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VOLUSIA COUNTY COUNCIL - 1,000 people oppose 45-acre proposed borrow pit

By Chris Graham, The Daytona Beach News-Journal
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SAMSULA — A distant bird chirped in the woods as a soft breeze flowed across the deck behind the red, wooden cabin.

For nearly a decade, Rick Bordignon and Dawn O'Connor have envisioned a peaceful existence in their dream home in rural Southeast Volusia. But soon, they say, that picture could be filled with dump trucks and diesel-powered pumps at a proposed borrow pit that would be about a quarter mile from the back of their property and operate for five years.

"I don't know what kind of noise there is going to be," O'Connor said. "I don't want this here. I understand construction. I understand noise. I'm not intolerant. But this isn't going to be five years, this is going to be a forever project."

The married couple are among more than 1,000 people who have signed a petition opposing the borrow pit project they believe will create dangerous road conditions and change the tranquil way of life there. The developer and its representatives, however, say the project when complete will be an asset to the community. After being heard twice by the Volusia Planning and Land Development Regulation Commission, the borrow pit proposal will need final approval by the County Council at its Thursday meeting.

At the heart of the matter is 45 acres of land more than a mile south of the intersection of State Roads 44 and 415 that is being proposed for the borrow pit, which will be used to provide dirt for public and private development projects. The project site is on 1,339 acres owned by Orlando based real estate brokerage Maury L. Carter & Associates Inc.

According to an application filed with the county, 1.137 million cubic yards of dirt would be excavated from the pit over five years. But the operation must abide by several conditions: Excavation would occur between 8 a.m. and 5 p.m. Monday-Friday; noise levels at the site at night could not exceed 60 decibels, which is akin to a loud conversation; and a site manager would be available 24 hours a day and have to resolve complaints within a one week period.



News-Journal photos/JIM TILLER

Homeowners Rick Bordignon, Don Smith, Cheri Joiner-Smith and Dawn O'Connor oppose a planned borrow pit off State Road 415 that would provide dirt for developments.



Local attorney Glenn Storch, who represents the project's developer, said potential problems raised by residents have been addressed through conditions worked out with the county.

When the excavation is complete, a 30-acre lake will be left behind and surrounded by estate homes in a future development.

"This is not going to cause a problem," he said. "I live in this area. I drive past this place every day. This is a better use for this location than what could be there."

Volusia Planning Director Palmer Panton added there are safeguards in place to shut down operations in the event the pit operates outside the provisions of its special-exception permit with the county.

"Obviously there will be an impact; we're not unsympathetic to that," he said. "We do feel they have met the conditions to be eligible."

But residents aren't sold on whether the long-term benefit will outweigh the five years of noise and hazards they'll have to endure.

Bordignon and O'Connor are concerned that the details of the project have changed during the application process. At first, the developer said the dirt would be used for the Interstate 4 widening projects. Other documents state the fill will be used for construction projects involving I-95.

"They're not always being straight-forward," Bordignon said.

And "the (county) isn't listening to what's happening," O'Connor added.

Cheri Joiner-Smith, who has lived in her residence for 18 years, worries about dump trucks that will be coming to and from the work site. It is estimated the borrow pit will generate about 100 truck trips a day.

"It's a bad area for this type of activity," said Joiner-Smith, who has created a website called stopthepit.org.

A study conducted by Lassiter Transportation Group suggests the project "would not significantly impact area roadways" including S.R. 415, a two-lane county road historically known for deadly accidents.

Records show 9,000 vehicles travel on the road daily, but as recently as 2013 there were no fatal wrecks from the S.R. 44/S.R. 415 intersection to Rasley Road, which is just south of the project site, according to the Florida Department of Transportation. Twenty crashes were reported, resulting in 23 injuries — and none of those involved big trucks, records show.

But that's not to say the operation won't be disruptive.



Sharon Douglas, 68, used to live by two Osceola borrow pits, one of them owned by Carter. In the 1990s, she said she and her neighbors had to endure two years of dump trucks lining up outside the pit as early as 5 a.m. to pick up dirt.

"It was a constant drum of motors," said Douglas, who has since moved to Astor in Lake County. "It was constant traffic and the trucks destroyed the road."

Douglas added the traffic made the nearby roads perilous.

"We had a lot of near-misses," she said.

That's a concern for County Chair Jason Davis.

"It raises an eyebrow," he said. "Our job is to maintain traffic and reduce congestion."

Councilwoman Deb Denys, who represents Southeast Volusia, said she believes the project has met all of the criteria required.

"It's difficult (for residents). I understand that," she said. "This is the process of government."

Storch said the end product will be something the community will be proud of.

"I wouldn't represent this if I didn't think it was (a positive thing)."

Joiner-Smith said she hopes council members will save her neighborhood from the pit. If not, she worries more will come.

"Once the door is cracked, it's open forever," she said. "Once you've allowed it, how can you say no to another?"

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