
CALL TO ORDER:

Mr. O’Leary called the meeting to order at 7:35 p.m. and stated it was open to the public in compliance with Public Law 1975, Chapter 231, sections 4 &13.

FLAG SALUTE

ROLL CALL: **Members Present:** Hughes, Fette, Luthman, Randazzo,
Corcoran, Leuthe, Didyk, Straub, Taylor,
Van Sickle, O’Leary.

Members Excused: None.

Members Absent: None.

Also Present: Ursula Leo, Esq.
Nevitt Duveneck, PE
David Banisch, PP

MINUTES: October 21, 2010

A motion to approve the minutes of the October 21, 2010 meeting with the noted corrections was made by Mr. Randazzo. It was seconded by Mr. Corcoran and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Didyk, Leuthe, Taylor, O’Leary.

COMPLETENESS/HEARINGS:

1.) Lafayette Asphalt ASP11-1 B:1.02 L:1 Deemed Complete 1/27/11

Mr. O’Leary gave a brief history of the project. He said this was the seconded amended final site plan application with variances.

Ms. Megan Ward, Esq. said she was representing the applicant. With her were Mr. Jason Dunn, PP of Dykstra Associates, Mr. Christopher Jennings, Operational Manager of Lafayette Asphalt and Mr. Timothy Murray, Operating Manager of Lafayette Asphalt. All were sworn in by Ms. Leo. Mr. Luthman had a concern that Mr. Dunn was not a licensed engineer and wanted to know who would be answering engineering questions. Ms. Ward felt the engineering questions would be minimal. She said they would be focusing on operational testimony. Mr. Luthman disagreed with Ms. Ward because they were discussing as-built plans and he felt a planner could not certify to as-built plans. Mr. Dunn agreed however he said he can represent and present signed and sealed plans that were given to the Board. Mr. Duveneck said the Board will not be able to approve the lighting plan at this meeting if there is no engineer to testify. Ms. Ward said they would agree to no night operations until a lighting plan is approved and asked this be a condition of any approval.

Mr. Jason Dunn presented and entered into exhibit as A-1 a plan dated 2-24-2011 entitled “Presentation Plan – Central Core of Property”. The exhibit was an enlarged plan with color detail. Mr. Dunn explained the third silo was installed without approval and then taken down and the applicant was seeking approval to reinstall the third silo. Mr. Dunn explained the plan to the Board. He said they were seeking a variance for the setback. He said they were proposing paving which will be outside of the 150 wetland buffer. Mr. Dunn said there will not be as many storage bins as proposed in the earlier proposals. Only the bins already approved were built. He said a steel platform was built because it was a D.O.T. requirement.

Ms. Ward went through the Board Engineer’s report dated 2-16-2011. She said the hours of operation will be Monday through Friday from 5:30 a.m. to 6:00 p.m. with night operations from 7 p.m. to 3:00a.m., with prior notice to the zoning officer and Saturdays from 6:30 a.m. to 12:00 noon. She said they are asking to eliminate the restriction of the limit of 10 nights in a 90 day period or they must return to the Board for approval. She discussed the night operations and said there could be emergency work that will be unforeseen. She said they would be willing to call an emergency phone number if one is provided to them. Mr. Jennings said some trucks may return after 3:00 a.m. to obtain

another load however no new product would be produced. He said there will be no tailgate slamming at 3:00 a.m. Raw material is brought in during the day.

Mr. Jennings said an operating manual will be prepared and onsite. The night loaders can switch off their backup alarms and use a strobe light instead. Mr. Jennings is aware of the D.O.T. idling of diesel truck requirements. He said loading a truck takes less than 1 minute 20 seconds and there is no idle time. The truck gets loaded and then leaves the site. If the plant has an operational problem and shuts down, the trucks are turned off.

Mr. Jennings explained the lighting for the D.O.T. stand. There will be no night operations until a lighting plan is approved by the Board Engineer. He said there is steam that comes from the plant however there is no odor. The plant does not use additives.

Mr. Taylor asked about the emissions from the plant to which Mr. Jennings said they are below State standards. Mr. Taylor asked if they have received their permit from the State. Mr. Jennings said they have applied for it however it is issued 6 months after a plant is in operation. Mr. Hughes asked for a guarantee of the emissions to which Mr. Jennings said it was submitted with the original application.

Mr. Dunn explained the soil erosion plan. Mr. Jennings said they use a water truck for dust control for the entire site. Mr. Dunn explained the bathroom facility and the septic system. He said they can get a letter from the County for the approval of the septic. There was a discussion on the constrained areas of the site. Mr. Dunn presented and marked as exhibit A-2 a certification of the constrained areas from Owen Dykstra, PE.

Mr. O'Leary asked that a condition of any approval be that product could not be produced after 3:00p.m. He felt the lighting could be reduced on the site. He requested that no product be produced at night, only the loading of the trucks. Mr. Murray said they do not encourage night work and explained why to the Board. Mr. Randazzo asked about the numbers of trucks expected during a typical night operation. Mr. Murray said about 30. Mr. Corcoran felt that the plant would not turn down D.O.T. jobs. Mr. Jennings said the plant would be able to produce 300 tons per hour with a maximum of 1500 tons per night. Mr. O'Leary felt this was a much larger operation than was originally approved. Ms. Didyk said there are a lot of rural roads around the quarry and felt there would be an impact to the traffic in the area. She felt the Board needs to consider the worst case scenario and said she felt the plant would operate at full capacity. Ms. Ward said the plant is located on a County roadway and if they are doing night work the trucks will not be using rural roads. They will use County roads or State highways. Mr. Leuthe disagreed and felt this could not be testified to.

