



IBI Group
379 Queen Street South
Kitchener ON N2G 1W6 Canada
tel 519 745 9455
fax 519 745 7647

February 11, 2010

Mr. Jeremy Vink
Planner
Township of Woolwich
24 Church Street W
PO Box 158
Elmira, Ontario
N3B 2Z8

Dear Mr. Vink:

**2167534 ONTARIO INC. - PROPOSED JIGS HOLLOW PIT
WOOLWICH ZONE CHANGE APPLICATION 3/2009
RESPONSES TO RESIDNETS COMMENTS**

Further to our attendance at Woolwich Council on December 1, 2009 for the formal Public Meeting under the Planning Act for the above noted application, over the subsequent several weeks that you received and forwarded to our office numerous correspondence from the public regarding their questions/concerns. This letter is intended to respond to those issues.

A summary of the residents whom submitted letters to the Township were noted in our January 4, 2010 letter to you and it was subsequently confirmed that we had received all such correspondence. The issues raised in those letters include the following:

1. Air Quality/Dust
2. Environment
3. Fuel Storage Area
4. Hydrogeology
5. Land Use Planning
6. Mennonite Community
7. Noise
8. Notification to Residents
9. Odour
10. Property Valuation
11. Recycling Material
12. Safety
13. Traffic
14. Vibration
15. Visual Impact
16. Zone Change Application Specifics
17. Other

Mr. Jeremy Vink – February 11, 2010

1. **Air Quality/Dust:**

- i. **SENES Study only addresses physical nature of dust and ignores what the dust and particulate matter are composed of (e.g., crystalline silica – class 1 carcinogen).**

Resident Letters: Graham, Haywood, Huissoon

As documented in the Dust Study, “Silica is a naturally occurring material in hard rock (i.e., SiO₄ based rock), and can be found in small quantities in the soft rock (i.e., calcium carbonate based rock) found at the proposed Jigs Hollow Pit site. Respirable crystalline silica (<10 µm diameter) is a hazardous compound if inhaled, with an Ontario 24-hr ground level criterion of 5µg/m³, which is 10% of the criterion for PM₁₀. Based on soft rock aggregate MSDS’ from other aggregate sources in Southern Ontario, crystalline silica is typically less than 1% of the overall content and indicates that the facility also meets the crystalline silica criterion.

- ii. **Rationale for using Point Petre data.**

Resident Letters: Dawson, Haywood, Huissoon, MacKenzie, M. Neudoerffer, K. Neudoerffer, Norrish, Zeller

The Point Petre station is the closest rural monitoring station to the proposed Jigs Hollow Pit site. Information from a similar station in Guelph is based on monitoring data from the urban environment.

- iii. **Studies did not use data from Waterloo Wellington Airport.**

Resident Letters: Dawson, Haywood, Huissoon, MacKenzie, M. Neudoerffer, K. Neudoerffer, Norrish, Zeller

The modelling has been adjusted to use the Waterloo Regional International Airport meteorological data where applicable, and the results have been relayed to AMEC, who are representing the Township to undertake the peer review.

- iv. **General Dust Impacts Not Mitigated.**

Resident Letters: Behrendt, Bettiol, Breed, Huissoon

The Dust Assessment concluded that even under a worst case extraction scenario without the use of vegetated perimeter berms or dust suppressants that the pit would still operate successfully without breaching provincial dust thresholds. The Site Plans have in fact recommended perimeter berms be constructed and they will be vegetated. Furthermore, the best management practices will be implemented to ensure fugitive dust is mitigated especially during periods of potential dust creation, (hot windy summer days). The Site Plans contain specific notes related to these best management practices and as such, they are fully enforceable by Ministry of Natural Resources staff.

Furthermore, the Township has contracted AMEC to undertake their peer review of the applicants Dust Assessment and SENES is working with AMEC to address the comments.

- v. **Peer review raised issues regarding; the processing equipment, ambient air quality criteria, discharge of contaminants, erroneous conclusions, etc.**

Resident Letters: Huissoon, Koppeser

Mr. Jeremy Vink – February 11, 2010

The Township contracted AMEC to undertake their peer review of the SENES Dust Assessment and SENES is working with AMEC to address the outstanding issues.

vi. Dust from prevailing winds.

Resident Letters: Bleckert, Breed, Huissoon, Price/Verhoeven

The Township contracted AMEC to undertake their peer review of the SENES Dust Assessment and SENES is working with AMEC to address the outstanding issues.

2. Environment:

i) Environmental impact on wildlife.

Resident Letters: Behrendt, Price/Verhoeven

The Natural Environmental Level 1 & 2 Report was prepared by Dance Environmental Inc. (please refer to Appendix A of the Planning Summary Report) to determine if Provincial features such as significant wetland, habitat of endangered or threatened species, fish habitat, significant valley lands, significant wildlife habitat, significant woodlands, and significant areas of natural and scientific interest were located within a 120 metre radius of the site. Dance Environmental conducted several site visits during spring and summer within areas on-site and within a 120 metre radius of the lands. The areas included drainage, watercourse, vegetation, wildlife, wetland and fisheries.

