

**MINUTES OF THE HARDYSTON TOWNSHIP PLANNING BOARD MEETING HELD  
NOVEMBER 19, 2020**

**CALL THE MEETING TO ORDER:** Acting Chairman Neubig called the meeting to order at 7:00 p.m., read the Statement of Compliance, and led the flag salute. It was noted that case materials and public notice were also published to the Township website.

**STATEMENT OF COMPLIANCE:** Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in section 3D of Chapter 21 P.L. 1975, has been made to the New Jersey Herald and is also posted on the bulletin board at the Hardyston Township Municipal Building.

Carrine Piccolo-Kaufer, P.P., A.I.C.P., read the following advisement for electronic participants. *Please be advised that if you are participating in the meeting via zoom or by telephone you will be given the opportunity to speak during the public portion of the meeting. The Chairman will announce the public portion of the meeting. If you wish to speak you must raise your hand by clicking on the hand icon on the bottom portion of your screen or by dialing \*9 on your keypad. Your turn will be announced by your name, email or the last 4 digits of your telephone depending on how you appear in the queue. You will be taken off mute and asked to speak. You must state your name and address for the record.*

**ROLL CALL:**

Leslie Hamilton (Class III) – Absent  
Carl Miller (Class II) – Present  
Bob Schultz (Class II) – Present  
Jim Homa – Present  
Robert T. Cook – Present  
Bob Neubig (Vice Chairman) – Present  
Bill Hickerson (Chairman) – Absent  
Sally Goodson (Alternate 1) – Present  
Ed Zinck (Alternate 2) – Present

**OTHERS PRESENT:** Michael G. Vreeland, P.E., P.P., Thomas J. Molica, Esq., Carrine Piccolo-Kaufer, P.P., A.I.C.P.

**APPROVAL OF MINUTES:** A motion to approve the *Minutes of the Hardyston Township Planning Board Meeting Held October 22, 2020* was made by Carl Miller and seconded by Sally Goodson. Roll Call: Carl Miller – yes, Bob Schultz – yes, Robert T. Cook – yes, Bob Neubig – yes, Sally Goodson – yes, Ed Zinck – yes. The motion carried.

**RESOLUTIONS:** PB-9-20-1, Lam Development Group, Amended Preliminary and Final Subdivision, Cloverdale West Phase 2B (formerly Phase 1D) at Crystal Springs Coventry Road, Block 16.30 Lots 1, 1.9-1.16; Block 16.34 Lots 1.05-1.08 and 1.10-1.12; Block 16.36 Lot 1, Block 16.28 Lot 2

A motion to adopt the resolution with corrections to the title block was made by Carl Miller and seconded by Robert T. Cook. There was no discussion. Roll Call: Carl Miller – yes, Bob Schultz – yes, Bob Neubig – yes, Robert T. Cook – yes, Sally Goodson – yes, Ed Zinck – yes. The motion carried.

**HEARINGS:** PB-3-20-1.II, Eastern Concrete Materials, Inc., Minor Subdivision approval, Conditional Use approval, Preliminary and Final Site Plan approval, Variance relief pursuant to N.J.S.A. 40:55D-70c for lots and items unrelated to the conditional quarrying use, potential checklist waiver relief, potential site plan design waiver relief, and any and all other relief that the Board and/or its professionals deem necessary that the Board has authority and jurisdiction to adjudicate for Block 14 Lots 6.01, 7, 14, 15, and 22.01 — Board Attorney Molica reviewed the Applicant's notice and confirmed the Board had jurisdiction to hear the matter. It was noted that the variance

relief requested did not apply to the area of the property being quarried and the variance conditions predate the ordinance.

Board members reviewed the waiver requests and Mr. Vreeland's report dated October 3, 2020. Mr. Vreeland presented no objections to the waiver requests and a motion grant the requests was made by Carl Miller and seconded by Sally Goodson. All were in favor. The motion carried.

John M. Marmora, Esq., appeared on behalf of the Applicant. Jeffrey Morris, P.E., P.P., was sworn, qualified, and accepted as an expert witness. He provided an overview of the matter stating there are no changes to the existing operation proposed. The Applicant explained the quarry use is shifting as they are running out of source materials and they want to stay above the water table grading down to 450' with a steady slope. He stated the Applicant proposes a minor subdivision to add 68.6 acres to Lot 22.01 and merge said acreage and Lot 7 into the existing quarry operation area. The remaining 183.80 acres would remain open space at this time. The site plan proposes the southerly expansion of the quarry operations onto the lands being added starting on the west side and moving east. It was noted a fence would be installed along the property line. A maintenance road, used to access the fence and used to provide access for the drills to make the initial cuts, would go around wetlands. Mr. Morris agreed to provide a confirmation of the prior wetlands delineation and a five-year development timeline. The Applicant stated their stormwater and drainage plan was part of their existing state license and the required restoration plan is consistent with I-3 Zone requirements. With specific reference to the restoration plan, the Applicant confirmed it is feasible and utilities could be installed. He also confirmed that the requested variance relief is on the open space property and does not apply to the lands to be quarried.

