



About Our Binder Choice

Vivaria Ecologics selected to use binders made by:



These binders are:

1. 100% RECYCLED
2. FSC CERTIFIED
3. MADE IN THE UNITED STATES IN A WIND-POWERED FACTORY

We could have used a vinyl binder, which is certainly durable and less costly. However, such actions would be inconsistent with our company philosophy. Our choice of binders is just one more example of Vivaria Ecologics' commitment to our Mansfield Township community.





August 8, 2022

Mr. David Dech, PP
Warren County Planning Board
165 County Route 519 South
Belvidere, New Jersey 07823-1949

RE: VivariaEcologics Solid Waste Plan Inclusion Application

Dear Mr. Dech,

In accordance with the requirements of the Warren County Solid Waste Management Plan, I have enclosed five (5) copies of the above referenced document for your office use and for SWAC review.

Thank you for your assistance in this matter.

Very truly yours,

Wayne D. DeFeo, LEED AP, BD&C
Principal



DeFeo Associates

Meeting Business,
Education &
Environmental Needs

email wdefeo@defeoassociates.com
web www.defeoassociates.com
15 Washington Valley Road, Warren Twp., NJ 07059
phone 732.563.9524 fax 732.563.4540

August 8, 2022

Ms. Deborah A. Pasquarelli, Chair
Warren County Planning Board
165 County Route 519 South
Belvidere, New Jersey 07823-1949

RE: VivariaEcologics Solid Waste Plan Inclusion Application

Dear Ms. Pasquarelli,

In accordance with the requirements of the Warren County Solid Waste Management Plan, I have enclosed one (1) copy of the above referenced document for your office use and for public review.

Thank you for your assistance in this matter.

Very truly yours,

Wayne D. DeFeo, LEED AP, BD&C
Principal



August 8, 2022

Warren County Health Department
700 Oxford Road
Oxford, New Jersey 07863

RE: VivariaEcologics Solid Waste Plan Inclusion Application

In accordance with the requirements of the Warren County Solid Waste Management Plan, I have enclosed five (5) copies of the above referenced document for your office use and for SWAC review.

Thank you for your assistance in this matter.

Very truly yours,

Wayne D. DeFeo, LEED AP, BD&C
Principal



August 8, 2022

Ms. Monica Orlando, Acting Clerk
Township of Mansfield
100 Port Murray Road
Port Murray, NJ 07865

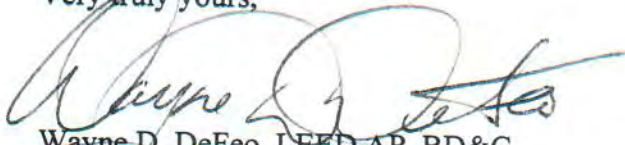
RE: VivariaEcologics Solid Waste Plan Inclusion Application

Dear Ms. Orlando,

In accordance with the requirements of the Warren County Solid Waste Management Plan, I have enclosed one (1) copy of the above referenced document for your office use and for public review.

Thank you for your assistance in this matter.

Very truly yours,



Wayne D. DeFeo, LEED AP, BD&C
Principal



August 8, 2022

Mr. Robert Jewell, Chairman
Mansfield Township Land Use Board
Township of Mansfield
100 Port Murray Road
Port Murray, NJ 07865

RE: VivariaEcologics Solid Waste Plan Inclusion Application

Dear Mr. Jewell,

In accordance with the requirements of the Warren County Solid Waste Management Plan, I have enclosed one (1) copy of the above referenced document for your office use and for public review.

Thank you for your assistance in this matter.

Very truly yours,

Wayne D. DeFeo, LEED AP, BD&C
Principal



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Warren County Health Dept
70 Oxford Road
Oxford, NJ 07863



9590 9402 7376 2028 9931 63

2. Article Number (Transfer from service label)

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 Addressee

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PS Form 3811, July 2020 PSN 7530-02-000-9053

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1. Article Addressed to:

Warren County Planning Board
Wayne Vermont Admin Bldg
16 S County Route 579 South
Belvidere, NJ 07823-1949



9590 9402 7376 2028 9931 56

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1. Article Addressed to:

Mansfield Twp Land Use Board
100 Port Murray Road
Port Murray, NJ 07865



9590 9402 7376 2028 9931 87

2. Article Number (Transfer from service label)

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A. Signature

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- Agent
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1. Article Addressed to:

*Monica Orlando, Clerk
Township of Mansfield
100 Port Murray Road
Port Murray, NJ 07865*



9590 9402 7376 2028 9931 94

2. Article Number (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

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- Addressee

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1. Article Addressed to:

*Mr. David Dech, PP
Wayne Dument Admin. Bldg.
165 County Route 519 South
Belvidere, NJ 07823-1949*



9590 9402 7376 2028 9931 49

2. Article Number (Transfer from service label)

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- Addressee

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- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery





ORIGINAL

August 8 , 2022

Mr. David K. Dech, Director
Warren County Planning Department
165 County Route 519 South
Belvidere, NJ 07823-1949
Tel: (908) 475-6532
Fax: (908) 475-6537

**Application of Vivaria Ecologics, LLC for Inclusion into
The Warren County Solid Waste Management Plan**

Dear Mr. Dech,

On behalf of Vivaria Ecologics, LLC, (Applicant) I am submitting the following application for inclusion in the Warren County Solid Waste Management Plan. In order to facilitate your review, the Applicant has incorporated the required information into a format that follows the outline provided on the Warren County Planning Office website.

As required in the Procedural and Evaluation Guidelines to Modify and Include New Solid Waste and Recycling Facilities in the Warren County Solid Waste Management Plan, five copies of this Application are being provided to your office via Certified Mail and an electronic copy of the complete application is being provided to your email address at ddech@co.warren.nj.us.

In addition, copies of this Application package have been sent to the Mansfield Township Municipal Clerk, Municipal Planning Board Secretary, County Planning Board and the County Health Department.

Copies of all certified mail receipts are enclosed with this application.

As required, the following information pertains to the Applicant and the Application. Please see **Appendix A** for a copy of the lease between the land owner and Vivaria Ecologics, LLC. This lease demonstrates control of the property and its ability to be utilized by the Applicant for a term equal to or exceeding the term of any permit that is finally issued by the N.J.D.E.P.

ORIGINAL

Contacts

1. List the name, address, telephone and fax numbers and the role of all contact people related to the application, including, but not limited to, the owner, the applicant, its consultants, engineers, attorneys, etc. Specify who will be the main contact person during the application process.

This Application is being submitted on behalf of:

Vivaria Ecologies, LLC
Christina PioCosta-Lahue, Founder/Owner
C/O 101 Route 46 East, Unit 138
Pine Brook, N.J. 07058
Telephone: 973-882-0786
Email: christina@vivaria.eco

Property Owner:

The Freedom Group, LLC
PO Box 686
West Caldwell, NJ 07007

Consultant Team:

Legal:

Mark Peck, ESQ
Florio Law
235 Broubalow Way
Philipsburg, New Jersey 08865
Telephone: 908-454-8300, Xt. 1019
Email: mpeck@floriolaw.com

Consulting:

Wayne D. DeFeo, LEED AP, BD&C. (Primary Contact Person For This Application)
Principal
DeFeo Associates
15 Washington Valley Road
Warren, New Jersey 07059
Telephone: 732-563-9524
Email: wdefeo@defeoassociates.com

Baraka Poulin, Sales Engineer
ECS (Engineered Compost Systems)
4220 24th Avenue, NW
Seattle, WA 98199
Telephone: 206-634-2625
Email: barakap@compostsystems.com

Craig Coker, Principal
Coker Composting and Consulting
2186 Mountain Pass Road
Troutville, VA 24175
Telephone: 540-874-5168
Email: ccoker@cokercompost.com

Kenneth Hart, LSRP
Principal
ELM
345 Wall Street
Research Park
Princeton, New Jersey 08540
Telephone: 609-683-4848
Email: KHart@elminc.com

Site and Facility Information

2. Site Plan Map

- a. See **Appendix B** for a proposed Site Plan Map. **Appendix B** consists of the following documents:
 - i. Site location Map
 - ii. Property Survey
 - iii. Conceptual Site Plan

3. Type of Facility

- a. State the type of facility being proposed, i.e., *Class A Recycling Center*, *Class B Recycling Center*, *Class C Recycling Center*, *Class D Recycling Center*, *Resource Recovery Facility*, *Transfer Station*, *Materials Recovery Facility*, *Solid Waste and Co-Composting Facility*, *Permanent Household Hazardous Waste Collection Site*, *New Regulated Medical Waste Treatment, Processing, and Disposal Facility* and the corresponding N.J.A.C. citation of the definition of this type of facility. A separate SWAC facility inclusion application shall be filed for each type of facility proposed.

The Applicant is proposing a Class C Recycling Center under the requirements of N.J.A.C. 7:26A-3.1

"Class C recyclable material" means a source separated compostable material which is subject to Department approval prior to the receipt, storage, processing or transfer at a recycling center in accordance with N.J.S.A. 13:1E- 99.34b, and which includes, but is not limited to, organic materials such as:

1. **Source separated food waste;**

4. Geographical Location

- a. Provide the name of the municipality the facility will be located in.
Mansfield Township
- b. Provide a tax map outlining the lot and block numbers of the facility site and of all adjacent properties. Detail the total acreage of all parcels comprising the proposed site. Indicate which parcels will be utilized for the proposed operation.
Please see Appendix C for a full Tax Map. The property is located at Block 1204, Lot 24 on Blau Road, Mansfield Township in the I Industrial Zone.
- c. State the street address of the proposed facility.
The Property does not currently have a street address as it is undeveloped land. As noted above, it is Block 1204, Lot 24, Blau Road.
- d. Provide an original 7.5 - minute USGS Quadrangle map that includes the boundary of the facility plotted on the map. The map shall delineate any public access roads to the site and any streams, ponds, wetlands, floodplain and sensitive receptors (for example, hospitals, schools, playgrounds, churches, homes, etc.) within a one-half mile radius of the site.
Please see Appendix D for the USGS Quadrangle Maps. The approximate boundary is noted on the map. There are no streams or floodplains on the property.
- e. **Please see Environmental Section responses for all details related to streams, ponds, wetlands and floodplains.**
- f. **Please see Appendix D for a detailed image identifying all potential sensitive receptors within ½ mile of the site.**
- g. Provide the most recent aerial photo of the site and surrounding properties.
Please see Appendix E for most recent aerial photo. Also refer to Appendix C for Satellite Image showing more detailed location of surrounding properties.
- h. Describe the existing use of the property and how this existing use will relate to the proposed facility.
The property is currently an active farm of approximately 42 acres. The proposed use will maintain approximately 20 acres of land in farming that is nearest to the residential properties bordering the Eastern side of the property. The Compost operation will take place on the 20 acres adjacent to the railroad tracks and the adjoining property to the West (on the other side

of the railroad tracks). It should be noted that the Applicant owns the property immediately adjacent to the compost operation and intends to maintain that property in its current use.