As a result of the review of the Natural Environmental Report by the GRCA, they have agreed with the conclusions of the Level 1 & Level 2 study that no such features will be negatively impacted by extraction of the site.

ii) Environmental Stewardship Policies have been ignored from Chapter 13 of the Township's Official Plan.

Resident Letter: Koppeser

The Township Official Plan does provide goals to protect conserve or enhance the natural environment within the Township, but the core environmental features referred to are contained on private property and the application does not propose to remove any of the core environmental features as identified in Map 4 of the Regional Official Plan.

The subject lands are designated Agriculture within the Regional Official Plan and as such, the permitted uses for the lands include aggregate extraction. The applicant is entitled to request a licence and rezoning subject to demonstrating that the pit activities can be undertaken in a manner which is compatible to the surrounding land uses, and we are of the opinion that the application has achieved this balance. The applicant is meeting the goals of the Township Official Plan as it plans "to preserve, maintain and enhance significant woodlands, wetlands, watercourses, aquatic and terrestrial habitats and corridors for wildlife and native plants."

The applicant is also in conformity with the Township Official Plan as it undertook the Natural Environmental Studies Level 1 and 2 and "to provide for the management of natural resources within the Township in a manner that minimizes or eliminates undesirable short and long-term impacts on the natural environment,

Mr. Jeremy Vink – February 11, 2010

the quality and quantity of ground and surface water, and the quality of life for existing and future residents.”

- iii) **The applicant is required to prepare the appropriate Natural Habitat Network inventory, Watershed Studies and submit a Comprehensive Environmental Impact Statement or other appropriate study.**

Resident Letter: Koppeser

Prior to commencing any studies or submitting the application for an extraction operation, the applicant conducted a pre-consultation meeting where the approval authorities stipulated what studies were required to address all relevant policies. Based upon that meeting, a Natural Environment Level 1 and 2 Technical Report and the Hydrogeological Study Report were undertaken (refer to Appendix A and B of the Planning Summary Report respectively).

3. **Fuel Storage Area:**

- i) **Risk of contamination.**

Resident Letters: Dawson, MacKenzie, K. Neudoerffer, M. Neudoerffer, Norrish

As noted on the Operational Plan under Note 5:

Fuel storage shall be located near the front entrance/exit and be in compliance with the provincial legislation and the Gasoline Handling Act. Semi portable equipment used on site (i.e. crushers, screeners, generators, etc.) shall be refuelled by a fuel truck and follow the necessary Gasoline Handling Act Requirements.

In addition, monitoring wells will be sampled for petroleum hydrocarbons (PHC) to ensure that there are no changes to the water chemistry related to on-site fuel use.

Furthermore, the Recommendations from the Hydrogeological Report include Note 4 which states:

Best management practices shall be followed throughout the aggregate extraction operations to minimize the risk of impacts to groundwater due to leakage or spillage of fuels or lubricants. Fuel storage or refuelling operations should be carried out on an impermeable pad.

4. **Hydrogeology:**

- i) **Operation of crushing, (asphalt/concrete and aggregates) introduces risk of toxic contamination in water table.**

Resident Letters: Behrendt, Dawson, Graham, Koppeser, MacKenzie, K. Neudoerffer, M. Neudoerffer, Norrish, Price/Verhoeven, Strooboscher, Zeller

The Ministry of Environment and the Ministry of Natural Resources permit the importation of used asphalt and concrete within existing pits for recycling and it encouraged as a method of resource stewardship. To provide adequate safeguards for groundwater, MNR Policy (A.R. 5.00.15) provides specific requirements and these are noted on the Site Plans as Note 19:

- *Recyclable asphalt materials will not be stockpiled within:*

Mr. Jeremy Vink – February 11, 2010

- 30.0 metres of any water body or man-made pond; or
- 2.0 metres of the surface of the established water table.
- Any re-bar and other structural metal must be removed from the recycled material during processing and placed in a designated scrap pile on site which will be removed on an on-going basis.
- Removal of recycled aggregate is to be ongoing.
- Once the aggregate on site has been depleted, there will be no further importation of recyclable materials permitted.
- Once final rehabilitation has been completed and approved in accordance with the site plan, all recycling operations must cease.
- All stockpiles of material to be recycled and/or recycled, (asphalt and concrete) will be restricted to the processing area located within phase 1.

The monitoring wells currently existing and comprising the monitoring network were installed upon receipt of approval from GRCA. The ongoing monitoring program will include parameters that encompass those that are potentially present in concrete or asphalt imported to the site for processing, including but not limited to volatile organic compounds (VOCs).

ii) Concern of water quality and quantity could be permanent, severely impacting the ecosystem and future of the Region.

Resident Letters: Behrendt, Price/Verhoeven, Zeller

The licensee will be required to monitor groundwater elevations on a monthly basis and submit a report annually to MNR and the Region of Waterloo.

iii) Impact on wells (especially Winterbourne).

