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In Ballston, the Dolomite asphalt plant won town planning approval this week.

That's a turning point in a five-year fight that highlights how one Saratoga County town is changing, and the tensions that growth brings between the interests of business and residents.

I hate to say anything is final with a project as much-litigated as Dolomite has been, but the town Planning Board on Wednesday approved the site plan, the final town approval that was needed.

"We now have the approval we need to build the plant," said Adam Schultz, the attorney who represents Dolomite.

Schultz said Dolomite hopes to start construction later this year, though a state Department of Environmental Conservation air discharge permit still must be issued and a left-turn lane designed and built on state Route 67 at the industrial park entrance.

Opponents still hope to stop the project, which they believe will have negative impacts, including heavy truck traffic, noise, odor and harmful air emissions. The Planning Board vote could be challenged in court.

"I was just very disappointed in the decision. I thought we had presented sufficient facts based on the record for them to deny the application," said Claudia K. Braymer, who represented an opposition group called Citizens for a Clean Environment, who is considering a legal challenge.

Dolomite wants to mix asphalt at the industrial park behind Curtis Lumber. Its plan has been a hot-button issue from the moment it was proposed in 2011, with residents speaking out against it. Some had lived there for decades, and others were from the new developments growing between East Line and Lake roads.

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Dolomite contended that the Curtis property's industrial zoning allowed the plant, and the town couldn't deny the application if the company addressed the environmental concerns.



In 2014, the Town Board stiffened the industrial zoning; the new zoning would have made the Dolomite project illegal.

But Dolomite sued, and last December state Supreme Court Judge Robert Chauvin found that the town had unnecessarily delayed Dolomite, and the 2014 zoning law didn't apply to its application.

Citizens for a Clean Environment is appealing that ruling, though town officials have abided by it.

"My position is that if we win on appeal, the asphalt plant is illegal and the Planning Board approval is moot," Braymer said.

Chauvin's order compelled the Planning Board to proceed to a vote. Understandably, some board members felt their hands were tied. The approval vote was 4-2, with Audeliz Matias and Jim DiPasquale dissenting.

Planning Board Chairman Richard Doyle said he voted "yes" despite concerns about the plant's off-site traffic impact because the state Department of Transportation seemed unwilling to address the issues.

Schultz believes the vote will withstand any legal challenge. "After a five-year environmental review process I can't imagine anyone challenging whether the Planning Board took the necessary hard look," he told me on Friday.

Dolomite is a division of Schenectady's Callanan Industries, which supplies paving materials and construction services. It said it wanted a new plant in Saratoga County because of its central location and the amount of construction activity in the county, which has been, is and will remain among the fastest-growing in the state.

The Dolomite controversy has coincided with a period in which Ballston has changed rapidly, with new housing and commercial activity.

Officials have begun grappling with the need for sewer lines to serve the housing that's come in because they've already allowed public water to be installed along Route 50 and Goode Street.

Ballston has been among the fast-growing towns in the county in recent years, and there's no end in sight. Another 650 to 750 units of apartments have been proposed on Route 50 just in the last month, major drugstore chains are eyeing the destitute central intersection in Burnt Hills, and some Town Board members have called for a building moratorium, though there's been no vote.

I've written before about the town of Ballston having an identity crisis — rural farming town versus commerce-oriented suburb — and that crisis is on-going.

Stephen Williams is a Gazette reporter. Opinions expressed in his column are his own and not necessarily the newspaper's. He can be reached at 395-3086, swilliams@dailygazette.net or @gazettesteve on Twitter.

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