

Final
Delaware Township Quarry Compliance Committee (QCC) Meeting Notes
January 20, 2022

Attendees: Chad Bower, Joe Chrobak, Kathy Katz, Jamie Waltman

A. Membership

QCC members welcomed Chad Bower to the committee. Member Katz indicated that the Planning Board did not meet in January so the Planning Board representative will not be determined until the Planning Board's February 1st meeting. Once the Planning Board representative to the QCC is known, Member Katz said she would update the membership list and circulate it for review.

B. Finalize Minutes from the August 5th Meeting

Member Chrobak and Mayor Waltman said they had no changes to the minutes and members approved the minutes as drafted. Member Katz said she would provide the minutes to the Deputy Clerk for posting on the township's website.

C. Reclamation Plan

Member Chrobak indicated that Trap Rock was not proposing any changes to the plan that was approved back in 2012 and that Trap Rock was proposing to resubmit the 2012 plan with this year's license application. The 2012 plan had proposed realigning a regulated waterway located on Lots 3 and 4 onto Lot 4.01 to allow for the installation of the berm. However, Trap Rock no longer owns Lot 4.01. Member Katz asked whether this would require a revision to the plan.

Members discussed that Trap Rock really cannot submit an amended reclamation plan until Trap Rock receives approval of a Flood Hazard Area Control (FHAC) permit from NJDEP. Trap Rock cannot expand its quarry operations east of the upper haul road on Lots 3 and 4 without first obtaining NJDEP approval due to the regulated waterway. Trap Rock is required to provide the township, within 180 days once they resume operations, with the date Trap Rock is proposing to submit their FHAC permit to NJDEP.

Members discussed that once the NJDEP approves the FHAC permit then Trap Rock could submit an amended reclamation plan as they would then have a precise proposal for the development of the quarry and all required berms/screening. Members said specifying a date for submission of an amended reclamation plan could be a condition of the upcoming license approval.

Members suggested that Trap Rock include a cover letter with the 2012 reclamation plan indicating they will address all changes to the berm/screening etc in a revised reclamation plan to be submitted to the Township after the FHAC permit is approved.

Member Katz then said the setbacks and installation of the berm are part of the December 2006 Settlement Agreement between Trap Rock, the Township, and residents. Member Katz said how would any changes affect this settlement agreement? Would a new settlement agreement be required? Member Katz said that the residents should be included in the discussion when Trap Rock is preparing its FHAC permit application.

Member Bower and Mayor Waltman asked Member Chrobak to discuss with Trap Rock's attorney how changes to the December 2006 Settlement Agreement should be handled and then to update the QCC. Then the Township Attorney can provide his opinion.

D. Procedures/Checklist for Deputy Clerk

Members discussed that the following items should be provided to the Deputy Clerk so the application process can begin as soon as the application is received.

- 10-Year License Application Time Line
- 10-Year License Renewal Application Administrative Review Procedures
- Delaware Township Quarry 10-Year License Renewal Application Administrative Completeness Review Checklist
- NJDOL Sample Letter
- HCSCD Sample Letter

Member Katz indicated that the proposed revisions have already been reviewed by the QCC and the Deputy Clerk with the exception of the revisions to the NJDOL and the HCSCD sample letters.

Member Katz said she would send these items to Member Bower and Mayor Waltman who will then provide them to the Deputy Clerk for use. Then once the sample letters have been reviewed by the QCC, the sample letters can then be provided to the Deputy Clerk.

E. Recommendation for Ordinance Changes

Members reviewed the 1/18/22 draft of proposed changes to the ordinance. Member Katz said some of the proposed changes were discussed at the June 2021 QCC meeting. In addition, Member Katz indicated that several of the recommended changes were identified when drafting revisions to the SOP.

Mayor Waltman said he did want the ordinance to be overly burdensome to Trap Rock especially since they are not currently operating. Member Katz indicated that Trap Rock is already submitting copies of its permit approval and insurance certificate on a yearly basis; however when reviewing the ordinance it appears this requirement is not clearly indicated in several of the sections. So many of the comments in the draft were to provide clarity.

Mayor Waltman suggested that Trap Rock have its attorney review the recommended changes first. Then the QCC can discuss before referring to the Township Committee and township attorney. Member Chrobak said he would have Trap Rock's attorney review the proposed changes and hopefully have comments to the QCC by the next QCC meeting.

F. Standard Operating Procedures Manual

Member Katz said the latest draft of the SOP is dated 12/9/21. Member Katz said she had outlined some key items for discussion on the agenda. However, due to time constraints, this discussion will be tabled until the next meeting.

Member Katz asked if everyone was okay with having the role of the Planning Board included the SOP. Members agreed that a new section should be added to the SOP. Member Katz said she would work on drafting this for discussion at the next meeting.

G. Next Meeting Date

Members agreed to meet at 12:00 on Tuesday February 22, 2022. Member Katz said she would check with the Deputy Clerk to ensure a meeting room is available.