

TO: Michael T. Parker, BRWM
Maine Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017

FR: David and Wanda Lincoln
21 Old Bennoch Road
Old Town, ME 04468

RE: Pre-file Testimony Pursuant to Public Hearing on the Amendment
Application to Allow Disposal of Additional Unprocessed MSW at
Juniper Ridge Landfill (MEDEP #S-020700-WC-BC-A)

DT: February 26, 2013

While we can not present testimony related to specific waste management policies in Maine nor the long term environmental impacts of allowing disposal of additional unprocessed municipal solid waste (MSW), we feel we can present compelling testimony related to the nuisance factors we are subjected to on a daily basis because of our proximity to Juniper Ridge Landfill (JRL).

~~**Truck Nuisance – traffic noise, fumes from trucks**~~

~~The entrance to the JRL is located within the boundaries of the Town of Alton (Maine) and is within 1,000 feet of our home at 21 Old Bennoch Road, Old Town (Maine).~~

~~The Old Bennoch Road is bounded on one side by Bennoch Road (Route 16) and bounded on the other side by the I-95 exit (North). Both Route 16 and I-95 exit (North) are heavily travelled by trucks preparing to enter JRL.~~

~~We are close enough to the entrance of JRL and to the entrance on and the exit off I-95 that we hear every truck leaving I-95 exit (North) and entering and/or leaving JRL.~~

~~Seven days a week we can hear every single truck preparing to enter JRL, as the two main routes preferred by the truck operators are I-95 and Bennoch Road (Route 16). There is never any recess from the nuisance of truck noise. If it isn't loud exhaust, it is engine brake retarders or down/up shifting.~~

~~Seven days a week from the middle of the night through the day and until very late the next night, we are subjected to a continuous parade of truck traffic and truck noise.~~

~~**Odor Nuisance – fumes from landfill, fumes from trucks**~~

~~In addition, we are subjected to the odorous fumes from JRL throughout the year. We do not have the benefit of enjoyment of our home as others do and, in fact, have~~

installed air conditioning because during the warmer months we cannot open our windows due to odor from the landfill ~~as well as fumes and noise from the trucks.~~

~~Visual Nuisance~~

~~We can look out our window and see not only the expanding top of the landfill but also trucks and equipment operating on the top of the landfill.~~

~~Quality of Life~~

We contend that approval of this Application ~~not only heightens the nuisance created by constant truck traffic and noise but~~ completely destroys our enjoyment of our most valuable asset, our home, and approval will further devalue our already valueless home.

~~We further wish to point out that while our home is located much closer to JRL, and especially to the entrance of JRL, than most homes within Old Town:~~

- ~~• We have been denied the benefit of a reduction in taxes as other homes much further away do,~~
- ~~• We have been denied the benefit of property tax supplements offered by JRL operator Casella that others receive,~~
- ~~• We have been denied the benefit of drinking water supplied by JRL operator Casella even though others further away do,~~
- ~~• Until recently we did not enjoy the courtesy of returned phone call or response to email from JRL operator Casella while others much further away did. (We spoke with Wayne Boyd, Casella Division Manager, after the Pre Hearing Conference on January 30, 2013. Mr. Boyd asked that we send him another email in reference to the Neighborhood Benefit Program . . . our email and Mr. Boyd's response [which denied our request to participate in the Neighborhood Benefit Program] are attached to this memo.)~~
- ~~• We believe that because we live over the "imaginary line" created by I-95, Casella has imposed a ban on our participation in the Neighborhood Benefit Program while other residents who do not see, hear or have to live with the conditions we live with, receive the benefits from this program.~~

~~We believe that while the Application proposes changes to the type of waste allowed into JRL, the result of approval will be increased truck traffic and the accompanying problems due to the density of MSW. While the Applicant suggests that no increase in truck traffic will result, apparently the Applicant has based all their measurement results for MSW on a *compacted in place measurement* . . . however, MSW by its physical nature is much less dense than incinerator ash and it may take two, three, four or more truckloads of MSW to equal the weight of one truck loaded with incinerator ash.~~

We further believe that bringing incinerator ash into JRL does fit into the State of Maine Waste Hierarchy while bringing MSW into JRL does not.

In closing we offer that regarding JRL, ~~we can smell it, we can hear it, and we can see it.~~ No other known property owner can claim ~~all three affects~~ related to proximity to JRL. We believe that we (and the other three residents living on Old Bennoch Road, Old Town) may be the most aggrieved or impacted residents in Old Town and none receive any benefit at all.

We not only live closer to JRL than most other citizens and are, therefore, suffering a greater impact than any other party, group, corporation or individual and will suffer greater than any other interested party, group, corporation or individual should this Application be approved.

