



**Protecting Our Quality Of Life
For Generations To Come**

306991

ENTERED
Office of Proceedings
June 5, 2023
Part of
Public Record

The Honorable Martin J. Oberman
Chairman
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

Re: Townline Rail Terminal, LLC - Docket Number: FD 36575

June 3, 2023

Dear Chairman Oberman,

Townline Association is assisting residents with the public comment process. Attached are letters to be included for your consideration. In accordance with 49 C.F.R. § 1104.12, I have cc'd the parties of record on this correspondence.

Respectfully Submitted,

Linda Henninger

Linda Henninger
Townline Association
Lh.townline@gmail.com

Cc:
Parties

The Honorable Martin J. Oberman
Chairman
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

Re: Townline Rail Terminal, LLC - Docket Number: FD 36575

Dear Honorable Martin J. Oberman,

My name is Maria O'Brien and I am a resident of the Fort Salonga community. As a resident of this beautiful area, I am writing to you to voice my opposition to the building of a railroad spur and a regional freight rail terminal at 140 Old Northport Rd in Kings Park. The community has had no opportunity to weigh in on this because it was hidden from the residents of this community. That in itself should give you pause for alarm!

This rail spur/terminal will negatively impact the surrounding communities devaluating home values and more importantly negatively affecting the health and welfare of the residents and their children. Please consider our plight and do not permit this project to proceed.

Thank you for taking the time to read this letter and allowing me to share with you my voice in this matter.

Sincerely,

Maria O'Brien

21 Trescott Path

Fort Salonga, NY 11768

Cell 516-650-8827

The Honorable Martin J. Oberman
Chairman
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

Re: Townline Rail Terminal, LLC - Docket Number: FD 36575

Dear Chairman Oberman,

I have been a Commack resident since 1988 and an active community member and nursing professional. When I learned of the new rail line in the center of Kings Park, I became deeply concerned. Since there are multiple schools, playgrounds and a nursing home in close proximity, I believe the danger is clear. The pollution from hauling ash and debris can't possibly be a good idea for our future generations health. It appears that the freight yard would also be in close proximity to all the surrounding towns. These communities already house a resource recovery facility, power plant, multiple landfills with methane burners, and medical waste incinerators. Our sole source aquifer, soil will be impacted significantly. I sincerely hope that you will reconsider the placement of this freight yard and support our united communities.

Sincerely,
Elaine Mangino
9 Heather Crescent
Commack, NY 11725

Elaine Mangino RN MSN
Smithtown High School West
Health Office
631 382-2926
Fax 631 382-2930

The Honorable Martin J. Oberman
Chairman
Surface Transportation Board 395 East Street, S.W.
Washington, DC 20423

RE: Writing In Opposition to the Townline Rail Terminal Docket # FD_ 36575

To The Honorable Martin J. Oberman,

My name is David Pontillo, and I reside in Kings Park, New York. I am a lifelong New Yorker, and a resident of Long Island since 1988. I am writing to you in order to once again voice my opposition to the Townline Rail Terminal (Docket Number FD_36575). This project will have a large impact on several communities, most notably my own, here in Kings Park.

I have written previously to you about this terminal and freight yard project that is being considered for the town of Kings Park. I have already expressed my concern about how the construction and operation of this freight yard will have a tremendous negative impact on this community. The project will certainly cause a massive increase in noise and air pollution in Kings Park. Those that live right in the vicinity of the freight yard will also face safety concerns with the trains that close- trains that will be almost literally in their backyards.

However, I am writing to you now because I just read an article in my local newspaper, *The Smithtown News*, which has caused me great alarm. In the article from May 18, 2023, it was revealed that the company that will run this project, CarlsonCorp, will have to accept hazardous waste materials. That means that harmful waste products will be on these trains, and certainly in the freight yard as well, the same freight stations that will actually be in the backyards of people's homes. This is not the opinion of the newspaper or a concerned citizen; rather, the revelation that the CarlsonCorp train lines and yard will be handling hazardous materials comes from legal briefs filed by CarlsonCorp's own law firm.

