



MUNICIPAL BUILDING, 590 MAIN ST., P.O. BOX 218, LEESBURG, NJ 08327

LAND USE BOARD
LILLIAN JOHNSON, Secretary
(856) 785-1120 ext. 132
Email: LJohnson@mauricerivertwp.org

AGENDA FOR MEETING September 4, 2013

- 1. Call to order.**
- 2. Open Public Meetings Act announcement.**
- 3. Roll Call.**
- 4. Pledge of Allegiance.**
- 5. Vote on minutes of the 08/07/13 meeting.**
- 6. Correspondence**
- 7. Dominic Zanghi-Resource Extraction Renewal
Block 112, Lots 3, 4 and Block 113, Lots 3, 4
Determination of Completeness and Possible Public Hearing**
- 8. Whibco of New Jersey-Resource Extraction Renewal
Determination of Completeness and Possible Public Hearing**
- 9. Public Hearing
Determination of Need Report/Sapello Foundry/Block 230, Lot 30
Determination of Need Report/Ackley Garage/Block 222, Lot 25**
- 10. Other**
- 11. Adjournment**

Maurice River Township Land Use Board

The Chairman announced that this meeting was being held in accordance with Open Public Meetings Act of New Jersey.

Meeting Minutes: September 4, 2013

Present: B. Stowman, C. Thompson, K. Ireland, R. Chard, J. Carrara, R. Hoffman, T. Imbaratto, M. Benson,
C. Morrissey, T. CuvIELLO

Flag Salute

The minutes of the 8/7/13 meeting were approved.

Motion by Chard, 2nd Ireland, Pflaumer Abstained, All in favor

Dominic Zanghi
Block 112, Lots 3 & 4 and Block 113, Lots 3 & 4
Taylor Ave. & Windsor Rd. and Taylor Ave. & Main Ave.
Resource Extraction Application
Completeness/Possible Public Hearing

Determination of Completeness

Dominic Zanghi was sworn in.

Michael Benson asked questions:

Is it a corporation? Yes

Are you the sole shareholder? Yes

Report from Cormac Morrissey/Completeness Review

C. Morrissey read through his review dated July 30, 2013 and recommended the application be deemed complete and there were no objections to the board granting the waivers requested.

M. Benson stated the motion should be to deem complete and allow waivers.

B. Stowman did state that if Mr. Zanghi found any specimen trees he should keep it.

Motion for completeness by Carrara, 2nd Hoffman, Roll Call Vote-All in Favor

Approval/Public Hearing

C. Morrissey spoke on Waiver Review.

3. Buffers. Waivers vs. variances

a and b—Proposing to continue with existing waives for buffers

T. CuvIELLO stated if it were a new application it would be a D3 variance but it falls under pre-existing, it is a continuation of the same application.

M. Benson agreed that it is pre-existing and has already being previously approved.

C. Morrissey spoke on technical review.

Applicant has shown limit of disturbance as the licensing limits for mining. In order to achieve the proposed grades shown, areas of existing disturbance would have to be included in the mining limits. The applicant must clarify the area proposed for mining as opposed to the new area of disturbance shown on the plan. The mining are will increase from what the applicant has shown on the plan.

- #5 applicant has done a good job of restoring buffer. Recommend restoration of site 1 and 2 as noted on plan.
- #6 Provide proposed deeds of consolidation for both sites.
- #7 Request revised plans to show elevations.
- #8 Clarify the limits of expansion.

B. Stowman asked Mr. Zanghi if he understood, he answered yes.

C. Morrissey will speak with Mr. Zanghi's engineer.

#9 Numbering of the sheets. Plans should be revised to identify the sheet numbering for Sites 1 and 2 as sheets 1 of 2 and 2 of 2. Each site shall be so identified on the plans.

Discussion held by board.

Question Carrara: Will you be using PVC pipe for blazing?

Cormac stated yes and spoke on buffering.

Question Imbaratto: Will Cormac work with Zanghi's engineer?

Cormac stated yes.

Motion for public hearing Chard, 2nd Carrara, All in Favor

No public comment

Motion to close public hearing Thompson, 2nd Hoffman, All in Favor

B. Stowman asked if a they needed to do another site visit? No, not at this time.

Thompson asked about shaded area.

