

Call to Order:

The regular meeting of the Monroe Township Planning Board was called to order at 6:05 p.m. by Chairman O'Brien. The Board saluted the flag.

Roll Call:

Present – Mr. Boorstein, Mr. Caspar, Mayor DiLucia, Mr. Kozak, Mr. Laughlin, Mr. O'Brien, Mr. O'Reilly, Mr. Schwaiger, Mr. Verratti. Absent – Mr. Garbowski, (excused), Mr. Helsel, (excused). Also present – Ms. Gaglione, Solicitor, Mr. Humphreys, Engineer, Mr. Kernan, Planner, Mrs. Farrell, Secretary, Mrs. Orbaczewski, Clerk Transcriber.

Proper notice of this meeting was given as required by the Open Public Meetings Act in the Annual Notice of Meetings on January 8, 2021. Notice for this evening's public hearing was provided by the applicant's attorney on January 15, 2021 and published in the newspaper on January 18, 2021.

Public Hearing:

1. #498-SP – Sahara Sand, Inc. – Preliminary & Final Major Site Plan

Present – Robert Baranowski, applicant's attorney, Sean Earlen, Vice President of Real Estate, Environmental, and Public Affairs, with Silvi Group Companies, Bruce Jacobs, applicant's engineer.

The applicant is requesting amended site plan approval to include additional lots for their resource extraction mining operation. The plan proposes to mine a total of 25 acres with the current mining permit which runs from 2019 to 2024 and add a new service road around the perimeter of the existing and proposed mining areas. The property is located on Blue Bell Road and Coles Mill Road, also known as Block 9301, Lots 10-18, Block 9403, Lot 1, and Block 8001, Lot 1 in the RD-RR and RD-A Zoning Districts.

Mr. Baranowski introduced himself as the applicant's attorney. He stated they are seeking site plan approval associated with the resource extraction permit granted by the Township from 2019 to 2024. He stated they applied to the Township in 2019 for renewal of the permit and that permit was issued by Council; however, it was later realized that additional lots had been acquired and those were not in the prior mining permit which triggered the need for site plan review. He stated the main entrance is located on Coles Mill Road in Franklin Township. There are approximately 257 acres in the overall site and approximately 100 acres are located in Monroe Township. The majority of traffic that accesses the site occurs in Franklin Township via the access road. The main activity in Monroe is the dredging. The total area they are seeking approval for this evening is 25 acres with future areas identified on the plans.

Public Hearing: (continued)

1. #498-SP – Sahara Sand, Inc. (continued)

The same mining activities will be continuing and the operation will have the same number of employees as well as the hours of operation being the same. With regard to the hours of operation, there was an inconsistency on the plans and the review letters. He discussed this issue with the Board's attorney and cited the code used by ARH in 2019 which allows mining operations between the hours of 6:00 a.m. and 8:00 p.m.; however, the land use section of the Township code is in conflict as it shows the hours being from 7:00 a.m. to 5:30 p.m. They are seeking to maintain the same hours on the permit with no changes.

Mr. Earlen, Mr. Jacobs, Mr. Kernan, and Mr. Humphreys were sworn in by Ms. Gaglione. Mrs. Farrell stated that the application should be deemed complete. Mr. Humphreys reviewed his completeness report for the Board. He stated that there are a few waivers being requested; one for the Environmental Assessment which the applicant has submitted the Certificate of Filing from the Pinelands indicating that the Pinelands has accepted their application. He asked that any Environmental reports that are available be made available to the Board. The next waiver is for the stormwater management report and the applicant provided a letter in lieu of the report. And the third waiver is from providing a traffic report and the applicant submitted a traffic narrative in lieu. Mr. Humphreys stated he did not take exception to the Board granting the requested waivers. Motion by Mr. Laughlin, seconded by Mr. Schwaiger to grant the waivers and deem application #498-SP complete. Roll call vote: Ayes – Mr. Boorstein, Mr. Caspar, Mayor DiLucia, Mr. Kozak, Mr. O'Reilly, Mr. Schwaiger, Mr. Laughlin, Mr. Verratti, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Mr. Earlen stated his position with the Silvi Group which is the parent company for a group of companies one of them being Sahara Sand, Inc. He stated this project is one of three mining projects in Monroe Township. The first was one off of Jackson Road which was completed in 2006 and has since been sold to Green Acres. The next one is located on the corner of Piney Hollow Road and Jackson Road, and then this location we are discussing this evening. Mr. Jacobs displayed the site plan for the Board. The project site does span across both Monroe Township and Franklin Township; the plan shows the dividing line between the townships. They are currently mining the site from west to east and the 2019 approval added Block 9301, Lots 14, 15, and 16. Since that time they have acquired Lots, 17, 18, and 20 as well as Lot 1 in Block 8001. There is no additional activity, no additional trucks, or dredging associated with the acquisition of these additional properties; it is simply to add additional land to mine. They typically mine from three to five acres a year and most of the sand they mine is a construction grade aggregate. They anticipate receiving an amended Certificate of Filing for this application with the only condition being identification of the lots being mined with this current mining permit.