- i. Compost is effectively a complementary use to farming. Since food scraps are the direct and indirect result of farming activities, the proposed use will complement the farm activities currently taking place on the property. Compost from the operation is being considered by the Applicant for utilization by the adjacent farming operation. This would guarantee a market for finished compost from the initial start of operations.
- j. List the existing property uses within 200 ft. of the property.
Within 200 feet of the property lines, there are residential homes, a church a moving company, farmland and state game lands.

Within 200 feet of the proposed compost operation there are state game lands, farm land and a church. No residential properties are within 200 feet of the proposed compost operation. Outside of the 200 foot radius (approximately 500 feet+ from the property border), is a chemical manufacturing plant known as Borealis Industries. As proposed, the distance from the nearest residential property line to the active compost operations is approximately 1,144 feet.

- k. Describe existing use of site and adjoining properties and distance to nearest sensitive receptor (school, residence, etc.).

The property is currently an active farm of approximately 42 acres. The proposed use will maintain 20 +/- acres of land in farming that is nearest to the residential properties bordering the Eastern side of the property. The Compost operation will take place on the 20+/- acres adjacent to the railroad tracks and the adjoining property to the West. It should be noted that the Applicant owns the property immediately adjacent to the compost operation on the Western border of the property and intends to maintain that property.

Please see Appendix C for details of the nearest sensitive receptors within ½ mile of the property.

The nearest sensitive receptor to the proposed compost activity is a church that is over 800 feet from the proposed compost activity. A moving company is located 650+/- feet from the proposed compost activity. As noted above, the nearest residential property line is 1,144+/- feet from the proposed compost activity.

- l. Provide how property is zoned including list of approved uses in zone.



17-18-20
10-145-2

The property is located in the I Industrial District of Mansfield Township. From a zoning perspective, the following uses are permitted in the I Industrial District.

Chapter 363. Zoning

Article XI. I Industrial District

§ 363-56. Permitted uses.

The following uses shall be the permitted uses allowed in the I District:

A. Offices and office buildings.

Township of Mansfield, NJ

Friday, December 18, 2020

B. Scientific or research laboratories meeting the performance standards set forth in Article IV of Chapter 361.

C. Light industrial and manufacturing uses meeting the performance standards set forth in Article IV of Chapter 361.

D. Warehousing, storage and distribution.

E. Industrial parks containing one or more of the above uses.

F. Co-located wireless telecommunications antennas and facilities as regulated in § 363-80.

[Added 11-14-2001 by Ord. No. 2001-18]

G. Major solar or photovoltaic energy facilities or structures on a parcel or parcels of land comprising 20 or more contiguous acres that are owned by the same person or entity, and in accordance with the regulations set forth in § 363-74.

[Added 8-24-2011 by Ord. No. 2011-17]

H. Small wind energy systems on a parcel or parcels of land comprising 20 or more contiguous acres that are owned by the same person or entity.

[Added 8-24-2011 by Ord. No. 2011-17]

§ 363-57. Accessory uses.

Accessory uses customarily incidental to the above principal permitted uses shall include the following:

A. Off-street parking.

B. Fences and walls.

C. Garages to house delivery trucks or other commercial vehicles.

D. Temporary construction trailers and one sign not exceeding 50 square feet, advertising the prime contractor, subcontractors, architect, financing institution and similar data for the period of construction beginning with the issuance of a building permit and concluding with the issuance of a certificate of occupancy or one year, whichever is less, provided such trailers and sign are on the site where construction is taking place and set back at least 15 feet from street and lot lines.

E. Signs.

F. Minor solar or photovoltaic energy facilities or structures. Minor solar facilities shall be permitted to be ground mounted and mounted to principal and accessory structures and buildings; provided, however, that in the case of a roof-mounted system, the photovoltaic solar panels and all necessary equipment shall not extend more than 12 inches beyond the edge of the roofline or 12 inches above the highest point of the roof surface or structure. Flat roofs shall be exempt from the height requirement. However, panels on a flat roof shall not extend more than five feet above the roof line. Minor solar facilities shall have a setback requirement consistent with building regulations. In the case of a surface level or ground-mounted system, the system shall be situated more than 50 feet from the nearest property boundary line. Minor solar ground-mounted facilities located less than 50 feet from the nearest property line shall require minor site plan approval prior to obtaining a zoning permit and shall have setback requirements consistent with building regulations. Notwithstanding, these systems shall not exceed the maximum building height in the zoning district. Cadmium telluride solar panels shall not be permitted due to the highly carcinogenic nature of cadmium and the possible detrimental effects on children, wildlife, water supplies and the environment.

[Added 8-24-2011 by Ord. No. 2011-17]

§ 363-58. Conditional uses.

The following shall be conditional uses in the I District:

A. Recycling establishments as defined in § 360-4 and as regulated in § 363-71.

B. Wireless telecommunications tower and facilities on municipally owned property as regulated in §§ 363-73 and 363-80.

[Added 11-14-2001 by Ord. No. 2001-18]

C. Wireless telecommunications towers and facilities on other than municipally owned property as regulated in §§ 363-73 and 363-80.

[Added 11-14-2001 by Ord. No. 2001-18]

D. Major solar or photovoltaic energy facilities or structures on a parcel of land comprising less than 20 acres.

[Added 8-24-2011 by Ord. No. 2011-17]

E. A small wind energy system on a parcel or parcels of land comprising less than 20 acres.

[Added 8-24-2011 by Ord. No. 2011-17]

F. Adult retirement communities, subject to the requirements of § 363-72.

[Added 8-8-2001 by Ord. No. 2001-16]

Notwithstanding the definitions outlined in the Mansfield Zoning ordinances, it should be noted that the New Jersey Solid Waste Management Act (NJSWMA), N.J.S.A. 13:1E-1 et seq., preempts municipal planning and zoning ordinances, which has been firmly established in case law. See, e.g., Township of Howell v. Fred McDowell, Inc., 300 N.J. Super. 491 (App.Div. 1997) [The SWMA preempted local zoning ordinances and therefore, a township's action could not seek to restrain a corporation from operating a recycling center.]; Matter of Bergen County Utilities Authority Treatment Works, Approval No. 89-2224-4a, 92 N.J.A.R.2d (EPE) 27 (1991) [Endorsement of municipality was not precondition to grant of treatment works approval for construction and operation of sludge dewatering facility, and there was no basis for granting adjudicatory hearing to municipality in regulations; municipality was not entitled to stay of approval for construction and operation of facility.]; Regional Recycling, Inc. v. State, 127 N.J. 568 (1992) [Conversely, pursuant to the SWMA, the DEP cannot grant a solid waste facility permit for a facility that is not included in the adopted and approved solid waste management plan of the district in which the facility is located.

5. Traffic

- a. Provide a description of the traffic impacts of the facility setting forth:
- b. The number and types of vehicles transporting material to and from the facility.

As proposed, the facility will have a maximum permitted throughput of 50,000 tons per year of food waste and wood chips (as a bulking agent) to be composted.

The end product will need to be transported from the site and a minimum amount of residue will also need to be transported from the site.

Based on current volume projections, the facility anticipates a phasing growth to full capacity over three (3) years at approximately 1/3 volume each year in order to achieve maximum permitted capacity. This may take a longer period however the traffic analysis is based on the three (3) year period to generate the largest traffic impact at the fastest reasonably projected rate.

Thus, the growth of truck traffic based on the volume conversion from tons to cubic yards, and the corresponding incremental traffic increase for each year as follows:

Operating Year	Total Volume (cubic yards)	Vehicle Volume (cubic yards)	Total Vehicles In (Yearly)	Total Vehicles Out (Yearly)	Total Vehicle Trips (Yearly)	Monthly Trips	Weekly Trips	Daily Trips	Hourly Trips*
1	217,333	30	6586	6586	13,173	1098	254	51	6
2	217,333	30	6586	6586	13,173	1098	254	51	6
3	217,333	30	6586	6586	13,173	1098	254	51	6

***NOTE: Discrepancy in math due to rounding. Traffic Count does not include employee traffic for approximately five (5) employees. Employee traffic will occur prior to opening (arrival between 7:30 and 8:00 A.M. and departure will occur after closing (between 4:00 and 5:00 P.M. Total employee vehicle trips should not exceed more than ten (10) per day.**

Further, the traffic analysis presented estimates that all delivery/product vehicles will have a thirty (30) cubic yard capacity. It is more than likely that a certain number of vehicles delivering material and a certain number removing material will be of larger capacity, thus reducing the total number of vehicles accessing the property.

The traffic numbers outlined above are based on a daily throughput utilizing a uniform entry and exit rate. In real world conditions, traffic will likely arrive in a less uniform manner. Facilities that receive recyclables usually experience inflows after the initial collection route has been completed. Accordingly, they tend to experience their heaviest inflow of traffic at between 10:00 A.M and 12:00 P.M. and experience a second inflow between 2:00 P.M and 3:00 P.M.

This pattern of receipt indicates that the facility will be receiving material after the morning rush hour and before the evening rush hour. This pattern mitigates any impact that the facility might have on levels of service to area intersections.

The Applicant has commissioned a traffic study to demonstrate the impact of the facility at full operation. The results will be forwarded to Warren County upon receipt.

Finally, the applicant will stipulate and require usage of the designated truck route within customer contracts, including penalties and/or severance of contracts in the case of any confirmed violations. In addition, signage will be placed at the exit of the facility notifying drivers of the mandatory truck route as well as any height limitations that exist along that route. (Known truck height limitation is CR636 RR Underpass MP6.65: 10'8")

- c. Times and days of the week these vehicles will be accessing the facility.

