

Male: ...four votes shall be necessary for the passing. If the vote had been three to two, that motion would not have passed. With that said, we have a motion to go _____.

Male: I'll motion _____.

Male: Second by Mr. Emory, everybody understands the motion? All those in favor. It's unanimous in favor. The purpose of going into the workshop session, as you heard me tell Mr. Novak earlier, this is one of the time when we allow the public to speak. The purpose of going into a workshop in this case, we are going to discuss the sketch plan. The sketch plan is the first time somebody comes before our board. Prior to this ordinance that we are working under now, there was a provision when the plan came first to us, particularly was a subdivision plan, there was written into the ordinance that the board take comments from the public as to what was coming forward. The general reason people are before the board with a sketch plan is to receive input with regard to their plan. Now, I realize that people may express concerns and they don't want the project to move forward. There's always that potential whenever we go into a public hearing. But the purpose of the expression in the workshop is to help to guide the proponent on what they are presenting. With that, we are now in workshop. Comments will, I will regulate the comments. And again, after we have our presentation, I will ask anybody that wants to speak to come just like it's a public hearing. And the reason I ask for you to come up here is because we're on television, and the people at home have the right to hear what is said or presented.

Now, we are under our item column number six, called Sketch Plan for Industries. MAI Environmental, on behalf of Pike Industries for relocating, consolidating access, advocate processing in hot mix asphalt _____ operations on the property located at 645 Spring Street, tax map five, lot 11, and B3, the zone is industrial park. It is my understanding before we start that the materials that were sent out to the planning board are not the same materials that are going to be presented tonight. Is that correct?

Male: We will present both.

Male: Present both, all right.

Male: I have the materials that were sent out.

Male: Thank you very much, and I would ask you gentlemen to either use the mic that is on the podium when you make the presentation or the handheld mic, which is on the other side. Since we are having a little trouble starting I will read a

communication that was sent to us from the mayor, to Molly, to us in reference Pike Industries proposal. It says Molly, please share the email below with the planning board. I've advised Mr. Parenti(?) to attend the meeting tonight. Is he here?

Male: No, he's not.

Male: No he is not. Do you represent him?

Male: Yes.

Male: Are you going to read the letter?

Male: No.

Male: No, okay. It was from John Parenti, and gives us his email on Monday, June 30, 2:04 in the afternoon to Bruce Gillutu(?), who is the mayor, subject Pike Industries proposal. Dear Mr. Mayor, I am the owner of WPXT and WPME television stations located in Westbrook. If Pike Industries is allowed to expand as they plan, we will have no choice but to move our facility from its current position. The blasting is already taking a toll on our building and tower, as well as our employee sanity. It is very embarrassing to have clients in our studios, us trying to sell them on the production services, or worse, in the process of shooting a commercial and having the entire building shake. We simply will not stick around if Pike continues with their plan. It is incumbent on the officials, such as yourself, to stop this type of destructive growth. Sincerely, John Parenti, CP Media, New Age Media, and there are two telephone numbers _____. And the staff has a copy of that. Are you ready now, sir? Okay.

Male: Thank you for your patience. My name is Ted Johnson, I'm with MAI Environmental South Portland. Good evening.

Male: Thank you.

Ted: I'm here tonight on behalf of Pike Industries to talk about the Spring Street quarry project and to present to you our concept for this development. And also, this will provide us another opportunity for input as we move forward. For us it's a very exciting and important project. And it represents a significant commitment to the future of our company, our community, and the state of Maine. Pike is a leading producer of aggregates in New England, and a leading premier paver of main roads. With this project, Pike is intending to relocate and consolidate its facilities

currently located in Portland on Bishop Street, and on Main Street in Westbrook, and on Spring Street. And by doing this, it brings a lot of synergy and it compliments what's already there. It eliminates the truck traffic that goes from Spring Street to Westbrook, from Westbrook to Bishop Street, from Bishop Street or from Spring Street to Bishop Street. So all of that is happening right now. What we plan on doing is using the existing 31.88 acre quarry that was permitted by the state of Maine back in 1971, and it has an expected life of another 80 years, then move to a second phase in the quarry, which has an anticipated of another 40 years. We'll build new offices, quality control testing lab, and a new equipment maintenance garage. And we'll install new aggregate processing and hot mix asphalt pavement facilities. In addition to approval from the city of Westbrook, I'm sure you can appreciate, this project must also meet various state and federal requirements. Pike has assembled a team of experts in geology, hydro geology, civil engineering, traffic movement, noise abatement, air quality, and natural resources to work with them as we develop this project. This is the plan that we had submitted back to the city in March. This is the existing Spring Street quarry right here. Here's their entrance off of Spring Street. This is Eisenhower Drive, McArthur Avenue. This is the entranceway that is currently utilized by Pike, and will continue to be utilized. And this would be the future expansion.

As we met with the city we heard a lot of input from them about things they were concerned about, so as we move forward, we'll take that into consideration. We also have met with abutters, we've had face to face meetings with many of our abutters. And we also have a lot of ongoing site investigations. We've delineated the wetlands, we've gone through and had the DEP out there to work with us to make sure we understood where the stream channels were. Some of these streams, like Clarks Brook are fairly well developed. Others quite questionable where the stream actually is, so we had a stream determination with the DEP and found exactly where they were so that we could plan accordingly. There is a crossing plan here, crossings are one of the allowed uses, permitted use by both the U.S. Army Corp of Engineers and the DEP. This would be a culvert crossing, 75 foot culvert which will allow a good 60 foot path across there to our road use.

Hearing from our abutters, as we will continue to do and will be part of tonight's process, we heard concerns about certain visual impacts. My partner, Don McFadden, is going to talk to you about that process.