Public Hearing: (continued)

1. #498-SP – Sahara Sand, Inc. (continued)

They have received positive feedback from the neighbors which has been submitted to the Board for the record. The topsoil that gets stripped is then stockpiled around the perimeter of the site and is stabilized for future restoration. There is a requirement in the Township code for them to test the groundwater twice a year and that requirement has been met consistently every year and those records are on file with the Township Clerk. There is a bond posted and renewed annually which is also on file with the Township Clerk as well as an insurance policy naming the Township as the insured and renewed annually. One of the review letters asked the question regarding site security and access and Mr. Earlen testified that there is only one driveway access onto the site which is located on Coles Mill Road. Over the years they have found some trails through the woods which they immediately block off using concrete blocks to prevent any additional access to the site. The ordinance does require that when they complete an area of mining that the area be restored; however, this site is a little different in that the lake is not very large and the shape of it will prevent them from being able to restore some portions of the lake. In previous approvals they have agreed to keep the full bonding for reclamation with the town for the entirety of the property and they are asking to do the same as part of this application.

Mr. Jacobs placed his credentials on the record as a licensed professional engineer. The Board accepted Mr. Jacobs as an expert in his field. Mr. Jacobs pointed out the 300-foot buffer to the wetlands to the north of the site, the wetlands are located off the site, but the buffer is provided from the project site. There is also a 200-foot buffer around the entire mining area which provides screening from the residential areas. All the material is mined from the lake and the property is graded so that it will drain towards the lake. That condition as well as the 200-foot buffer helps to mitigate any stormwater runoff. There are two existing small drainage basins that were constructed when the road was built and they are located in Franklin Township. They are requesting a waiver from providing a stormwater management maintenance plan since there aren't any basins located in Monroe Township. When the mining is completed the land will be used for recreational purposes once it is properly restored. This will be done in accordance with the Pinelands requirements and the Township ordinance. They have provided a traffic narrative which states there is no increase in traffic from the 100 trucks per day that access the site.

Mr. Humphreys reviewed his report for the Board. He stated that all of his comments have been addressed by the applicant. He asked for confirmation that the entrance to the site has a fence and gate for security.

Mr. Kernan reviewed his report for the Board. He stated most of the comments have been addressed with testimony by the applicant. He stated there are some questions concerning the haul road. Mr. Jacobs replied that the haul road extends around the entire perimeter of the site.

Public Hearing: (continued)

1. #498-SP – Sahara Sand, Inc. (continued)

There will be an interim area of the haul road that will run along the edge of the lake. Mr. Kernan questioned the amount of the top soil stockpiled and asked if they could answer whether there will be more lake area and not as much land for restoration and will they have an excess of topsoil stockpiled when they finish mining. Mr. Jacobs replied the topsoil is located along the perimeter of the site along the haul roads. There are areas in the corners where additional topsoil can be placed. Mr. Kernan commented that as part of the outside agency approvals are concerned, he thought it best for Monroe Township to obtain the approvals from Franklin Township for the file.

Motion passed to open the hearing to the public.

1. Linda Green, 4592 Coles Mill Road, Franklinville, was sworn in by Ms. Gaglione. Ms. Green stated her concern about her well due to the mining operation and commented that they are having to dig deeper wells which costs additional money. She also commented that this project benefits the applicant and not the community. She asked what they are doing to give back to the community. She also stated her concerns about the water in the lake being exposed to the pollution, etc., and because they are drinking this water.

Mr. Baranowski replied that the mining activity is not moving closer to her property, which is across the street from the site, and he did not believe there is any correlation between the mining operation and private residential wells. Mr. Earlen stated that any water pulled from the lake while dredging the sand is returned to the lake. They also have received a water allocation permit from the NJDEP.

