

# Date Set For Legislative Hearing On DEC Permit

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The ongoing dispute over the proposed reopening of the Jones-Carroll Landfill in the town of Carroll was discussed Wednesday by the town board. The board met for the first time this year. P-J photo by Gavin Paterniti

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**CARROLL** — Updates regarding efforts by town of Carroll residents to prevent a landfill from re-opening were discussed in Wednesday's first meeting of the town board in the new year.

Polly Hanson, head of Carroll Concerned Citizens, addressed attendees of the meeting — a large portion of which was set aside for the purposes

of re-organization — to discuss a 30-day public comment period extension and upcoming legislative hearing scheduled for next month.

*“As of (Tuesday) afternoon, the Department of Environmental Conservation found out that we have been granted an extra 30-day public comment period, which now will end on Monday, Feb. 12,”* Hanson said. *“We also are going to be granted a legislative hearing by the DEC. There will be a judge there, and that hearing will be on Wednesday, Feb. 7, just before our public comment period ends. That will be in the (Frewsburg) high school auditorium at 6 p.m.”*

The state DEC is accepting public comments from community members after Sealand Waste LLC recently submitted an application for a state permit to re-open the Dodge Road landfill. All public comments have to be sent in written form to the DEC prior to Feb. 12, and the address to which comments should be mailed can be found by calling 569-4346, as well as on the Carroll Concerned Citizens Facebook page and website, [carrollconcerned.org](http://carrollconcerned.org).

John Davis, Chautauqua County Legislator, District 16, was also present at the meeting and encouraged residents to forward their concerns to newly instated County Executive George Borrello and himself in order to see what can be done at the county level.

These developments are among the most recent in a decade-long fight against the re-opening and expansion of the Jones-Carroll Landfill. As part of its application for a state permit, Sealand Waste — based in Rush, N.Y. — said it hopes to purchase 53.9 acres of land, which would include the since closed 3-acre Jones-Carroll Landfill.

The existing landfill contains about 53,000 cubic yards of construction and demolition waste. Part of Sealand Waste’s plan is to create a landfill made of a double composite liner system spanning 34.9 acres; contents of the former site would be moved into the new liner, the company said in its application.

Donald J. Jones and his wife, Carol, operated the landfill after purchasing 50 acres of land around Dodge Road in 1984. The town

granted a variance for the operation, while the DEC issued two permits — the last coming in 1996 — to allow 3 acres to be used for the landfill.

The last DEC permit expired in 2007, the same year Sealand Waste expressed interest in purchasing the property for expansion. The town quickly amended its zoning laws to prohibit the operation of landfills.

Attorneys for Jones-Carroll petitioned the state Supreme Court in an attempt cancel the amendment that would pave the way for the sale to Sealand Waste. Sealand Waste recently succeeded in a petition to intervene on Jones-Carroll's behalf after the latter essentially ran out of money to continue its lawsuit.

The town appealed the ruling, and in October attorneys from Sealand Waste and the town met at the Appellate Division, Fourth Department in Rochester. A ruling on the town's appeal is expected Dec. 22, said Jones, who noted that the town has likely spent upward of \$100,000 defending its local law.

In other news, Monday's meeting of the town board marked the first for Laura Greenwood, who had previously served Carroll as town clerk for 12 years, in her new role as town supervisor following her November election. Greenwood addressed the board and attendees of the meeting, promoting teamwork and transparency in dealing with the dissemination of public information moving forward.

<http://www.post-journal.com/news/page-one/2018/01/date-set-for-legislative-hearing-on-dec%E2%80%88permit/>