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MEMORANDUM

TO: Hardyston Township Planning Board
A. Wilhelm, Land Use Administrator / T. Molica, Board Attorney /
L. Fleming, Board Planner

FROM: Michael Vreeland, Board Engineer 

CC: J. Morris, Applicant Engineer / J. Marmora, Applicant Attorney

RE: Eastern Concrete Materials, Inc.
Site Plan, Minor Subdivision & Condition Use Application
Block 14 Lots 4, 5, 6.01, 7, 14, 15, 20 and 22.01
Hardyston Township
VCEA Project No. HDY-1001.017

DATE: October 3, 2020

Our office issued a review memorandum dated July 27, 2020 regarding the application. Subsequently, we received the following revised and additional information:

- A. Land Use Application and attachments dated February 21, 2020 with a resubmitted date of August 13, 2020;
- B. Boswell Engineering (Jeffrey L. Morris, PE) correspondence dated August 7, 2020;
- C. NJDEP Authorization to Discharge, R13 – Mining and Quarrying Activity Stormwater General Permit, Hamburg Quarry, PI ID# 285429, NJDPES # NJG0163899. The permit is dated April 1, 2007 with an expiration date of April 30, 2010;
- D. Plans entitled, “Eastern Concrete Materials, Inc., Site Plan, Block 14 Lots 6.01, 7, 15 & 22.01, Township of Hardyston, Sussex County, New Jersey” consisting of 17 sheets. The plans prepared by Boswell Engineering (Jeffrey L. Morris, PE) and are dated December, 2019 with a latest revision date of July 29, 2020;
- E. Plans entitled, “Eastern Concrete Materials, Inc., Proposed Minor Subdivision, Block 14 Lots 6.01, 7, 15 & 22.01, Township of Hardyston Township, Sussex County, New Jersey” consisting of 4 sheets. The plans prepared by Boswell Engineering (Jeffrey L. Morris, PE & LS) and are dated November, 2019 with a latest revision date of July 29, 2020;
- F. Report entitled, “Stormwater Pollution Prevention Plan (SPPP) prepared for Eastern Concrete Materials, Inc., Hamburg Quarry/Morris Asphalt Plant, 3620 Route 23, Hamburg, New Jersey 07419, Sussex County”. The report prepared by Compliance Plus Services, Inc. is dated July 2018; and
- G. Heyer, Gruel & Associates (Leigh Fleming, PP, AICP) correspondence dated April 9, 2020 and revised September 24, 2020.

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Please Reply To:

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We have reviewed the information along with the Township Code (Code) as well as project file and offer the following comments:

1. INTRODUCTION

The property noted in the Application consists of eight contiguous parcels. The Township has issued the Applicant Quarry Permits for portions of the tract (i.e., Lots 6.01, 14 and 15). The Applicant indicates Lots 4 and 5 are currently undeveloped and quarry activities are not proposed within these parcels. The Applicant also indicates additional activities are not proposed within Lot 14. The minor subdivision proposes to add Lot 7 and portions of Lot 22.01 to the quarry tract. The site plan proposes to expand quarry operations onto the lands that are being added.

It is unclear why Lots 4, 5 and 20 are listed in the application - particularly since: these parcels are not located in the I-3 Zone; the Applicant has indicated quarrying is not proposed within these lots; and these lots have not been included in the site plan title. We recommend these lots be removed from the application and updated application forms be provided.

Although the Applicant indicates they are not seeking approval for any additional quarry activity within Lot 14, we believe it would be appropriate to include this lot in the application and site plan. Remnants from previous quarrying activities exist within the lot and the lot has not been rehabilitated. We recommend this be discussed with the Board Professionals before the application is scheduled for a hearing.

2. COMPLETENESS

We have reviewed the application for technical completeness in accordance with the Application Checklists. Based on this review, we believe the Applicant is requesting the following waivers from the Schedule A Checklists:

2.1. Preliminary Site Plan

2.1.1. Item 24: Lighting

Comment: The Boswell correspondence indicates an analysis of existing lighting is being conducted and testimony will be provided. We would have no engineering objection should the Board grant the requested waiver for completeness provided the Applicant's professionals address the matter as part of the public hearing.

2.1.2. Item 25: Stormwater

Comment: The provided Authorization to Discharge, R13 – Mining and Quarrying Activity Stormwater General Permit expired on April 30, 2010. An updated permit will need to be provided including approved expanded quarrying activity. A copy of the existing SPP has been provided. The plan will need to be updated to include approved expanded quarry activity. We would have no engineering objection should the Board grant the requested waiver for completeness provided the Applicant's professionals address the matter as part of the public hearing.

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2.1.3. Item 26: Storm sewer, sanitary sewer and water plans and profiles

Comment: The application indicates no new storm sewers, sanitary sewer or water mains are proposed. Based on the nature and scope of the application we have no engineering objection to the waiver request at this time.

2.1.4. Item 33: Construction Cost Estimate

Comment: This requirement is for the benefit of the Applicant. Should the Applicant agree to pay all escrow fees and charges we would have no engineering objection to the waiver request.

2.1.5. Item 34: Environmental Impact Statement

Comment: The Boswell correspondence indicates the site plan addresses the environmental requirements noted in Sections 185-58.DD and 138 of the Code. Wetlands have been mapped in the area and the site is wooded. We believe approval from outside agency will be required to establish regulated areas limits as well as tree clearing activities. We would have no engineering objection should the Board grant the requested waiver for completeness provided the Applicant's professionals address the matter as part of the public hearing.

