

# Smiling Hill Farm

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Edward I. Johnston  
MAI Environmental  
1034 Broadway  
So. Portland, ME 04106

Dear Mr. Johnston,


I am writing on behalf of Smiling Hill Farm to extend the extemporaneous comments which I made during the City of Westbrook Planning Board's workshop session on the Sketch Plan Review of the Pike Industries proposal on July 1, 2008. The proposal was for an expansion of an open-pit mine on Spring Street to include rock crushing, aggregate sorting and bituminous pavement production. I sincerely appreciated the Planning Board's workshop session and welcomed the opportunity to express my farm's concerns with the proposal at this early stage. The workshop process affords Pike Industries the opportunity to solicit Planning Board and community concerns and allows Pike Industries to preemptively address those concerns in their Final Site Plan submission. In order to facilitate this process, I thought it would be helpful to detail Smiling Hill Farm's concerns. This information would allow Pike Industries, and MAI Environmental as their representatives, the opportunity to alleviate or mitigate these concerns in any subsequent submissions to the Planning Board.

## BLASTING

Smiling Hill Farm's primary concern is with our livelihood, which is our livestock. As a dairy farm we rely upon the health and well-being of our livestock to survive. Our animals are negatively impacted by the current blasting at the proposed site. The concussive sound waves and associated seismic vibrations are unanticipated and unexpected by the animals. This causes stress and panic in the animals. This elevated level of stress causes an immediate decrease in appetite resulting in a decrease in the volume of milk that the cows produce. Long-term, the effects of elevated levels of stress on the health and well-being of animals (as well as humans) is thoroughly documented. We are concerned that continued, unmitigated blasting at the current open-pit mine would prematurely deteriorate the health and therefore the longevity of our cows.

Smiling Hill Farm has a pasture directly opposite the proposed site across the Central Maine

**"We'll put a smile on your face!"**

 Smiling Hill Farm also makes the Earth smile by utilizing recycled & reusable products.

Power (CMP) right-of-way. We have ceased pasturing livestock in that location due to the increase in blasting over the past 3 years. Cows are a prey animal, known for “*sight-and-flight*”. A cow’s only defense mechanism is to flee danger. The disorienting effect of a concussive blast panics the cows which then instinctively “*stampede*” to escape a perceived threat. Smiling Hill Farm cannot keep livestock safely confined in a fenced pasture when the potential for a panic triggering event is high. Blasting represents such an event.

In light of these facts, Smiling Hill Farm would request that any subsequent plan eliminate or reduce the intensity, frequency and duration of blasting. We would like to see a plan that embraces new technology such as non-explosive demolition agents (e.g. *Dexpan*®) or compressed air to fracture and extract aggregates. (*There is even surface excavating equipment available, Vermeer*®, that eliminates the requirement for a primary crusher.) We understand that the technology exists to allow excavations in seismically sensitive areas that significantly reduces the propagation of seismic waves. Smiling Hill Farm would welcome a plan that prevented the migration of any seismic waves (*vibrations*) beyond the property boundaries of Pike Industries.

## GEOLOGIC CONDITIONS

A further concern is with the unique geologic conditions that exist in the neighborhood. Smiling Hill Farm considers the existing sub-surface conditions in the proximity of the Pike site extremely sensitive and environmentally precarious. These sensitive geologic sites include:

1. The Sandy Hill Landfill (*former Westbrook municipal landfill*) located to the north of our farm (*north-west of the Pike Industries site*). Although closed and capped, this landfill is unlined and testing has determined that a plume of toxic residue from the landfill is currently migrating in the general direction of Clark Brook toward the Stroudwater River. When the Calpine Energy Center was constructed in 1998, evidence of this plume was discovered during the requisite geologic testing at the Calpine location.
2. The S.D. Warren landfill (*aka Chapman/Larson landfill*) to the south of our farm (*south-west of the Pike Industries site*). This landfill is also unlined and has been recently closed and capped.
3. The EcoMaine (*formerly RWS*) ashfill/balefill/landfill to the south-east of the farm across the South Portland boundary (*south of the Pike industries site*). This is an active landfill, portions of which are lined and in use while earlier excavations were unlined and are closed and capped.
4. The former burning dump for the City of Westbrook. This dump was located on Spring Street directly adjacent to the Pike site. Trash was openly burned and buried at this site until the Sandy Hill Landfill opened in the early 1970’s.