Resident Letters: Behrendt, Price/Verhoeven

As per the hydrogeological report, there are approximately 25 wells within a +/-1 kilometre radius of the site with about half sourcing their water from the overburden aquifer and the balance sourcing the bedrock aquifer. All the well information for these wells was reviewed and it was found that they are located up-gradient from the area proposed for extraction and the proposed extraction is limited to extraction 1.5 metres above the water table. Furthermore, the aggregate pit will increase the groundwater recharge by capturing the surface water runoff that would otherwise flow directly into streams and ditches before infiltrating and therefore reducing the amount of water lost through evapo-transpiration.

5. Land Use Planning:

i) Impacts on Residential Areas.

Resident Letters: Behrendt, Burtenshaw, Koppeser

The subject lands are designated Agriculture within the Regional Official Plan and as such, the permitted uses for the lands include aggregate extraction. Therefore, the applicant is entitled to request a license and rezoning subject to demonstrating that the pit activities can be undertaken in a manner which is compatible to the surrounding land uses, and we are of the opinion that the application has achieved this balance.

Mr. Jeremy Vink – February 11, 2010

- The Hydrogeological Study concluded that there will be no impact to groundwater regime and as such, no impacts to domestic water wells within the abutting residential areas.
- The Dust Assessment concluded that even under a worst case extraction scenario without and without the use of vegetated perimeter berms and dust suppressants not being used, that the pit will still operate successfully without breaching provincial dust thresholds. The Site Plans have in fact recommended perimeter berms be constructed and they will be vegetated and best management practices will be implemented to ensure fugitive dust is mitigated during two periods of potential dust creation, (hot windy summer days).
- The Acoustical Study made recommendations' for the construction of perimeter berms adjacent to the residential areas which may be impacted to provide noise attenuation to meet MOE noise Guidelines even under a worst case extraction scenario.
- The Traffic Operations and Safety Review concluded that the level of service of the road network system will not be reduced during the life of the extraction operation.

ii) Regional Official Plan outlines the protection of the rural character of the countryside and is to support agriculture as the predominant land use within the countryside.

Resident Letters: Koppeser, Price/Verhoeven

As noted above, the Regional Official Plan (December, 1998) – Map 3 [under the policies for which the application was made], confirms that the subject lands are designated as Agriculture. Furthermore, Policy 5.1.1.1 notes that the permitted uses within this designation include farming, mineral aggregate extraction and forestry. Therefore, extraction is a permitted use.

6. Mennonite Community:

i) Safety concerns/cultural concerns.

Resident Letters: Behrendt, Burtenshaw, Cressman, Price/Verhoeven, Zeller

The Traffic Operations and Safety Review concluded that the level of service of the road network system will not be reduced during the life of the extraction operation and no safety concerns were highlighted. However, as noted in Note 8 on the Site Plans, the licensee will erect a sign at the pit exit to caution truck drivers that Peel Street and Jigs Hollow Road are used by slow moving vehicles (e.g., horse and buggies):

“Attention Drivers

a. Left turn exit only

b. Caution: watch for pedestrians, cyclists and slow moving vehicles sharing the road”.

Please note that the local Mennonite community has been involved with the planning process and in fact requested reductions in noise attenuation features.

Mr. Jeremy Vink – February 11, 2010

7. Noise:

i) Cumulative Impact of Noise of the Proposed Jigs Hollow Pit and the Proposed Hunsberger Pit.

Resident Letters: Haywood, Koppeser, Price/Verhoeven, Strooboscher

It is acknowledged that if extraction within the proposed Jigs Hollow Pit was occurring during the extraction of the Hunsberger Pit, and based on a worst-case scenario, noise levels could marginally exceed MOE Guidelines during the extraction of Hunsberger Phase 8. However, the level of exceedance (less than 2 dBA), would not be detectable by the human ear. The 51.4 dBA will only occur if Jigs Hollow Phase 2 and Hunsberger Phase 8 operate concurrently with processing of aggregate.

This exceedance is an absolute worst-case assuming that both pits have their 'noisiest day' for Receiver D on the same day. This is an unlikely scenario considering that the expected lifespan of Jigs Hollow Pit is less than 10 years and the lifespan of Hunsberger Pit is 20 years and that Jigs Hollow would only be processing the aggregate for a few weeks during the year. This would make the potential overlap of worst-case scenarios very unlikely. Further, it is noted that the noise level predictions are conservative in that neither study accounts for air absorption or ground attenuation.

However, to ensure MOE Guidelines are maintained, a new note has been recommended to be added to the Hunsberger Pit Site Plans to specify:

IF DURING THE EXTRACTION OF PHASE 8, THE ABUTTING JIGS HOLLOW PIT IS OPERATIONAL, THE PERIMETER BERM HEIGHT WILL BE RAISED TO 4.0 METRES IN HEIGHT.

ii) On Site Crushing and Recycling – Noise not assessed for crushing processes.

Resident Letters: Behrendt, Dawson, Koppeser, MacKenzie, K. Neudoerffer, M. Neudoerffer, Norrish, Price/Verhoeven, Strooboscher.

