

## Appalled at blasting permit

This past week, I was appalled to discover that Pike had submitted an application to use explosives/blasting agents for 25 blasts at the Spring Street quarry between March 1, 2009, and Dec. 15, 2009, and for the removal and crushing of 250,000 cubic yards of material. While the city figures out how to handle the Pike situation, given that (Pike has) no lawful permits to operate a quarry on Spring Street, it would be prudent for our officials not to grant any permits at this time.

However, that is not the case. The city has issued Pike a permit, dated April 9, 2009, for 25 blasts and the removal of 250,000 cubic yards of material in the coming seven months with five conditions. I was, at least, reassured that Pike did not receive a carte blanche from the city. The conditions are as follows:

“1. The applicant is limited to removal of the amount of material stated in the application for the period 3/1/09 through 12/15/09.

2. The applicant shall not exceed the number of blasts set forth in the application for the period 3/1/09 through 12/15/09.

3. No crushing shall occur on the site, as determined by code enforcement officer's decision dated Jan. 29, 2009.

3. [sic] Blasting and drilling shall be limited to the 31.88-acre grandfathered area identified in the code enforcement officer's

decision dated Jan. 29, 2009, and Exhibit 7 of that decision.

4. [sic] Use of this site is the subject of a pending appeal before the Zoning Board of Appeals. This permit is issued without prejudice to the result of that appeal. In the event that the final, non-appealable outcome of that appeal determines that the current use of the quarry is not lawful in any respect, this permit may be revoked or modified to reflect that decision. Any work under this permit is done at the applicant's sole risk and no such work shall serve as the basis for a claim of vested or other similar rights.”

The question as to whether Pike should be allowed to blast at all, given the history, has raised significant doubt in many minds. Do they even have a grandfathered right to operate this quarry? Over the past three weeks, at the recent Zoning Board of Appeals, the history book was opened, and the public learned that Blue Rock was not given carte blanche from the city in 1968 and that they never met the four necessary conditions associated with their blasting permit issued at that time. Blue Rock was no more grandfathered than Pike is now. This debate should have been settled on Monday, April 13, at the final Zoning Board of Appeals meeting on this very question.

In addition, the Planning Board is considering rezoning the Five-Star Industrial Park and surrounding area so that it will more accurately reflect the city's vision to create a true gateway to our city. This rezoning will help attract new business and support business expansion among the existing businesses that are compatible with each other as well as the existing surrounding residential areas in this growing part of Westbrook.

*Mercer Bonney  
Westbrook*