Mr. O'Leary noted the quarry had an internally lit sign and felt the existing lighting on the property was too bright. Mr. Dunn said the sign is located in Andover Township.

Mr. Luthman asked if a spill prevention plan had been submitted to the Board Engineer. Mr. Dunn said it cannot be certified until the plant has been in operation for 6 months. He said a contingency plan was submitted in May of 2010 for review. Mr. O'Leary asked if the membrane liner was installed. This was to be done to the extent feasible and approved by the Board Engineer. Mr. Duveneck said he was not involved in any of the changes made to the site. Mr. Duveneck noted a number of changes made to the site from what was approved. He expressed a concern about the odor coming from the trucks as they leave the site. He suggested they use an additive to control the odor. Ms. Ward agreed to this. Mr. Duveneck asked for a copy of the compliance report from the County for the septic. He expressed a concern about the truck traffic which will extend beyond Lafayette Township. Ms. Ward said she did notice Sparta and Andover Townships and they had no issues with traffic. Mr. Duveneck asked for a letter from both townships saying they have no problem with the traffic.

Mr. Duveneck asked if Lafayette Asphalt was a partnership. Mr. Murray said there will be a transfer of ownership in the future. At the present it is owned 100% by Anthony Lentini.

Ms. Ward noted that if the lighted sign is in Lafayette, it will be removed. Mr. Fette asked that the sign be located on the site plan to which Ms. Ward said they will do.

Mr. Randazzo said that Mr. Lentini had testified to only 10 trucks per hour. Mr. Murray said the maximum capacity is 15 trucks per hour however the reality is they will only get about 10 trucks per hour. Mr. Randazzo asked where the raw materials are coming from to which Mr. Murray said they will come from on-site. Mr. Randazzo expressed a concern about contaminated soil or sand being brought to the site. Mr. Murray said it will not be contaminated. They only use clean sand. He said they will bring in and use processed recycled asphalt. Mr. Banisch asked about the percent of recycled product that is used in the mix. Mr. Murray said it is between 10 and 15 percent. There was a discussion on recycled asphalt and the process of mixing the raw materials.

Mr. Randazzo expressed a concern about the cleaning of the trucks and asked if there are solvents used in the cleaning. There was a discussion on the cleaning of the trucks. Mr. Murray presented and marked as exhibit A-3 a picture of a truck sprayer used to spray the truck body.

Mr. Luthman asked how a truck will get into the D.O.T. area without driving over the wetlands transition area. Mr. Dunn said they have permit from the D.E.P. to do so.

Mr. Banisch questioned if this is really an accessory use. Ms. Ward said it was and explained to the Board why it should be considered an accessory use. Mr. Luthman felt the Board was not getting the true testimony and felt the operation that was approved is different from what is really going to take place on the site.

Mr. Randazzo requested a manufacturer's data sheet on the type of truck spray equipment being used. Mr. Banisch asked for some type of assessment on the number of trucks in and out of the site. Mr. Randazzo asked about the stockpile of recycled material as shown on the plan. Mr. Dunn explained the stockpile.

Mr. Banisch asked about the time deliveries to the site would start. Mr. Murray said it will not be before 7:00 a.m. Mr. Banisch asked this be added as a condition of approval.

Mr. Hughes asked about the waste products from the site. Mr. Murray said there will be some by-product which can be reused as recycled material. Mr. Duveneck asked about the unused material. Mr. Murray said it is returned to the site and reused. Mr. Luthman asked that the stockpile be shown on the plans.

Mr. O'Leary opened the meeting to the public. With nobody coming forward, the meeting was closed to the public.

It was agreed that the applicant will return with information addressing the truck traffic issues. Mr. Banisch asked that the traffic study include where the traffic goes to and the actual routes the trucks take to leave Lafayette. Ms. Leo said the accessory use issue needs to be further discussed. Mr. Luthman asked the applicant to clarify what the hours of operation actually mean.

The Board agreed to carry the application without further notice to the March 24, 2011 meeting.

2.) O'Connor, John & Carolyn MNR10-14, VAR10-15 B:14 L:4,5,6

This application was formerly carried to the March 24, 2011 meeting date.

AUDIENCE:

Mr. O'Leary opened the meeting to the public. With nobody from the public coming forward, the meeting was closed to the public.

OLD BUSINESS:

1.) Minor Site Plan

The Board went through the revised proposed ordinance and noted corrections.

A motion to recommend the ordinance to the Township Committee for consideration and approval with the noted changes was made by Mr. Randazzo. It was seconded by Mrs. Straub and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Didyk, Straub, Leuthe, O'Leary.

NEW BUSINESS:

Ms. Leo said she found an old set of minutes saying that the Board discussed recommending to the Township Committee that the master plan be amended to include the gateway plan. She said she will do some further investigation on this matter and get back to the Board.

RESOLUTIONS: None.

ORDINANCES: None.

ZONING REPORT: None.

BILLS: List #3

A motion to pay the bills as presented was made by Mrs. Straub. It was seconded by Ms. Didyk and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Leuthe, Didyk, Straub, O'Leary.

EXECUTIVE SESSION: None.

CORRESPONDENCE: None.

ADJOURNMENT:

With no further business coming before the Board a motion to adjourn at 10:21 p.m. was made by Mr. Randazzo. It was seconded by Mr. Corcoran and passed with everyone saying aye.

Respectfully submitted,

Stephanie Pizzulo
Board Secretary