

**[EXTERNAL MAIL]Objection to Use Variance on Plots 50-1 and 50-4 Estate Orange Grove, St. Croix, USVI**

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Sat 11/12/2022 6:34 PM

To: Leia LaPlace <leia.laplace@dpnr.vi.gov>

Dear Ms. La Place,

We recently learned of a use variance from Business to Commercial being requested by Just Right Trucking to allow for cement block manufacturing on Plots # 50-1 and 50-4 in Estate Orange Grove on St. Croix and are writing you to voice our objection.

These 2 contiguous plots of land (.9 ac each- hillside) are currently zoned for Business and are located across from the Pueblo shopping center, close to a low-income housing community, Juanita Gardine Elementary School, The Charles Harwood Medical complex, and are surrounded by other residentially zoned areas.

Our primary objection to this variance is based on the fact that the cement industry generates dust during its production. Cement dust causes lung function impairment, chronic obstructive lung disease, restrictive lung disease, pneumoconiosis, and carcinoma of the lungs, stomach, and colon. Although the terms cement and concrete often are used interchangeably, cement is actually an ingredient of concrete. Concrete is a mixture of aggregates and paste. The aggregates are sand and gravel or crushed stone; the paste is water and portland cement.

Concrete and masonry products contain silica sand. Since concrete and masonry are primary building materials, there are numerous ways to be exposed in their production and use. Mortar can contain respirable crystalline silica (RCS). RCS is also found in concrete and can lead to the development of silicosis or scarring of the lungs, which results in a loss of lung function and severe shortness of breath. Exposure to high concentrations can lead to death.

My husband Mike and I have personal experience in this situation when a concrete business opened behind our commercial building about three years ago. Although the area is zoned Industrial, the amount of dust, noise, and heavy traffic was unbearable and affected the entire area which includes commercial and residential use. I have attached several photos below so you can see the reality of this type of business - both the dust created and the heavy trucking required.

It took a year to get action on this problem, and the business finally moved to the Melvin Evans Highway area, a more appropriate place. The EPA both locally and nationally was involved, along with DPNR in STX and STT. OSHA also became involved as employee safety was a big concern. It is much easier to locate a business such as this in an appropriate place the first time around, rather than having to move it once it is operating and causing irreparable damage to a neighborhood.  
(photos below)

Our second objection is to the request itself. This variance does not appear to be from Business to Commercial, but to Industrial use. Perhaps EPA and OSHA should review this request before a decision is made to see if it is actually the proper classification for such an enterprise.

Thirdly, heavy trucks hauling materials for the manufacturing process and subsequent delivery of the finished product will create a severe traffic safety problem. The approach to the site is either coming downhill and having to make a sharp right-hand turn into the property, or coming uphill and having to make a sharp left-hand turn. Large trucks carrying heavy burdens into and out of the location not only create a traffic hazard, with potential accidents of large magnitude, the wear and tear on our roads creates an extra public burden to maintain roads that are not designed for this use. How many tons of material will be trucked in and out of the location over the course of a year? Is there any conversation with the Dept. of Public Works regarding this use variance and the impact on their current plans and design for improvements on the Northside Road project?

Other objections include noise pollution, air pollution, and the fact that Just Right Trucking has already bulldozed a hillside that used to provide the only greenspace for residents of the housing project to look upon and enjoy. How much more degradation of their surrounding environment is fair for the families and children that live

nearby? This use variance, if granted, only exacerbates a situation that can be seen as an Environmental Justice issue. With WAPA in the backyard, heavy industry and the associated traffic in the front, and all the trees cut down at the Pueblo shopping area with an endless parking lot of concrete, the folks living nearby have no relief.

Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. This goal will be achieved when everyone enjoys the same degree of protection from environmental and health hazards, and equal access to the decision-making process to have a healthy environment in which to live, learn, and work. Were the nearby housing residents or the students and faculty of the school notified about this use variance request? They may not be neighboring landowners but their opinions deserve to be heard. The landowners in that area most likely go home to green and quiet places at night.

Our final objection is that this use variance is coming at a time when a Comprehensive Land and Water Use Plan for the Territory is being worked on once again, and the request could be authorized before the big picture of how we want our island home to function as a whole is completed. It has been a long process to get a CLWP - perhaps 40 years in the making - with no guarantee of being legislated. However, spot rezoning must be done with a big picture in mind, and those decisions fall to the few on the front lines such as yourself Ms. LaPlace, and legislators in the current administration.

Although we are not adjacent neighbors, the entire island of St. Croix is our neighborhood. I have been dismayed by the degradation of the Pueblo area and have had the privilege to teach dance to students at Juanita Gardine before Covid ended the program. These wonderful kids and their families deserve not only better but the best. Not all folks in the housing community have the means to drive away from their neighborhood. They walk to school and the grocery store and the medical clinic. As a community, we should not make things harder for them so it's easier for others.

We recommend that this use variance be denied and ask that Just Right Trucking make a better plan.

With sincere appreciation for what you do,  
Barbara and Mike Walsh  
340-332-2504

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