Minutes of the Commercial Township Land Use Board meeting was held at the Municipal Hall in Port Norris on **February 23, 2022**. The Chairperson called the meeting to order at 6:32pm. All joined in the Flag Salute.

**SYNOPSIS:**

**Roll Call:**

Michael Vizzard, Mayor

Joe Klaudi, Committee Man

John Nardone, Environmental Commission

LaRae Smith, Class IV Board Member, Chairperson

Debra Karp, Class IV Board Member, Vice Chairperson

Edward Fox, Class IV Board Member

Heike Wheatly, Class IV Board Member

Matt Wheatly, Alternate I

Nathan Van Embden, Solicitor

Stefanie Muessig, Board Secretary

**Absent:**

Joe Klaudi, Committee Man (Absent)

Aaron Harden, Class IV Board Member (Absent)

**Minutes:**

January 26, 2022 (Virtual Meeting)

A Motion was made by Mr. Fox and Seconded by Ms. Karp to approve the minutes from January 26, 2022.

Roll Call:

John Nardone Yes

Michael Vizzard Yes

Edward Fox Yes

Debra Karp Yes

Dean Berry Abstain

Heike Wheatly Yes

Matt Wheatly Yes

Emmitt Vandegrift Abstain

LaRae Smith Yes

**Resolutions:**

RESOLUTIONS

Resolution No. 2021-11 (Silvi Concrete renewal)

Resolution No. 2022-1 (Appointment of Chair & Vice Chair)

Resolution No. 2022-2 (Appointment of All 2022 Professionals)

Resolution No. 2022-3 (Schedule of Land Board Meetings 2022 and Designation of

official Newspaper)

A Motion was made by Mr. Wheatly and Seconded by Mr. Nardone to approve the resolution.

Roll Call:

John Nardone Yes

Michael Vizzard Yes

Edward Fox Yes

Debra Karp Yes

Dean Berry Abstain

Heike Wheatly Yes

Matt Wheatly Yes

Emmitt Vandegrift Abstain

LaRae Smith Yes

**NEW BUSINESS**

**Covia Phase 2 & 4A**

***(Represented by Michael Gruccio Law, LLC)***

Block 172, Lot 1 (1040 Snow Hill Rd.)

Block 173, Lot 2 (6653 Ackley Rd.)

Block 174, Lots 1-6 (Whitehead Rd. & James Moore Rd.)

Block 269, Lot 1.01 & 1.02 (Haleyville Station)

*Renewal of Mining/Extraction Permit*

A motion for Completeness was made by Mr. Nardone and seconded by Mr. Berry.

Roll Call:

John Nardone Yes

Michael Vizzard Yes

Edward Fox Yes

Debra Karp Yes

Dean Berry Yes

Heike Wheatly Yes

Matt Wheatly Yes

Emmitt Vandegrift Yes

LaRae Smith Yes

The application was deemed Complete.

Michael Gruccio, Esq. is representing the Applicant and will be presenting the information. Mr. Gruccio addressed the board to consider extension or reapproval of the five (5) year conditional use of the extraction permit last approved in 2016 and site plan.

Mr. Gruccio said the approvals are being proposed for Block 172, Lot 1 (Address: 1040 Snow Hill Road), Block 173, Lot 2 (Address: 6653 Ackley Road), Block 174, Lots 1 through 6 (Address: Whitehead and Highland Streets) and Block 269, Lots 1.01 and 1.02 (Address: Haleyville Station). He states all blocks and lots, and street addresses were given by the Tax Assessor. Wincester Railroad, original owner, is an adjunct of Covia which owns 1,284.53 acres. Property is in the Rural Resource Zone. Mr. Gruccio calls upon Mark Schwartz, Covia’s engineer consultant; he was sworn in by Mr. Nathan Van Embden Esq.

Mr. Gruccio along with Mr. Schwartz continue to go over the narrative statement and environmental impact statement for Covia Phase 2 and 4A at the Dividing creek. A copy of these statements and plans were provided prior to the meeting. (Audio on file)

Mr. Schwartz begins to give testimony stating that 4A is no longer being mined. The dredge has been removed. It has been refitted and refurbished for Pond 2. Mr. Schwartz explains where the stockpiles have come from, they were dredged out of Ponds 8 and 9. They have permission to dredge up to 100ft but have been stopping at about 65ft because that’s about the time the useful material runs out that they are mining. He continued to explain where the dryers, conveyor belts and railroads were located. The railroad moves north to where they ship.