~~No other group of homes is impacted by truck traffic the way that those who live on the Old Bennoch Road are. Every truck that travels I-95 North and get off at Exit 199 travels by those homes. All trucks that travel I-95 North and get off at Exit 197 and travel Route 16 to JRL also travel by those homes. So every truck arriving at JRL travels within hearing and sight distance. That distance being only a couple hundred feet. Additionally, the Lincoln's because our home sits on the highest part of the hill on the Old Bennoch Road can see the landfill from our living room window. During daylight hours we can see the trucks and equipment and during darkness we can see the headlights of the equipment and trucks. The following photo shows the proximity of the homes on Old Bennoch Road to both the I-95 off ramp and Route 16 truck traffic. Night and day we hear and see the truck traffic on the road system. Night and day we can see the landfill equipment and trucks on the landfill.~~



~~The photo following is looking easterly on Route 16 from the I-95 overpass. It shows how close the Lincoln's home is, as are others on Old Bennoch Road to the only two routes for Northbound truck traffic entering JRL. Each of those trucks travels through the red highlighted area. Yet Casella contends that we are not impacted and has recently turned down a request to discuss the impact that their operations have on our home life. Casella has truly created a nuisance of gigantic proportions.~~





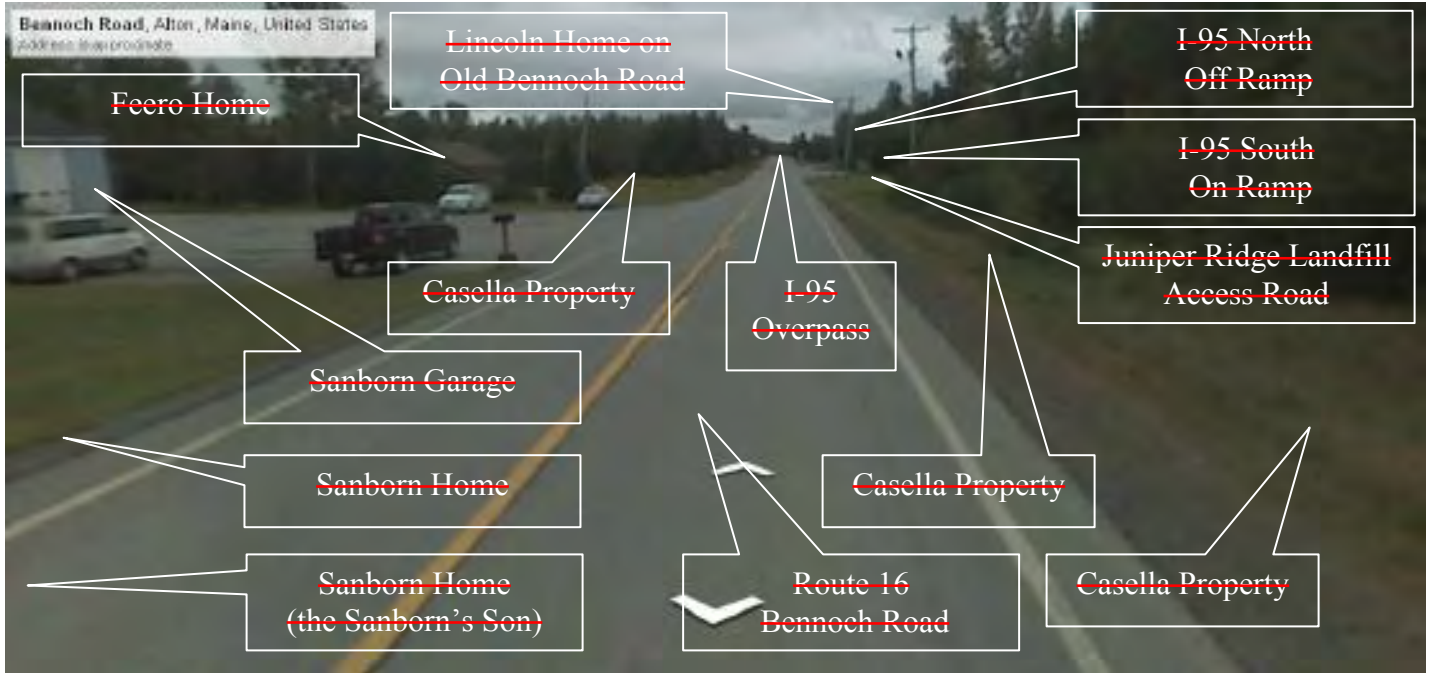
~~Lincoln Home on
Old Bennoch Road~~

~~I-95 North
Off Ramp~~

~~Old Bennoch Road~~

~~Route 16
Bennoch Road~~

The following photo shows how dense the small area that the trucks impact. It is this area on both sides of I-95 that both the Lincoln's and the Sanborn's are discussing. This photo is looking easterly on Route 16 from in front of the Sanborn's home. It shows the entrance to JRL and immediately beside that entrance is the on-ramp for I-95 South.



Dated

Feb 28, 2013

By:

David P. Lincoln

David P. Lincoln

STATE OF MAINE

PENOBSCOT, SS.

FEBRUARY 28, 2013

Personally appeared the above named David P. Lincoln and made oath as to the truth of the foregoing statements and facts

Before me

Laura Sanborn

Laura Sanborn
Notary Public/Attorney-at-Law

State of Maine

My COMMISSION Expires
July 13, 2015

Dated Feb 28, 2013

By: Wanda L. Lincoln

Wanda L. Lincoln

STATE OF MAINE

PENOBSCOT, SS.

FEBRUARY 28, 2013

Personally appeared the above named David P. Lincoln and made oath as to the truth of the foregoing statements and facts

Before me

Laura Sanborn
Laura Sanborn

Notary Public/Attorney-at-law

State of Maine

My COMMISSION Expires
July 13, 2015