



KENNETH P. ZEBROWSKI  
Assemblyman 96<sup>th</sup> District  
Rockland County

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

CHAIRMAN  
Administrative Regulations  
Review Commission

COMMITTEES  
Codes  
Environmental Conservation  
Governmental Employees  
Judiciary  
Labor  
Libraries & Education Technology

February 3, 2014

Kenneth Adams  
President & CEO  
NYS Empire State Development  
633 3rd Ave.  
New York, NY 10017

Dear Mr. Adams:

Thank you for your response on December 31, 2013 to my concerns regarding a RESTORE NY grant for a poultry processing plant in the Village of New Square.

I am writing to respond to two points that you raised regarding the project's support in the community and the transparency of the project, and to further elaborate on my opposition.

You mentioned that several officials supported the RESTORE NY grant application in the community. My review of the record shows that it was a very few number of individuals. Due to the unique environmental and economic impacts that an industrial chicken slaughter house brings, it is incumbent to examine the support or opposition from surrounding communities who will bear the brunt of the effects. It is also important to recognize that there have been changes in the elected leaders who originally supported this project.

I have attached letters from current elected officials from the surrounding communities who directly border this proposed facility. They represent over 40% of Rockland residents and they all share the same sentiment: this type of industrial use has no place in a residential neighborhood. I have also had countless interactions with constituents expressing deep concern with the project including residents who live less than fifty feet from the proposed site. I would venture to say that opposition to this project is near unanimous among Rockland residents. I ask that you take these letters of opposition and constituent concerns into consideration.

Your letter referenced a public hearing that the Village held regarding the proposed project on April 29, 2009 at which there was no public comment offered. This project has not been a transparent process beginning with the notice of public hearing that was published on April 22, 2009. The notice stated that the public hearing was in reference to "the proposed application to the Empire State Development Corporation for the RESTORE New York project." The notice failed to mention the purpose of the application or the nature of the project. This project was not advertised in a fair and open manner. This misguided notice lead to zero public comment on an otherwise controversial project.

In addition, there has already been a push to protect residential communities from the harmful effects of slaughterhouses. In 2008, a state law was passed that restricted animal slaughterhouses in New York City from being located within 1,500 feet from a residential dwelling. This law only applies to State licensed slaughterhouses, which are much smaller than those licensed by the USDA, and places a buffer zone between the facilities and residential homes. The proposed facility in New Square is licensed by the Federal government as it is expected to process over one million chickens annually. Despite the differing licensing jurisdictions, the reality is that the State has banned small slaughterhouses within 1,500 feet of houses in New York City but is subsidizing a 25,000 square foot industrial slaughterhouse in Rockland County that is less than 50 feet from homes. Rockland homeowners deserve the same protections as New York City homeowners. This type of economic development is not appropriate and will cost more in the long run.

This project has not only been controversial because of the proposed site location but also due to that fact that the applicant, Adir Poultry, was forced to close their previous facility in the same village by the USDA. The USDA cited the deplorable sanitary conditions of the poultry processing plant, refusal of federal inspection, and that the owners sold over 2 million un-inspected poultry birds between September 2002 and December 2008 (United States of America v. New Square Meats, Inc., et al, 2009). I believe New York must examine the track record of a company before any public funds are utilized. The facts surrounding the project and the RESTORE grant have drastically changed since the initial public hearing in April, 2009 when no comment was solicited.

Although you state in your letter that a public comment period still exists through the SEQOR process, the fact is, the Village of New Square is the lead agency. The Village is the only entity supporting this project. The project is at the very border of the Village and affects surrounding residents, and municipalities just as much, if not more, than New Square.

I again ask you to rescind this grant on behalf of the thousands of Rockland residents whose home values, health and lives will be negatively impacted by this ill-advised industrial project. I would like the opportunity to meet with you and your staff to discuss this matter at more length. I appreciate your review and consideration of this matter.

Sincerely,



Kenneth P. Zebrowski  
Member of Assembly

Cc: Empire State Development, Board of Directors  
Derrick D. Cephas, Esq., Director  
Paul F. Ciminelli, Director  
Robert R. Dyson, Director

Joyce Miller, Director  
Benjamin Lawsky, Ex Officio Director