

QUINTON TOWNSHIP PLANNING BOARD

RESOLUTION NO. 2011-13

RESOLUTION AUTHORIZING MASTER PLAN REVIEW

WHEREAS, Continental Aggregates Corp., LLC (“Continental”) currently operates a soil removal business within the Township of Quinton (“Quinton”) on property owned by Threaston Warren, Jr. and Marjorie Warren located on the property depicted on the Official Quinton Township Tax Map as Block 35, Lots 54 and 67; and

WHEREAS, Continental received Planning Board Approval in 2010 to expand its soil removal operations and develop a wash plant on the property depicted on the Official Quinton Township Tax Map as Block 35, Lots 54, 63, 64, 66 and 67 (the “Property”); and

WHEREAS, soil removal operations are regulated by §170-55 of the Code of the Township of Quinton (hereinafter this section shall be referred to as the “Ordinance”); and

WHEREAS, §170-55(D) regulates the design standards and criteria for a soil removal operation and, among other things, mandates that soil removal will not involve excavation below the seasonal high water table; and

WHEREAS, §170-23.B.(5) allows, in the Quinton P-BR Zoning District that includes the Property, excavation of soil to depths below the seasonal high water table in connection with development of water reservoirs; and

WHEREAS, it is recognized that the Quinton Township Master Plan (the “Master Plan”) does not necessarily promote soil removal operations; and

WHEREAS, there appears to be a conflict between the limitations of §170-55(D), the provisions of §170-23.B.(5) and the Master Plan; and

WHEREAS, the Quinton Township Planning Board (the “Planning Board”) would like to review its Master Plan and possibly amend it so as to support soil removal operation below the seasonal high water table, also known as “Wet Mining”; and

WHEREAS, in order to assist the Planning Board with its review and possible amendment of the Master Plan, Continental will pay all fees associated with the hiring of professionals necessary to conduct an independent review and possible amendment to the Master Plan; and

WHEREAS, Continental and Quinton have negotiated an agreement that sets forth the terms and conditions under which the aforementioned independent review and payment of professional fees will be conducted and monitored; and

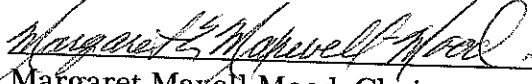
WHEREAS, the Planning Board has determined that the Township Engineer, Carl Gaskill, has the necessary skills and qualifications to conduct the aforementioned Master Plan review and possible amendment; and

WHEREAS, Carl Gaskill has submitted a proposal dated June 30, 2011 (the "Proposal") outlining the work to be conducted and the fees to be charged with respect to the Master Plan review and possible amendment.


NOW THEREFORE, BE IT RESOLVED by the Quinton Township Planning Board that:

1. Carl Gaskill is hereby authorized to conduct a review of the Master Plan and propose a possible amendment thereto, if appropriate; and
2. The Proposal is hereby accepted with the condition that Continental pay all fees associated with the Master Plan review and possible amendment pursuant to the Agreement referenced above.

AND, BE IT FURTHER RESOLVED, that the Secretary certify a copy of this Resolution and file it on the public record.


Margaret Maxell-Mood, Chairwoman

I hereby certify the above to be a true copy of a Resolution adopted by the Quinton Township Planning Board at a meeting held on Tuesday July 12, 2011.


Bonita K. Bell, Secretary