This revelation is both shocking and ironic. It is shocking that this hazardous material will be in our town at all. We already have trains and some industrial plants. Now we will have hazardous waste as well? The revelation is ironic considering that Mr. Carlson himself has stated (nay, promised) many times personally and on the internet that CarlsonCorp will NOT handle such hazardous materials. However, his own lawyers in their legal briefs now say that CarlsonCorp will indeed have to handle such waste. That begs the question: Did Carlson not realize this fact (in which case he does not know what he is doing and should not be trusted with the project), or was he deliberately obscuring the truth in his statements (in which case, he was deceptive, and thus should not be trusted with the project)? Either way, this is very bad news for the people of Kings Park. The citizens of this town have not gotten the full facts since day one. I was told earlier this year by a local representative that there was no "real" opposition to the Townline Rail. Perhaps that is because the public did not know the truth?

As a citizen and a taxpayer, I am exercising my right to complain to you about this. The fact that Kings Park may now be the home of hazardous materials is shameful. The fact that CarlsonCorp had not told the public the full story is appalling. The fact that it took legal action from a civic organization to get this information is embarrassing. Kings Park is a great community to live and raise a family. This rail project would ruin Kings Park- not as a subjective quality of life issue, but as now as a real, objective safety issue, thanks to the transport and storing of hazardous waste.

I hope that you, as my elected official, will investigate this matter and see that the residents in the area will be terribly impacted by this project. If you would like, please contact me at 516-713-8472, or email me at daveandcompany@hotmail.com. Thank you for your consideration.

Sincerely,

David Pontillo
18 Raleigh Lane
Kings Park NY 11754

The Honorable Martin J. Oberman

Chairman

Surface Transportation Board

395 E Street, S.W.

Washington, D.C. 20423

RE: Surface Transportation Board Decision, Docket No. FD_36575

Dear Honorable Martin J. Oberman,

My name is James O'Brien and I am a resident of the Fort Salonga community. As a resident I am writing to you to voice my opposition to the building of a railroad spur and a regional freight rail terminal at 140 Old Northport Rd in Kings Park. The residents of the surrounding communities were not given the opportunity to express their view about this project because it was concealed from them. This lack of transparency is very concerning to me.

The building of a railroad spur and regional rail terminal will negatively impact our beautiful communities. It will have a detrimental impact on home values causing them to plummet. More importantly it will negatively affect our air quality with homes being so close to it impacting the health and welfare of its residents and their children. Please help us and do not allow this proposed project to proceed.

Thank you for your time.

Sincerely,

James O'Brien

21 Trescott Path

Fort Salonga, NY 11768

Cell 516-650-7717

The Honorable Martin J. Oberman

Chairman - Surface Transportation Board 395 East Street S.W.
Washington, D.C. 20423
Mr. & Mrs. Portalatin
501 Meadow Road
Kings Park NY 11754

RE: SURFACE TRANSPORTATION BOARD DECISION, DOCKET 36575

May 15, 2023

Dear Chairman:

My family and I moved to Kings Park NY from Baldwin NY at the height of the COVID Pandemic. My husband is an active first responder and I am a retired first responder. When I retired and I was home in Baldwin and began to notice the area change. We then decided to move to kings Park. We love it here!

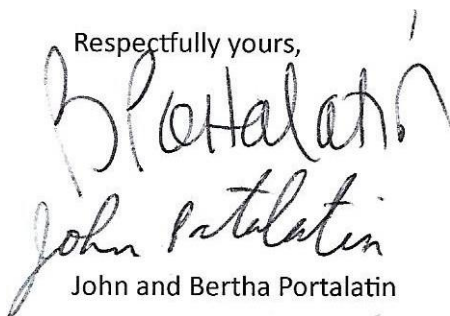
Although, my husband has added an hour to his daily commute he wouldn't change moving his family to Kings Park. What we love the most about Kings Park is the nature. When we moved here, we were unaware of the sources of pollution in Kings Park. These sources of pollution include the Northport Power Plant, Covanta Incinerator, the medical waste incinerators at the Northport VA Hospital and St. Catherine's Hospitals. In addition to several other landfills along with their methane venting systems and pollutants from businesses such as sand mining, concrete crushing and asphalt production.

