is the minimum setback) would produce even higher concentrations of dust.

- The increases in dust concentrations measured at adjacent properties were similar to those that the federal Environmental Protection Agency (EPA) concluded would be likely to have adverse effects on human health.

SOS recently sent a report detailing the findings of the fugitive dust study to the NY State Department of Health for that agency's review.



WMHT feature on local conflict televised

Schoharie's home rule issue gets statewide attention

Susan Arbetter, host of WMHT's *New York Now*, interviewed Save Our Schoharie (SOS) Chairman John Poorman, Vice-chairman Bob Montione, and Schoharie Mayor John Borst at Dawn and Peter Johnson's home in the village earlier this winter.

Parts of the video-taped conversation were edited into a feature, which aired throughout NY on the public television station in early December.

The spot examined the evident conflict between NY State's embrace of home rule and the NY DEC permitting process, which currently hears applications for mining, regardless of whether local municipalities have ruled such use illegal.

NY Now editors wove together the Schoharie interviews with conversations held earlier with Cobleskill Stone Products' owner Emil Galasso, a DEC spokesperson, and NY State Assemblyman Tim Gordon.

Assemblyman Gordon last spring sponsored a bill that would prevent DEC from hearing mining permits on land where that activity would violate local land use laws. That bill near unanimously passed in the Assembly and now awaits Senate consideration.

In his segment of the interview, Mr. Galasso railed at the NY State business climate in general, and maintained that consideration for "community character" (the reason the Region 4 DEC gave for recommend-



*SOS Chair John Poorman fields one of *New York Now* host Susan Arbetter's questions on his group's stances.*



SOS Vice-chair Bob Montione (above) and Village of Schoharie Mayor John Borst (below)

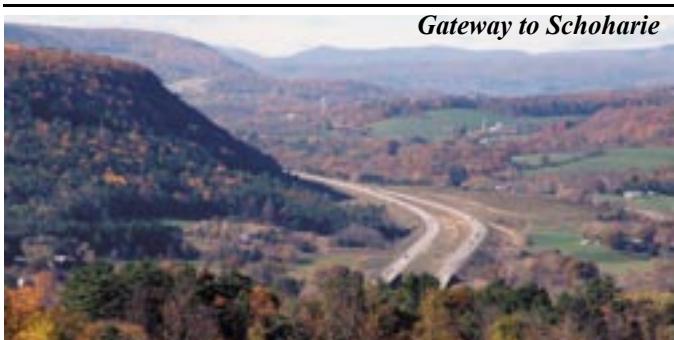


ing the permit not be given) has never been a factor in DEC's permitting process. However, a spokesperson for DEC said that Mr. Galasso's assertion is untrue, that community character is a long-standing criterion used by the agency.

Mayor Borst spoke of the "traversity" of having to expend considerable

town and village tax monies to hire experts and legal representation to uphold local law.

John Poorman spoke of how the town has worked with the existing quarry, but also observed that stone companies are not owed the privilege of being able to continuously expand a given quarry at their whim.



Gateway to Schoharie

SOS taps new Membership Chair

Randy Nelson of Schoharie is the new SOS membership committee head. He replaces former chair Sharon Janik, who held the position for two years.



Save Our Schoharie

*Chairman . . . John Poorman
Vice Chairman . . . Robert Montione
Treasurer . . . Patti Conboy
Secretary . . . Dawn Johnson
Fund Raiser Chair . . . Randy Nelson
Newsletter Editor . . . Tom Smith*

Important addresses

The following are offices to call or write should you encounter problems such as your home shaking during a quarry blast, or dust from blasts moving onto properties off the quarry site:

Region 4 DEC Office:

Kent Sanders
Deputy Permit Administrator
NY State DEC, Region 4
66561 State Highway 10, Suite 1
Stamford, NY 12167
Phone: 607-652-77441
email: r4dep@gw.dec.state.ny.us

Schoharie Town Supervisor **Martin Shrederis**

PO Box 54
Schoharie, NY 12157
email: shredler@midtel.net
295-7677 (Town Clerk)

Assemblyman Peter Lopez
DISTRICT OFFICE
113 Park Place
Suite 4
Schoharie, NY 12157
295-7250
email: lopezp@assembly.state.ny.us



The Parrott House & County Office Building



The Parrott House in the Village of Schoharie played host this past fall to a highly successful first annual Schoharie Antiques Road Show. All proceeds from the event went to Save Our Schoharie's legal and experts' investigative fees.

YANKEE TRAILS BUS TRIP SATURDAY JUNE 7th



VS.

- PRICE OF \$80.00 INCLUDES GAME TICKET AND TRANSPORTATION TO YANKEE STADIUM
- JUNE 7th IS HAT DAY AT YANKEE STADIUM ALL FANS WILL RECEIVE A FREE HAT
- TIME OF GAME IS: 1:05pm
- BUS WILL LEAVE THE WALMART PARKING LOT IN LATHAM FARMS @ 8:00am
- PAYMENT IN FULL TO RESERVE SEATING!

SEATS ARE GOING FAST!!!!!!!!!!!!!!

- COOLERS WELCOME, NO ALCOHOL ON BUS

CALL FOR TICKETS: 295-8571

MINE THIS?

Comprehending that Schoharie's beautiful & historical setting is its biggest asset, the town, village & greater community worked to establish a long-range plan for development and land use laws that help insure that vision.

SOS, a volunteer group of local residents, formed when it became apparent that the plan and laws were under attack. SOS reasoning is, "If not us, who will preserve the legacy?"



Join the effort & support the work of SOS

SOS invites all those sympathetic to the struggle to preserve the character of the Town of Schoharie's environment to join.

The group meets the first Tuesday of each month at the Schoharie Presbyterian Church Fellowship Hall at 7:00 pm.

SOS Address: PO Box 856, Schoharie, NY 12157

Check all that apply:

Individual Membership

\$10 annually new member renewal

Family Membership

\$20 annually new member renewal

Donation Only \$ _____

Please put me (us) on your e-mail list

Email address: _____

Name _____

Address _____

Phone _____

S.O.S.
P.O. BOX 856
SCHOHARIE, NY 12157