Benson explained the motion.

Approval of the application of Zanghi, Inc. for site plan and conditional use, resource extraction on sites 1 and 2 with waivers discussed.

Further:

*Plans to be revised to show restoration of disturbed areas in buffer on both sides.

*Buffer lines should be marked

*All blazing shall be continued and maintained during license period.

*Deed consolidation of Block 112, Lots 3 &4 and Block 113, Lots 3 & 4.

*Plans be revised

*Applicant clarify

*Sites 1 & 2 be labeled as Plan 1 & 2

*Guarantees for performance

*Property will be annually inspected.

Motion Ireland to approve, 2nd Carrara, Roll Call Vote—All in Favor

Stowman spoke to Zanghi about site visit; it will be scheduled after the engineer's talk.

Stowman stated the agenda was going to be switched doing the Sapello and Ackley determinations before the Whibco application.

Tiffany CuvIELLO spoke on public hearings for the Sapello and Ackley determinations, on the two properties and she explained the steps to determination.

Determination of Need Report/Sapello Foundry/ Block 230, Lot 30

Located in a PVC-3 zone

Site conditions:

It was originally an iron foundry

Has been township owned since October 2001 by foreclosure
Warehouse #1
Warehouse #2
Storage Building
Office Building
Drum Storage

The township has been working on cleaning up property.

There are 26 areas of concern, some are

Above ground storage

Drums

Ground water and soil contamination

The removing and replacing of soil

Warehouse #1 is in need of demolition

Warehouse #2 could possibly be restored

To be determined for development, criteria, must meet statutory requirements

a) Buildings substandard, unsafe, unsanitary, dilapidated, or obsolescent, etc.

b) The discontinuance of the use, abandonment, allowed to fall into disrepair, etc.

c) Land that is owned by the municipality

d) Detrimental to the safety, health, morals, or welfare of the community, etc.

Tiffany CuvIELLO recommended that this area is in need of re-development.

Stowman asked if removing the drums will reduce the risk.

CuvIELLO stated the biggest risk is of people coming in contact with contaminants.

She also spoke on funding.

Carrara asked if our engineer will have input on monitoring wells? It will go under environmental, Woodard and Curran.

Imbaratto asked about 4 million for clean up?

CuvIELLO spoke on how the funding works. And that the next step will be planning.

Benson explained the motion.

Motion to open Public Hearing Chard, 2nd Carrara, All in Favor

No public comment

Motion to close Chard, 2nd Ireland, All in Favor

Benson read proposed resolution.

Motion to approve Sapello Determination of Redevelopment Thompson, 2nd Carrara, Roll Call Vote—All in Favor

Determination of Need Report/Ackley Garage/ Block 222, Lot 25

C-15, not in Pinelands

Site conditions:

Undersize lot for single family dwelling

Was a Gulf Station

700 Sq. ft. building, office/general store

360 Sq. ft. service garage

Residential dwelling

Detached garage

Wetlands on rear of property

2004, township owned through foreclosure

CuvIELLO spoke on property conditions

Underground storage tanks

Hydraulic lifts

Suspect dumping area (site #7)

Next step requires permitting through DEP to check contamination on site #7.

To be determined for development, criteria, must meet statutory requirements

- a) Buildings substandard, unsafe, unsanitary, dilapidated, or obsolescent, etc.
- b) The discontinuance of the use, abandonment, allowed to fall into disrepair, etc.
- c) Land that is owned by the municipality
- d) Detrimental to the safety, health, morals, or welfare of the community, etc.

Stowman asked about site #7, DEP

Cuviello stated we would apply for general permit #4

Ground water is believed to be contained

Motion for public hearing Carrara, 2nd Thompson, All in Favor

Benson explained motion

No public comment

Motion to close public hearing Ireland, 2nd Chard, All in Favor

Benson read proposed resolution.

Motion to approve Ackley Determination of Redevelopment Hoffman, 2nd Chard, Roll Call Vote—All in Favor

Whibco of New Jersey/Resource Extraction Renewal/Determination of completeness and possible public hearing

Lance Landgraf, Wade Sjogren and Walter Sjogren were sworn in.