The proposed facility operating hours are:

M-F- 8:00 A.M. – 4:00 P.M.

- d. The route vehicles will be required to use to access the facility, include any restrictions on allowable transportation routes, if any. Provide a description of nearby intersections that will be impacted from the development of the facility and their current status with respect to traffic levels.

Please see Appendix F for the Mansfield Township authorized truck traffic route. The nearest intersection that could be impacted by the facility's operation is that of Blau Road and Rockport Road. This intersection is currently utilized by other industrial properties, including Borealis Industries, in this I Industrial Zone and the Applicant does not project that its operation will have a detrimental impact on the intersection or its level of service. Since level of service is the standard of review, there is no negative impact to consider. Please see Appendix F for service maps as prepared by the Warren County Planning Office that support this statement.

- e. The truck routes defined in the Warren County Solid Waste Plan must be followed to the extent possible. It is the general policy that Interstate and State highways are to be used to the point of departure onto a county or local roadway unless otherwise excluded in the Solid Waste Plan or other traffic control regulation or restriction.

The truck routes for this site are dictated by the Township of Mansfield as a part of the Industrial Zone that the proposed facility is located within. The truck routes mandated by Mansfield Township maximize the use of county and state roads.

See above reference to Appendix F.

- f. Indicate in a narrative the routing of vehicles between the Facility and all nearby roadways serving the site, as well as the traffic flow within the site, and indicate the provisions incorporated into the site plan to ensure safe and efficient vehicular and pedestrian circulation, parking, loading and unloading;

Vehicles shall be required to utilize the Mansfield Township approved truck route in entering and leaving the property. That route specifies that all truck traffic shall utilize the following route to enter the site:

- **Route 57, Right onto Airport Road, Left onto Rockport Road, Left onto Blau Road, Left into the site entrance.**

Vehicles leaving the site shall be required to utilize the reverse route as approved by Mansfield Township. That route specifies that all truck traffic shall utilize the following route when leaving the site:

- **Right out of the site exit onto Blau Road, Right onto Rockport Road, Right onto Airport Road, Left onto Route 57.**

Please see Appendix B for internal traffic flow on the Conceptual Site plan.

The process flow for traffic on site will have vehicles enter making a left

turn off of Blau Road in accordance with the above outlined truck route which is mandated by Mansfield Township. The vehicles will stop at the Inspection Trailer. They will proceed along the internal road route by making a left turn and proceed to the receiving building. After depositing their load in the Receiving Building, the vehicles will exit and make a right turn following the internal road around the site to the exit. Vehicles will exit the site and make a Right turn onto Blau road before following the Mansfield Township approved truck route. The exit will be marked with signage directing vehicles to the mandated truck route.

The site has sufficient internal road capacity to prevent any queuing of trucks off of the site. This is a requirement of all facility permits and the Applicant has designed the site to comply with this requirement.

If truck traffic reaches the end of the driveway, the Inspector located in the Inspection Trailer shall direct vehicles already on the site towards the receiving building to avoid off site queuing. Inspections will then be conducted to expedite the movement of the vehicles.

The site does not allow for pedestrian traffic other than employees of the operation. Employees will be required to wear appropriate PPG designed for visibility.

- g. A full traffic study may be necessary. The county planning board and municipal regulations need to be consulted to determine if one would be necessary. Off-site improvements or financial contribution may be required.

The Applicant will follow all NJDEP regulatory requirements for permit approval with regard to traffic as required by Law. The Applicant has retained Dynamic Traffic, LLC to perform a traffic analysis to determine traffic impacts along the Mansfield Township approved truck routes. The findings of this report will be made available to SWAC upon completion.

The Applicant notes that New Jersey's Food Waste Recycling Law, P.L. 2020, C. 24 specifies that:

C.13:1E-99.124 Economic benefit for municipality.

*3. a. Any municipality within which an authorized food waste recycling facility is located, pursuant to an adopted district solid waste management plan approved after the effective date of P.L.2020, c.24 (C.13:1E-99.122 et al.), shall be entitled to an economic benefit of not less than the equivalent of **\$0.50 per ton, to be paid and adjusted quarterly, of all food waste accepted for processing at the authorized food waste recycling facility during the 2021 calendar year and each year thereafter.** The owner or operator of the authorized food waste recycling facility shall pay quarterly to the municipality the full amount due under this subsection. The municipality is authorized to anticipate this amount for the purposes of preparing its annual budget.*

The Applicant will follow the necessary requirements for municipal planning with regard to off-site improvements subject to New Jersey law, as a condition of plan inclusion and that the Applicant will construct off - site improvements made necessary as a direct consequence of the subject development and/or make fair share contribution for such future improvements. **Notwithstanding this restriction, the Applicant's final site design will include all necessary safety design elements with regard to traffic.**

6. Site Access and Control

- List proposed means to control and/or limit access to the proposed facility, both during and after operating hours.

The site will have a gated entrance that will be locked when the facility is closed. During operating hours, the site will have staff stationed at an Inspection Trailer to ensure that there is no unauthorized access to the site.

The site will utilize remote camera security during off hours. Cameras will be linked to a twenty-four (24) hour monitoring station.

Finally, the site will utilize a motion sensor with dark sky site lighting system linked to the camera system to ensure that complete, twenty-four(24) hour monitoring is in place at all times. Dark sky lighting has been demonstrated to be an effective means of deterring improper activity on a site. This type of lighting, combined with motion sensors will only be activated if motion is detected. Further the light will stay on for a limited duration to further limit any potential fugitive lighting that could impact neighboring properties. Finally, the lighting design of the site will be such that 0 foot candles will leave the property line.

- List the hours and days of operation.

The proposed facility hours are:

M-F- 8:00 A.M. – 5:00 P.M. – Note that materials will be received between the hours of 8:00 A.M. and 4:00 P.M. the final operating hour will be dedicated to cleanup and housekeeping duties.

7. Fire Control and Emergency Procedures

- A fire control plan and emergency procedures plan must be submitted with the application and must be approved by the local fire official and emergency management official prior to the application being submitted to the Board of Chosen Freeholders for consideration

While it should be noted that a fire control plan can only be finalized after the N.J.D.E.P. has issued an approval for final site plan and a final permit and the Applicant has made a filing for building approval, the Applicant has submitted a fire control plan to the Mansfield Township Fire Marshall. If a letter of approval is

received prior to the SWAC meeting, a copy of this approval will be forwarded to your office immediately upon receipt or as soon as it is received thereafter.

PROPOSED FIRE PREVENTION/CONTROL PLAN

Vivaria Ecologics staff will use the following procedure to prevent or combat a fire that may occur on the site:

- The site will be designated as a non-smoking site in all locations.
- The gate will have a warning sign posted on the gate advising all observers to call 911 in the case of a fire.
- The site will maintain a Fire Readiness Kits at key locations including the Inspection Trailer, Receiving Building and at key intervals along the internal road that contain:
 - Fire Extinguishers
 - Fire Blankets
- The site is proposing the utilization of electrically powered site equipment including loaders and screeners. The proposed plan does not include petrol storage for vehicles at this time. Accordingly, the risk of a fuel fire will be significantly reduced. (A backup generator may be included in the final design. If that occurs, the generator will be powered by propane gas and will include all required safety standards for such a storage container.
- All bulking agent (Wood Chips) will be maintained in accordance with State Fire Codes and will not exceed twenty (20) feet in height.
 - Bulking agent storage will be minimized to the amount required for efficient utilization within the composting process.
 - Temperature monitoring of the storage pile will be performed on a weekly basis. If a temperature is found above 160° the location of the reading will be flagged with a landscape flag, so it can be found easily.
 - At this point the location will be opened and inspected to ensure that that the hot spot can be cooled.
- If smoke is detected rising from a vent in the bulking agent, the location will be marked (as above).
- If a fire is suspected, the operator will call the fire department.
 - After the fire department has arrived, the operator will, if instructed by the fire department, carefully excavate the area around the marked flag with a bucket of the loader and spread the bulking agent out on the ground in a thin layer (no more than 12" thick) as directed by the fire department.
- Temperature monitoring of aerated static piles is continuous and air flow is computer controlled. This will significantly reduce the risk of a compost pile fire. However, if routine temperature monitoring shows a location in a pile where temperatures are greater than 160° F., the location of the reading will be flagged with a landscape flag, so it can be found easily.
 - At this point the location will be opened and inspected to ensure that that the hot spot can be cooled.
- If smoke is detected rising from a vent in the compost, the location will be marked (as above).
- If a fire is suspected, the operator will call the fire department.
 - After the fire department has arrived, the operator will, if instructed by the fire department, carefully excavate the area around the marked flag with a bucket of the loader and spread the compost out on the ground in a thin layer (no more than 12" thick) as directed by the fire department.

8. Environmental

- Floodplains - If there are any floodplains as defined at N.J.A.C. 7:13-1.2 within the facility then describe their location(s) and indicate what, if any, additional approvals will be required due to their presence and any proposed actions to be taken by the applicant to avoid impacting them.

There are no floodplains within the facility site plan.

- Wetlands - If there are any wetlands within ½ mile of the facility then describe their location(s) and indicate what, if any, additional approvals will be required due to their presence and any proposed actions to be taken by the applicant to avoid impacting them.

The site contains a Vernal Habitat Zone. See map in Appendix G for a location map. The site will be designed to comply with NJDEP regulatory requirements for this zone. Appropriate applications will be made upon permit filing.

As noted below, and by email confirmation with the Executive Director of the Highlands Council, this project is in a non-conforming planning area, thus the Highlands Council has no role in this site application.



Advanced Property Report

State of New Jersey Highlands Water Protection and Planning Council
100 North Road (Route 513), Chester, NJ 07930 | Telephone: (908) 879-6737 | Fax: (908) 879-4205

Disclaimer:
Please be advised that any information generated in this report does not constitute a formal Consistency Determination from the Highlands Council. The information contained herein is provided solely for informational purposes and is not to be construed as providing advice, recommendations, endorsements, representations or warranties of any kind whatsoever.