The Noise Study did assess the noise produced by processing the materials onsite by use of a screener and crusher. Please refer to Appendix C of report for further detail.

iii) Prevailing winds carry noise.

Resident Letters: Breed, Huissoon, Price/Verhoeven

Downwind from the noise, sound is refracted toward the ground and the received level is not affected [Acoustics and noise control- 2nd Edition, BJ Smith, RJ Peters, S. Owen (1996)]. As a result, the downwind receivers will not be affected by the presence of wind. Furthermore, the receivers located upwind will have a lower noise level than what was predicted due to an acoustic shadow caused by the wind refracting sound upward. Therefore the acoustical study has accounted for the worst case scenario.

iv) Objection to Class 2 designation.

Resident Letters: Dawson, MacKenzie, Morwbray, K. Neudoerffer, M. Neudoerffer, Norrish, Strooboscher, Zeller

Mr. Jeremy Vink – February 11, 2010

While not all sensitive receivers are located within Conestogo or Winterbourne, the majority of receivers are within approximately 1000 metres of these settlement areas, and as such, they are designated as Class 2.

To verify this, noise monitoring has been undertaken on and surrounding the site and the ambient noise levels nearest sensitive Receiver G were 50.8 dBA. This demonstrates that the classification of this area is correct.

v) Site Plans do not provide attenuation on south side of pit and sound will carry over the Grand River, up the hill and to the residents on Golf Course Road.

Resident Letters: Huissoon, Zeller

Noise from the processing area has been attenuated with the 6.0 metre berm which will surround it in order to achieve noise levels which are at or below MOE Noise Guidelines.

vi) Cumulative Impacts of noise.

Resident Letters: Zeller, Koppeser, Verhoeven/Price, Mowbray

Refer to 7i) above.

vii) Hours of Operation – Noise.

Resident Letters: Graham, Strooboscher

The hours of operation that are proposed are provincial standards from 7 a.m. to 7 p.m.

viii) Noise (General).

Resident Letters: Graham, Price/Verhoeven, Strooboscher

The Acoustical Study has made numerous recommendations to ensure that noise produced by the proposed pit activities will meet MOE Noise Guidelines, even under a worst case extraction scenario. These recommendations are included on the Site Plans and are as follows:

1. That all construction equipment meet noise emission standards of MOE's NPC 115, and that construction activities take place in the months of October to April to as great an extent as possible (i.e., when residential windows are closed).
2. That topsoil, subsoil and/or overburden from the pit will be utilized to create sound attenuation earthen berms. Where berms are required, they must be placed as close to the limit of extraction as possible in order to maximize noise attenuation. The berms must be vegetated with a ground cover in order to provide maximum ground absorption of noise and stabilize the berms to prevent erosion. Earthen berms are to be constructed as shown in the Noise Information Plan and described as follows:
 - a. Along the northern extraction limit with a height of 10.0 metres. The elevation along the top of the berm shall be approximately 331.0.
 - b. Along the eastern extraction limit with a height of 3.5 metres to 2.5 metres. The elevation along the top of berm shall be approximately 324.5 to 323.5.
 - c. Along the western extraction limit with a height of 2.0 metres. The elevation along the top of berm shall be approximately 322.5.

Mr. Jeremy Vink – February 11, 2010

- d. Surrounding the processing equipment, with a height of 6.0 metres. The elevation along the top of the berm shall be approximately 321.75.
3. That extraction activity within the pit, including initial start-up and ongoing extraction operations, shall take place only between the hours of 0700 and 1900 Monday to Friday. No construction should take place on Saturdays, Sundays or statutory holidays.
4. That all extraction operations within each phase shall move toward the nearest receiver location to maximize the effectiveness of the pit's face for the purpose of noise attenuation.
5. That the extraction lifts shall be maximized in height to best utilize the pit face during extraction for noise attenuation.
6. That the processing area shall have the following requirements in order to reduce the impacts from the processing equipment:
 - a. The processing area will be located at a minimum distance of 450 metres away from Receiver G in the southern section of the pit.
 - b. The processing area will have a perimeter berm to mitigate noise produced by the processing equipment.
7. That the loading of aggregate from stockpiles should be completed as much as possible on the side farthest from the closest sensitive receiver location so as to best utilize the stockpiles for noise attenuation.
8. That twice annually the pit operator must monitor the noise levels at all the receiver locations to ensure noise levels are kept within the established criteria. All monitoring must be conducted by a qualified acoustical engineer and shall follow the guidelines and specifications outlined in NPC 233 "Information to be submitted for Approval of Stationary Sources of Sound". An annual report must be issued to the Ministry of the Environment (MOE) and Ministry of Natural Resources (MNR).

ix) Request for Constant Noise Level Monitoring.

