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June 10, 2009

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To the Members of the Metropolitan Planning Commission

Re: Agenda Item # 53
Harrison Construction Co., Inc.

In 2006, Harrison Construction Co., Inc. obtained a Use on Review to operate an asphalt plant on property owned by Ready Mix USA at its I-75 Quarry. The property is Zoned Industrial.

Since obtaining the Use on Review, the Tennessee Department of Transportation has started requiring that paving jobs on Interstate Highways and certain major highways, be done at night to lessen traffic congestion. Harrison furnished asphalt on one such project this spring without realizing that it could not operate after 9:00 p.m. There was a complaint from a neighbor. Since the complaint, there have been meetings between Harrison and the neighbor and there is ongoing mediation with the neighbor.

TDOT has selected Harrison to do one project for 2009 utilizing the plant at the I-75 Quarry. That project will require night time paving for approximately 16 nights. It is a repaving job on I-75 from I-640 to Callahan Road. The work will occur on Sunday, Monday, Tuesday, Wednesday and Thursday nights. There will be no Friday night or Saturday night work.

Since receiving the initial complaint from the neighbor at 2305 Gamble Road, Harrison has worked with him to reduce noise. It would like to have this matter approved so it can fulfill its contractual obligations to TDOT for the one paving job this summer and then evaluate the impact this has on the resident at Gamble Road. In addition to the matters outlined in the Memorandum (copy of which is attached hereto), its landlord Ready Mix USA will construct a berm between the asphalt plant and the resident and Harrison will place a baffle wall on the silo of the asphalt plant which will further reduce any noise.

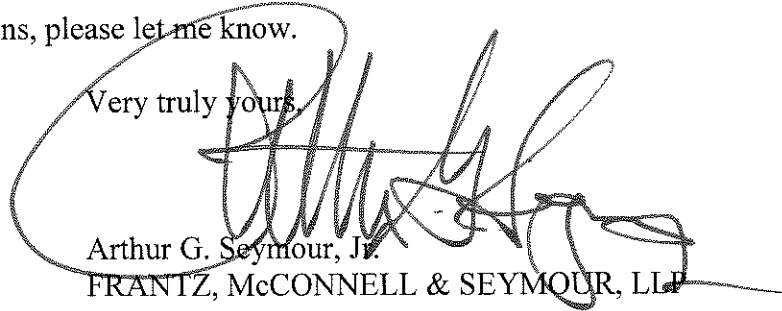
If this Use on Review is approved, Harrison will have its operations monitored by Astec Noise Abatement experts to determine noise levels and to see if there are further ways in which the noise can be reduced.

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We ask that MPC approve this temporary amendment to the Use on Review so that Harrison can determine how to better operate and reduce noise at its asphalt plant for adjacent land owners.

If you have any questions, please let me know.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Arthur G. Seymour, Jr.', is written over the typed name and company name. The signature is enclosed in a large, hand-drawn oval.

Arthur G. Seymour, Jr.
FRANTZ, McCONNELL & SEYMOUR, LLP

AGSJ:alh
Enc.

cc: Mark Donaldson (via email only)