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August 28, 2023
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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

August 27, 2023

Dear Chairman Oberman,

Townline Association is assisting residents with the public comment process. Attached are letters/signatures 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

August 25, 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,

When the community finally found out about the Townline Rail petition for an exemption to the STB, Mr. Toby Carlson, owner of both CarlsonCorp and Townline Rail, started telling the community hazardous materials cannot and will not ever be accepted, nor shipped, by Townline Rail. Once Townline Association hired a lawyer, Townline Rail was forced to admit under a CCO, "Townline Rail understands that if its petition is granted, upon exercise of the Board's authority, it will have to provide service upon reasonable request, including reasonable requests to transport hazardous materials."

What is happening now is Mr. Carlson is writing letters to the editor of a local paper and putting on Facebook that while it may be "very technically true" that Townline Rail could be required by the STB to receive and/or ship hazardous materials on reasonable request as a common carrier - this is really just "illusionary." CarlsonCorp's argument is it will not seek approval from the Town of Smithtown or the New York State Department of Environmental Conservation ("DEC") for authorization to transload hazardous materials in its proposed facility.

CarlsonCorp could ask the DEC for a permit to transfer hazardous materials from its proposed transload facility. In general, a facility could be exempt under 6 NYCRR Parts 372 and Part 360 for 10-day storage, and a 364transporter permit could be issued with a destination facility that was authorized under that exemption. It could also seek permission from the town for a use variance/exception.

This project is proposed on an approximately eighty-acre site, leaving plenty of other locations where goods/materials could be transported from train car to truck without using the proposed transload facility. There are many ways to transfer containers from train to truck for the purpose of transport.

CarlsonCorp/Townline Rail will have no choice but to accept the shipments on the railroad as a common carrier. For example, directly across the street from the proposed site, Covanta Huntington uses anhydrous ammonia during its process, while chlorine is used in

wastewater treatment at Suffolk County Sewer District #6 in Kings Park, less than five miles away. Townline Rail would have absolutely no choice but to transport these hazardous materials if requested.

CarlsonCorp is fond of saying the transload facility is distinct and separate from Townline Rail, therefore a CCO would not attach. What has never made any sense is that its complete name is Townline Rail Terminal. The word terminal, in the context of transportation, means the end of a transport route, or a station at such a point. Here, the end of the transport route, the terminal, would be the transload facility, where freight cars would pass through to be unloaded. This transload facility is the heart of Townline Rail Terminal, it is not functionally separate nor distinct.

What Townline Rail/CarlsonCorp is really doing is trying to expand its trucking business using the CCO, while simultaneously and purposefully trying to shield itself from the long-established responsibilities that come with holding a CCO. The common carrier obligation is a core tenet of the Board's regulation of the freight railroad industry and is a pillar of the railroads' responsibility to our country's economy.

In layman's terms, CarlsonCorp wants to have its cake and eat it too. I respectfully request this petition be denied.

Sincerely,

Kathleen O'Malley
144 Church Street
Kings Park, NY 11754

August 20, 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 compelled to write to you to say I oppose the Townline Rail Terminal being proposed by Carlsoncorp at 140 Old Northport Road, Kings Park. I respectfully request that you reject this proposal.

Carlsoncorp has been placing advertisements in our local newspaper (The Smithtown News) practically every week for the past several months. A number of Carlsoncorp's advertisements state that they will never transport hazardous materials even though they are "technically" supposed to if requested as a CCO because their transloading facility will not be licensed to handle hazardous material. This makes no sense to me at all – either Townline Rail is a CCO and transports hazardous material as reasonably requested or it isn't. Can someone please clarify this for me?

I feel it bears mentioning that if there was ever a catastrophic release of hazardous materials in our area (such as anhydrous ammonia or chlorine) there would be no way to safely and swiftly evacuate the residents that live in the surrounding communities. Our local roads are primarily single lane in either direction and are just not designed to accommodate a mass evacuation. I understand that Carlson owns land that happens to be located next to the LIRR tracks. Just because his land is located next to the LIRR tracks it does not mean that it is an appropriate place for a regional freight yard and trucking business. In reality, his land is just a small piece of land located in the midst of thousands of acres of residential land with homes and schools. Furthermore, a good portion of Carlson's land is currently zoned for residential usage. This is simply not the right location for a regional freight yard.

Once again, I respectfully request that you consider the thousands of residents that live in the surrounding communities as well as the thousands of students that attend school near the Carlsoncorp property when making your decision and that you say "NO" to Carlsoncorp.