2.2. Final Site Plan

2.2.1. Item 13 and 14: Stormwater

Comment: The provided Authorization to Discharge, R13 – Mining and Quarrying Activity Stormwater General Permit expired on April 30, 2010. An updated permit will need to be provided including any approved additional quarrying activity. A copy of the existing SPP has been provided. The plan will need to be updated to include any approved additional quarry activity. We would have no engineering objection should the Board grant the requested waiver for completeness provided the Applicant's professionals address the matter as part of the public hearing.

2.2.2. Item 20: Construction Cost Estimate

Comment: This requirement is for the benefit of the Applicant. Should the Applicant agree to pay all escrow fees and charges we would have no engineering objection to the waiver request.

2.2.3. Item 21: Deed and Legal Description of lands to be dedicated for public use

Comment: The application indicates deeds will be prepared after approval. We would have no engineering objection should the Board grant the requested waiver for completeness. Should the Board approve the applications, we recommend this information be required before the subdivision is perfected and construction is allowed to commence.

2.2.4. Item 24: Affidavit verifying compliance with preliminary approval

Comment: The application indicates preliminary approval has not been granted. We would have no engineering objection should the Board grant the requested waiver for

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completeness Should the Board approve the applications, we recommend this affidavit and supporting information be required before the subdivision is perfected and construction is allowed to commence.

2.3. Minor Subdivision

2.3.1. Item 34: Copy of all existing protective covenants or deed restrictions affecting the property and a statement as to whether such deeds or covenants are of record

Comment: The Boswell correspondence indicates a waiver is requested and the information will be provided prior to the hearing. It is unclear if a waiver would be applicable if the information is supplied before the hearing. We defer to the Board Attorney regarding the waiver request.

We recommend the items noted by the Planner be addressed.

We defer to the Board Attorney and Land Use Administrator regarding legal and administrative completeness issues.

3. SITE PLAN

- 3.1. Boundary survey references as well as the source, date and datum of the topographic information should be noted on the plan.
- 3.2. Once established wetlands and other regulated areas will need to be included on the plan along with corresponding references.
- 3.3. We assume the existing fence located within the expanded quarry area will be removed. The Applicant should provide testimony explain how the site will be secured and the plan should illustrate fencing that will be installed.
- 3.4. We assume the Applicant intends to continue quarry operations between the between Route 23 and the limits of the grading illustrated on the plans. Should this be the case the plans will need to be amended to reflect the proposed grading in this area.
- 3.5. We believe the proposed truck access road is part of the quarry operation. Should this be the case, it would need to be located outside the required 50-ft buffer area.
- 3.6. A detail and profile of the proposed truck access road should be provided. Dimensions of the turnaround should be included. The Applicant should provide testimony regarding the adequacy of the proposed 15' road width and turnaround based on its intended use.
- 3.7. The plan proposes the turnaround and truck access road beyond the noted 10-year excavation area. It is unclear how this will function during initial excavation activities.

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- 3.8. A proposed truck access road is illustrated on Sheet 16. The road departs the proposed quarry operation limits and dead ends to the north. The Applicant should explain the purpose of the proposed road.
- 3.9. A detail of the proposed benching should be provided.
- 3.10. The proposed surface CAD boundary appears to be illustrated on the plan. Review of the boundary lines indicates quarry activity may inadvertently be located within the 50-ft buffer in some areas.
- 3.11. It is unclear how the top bench will tie into existing grades in certain areas. Some of the proposed contours imply the benching may require fill. We are concerned the steep rock surface may not allow stable fill to be placed.
- 3.12. Proposed grading has been provided to the 450' bench. This grade appears reasonable based on the previous 10-year quarry plan and the existing facility. However, the plan notes a finished bottom elevation at 400'. We do not believe sufficient information has been provided for the Board to make an informed decision regarding lowering the finished bottom.
- 3.13. The previous 10-year plan includes the limit of disturbance, cross-sections, as well as anticipated annual mining limits and quantities. We recommend this type of information be provided on this plan.
- 3.14. The set includes an overall plan for the entire tract (Sheet 2) and a 10-year excavation plan (Sheet 12). We find these two plans to be helpful illustrating the overall potential of the site. We recommend that the limits of disturbance along with the required buffers be added to these sheets.
- 3.15. The set also includes detail sheets for both the overall tract (Sheets 3 through Sheet 11) and 10-year excavation plan (Sheets 13 through Sheet 16). Since a permit can only be issued for a 10-year period and the detail sheets for both scenarios appear to illustrate the same information it may be advisable to eliminate some of the detail sheets to avoid confusion.
- 3.16. The location of proposed topsoil and material storage areas should be provided on the plans.
- 3.17. A schematic rehabilitation and reuse plan has been provided. However, the plan lacks a timetable for implementation and completion. In addition, it is unclear how the proposal meets existing zoning and Master Plan recommendations.
- 3.18. It appears existing quarry operations may encroach into the required buffer in certain areas. We recommend a rehabilitation plan be provided for these encroachments and a rehabilitation and reuse plan be provided for Lot 14. The plans should include timetables for implementation and completion.

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- 3.19. The plans do not propose changes to the quarry processing equipment and/or facilities. The Applicant should confirm that changes are not proposed.
- 3.20. The plans do not propose changes to signage at the quarry entrance. The Applicant should confirm that changes are not proposed.
- 3.21. We recommend the items noted by the Planner be addressed

4. MINOR SUBDIVISION

- 4.1. The applicant's surveyor should provide closure calculations for each of the lots. In addition, an electronic ACAD drawing file of the final subdivision map will need to be submitted.
- 4.2. Notes called out on the plan are missing.
- 4.3. We recommend the items noted by the Planner be addressed.

5. OTHER AGENCY APPROVAL

Should the Board approve the applications we believe the following other agency approval will be required:

- 5.1. NJDEP
- 5.2. NJDOT
- 5.3. Soil Conservation
- 5.4. Sussex County Planning Board

Please contact me should you have any questions.