

July 15, 2016

VIA U.S. Mail and E-Mail to david.navecky@stb.dot.gov

David Navecky
Surface Transportation Board
395 East Street, SW
Washington, D.C. 20423-0001

Re: Great Lakes Basin Railroad – Scoping Comments from New Durham Estates

Dear Mr. Navecky:

Our law firm represents New Durham Estates (“New Durham”) concerning the proposed Great Lakes Basin Railroad. Please accept this letter as the Scoping Comments on behalf of New Durham.

New Durham is a manufactured home community in Westville, Indiana off of U.S. Highway 421, and South of the intersection with State Road 2. It has been in business for almost 50 years and has over 105 acres of property and over 391 homes. It is a multi-generation family business that was started in 1967 by Mel Fath. Gary Fath, Mel’s son, is New Durham’s President, and Tom Fath, Gary’s son, is the Operations Manager. New Durham leases plots to manufactured home owners has a manufactured home sales site.

New Durham is concerned with the proposed route of the Great Lakes Basin Railroad project, which would cross U.S. Highway 421 at a place where it would separate New Durham and its residents from the remainder of the town of Westville. If approved, this would have a tremendous negative impact on New Durham, its residents, and Westville.

The following are New Durham’s Scoping Comments concerning the Great Lakes Basin Railroad for the Surface Transportation Board’s consideration:

Increased noise pollution. New Durham and its residents are concerned that the proposed railroad will cause a substantial increase in noise pollution from increased train traffic due to the close proximity of the proposed route.

The proposed railroad is within 5000 feet of the wellhead protection area for the community. Westville owns, operates and maintains a series of water drinking wells, which are located directly south of the proposed route. Westville has just completed its wellhead protection plan, and the projected railroad will be in the area of the wellhead protection plan. An accident or spill could contaminate the town of Westville’s drinking water, including for New Durham and its residents.

Dissection of farmland that will be used to expand the community with Bluhms County Park. Please reference Exhibit A.

Lowered property value, decrease in home sales and loss of homeowners on leased property. The proposed railroad would significantly lower the property values for the homes in New Durham's community due to the railroad's close proximity, which will negatively impact New Durham and its homeowners. It is also likely to result in a significant decrease in home sales and the loss of homeowners on leased property.

Loss of frontage due to overpass required for railroad. In order to avoid causing traffic delays from the crossing of a major highway, the proposed railroad project includes the construction of an overpass. If an overpass is built, it could encroach on the adjacent homes in New Durham's community and cause the loss of frontage between the land and the road.

Safety concerns. Due to the close proximity of the proposed railroad, the safety of New Durham's employees and residents would be severely threatened by any accident or train derailment (especially if the train is carrying hazardous material). Furthermore, since the proposed route cuts New Durham off from the remainder of Westville, emergency services to the community could experience substantial delay. The Westville Town Marshal has expressed serious concerns about the safety hazards that the proposed railroad could present.

For these reasons, New Durham opposes the current proposed route. New Durham supports the Town of Westville's Alternative Proposed Route, which was adopted by Resolution of the Town Council of the Town of Westville by unanimous vote on May 10, 2016.

If you have any questions, or would like to discuss this matter further, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Ed DeLaney / CSS". The signature is stylized and fluid.

