

RESOLUTION NO. 2021-

***RELATIVE TO OPPOSITION OF PROPOSED ASPHALT PLANT TO BE
LOCATED AT 4660 WITMER ROAD IN THE TOWN OF NIAGARA, NEW YORK.***

BY:

Council Chairman Kenny Tompkins
Council Member William Kennedy II
Council Member Frank Soda
Council Member Christopher Voccio
Mayor Robert M. Restaino

WHEREAS, an application has been filed with the New York State Department of Environmental Conservation (DEC) for construction of a hot asphalt plant to be located at 4660 Witmer Road in the Town of Niagara, New York, west of the intersection of Interstate 190, near the entrance of the Niagara University Campus; and

WHEREAS, the City Council recognizes that the City of Niagara Falls does not have standing to object to the project pursuant to New York State law; and

WHEREAS, the plant as proposed will have a 12-month rolling production of 150,000 tons of hot mix asphalt and will potentially emit compound emissions, such as benzene, formaldehyde, and toluene; and

WHEREAS, the Department of Environmental Conservation has made a tentative determination to approve the application for the plant, pending public comments made by May 3, 2021; and

WHEREAS, due to the potential environmental and public health impact of the project, a significant number of residents in our community have spoken out against it, including over 2,500 on-line petitioners; and

WHEREAS, as a result of this public opposition, the Town of Niagara town board has rescinded its approval of the project and will submit the proposed project to the Niagara County Planning Board for consideration as required under New York State law; and

Kennedy _____ Soda _____ Spanbauer _____ Voccio _____ Tompkins _____

NOW BE IT RESOLVED, that the City Council of the City of Niagara Falls, NY and Mayor Robert M. Restaino are hereby opposed to the construction of a hot mix Asphalt Plant to be located at 4660 Witmer Road, in the Town of Niagara, west of Interstate 190, near the entrance of the Niagara University Campus, and be it further

RESOLVED, that a certified copy of this Resolution be sent to the New York State Department of Environmental Conservation relative to its request for public comment, and be it further

RESOLVED, that a certified copy of this Resolution be sent to the Supervisor of the Town of Niagara, the Chairman of the Niagara County Legislature, the Niagara County Planning Board, Congressman Brian Higgins, New York Senator Robert Ort and New York Assemblyman Angelo Morinello.