Don: Thanks, Ted. Good evening, Mr. Chairman and members of the board. As Ted indicated, my name is Don McFadden with MAI Environmental. On behalf of Pike Industries, MAI conducted a visual assessment to evaluate specific visual impacts that Pike's proposed expansion may have on abutting properties at the

site. The study consisted of floating a four foot diameter red weather balloon at locations and elevations representing the top of Pike's proposed structures. The structures considered for this study include the pressure plant located northwest of Clarks Brook, and the hot mix asphalt plant storage silos located southeast of Cattle Pine Drive, which are depicted here with the blue star and the gold star. While the balloons were in position, MAI photographed views of the facility from the abutting IDEXX parking lot. The photographs were taken at a location elevation which simulates the view that a six foot tall person would have if they stood at the southeast corner on the top floor of IDEXX's proposed eastern administrative office. MAI also took a series of photographs to provide you with a 360 degree view from the photographed location. This 360 degree photograph was taken to give you a perspective of how Pike's proposed expansion fits into the overall visual landscape of the Westbrook Industrial Park. Pike's Spring Street property is contained completely within view one. And I'll go into a little bit of detail of each view for you all. View one is to the south southeast, and as represented by these red vertical lines, you can see that the entire Pike/Spring Street quarry project is located within this view. We also put in here a Spring Street/Eisenhower Drive location here just to give you some reference. And here along this tree line you can see the D&G property across Cattle Pine Drive. When we did the study, the only structure that we saw was the top of that hot mix asphalt plant silos. That was the balloon that we saw, and this is represented here with the yellow line. And I'll get to that in a minute about how we came about to figure out where that yellow line should be in the photo.

View two is to the west southwest. You can see most of the picture here is just the tree line along IDEXX parking lot, you have part of IDEXX facility here to the west, and then the Cattle Pine facility over on the other side of the IDEXX property beyond the woods.

View three is to the north northwest. And I've also put in here Socco(?) Street and Eisenhower Drive as a reference point for you all, that intersection. Building structures are the IDEXX facility, Bison facility across the Eisenhower Drive, and of course, the associated parking with the IDEXX facility.

View four, which is to the east, building structures visible is a Yellow Freight Services, DSP Transportation, Remstar, and others along the Eisenhower Drive. You can also note here in the photograph the Savvi (?) facility on the horizon.

So as I said, the only structure that we saw was the top of the hot mix asphalt plant silos located southeast of Cattle Pine Drive, which is here. As you can see, it's below the horizon of, at least below the tree line. This location was

determined by visual recognition of the balloon that we flew that day. And this is a photograph that we enlarged so that you could see the photograph that we took from that location, you can see here the red balloon that was seen through the tree line. And here, we're stating here the balloon elevation at 148, well, that's the actual elevation. The actual height of these silos, the storage silos is approximately 65 feet. So it's not actually 148 foot structure, it's 65 feet. And in the photo taken I reference elevation 127 is again that of a six foot person standing on the finished floor elevation of the IDEXX administrative facility that was proposed. So with that, I'll turn it back to Ted.

Ted: Thanks, Don. This is, again, an aerial photograph with the site plan superimposed. The reference again, here is the IDEXX facility we just spoke about and the Remstar we spoke about, BSP, Yellow Freight, Cattle Pine, Eisenhower Drive, Spring Street, the existing quarry. And this concept is different from the first one, in that this requires purchase, this is the Blue Rock parcel where the stone center is. And Pike met with them and talked about acquiring that property and negotiations are ongoing. This is the existing quarry. Originally in the previous site plan, you saw that the hot mix facility was over here, now it's over here. Before we had just relied on the entrance, the existing entrance off of Spring Street to the right property, now here's the entrance to the Blue Rock property. Also the platform scales were moved over here, we would utilize the Blue Rock buildings and move the platform scales and the existing scale house over to the Blue Rock parcel. This layout is not optimum for Pike. It presents considerable upfront costs with the acquisition of this parcel owned by Blue Rock, associated relocation expenses. They're already set up for us to acquire that property. There has to be some incentive for them to move. It's expensive. It also presents increased operating and handling costs because the aggregates are produced over here. They'd have to be backhauled on the property to the HMA plant. And no one has to talk about the price of fuel. But these were costs that Pike would certainly entertain if it worked to address the concerns of some of our abutters. Pike was willing to make it work for them. After review by our abutters, we were told that this layout did not work for them. So we're back to the same layout we had presented earlier, which is optimum for Pike. We did receive some input from the city and from others, and we've tried to incorporate those.

Let me review with you now what this would entail. Continued production of high quality aggregates out of this quarry, that's phase one. This quarry permitted back in 1971 and when Pike acquired it it was active, and is still active. It has an anticipated life of about 80 years. Phase two would be expansion of a new quarry area over here in that red, within the red dotted line. That's anticipated to have an additional 40 years of life. Construction of new offices over in this area, use of the

existing platform scales and platform and scale house, a new quality testing lab right in here, maintenance garage over here, relying on the existing Pike entrance off of Spring Street, across Clarks Brook, the aggregate processing facility would remain in the same area, but the HMA, the hot mix asphalt plant, is over here, and this would be stockpiles in this area.

As I said earlier, we would continue to produce aggregates, and how will this all work and how will this whole thing tie together? Well, this is a jaw rock pressure, this was taken at the Pollan(?) Quarry, and you can see it's as in this just memo, one of the concerns that was raised in her memo was noise. The primary jaw is the thing that makes the most noise. But putting it in the quarry, that is a significant noise abatement advantage, and also that's where, she asked where would the jaw be. It will be within the quarry. Most likely where this is fixed facility, today's technology, they tend to move more towards track. That hasn't quite been decided yet, but that gives them the ability to move within the quarry.

