

**TOWNSHIP OF DENNIS
PLANNING BOARD**

**571 Petersburg Road
Dennisville, NJ 08214
(609) 861-9705**

NOVEMBER 17, 2011

MINUTES

This meeting was published in accordance with the "Open Public Meetings Act". Notice of this meeting was published in an annual meeting notice in the Cape May County Herald and posted in Township Hall.

The meeting was called to order by Vice-Chairman Watson. The following members were present: Mr. Watson; Ms. Morgan; Mr. Burian; Mr. Steinman; and Mr. Crippen. Also present were Frank Corrado, Esquire, Board Solicitor and Andrew Previti, Board Engineer.

Mr. Previti was sworn in by Mr. Corrado.

APPLICATIONS:

PIERSON PLEASANTVILLE, LLC - Block 224, Lots 68.01, 73, 74.02, 75.03 and 78.04:

Located on Woodbine-Ocean View Road in Ocean View in both the B (Business) and C (Conservation) Districts. Applicant is seeking preliminary and final site plan approval for the renewal of a Resource Extraction Permit.

James Pickering, Esquire appeared as the attorney for the applicant.

Mr. Mitchell was sworn in by Mr. Corrado and indicated that he was the Facility Director for Pierson.

Mr. Pickering indicated that the applicant is here for the renewal of its mining permit, the last permit was approved on February 26, 2009, and it then went to Township Committee, which approved the permit. He advised that the applicant is seeking renewal for a 3 year period. He also indicated that Mr. Gibson has prepared a color coded exhibit (A-1 - rendered site plan) at the request of Mr. Previti. Mr. Pickering advised that the local Ordinance requires the applicant to appear before the Board every 3 years. He then directed questions to Mr. Mitchell.

Mr. Mitchell testified that he is the Facility Director for Pierson and he has his hands in all of

Pierson's projects. Mr. Mitchell then explained what is done at this facility (sandwash). He described the building located on the property - the front portion is the office and the rear portion is for maintaining the trucks and is not part of the mining. He refer to A-1 and showed where the sandwash is located. He explained how the dredge for the sandwash works - sand is stored and then trucked out. The applicant proposes to do the same thing for the next 3 years that they have been doing for the past 3 years. He testified that the signs that are in place were in place when Pierson acquired the property approximately 6 years ago - all are in place and clearly legible, and there have been no problems to date.

Mr. Pickering referred to A-1 and indicated the location of various safety signs and what they each say - no swimming, unsafe conditions, no trespassing, etc.

Mr. Mitchell confirmed that all signs are there and provided pictures (A-2 - 11 photographs). He confirmed that the signs are in place as indicated on A-1. By referring to A-1, he indicated the area that is proposed to be mined over the next 3 years. The applicant doesn't expect to move the dredge to the portion located in the east, but wants to have the option if need be. He further testified that the fencing required at the last review has been installed. He confirmed the areas of fencing that were shown on A-1. He indicated that the areas to be reclaimed by December 1st have now been completed, and he explained what had been done to accomplish this.

Mr. Watson wanted to know how deep is the area where they are working now. Mr. Mitchell responded that he believes it is about 35 feet at its deepest.

Mr. Watson asked the Board for any questions.

Mr. Burian wanted to know how long it would be before the dredge is moved. Mr. Mitchell said he expects it to stay in the same area as it is now for the next 3 years, but if business changes they want to have the ability to move it if need be. He indicated that the life of the area should be about 30 to 40 years for the entire permitted mining area.

Ms. Morgan asked that the conservation section be pointed out on A-1. Mr. Pickering did so. She also wanted to know if any underground streams were being tapped into or re-routed. Mr. Mitchell testified that they are limited on depth and monitored by the DEP and Township regulations; and that he is not qualified to answer the question and doesn't have any information about what is running under the property. He indicated that dredging requires the moving of water, but it is recycled back into the same area, and that a lot of water is used, but very little is used up.

Mr. Previti explained that they can go 65 feet from the top of the water level.

Ms. Morgan then posed a question to Mr. Previti about underground streams, to which Mr. Previti responded that he had no information.

Ms. Morgan asked if there have been questions in surrounding municipalities concerning

water. Mr. Previti said that he has no information on same.

Mr. Mitchell said that he believes the 65 foot number came from the Pinelands.

Mr. Watson asked if there were any other questions.

Mr. Previti then reviewed his engineer's report.

