

Robin P. Allinger
13177 Sanford Road
Martville, NY 13111

Town of Sterling Planning Board
Town of Sterling Zoning Board of Appeals
1290 State Route 104A
Sterling, NY 13156

July 17, 2015

Dear Town of Sterling Planning Board and Zoning Board of Appeals Members:

I am writing to you to state my opposition to the proposed mining operation on Sanford Road, Martville. I urge you to reject the mining permit application, most particularly because within six of our Sanford Road households, there are one or more persons who have been diagnosed with one or more of the following serious medical conditions:

- *Chronic Obstruction Pulmonary Disease (COPD)*
- *Emphysema*
- *Severe cardiac conditions*
- *Post-Traumatic Stress Disorder (PTSD)*
- *Severe asthmatic conditions*
- *Severe allergy conditions*
- *Stress-aggravated medical conditions, including all of the above, as well as conditions with related chronic pain*

Any and all of these health conditions and disabilities would be severely aggravated by the dust, fumes, vibration and noise which are part of industrial sand and gravel mining operations and their heavy truck traffic. In fact, the negative air quality effects alone from such a mine and the nearby location of its entrance and exit could provoke life-threatening health crises resulting in emergency room visits, further disability, and even death. In addition, one Sanford Road resident who lives near the mine works night shifts and would not be able to sleep in the daytime around such an operation. There is also the limited sight distance and sharp turning angles on Sanford Road, which would involve large truck traffic endangering and impeding school bus, residential vehicle and pedestrian presence and traveling.

I have lived in my home for over 27 years and cherish the environment in which I reside. My neighbors and I agree that this is our neighborhood and these are our homes. We and the Town ordinances were here before the property was sold by a Town Councilman to his family's business associate for almost half a million dollars at

the expense of our health, safety, and welfare. *This proposed mining property is currently assessed at less than a fifth of the selling price*, a fact that suggests suspicious motives, especially since an appropriate level of soil testing has not been done to establish the actual content of the land to be mined. What if the mining of such land releases sulfur and/or toxic materials into the air, surrounding lands, ground water and Sterling Creek? I do not believe that such events can be reversed or repaired under aspects of a "bond".

As a resident of Sanford Road, I wish to make these important health facts, disabilities and risks known to you so that you will realize that it is inappropriate, indeed, illegal to fail to respect our rights and your obligations under the Town of Sterling Land Use Regulations, the Town of Sterling and Village of Fair Haven Comprehensive Plan and other applicable laws of this state and country. I am well aware of the intent of the Cayuga County/Town of Sterling Land Use Regulations, and have listed those intentions most relevant to my opposition to this proposal, along with an argument. These regulations should:

Promote the health, safety and general welfare of the community.

However, the mining operation presents a clear danger to these tenets, as well as, violating our rights as residents.

Reduce congestion on the streets and highways. Secure safety from fire, flood, panic and other dangers.

Besides the new owner's trucks, there is stated to also be *up to ten contractor's dump trucks/tractor trailers per hour* entering and exiting onto Sanford Road. It is obvious that there would be heavy and unsafe truck congestion on the mine's travel route during a ten-hour day and most days of the week.

Provide adequate light and air.

The mining operation will raise constant dust, equipment/truck exhaust fumes and any possible toxic elements present into the air; this air pollution would likely spread quite a distance, negatively impacting the health of residents, livestock and water sources in the area.

Conserve the value of property.

According to a published generic study of the effect of a gravel mine operation on surrounding property sale prices, the properties adjacent to a gravel mine can expect to experience a 30% reduction in sale price, 14.5% at one mile, 8.9% at two miles and 4.9% at three miles. Not only would these value reductions be present, how could anyone of us be able to sell (at a slashed sale price, if at all) and move away from the mine operation?