Report for Block 1204, Lot 24 in MANSFIELD TWP



MOD IV Data		NJ Highlands Data	
Block	1204	Planning Area	44.26 ac. (100.00%)
Lot	24	Preservation Area	-
Municipality	N/A	Plan Conformance	Not Approved
County	N/A	Designated Center	No
Qualifier	QFARM	Lot Size	44.26 ac.
Owner	N/A		
Property Location	N/A		

*From: Plevin, Lisa [HIGHLANDS] <Lisa.Plevin@highlands.nj.gov>
Date: Wed, Jun 22, 2022 at 4:01 PM
Subject: RE: [EXTERNAL] Highlands Process
To: Debbie Mans <debbie@twentytwentypublicaffairs.com>*

Hi Debbie. Yes, it's proposed for a non-conforming planning area, so we would have no role -unless it needs a WQMP Amendment or Water Allocation Permit, which seems unlikely. Lisa

*Lisa Plevin
Executive Director
New Jersey Highlands Council
100 North Road (Route 513)
Chester, NJ 07930-2322
(908) 879-6737 ext. 101
(908) 879-4205 Fax*

*lisa.plevin@highlands.nj.gov
www.nj.gov/njhighlands*

Please consider the environment before printing this e-mail

This email, together with any attachments, is intended for the named recipient(s) only; and may contain privileged and confidential information. If received in error, you are asked to inform the sender as quickly as possible and delete this email and any copies of this from your computer system network. Unless stated otherwise, this email represents only the views of the sender and not the views of the New Jersey Highlands Council.

- Historic Sites - If there are any historic sites listed on the National and State Registers of Historic Places as maintained by the State Historic Preservation Office within the facility then describe their location(s), indicate what, if any, additional approvals will be required due to their presence and any proposed actions to be taken by the applicant to avoid impacting them.

To the best of the Applicant's knowledge, there are no historic sites on the property. Further, the Applicant has filed a Natural Heritage Data Request Form for further review with the N.J.D.E.P. See application below.

Please print clearly. All sections are required.

1. Name: Christina PioCosta-Lahue Agency/Company: Vivaria Ecologics, LLC
 Billing Address: [REDACTED] City, State, Zip: [REDACTED]
 Phone: [REDACTED] E-mail: christina@vivaria.eco

2. Project Name &/or Project Address: Blau Road Farm Composting Site
 Municipality(ies): Mansfield Township County(ies): Warren
 Block(s): 1204 Lot(s): 24
 Coordinates (NAD 1983 State Plane feet [6 digits] or Lat/Long): _____
 E(x) / Longitude: _____ N(y) / Latitude: _____

3. Project Description: Proposed aerated static pile food waste composting operation

4. Mapping Information: Please provide a map showing the project boundary (e.g., USGS quad, aerial imagery, street map, tax or parcel map with block and lot, etc.). Responses will be delayed if site locations are not clearly delineated. Alternatively, you may submit electronic GIS data (e.g., shapefile, geodatabase, *.kmz, etc.) by attaching it to your email submission.
 Site Location Map Included: Yes No
 Electronic GIS Data Files Included: Yes No
 USGS quad name (if known): Hackettstown and Washington

5. Riparian Zone or FHACA: Is this request submitted as part of a Riparian Zone width determination (e.g., Flood Hazard Area Control Act application N.J.A.C. 7.13)? Yes No

6. Acknowledgement & Signature: Any material supplied by the Office of Natural Lands Management will not be published without crediting the Natural Heritage Database as the source of the material. It is understood that there will be a charge of \$70.00 per hour for the services requested. An invoice will be sent with the request response. Please pay by check or money order (credit card not accepted) payable to: "DEP - Office of Natural Lands Management" (please do not reference "NJ State Treasury").
 Signed: Christina PioCosta-Lahue Date: 5/9/2022

Time Frame for Response:
 Data requests are processed in the order in which they are received; PLEASE ALLOW AT LEAST 30 DAYS FOR A RESPONSE.
 All responses will be emailed to the address provided above unless other arrangements are specifically requested.
 Please Submit Completed Forms And Attachments To The Following Email Address: NATLANDS@DEP.NJ.GOV. You may also fax your data request to: (609) 964-1427. If you would like to send in your data request via regular mail, please use the following address:
 NJDEP Office of Natural Lands Management
 Mail Code 501-04, PO Box 420
 Trenton, NJ 08625-0420

FOR DESKTOP USE ONLY

Item Code: REG ___ ST ___ NC ___ Hrs: _____
 Project Code: 2 Inv #: _____

Revised February 2022

- Stormwater management plan for the facility and must be in accordance with municipal, county, and state standards.

The Applicant understands that the Stormwater Management Plan must conform to all applicable regulations. As noted under N.J.A.C. 7:14A, and under the authority of the Water Pollution Control Act at N.J.S.A. 58:10A-1, a New Jersey Pollutant Discharge Elimination System (NJPDES) permit will be required prior to operation.

The Applicant will make all necessary improvements and installations to conform with the regulations on storm water.

- Potable Water – Describe the potable water sources within 500 feet of the facility.

To the best of our knowledge, the nearest potable water source within 500 feet of the operation is on the property of the owner that is adjacent to the operation. The area is serviced by private wells.

- Describe the screening and landscaping provisions that may be incorporated at the site.

The Applicant has designed this site to protect and enhance the site lines of the nearest residential area. Please see Appendix H for a sight line analysis demonstrating that the property will not impact residential properties and a photo of an existing berm barrier in use at a composting facility in New Jersey. Indeed, as noted in response to the noise inquiry, the operating site is approximately 43 feet lower than the nearest residential property.

Further the proposed berm will be planted with fast growing evergreen trees (species to be determined in final design) and is anticipated to be designed with wildflower and native plantings to enhance both the aesthetic and wildlife habitat of the site. The Applicant plans to work with both the New Jersey Division of Fish, Game and Wildlife and local environmental organizations to enhance the berm's plantings in order to maximize the benefit to the local environment.

The remaining borders of the property are being designed to incorporate wildlife enhancements that will allow for wildlife to pass between the two nearby (one adjacent) wildlife management areas through the use of landscape design incorporating native plants, safe passage corridors, bird nesting boxes and planted cover.

In addition, the applicant will be developing stormwater systems that maximize to the maximum extent feasible, the use of bioswales and raingardens versus hardscaping and will increase edge-zone landscaping design to enhance wildlife habitat. Additionally, the existing perimeter tree cover will be maintained and enhanced with bio-diverse plantings.

The twenty (20+/-) acres that are immediately adjacent to the nearest residential, and the one Church in the area, will remain in active farming. Concurrently, the existing tree line at the residential property border will be maintained. Finally, the line of site along Blau Road will have its landscaping enhanced with more trees and plantings to enhance wildlife management and aesthetic considerations. It will be a marked improvement over the existing brush line.

- Odors - Describe anticipated odors generated by the facility and the methods used to minimize their impacts.

It is important to remind the SWAC that the Applicant is proposing a facility that will receive approximately 17,000+/- tons of food scraps out of a total incoming stream of material totaling 50,000 tons per year.

Good odor management in composting is the result of careful planning and proper execution of composting materials handling. The Odor Management Plan consists of an evaluation of sources and mitigation options, odor monitoring procedures and a complaint response plan.

Potential sources of odor are from the delivery of food scraps, the offloading of food scraps and the initial processing of the food scraps with wood chips and finished compost. Of course, potential odor sources must also reach sensitive receptors to be of concern.

Odor prevention is the most effective means of preventing odor complaints. Please see Appendix I for a prevailing wind map overlay of the site (known as a "Windrose"). This map indicates that the prevailing wind patterns in this area do not support a significant odor dispersal pattern that might impact neighboring residential properties. The data has been sourced from the Andover Airport Windrose Plot Generated between May 1, 2019 and May 1, 2022.

Sources and mitigation options:

The primary potential source of odor concern is in feedstock receipt/storage/mixing and in active composting. Vehicles entering the site with feedstock will not be open top vehicles. All vehicles will either be closed packer vehicles, sealed compactors, or box type vehicles containing closed carts. Additionally, the vehicles will be traversing only approved truck routes. In fact, these vehicles will be traversing the same truck routes that are utilized by the agrichemical plant adjacent to the facility. Accordingly, the potential source of odor from transportation will be minimized as the vehicles will be closed vehicles utilizing a pre-established truck route.

Feedstocks arriving at the facility will be handled promptly (e.g. within 2 hours of receipt) and if extenuating circumstances require a longer period, the feedstocks will be covered with a 4" – 6" layer of compost to act as a biofilter. The feedstock storage bunker will have a similar compost biofilter. The mixing system will be cleaned of any food scraps residuals by running a pile of pure wood chips through the machines to clean them out on a regular basis.

Composting odor management is driven by good composting process design and management. The Applicant's operators will be trained in good composting procedures, will adhere to the formulaic recipes, and will monitor process conditions closely (see Quality Assurance/Quality Control section). Additionally, each site operator will be a N.J.D.E.P Certified Facility Operator and will be required to achieve a U.S. Composting Council National Certification. Each composting bunker will be filled in no more than 3 days to mitigate odor formation. Each bunker will be topped with a 6" – 8" layer of unscreened cured compost to serve as an *in-situ* biofilter. Compost Bio-Filters are proven to be more than 90% effective at odor control and mitigation.

Odor monitoring procedures

Odor monitoring will include meteorological monitoring and human olfactory monitoring. The facility will have an on-site weather monitoring station recording wind speed and directions, amounts of precipitation and temperatures. This data will be used to guide site staff in the conduct of normal operating procedures (e.g. suspending screening operations if sustained wind speeds exceed 25 mph, etc.).

Human olfactory monitoring will be done by staff at the Composting Facility. They will monitor site property boundaries daily, primarily in the early morning hours when the

air is heavy and still. If they detect any off-site odors, they will immediately notify the Site Manager and record all observations in the Daily Operations Log.

Complaint response plan

Complaints may be registered with the site facility office. For those complaints registered with the facility, all persons will be treated with respect at all times. Information to be gathered during the call (or during a return call if a message is left) will include: name, address, contact information, time when odor was noticed, and characteristics of the odor. All information will be recorded in the Daily Operations Log. Staff will coordinate with NJDEP and Warren County Health Department staff in the event complaints are registered with either agency.