Resident Letter: Strooboscher

The Acoustical Study incorporated recommendation No. 8 which is included on the Site Plans which states:

- 8) *That twice annually the pit operator shall monitor the noise levels at all the receiver locations to ensure noise levels are kept within the established criteria. All monitoring must be conducted by a qualified acoustical engineer and shall follow the guidelines and specifications outlined in NPC 233 "Information to be submitted for approval of stationary sources of sound". An annual report must be issued to the Ministry of the Environment (MOE) and Ministry of Natural Resources (MNR).*

Once each extraction phase has been initiated and the extraction equipment is operating at the lowest pit floor level, the noise levels being generated will remain essentially consistent for the duration of that phase. Therefore, monitoring of the noise levels twice per operating season are considered reasonable.

x) Back up Alarms.

Resident Letter: Mowbray

Back-up beepers on haul trucks and front-end loaders and other pit related equipment are clearly for safety reasons and are mandated by the Ministry of Labour (MOL) and until such time that the MOL advises otherwise, the licensee will

Mr. Jeremy Vink – February 11, 2010

fully comply with all required safety regulations and all other applicable Provincial regulations. However, the modeling used in the Acoustical Study does include noise produced by intermittent back-up beepers.

8. Notification to Residents:

i) Concern that residents of the village of Conestogo along Northfield Drive and surrounding side streets were not notified in writing of the proposed gravel pit at Jigs Hollow.

Resident Letters: Strooboscher, Zeller

Under the Aggregate Resources Act, the licensing process is the responsibility of the licensee and is enforced through the Ministry of Natural Resources. As such, the applicant did provide public notice by means of:

1. Written notice delivered personally or by registered mail to the landowners within 120 metres of the licensed boundary.
2. By signage posted on the boundary of the site to be clearly seen from adjoining areas which the public has access.
3. By publication in one issue of the local newspaper having general circulation in the locality which the site is located.

Under the Planning Act, the Zone Change process is the responsibility of the Township of Woolwich. However, subsequent to the submission of the Zone Change application, Kuntz Topsoil, Sand & Gravel Ltd. was required to obtain and erect a Zone Change Notice sign on the property.

9. Odour:

i) Concern of odour from asphalt plant.

Resident Letter: Behrendt

Kuntz Topsoil, Sand & Gravel Ltd. has not provided any documentation during the current ARA or Zone Change process that an asphalt plant is being proposed as part of the application.

10. Property Devaluation:

i) Financial Implications to surrounding communities.

Resident Letters: Dawson, Graham, Koppeser, S & M MacKenzie, K. Neudoerffer, M. Neudoerffer, Norrish, Strooboscher

The subject lands are designated Agriculture within the Regional Official Plan and as such, the permitted uses for the lands include aggregate extraction. Therefore, the applicant is entitled to request a license and rezoning subject to demonstrating that the pit activities can be undertaken in a manner which is compatible to the surrounding land uses, and we are of the opinion that the application has achieved this balance. No documentation has been provided to the objectors to support the theory that property values in the area would decrease, as a result of the proposed extraction activity.

Mr. Jeremy Vink – February 11, 2010

11. Recycling Material:

i) **The lack of restrictions on the importation of recycled material.**

Resident Letters: Bettiol, Koppeser

The Site Plans provide specific restrictions regarding the importation of material for recycling as per Note 19 which states:

19) *Recycling: recycling of asphalt and concrete shall be permitted on this site.*

- *Recyclable asphalt materials will not be stockpiled within:

 - 30.0 metres of any water body or man-made pond; or
 - 2.0 metres of the surface of the established water table.*
- *Any re-bar and other structural metal must be removed from the recycled material during processing and placed in a designated scrap pile on site which will be removed on an on-going basis.*
- *Removal of recycled aggregate is to be ongoing.*
- *Once the aggregate on site has been depleted, there will be no further importation of recyclable materials permitted.*
- *Once final rehabilitation has been completed and approved in accordance with the site plan, all recycling operations must cease.*
- *All stockpiles of material to be recycled and/or recycled, (asphalt and concrete) will be restricted to the processing area located within phase 1.*

Kuntz Topsoil, Sand & Gravel Ltd. has agreed to place a limit of 30,000 tonnes of recycled material that can be imported to the site annually, and that at no time shall there be more than 30,000 tonnes on-site. This will be reflected by a change to the above note and specifically as follows;

19) *Recycling: recycling of asphalt and concrete shall be permitted on this site but the licensee shall not import an annual amount exceeding 30,000 tonnes nor stockpile a volume exceeding 30,000 tonnes.*

Furthermore, the intent of recycling is to promote stewardship of the resource whereby the imported material can be blended with the insitu material (at percentages permitted by Provincial road construction specifications). The result is the reduction of virgin material which therefore extends the non-renewable resource for future use.

ii) **The studies regarding recycling and processing activities has not accurately presented the environmental impact of such activities, including the noise, air quality and toxins and soil degradation and question the conclusions, thoroughness and bias of the studies.**

Resident Letter: Koppeser

All of the studies were conducted by professionals who are bound by associations that require them to give facts and opinions based on their professional opinion. Each study did in fact evaluate the recycling and processing activities and have provided recommendations based on their professional opinion to help mitigate any negative factors that may occur due to the proposed recycling facilities.

Mr. Jeremy Vink – February 11, 2010

iii) Location of recycling activities.

