

# Asphalt: Neighboring communities express concern

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 have discussions with our counsel and determine what avenue we'll take. But I know one thing, for sure, is that it will be sent to the county Planning Board. I don't know what else will go on, but if we did something wrong there, we certainly want to correct it and do what's right. If that means that we will pull the whole project back and take another look, that may be the case; we don't know for sure. I'd be speculating at this point if I say I knew for sure."

As to why the project didn't go through the county Planning Board in the first place, Wallace said he believes it was an oversight in terms of interpreting local law and procedure.

"I don't think anybody did it on purpose. I think it was something that just was either overlooked or maybe was misinterpreted," he said. "There's a lot of ways to interpret town law and municipal law, and maybe it was interpreted differently."

"(Now), some people have brought up some ideas and some objections as to what we should have done, and one of the things was sending this back to the county Planning Board, which

we probably, at this point in time, looks like we should have done. So, I advised the county to send us a letter saying, you know, 'We should have done this,' and then we'll do what's necessary to make it right."

The county isn't the only neighboring entity disturbed by the apparent lack of communication. Niagara University – whose southern entrance neighbors the site of the proposed facility at 4660 Witmer Road – released a statement from President the Rev. James J. Maher, C.M., to the university community Tuesday night rebuking the plans.

The statement read, in part, "Every day, thousands of members of the university family are on our campus to live, work, and study. Additionally, thousands more visit our campus each year to attend university family events and youth clinics or camps; play hockey, soccer, baseball, and other sports; and attend hundreds of events annually. ...

"Over the past few years, we have seen the Western New York region come to life as we have begun to address decades of abuse and neglect of our natural habitat. ...

"Despite this incredible prog-

ress in our community and in our region, today we are again faced with potential blight in our region with the proposed asphalt plant on Witmer Road in the Town of Niagara. Yes, this is adjacent to our campus, and yes, as a university, we are opposed to this plant being on our doorstep. However, our opposition is bigger than just Niagara University – we stand in opposition to this project for our entire community.

"We are not an 'ivory tower' insulated from the community around us. We are invested in Niagara Falls and the towns of Niagara and Lewiston and committed to contributing to healthy communities and a healthy environment. Our region has suffered from environmental degradation for more than a century. ... The people of Niagara Falls and towns of Niagara and Lewiston have borne an unfair burden of pollution and toxic dumping, and it is irresponsible to consider moving our region backward with this type of seasonal asphalt manufacturing facility."

Town of Lewiston Councilman Member Robert Morreale that his board would be issuing a reso-

lution condemning the project as well.

Additionally, the Niagara Falls Board of Education unanimously passed a resolution opposing the asphalt facility at its March 25 meeting. The resolution said the plant would, "Affect the air quality near the schools and adjacent playgrounds, and over the years could affect the health of District students and members of the community."

The resolution names a number of schools that could be impacted, including Maple Avenue, Hyde Park, Gaskill, Harry F. Abate, Henry J. Kalfas and Niagara Falls High School.

Paul Kudela, a member of the Niagara Falls School Board, has become an active community voice in opposition to the plant as the administrator of the Facebook group "Niagara Residents Against the Asphalt Plant." He said the group is not intended to be about pointing fingers, but it is incensed about the perceived lack of transparency and public input regarding the project.

"Transparency in government, procedural justice – it's not a buzzword, it's important in government," Kudela said. "Just be-

cause something is zoned for a particular project, it doesn't mean a certain project is the right fit."

He said the potential effect on public health is something that is very concerning and particularly important to him. His father and uncle died last year from cancer; a cousin passed this year. His aunt, Kathleen Kudela, former executive director of the Niagara Arts and Cultural Center, died last month from multiple myeloma.

"This is personal for me," Kudela said.


He noted his group recently started its own website, www.no-asphaltniagara.com, which links to a Change.org petition that, at press time, had garnered more than 1,500 signatures.

The Tribune/Sentinel recently spoke to Rosanne DiPizio, a consultant on behalf of 4660 Witmer Road LLC, as well as the official named in the DEC permit application, Alexandra Lettieri. The two are tied to AL Asphalt, whose proposal for an asphalt facility in the Town of Hamburg was also met with pushback from residents. The company and Hamburg are still in the midst of legal proceedings.

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