5. The underground chemical contamination by the former Unitrobe building (*currently Pratt-Abbott*) located directly adjacent to the Pike site. The Maine Dept of Environmental Protection (*DEP*) is aware of this contamination and has determined that it is comprised primarily of industrial solvents.
6. Smiling Hill Farm has four active drilled wells that we extract water from for residences, livestock, employees, and dairy processing. Smiling Hill Farm's primary well was steam-drilled in 1918 and produces in excess of 100 GPM. An abundant source of clean, un-fluorinated, un-chlorinated water is vital to the farm's survival as a producer and processor of quality dairy products.

Smiling Hill Farm is extremely concerned with the potential impact that disruptive geological activity could have on the above listed sub-surface entities. We realize that it is difficult to accurately predict the unknown intricacies and behavior of underground geological formations, however, Smiling Hill Farm believes that the potential of unintentional negative impacts on these entities by prolonged and sustained blasting is real and should be addressed. Can a comprehensive survey of these underground entities be commissioned to assess the impact that blasting might have on them? If a future negative environmental event transpired involving these entities due to geologic anomalies related to blasting and excavation, what party will be responsible for damages? Can a bond or fund be established to create a means to quickly address any negative environmental consequences that might arise?

## TRAFFIC

Traffic resulting from Pike's proposal will negatively impact our farm. We use County Road, Spring Street, Eisenhower Drive and Saco Street to access our property. We are frequently operating slow-moving vehicles associated with our agricultural and silvicultural activities. These right-of-ways are all two-lane roads with some improvements at the intersections (*most notably and recently Spring St./County Rd.*). For comparison, Pike Industries' existing site on Main Street in Westbrook has two points of access/egress (*Larabee Road & Main Street*) both of which are four or five lane roads. Currently Pike Industries' associated traffic can exit their site on Main Street and access the interstate system without ever entering on a two-lane road. The Pike proposal for Spring Street would have only one access/egress point and all traffic would have to travel an extended length of two-lane road before reaching the interstate system. Smiling Hill Farm would encourage a future plan to incorporate improvements to the existing roadways to accommodate this future truck traffic. If future traffic will access the interstate system from Spring St./Cummings Rd., then can the entire roadway be expanded to four-lanes to Payne Road where the next four-lane roadway is available? Can a cloverleaf or rotary with gradual ramps be installed at the Spring Street access/egress to Pike to facilitate traffic flow and more easily incorporate the slowly-accelerating trucks into the existing traffic flow?

## CLARK BROOK

The Clark Brook waterway is a significant corridor for wildlife entering Smiling Hill Farm. As an organic farm Smiling Hill Farm relies heavily on a ecological balance of wildlife and insects to naturally control nuisance pests. All animals are important to this balance particularly large predators that only rely on Smiling Hill Farm as a portion of their territorial range. The ability of these animals to migrate safely into, through and out of Smiling Hill Farm is integral to our farm's sustainability. Wildlife will naturally follow water corridors as a source of food and as a navigational aid. The requisite development setbacks from these waterways are important not only for the protection of the waterway but also to preserve an animals' sense of comfort in negotiating these corridors. The Pike proposal includes a 60 foot roadway across Clark Brook utilizing a culvert. Smiling Hill Farm believes that a dark, 60+ foot culvert would be unnaturally intimidating to wildlife. Since the roadway has the potential to be used beyond daylight hours due to seasonal nighttime paving and construction demands, the traffic would also discourage wildlife from seeking an alternate route around the culvert. We believe that a beam or cantilever bridge that fully spans Clark Brook with abutments positioned outside the setback requirements would be much more accommodating to wildlife and help preserve a vital wildlife corridor for our farm. Nighttime lighting will also be an important issue in encouraging wildlife to continue to use this corridor. What is the lighting plan for this 60 foot roadway and can the lighting be diverted or extinguished within the proximity of Clark Brook?

## DEBRIS

Debris is also a concern for our farm. Blasting is an inherently unpredictable and dangerous activity. Hard-hats and shelter are the norm when a "shot" is made. Despite many advances in safety with blasting mats and shaped charges, the potential is always there for errant debris to be thrown from an explosion, sometimes at a great distance. What accommodations are made to prevent debris from leaving the Pike property? Can netting be installed along the periphery of the property boundary (similar to golf ball netting at golf courses) to capture flying debris? As an example, Smiling Hill Farm harvests forage in fields over which CMP has an easement. We have encountered debris from CMP transmission poles (*bolts, wire, etc...*) which have damaged our mowing equipment in the past. CMP compensates Smiling Hill Farm for the results of these damaging encounters. Will Pike Industries likewise take responsibility for any debris that might be ejected from an explosion, land in our field and cause damage to our equipment?