Mr. Emmitt Vandegrift had a question for Mr. Schwartz. Mr. Vandegrift asked how to tell the difference between the stockpile and the freshly dug material. Since the Application is for “x” number of acres. Mr. Schwartz answers by saying on the plans they try to show the complete limits of the permitted area. He explains his understanding of the ordinance and why they must renew every 5 years and makes clear the rules that must be followed.

Mr. Vandegrift asked another question, “Is there any kind of monitoring system or pollution monitoring system? Does the Dredge have DEP approved permits for refurbish? Is there anything in art on the refurbish or how often do they have to inspect it?” Mr. Schwartz states that the equipment is on a barge and that has the DEP permit, but Brian Lenhart could explain further. Mr. Gruccio agrees and asked Mr. Lenhart, Plant Manager, to come forward.

Mr. Van Embden swears in Mr. Brian Lenhart, Plant Manager, who has been with the plant for 5 years.

Mr. Lenhart addresses the last question. Pond 2 is on a big pond, the difference between north and south is the stockpile. “When do we decide to use the stockpile? When it gets too big and creates 2 ponds. As we try to keep as much stockpile as possible because we know the quality of the sand. We can draw from that instead of dredging new.” Mr. Lenhart talks about the 51 total permits for land, air & water with the State of New Jersey. There are two (2) air, one (1) dryer and one (1) for diesel dredger. He presented the specs. Permit for dredge is ten (10) years, the specs shows that it has the same engine, so it is the same dredge there for permit is still good. The air permit was renewed last year and still has nine (9) years left until renewal. He briefly summarized the various permits.

Well location is explained and water guidelines. Mr. Lenhart goes over how the system works with all the functions, and how the lines run. Mr. Van Embden asked in broad strokes can they describe what they are asking for in the next five (5) years in terms of whether they are going to expand the south side of pond #2 and are they asking for a variance other than what they have asked for previously. Mr. Lenhart said there are no changes planned in the next five (5) years and no variance changes.

Mr. Lenhart and Mr. Gruccio said inspections were done in January or February by Mr. Stephen Nardelli’s company, Fralinger Engineering PA.

Mr. Vandegrift asked about the activity on Ackley Road. Mr. Lenhart stated that that part of the road is owned by the county and Atlantic City Electric is doing work.

Ms. LaRae Smith asked if there is any other question or witnesses who would like to speak. Mr. Gruccio answered there were none at this time.

Ms. Smith asked to open the floor up to the public. A motion was made by Mr. Vandergrift and seconded by Mr. Fox to open to the public. Board was all in favor, none opposed.

Mr. Mark Sheppard came forward and he was sworn in, he was representing Mauricetown Gunning Club & Fire Dept. He is in favor of Covia; they are a great asset to the community and great neighbors to have. He gave multiple examples.

A motion to close to the public was made by Mr. Vandegrift and seconded by Ms. Karp.

Mr. Nathan Van Embden recaps the application.

A motion was made by Mr. Vandegrift and seconded by Mr. Berry to approve the application.

Roll Call:

John Nardone Yes

Michael Vizzard Yes

Edward Fox Yes

Debra Karp Yes

Dean Berry Yes

Heike Wheatly Yes

Matt Wheatly Yes

Emmitt Vandegrift Yes

LaRae Smith Yes

The application was Approved.

**CORRESPONDENCE**

* *The New Jersey Planner*, Vol. 82 No. 6
* *Fralinger 2022 Annual inspection Covia*
* *Fralinger Mining extraction renew Application phase 2 & 4A Covia*
* *Cumberland County Farmland Preservation Plan* ***(Didn’t show****)*

A motion was made by Mr. Wheatley and seconded by Ms. Karp to accept and file. All were in favor, none opposed.

**BOARD BUSINESS**

Aaron Harden update certified letter still needed to be sent, and possible replacement.

Mayor Mike Vizzard let Mr. Vandegrift and the Board know that there will possibly be a conflict of interest with Mr. Vandegrift’s business, and he may have to step down. Two spots on the Board will need to find replacements.

**BILL LIST**

**APPROVE BILL LIST**

A motion was made by Mr. Berry and seconded by Mr. Fox to approve the bill list. All were in favor, none opposed.

**OPEN TO PUBLIC**

A motion was made to open the meeting to the public. All were in favor, none opposed.

A motion was made to close the meeting to the public. All were in favor, none opposed.

**ADJORN MEETING**

With no other business, a motion was made by the Chairperson to adjourn the meeting.

All were in favor, none opposed.

Stefanie Muessig

Board Secretary

Next meeting: March 23,2022