We understand that Townline Rail Terminal plan to construct and operate a new rail line in the hamlet of Kings Park. In addition to the railway being built practically in families' backyards the added pollution this railway will bring is unbelievable and unconscionable.

My family and I respectfully request that the Surface Transportation Board revisit it's decision and stop this ill -conceived project in its tracks. Please think of all the families like mine that this decision will affect.

If you have any questions or want to have a conversation, please email us a boldnfine9018@vahoo.com
Thank you in advance for your consideration.

Respectfully yours,

A handwritten signature in black ink, appearing to read "John Portalatin". The signature is written in a cursive, flowing style. Below the signature, the names "John and Bertha Portalatin" are printed in a standard font.

John and Bertha Portalatin

Bradley Husted
19 Candy Lane
Commack, NY 11725

May 15, 2023

The Honorable Martin J. Oberman

Chairman
Surface Transportation Board 395 E Street, S.W.
Washington, D.C. 20423

RE: Surface Transportation Board Decision, Docket No. FD_36575

Dear Chairman Oberman:

I reside in Commack, New York about ¼ of a mile away from the proposed site of the Carlsoncorp Townline Rail Terminal regional freight yard. I strongly oppose this proposed freight yard in Kings Park, New York.

There are so many reasons that Carlson's property is the wrong site to place a freight rail yard and transloading facility:

- This area is already overburdened with many sources of pollution. There are 3 capped landfills that vent methane (one is leaking a plume of toxins that has contaminated well water all the way north to the Long Island Sound), we breathe the exhaust from the Northport Power Plant on a daily basis, there are 3 incinerators (Covanta, the VA Hospital and St. Catherine's Hospital medical waste incinerators), asphalt and concrete crushing businesses (one of which is owned by Carlson on the proposed site) and several superfund sites that need to be remediated. We are exposed to way too much toxins and particulate matter already.
- The proposed site is located way too close to homes – the closest being those on Meadow Glen Road, Lumber Road, Glen Lane, Glen Road and Pulaski Road in Kings Park. There are also thousands of homes that are located nearby (including my family's home) in Commack, East Northport, Fort Salonga, Northport, and Smithtown.
- The Port Jefferson Line of the LIRR from Huntington eastward is only a single set of tracks that is flanked by homes, schools, playgrounds and local stores. These freight trains filled with cargo (some of it potentially hazardous material) traveling in the middle of the night will affect every person who lives within earshot of the line. People living right along the tracks will experience vibrations as the trains pass through. Homeowners have the right to sleep undisturbed. Furthermore, because the Port Jefferson line is only a single, unelectrified line, there would be no workaround if a problem were to occur on that line. Commuter and freight trains alike would grind to a halt until whatever the problem was could be fixed. Also, because it does not have electric capability only the oldest and most polluting diesel trains could be used on that line.
- The Carlson property is located on top of a very sensitive deep recharge area of a sole source aquifer. This area is strictly protected by Article 7 of the Suffolk County Health Code and hazardous materials are prohibited. This freight yard could potentially cause irreparable damage to the only source of drinking water for over 3 million people on Long Island.
- Our area is already overburdened with truck traffic. The railroad terminal would create even more truck traffic on our local streets because all of the commodities being shipped in or out on this common carried obligation railroad would have to be hauled to or away from the railyard would be done so on trucks. This would serve to add even more trucks to our local roads.

- Prior to its current uses, the Carlson property was a sand mining and dumpsite. It is my concern that the land might not be capable of bearing the weight of all the tracks, trains, buildings, commodities, etc. that a regional freight terminal would create.
- The Carlson property is not zoned for a regional freight railyard. Currently the largest percentage of the Carlson property is zoned for residential use. Zoning would have to be changed by the Town of Smithtown to heavy industry to accommodate a freight rail yard. It is really not fair to the long-established neighborhoods that surround the Carlson property that the zoning next door might change from residential to heavy industry. Many of the nearby in Fort Salonga date back to the 1600's and 1700's. Every effort should be made to protect the integrity of the foundations of these homes – the vibrations caused by the trains could damage these historical treasures.