The next would be truck up, and there'd be a hopper here and then by conveyor, there's some advantages to conveyors in that they don't require a lot of fuel, no backup alarms, no dust, they're quiet, they're efficient. But we'd have trucks as well because sometimes conveyors do breakdown. They'd be conveyed over here to the asphalt facility and go to a secondary crusher. This is a cone they're called, and in there they're ground into finer stone. From there, they go through a wash plant. This is an auger. And what it does is by using specific gravity, I'm sorry, the density of the material, the organic material rises up and the heavier stuff falls out, so that's how you separate all the organics and get nice clean sand. The auger was _____ screen deck, same process, only uses a screen, and then it's sorted and stockpiled.

So like I said earlier, we had talked with many of our abutters, and while we had considered a relocation and putting stuff up there, there were abutters located up here, which you heard from in your letter earlier, not so happy with that. Other abutters were concerned about movement. They're not on this, but they're further away over in Birdland. And so dealing with abutters is an issue and a challenge. It's something we're working hard to do. But this is what we think works best for Pike.

And then finally, the most important part, in terms of what we're trying to do here, is to produce pavement. Once washed, the aggregates will be stockpiled here, and then they'll be used onsite to produce hot mix asphalt pavement. What is asphalt hot mix pavement and what is an asphalt hot mix plant? This is a sister plant located in another state to the one that they're planning on purchasing and

erecting. Hot mix asphalt pavement, or HMA, is paving material. It's often referred to as blacktop or tarmac pavement. It's the material we use in Maine to pave our roads. It's comprised of 95% of aggregates, crushed rock, stone, gravel, sand, 5% liquid asphalt, or asphalt cement. The aggregates are produced on site, but the liquid asphalt or cement is a petroleum product manufactured elsewhere, just like your fuel oil or your diesel or anything else. And Pike purchases it and it's trucked in. The aggregates have been washed so they're wet. They are then conveyed to a whole bin storage, sorted by size, and depending on the mix, they're transported into the drum, which you can see right here, that's just a big barrel just like a dryer that you have in your house, and it dries the aggregates, and the asphalt cement is mixed in by tumbling they're mixed in.

This particular HMA plant will produce 400 tons per hour. That's a state-of-the-art, it's a Gencor Ultra plant. It has the best available green technology. It has the ability to produce warm mixed asphalt, which is something that's up and coming and has certain environmental and production advantages and cost advantages. This particular plant is recognized for being the only one that has what's called the positive volatile capture and recovery system. All the volatiles are then, are captured and put back into the combustion system, so it recycles and comes out. This eliminates all the blue smoke, eliminates asphalt odors by feeding in this combustion process. It is the state-of-the-art in terms of environmental control technology, and it meets or exceeds all state and federal standards.

These things are what Don McFadden was talking about, these are silos. They just hold the material. They're conveyed up from the plant, and then they're stored. Trucks drive under here and then they're loaded. So although those were _____ things, they're just storage silos. They're not stacks, there's nothing coming out of them other than out of the bottom, and that's the product.

This is the storage area I talked about where the aggregates are stored and they're taken over from the stockpile area, so we're up there by _____. What was wrong with the other, one of the disadvantages of the other plant was they have to be trucked over all the way from here over to here. Not optimum, as I said, but it could, we could make it work if it had worked for others.

This is a very significant project, as I said. And this is just our concept. This is our sketch plan, this is our opportunity to present it to you, to hear from you, to hear from more from the public, and for us to continue to work with that and move forward for our final plan. In addition to the city permit and approval process, we'll need a number of state and other agency reviews, including the state permit required for the quarry. That was permitted in 1971, this one over here, but this

would need a new permit, and that's been applied for and obtained under the performance standards. The operation of the crushers in an HMA plant require a Maine DEP emission license that has to be permitted prior to operation, it's not after the fact, it's before. The crossing of Clarks Brook requires a natural resource protection act permit from the State of Maine, and they have standards regarding how much you can fill. Storm water management, the state of Maine working with a delegation from the U.S. EPA, what's called the NPDES, National Pollution Discharge Elimination System, will be required to handle our storm water and we'll be working with the city engineers and people to make sure that it also meets the city standards. The fuel storage to run this facility will be in above ground storage tanks, which are regulated by the state fire marshal, also regulated by the DEP, and they will require what's called the spill prevention, containment, and counter measures plan because of the volumes, and we'll also have to meet federal standards for the same thing. And then also the use of the Spring Street entrance, because we're changing the use to _____ somewhat will require a Maine Department of Transportation traffic movement permit.

As I said, this is just a concept, a lot of work has gone into it. We'll continue to work further, and this is our opportunity to hear from you. If there are any questions, I'll do my best to answer them.

Q: Thank you, Mr. Johnson. You've answered one of my questions before we start and maybe it will make some clarity for the people. When you come forward with your plan, it will be my understanding that you will be here for a couple of reasons. One of which is you will be a special exception because what I heard you say that you're going for an additional permit for an extractive industry.

Answer: Yes, sir. For this area over here, you're absolutely right.

Q: Yes, I just wanted to make sure. Curiosity question, the existing facility on I guess it's on, it's actually on Main Street in Westbrook, manufacture asphalt, paving. You also do work on cement concrete there.

Answer: In the past they've operated there, yes.

Q: But they don't currently?

Answer: _____ is now still, yes.

Q: _____ you don't intend to move the concrete facilities?

Answer: At this point, no.

Male: Thank you. Questions and comments from the board. Remember, _____ I will get to the public.