The site manager and staff will investigate possible causes of each complaint registered and take appropriate mitigative measures. These measures might include operational modifications (e.g. do not empty an ASP bunker during a temperature inversion, increase the compost blanket depth on an ASP, etc.). All persons registering a complaint will be followed up with by management to ensure their concerns have been properly and respectfully addressed.

- Noise - Describe anticipated noise pollution generated by the facility and the methods used to minimize their impacts.

The site is located within an Industrial Zone and its site border is approximately 821 feet from the nearest residential property line. Active receiving and composting operations are approximately 1441 feet from the nearest property line.

Further, the site will be at a grade lower than the surrounding neighbors. The operational site will be at an elevation of approximately 619-621 feet above sea level and the nearest residential property line is approximately 662-664 feet above sea level. In addition, the eastern site boundary will be bordered by an earthen berm approximately 10' in height. This berm will be planted with evergreen trees on the top providing an additional sight and sound barrier.

Finally, site equipment, front loaders and screeners are proposed to be battery and electrically powered. Such equipment is significantly quieter than either diesel or propane powered equipment.

Accordingly, since site operations will take place at an elevation of approximately 43 feet lower than the nearest residential property line with significant sound barriers between the two locations and the site will be utilizing electrically powered equipment, since the site operations will be over 1000 feet from the nearest residential property line, and since sound is attenuated as an inverse square of distance, noise issues should be non-existent. At a minimum, the site will comply with all applicable noise codes.

- Lighting - Describe the outdoor lighting that will be required by the facility.

Lighting for security purposes will be LED, motion sensor lighting. All lighting will conform to the International Dark Sky Lighting Standards. This will eliminate off site and upward light pollution, thus maintaining the rural lighting standards of the community.

- Describe any and all discharges to the environment resulting from the operation of the proposed facility. This includes air and water discharges from either stormwater runoff and/or process water. In addition, describe any systems used to contain these discharges.

The composting process water will be broken into two streams: Pre and Post pathogen treatment systems. Pre-pathogen (Pre-PFRP) water (contact water) will be collected and treated utilizing an underground storage tank system. That water will then be reintroduced into the composting process and fully recycled on site. This will result in a zero net discharge.

The project will have limited staff on site. At this point in time, any human wastewater is proposed (conceptually) to be dealt with using a combination of composting toilets and on-site graywater management systems. The preliminary design plan is to eliminate wastewater discharges and recycle all waste water possible.

Surface run off will be generated in limited quantities since the site is being designed to minimize such run off through the use of pervious surfaces wherever possible. Additionally, roof run off from the two buildings proposed on site will be directed to rain gardens.

The flow of water to the surface impoundment will be designed to allow for natural percolation of water through a surface to ground water recharge basin. Water flowing to the surface impoundment will be transported through bioswales established to capture and filter surface water runoff. When the amount of water in the surface impoundments exceeds their storage capacity, the water will be directed to additional bioswales to maximize water absorption. Water from the surface impoundments will also be used for process water when additional moisture is required for the Aerated Static Pile Bins.

The design of the storm water basins will match the most current storm water regulations that encourage natural recharge.

- Discuss how each potential or unavoidable impact will be managed/abated so as to minimize negative effects on the natural environment or the community. If there are no anticipated impacts, the applicant must so indicate and also specify the reason why no

impacts are expected.

First, please note that the Applicant takes the issue of community engagement and information exchange very seriously. To date, the Applicant has initiated a significant community outreach program consisting of the following components:

- (a) We have identified community members in the surrounding area, local elected officials, and regional environmental organizations as the primary stakeholders for this project.**
- (b) The applicant hosted a community meeting at the site in February 2022. Community members were notified of both the project and the meeting via mailed postcard. Approximately 50 community members attended the meeting, where a brief presentation was made on the proposed project and questions were answered. Elected officials were invited to attend a small group site visit the same day. Additionally, the applicant has a project website (www.blauroad.com) that includes a "Frequently Asked Questions" page and an online comment form that is monitored and responded to, generally within three days.**
- (c) On March 22, 2022, the Applicant sent a letter via certified mail to Mayor Watters of Mansfield Township (see below) in order to seek a meeting allowing the Applicant to address any concerns that the Mayor might have regarding the proposed project. To date, no response has been received from the Mayor's office.**

Sent via certified mail & email to:

Mayor Joseph Watters
Township of Mansfield
100 Port Murray Road
Port Murray, NJ 07865
jwatters@mansfieldtownship-nj.gov

March 22, 2022

Dear Mayor Watters,

I am writing to you to request a meeting regarding our proposed composting facility on the Blau Road Farm. Over the past several months, we have worked to engage with residents. We have noted community concerns and have made efforts to highlight the aspects and safeguards within the planned project that address these concerns. Through our community outreach work, we have also heard from residents who enthusiastically support the project.

Our goal with this project is to create new economic value for Mansfield Township while also preserving the agricultural heritage of the Blau Road Farm. Facilities, such as the one we are proposing, manufacture clean and natural compost, which is used to enhance soil. We also intend to continue to farm the portion of the property not being utilized to manufacture compost.

I believe that the Blau Road Farm project, combined with our efforts to protect and restore forest at our seventy-one acre Rockport Road property, demonstrates our commitment to maintaining the natural beauty of Mansfield Township, while also contributing to responsible economic development.

We are moving forward with our application to the Warren County Solid Waste Advisory Council as a part of the statutorily required process for developing this project. I would be delighted to have the opportunity to meet with you to discuss the project further and address any questions you may have.

I believe that this meeting is all the more pertinent in light of an inaccurate letter your Township attorney recently conveyed to the Warren County Board of Commissioners. The letter incorrectly states that the use we are planning for our property is "not permitted under the Township's ordinances," when, per Township zoning regulations, it is an allowable use in industrial zones. I have deep concerns that this letter will contribute to misconceptions about the project and have a chilling effect on the responsible exercise of free enterprise and economic development in Mansfield Township.

Vivaria Ecologics, LLC
101 Route 46 East, Unit 138, Pine Brook, NJ 07058

My family has been a part of the community for three generations. I have come to know Mansfield as a place that values free enterprise, agriculture, and natural beauty. I look forward to fostering a cooperative partnership with Mansfield Township and Warren County.

Please let me know what your availability is at your earliest convenience.

Best Regards,



Christina PioCosta-Lahue
President, Vivaria Ecologics LLC

Cc: Michael Lavery, Esq., Township Attorney,
via email mlavery@jsaclaw.com & certified mail
Monica Orlando, Acting Township Clerk,
via email morlando@mansfieldtownship-nj.gov & certified mail
Robin PioCosta-Lahue, The Freedom Group, LLC,
via email robin.piocosta-lahue@rensselaergroup.com
Mark Peck, Esq., Florio Perucci, Steinhardt, Capelli, Tipton & Taylor,
via email mpeck@florio.com

Vivaria Ecologics, LLC
101 Route 46 East, Unit 138, Pine Brook, NJ 07058

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Substituted</p> <p>B. Received by <i>Printed Name</i> <input type="checkbox"/> Date of Delivery</p>
<p>1. Article Addressed to:</p> <p><i>Mayor Joseph Wetters Township of Mansfield 100 Post Mansfield Rd Post Mansfield, OH 44865</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
 <p>9590 9402 8483 0346 2502 05</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label)</p> <p>7021 1970 0000 7861 1824</p>	

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

- (d) The primary impact potential is odor generation. However, the proposed technology has been used in many other locations across the country and around the world, with odor controls being effective. Please see the odor control section to better understand odor control methodology. Also, please note that while the site is designed to receive up to 50,000 tons per year of material, of that amount only 17,000+/- tons per year will be delivered as food scraps. Accordingly, odor risk will be minimal.
- (e) Residents have raised concerns over potential truck traffic, odors, and attracting animals (vermin). Please see the section on odor for more information on how odor issues will be managed. Please see the traffic plan for information on traffic controls.
- a. With regard to vermin control, there are several best management practices that will be incorporated to prevent such problems. These include:
 - i. As soon as food scraps are received, they will be blended with wood chips or finished compost (a bulking agent) and immediately moved to the aerated static pile (ASP) bins.
 1. By immediately removing the feedstock from the receiving floor, there is a significant increase in discouraging vermin since:
 - a. The floor is an active floor. There is equipment moving at all times, thus there is no safe place for vermin to congregate.
 - b. The receiving floor will be cleaned at the end of each process day to ensure that no raw feedstock is left behind. Without a source of food, vermin are significantly reduced.
 - ii. Once placed in the ASP bins, the blended feedstock will be covered by a layer of wood chips and finished compost.
 1. This process encapsulates the feedstock. The encapsulation of the feedstock prevents odors from escaping thus reducing the site's attractiveness to vermin.

- iii. Within the ASP bins, the temperatures will rise to upwards of 150 degrees Fahrenheit. Any temperature above 120 degrees Fahrenheit is harmful to most living tissue, thus, vermin will not be attracted to the site for nesting or feeding purposes.
 - iv. The ASP process converts the feedstock into a compost form. Compost is not edible and thus further reduces vermin.
 - v. After the feedstock has been converted to compost, it is removed to a curing pile. These piles, where the compost is set to mature, will be agitated from time to time to allow for a better curing process. Disruption of the material discourages vermin.
- b. In addition, all compost facilities must have a vermin control plan in their permit. While BMP's are the first and best line of defense against vermin, and the method that requires no pesticide use, the Applicant will be required to monitor the site each day for signs of vermin. If vermin are discovered, the Applicant will implement an Integrated Pest Management Program (IPM) utilizing a licensed professional.
- i. IPM programs are designed to create a tiered approach for vermin control. If such controls are necessary, they are done in a hierarchy of:
 1. Biological control – In this area, there are a large number of natural predators including hawks, owls, eagles fox, etc. The open fields around the site are natural habitat for these predators and the Applicant will work to enhance their presence through landscaping and habitat enhancement.
 2. Cultural control – The Applicant will do everything possible to disrupt the ability of vermin to reproduce and stay on site. The BMPS being implemented are designed to disrupt vermin from nesting in the area.
 3. Mechanical controls – If necessary, a professional pest management company will be retained to set mechanical traps. The Applicant will specify controlled traps that do not allow pets or beneficial wildlife to enter.
 4. Chemical controls – If such controls are needed, they will be implemented by a licensed professional with a mandate that they use the most selective pesticide that is effective and or bait stations that minimize the spread of any pesticides used.
- (f) Trucks bringing food waste to the site or transporting finished product from the site will be using Township-designed truck routes that do not pass through the nearby housing development. The aerated static pile system forces air through pipes and then through a biofilter to control odor. Additionally, the piles are not turned for at least 21 days, unlike open windrow composting, which helps control odors. Composing materials in the system reach temperatures of 140 – 160 degrees, which makes them unattractive to wildlife. The applicant is also considering establishing a 24/7 hotline in case any issues or questions arise.

