

INDUSTRY NEWS MANUFACTURING

Dolomite, Saratoga County town sued over asphalt plant

Jun 29, 2016, 1:21pm EDT Updated Jun 29, 2016, 2:01pm EDT



Robin K. Cooper Reporter *Albany Business Review*



[Order Reprints](#) [Save Article](#)



Robin K. Cooper Reporter *Albany Business Review*

BIZSPACE SPOTLIGHT



Property Spotlight: Hedley District - Roof Top Penthouse

[See All Bizspace Properties](#)



Dolomite Products Co. faces another legal battle in its quest to build an asphalt... [more](#)

DMITRY KALINOVSKY

The owners of [Dolomite Products Co.](#) are facing another legal battle in their quest to build an asphalt production plant in Ballston, New York.

Dolomite has spent five years and more than \$800,000 to win town approval to construct a plant capable of producing 200 tons of asphalt per hour to serve southern Saratoga County.

Dolomite Products Co. faces another legal battle in its quest to build an asphalt... [more](#)

DMITRY KALINOVSKY

The town planning board approved Dolomite in May, [six months after a state Supreme Court judge ruled that the town had improperly delayed the project to give government officials an opportunity to amend zoning laws, prohibiting an asphalt plant from being built.](#)



Now, [Ian Murray](#), owner of I.M. Landscape Associates and Brookside Nursery in Ballston, and three neighbors are asking the state Supreme Court in Saratoga County to nullify the planning board's May 25 approval of the Dolomite plant. The company is a subsidiary of Oldcastle Co. and a sister company of Callanan Industries. The businesses supply concrete, aggregate and asphalt throughout upstate New York and western Massachusetts.

Murray could not be reached for comment. According to court records, he claims his business and property values would be negatively impacted by truck traffic, noise, pollution and dust from the asphalt plant. Murray's company, I.M. Landscape, owns four pieces of land across from the Route 67 entrance to the Curtis Industrial Park where Dolomite is preparing to build the asphalt plant. The industrial park also is named as a defendant in the lawsuit.

[Adam Schultz](#), an attorney for Couch White who is representing Dolomite, had not been served with court papers, but said he does not believe the case will prevent Dolomite from moving forward.

Dolomite already has begun doing some preliminary work to get ready for construction to begin, Schultz said.

"I don't have any level of concern that the town and state approvals will be disturbed," he said.

The lawsuit asks the court to vacate the planning board's approval, claiming the asphalt plant would violate noise and emissions limits in the Ballston zoning guidelines.

The suit also claims that an asphalt plant will not be a permitted use if the opponents are able to successfully appeal the December state Supreme Court ruling that determined the town improperly delayed the Dolomite project.

Robin K. Cooper covers manufacturing and sports business.

BIZSPACE SPOTLIGHT



Property Spotlight: Hedley District - Roof Top Penthouse

[See All Bizspace Properties](#)

INDUSTRIES
[MANUFACTURING](#)

TOPICS
[CONSTRUCTION](#)