

JOHN H. ALLGAIER, PE, PP, LS (1983-2001)
DAVID J. SAMUEL, PE, PP, CME
JOHN J. STEFANI, PE, LS, PP, CME
JAY B. CORNELL, PE, PP, CME
MICHAEL J. McCLELLAND, PE, PP, CME
GREGORY R. VALES, PE, PP, CME



TIM W. GILLEN, PE, PP, CME (1991-2019)
BRUCE M. KOCH, PE, PP, CME
LOUIS J. PLOSKONKA, PE, CME
TREVOR J. TAYLOR, PE, PP, CME
BEHRAM TURAN, PE, LSRP
LAURA J. NEUMANN, PE, PP
DOUGLAS ROHMEYER, PE, CFM, CME
ROBERT J. RUSSO, PE, PP, CME
JOHN J. HESS, PE, PP, CME

September 9, 2020

Barnegat Township Planning Board
900 West Bay Avenue
Barnegat, NJ 08005

Re: Docket No. PB 15-09
Application for Soil Removal Permit Renewal – Review #2
Shore Sand & Gravel, LLC
Block 42, Lots 2, 5.02, 9, Block 43, Lots 3, 4, 5, 8 & 9.03
Block 43.01, Lots 9 & 9.01, Block 44, Lots 2 & 3
Barnegat Township, Ocean County, New Jersey
Applicant: Shore Sand & Gravel, LLC
560 Route 72
Barnegat, New Jersey 08005
Our File: VBGP0042.01 (60003)



Dear Planning Board Members:

Our office has received for review the following information which was submitted in support of the above referenced application for renewal of a Soil Removal Permit for the above referenced property and in response to our previous review letter dated May 11, 2020:

- Copy of June 22, 2020 letter by Clint Allen of Archer, which included a copy of Mine Registration Permit No. 004789;
- Copy of letter dated June 24, 2020, prepared by Clint Allen of Archer, with responses to our initial review letter dated May 11, 2020;
- Pinelands Certificate of Filing for Application No. 1980-0076.001, dated September 4, 2020.

Our office had received for review the following information, which was previously reviewed as per our original May 11, 2020 review letter:

- A copy of an April 28, 2020 letter from Clint B. Allen, Esq. with Archer & Greiner PC of Haddonfield, New Jersey to the Barnegat Township Planning Board, regarding application and transmittal of the following documents:
- A copy of a completed Application for Renewal of Soil Removal Permit, dated April 27, 2020;
- A copy of completed Township Land Use & Development Application, dated April 27, 2020;
- A copy of a completed Township Contribution Disclosure Statement by Aaron Cave, dated April 22, 2020;
- A copy of a completed Township Contribution Disclosure Statement by John W. Kornick, PE, dated April 27, 2020;



Barnegat Township Planning Board
Re: Shore Sand & Gravel, LLC (PB 15-09)
Application for Soil Removal Permit Renewal – Review #2

September 9, 2020
Our File No. VBG0042.01
Page 2

- A completed Affidavit of Non-Collusion by Aaron Cave, dated April 22, 2020.
- A completed list of Professionals and Consultants;
- A copy of a completed Applicant/Developer Escrow Agreement, by Aaron Cave, dated April 22, 2020;
- A copy of a Tax Release from the Barnegat Township Tax/Utility Collector, Crystal M. Brinson, CTC, which certifies that the **taxes are current** on the property in question;
- A copy of a list of Property Owners within 200', dated April 8th, 2020;
- A copy of a Corporate Disclosure Information Statement;
- A copy of the Soil Erosion and Sediment Control Certification issued by the Ocean County Soil Conservation District, dated February 1, 2017. SCD # 1577, this permit expires on August 1, 2020;
- A copy of Water Allocation Permit No. WAP110001, issued by the New Jersey Department of Environmental Protection Bureau of Water Allocation for Shore Sand and Gravel Inc., dated August 18, 2011. This permit expires on August 31, 2021;
- A copy of a report entitled "Resource Extraction – Mining Report" by John W. Kornick, P.E., P.P. of K2 Consulting Engineers, of Haddonfield, NJ, dated February 1, 2020.
- A copy of plans entitled "Shore Sand and Gravel; Resource Extraction Plans; Block 42, Lots 2, 5.02 & 9, Block 43, Lots 3, 4, 5, 8 & 9.03, Block 43.01, Lots 9 & 9.01, Block 44, Lots 2 & 3" by John W. Kornick, P.E., P.P. of K2 Consulting Engineers, of Haddonfield, NJ, dated February 1, 2020.
- A copy of survey entitled "Plan of Topography; 560 Route 72, Barnegat, NJ 08005; Lots 2, 5.02 & 9 in Block 42, Lots 3, 4, 5, 8 & 9.03 in Block 43, Lots 9 & 9.01 in Block 43.01, Lots 2 & 3 in Block 44" by Jeffrey R. Gellenthin, P.L.S. of K2 Consulting Engineers, of Haddonfield, NJ, dated April 9, 2019.

A. GENERAL COMMENTS

The property in question is an irregularly shaped tract which fronts on the northerly side of N.J.S.H. Route 72 and the easterly side of Warren Grove-Whiting Road (Ocean County Route 539). It is located within the Preservation Area (PA) Zone and has an area of approximately 227.5 acres. The property is bisected by Cedar Bridge Webbs Mill Road, Clayton Road and Old Halfway Road. In addition, there are several areas of freshwater wetlands which impact the site. It is our understanding that the site has been actively mined for over 35 years. The applicant also operates a retail landscape supply business at the site which includes the sale of stone, sand, mulch, topsoil and clean fill. The retail landscape supply business operates out of a 2,726 sf one-story office building which fronts on Route 72 and includes a scale, a gravel parking lot and several bins for the storage of stockpiled materials.