Mr. Pickering and Mr. Mitchell responded to comments contained in the engineer's report. There was a discussion of the easement area with the adjoining property owner (Mr. Ay). It was indicated that there is a fence and a gate as required by the Board previously, although Mr. Ay did not want the fence. Mr. Mitchell said he is not sure if the gate is locked or not.

Mr. Previti continued with his report.

Mr. Pickering advised that the elevations will be changed as needed and Mr. Previti and Mr. Gibson can work it out.

There was a discussion concerning the safety signage. Mr. Mitchell believes a couple of the signs are missing from the plan (A-1). Mr. Previti believes that there are not enough signs and that they should be every 100 feet. Mr. Mitchell said he is agreeable to placement of additional signs where needed and requested. Mr. Pickering indicated that signs shown were previously accepted by the Board. Mr. Previti read from the plans the size of the signs (30" X 30") and their placement. Mr. Mitchell advised that the size of signs was an oversight and would ask for a smaller size due to cost. Mr. Corrado advised that Board could approve a waiver as long as it met Code. Board members were agreeable to smaller size signs. Mr. Previti indicated that the plan would have to be revised. Mr. Corrado suggested 12" X 18" signs, and the applicant was agreeable.

Mr. Previti indicated that another sign issue is the "No Swimming" signs. Mr. Corrado suggested making it a condition that applicant will, within a certain number of days, develop a sign plan with signs a minimum size of 12" X 18" and adequate "No Swimming" signs and their placement. Mr. Previti said there is a need to define "adequate" and a reasonable distance between signs in the water area.

Mr. Mitchell testified that the site has operated this way for past years; and that some one is usually on the site during the day; and they don't want unauthorized people on site.

Mr. Pickering referred to A-1 and indicated the areas of fencing. Mr. Mitchell referred to A-1 and showed the areas of fencing and where there are gaps without fencing.

Ms. Morgan asked where there is logical access to the property. Mr. Mitchell responded by saying near the campground, where there are extra signs posted. Mr. Burian suggested making a

condition that the Board Engineer be satisfied. Mr. Previti indicated that he is willing to sit down with Mr. Mitchell and work this out. He also suggested a 30 day period. Mr. Pickering indicated that the application goes from this Board to the Township Committee, and he suggested making the time period 60 days from Township approval. Mr. Corrado said that this Board is only making a recommendation, and the Township Committee makes the final decision and may want more or less time. He suggested 30 days after Township Committee's decision. Mr. Pickering was in agreement.

Ms. Morgan had a question regarding reclamation. Mr. Previti explained that reclamation is required in every area and does not kick in until an area is fully mined.; that it is an ongoing process and is not final until a particular area is mined to its limit; and that the applicant has done some. Mr. Mitchell testified that some areas have been reclaimed and they plan on doing more, and that it is easier to do in stages.

Mr. Watson asked if there were any other questions from the Board. There were none. He then opened the meeting to the public for questions or comments, there being none, the public portion of the meeting was closed.

Mr. Burian said that the neighbor (Mr. Ay) is in the audience and he would like to question him about whether the gate is locked and a trailer is blocking the area. Mr. Ay advised that he holds the key to the lock and that he is the only one with access.

Mr. Corrado presented a form of motion to recommend the granting of the mining permit, with conditions. A motion to approve was made by Ms. Morgan, seconded by Mr. Crippen and carried by all members voting.

Other Business:

Correspondence:

Mr. Watson advised that there was no correspondence for discussion. He then called for a short recess.

Board Discussion: Amendments to Pinelands Comprehensive Management Plan.

Mr. Watson advised that last month a question was asked to find out how many 200 acre parcels are in Pinelands and who would be affected. Mr. Previti advised that no one would be affected.

Mr. Burian then explained how a cluster development would work using an example that some one could build 8 houses on 25 acres, but the balance of the land could not be used. Mr. Crippen had concerns with who would buy a property knowing that so much of the land is not

useable. Mr. Previti indicated that the balance of the property outside of the developed area has options and he then read what could be done with it. What the Chairman wanted was to look at how the existing Code would be changed. Mr. Previti gave further examples of how development can be done.

There was then a general discussion on cluster development.

Bills:

A motion was made by Mr. Burian, seconded by Ms. Morgan and unanimously carried to pay all outstanding bills.

There being no further business to come before the Board, a motion to adjourn was made, seconded and unanimously carried to adjourn meeting.

Meeting adjourned at 8:15 p.m.

Carla A. Coffey

Carla A. Coffey, Secretary
Dennis Township Planning Board