(g) The applicant is proposing habitat enhancement on the site, use of native plants, installation of bat boxes and increased plantings to screen the site from view. These actions will be done in conjunction with exploring the entry of the remaining property at the site into the New Jersey Farmland Preservation program.

a. Additionally, adjacent property owned by the Applicant's partner company has recently been accepted into the NJ Forest Stewardship Program with a qualifying Forest Stewardship Plan.

Specifically, the property is known as the Rockport Road Forest Conservation Plan and it consists of 71 acres of forest located on Rockport Road that has been in the Applicant's family for three generations. The Applicant is in the process of developing a formal preservation plan with the Department of Environmental Protection. This plan has the following objectives:

- Promote new tree growth**
- Manage and reduce the impact of invasive species**
- Restore native woody shrubs and ground cover**
- Maintain a habitat for native wildlife species.**

These actions are designed to work in conjunction with one another to enhance the local environment and are being undertaken at the Applicant's expense. They are a clear demonstration of the commitment of the Applicant to enhance the environment.

I. Evaluation Criteria

The applicant is expected to provide a narrative describing how the evaluation criteria stated below is addressed by the proposed project. The SWAC's evaluation of the proposed facility and recommendation to the Freeholders will be based on the following criteria:

1. The proposed facility will provide for the proper management of solid waste and can be shown to be a complementary component of the coordinated strategy for solid waste management consistent with the Warren County Solid Waste Management Plan to include:
 - The benefits the facility will have on the county and host municipality.

The Applicant's facility, while not a solid waste facility, will assist Warren County in multiple ways with regard to complimenting the current solid waste management plan of the County. Warren County and Mansfield Township will benefit from the facility in multiple ways. These include:

1. **Warren County will have a facility that meets the requirements of the Food Waste Recycling Act (P.L. 2020, c. 24, C. 13:1E-99.122) and provides for the recycling of food generated by large (currently 1 ton per week or greater) food waste generators.**
 - a. **The NJDEP is proposing a requirement for each County Solid Waste Management Plan to address Food Waste. Once this requirement is implemented, Warren County will be required to develop a plan that addresses the proper recycling of Food Waste. The Vivaria Ecologics facility will effectively resolve any need for further planning within Warren County.**
2. **Warren County will see a net increase in its recycling rate due to the recycling of food at the facility.**
 - a. **While the 2019 recycling rate (The latest year for which data is available) for Type 10 solid waste was 56% within Warren County, and compliant with the Recycling Law, Warren County showed a 44% recycling rate for the Total Solid Waste stream. This is 16% below the State mandated threshold of 60%.**
 - b. **The Applicant's facility will allow for the potential recycling of approximately 17,000 +/- tons of food waste per year depending on source and location. (Based on projections of 1 ton per week generators both within Warren County and within twenty-five [25] road miles of the facility.)**
3. **Warren County will see a decrease in landfill tonnage of organic material which will help to reduce fugitive Methane emissions, thus assisting the county in achieving compliance with the State mandated Climate Change initiatives.**
4. **The Applicant is a Certified Women Business Enterprise with the state of**

New Jersey (WBE) and thus helps the County achieve compliance with the requirement to provide for food recycling facilities that are WBEs be given preference in solid waste planning for such facilities.

5. Mansfield Township will net an increase in municipal revenues due to the host benefit payment required by law of \$.50/ton. At maximum throughput, Mansfield Township will receive up to \$9,000 per year as a host community benefit (Based on \$.50/ton of food scraps and 17,000+/- tons of food waste per year). This revenue represents a pure gain of revenue as there are no services required by the Township at the facility outside of those normally provided to an Industrial Zone taxpayer.
 6. Mansfield Township will also see a net increase in property taxes since the operating site (approximately 20 acres) will be taxed at a higher rate (in the Industrial Zone) than the current tax rate for Farmland.
 7. Mansfield Township will maintain twenty (20) acres of land in active farming.
 8. Mansfield Township will see an increase in improved wildlife habitat due to the site's design.
 9. Mansfield Township will see an increase in recycling rates due to the receipt of food waste from within the Township.
 - a. Mansfield Township will see an increase in tonnage grant revenue corresponding to the tonnage of food waste generated from within the Township.
 10. The Applicant will dispose of any residual solid waste in accordance with the Solid Waste Management Plan of Warren County
- The negative impacts the facility will have on the county and host municipality and mitigating measures to be taken.

The Applicant submits that the facility will have no negative impacts on either Warren County or Mansfield Township. Indeed, it is the Applicant's position that this facility will have positive impacts as outlined above and:

- Concurrently, the facility does not add any burden to services being provided by either Mansfield Township or Warren County.
 - Increases wildlife habitat and improves wildlife transportation corridors to newly acquired state game lands.
 - Improves site drainage and reduces storm water impacts through the use of onsite best management practices for storm water management.
 - Complies with existing traffic laws and truck routes, thus complies with all local traffic routes.
- The need for the facility to be located in Warren County.

Each County in New Jersey is charged under the Solid Waste Management Act to develop a plan that allows for the disposal of solid waste and the recycling of 50% of the Municipal Waste Stream and 60% of the Total Solid Waste Stream. Numerous studies

have demonstrated that food waste comprises as much as 25% of the solid waste stream. Indeed, Mercer County’s Waste Audit of 2013 found a waste composition comprise of that exact amount from commercial generators only. Other studies support a range of food waste generation between 13 and 25%.

Effective October 2021, P.L. 2020 c.24, requires every large food waste generator that produces an average projected volume of 52 or more tons of food waste per year, located within 25 miles of an authorized food waste recycling facility, to source separate and recycle food waste at an appropriate facility.

“Food waste is defined as: Food processing vegetative waste, food processing residue generated from processing and packaging operations, overripe produce, trimmings from food, food product over-runs from food processing, soiled and unrecyclable paper generated from food processing, and used cooking fats, oil, and grease. Plate waste and food donated by the establishment is not considered food waste and shall not be included when estimating or measuring the amount of food waste generated” (NJDEP, 2022).

The Applicant has prepared an analysis of potential food waste generators as outlined in the Food Waste Recycling Law that are based within Warren County utilizing available data sources. Our initial estimates were based on a two ton per week generation rate and included generators from each of the following categories:

Food Waste Sources Within 25 miles of Proposed Facility

Source Type	Total Number	Producing > 52 tons/year
Correctional Facilities	5	2
Educational Institutions	214	14
Food Banks	1	0
Healthcare Facilities	8	4
Hospitality Industry	50	3
Food Manufacturers and Processors	89	9
Food Wholesale and Retail	61	≈ 25
Restaurants and Food	937	39

Services		
Totals	1,365	96

A more detailed analysis identified only those generators located within Warren County and included those that generated 104 tons per year, twice the amount required for them to utilize a facility located within 25 miles of the Applicant's site. This data thus severely underestimates the need for this facility.

Food Waste Generators in Warren County		Location			
		Count	tons/wk/loc	tons/wk	tons/yr
	Restaurants	1	4.0	4.0	208.0
	Grocery Stores	5	6.0	30.0	1,560.0
	Grocery Stores	2	12.0	24.0	1,248.0
	Colleges & Universities	1	10.0	10.0	400.0
		9	32.0	68.0	3,416.0

For College/University, the estimate used only 40 weeks to account for breaks and summer.

Utilizing the data from both sources, there are over 114 facilities located within 25 miles of the Applicant's property. Many of these facilities produce more than 52 tons per year of material. Accordingly, there is sufficient need for the facility within Warren County. At a minimum, the calculations indicate a base source of between 6,000 and 12,000 tons per year of food scraps being generated within Warren County. With the design capacity of 17,000 +/- tons per year, the facility is well designed to accept all food scraps that may be generated within Warren County.

- The anticipated geographic points of generation, i.e. towns, county and/or state of each solid waste types accepted, including the sector, i.e. commercial, residential, industrial for each waste type and list any restrictions if any.

As outlined above, the facility anticipates receiving food from many sources, including each of those outlined above. The primary point of generation will be each town located within Warren County and all of those towns and counties located within 25 road miles of the Applicant's facility including the counties of Sussex, Morris, Somerset and Hunterdon.

While the anticipated radius is 25 miles, the Applicant's research has indicated that when the economics and the environmental goals of certain large-scale generators are met, a range greater than 25 miles and less than 50 miles

represents a feasible source range. The primary source of material will be from commercial and food manufacturing facilities.

While not calculated within the initial tonnage or source calculations, certain sources of residential food will be considered where those sources have been identified as generating material clean enough for receipt. This will provide an opportunity for new business models to open within Warren County and allow for a greater impact on the County's recycling rate by increasing food recycling from additional sources.

2. Additional information that is pertinent to their proposal. In addition, the SWAC reserves the right to request any additional information reasonably necessary to address the impact and benefit, of such a facility on the county and municipalities.

It is important to note that this application is based on the utilization of a proven composting technology that is in use throughout the United States and abroad. Aerated Static Pile Technology has been used for the composting of organic material of all types. This includes biosolids, vegetative material and food waste.

3. The proposed Facility will not have a negative effect on existing public efforts and legal responsibilities of the County of Warren to manage solid waste.

The Facility will have a positive effect on existing public efforts and legal responsibilities of the County of Warren. As noted above, Warren County is currently deficient in achieving a 60% recycling rate for the Total Solid Waste Stream as required by law. This facility will allow Warren County to increase its Type 10 waste recycling rate at no cost to the County as it will be privately funded.