2. Damaso Thompson, 4632 Coles Mill Road, was sworn in by Ms. Gaglione. Mr. Thompson expressed his concern regarding the vibration from the traffic and the dredge as well as the noise and lights possibly shining into his house and property. Mr. Baranowski replied that they are not proposing any new equipment on the site; it is operating the same as before and there are the same number of trucks accessing the site as before. Also the mining operation is moving away from Mr. Thompson's property.

3. Matt Walker, 1493 Coles Mill Road, was sworn in by Ms. Gaglione. He stated he is probably the closest property to the mining operation. He also expressed his concern regarding the wells and drinking water and the lights shining onto his property. Mr. Baranowski replied that the mining operation extracts sand and not water from the lake and then the water is returned to the lake. They do have a NJDEP water allocation permit and they do conduct water sampling twice a year and those records are on file with the Township. Mr. Kozak asked if he has problems with his well. Mr. Walker replied recently his pump has a lot of air. Mr. Kozak asked what kind of pump he has. Mr. Walker stated it is a jet pump for a shallow well. With regard to the lights, Mr. Walker stated he noticed the lights shining more often during the overnight.

Public Hearing: (continued)

1. #498-SP – Sahara Sand, Inc. (continue)

Mr. Kozak asked the applicant if they had any issue looking into the lighting to insure it does not affect the neighboring residences. Mr. Baranowski agreed to look into the lighting in relation to the residential uses. Mr. Earlen agreed as well.

4. Geraldine Green, 4583 Coles Mill Road, was sworn in by Ms. Gaglione. Ms. Green asked what will become of the property once the mining is complete. Mr. Earlen replied that the ordinance stipulates the land be repurposed for public good or public use. This will be done similar to the previous mining site on Jackson Road which was sold to Green Acres as part of their park system.

Mr. Thompson asked about safety for children and the plans after the mining is complete. Mr. Baranowski stated that the property will probably be turned over to Green Acres and become public property; also the applicant did testify that currently, if they find any trails or accesses into the site, they use concrete blocks to create a barrier so there is no access to the mining site. Ms. Linda Green commented on the Jackson Road site and stated that she did not believe anything was done to that property to make it into a public park. Mr. Baranowski replied that the property will be sold to Green Acres as public open space which is viewed as a positive conclusion for the property as was done on Jackson Road. The property is to be used for passive recreation, walking, etc. There were comments from the listed public concerning receiving any help from the applicant. Mr. Thompson commented that the reason they help the neighbors is because they live right across the street from the access. Mr. Baranowski replied that if there is anything the company can do to help the neighbors they should reach out to them and they will do what they can to help.

Mrs. Farrell read the letter from Nora and James Craig who live at 4448 Coles Mill Road. The letter stated that they believe Sahara Sand is a very good neighbor and that they often have the street sweeper out to clean the sand from the roadway. They also talked about the help they have received from them with regard to snow removal. They enjoy having the company as their neighbors and recognize the importance of the business to the economy. They commented on the company leaving a beautiful lake and open space when the mining operation is complete. They were very much in support of Sahara Sand receiving their mining application.

Motion passed to close the hearing to the public.

Ms. Gaglione reviewed the application for the Board. She stated a motion to approve is needed based on conformance with the zoning ordinance and site plan requirements and based on the conditions and comments in the professional review letters which the applicant agreed to. Motion by Mr. Kozak, seconded by Mayor DiLucia to grant the site plan approval with the conditions agreed upon. Roll call vote: Ayes – Mr. Boorstein, Mr. Caspar, Mayor DiLucia, Mr. Kozak, Mr. O'Reilly, Mr. Schwaiger, Mr. Verratti, Mr. Laughlin, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Public Portion:

Motion passed to open the meeting to the public. There being none, motion passed to close the meeting to the public.

Reports:

No reports.

Approval of Minutes:

1. 1/14/2021 regular meeting.

Motion by Mr. Laughlin, seconded by Mayor DiLucia to approve the minutes from the January 14, 2021 regular meeting. Voice vote; all ayes, motion passed.

Adjournment:

The meeting was adjourned at 7:25 p.m.

These minutes are an extract from the meeting that was held on the above date and are not a verbatim account or to be construed as an official transcript of the proceedings.

Respectfully submitted by: Ninette Orbaczewski, Clerk Transcriber