

Pike appeals Westbrook's quarry decision

BY THE MAINEBIZ NEWS STAFF

08/20/09

See also *MaineBiz*
8/21 **Correction** below



Pike Industries has appealed the recent decision by the City of Westbrook to strip the company of its legal right to operate a local quarry that has been in existence since 1968.

Following several lengthy hearings on the issue, Westbrook's Zoning Board of Appeals [ruled last month that Pike has no legal rights to operate the quarry on Spring Street](#), which it bought from Blue Rock Industries in 2005, and served Pike with a cease and desist order. Pike has appealed in Cumberland County Superior Court and filed a motion to stay the decision while the court considers its appeal, according to a press release. According to [Pike's motion](#), since 1971 the city has never found a reason to object to the quarry operation and even issued various permits over the years "in furtherance of the quarry use."

"All we want is basic fairness," Jonathan Olson, regional manager for Pike Industries, said in a statement. "The city granted a permit for quarrying operations at that site more than 40 years ago ... Now, suddenly after 40 years and under pressure from some powerful interests, the city is claiming that we never really had a permit and can no longer operate the Spring Street Quarry. This defies common sense. It puts our business in a competitive disadvantage and could cost the city jobs and tax dollars."

The issue of the legality of Pike's quarry operations came to the city's attention last November when a coalition of local businesses led by Idexx commissioned an analysis, prepared by attorney William Plouffe, which [claimed the quarry's former owner, Blue Rock, began operating the quarry in 1968 without the appropriate permits](#) and then refused to stop.

Pike's appeal to the Zoning Board of Appeals' decision was expected. At the time, the board was specifically instructed by its attorney to not consider issues of fairness or equity or the fact the city had allowed quarrying activities for more than 40 years without complaint, according to a press release. "Fairness gets into the issue of equity and that's for the courts to decide," said Ralph Austin, the ZBA's legal counsel, according to the release.

[View Pike's motion >>](#)

[Send A Comment to MaineBiz](#)

©2009 New England Business Media

Correction

We goofed in yesterday's Daily on the item about Pike Industries' battle with the city of Westbrook. We wrote that the city had stripped the construction company of "its legal right" to operate a local quarry. Although the quarry has been mined commercially for 40 years, the city had never issued a formal license, ergo there was no "legal right" stripped. We regret the error.