Q: With respect to the existing quarry and the proposed new quarry, will these be operating at the same time or is this a sequential type thing?

Answer: Sequential. That's why we, if you see we have a phase one, phase two.

Q: Okay, but will they, once you start –

Answer: The goal is that we will expire, this will expire, we will extract –

Q: That expires in 80 years and then we're kind of with the new one.

Answer: That's correct, yes.

Q: And then could you just summarize perhaps some of the objections to the other design that you had proposed? What were the letters telling you were the problems with it?

Answer: Well, I think that there's some larger issues of just not liking the project for a multitude, I don't want to speak for abutters, that wouldn't be appropriate. I think what we're trying to do is to hear from them as best as we can. But we're committed to making this go forward. This is very important to Pike and to our future. We want to work with our abutters and we will listen. As to what they think or feel, I think it's best for them to speak for themselves. But I can't tell you there was just one thing. There's probably a number of things that make them uncomfortable.

Q: Yeah, just for clarification _____ I was trying to get a sense of what reactions might for this design versus another design, so.

Answer: Often it's aesthetics, concerns about potential impacts from noise, other issues I'm sure.

Q: I appreciate your statement that you cannot speak for the abutters, however, it is my understanding that there were concerns raised by IDEXX. I'm not asking you to speak for them, but were they one of the abutters that you spoke with and do you feel comfortable that they are more comfortable?

Answer: I think our relations are such that we speak to each other and try to understand each other's concerns. I'm not here to tell you that they love the project. I know that they don't. But by talking to people, I think it helps. We have a greater appreciation for their position, and I hope they have a greater appreciation for ours. But reasonable people sometimes do disagree. So I don't know if that answers your question, but.

Q: Thank you.

Male: Thank you, Mr. Johnson. At this point, if somebody from the public would care to make a comment, again, I've got to ask you to go to the, I'll get back to you.

Doug: Good evening. My name is Doug Fink, I'm the General Manager of Mr. Parenti's TV stations, WPXT and WPME TV. And we are located at Four Ledgeview Drive, which is about a half a mile from ground zero here. We built a multi-million facility in 1999, and as the previous speaker just said, we do not love the project. We don't love anything about it. And that's probably gathered from Mr. Parenti's letter an understatement.

There are five things I want to just bring to your attention. Three of them are fairly general in concept, two of them are very specific to us. First off, we do not like the idea of breathing air pollution. We think that this is a bad idea for our lungs and for the lungs of all the people in this part of town. Second, having commuted in and out of the site on Ledgeview Drive for nine years, I can tell you the traffic is not a fun thing to deal with. And that when you look at the way it gets backed up on Old County Road, it just gets horrific. And I can't imagine what the impact would be because I'm not a traffic specialist, but logic tells me that if there is an army of trucks going in and out of this facility every day, that is not going to improve the traffic problems that exist on Old County Road and on Spring Street.

Our business relies on electricity, reliable electricity, which comes from the substation at the corner of Spring Street and Old County Road. Again, I don't know the full impact, but I can't imagine where the substation is a stone's throw, and hopefully not a stone's blast away from the Pike pit, I just worry about what is going to happen to our ability to have reliable electricity to power all of our electronic equipment.

On a much more personal note, when we started building our building, we immediately hit ledge, which is fairly understandable given the name of the street,

Ledgeview Drive. You can see the ledge everywhere, we're all sitting on ledge. We elected to build on that ledge because we were told by the architect and the contractor that that was a good solid foundation on which to build the building, which is true and it's been wonderful. Now every time that there is a blast, our fillings vibrate, our backbones shudder, I mean it's just horrible for us in that building. And we have a number of very specific concerns. With the building sitting on that ledge, I have this horrible thought that as the blasting continues over the decades that that ledge may fracture, that ledge may separate, and that the foundation on which we are sitting may become unstable, which then obviously leads to problems with our walls and our ceilings. We have a 130 foot tower next to the building, which carries right now three and is going to have a fourth cellular phone company on it. That tower is not only sitting on the ledge, it's pinned into the ledge to give it stability. If that rock ledge fractures, which seems fairly logical to me if somebody's blasting less than a half a mile away for decades, there's no reason to think that that tower is not capable of collapsing, once again causing property damage and who knows what kind of personal injury.

As a TV station, we have studios that have microphones and that have cameras that are operating all the time. Any time that the microphone is open and the blast goes off, it renders whatever we're doing useless. The sound is picked up by the microphones, and we have to start all over. The same thing with the cameras. The cameras are sitting on the floor, which is sitting on the ledge, which vibrates every time there is a blast, shakes the camera, and anything that we were doing, and as Mr. Parenti referenced in his letter, if we are with anybody from a business owner to a nonprofit organization to a politician, we have to stop and explain sorry, we have to start all over again, the blasting just disrupted us. So we have very serious concerns about our ability to continue our business without the nuisance of the noise, the air pollution, the traffic.

The final thing I just want to mention is we have 12 satellite dishes in our front yard. They're all aimed at satellites that are 23,000 miles out in space. It doesn't take a lot of vibration to make those things vibrate off axis. And you don't have to move too many inches down here to go way off of the direction you're trying to get to 23,000 miles away. So all of our TV shows that we get from our network and from our syndicators are negatively impacted by the inability of the satellite dishes to be protected from any kind of ground vibration.