4. The facility shall not have such a negative effect on public or environmental health, safety or welfare that it outweighs the public benefit.

As noted throughout this filing, rather than having a negative effect on public or environmental health, safety or welfare, the proposed facility will have a positive effect on the local, county and state levels. It will reduce the amount of food being disposed of as waste and convert that food into a high - quality compost (soil amendment) suitable for agricultural use.

In turn, the use of this compost will enhance farming activities locally, and allow for the reduced use of chemical fertilizers (of which there is currently a national and international shortage). Compost enhances soil health, helps to increase crop yield, reduces the need for pesticide applications and improves the tilth of the soil. A local source of this product will facilitate both public health and environmental health.

5. The applicant has demonstrated the necessary competency, knowledge, resources and experience to operate the proposed facility in accordance with all laws, regulations and the Solid Waste Management Plan.

The Applicant and the Applicant's Principal, Ms. Christina PioCosta-Lahue are both eminently qualified to operate a facility of this type. Ms. PioCosta-Lahue has decades of business management experience and at least 15 years of food and agricultural experience. In addition, the Applicant's company is a WBE.

Ms. PioCosta-Lahue is a Certified Compost Facility Operator in New Jersey where she successfully completed the New Jersey Compost Facility Operators Course and she has also completed the US Composting Council's intensive five (5) day training course. Additionally, Ms. PioCosta-Lahue has an extensive background in food and farming impacts.

Bio:

Christina PioCosta-Lahue is Founder and President of Vivaria Ecologics, a startup focused on reimagining food systems and food waste, and also serves as CEO of Rensselaer Commercial Properties, her family's commercial real estate business. Previously, Christina served as Expansion Director at the Rising Academy Network where she led growth of Rising Academies' high-impact work in existing and new markets through private schools, government partnerships, and advisory services in East and West Africa. Before her time at the Rising Academy Network, she worked across the globe for organizations including the Tony Blair Institute for Global Change and the World Wildlife Fund and major brands including Chiquita. Christina was a consultant at HR&A Advisors, a real estate and economic development advisory firm, where she contributed to projects in the US and abroad ranging from city resilience strategies to designing transaction structures for mixed use developments to creating real estate strategies for public institutions. She holds a B.A. in Growth and Structure of Cities from Haverford College and a Master in City Planning from Massachusetts Institute of Technology.

Further, the Applicant has assembled an advisory team that provides more than 75 years of experience in composting and compost technologies.

The Applicant's team includes:

Wayne D. DeFeo, LEED AP, BD&C



RUTGERS

**The New Jersey Agricultural Experiment Station
Office of Continuing Professional Education**

Presents this certificate to

Christina PioCosta-Lahue

For successfully completing the requirements of

**New Jersey Compost Operator Certificate Course
September 30, 2020
.06 CEUs / 6 Contact Hours**

A handwritten signature in black ink that reads "Laura J. Lawson".

Laura J. Lawson
Interim Executive Dean of Agriculture and Natural Resources
School of Environmental and Biological Sciences

A handwritten signature in black ink that reads "Mark Gregory Robson".

Mark Gregory Robson
Faculty Director
Office of Continuing Professional Education





Composting
Council®

Research &
Education Foundation

Presents this

Certificate of Completion

to

Christina P. Costa-Lahue

For attending the

Compost Manufacturing: Principle and Practices

2-Day Lecture + Facilities Tour

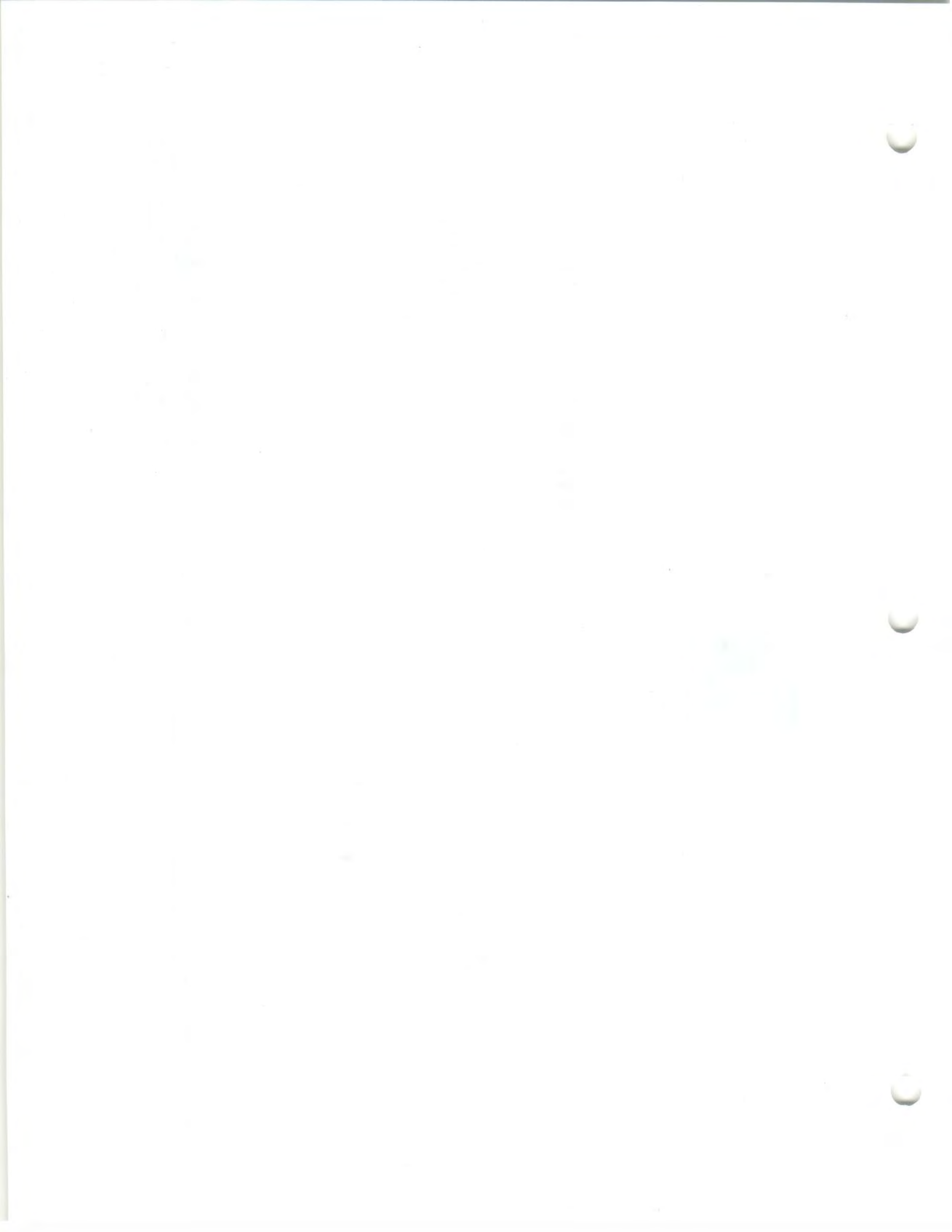
Elizabeth, New Jersey

September 15 – 17, 2020

Date

Cary Oshins

Cary Oshins, Director of Education





BIOGRAPHY OF WAYNE D. DEFEO

Wayne DeFeo is the principal and founder of DeFeo Associates, a full - service Environmental Consulting firm that provides clients with environmental expertise with a strong emphasis on Environmental Sustainability.

Wayne specializes in the development of **sustainable solutions** for commercial, institutional and residential buildings, including every component of building operation without forgetting the most important part of the building, the people in it. He helps to develop **environmentally friendly purchasing policies, energy reduction strategies, LEED building practices, recycling and solid waste handling systems**.

Wayne has worked on multiple LEED certified projects that have obtained Silver or better ratings. He has helped many companies reduce their energy consumption and reduce their environmental footprint by reducing disposal of all waste types. While Executive Director of the New Jersey Chapter of the US Green Building Council Wayne guided the Chapter to a new level where it is now a region within USGBC.

He has been recognized as an environmental expert in both state and federal court and within multiple state legislatures. He has several published works on environmental issues. Wayne served as Vice Chairman & Commissioner on the Interstate Environmental Commission and continues to serve as a Faculty Coordinator at Rutgers University School of Continuing and Professional Education. In 2022, Wayne was appointed to the Food Waste Recycling Market Development Council by the Governor of New Jersey.

He has a Bachelor of Science degree in Biology and a Master of Arts degree in Environmental Studies from Montclair State College (University). He is a Certified Teacher of Science and a LEED Accredited Professional and a New Jersey Certified Compost Facility Operator. He has received numerous awards for his contributions to the environmental field.

Wayne currently serves as Secretary of the Somerset County New Jersey Energy Council, is a member of the Board of Directors for the Association of New Jersey Recyclers and the Recycling Certification Institute. Wayne can be contacted at:



15 Washington Valley Road
Warren, NJ 07059
(tel) 732-563-9524
(fax) 732-563-4540
(E - mail) wdefeo@defeoassociates.com
www.defeoassociates.com

Craig Coker

Mr. Coker has over 45 years' experience in the planning, permitting, design, construction and operation of organics recycling facilities processing animal manures, animal mortalities, food wastes, biosolids, yard trimmings and source-separated organic solid wastes, as well as in the marketing and sales of compost and compost-amended horticultural products. Mr. Coker has training as both an engineer and a scientist and has experience with both composting and anaerobic digestion. Mr. Coker is a licensed Virginia Waste Management Facility Operator, a certified Virginia Nutrient Management Planner and a USCC/SWANA Certified Compost Systems Manager. Mr. Coker is also a Contributing Editor to BioCycle CONNECT. His resume can be reviewed [here](#).

6. The proposed facility has proposed a proven technology (or innovative technology shown to be feasible) and appropriate for managing the solid waste proposed to be accepted at the facility.

