

FINAL
Delaware Township Quarry Compliance Committee Meeting Notes
May 12, 2021

Attendees: Dave Bond, Joe Chrobak, Kathy Katz
Absent: Jamie Waltman

A. Update on the Township Committee's Review of the April 20, 2021 QCC Memo

Member Katz indicated that the QCC's April 20, 2021 Memo did not make it onto the agenda for the May 10th Township Committee meeting. Member Katz indicated that the Deputy Clerk indicated that the memo should be on the agenda for the June 14th Township Committee meeting.

B. Update on the Planning Board's Review of the April 20, 2021 QCC Memo

Member Katz indicated that the Planning Board reviewed the QCC's April 20, 2021 Memo at their May 4th meeting. The Planning Board accepted the QCC's recommendation and is referring the ground water monitoring data to the Board's hydrogeologist for review. The Planning Board is also requesting that the hydrogeologist provide their review of all ground water monitoring data (2016 thru 2020) within 6 months.

C. Review the License Application Time Line

Members reviewed the proposed changes to the License Application Time Line. Member Katz indicated that she had recommended the following changes in the revised draft version: change title to "10-Year License Application Time Line" so there is no confusion between the license application and the annual submissions; added Deputy Clerk as the Deputy Clerk may also be tasked with some of the duties; removed requirement for submissions of 6 electronic copies of the application as the current ordinance no longer requires this; changed the date for the license hearing to the second Monday in June since the Township Committee is only meeting once per month now; changed some language so the wording is more grammatically correct; and proposed deleting the reference to requirement for the Township Clerk/Deputy Clerk to send a "certified" letter to the applicant that their application is administratively complete as the ordinance does not require correspondences to be sent "certified".

Members Bond and Chrobak indicated they were good with the proposed changes to the time line.

Member Katz indicated that the current Standard Operating Procedures Manual is silent on how the processing of the Reclamation Plan will be handled by the Township. Member Katz indicated she will work on adding the requirement to the time line as well as the other documents.

D. Discuss Revisions to the Renewal License Application

Members reviewed the proposed changes to the Renewal License Application. Member Katz indicated that the main revisions to the application were to clarify the language and citations to be consistent with the current ordinance. Member Katz also indicated that she added a few additional

questions to the application to now cover the information that is required in sections 11-4(ii), 11-5 and 11-11 of the current ordinance.

Member Katz raised an issue with the wording in the current ordinance in section 11-4(ii)m. The language in the current ordinance specifically requires “the number of blasts tentatively anticipated during the license year and their approximate scheduling”. Member Katz said that the reference to “license year” is very confusing as to what time frame defines “license year”. The license is for a 10-year period so does the ordinance require information on blasting for the next 10-year period?

Member Chrobak said that it would be very hard for Trap Rock to submit information about the scheduling of their blasts for a 10-year period.

Member Katz said in the Annual Submittal Requirements section 11-6b., the current ordinance does require information as to the location of places where quarrying will be conducted in the upcoming year. However, there is no requirement in this section for information on the number and scheduling of anticipated blasts.

Members agreed that further review and discussion is necessary as a revision to the ordinance may be needed to clarify the intent of when information on the number and scheduling of blasts is required to be submitted.

Members also discussed the importance of getting input from the Deputy Clerk on the format of the questions on the application, including numbering each question. This is because a question on the Administrative Completeness Review Checklist requires the Deputy Clerk to verify that answers have been provided to all questions on the application. Therefore, it is important to have the Deputy Clerk’s input on the format of the questions.

Members will review the proposed changes and provide any comments on the current draft prior to the next meeting. Member Katz said she would then pull everyone’s comments into one document for ease of review.

E. Discuss Revisions to the Administrative Review Procedures

Members reviewed the proposed changes to the Administrative Review Procedures. Member Katz indicated that she had recommended the following changes in the revised draft version: change title and references in document to “10-Year Administrative Review Procedures” so there is no confusion between the license application and the annual submissions; added Deputy Clerk as the Deputy Clerk may also be tasked with some of the duties; removed requirement for submissions of 6 electronic copies of the application as the current ordinance no longer requires this; changed the date for the license hearing to the second Monday in June since the Township Committee is only meeting once per month now; changed some language so the wording is more grammatically correct; and revised citations to be consistent with the current ordinance.

Members will review the proposed changes and provide any comments on the current draft prior to the next meeting. Member Katz said she would then pull everyone’s comments into one document for ease of review.

F. Discuss Revisions to the Administrative Completeness Review Checklist

Members reviewed the proposed changes to the Administrative Review Checklist. Member Katz indicated that she had recommended the following changes in the revised draft version: change title to “10-Year License Renewal Application Administrative Completeness Review Checklist” so there is no confusion between the license application and the annual submissions; revised some of the language and citations to be consistent with the current ordinance; and removed requirement for submissions of 6 electronic copies of the application as the current ordinance no longer requires this.

Member Katz indicated she also added an additional question to the application to now cover the requirement in section 11-11c. of the ordinance for the Reclamation Plan Review Escrow fee.

Member Katz asked whether question 5. on the checklist is really required. The ordinance does require that an escrow balance of \$2,500 be maintained. And the verification of the escrow balance is important as part of the Annual Submittal Requirements submission. But the ordinance requires that a \$2,500 escrow fee be submitted as part of the 10-year license application. So is there really a need to ask the Township Clerk/Deputy Clerk to verify the balance when the applicant is including a check for \$2,500 with the application? Member agreed this question is not needed.

Members also discussed that for question 10, the language should be changed from “upcoming license period” to “upcoming year”. That is because the insurance certificate is only valid for a 1-year duration. And the ordinance requires submission of a valid insurance certificate every year.

Members will review the proposed changes and provide any comments on the current draft prior to the next meeting. Member Katz said she would then pull everyone’s comments into one document for ease of review.

G. Next Meeting

Members discussed having another meeting the first week of June to hopefully finalize proposed revisions to the above documents. This is so discussions with the Deputy Clerk can begin. Member Katz said she would continue to work on proposed changes to the other documents and will circulate them as soon as they are drafted.