Let me just finally say when we decided to move from Portland out to Westbrook, it was after a lot of review, we looked at a lot of suburban areas. We were excited, not only about the beauty of the area in which we were moving, but also about the vision that the city of Westbrook planning people, the administration, and even

the council people shared with us for a city that was going forward, that was going to sever its past with the heavy industries of the past, and was in fact looking for light manufacturing, high tech telecommunications, all the type of attractive businesses that we said gee, that's something that we want to be a part of. So we went out and spent our money and we built our building, and we've been living very happily. The problem that we have now is we don't see anything about this project that is in keeping with the vision that was presented to us as an inducement for us to come out to Westbrook. We feel as if we were told one thing nine years ago, and now all of the sudden we're hearing things about projects that just is exactly 180 degrees out of pace with everything we were told. We just see this as a giant step backwards, and a step into literally the stone age. Thank you.

Male: Thank you, Mr. Fink. Now I had a gentleman down in front that wanted to speak.

Warren: Mr. Chairman, members of the planning board, thank you for allowing me to speak this evening. My name is Warren Knight, I'm here representing Smiling Hill Farm. We're located at 781 County Road. However, the farm does extend down towards this proposed site, and in fact, if I can leave the podium for a minute, we're just across the central main right of way. This is our property fence from County Road to ____ Street around the Cattle Pine. We're very concerned with this for a number of reasons, and I'm going to illustrate some of them hopefully.

First is the blasting. When the pit has been there, and it's an open mine pit, I mean that's what the terminology is. It's surface extraction of minerals, so it is an open mine pit. And I mean that has been in existence for years and years and years. But they really didn't start blasting I guess until Pike purchased the rights from Blue Rock Industries. When that started, that really shook us the first time. I can remember when a blast went off and we had no idea what it was. I called the City of Westbrook Police Department and asked and they were able to tell me that that was Pike Industries. But it has an affect on our livestock, and there's really nothing we can do to mitigate that. I mean we can tell personnel if we're given fair warning that there will be a blast at 11:00 am or 12:00 am or 2:00 in the afternoon. But I can't tell the cows that. They just don't understand it. And the only alternative I have, particularly for a loud blast, is really confinement in order to try to prevent them either from bolting through fences or from panicking. We live sort of in an urban environment with our farm, and we've tried to survive there over the years. But one example I can give you is the jet port, they fly, we're right in their east west runway. But the jets they can get used to. They build in intensity slowly, they peak, and then the noise falls off. So the cows seem to adjust to that. It's the abrupt, unanticipated nature of the blast that really sets them

on edge. And I mean it just adds to their stress. I can just give you an example. I mean a cow is like any animal. I mean when they did the testing for people to try to figure out how people were affected by stress they used animals and animal behaviorists tried to stress animals and test their hormones and the other things that they were producing. And how they did that, they just made loud, abrupt, unanticipated noises in the cages that the animals were kept in. And this is precisely what this blasting is going to do for our farm and for our animals. So I don't know how that can be mitigated.

Our other worry is, because we're an organic farm, we're still on our own well out there. We are probably one of the last businesses that is, everyone else, there is city water in the street for us, but we continue to use our well because it's unchlorinated and unfluoridated. And we're worried what continued blasting might have effect on our water source over the years. This is particularly a case because as many of you know who have a history with our location, we have bought the old Westbrook landfill, the old Sandy Hill Landfill that's located off Socco Street. And that continually is tested by the DEP and a few engineering firms twice yearly to ensure that the subsurface, because it's an online landfill, the subsurface waters and methane are not migrating off the site, particularly to our well. We're worried what blasting might do to the base. We're called Smiling Hill Farms because that hill is that rise of ledge that Pike Industries is going to quarry. The rise of ledge goes right through Ledgewood Drive, the television station is on it, as is New England Pet, Windward Petroleum is sort of down off the side, but it's the same ledge. So when that blasting does occur on that ledge, we do feel it directly.

Another concern of ours is the Clark Brook Corridor. As an organic farm, we're very concerned about the eco balance that we achieve. We have a lot of fields, but we have an equal amount of woodlands. And it's important for us that we have sort of a balance of nature there. The birds contribute to keeping down the insects, we have coyote, we have raccoon, we have, we've recently had bear and moose. And all of these animals that move in and out of our farm perform a service because they help keep down the other populations of what might be nuisance wildlife. And Clark Brook is an important corridor for that because that goes to the Stroud Water River Corridor. So the Clark Brook Corridor, which feeds directly into our farm, is an important ecological corridor to help sustain our farm for wildlife habitat and for moving wildlife into, through, and off from our farm.

The last aspect of it is, again, the traffic aspect. It's hard for me to stand here and criticize someone else's traffic when I'm driving up and down County Road with a tractor and a hay wagon, but I'm not making hundreds of trips a day. But I do

worry about the traffic and what impact that would be, particularly if the trucks get lined up behind me and want to pass. These roads, as you know, Eisenhower Drive, Spring Street, those are all two lane roads. I know where Pike Industries is operating now on Main Street has five lane, four lane roads, and if you count the Maine Turnpike, six lane roads surrounding it, which allow traffic to move around slow trucks exiting out. So I am concerned about that. But thank you for your time, and I hope my input has been valuable to you.

Male: Thank you, Mr. Knight.