For all these reasons, and the ones I have failed to mention, in my opinion the Carlsoncorp property is not the right place for a regional freight terminal. It is my hope that you will reject this inappropriate proposal.

Sincerely,

Bradley Husted

Brian Husted
19 Candy Lane
Commack, NY 11725

May 17, 2023

The Honorable Martin J. Oberman

Chairman

Surface Transportation Board 395
E Street, S.W.

Washington, D.C. 20423

RE: Surface Transportation Board Decision, Docket No. FD_36575

Dear Chairman Oberman:

I am writing to request that you and the other members of the Surface Transportation Board deny the Carlsoncorp's Townline Terminal Rail petition to build a rail spur and railroad track on Carlson's property located at 140 Old Northport Road, Kings Park, NY 11754.

This regional freight rail yard, if built, will in my opinion have a tremendous negative impact on all the communities that surround it. This railyard will cause all types of pollution – air pollution from the diesel trains and trucks, noise pollution and light pollution. Our area is already burdened with pollution producing entities. A regional freight yard would only add to that.

The rail yard would also cause a huge increase of truck traffic on our local streets. The streets in our area were never designed to handle commercial tractor trailer traffic yet they are inundated with garbage trucks, school buses and all types of delivery trucks. The rail yard would create even more truck traffic as it would be a waystation for all sorts of goods and commodities that would be shipped there on the freight trains and also from the trucks from other places on Long Island that would bring commodities and C&D waste to the site to be shipped on the trains. Our streets can not handle the current traffic let alone any extra traffic from Carlsoncorp's shipping business he wishes to expand once he owns his own freight rail terminal.

I recently read an article that stated that Carlsoncorp would have to carry hazardous materials on their railroad if requested. If there was ever any type of catastrophic incident like a derailment or some other type of accident there would be absolutely NO WAY to evacuate the surrounding residential neighborhoods. People may think this is a very rare event but according to The Bureau of Transportation Statistics there have been 54,539 train derailments between 1990 and 2021, with an average of 1,704 a year in the United States. What is to prevent another situation like East Palestine from happening here? I must repeat that there would be no way to evacuate the surrounding residential neighborhoods if

necessary, as most of our streets are one lane each way. This is the wrong place to build a regional freight terminal.

It is my hope that you will reject this proposal. There are other viable solutions on how to get the ash from Covanta off Long Island once the Brookhaven landfill closes. There are other better situated freight terminals on Long Island that can haul away the ash. I hope you take that into consideration. One landowner's greediness should not supersede the right of thousands of homeowners to enjoy their homes without the intrusion of a regional freight yard being built in their midst.

Regards,

Brian Husted

May 13, 2023

The Honorable Martin J. Oberman

Chairman

Surface Transportation Board 395 E Street, S.W.

Washington, D.C. 20423

RE: Surface Transportation Board Decision, Docket No. FD_36575

Dear Chairman Oberman:

I am writing to express my opposition to the above proposed Townline Rail Terminal regional freight yard in Kings Park, New York.

This facility and its operation would be extremely detrimental to all neighboring communities, most particularly Kings Park, Commack, Fort Salonga, Northport, East Northport, Smithtown and Greenlawn. The environmental impacts, including noise, diesel fumes, particulate matter, odors, light pollution, ground & surface water contamination, and heavy truck traffic, will have a devastating effect on the residents in these communities.

This freight yard is not necessary. Although the Brookhaven landfill is to begin incrementally closing in 2024, there are far better locations moving forward to tackle the issue of removing ash off Long Island. It does not make sense to locate a regional freight yard on the LIRR Port Jefferson line. It is only one set of tracks, which makes it impossible to have a "plan b" in the event of a problem on the line. It also is not electrified beyond Huntington thus only able to accommodate diesel trains. If a goal of using freight rail instead of trucks is to remove sources of air pollution, one would think that trains that rely upon diesel, a fossil fuel, would not be a viable solution.