Mr. Morris addressed Board concerns regarding visual impacts relative to an existing buffer along Scenic Lake Road. Mr. Morris stated the Applicant would add evergreens along the 50' buffer line. He confirmed that the quarry operation would not go within 100 ft. of homes along Scenic Lake Road. With reference to visual impacts to Crystal Spring's residents, Board Member Miller stated he walked the property and believes there would be minimal visual impact to that community. It was noted that minimal clearing would be done and that would be temporary. The Applicant confirmed that the quarry operation's lighting is minimal and is off at night with the exception of security lighting. He stated their office hours are 7:00 a.m.-7:00 p.m.

With reference to site circulation, Mr. Morris confirmed that the circulation pattern would not change and the quarry would not use Kirkwood Ave. as an access point. Mr. Morris also confirmed that trucks would not access the site from Scenic Lakes Road. He agreed to remove the note from the plan that identified Scenic Lakes Road as an access point. Mr. Morris confirmed signage would not change.

With reference to potential impacts from blasting, Mr. Marmora stated blasting is regulated by the Department of Labor, and the Applicant would conform to State blasting requirements. It was noted that seismograph readings are taken at the closest structures.

Board planning consultant Leigh Fleming, was sworn, qualified, and accepted as an expert witness. The Board reviewed Ms. Fleming's report dated October 3, 2020. Ms. Fleming stated the application met the conditional use requirements and was consistent with the master plan. She suggested additional landscaping along Scenic Lakes Road and the Applicant agreed to submit a landscaping plan subject to her approval.

Acting Chairman Neubig opened the meeting to the public. Mr. Frank Lacatena was sworn. He asked about plans for the open space and noise mitigation. The Applicant stated they had no plans for the open space and the closest dwelling would be monitored for noise impacts. The Applicant stated they would comply with state and local requirements.

Ms. Linda Adams participated via ZOOM. She was sworn. She stated she has been dealing with the quarry and blasting for forty years. She asked about blasting and noted she was the last house in Hamburg next to the quarry. She inquired about noise and dust and stated her home shakes when the quarry blasts. She stated no one has notified her about blasting and stated she is concerned about the quarry moving south. She asked about buffering in her area. She asked that Hamburg Borough be notified when blasting is to take place. The Applicant agreed to notify both Hardyston Township and Hamburg Borough. The Applicant also agreed to canvas the area to add to a call list if necessary.

Larry Vampford, Regional Operations Manager, of the quarry was sworn. He stated the police department is notified and a call list is maintained. Carrine Piccolo-Kaufer, P.P., A.I.C.P., Township Manager, stated Hardyston Township could send notices via the reverse 911 system.

Mr. Andrew DeLuca participated via ZOOM. He was sworn. He asked about potential impacts to his home along Scenic Lakes Road. Mr. Morris stated that no change to the area is proposed other than a reinforcement of the tree buffer.

Ms. Julie Lacatena was sworn. She asked about liability for damages from blasting. Mr. Marmora stated if damage is done, the owner is liable.

No other members of the public addressed the Board. A motion to approve the application subject to the standard conditions and the specific conditions noted below was made by Carl Miller and seconded by Sally Goodson. Roll Call: Carl Miller – yes, Bob Schultz – yes, Bob Neubig – yes, Jim Homa – yes, Robert T. Cook – yes, Sally Goodson – yes, Ed Zinck – yes . The conditions noted are the setback deviations are to remain as open space; the Applicant shall submit a landscaping plan subject to the Board Planner’s and Engineer’s approval, that the Applicant canvas and prepare a contact list used to advise residents of blasting, no use of the dirt road off Kirkwood Avenue, submit information concerning the status of the LOI, provide five-year plan for the quarry, and comply with the recommendations of the Township Engineer.

**BILLS:** A motion to pay the bills listed on the *November 19, 2020 Bill Report* was made by Jim Homa and seconded by Sally Goodson. All were in favor. The motion carried.

**OPEN TO THE PUBLIC:**

No other members of the public addressed the Board. The meeting was closed to the public.

**DISCUSSION:** There was no discussion.

**ADJOURNMENT:** Having no further business, a motion to adjourn was made by Carl Miller. All were in favor. The meeting concluded at 8:30 p.m.

Minutes respectfully submitted by,

Anne-Marie Wilhelm  
Land Use Administrator