

The Special Meeting of the Planning Board of the Township of Upper Deerfield was held on Monday, February 22, 2016 at 7:00 pm in the Municipal Building, Seabrook, N.J.

Chairman Ed Overdevest called the meeting to order and read the following notice:

This is a special scheduled meeting of the Planning Board of the Township of Upper Deerfield. In compliance with the "Open Public Meeting Act" a schedule of regular meetings containing the location and time and date of each meeting was approved at the Annual Organization Meeting of the Board, and within seven days following such Organization meeting, a copy of such schedule of regular meetings was posted in the Municipal Building at Seabrook, New Jersey, which Notice has remained so posted throughout the year, and copies of the schedule of regular meetings have been mailed to South Jersey Times South and The Press of Atlantic City and filed with the Township Clerk in compliance with said Act.

Present: Chairman: Ed Overdevest

Vice Chairman: Russ Vanella

Members: Ed Fleetwood, Terry O'Neill, Scott Smith, Jack Waselik, Anthony Buono, Joseph Spoltore, Robert Comer, Laura Hayes alt 1, Michele Mooney alt 2,

Staff: Planner Randy Scheule, PP, AIC, Solicitors Theodore H. Ritter, Esq. , Matthew Ritter, Esq., Conflict Engineer Robert DuBois and Secretary Vicki Vagnarelli,

Absent: Ken Jackson alt 3, Engineer J Michael Fralinger, Jr. PE, CME, (unable to attend K & E application hearings)

(P 2-15) K & E Special Hearing for Continued Public Hearing Application: (public hearings: May 11, June 8, 15, Sept. 21, Oct 5 special meet, Nov. 16, Dec. 14, Jan 11, 2016, Feb 8,) K & E Holding I LLC - Pre/Final Maj. S/P 707/2 & 5 Centerton & Fox Rd (Ag Zone) propose utilization of both parcels for resource extraction.

Attorney Michael Fralinger Esq. representing applicant K & E Holdings I LLC

Attorney Gerald Neski representing objectors of proposed application

Attorney Neski entered into Evidence or entered as Identification Only the following:

Objectors 8A 2-22-16 – (was originally missing from Ob 8 2/8/16)

Objectors 10 2/22/16 -2 page copy (Taylor) CC Bd of Taxation paperwork

Objectors 11 2/22/16 - Administrative Order on Consent – (US Environmental Protection Agency Region II)

Objectors 12 2/22/16 -Decision summary UDT Sanitary Landfill Site (US EPA Region II)

Solicitor Ritter has concerns regarding this - Attorneys will decide if Objector 12 can be disseminated

Objectors 13 2/22/16 **Identification Only** -Letter to Roy Spoltore Twp. Adm from Diego Garcia, Remedial Project manager NJ Remediation Branch (US EPA Region II) (no stamped dates on this exhibit)

Objectors 14 2/22/16 – Well testing data 3 pg 1984 sampling page & Century Laboratories Inc. 2 pg Inorganics Analysis Data Sheet

Chairman Overdevest was concerned that Board was at a disadvantage not having the newly entered paperwork. Floor was open to public to speak to the Board.

Ed J. Knorr from Williamstown spoke to Board regarding his concerns– superfund site, contaminate products, blue hole, people risk, West Nile virus, dredging, vibration, sink holes, traffic, roadway, kids, quality of life, pollution, community devaluations,

Attorney Fralinger questioned his standing since he is not from the Township.

Sandy Morrisey, Chairperson Environmental Commission – agrees with Mr. Neski and Objectors, questioned

bond, will conditions be discussed and approved at public meeting, ensure safety of UD residents now & 30 yrs from now,

Lyn Maun, Environmental Commission – concern with Hydrology, impacted on streams, Huck 14, rain level, pg special features dangers of pits with water, when danger comes with something how can it provide positive, eyesore, state does nothing to protect, mentioned MSHA website for mine safety, precipitation runoff & ground water

Nancy Ridgway questioned if two different bonds, believes wet mining near her home caused her property to sink

Diana Roller – opposed to dry or wet mining moving onto lot 2, noisy, dusty,

Dean Hawk – concerned once decision is made can't be turned around, bond would not help if contamination leaches over, what can be done each 3 years when bond is renewed.

Attorney Fralinger brought Mr. Shourds, Planner/Engineer, expert witness back on rebuttal. Exhibit introduced Applicant 13 2/22/16 Google earth imagery dated 6/21/15 coloring of blue hole. Property owners consented and will have water front property. Has worked or does work for various facilities in Cumberland County with regard to mining. Mr. Shourds discussed 12 year logging of accidents within mines, not all deaths were from water, some overturned vehicles, clear water and blue hole, residential homeowners near other mining site 0-300 feet from property line, non altering water level/hydrology, scalp screen, devices regulate water level 6 inches high or low of regular pool, water goes back in, dredge, processing plant no taking no drawing water, fencing, safety issues, Mine site contoured reclamation 5 to 1, Attorney Neski questioned Mr. Shourds regarding residents having private wells, questioned if mining is major industry

Attorney Fralinger called Mr. Don Rogers – referring to Objector 3 Board showing neighbors homes in proximity of mining site, had access to property since mid 70's, homes there since 70's,

Chairman Overdevest invited anyone again to come before the board

Lynn Maun stepped forward to mention stream, environmental quality, precipitation, run off & ground water, posted facility drowning, state owned-does not protect or monitor, water depth & temperature deceptive.

Next meeting March 14, 2016

Ed Overdevest requested Board members to review Township Ordinance 405-42 Land mining & Resource Extraction and 405-70 Conditional Uses.

Being no further business on motion of Ed Fleetwood seconded by Russ Vanella meeting was adjourned.

Respectfully Submitted,

Vicki Vagnarelli