Resident Letter: Breed

The siting of the processing and stockpiling of imported material for recycling (asphalt and concrete) has been specifically located within Phase 1 to provide maximum noise attenuation for the crushing. In terms of protection of the environment and as noted above, under 11i), the MNR Policy requires a minimum 2.0 metre buffer above the groundwater level.

vi) Insufficient Noise and Dust Studies Were Not Completed Regarding Crushing of Recycling Products.

Resident Letters: Dawson, Graham, Koppeser, MacKenzie, K. Neudoerffer, M. Neudoerffer, Norrish, Price/Verhoeven, Zeller

- a) Asphalt binds particulates together; therefore, dust emissions from asphalt recycling (i.e., crushing and screening) will be less than that for extracted aggregate material. In addition, the dust emissions from crushing activities were considered in the Dust Assessment Study.
- b) The modeling calculations undertaken in the above noted Noise Assessment did include the use of crushing; however, they have used the term 'processing'. The calculations which make reference to the inclusion of processing are found in Appendix Tables 3 and 4 of the Noise Assessment. Furthermore, because the modeling calculations were based on the maximum production rates for the equipment, and therefore the 'worst-case scenario', the model does not need to discriminate between i) insitu material and ii) imported material for recycling since it is already based on maximum production.

12. Safety:

i) No sidewalks on Katherine or Sawmill Road.

Resident Letters: Behrendt, Zeller

As a result of the pre-submission meeting, the applicant was advised by Township staff that no haul trucks would be permitted eastward onto Peel Street and over the bridge. Therefore, no haul truck from this proposed pit will be directed towards Winterbourne and therefore Katherine Street.

Once the haul truck traffic enters the Regional Road system, the trucks become part of the overall Regional traffic system, and as with all Regional Roads outside of settlement areas, there are no sidewalks.

13. Traffic:

i) Wear on Roads will result in increased costs to taxpayers.

Resident Letters: Cressman, Koppeser, Strooboscher

Each licensed operator is required to contribute to the Ontario Aggregate Resource Corporation the amount of \$0.115/tonne of aggregate that is extracted and shipped off the site. Of this money, it is redistributed insomuch that the upper tier government (Region of Waterloo) is given \$0.015/tonne and the lower tier government (Township of Woolwich) is given \$0.06/tonne. Given that the proven reserves of the Kuntz Topsoil, Sand & Gravel Ltd. property contain upward of

Mr. Jeremy Vink – February 11, 2010

839,500 tonnes, the amount totals \$50,370 to the Township of Woolwich and \$12,592.50 to the Region of Waterloo over the life of the pit. Although the use of these monies is not specified, the intent is that it is to assist local governments with any related road improvement costs that might be associated with aggregate haulage.

ii) Affect on businesses and homes located on haul route.

Resident Letter: Cressman

Regional Roads have been designed to accommodate both heavy vehicular traffic as well as high volumes of traffic. Although there are existing houses along the proposed route including settlement areas, the use of these Regional Road is the most appropriate route. Although some of the businesses and houses may be located near the traveled portion of the road; a situation which can be found throughout the Region, the increase in traffic as a result of this application will be minor.

iii) Traffic Study should have utilized computer modelling to simulate actual traffic flows.

Resident Letter: Cressman

All traffic volumes used in the modeling were provided by the Transportation Engineering Department of the Region of Waterloo.

iv) Traffic Study completed by engineers and planners with little or no experience/understanding that comes from training and experience in working with rural/agricultural communities.

Resident Letter: Cressman

The protocol for undertaking the Traffic Operations and Safety Review was completed as per the requirements of the Region of Waterloo. Please refer to the Curriculum Vitae for the Transportation Engineer (M. Colwill P. Eng.) in Appendix E of the Planning Report.

v) Traffic Impacts at Crowsfoot Corner.

Resident Letter: Behrendt

The Crowsfoot Corner intersection was not evaluated as part of this application due to the distance that the subject property is located from the intersection. The majority of the gravel extracted from the site will pass through the Sawmill Road / Northfield Drive intersection toward Waterloo and/or Elmira/St. Jacob's. Any trucks that may pass through the Crowsfoot Corner intersection will be continuing directly on Regional Road 17, as there are no traffic measures to require traffic to stop. Therefore, the traffic generated by the Jigs Hollow Pit that may pass through this intersection will not alter the composition of traffic at the Crowsfoot Corner intersection.

vi) Additional Truck Traffic due to importation of concrete and asphalt materials.

Resident Letter: Zeller

As stated in Section 6.3 of the Planning Summary Report, "Increased trucking movements are not anticipated as a consequence of the importation of materials for recycling since the material is primarily the result of back-haul movements. This

Mr. Jeremy Vink – February 11, 2010

occurs when aggregate from the site is taken to a particular job site and returns to the pit with concrete and asphalt from that project.”

vii) Request that Township request a 40km/h speed limit on both Northfield Drive and Sawmill Road in the Village of Conestogo.