The Townline Rail Terminal regional freight yard would be only a few hundred feet away from long established residential neighborhoods. For all these reasons and those unmentioned in this letter, I respectfully ask that this proposal be denied.

Sincerely,

Daniel Goldstein

djagold@aol.com

The Honorable Martin J. Oberman
Chairman
Surface Transportation Board 395 E Street, S.W.
Washington, D.C. 20423

RE: Surface Transportation Board Decision, Docket No. FD_36575

Dear Chairman Oberman:

I have been following the posts on Carlsoncorp's Facebook page regarding Townline Rail Terminal and their claim that they will never carry any sort of hazardous material in their freight cars. Last week I read an article in the Smithtown News regarding Carlsoncorp's attorney stating that Mr. Carlson is aware that as a common carrier obligation railroad he would have to carry hazardous material if requested to do so.

When I think of this it angers me for several reasons. First, why would Mr. Carlson lie to the public? How can anyone trust him to follow the rules if he can't even see fit to tell the truth to the public?

My next concern pertains to Mr. Carlson's ability to be honest with the public. On one hand, Carlsoncorp's attorney says that Townline Rail Terminal, as a CCO, would have to carry hazardous material if requested. However, they also claim that the transloading facility that will service the railroad spur and terminal Carlsoncorp wants to build will be a separate entity which will not seek to be licensed or equipped to handle hazardous materials. What is to prevent Mr. Carlson from applying for a license to permit hazardous materials at the transloading facility at some later date? Mr. Carlson has twisted his details to the public in the past so why should anyone trust him not to do the same thing again? According to his plans, the transloading facility is located only a few hundred feet from homes and will be on land that has always been zoned residential even though Mr. Carlson and his family have always disregarded the zoning codes and used that land for purposes that did not comply with its zoning. Mr. Carlson will need a zoning change from the Town for his transloading facility. Wouldn't it have made sense for him to apply to the town for that zoning change prior to seeking permission from the STB to build a rail spur and 5,000 feet of track? What happens if the Town will not grant a zoning change?

Finally, the thought of hauling hazardous materials via the Port Jefferson LIRR line is mind boggling given its proximity to so many homes, schools, ballfields, etc. The neighborhoods that this line passes through as well as the terminus at Carlsoncorp's property do not have sufficient infrastructure for people to evacuate swiftly in the event of a catastrophic event. This seems like a very poor plan. There are other places near rail lines on Long Island that are in way less densely populated areas.

This proposal should be denied!

Sincerely,

Janet Goldstein
djagold@aol.com
May 12, 2023

May 3, 2023

The Honorable Martin J. Oberman
Chairman
Surface Transportation Board 395 E Street, S.W.
Washington, D.C. 20423

RE: Surface Transportation Board Decision, Docket No. FD_36575

Dear Chairman Oberman:

I am writing this in opposition to the Carlsoncorp's Townline Rail Terminal proposal. It is my hope that you deny this proposal.

A project of this nature and magnitude does not belong so close to people's homes. It does not belong near schools where children spend most of their time. It will only drive down property values and create even more traffic than we already have on our local roads. This does not belong here.

As I said before, it is my hope that you will deny this proposal.

Sincerely,

Marie Matthews

The Honorable Martin J. Overman
Chairman
Surface Transportation Board
395 E Street, S. W.
Washington D.C. 20423

Dear Mr. Chairman:

I am writing you now as a Kings Park resident concerned about the potential hazards to our community once the Carlson Corp rail spur/freight train is constructed.

We are a community of families whose children will be victims of hazardous materials for years to come. Our children swim in our backyard pools, play ball and barbecue right across the street from where Carlson intends to transport hazardous waste to be dumped into railcars.

Please consider our health concerns, and direct Carlson to conduct business elsewhere, far away from residents who will be exposed to toxins for many years to come.

Thank you for taking the time to consider this request for continued safety for our families. Your consideration of this matter is greatly appreciated.

