

TOWNSHIP OF UPPER DEERFIELD

RESOLUTION 23-97

APPROVING A TEMPORARY EXTENSION OF K&E HOLDING I LIMITED LIABILITY COMPANY/ DIAMOND MATERIALS CURRENT RESOURCE EXTRACTION PERMIT

WHEREAS, K&E Holding I Limited Liability Company/ Diamond Materials (“K&E”), conducts a resource extraction operation in Upper Deerfield Township; and

WHEREAS, K&E’s resource extraction permit was last renewed for a three year period pursuant to the decision of the Upper Deerfield Land Use Board (“JLUB”) on K&E’s application that was submitted in 2019; and

WHEREAS, K&E was in the process of preparing a request for renewal of K&E’s three-year permit in 2022, when their legal counsel changed; and

WHEREAS, the new legal counsel requested a temporary extension of its current permit for up to nine (9) months, pending renewal of K&E’s resource extraction permit for the three year period that will run from 2022 through 2025; and

WHEREAS, the Township Committee approved a four month extension to April 30, 2023, in order to allow for sufficient time for processing of the permit renewal; and

WHEREAS, K&E received Planning Board approval on March 13, 2023, which memorialized that decision on March 20, 2023; and

WHEREAS, the new legal counsel has requested a 60 day extension while it’s professionals compiles the information needed for the resource extraction permit for the Township Committee; and

WHEREAS, the Township Committee approved a two month extension request to June 30, 2023, in order to allow for sufficient time for completing of the permit renewal.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Upper Deerfield approves an additional two month extension to June 30, 2023, in order to allow K&E sufficient time for the processing of the permit renewal that will run from 2022 through 2025; and

BE IT FURTHER RESOLVED, that the K&E permit renewal will expire December 31, 2025 if approved in 2023, and the applicant will need to receive approval for their next three year approval for the years 2026 through 2028 in calendar year 2025.

Moved By: Joseph Spoltore

Seconded By: Scott Smith

VOTING

James P. Crilley
John L. Daddario
Scott Smith
Thomas Speranza
Joseph Spoltore

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
X			
X			
X			
X			
X			

CERTIFICATION

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland, at a meeting thereof held May 4, 2023.

Roy J. Spoltore, Township Clerk