Resident Letter: Zeller

Sawmill Road and Northfield Drive are Regional Roads and the implementation of any change to the posted speed limit will be an issue determined by the Region of Waterloo, and separate from this application. However, any trucks generated by the proposed Jigs Hollow Pit will abide by the posted speed limit.

viii) Concern that the maintenance of the haul routes has not been adequately established.

Resident Letters: Burtenshaw, Koppeser, Strooboscher

As a result of the findings of i) the Traffic Operations and Safety Review (IBI Group), ii) the Road Evaluation (Chung & Vander Doelen Engineering Ltd.), and iii) the Dust Study (SENES), the following recommendations have been developed as noted in the Planning Summary Report (Section 8.5 i):

That the licensee enter into an agreement with the Township of Woolwich to:

- Undertake necessary intersection improvements at Regional Road 22 (Northfield Road) to raise Jigs Hollow Road to improve sightlines and which shall meet Township construction standards.
- To undertake and/or to assume the financial costs to ensure that dust created from trucks using the haul route of Peel Street and Jigs Hollow Road is mitigated as necessary and/or as directed by the Township, using MOE approved dust suppressants”.
- To undertake and/or to assume the financial costs to ensure road surface degradation due to the truck use along the haul route of Peel Street and Jigs Hollow Road is repaired as necessary and/or as directed by the Township.

Therefore the maintenance of the haul routes has been address and will be maintained during the operation and life of the proposed extraction operation.

ix) Impact on Regional Roads.

Resident Letter: Strooboscher

I would refer you to the Traffic Operations and Safety Review and specifically Section 4.2 (Other Area Developments) where IBI Group did in fact examine the cumulative impacts of the proposed Hunsberger Pit upon both the Regional Road network and key intersections. It is our understanding that the truck traffic generated from the proposed Capital - Letson Pit will be travelling north to Line 86 (Elmira Road) or toward Maryhill Road.

x) Old Iron Bridge on Peel Street is unfit for truck traffic.

Resident Letter: Burtenshaw

Mr. Jeremy Vink – February 11, 2010

The haul route for the extracted material will proceed down Peel Street to Jigs Hollow Road. There will be no right hand turns from the site and no trucks will travel over the old iron bridge.

14. Vibration:

i) Vibration from Crushing and Screening on site.

Resident Letters: Behrendt, Dawson, MacKenzie, K. Neudoerffer, M. Neudoerffer, Norrish

A distinction must be made between geological deposit types. In situations where solid bedrock (consolidated) is to be extracted and referred to as a quarry versus a pit, the material must be blasted using powerful explosives in order to separate it for further processing (crushing/screening/blending). In these situations, a vibration report would be anticipated and any ongoing impact of the blasting would be monitored.

In contrast, the deposit underlying the subject lands is the result of glacial action where the rock has already been broken down into an unconsolidated deposit (sand and gravel), which can then be easily extracted with a front-end loader. However, in order to produce specific sizes of stone to meet rigid Ministry of Transportation road building specifications, it is necessary for additional crushing to occur. This crushing equipment is typically semi-portable or portable and is constructed with built in shock absorbers and any ground vibration would be extremely localized. In addition, since the crushing activity will be confined to within the Phase 1 processing area and located over a 0.35 kilometre to the nearest resident, no off-site vibration will occur.

15. Visual Impact:

i) The site plan does not provide any visual barriers on the south side of proposed pit.

Resident Letter: Zeller

As noted in the Planning Summary Report, during the winter when the deciduous trees are bare, it is fully expected that there will be a much greater opportunity for open sight-lines onto the pit area. However, during the period from mid-December to late March, local pits do not typically operate since road construction projects (which are their prime market) do not operate during the winter conditions. The resulting potential views for these lots will be into the pit area which will be a minimum 0.5 km distant (230 Golf Course Road) and up to 0.9 km distant (306 Golf Course Road) and the pit will likely be snow covered.

ii) Views from Sunset Drive and Katherine Street in Winterbourne.

Resident Letters: Bettiol, Price/Verhoeven, Wood

The homes which face west on Sunset Drive are just under 1.0 km distance from the pit which include both existing vegetation in the rear yards of the homes and a proposed 2.5 to 3.5 metre high perimeter berm along the eastern pit limit and a 6.0 metre berm around the processing area. It is noted that Sunset Drive may be elevated above the proposed pit topography, but it is not reasonable to provide further visual screening for views at such a substantial distance.

Mr. Jeremy Vink – February 11, 2010

- iii) **Visual Screening was not incorporated into the Site Plans and are inadequate and fail to take into consideration the effect and impact of the contemplated pit operations on the adjacent neighbours.**

Resident Letters: Craig, Koppeser

A Visual Impact Study was conducted and submitted to the Township on August 27, 2009.

- iv) **Poor quality photos from Visual Impact Assessment.**

Resident Letter: Price/Verhoeven

The Visual Impact Assessment was completed as per the requirements of the Township of Woolwich and will be reviewed by the Township Approval Authority.