Derwood: Thank you, Mr. Chairman and members of the board. My name is Derwood(?) Parkington. I'm an attorney for New Age Media. And you heard Mr. Fink speak generally about the substantive concerns that New Age Media, the TV station, has about the project. I'd just like to make a couple of comments about the process and ask a couple of questions. Clearly, we agree that this is a significant project, and we look forward to a full and thorough review process. But a couple of question and concerns about that process. One is that the process be as transparent as possible. I found the presentation a bit confusing tonight because of the fact that there was a change between one sketch plan that was presented and then amended sketch plan that was presented. And a statement was made that we're presenting both, and then it sort of turned out that we were back to the original sketch plan. And so I'm hoping in the future that perhaps the board would consider some sort of rules of the road or rules of engagement that any new submissions have to be submitted by a certain time and that there can be no sort of changing from those submissions so that the abutters, like ourselves, frankly that are smaller players in this, have the opportunity to review those submissions and the opportunity to make the appropriate comments. We think that's a reasonable request. As a practical matter, we're wondering if some sort of protocol could be set up for copying of plans, the planning office was very cooperative with me when I came in the first time and asked for a copy of plans. Obviously the volume of those plans are going to increase, and so we're wondering if there can be some protocol where there can be an extra set of plans that can be available for taking out for outside copying or extra copies could be purchased, something that makes it easy and user friendly for an interested abutter to get all of the information to prepare for a meeting. There was also the mention of a planners memo, I'm not sure what the practice here is about when the planners memos are done. But we're wondering if we could get on the list, if there could be a procedure for that, that that could be emailed or circulated in advance so that we could take a look at that, too. And again, that would be a public document, and certainly very interesting reading for all concerned.

I'd also like to just ask about, and I don't know if this is the appropriate time to ask these questions, but ask about the timing for when the town will engage, and I'm assuming the town will engage outside consultants to review the project. Clearly your ordinances contemplate and directly allow for that, and that is something that is at the applicant's expense. And when will that occur? There's also legal issues that are pertinent to the project. I know that one of the attorneys has submitted a legal argument with a request that the project be heard as both a site plan and as a special exception. And I'm thinking I heard Ted say that he agrees that it's going to be considered both. And I'd like to hear if that can be confirmed. If not, I'm wondering if that could be submitted to legal council for an opinion to see which track we're on, do we have a special exception site plan or both, and we think it's both.

So basically our concerns are about the process, hopefully that this can be a well argued and thorough process. I know you have a difficult job, and we look forward to working with you.

Male: Please leave the podium, sir. Are we the first planning board you've ever spoken before?

Derwood: Not the first planning board for sure.

Male: Do all the others that you've appeared before have rules and regulations?

Derwood: Yeah.

Male: If you come in and talk to the staff, I'm sure they will point you in the right direction. I also believe that our ordinances are on the web. You can go there to find them. The city will certainly cooperate and provide you with any materials that are necessary. We have a set procedure for our working, and having listened to you, I would admonish you, you think we're a bunch of idiots. We certainly are not. We want to work cooperatively with the people that are here to express their concern and with the applicant. But we drive the road, and we are the ones that have the rules that we have to follow. And it is the duty of the planning board to review everything that is submitted and to make judgments. Thank you for your time. _____.

Derwood: I just wanted to briefly respond if I could. I certainly didn't want to convey the impression that there wasn't rules and regulations, I just wanted to get a greater understanding of what they were and to find out about the specific questions about the availability of plans. I certainly can take those up with the planner

directly and certainly not any kind of attack on the board. That's the last thing that I intended. And I certainly don't want to get this started in that vein. I've observed you on the prior hearing, certainly appears to be a well run board, and I look forward to working with you. And I hope that my comments weren't misinterpreted.

Male: Thank you, Mr. Parkington. This gentleman raised his hand first.

Kirby: Thanks for the opportunity to talk. I'm Kirby Pilcher, I'm representing ARTEL. ARTEL is a technology firm in _____ Park. We've been there a little over ten years. Through all the hard work of the people who work for the company and all the people who are at Westbrook, we've become thankfully world leaders in a small technology niche. We have about 2,000 customers around the world. Some, an example might be the police department of Hong Kong, who use our instruments to test some of their forensic data. And that's always interesting for technical support people to talk about, in contents of course. The FBI, the FDA, all the major medical centers, including Maine Med, Mercy Hospital, big pharmaceutical firms are also clients. We try to help them put instrumentation and systems in place that will reduce their costs, hopefully help healthcare. We've been quite successful, thanks again to our employees and to the support of the city for the past 10 or 11 years, and it's been a very good experience. I want to say that. I was looking at the nice title of this up there on the wall coming into the 21st Century. And this discussion is interesting because it brings us to what might be considered a crossroads, what decisions are going to be made, how is Westbrook, a really great city, now going to become even more exceptional moving into the coming decades, and what's the _____ going to be. For our company and companies like ours, it's very critical. We came to the industrial park about 11 years ago after talking with members of the city council and representatives from the city and some banks, all of whom entrust us very favorably and we said this is going to be a good place to settle. And we have settled, and it's been good and we want it to continue to be good. We think if the vision is maintained for the kind of businesses, science-oriented, competitive jobs, futures-oriented growth for the kids in the city, this will be good. More companies like ourselves will move in, we will continue to grow and prosper. Other world leading companies like our neighbor IDEXX will settle there. So if you want to look at a vision for the 21st Century and think 5, 10, 20 years ahead, this could be excellent. But we have to stay the course, and we have to maintain the focus, and certainly for our company's point of view and from any company like ours and for the future of the city, maintaining the focus on that vision, which we first heard from the city 11 years ago, to us it's very important, and we think it is as well for the community. That's kind of our vision.

Male: Thank you very much.

Male: Where exactly is your office?

Kirby: 25 Bradley Drive.

Male: Bradley Drive?

Kirby: Yeah.

Male: With your permission, I do have some handouts I'd like to give to the planning board.

Male: As long as you make sure that one gets to the planner.

Male: Yeah, absolutely.

Male: _____.