Respectfully,
Lorelei Rossi
63 Hilden Street
Kings Park, NY 11754

Sherri L. Kaplan
56 Peppermint Road
Commack, New York 11725
(631) 806-7255

May 31, 2023

Honorable Martin J. Oberman, Chairman
Surface Transportation Board 395 E. street,
S.W.
Washington, D.C. 20423

Re: Surface Transportation Board Application: Docket No. FD-36575

Dear Chairman Oberman:

I last wrote to you on February 20, 2023 concerning the above referenced application, and now find the need to write again due to additional information and concerns.

This time the focus is not on what CarlsonCorp has told us but rather what was omitted intentionally, or otherwise from its application making it not only inaccurate, but deceptive. We were told that "absolutely no hazardous materials will be transported in or out of any facility at any point at any time."

Now we learn that if approved CarlsonCorp would be required to receive and ship hazardous materials upon request. This is more than a significant omission; it is a falsehood. And once brought in by rail, these hazardous materials will need to be distributed by diesel trucks all over Long Island, so any claim of reduced truck traffic is a falsehood.

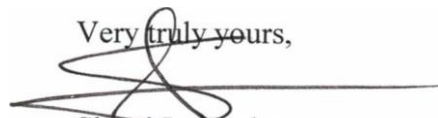
Additionally, CarlsonCorp's claim that it will cater only to local businesses is disingenuous. As I understand it, it would be obligated to provide rail service to any entity that requests service. So the amount of potential business for CarlsonCorp is limitless.

And if we cannot take what has been disseminated as true, then I cannot help but be concerned about what other information CarlsonCorp has purposefully omitted or watered down. It makes me question the truth and veracity of everything we have been told to date. It is one thing to try and deceive home and property owners, it is another to deceive a governmental agency

Since CarlsonCorp has not come to the table with full transparency it's application must be considered under a microscope to ensure that all CarlsonCorp is claiming is accurate and factual. This matter is far too serious to take it at its word, when its word keeps alarmingly changing. We do not want any important environmental concerns overlooked or omitted because a company attempted to bury those problems and keep them from the public directly affected.

Greed, at the expense of parents and children is an abhorrent fact. Deceit of the public is repugnant and necessitates the utmost scrutiny. As a result of the half truths, and deceptive conduct it is requested that CarlsonCorp's application be denied.

Thank you for your attention into this matter.

Very truly yours,

Sherri L. Kaplan

cc: Townline Association, Inc.

The Honorable Martin J. Oberman
Chairman
Surface Transportation Board
395 E Street, S.W
Washington, DC 20423

Roberta Traynor
5 Terrill Lane
Kings Park, NY 11754
Rtrayrt87@optimum.net
(631)896-3453

This letter is in reference to DOCKET NUMBER FD-36575

Dear Honorable Oberman,

My name is Roberta Traynor, I have been a resident of Kings Park, NY my entire life. I know the ins and outs of Our small town. There are many reasons the freight railyard projected for Kings Park, will be detrimental to our community and way of life.

First traffic and infrastructure, there are 2 main roads in Kings Park, Indian Head and Main street/25A. The freight is planned for this area and will stop all traffic through out the town. Something as simple as 2 trains switching tracks in KP can take up to 7 minutes. In that time we have had instances that blocked our volunteer Firemen to responding to house fires and accidents.

Second pollution, the pollution brought on by the trains are in close proximity to our schools and residential areas. This is NOT why we pay high taxes. We've purchase homes in this area not knowing what the future would hold. A freight yard will change the neighborhood from the quiet area originally purchased, to a polluted, loud, dangerous back yard!!

Finally, Property value. KP is home to hard working, middle class, tax paying families, who work in the community and raise their family here. Our neighborhoods will no longer be safe by the unwanted, nonresident people, these types of areas bring. Such as, drug dealing, homelessness and loitering.

We are Kings Park, we are beaches, parks, families and peaceful neighborhoods. This is why we live here. This is why we pay high taxes. This is why we choose to raise a family here. Please, do not allow this project to pass. If it does we lose everything we work so hard for!! Please, don't change our community and way of life.

Thank you, Be well.

Respectfully,
Roberta Traynor