Edward O. DeLaney

Cc: Tom Fath



3855 S. 1100 W., Westville, Indiana
New Durham Township, LaPorte County

LaPorte County Parks Department
www.LaPorteCountyParks.org

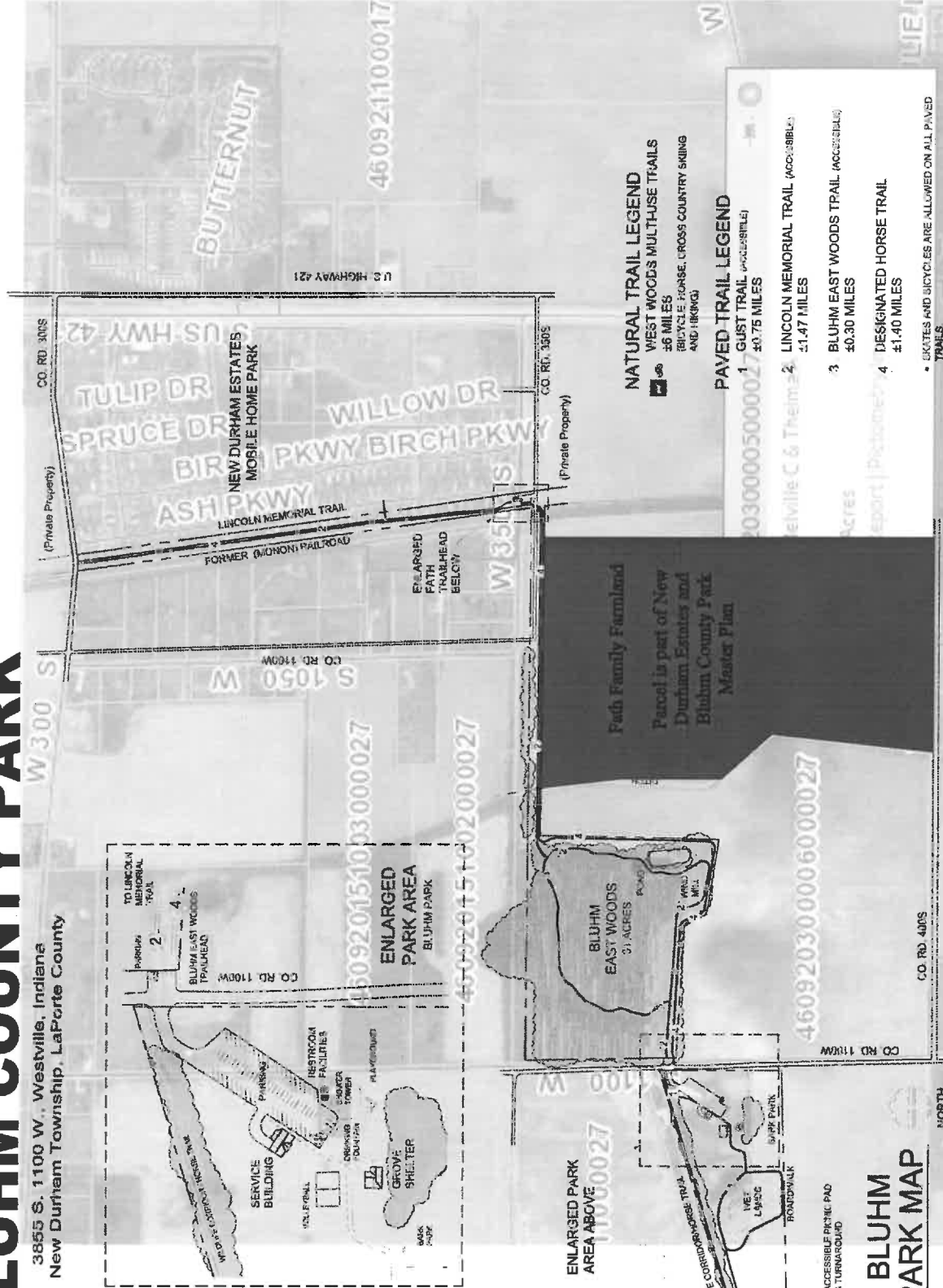
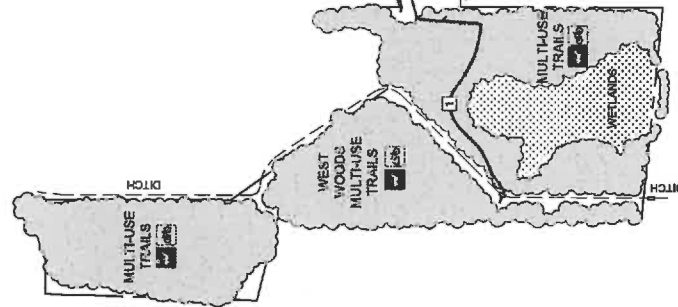


Exhibit A

2.13.05