16. Zone Change Application Specifics:

- i) **Concerned that the request for onsite crushing and recycling of concrete and asphalt was not originally disclosed.**

Resident Letters: S&M MacKenzie, K. Neudoerffer, M. Neudoerffer, Norrish, Wood, Zeller

The Zone Change Application and application to the Ministry of Natural Resources were submitted concurrently and dated December 10, 2008. Please refer to Section 6.3 c) of the Planning Summary Report which states:

“The eastern portion or lower terrace of the lands, the lands are to have a temporary zoning provision to extend the permitted uses to include;

- *The importation and processing of topsoil*
- *The importation and processing of recycling material limited to concrete and asphalt”*

- ii) **Sale of topsoil on-site.**

Resident Letter: Zeller

Section 6.3 of the Planning Summary Report identifies the request for zoning in detail and it states that the importation of topsoil is part of the overall business conducted by Kuntz Topsoil, Sand & Gravel Ltd. with the intent that the importation, screening and resale of topsoil will only occur for the life of the pit. To provide assurances of this, a temporary zoning provision is being recommended which would lapse after three years unless the zoning was extended by Council. Furthermore, the topsoil activities (stockpiling, screening) will be restricted to be sited within the ‘processing area’ as identified in the Site Plans.

- iii) **Township’s Zoning By-Law is silent regarding recycling activities.**

Resident Letter: Koppeser

It is fully acknowledged that the Woolwich Township Zoning By-Law land use category for Extractive (E) zoning does not include the ability to import and process recycled material as a permitted use. It is for this reason that the applicant included the request in the initial zoning application as an additional permitted use.

Mr. Jeremy Vink – February 11, 2010

- iv) **Request that the proposed 7 a.m. – 7 p.m. operational period be changed to 8 a.m. – 5 p.m., five days a week.**

Resident Letters: Strooboscher, Zeller

The hours of operation of 7 a.m. to 7 p.m. are both industry standard and coincide with Ministry of Environment noise guidelines for day time use. The Noise Study has modeled the worst-case scenario and the pit activity noise will meet or be below provincial noise thresholds.

- v) **Concerned that area of extraction will be extended as there are no limitations in place for applicant to restrict adding further extractive areas.**

Resident Letter: Zeller

To extend the extractive area (on the western upper plateau) in the future would necessitate the licensee to repeat the current process of the Licence Application under the ARA and a rezoning application under the Planning Act. Furthermore, new studies would be conducted to evaluate any impact on the Natural Environment, Hydrogeological, Noise, Dust, Visual Impact, etc.

As documented in Section 4.5 of the Planning Summary Report, the quality of material underlying the upper portion of the property is not considered to be of commercial quality. However, because some pit activities will be carried out on these lands (weigh scale, haul road, fuel storage), it is important that MNR be provided full enforcement control and therefore, these lands have been retained inside the licensed area.

- vi) **The Grand Valley Trail is located along Peel Street and the applicant has failed to describe what precautionary measures it would take to ensure pedestrian safety/Mennonite/children's safety.**

Resident Letters: Burtenshaw, Cressman, Graham, Koppeser, Price/Verhoeven

The applicant has in fact described precautionary measures it would take to ensure pedestrian safety. Please refer to 6i) above as well as the Planning Summary Report under Section 8.5 ii).

17. Other:

- i) **What is the expected volume of production?**

Resident Letter: Graham, Strooboscher

The expected volume of production per year is 150,000 tonnes per year.

- ii) **Rehabilitation not adequate.**

Resident Letter: Price/Verhoeven

We refer you to Sheet 3 of 4 (Rehabilitation Plan) of the set of Site Plans. This Plan clearly illustrates the progressive and final rehabilitation of the subject lands whereby the lands will be returned to an agricultural after-use.

- iii) **Marring the landscape.**

Resident Letter: Price/Verhoeven

Mr. Jeremy Vink – February 11, 2010

The only way to access this provincially significant non-renewable resource is through the process of physical extraction, and the result is that there will be a change in the final landscape. Through the use of progressive rehabilitation, the lands will be returned to an agricultural land use that is viable for farming.

iv) Enforcement of Site Plans.

Resident Letter: Strooboscher

Through the ARA, the Ministry of Natural Resources has the mandate to enforce the Site Plans including the fulfillment of all of the Site Plan notes and any licence conditions, and specifically it is Diane Schwier who is an Aggregate Technical Specialist who works out of the local Guelph office who will be undertaking the enforcement. Although it is the MNR's preference that any local concerns/complaints be initially relayed directly to the licensee, if no action results, MNR will take immediate action. Furthermore, MNR undertakes unannounced site audits, and the licensee is required to submit an annual Compliance Assessment Report.

We trust that we have addressed the questions/concerns of the residents with respect to Zone Change Application 3/2009, and request that the application be brought before Council for their consideration and approval.

If you have any questions or require further clarification to any concerns, please do not hesitate to contact us directly.

Yours truly

IBI GROUP



David R. Sisco, BA, MCIP, RPP
Associate, Principal – Planning

DRS/baw

cc: Ray Kuntz, Kuntz Topsoil, Sand & Gravel Ltd.