Dick: My name is Dick Daigle, I'm the Director of Facilities for IDEXX Laboratories. On behalf of IDEXX, we appreciate the opportunity to share our comments and concerns for the proposed sketch plan currently being reviewed. IDEXX recognizes that at this time Pike is presenting their sketch plan review and not all the details have been finalized. However, as Westbrook's largest employer, IDEXX feels it's important to share our concerns associated with the significant expansion plans being considered. We recognize the quarry has been in place in the Five Star Industrial Park since IDEXX moved into the park in 1991. The quarrying activity then and for the past 17 years has been pretty limited. IDEXX has been involved with the city administration for several years to define the future vision for the Five Star Industrial Park. In 2006, the city held its first economic summit in the area for business leaders to assist the city in developing its vision and economic initiatives. In 2007, the city updated its strategic economic developing plan stating to maintain an environment and an atmosphere to attract new businesses to the city by continuing to implement a comprehensive plan through proactive zoning ordinances, development of implemented strategies and recommendation for targeted economic and business development sectors. In particular, and based on the city's economic assets, the city will develop strategies for the following targeted sectors: bioscience, biotech, precision manufacturing, information technology, finance, and business services. On March 19, the mayor issued a notice to the Five Star Industrial Park businesses indicated that the Pike

proposal to expand the Spring Street quarry was inconsistent with the city's vision for the area. The city's vision was also confirmed by a letter to the city council from the city administrators on March 21. The city administrator recommended that the city council approve a zoning change for the Five Star Industrial Park, which would prohibit Pike's development. Based on our conversations with other business owners, the city's vision for the area is a powerful statement by the majority of the park businesses. In 2006, IDEXX Laboratories became a property owner within the park, purchased the former Data General building. Our commitment to become a business owner in the city took into consideration the city's vision for the area. In June of 2007, the planning board approved our expansion project to construct a 200,000 square foot new manufacturing building, an investment of over \$75 million. Since 2006, we've also hired 600 Maine employees, and bringing our current employee base to over 1,500 employees, 150 of which live in the city of Westbrook. The current plan being proposed by Pike Industries is extremely large, impactful to the community, we want a detailed review by the planning board. IDEXX does not believe the future development of the Spring Street quarry will significantly benefit the city, the Westbrook community, nor in line with the city's vision to attract new businesses. Additionally, we feel the development will negatively affect the overall image of the park, and may potentially result in a loss of new or expanding business in the area. We recognize the quarry and asphalt operations are a necessity for the state's economic growth. We believe that the location of the fully operational quarry and asphalt plant and rock crushing operation is better suited to an area of less densely populated demonstrated in the attached aerial maps of Pike operations throughout the state. I'm sorry I don't have an overhead of them, but you do have a copy of them. In accordance, the operations like the ones being performed by a company located in rural areas. In regards to permitting, and it has been mentioned already, IDEXX's attorney, Bill Plouffe of Drummond and Woodson, has reviewed the city's land use ordinances. His research indicates that Pike has no permits for the site from the city of Westbrook. In accordance with the city's ordinances, we believe Pike should be required to obtain a site plan and special exception approval for the Spring Street quarry. In closing, the Pike development will have a major negative impact to the area, and not in line with the vision of the city. We encourage the planning board to consider all the negative impacts it will have on the city, and just want to go on the record that IDEXX will oppose this project going forward.

Male: Thank you very much, Mr. Daigle.

George: Thank you, Mr. Chairman. My name is George Rodrigues, I live at 184 Carlson Street. It's George Rodrigues. R-O-D-R-I-G-U-E-S. I live in the _____ and I also work in the Five Star Industrial Park, I'm an employee at ARTEL, where I serve as the Senior Scientific Manager. And what that means is that I'm the technical director, one of the things I do is I direct the technologies that we use in our laboratory there. As earlier Mr. Pilcher spoke about sort of the general vision we have for the company, I just want to mention the specific, some specific technical concern, a specific technical concern that I have related to the _____. We do have thousands of customers around the world, and they rely on us for accurate measuring systems. So Kirby was kind of modest, we make the most sensitive volume measuring system available in the world. And for that reason it is used in specialized laboratories. And our customers are regulated for the most part. They're subject to federal law or the laws of their own countries, and so our equipment has to be calibrated when it comes to them, and it has to be calibrated in a laboratory that's been accredited, and that's what we've pursued. So we have an independent inspector that comes in and evaluates our measurements. And the last time they visited was over a year ago. And at that time they confirmed that we have the best measurement capability any where in the world for the specific measurements we do. So it's a, we make sensitive force measurements in a gravitational field. And the instruments we use currently have a resolution of one part in five million. And that's a big number, but so they're very sensitive. They can detect deflections or changes in acceleration that are less than one millionth of the gravitational force we feel. Those instruments are difficult to isolate from seismic vibration, actually impossible. Below a certain frequency, these seismic shocks, these kind of sharp shocks that people talked about earlier just get transmitted through, so any vertical deflections or horizontal deflections that are translated to vertical in the building get transmitted to our equipment, and they interrupt our measurements. The calibrations we do can take hours to set up. We may have calibrated them over night and we'll come in and it will take four to six hours to set them up and run. And we sometimes get funny results, and it wasn't until recently that I learned there was blasting in the area. In addition to my work at ARTEL, I also participate in the national committees around this area of weighing, precision weighing. I chair the ASTM committee on weighing devices. I chair the U.S. Technical Advisory Group to ISO, that's the standards organization in Europe that deals with laboratory equipment. And through that I've developed a number of professional expert contacts. So when the subject of seismic vibration came up, I contacted five of those experts, including The National Institutes of Standards and Technology down in DC, the manufacturers of the equipment we use in Switzerland, expert consultant in Maryland, and then the two laboratories in the state that have had trouble in the United States, one in Oklahoma and one in North Carolina where they've had trouble with blasting in