Barnegat Township Planning Board
Re: Shore Sand & Gravel, LLC (PB 15-09)
Application for Soil Removal Permit Renewal – Review #2

September 9, 2020
Our File No. VBGP0042.01
Page 3

The mining operations are currently being conducted at the site under Mining Permit No. 2018-01 which was issued by Barnegat Township on November 16, 2017. This permit was issued for a three (3) year period and expired on November 16, 2020. The Applicant has now applied to the Planning Board for a renewal of the Soil Removal Permit to permit a continuation of the existing mining operation on a 25 acre parcel located in the northerly portion of the site (Area #1). In addition, the applicant seeks permission to renew mining activities on a previously disturbed portion of the site (Area #2), an approximate 16.89 acres in the southeast portion of the site.

The term of the requested permit would be for the three (3) year period commencing on November 16, 2020 and expiring on November 16, 2023. The Applicant has estimated that they will remove approximately 241,500 total cubic yards (Area #1 and Area #2) during the three (3) year period covered by the requested permit.

Based on our review of the submitted information, as well as the requirements set forth in Chapter 65A – Soil Removal, Excavation and Mining of the Code of Barnegat Township and Section 55-293 – Resource Extraction of the Barnegat Township Land Use Code, we offer the following comments:

B. VARIANCES AND/OR WAIVERS REQUESTED

1. The Applicant has not requested any variances as part of this application.
2. The Applicant has not requested any waivers as part of this application.

C. SUBMISSION REQUIREMENTS

1. The Applicant has addressed all of the submission requirements for this application for Soil Removal Permit Renewal.

D. COMMENTS REGARDING SOIL REMOVAL PERMIT APPLICATION

1. As stipulated in Section 65A-6G of the Barnegat Township Code and Section 55-293D of the Land Use Ordinance, permits for soil removal, excavation and mining activities in the Pinelands Area shall be issued for a maximum period of three (3) years. No permits shall extend beyond said three (3) year period without submission and approval of a new application. We note that the existing soil removal permit expires on November 16, 2020. Therefore, this application is for the three (3) year period from November 16, 2020 to November 16, 2023.
2. The applicant shall provide testimony regarding this renewal application, including areas proposed for active mining, work proposed in these areas, total anticipated CY mining from each area, etc...
3. Applicant shall provide general testimony as to Area #2, its past use, as well as proposed use, access, safety, etc...



Barnegat Township Planning Board
Re: Shore Sand & Gravel, LLC (PB 15-09)
Application for Soil Removal Permit Renewal – Review #2

September 9, 2020
Our File No. VBG0042.01
Page 4

4. Note 8 of the General Notes on the Cover Page indicates all mining shall occur outside 300' wetland buffer, however Active Mining Area #2 clearly intersects the buffer on the east and west ends of the area. Applicant shall provide testimony on environmental impacts of operations associated with Area #2, as well as submit revised plans.
5. Note 7 of the General Notes on the Cover Page indicates no mining within 200' of dwellings, however, it appears the limits of Active Mining Area #2 clearly intersect this buffer to the south of the area. Applicant shall provide testimony as well as provide a 200' delineation around Area #2 to analyze the 200 foot setback.
6. Note 2 of the General Notes on the Cover Page indicates that the total available mining area is 20 acres, however the plans indicate two mining areas of 20 acres and 16.89 acres, for a total of 36.89 acres. Revise note accordingly to note combined areas available for mining activities.
7. This application is subject to the following outside agency approvals:
 - a) The Pinelands Commission – ***Certificate of Filing Issued on August 6, 2018 (Application # 1980-0076.001), update issued dated September 4, 2020.***
 - b) Ocean County Soil Conservation District – ***Soil Erosion & Sediment Control Certification Issued on February 1, 2017 (SCD #1577)***. It is noted that this shall require renewal soon, a copy of updated certification shall be submitted to these offices for record.
 - c) New Jersey Department of Labor & Workforce Development - ***Mine Registration Certificate No. 004567 Issued to Shore Sand & Gravel, LLC with an expiration date of March 31, 2019.*** It is noted that this has expired, the Applicant shall submit an updated registration certificate.
 - d) New Jersey Department of Environmental Protection:
 - 1) ***Water Allocation Permit No. WAP110001 issued on August 18, 2011, expires August 31, 2021.***
 - 2) General Stormwater Permit.

Upon receipt, the Applicant must submit copies of all outside agency approvals to the Planning Board and our office.

Based on our review of the submitted information, we find that the Applicant has addressed all of the submission requirements set forth in the Ordinance. Therefore, we recommend that this application be deemed **complete** for consideration by the Planning Board Subject to the Applicant complying with all applicable notification requirements as set forth in the Barnegat Township Land Use Ordinance and Municipal Land Use Law.



Barnegat Township Planning Board
Re: Shore Sand & Gravel, LLC (PB 15-09)
Application for Soil Removal Permit Renewal – Review #2

September 9, 2020
Our File No. VBGP0042.01
Page 5

Should you have any questions regarding this application, please feel free to call.

Very truly yours,

CME Associates

Kurt J. Otto, PE, CME
Planning Board Engineer

KO/lr

cc: Martin Lisella, Administrator
Barnegat Township Zoning Official
Michael J. McKenna, Esq. – Planning Board Attorney
Shore Sand & Gravel, LLC – Applicant
Clint B. Allen, Esq. – Applicant's Attorney
John Kornick, PE. – Applicant's Engineer