Sincerely,

Andrew Axelrod
23 Coconut Drive
Commack, NY 11725
Andrew.Axelrod13@gmail.com

August 18, 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 a resident of Commack, New York for almost 25 years and live less than half a mile from the Carlson property where a regional freight train yard is being proposed. I am extremely opposed to this proposed freight yard. I am concerned about all the negative impacts this freight yard would have on the surrounding communities. Our property values will suffer and residents will be exposed to all sorts of annoying and unhealthy things like noise, light, increased truck traffic, vibrations and diesel fumes. This is terribly unfair to everyone who lives here!

I hope that the STB will consider all the people who will be negatively impacted just so that Mr. Carlson can grow his personal wealth. Please stop this insane proposal!

Best Regards,

Lisa Vlacancich

16 Daron Lane

Commack, NY 11725

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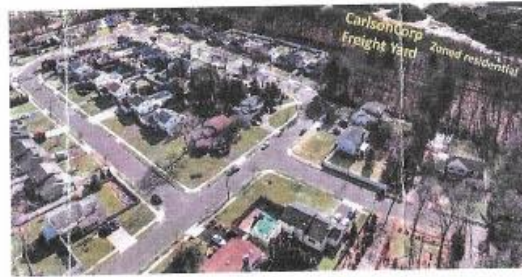


Dear Chairman Oberman,

Townline Rail Terminal is seeking to construct and operate a private freight yard at 140 Old Northport Road, Kings Park on the Port Jefferson line. The plan shows the prospect of five tracks totaling 9,400 feet, two buildings totaling at least 100,000 square feet, and a 161-freight car capacity totaling 10,456 feet of train. It would be a chain link fence away from established residential neighborhoods. The Port Jeff line passes within yards of our schools (Commack, Elwood, Kings Park, Harborfields, Northport, Fort Salonga, East Northport, Huntington), houses, businesses and our local roads. This regional freight yard is unnecessary and only serves to financially benefit the petitioner, while harming our communities. I respectfully request this petition be denied.

Name	Address	E Mail
Felisa Hoffman	6 Max Way, Commack, NY 11725	Felisa12/8@optonline.net
Dean Gregory	15 Elder Drive, Commack NY 11725	deangreg@buffalo.edu
Maria Hernandez	7 meadow Haven Lane, E. Northport NY 11731	2001mariann@gmail.com
Lauren Rook	5 fifth avenue Smithtown NY 11787	laurenrook50@gmail.com
Daniel Acebedo	33 Holly Drive, Commack NY 11725	dacebedo01@gmail.com
William Gunttar	12 Rumford Rd, Kings Park NY 11754	Bill16w@aol.com
Danielle Volpe	109 Old Post Dr. Hauppauge, NY 11788	
Thomas Volpe	109 Old Post Dr. Hauppauge NY 11788	
Bill Boyd	16 Bluff Circle Hauppauge NY 11788	
Carolyn Boyd	16 Bluff Circle Hauppauge NY 11788	
Kim Aronica	165 Hayrick Lane, Commack NY 11725	Kimaronica@aol.com
Len Aronica	165 Hayrick Lane, Commack NY 11725	

The Honorable Martin J. Oberman, Chairman
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Name	Address	E Mail
Courtney Aronica	145 Hayrick Lane, Commack, NY 11725	caronica24@gmail.com
Elan Tarnauer	9 Beach Hill Drive Fort Salonga	
LEIGH WEBSTER	74 Norwood Rd Npt. NY 11768	leighway5@verizon.net
Lisa Caracciola	45 Brush Lane Greenvale NY 11740	LISA-CARACCIOLA@gmail.com
Stephanie Bernhardt	47 WATERSIDE Ave Northport NY 11765	sbernhardt@optonline.net
CARRY NIKUNEN	119 LEWIS RD, NORTHPORT, NY 11768	
Tracey Holland	19 Longfellow Ave Kings Park NY 11754	traceykholland@yahoo.com
Colleen Hartner	32 Longstreet Dr Lake Grove 11755	colleenhartner@gmail.com
Susan Vasselmann	36 Peppermint Rd, Commack 11725	svasselmann@gmail.com
Fred Vasselmann	36 Peppermint Road, Commack 11725	vasselaw@gmail.com
Mark Mahler	20 Cecily Lane, Commack NY 11725	gracie1323@gmail.com
Kim Bridgwood	20 Cecily Lane, Commack NY 11725	kimmi1013@msn.com