the area. And so the consensus of these five sets of experts was that generally blasting needs to be at least two miles from your operation to make the kinds of measures we need to do. And we're located at 25 Bradley Drive, which I think is about a half mile or 2,000 feet, maybe we could confirm that on the map. We know that we've been feeling blasts lately, and if we can feel them, our instruments can certainly detect them. They interfere with our measurements. So that's just something I guess to echo what other people have said that this kind of a shock load, especially transmitted subsurface, is a real concern for us. The consensus of the experts was that blasting in a short range like this is an incompatible use. It doesn't mean people that blast are bad or we're bad because we're trying to make precision measurements, it's just that these two operations are, the consensus is they're not compatible. And that's, so we think we need to consider that as we go forward. I would say the other thing that we are doing at ARTEL, we're always looking to improve our capability. We recently purchased the building next door to us, which is at 15 Bradley Drive, and our plan is to build a new laboratory over there and to equip it with a new instrument that's in our budget for this year, we haven't purchased it yet, but a new instrument that's ten times more sensitive than what we're currently doing. And we need to install that, we need to cut a hole through the floor, put a mass in the ground for stabilizing and then mount the instrument on there. If the ground is fluctuating, then that's not going to work for us. And so we have to, we need to continue to be a leader in making the measurements we do, and we need an environment where we can do that.

Male: Thank you, Mr. Rodrigues. Anyone else care to speak?

Dan: My name is Dan Wade, I'm a resident in Ward Three at 7 Louise Street. And I'm looking at the site, I'm looking at some of the other type sites around the state, and I'm trying to figure out why they're trying to cram so much in the 69 acre site when most of these sites are 300 acres, give or take, most of their sites, and they're away from residential areas, farm areas, away from traffic congestion, and things, they're in areas where they don't have as bit an environmental impact on people or animals, other than maybe some wildlife that might be nearby in the rural settings. It just seems a better place to be further outside the city or in another spot. It just seems like they're trying to cram an awful lot into an awful little space. And the other thing is, and other people have touched on this, is the infrastructure improvements, who's going to pay for that? I mean it's almost impossible to turn left from Eisenhower Drive on to Spring Street now as it is. Now we're going to add all these slow moving trucks that can't get up to speed during peak areas of travel through that area. We just spent millions of dollars on the intersection down there, and now that's probably going to be not enough to

cope with all this. The road structure I don't think is going to support all this weight added by these trucks. And during the presentation, they talked some about the noise from the facility, but very little about what kind of dust abatement there might be. If you look at any of the car lots over in the Larbie Road Main Street area daily, these things are coated in dust from the current facility they have over there. The wind moves this stuff around. What kind of abatement will be for that? How are they going to contain that on the property? And they touched very little, again, on the sound. I did some research and if I heard correctly, the hot asphalt plant runs 24/7. And the sound generated by some of these plants is equivalent of two jet engines. The nice things about jets is they go away. If this is going to be running 7/24 and is producing the sound of two jet engines, that will be detrimental to anybody that works shift work and is trying to sleep during the day or even people with normal work hours that sleep during the night. I mean that's a lot of noise to be droning on and on and on and on. And that doesn't even account for the rock crusher or the trucks going in and out or any of the other sounds associated with all that. The whole thing just seems to be incompatible with the area, just a poor choice on, yes, it's great for Pike, and yeah, if I worked for Pike or if I was an owner of Pike, I'd say it's a great spot. And for them it is, but for the surrounding area it isn't. That brings me to my last point is what became of the city's vision of the high tech corridor along the Eisenhower Drive area that they've been pushing for years, I mean what became of that? And this, a rock crushing operation and an asphalt plant doesn't seem to fit that at all, it's not even close to fitting with that. I'm just wondering why that's all coming to fruition there. It seems like this, as somebody else mentioned, has been a 180 turn and oh, we'll take you, too. We've been telling them for years oh we like high tech, we want high tech. That's our vision for the city. But you're okay, too. It seems to be the consensus that what I feel from my neighbors and other people I've talked with in the city, the _____ just doesn't fit where it is, where it's proposed to go. I mean what are we left with after 120 years? Two big holes in the ground?

Male: Thank you, Mr. Wade.

Brandon: Thank you. Brandon Riley Towe(?) Alberta (?) Drive, and I'm also the President of the City Council. I'll be very brief because I know Ed loves to hear me talk. It was mentioned earlier meeting with the city council, and I did just want to make a couple of quick comments, in that after our committee of the whole meeting a few months ago when we had before us the question of a rezone of this area, which was tabled at the time and remains before the committee of the whole, I was approached by both IDEXX and also Pike to continue the discussions that had been held before that with different members of the administration in city hall. And I was pleased with that and happy to do that and brought with me the mayor,

the city administrator, and also Drew ____ who is the counselor for this area, and is also the chair of the committee of the whole. And I would just say that during our meetings with both Pike and with IDEXX, I certainly found all representatives from both of those companies to be extremely professional, dedicated, and smart, hardworking people. And what our goal was, and what my goal was at the time was simply to encourage the people who are involved in this and affected by this to continue talking. And I understand that there was some continued discussions between Pike and IDEXX, and it was our goal for those discussions to move on to involve the residents of the area and take their concerns into affect, and the other businesses that could be impacted by this development. I'm disappointed that it's gotten to this point here where there does not seem to be a consensus on how this should move forward, but certainly I hope that everyone involved views this process here before this board as a further opportunity to continue those discussions and to air those concerns. And thank you for your time.

Male: Thank you, Councilman Riley. Anyone else care to speak? Okay, I have a motion to go back into regular ____.

Male: You have the motion to go back into regular session.

Male: So moves the chair ____.

Male: Second.

Male: Everyone understands the motion? All those in favor. It's unanimous in favor. At this point, we're done.

END