As stated under these same regulations and the owner's request for variance to such, the ZBA should revisit the variance it already granted and the PB should

reconsider the Special Use Permit for this operation. In relation to these requests, I ask that both boards especially consider:

- the applicant's benefit of a granted area variance, as *weighed against the detriment to the health, safety and welfare of the neighborhood* or community by such a grant;
- whether an undesirable change will be produced in the character of the neighborhood; and,
- whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

There is no question that the proposed mine operation would greatly and negatively bear against the above conditions! *The Special Use Permit regulations note that a mine must "be a substantial improvement to the property in the immediate vicinity". How could there possibly be a "substantial improvement" to adjacent properties? I can only imagine a substantial detriment. In addition, there is already a formal vote against this mining proposal by the Cayuga County GML-239 Committee.*

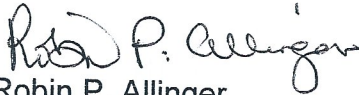
Furthermore, I am very concerned about water sources and the danger to the Sterling Creek from run-off, potential fuel spills and other accidents caused by the mining operation. There is a very real possibility of surrounding ground layers and water pathways shifting in relation to mining disruptions. Many of us have spring-fed wells, supplying clear and tasteful water from an underground source near Sanford Road. With the shifting of earth and stone, these pathways could be hindered, closed, poisoned or otherwise deemed unusable. No bond can replace a well when the water source is ruined for healthful human/animal use. My neighbors and I worry about our homes, which may suffer foundation and structural damage by the mining operations (vibrations, excavation issues, etc.). My home was constructed in 1974 and may be vulnerable to such earthly changes. I have also confirmed that general homeowner insurance policies, such as mine, do not cover damage due to such operations. The peaceful nature of our community and neighborhood, which includes the residential hamlet of North Victory, would be changed forever for the worse. We would even be hindered in selling our property to escape the effects of the mine because the sale prices of our homes would drop because no one will pay assessed property values only to be disturbed by the noise and dust and fumes of a gravel mine literally next door or across the road.

I am quite alarmed by the fact that, as recently as July 15, 2015, the Sterling Highway Superintendent boasted to one of us that expressing our concern to you is a waste of our time because this mine is "a done deal." Many of my neighbors residing on the mining route believe that there is nothing they can do to defend their rights to live peaceably and privately in this neighborhood. Many seem to feel intimidated and fearful

of speaking out against the mining proposal. For instance, I have witnessed the open heckling of opposing residents in Town of Sterling meetings by those who argue in favor of the mine proposal. I have also witnessed at least one ZBA member who seems to sarcastically dismiss our arguments as foolish, unimportant and unwarranted; an appropriate and relevant question posed by me to the ZBA on June 22 was interrupted by a ZBA member, who quickly moved on to another resident's question, which was also suppressed. Although I and other opposing residents adhered respectfully to the Rules of Conduct, our logical questions, facts and opinions were suppressed and dismissed, along with one resident being threatened of eviction from the meeting; this was all amidst unabashed sarcasm and heckling from several persons in favor of the proposal, none of whom asked to speak according to the meeting rules or were asked to leave the meeting because of their outbursts. How can it be that certain persons may support and/or benefit from the approval of this mine, even when the facts and the laws do not support such a decision... ***when the detriment to our health, safety, welfare and community should be the real question?***

I also remain very concerned that an earlier variance was granted to this proposed mine with no real care for any of the reasons that the setback ordinances protect: our health, safety and welfare. I am formally asking you – members of the Zoning and Planning Boards - to go back to reconsider and deny the variance request and the Special Use Permit, respectively, in order to protect our basic human rights of continued health, safety and welfare. A copy of this letter is also being sent to the New York State Department of Conservation, because I believe that these facts should be known and considered as important toward their environmental impact studies, as well. Thank you for your attention and consideration in these matters.

Sincerely,


Robin P. Allinger
Resident and Concerned Citizen

cc: Director, Region 7, NYS Department of Environmental Conservation

Release of Information

I, Tia Couperus, give permission for the letter written by my daughter, Makenna Couperus, to be submitted to the Town of Sterling Boards and relevant government offices for consideration. I also give my permission for submission of her letter to any local newspaper or media reporting on the subject. This is an account of her personal concerns with the proposed mining project on Sanford Road, Martville.

A handwritten signature in black ink that reads "Tia Couperus". The signature is written in a cursive style with a long, sweeping underline.

Tia Couperus

July 21, 2015

My concerns about the gravel pit

- I am afraid my allergies will be worse. Same for my little brother.
- Worried about are dogs safety.
- Worried about are wild life in the area.
- It will be very loud.
- It will make the air more dirty.
- It could cause more accidents.

By Makenna Couperus

Sanford Road Martville N.Y.