## VISUAL IMPACT

Smiling Hill Farm is concerned that the Pike proposal will include industrial equipment, buildings and other improvements that are not in keeping with the character of the neighborhood. We were heartened to see that photographic evidence was produced at the Planning Board workshop that illustrated the visual effect that the proposal would have on the Idexx property. Smiling Hill Farm would be likewise interested in viewing a similar presentation from the perspective of our property. Smiling Hill Farm did notice that the Pike proposal has the requisite 100 foot buffers on all sides EXCEPT the property boundary that faces Smiling Hill Farm. It is our understanding that CMP (the direct abutter) has waived their right to a 100 foot buffer and has allowed for the reduction of the buffer to 10 feet. In that CMP has no improvements on their property aside from transmission poles every 300+/- feet; and in that CMP regularly applies herbicide to their right-of-way to prevent any significant growth; this waiver essentially provides Smiling Hill Farm with no visual buffer commensurate with the other abutters. The CMP right-of-way is an open, unobstructed space that has no future potential for the growth of natural buffering. This fact subjects the Smiling Hill Farm property to an absence of buffering that is afforded the other abutters in the Five Star Business Park. Smiling Hill Farm would like to see a buffer of 100 feet, identical to the rest of the proposed site, maintained along the CMP right-of-way.

## NOISE

Noise is also a concern for Smiling Hill Farm. It is our understanding that this proposal is subject to current City of Westbrook noise ordinances. For the Industrial Zone in the City of Westbrook, "*Noise must not exceed existing levels at the zone lines.*" Blasting certainly does and will exceed this noise ordinance. The primary rock crushing and subsequent conveying, washing, sorting and storage of aggregates are also activities associated with significant noise generation. Can these activities be housed in sound attenuated buildings? Pike Industries related in the sketch plan review workshop session that there is approximately 80 years of rock extraction at the site based on current estimates. Well constructed and engineered buildings could last the lifetime of the site and 80 years provides a sufficient period for Pike Industries to recoup the investment. These buildings could house all operations, including the most objectionable activities and would provide the benefit of abating noise, controlling dust and masking visually incongruous equipment and operations. Advances in architectural textiles and light-weight trusses for large spans could even make covering the open-pit mine a possibility.

## IN CONCLUSION

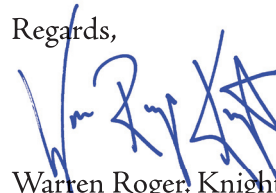
Smiling Hill Farm has an extensive history as a property owner and business operator in the section of Westbrook that Pike Industries seeks to relocate. Smiling Hill Farm treasures and passionately stewards the land upon which its continued survival depends. The farm appreciates the care and investment that abutting neighbors have also made in their properties. We also appreciate the extent to which new businesses strive to meet and exceed the community standards and neighborly expectations of the existing businesses and residences. We recognize that all our neighbors wish to preserve and protect their individual investments.

If Pike Industries is willing to dedicate the resources necessary to mitigate the incompatibilities of operating an open-pit mine in a densely developed business park and residential neighborhood then the natural suspicions and resulting opposition to the proposal can be allayed. The average open-pit mine operating in the State of Maine is located on a significantly larger lot in a less densely developed area. Pike Industries will gain a tremendous competitive advantage by being able to operate an open-pit mine in an urban area, close to their potential customers. Pike Industries should be willing to invest this financial windfall into meeting the expectations of existing abutters for their continued quiet enjoyment of their respective properties. The buildings, equipment, infrastructure and operating procedures for an open-pit mine in an urban location *must* be different than those for an identical operation in a rural location with less density and greater buffering.

How Pike Industries meets the unique challenges of operating an open-pit mine in close proximity to existing incompatible businesses and residences will reveal the sincerity of Pike Industries' desire to transparently blend into the existing neighborhood without any adverse impacts.

Smiling Hill Farm looks forward to viewing the final site plan. Please do not hesitate to contact me if you should have any questions concerning this matter.

Regards,



Warren Roger Knight  
Smiling Hill Farm, Inc.

cc: Pike Industries  
Westbrook Planning Board