L. Landgraf spoke on application. Explained changes. They will be going from 20 acres to 154.9 acres. They have proposed a new haul road which will not cross the railroad.

Extensive discussion on the application.

They are asking for renewal of resource extraction, to pave a previously dirt road, to create a new "haul" rd, and to have an area for stock piling.

There was much discussion on the buffer requirements. The haul rd. will be closer to the adjacent properties than the 500 ft. buffer requirement.

Benson made it clear that if approved, it will be for the haul road, not any mining in that area.

The mining approval will be for 1a, 1b, 1c, 1d and the pond. Not for any other area.

John Lafferty, Sr. was sworn in.

Hluchan asked

"Do you understand the reduction of the buffer near property?"

Lafferty

"I have no problem with it." And he also stated that everything is fine with the Dilks who also are on an adjacent property.

Lafferty/Lot 9

Dilks/Lots 8 and 10

Carrara stated that you are giving a variance to the land not the people. Lafferty and Dilks will not always live there. You have to protect the ordinance.

Completeness

Morrissey spoke on report. He believes it to be complete. No EIS was done for Block 216, Lots 1 & 2. The ruling will only be on the road so that is okay.

Cuviello spoke on it being a D3 variance. Can the site operate as intended in the ordinance?

Carrara noted an error on the plan, the Lafferty property is not actually included in the site.

Morrissey spoke on waivers.

Motion to deem application complete Carrara, 2nd Hoffman. Roll call vote, All in favor.

APPROVAL

Morrissey spoke on the technical review.

Landgraf went through variances using the Dixon report as a guide.

- #1 They are withdrawing the request
- #2 Existing to 90 ft.
- #3 Existing

New #4 to permit resource extraction on Lots 1 and 2 of Block 216. No resource extraction will be done; it is just for the haul road.

Design Waivers

- #1 Stock pile material, really needs to be D3 variance
- #3 should be D3 variance, Haul road will be removed from wetlands. The haul road will eventually be re-claimed. Would have to be re-planted.

Landgraf spoke on haul road.

There was a discussion on the driveway.

A set back waiver agreement between Whibco and Dilks will go with the land.

Morrissey spoke about a post construction survey.

Ireland asked how much property will it take up.

30 ft X 1700 ft. 1.17 Acres

Cuviello noted that Pinelands set back is only 100 ft vs. our 500 ft.

All mining in that area will be completely on a different application.

Discussion held on haul road and what exactly is being requested.

There will be four things being asked for

- D-3 Variance for the stockpile
- D-3 Variance for the haul road
- D-2 Variance for expansion to non-conforming use for paving the dirt road
- Site Plan Approval

Motion to open to the public Chard, 2nd Thompson, All in Favor

No public comment

Motion to close Carrara, 2nd Ireland, All in Favor

Discussion on how to vote, keep the variances separate from the site plan.

Benson spoke on motion/resolution

Site Plan/Conditional Use w/o D variances
Site 1 w/waivers pre-granted and w/modifications discussed.
Plan will be referenced accordingly.
Continuation of items of waiver that were pre-granted and outlined Morrissey's report.
Such approval does not constitute approval of "future" mining on plan.

Motion to approve site plan and conditional use excluding D-3, D-3, and D-2 variances, Carrara, 2nd Chard, Roll Call Vote—All in Favor

Ireland needs to step down from voting on variances since she is a Class II member.

Benson spoke on D-3 variances

- 1) Stock Piling
- 2) Reducing the 500ft buffer to 100 ft for haul rd.
 - a. The benefit should outweigh the detriment.
 - b. Requires 5 affirmative votes

D2 Variance

- 3) Gravel road to be paved, expansion of non-conformity.

Motion to approve D-3 variance in reference to stock piling of material Chard, 2nd Hoffman, Roll Call Vote—All in Favor

Motion to approve D-2 variance in reference to paving of existing dirt road Hoffman, 2nd Chard, Roll Call Vote—All in Favor

Motion to approve D-3 variance in reference to haul road Chard, 2nd Hoffman, Roll Call Vote—3 in Favor, 4 Against
Motion Denied

No public comment

Motion to adjourn Chard, 2nd Hoffman, All in Favor

Respectfully Submitted,



Lillian J. Johnsen

Secretary