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# Controversial Vote: Senate Approves Variance for Concrete Block Plant in St. Croix

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**Map showing Just Right Trucking location for intended concrete block plant in Orang Grove, St. Croix By. JUST RIGHT TRUCKING.**

On Friday, senators who make up the 35th Legislature voted in favor of a use variance for two plots in Estate Orange Grove, currently zoned for residential and business purposes, to facilitate Just Right Trucking's expansion into the manufacturing of concrete blocks. The variance authorizes the company to operate an industrial business near the Pueblo Shopping Center outside Christiansted.

The measure was passed despite concerns from several senators, some of whom ultimately voted in favor of the bill. Some area residents had also vigorously opposed the measure, going as far as

launching a [petition](#) in an attempt to stop the vote. Worried that the plant could have a negative impact on the Golden Rock Community, over 650 people had signed the petition ahead of Friday's Senate hearing.

"Health risks from the manufacturing and transporting of heavy concrete materials through a busy intersection with nearby gas stations, housing, food shopping, health services, and an Elementary School are serious. The Dept. of Planning and Natural Resources, local doctors, residents, and concerned citizens do NOT support this requested change," the petition reads.

Residents are objecting to potential noise and air pollution, destruction of the roadway by frequent heavy operators, as well as the plant's proximity to a school, hospital and residential properties.

When the variance application was brought before DPNR last [November](#), Alicia Barnes, a consultant representative assured officials that "the cement block manufacturing process is a low, non-polluting manufacturing operation process that would incorporate best available control technology."

However, senators struggled to come to a decision in support of the measure which they collectively agreed would be good for business in St. Croix, but might also pose problems for residents who live near the site.

Senator Alma Francis Heyliger said that her biggest issue was in "creating another variance where industrial would be the order of the day in an area that's zoned for residential and business." The senator cited potential hazards relating to cement products polluting the air, noting that while she supports the entrepreneur, it is important to be mindful of community residents and children, particularly with a school nearby.

Senator Diane Capehart said that the controversial bill underscored the importance of a comprehensive land and water use plan. In an impassioned statement, Capehart chastised DPNR for allowing the initial business activity. "DPNR, I'm sorry but you should have never allowed that business to go there in the first place. It's your fault!" The senator expressed that the situation presents great difficulty, as she issued a plea: "to the owners, I will help you find another piece of land, an industrial zoned area because this is a hard one for me today."

Senator Angel Bolques Jr. bristled at the intense public pressure he has come under in regard to the issue. "My email is filled with... attacks and I don't like to be put in a position where someone is not even trying to deliberate with me. They already came to their conclusion and telling me what I need to do," he said.

While he acknowledged that some of the concerns raised have value, he noted that the process of preparing powdered cement and making blocks were different. "It's a totally different process. We have done our part in researching the difference between a cement company and a block company," said Senator Bolques.

But not all lawmakers were persuaded by such arguments. An admittedly emotional Senator Marise James was adamant in her decision to listen to DPNR's advice, which recommended that the request be denied. The agency said it had received five letters of support and 16 opposition letters following its last public hearing on the rezoning in November 2022.

"And we can't say that we have experts at DPNR and then we're going to ignore them....I am for the business owner and what he's doing but not for where he wants to do it," Ms. James asserted.

"Land use decisions are based on the property and the impacts of development, not based on the particular owner; not based on the fact that he is local ... not based on the fact that he is self-made; not based on how much he has spent on the development before he got permission; not based on how his business will serve the needs of the construction industry on St Croix," Ms. James continued, stressing that "the use of this property in this regard will substantially conflict with the committed uses in the zoning district."

The business had reportedly spent approximately \$2 million on the expansion even before filing for approval.

She argued that the decision of lawmakers on Friday was indirectly sending a message that the USVI does not need a land and water use plan since senators were continuing to support and approve spot zoning.

Meanwhile, Senator Franklin Johnson countered that there were greater problems in the area, suggesting that underground tanks belonging to the Water & Power Authority posed a more significant potential threat but had not been met with similar contestation, an assertion which a colleague rebutted by pointing out that this iteration of the Legislature could only deal with the matters that come before it.

According to Mr. Johnson, the manufacturing of blocks locally will aid young people in attaining home ownership. Johnson went further, asserting that he knows the business owner and his family, and that the individual "would do nothing to harm this community."

Senator Marvin Blyden also stood in support of the bill, maintaining that "there's no type of threat when it comes to the environment." According to Blyden, he is yet to receive any complaints or concerns from the housing community in the vicinity of the plant. Blyden argued that the production of blocks would help these individuals get out of housing and build their own homes, maintaining that this is what should be focused on.

Senator Heyliger who rose on a point of information asked her colleagues to be mindful of the environment in which the construction of the plant is being proposed, stating that permitting the rezoning would be at the risk of potentially deteriorating the wellbeing of residents.

"Be mindful of the children, there's a school next door and they're still planning on renovating it. Ahyuh acting like it's not there."

"I support this man; I love his idea but I don't want us to keep co-signing on switching and moving things all over the place and spot zoning because all of a sudden we have such a heartfelt to locals," she said.

Senator Novelle Francis, president of the 35th Legislature and mover of the bill, insisted that there is an environment safety measure that contains the block plant in a "warehouse-type environment". He said the equipment to be used by the company is modern and state of the art. He explained that he saw the project himself and based on his observations it is workable and can coexist in the area.

He, however did not take for granted the error that had occurred with permitting the business to be established in the district in the first place. "As a government, I believe we have failed to at least properly advise this individual prior to all of this work being done and this money being expended to do this," Mr. Francis said.

When the bill was put to a vote, despite her initial qualms, Senator Capehart voted in favor of the measure. Senators Heyliger and James voted firmly against, while Senators Donna Frett- Gregory and Carla Joseph opted to abstain from voting. With the exception of Senator Dwayne DeGraff who was absent at the time of voting, all other lawmakers voted in favor of the legislation. It subsequently passed with a total of 10 votes.

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