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## Asphalt company wins Supreme Court ruling over proposed Saratoga County plant

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Dolomite Products Co.'s plan to build an asphalt production plant in Ballston, New York, remain alive.

New York state Supreme Court judge Robert Chauvin ruled this month that Ballston officials improperly delayed the project to give the town an opportunity to amend zoning laws to prohibit an asphalt plant from being constructed.

Dolomite, of Rochester, has spent more than \$800,000 seeking approvals to build a plant at the Curtis Industrial Park since 2011, according to court records. The company is a subsidiary of Oldcastle Co. and a sister company of Callanan Industries. The companies supply concrete, aggregate and asphalt throughout upstate New York and western Massachusetts.

The proposed Ballston plant would be capable of producing 200 tons of asphalt per hour, serving southern Saratoga County.

The Dolomite project, which has led to opposition from neighbors of the industrial park, has resulted in multiple legal challenges since the company first sought town construction approvals four years ago.

Dolomite most recently sued the town after a law was adopted that restricted land uses in the industrial park. That law essentially would have prevented Dolomite from moving forward with its project.

Following the judge's ruling, Dolomite's attorney, Adam Schultz of Couch White, said his client could receive a site plan approval to construct a plant during the first quarter of 2016.

The Ballston town supervisor could not immediately be reached for comment.

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Reporter

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