Aerated Static Pile (ASP) Technology is a proven technology. Indeed, the Applicant has secured the services of Engineered Compost Systems (ECS) for the provision of the ASP technology to be built at this location. ECS has designed and completed multiple ASP and in vessel technologies of up to 150,000 tons per year capacity for food, yard waste, and biosolids. These projects include:

ECS Active and Completed Compost System Projects

Albany OR 5,000 cy CASP Active biosolids
Lethbridge AB 22,400 CASP Active YW+FW
Spokane WA 2,500 CASP Active YW+FW
Yolo CA 1 82,000 CASP Active YW+FW
Alexandria MN 1,000 CASP Active YW+FW
Long beach WA 3,600 Vessel - stationary 2020 biosolids
Hampton Downs New Zealand 13,200 CASP 2020 YW+FW
Starwood WA 80,000 CASP 2020 YW+FW
Agua Mansa CA 26,000 CASP 2020 yard waste
Crete NE 20,530 CASP 2020 other mix
Victorville CA 26,000 CASP 2019 yard waste
Victorville CA 100,000 CASP 2019 YW+FW
Seattle WA 7 50 CASP 2019 other mix
Hampton Downs NZ 13,200 CASP 2019 YW+FW
Madera CA 20,000 CASP 2018 YW+FW
Napa CA 66,000 CASP 2018 YW+FW
Howard County MD 50,000 CASP 2018 YW+FW
Cobble Hill BC 30,000 CASP 2018 YW+FW
Manassas VA 77,000 CASP 2018 YW+FW
Monmouth OR 60,000 CASP 2018 YW+FW
Chino CA 25,000 CASP 2017 YW+FW
Garfield County CO 5,000 CASP 2015 YW+FW
Sobuczyna Poland 40,000 Vessels 2014 other mix
Lopez WA 5 00 CASP 2014 yard waste
El Corazon CA 44,200 CASP 2013 YW+FW
Radzyn Poland 10,000 Vessels 2013 MSW
Rainier WA 1 00,000 CASP 2012 YW+FW
Okeechobee FL 30,000 CASP 2011 biosolids
Sedalia MO 15,000 CASP 2011 biosolids
Livingston MT 2,000 Vessel - container 2010 biosolids
St Peters MO 30,000 CASP 2010 biosolids
Spokane WA 75,000 CASP 2010 biosolids
Kelowna BC 1 00,000 CASP 2010 biosolids
Ishpeming MI 4,000 Vessel - stationary 2010 biosolids
Jepson Prairie CA 1 50,000 CASP 2009 YW+FW
Livingston MT 2,000 Vessel - container 2009 biosolids
Starwood WA 60,000 CASP 2009 YW+FW
Berks County PA 2,000 Vessel - stationary 2008 biosolids
Westport WA 1,000 Vessels 2008 biosolids
Lynden Wa 8,000 CASP 2007 biosolids
Kelowna BC 90,000 CASP 2006 biosolids
Granby CO 1,200 Vessel - stationary 2006 biosolids
Rainier WA 50,000 CASP 2006 YW+FW
Newberg OR 10,000 CASP 2005 biosolids
Port Angeles WA 3,000 CASP 2005 biosolids
Mariposa CA 15,000 Vessels 2004 MSW
Okotoks Canada 5,000 CASP 2003 biosolids
Big Sky MT 2,000 Vessel - container 2003 biosolids
Port Angeles WA 3,000 CASP 2003 biosolids
PEI Canada 20,000 CASP 2002 YW+FW
West Yellowstone MT 12,000 Vessels 2002 MSW
Laurentian Valley Canada 10,000 Vessels 2002 YW+FW
Hutchinson MN 20,000 Vessels 2002 YW+FW
Omak WA 1,000 CASP 2001 biosolids

www.compostsystems.com

7. Comments and recommendations received from the host municipality, other agencies and the general public

Please see Appendix J for comments.

8. The applicant shall identify any local, state, or federal permits and/or approvals that may be required for the proposed Facility. As the permits and/or approvals are applied for, the applicant shall provide the Solid Waste Coordinator with proof that each application has been submitted.

The Applicant anticipates that the following approvals will be required for this facility:

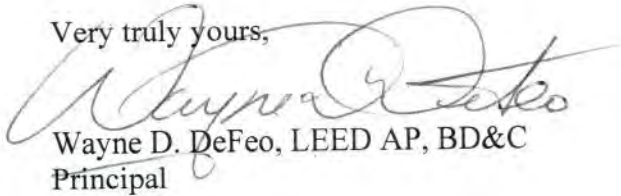
- A. Air Permit (Possible)**
- B. Storm water permits for storm water and surface to ground water.**
- C. Composting Class C permit for operations.**
- D. Local building permit for any structures on site.**

The Applicant notes that it has held a preliminary Permit Coordination meeting with the NJDEP and is working with the agency to determine any additional permits that may be required. The Applicant will provide all permits as needed.

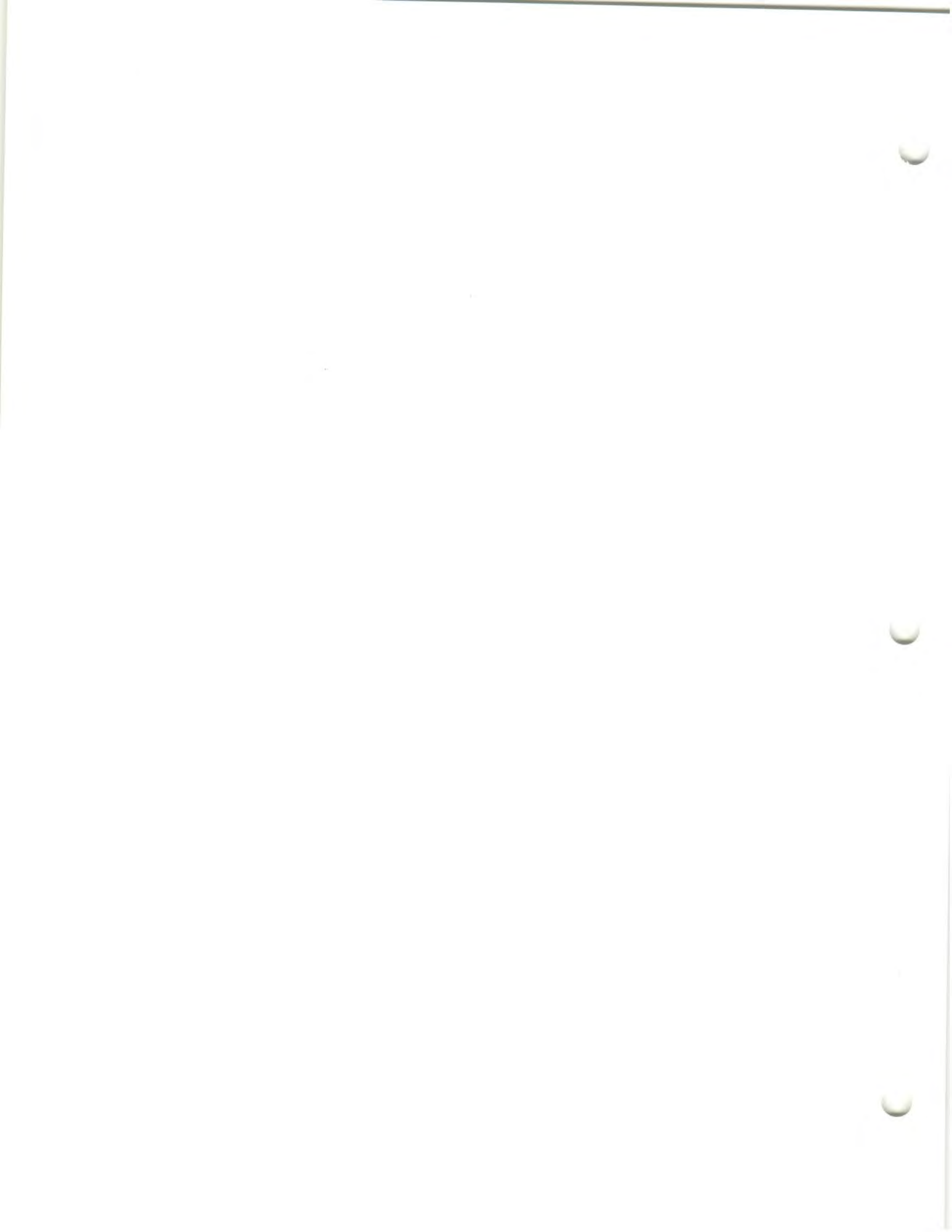
On behalf of Vivaria Ecologies, LLC, DeFeo Associates respectfully submits the application and Appendices as noted.

Please contact me at your convenience with any questions that you may have on any element of this Application.

Very truly yours,



Wayne D. DeFeo, LEED AP, BD&C
Principal





APPLICANT'S CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that submitting false information may be grounds for denial, revocation or termination of the approval.

The certification above shall be signed by the applicant as follows:

For a corporation, by a principal executive officer of at least the level of vice president;

For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or

Christina PioCosta-Lahue NAME

President TITLE

A handwritten signature in black ink that reads "Christina PioCosta-Lahue".

SIGNATURE: _____

DATE: 7/26/2022



STATEMENT OF AGREEMENT FOR CONDITIONS OF APPROVAL AND ONGOING RESPONSIBILITIES:

As required in Section II of the Warren County Application for Inclusion into the Warren County Solid Waste Management plan, I, Christina PioCosta-Lahue, Founder and President of Vivaria Ecologics, LLC state and attest that:

I agree as a condition of any approval granted to permit access by the NJDEP, authorized County agents, and authorized municipal agents, to inspect the proposed facility during operating hours, to ascertain compliance with applicable statutes, laws and regulations and the provisions of the Solid Waste Management Plan; and that

I agree as a condition of any approval granted to provide the County Solid Waste Coordinator or Recycling Coordinator with all tonnage reports it is required to provide to NJDEP at the times it is required to provide such reports to NJDEP. By February 1 of each year, the facility shall provide the County Solid Waste Coordinator or Recycling Coordinator with an annual summary of this tonnage information from the previous year; and that

Subsequent to inclusion in the Solid Waste Management Plan, full copies of all NJDEP solid waste facility permit applications and/or modifications shall be provided to the Warren County Solid Waste Coordinator within fifteen (15) days of submission to the NJDEP. Depending upon the nature and scope of the modification a Solid Waste Plan Amendment may be required; and that

Copies of licenses and permits must be kept on site for inspection.

I acknowledge that additional agreements with the County and/or host municipality may be executed, subject to New Jersey law, as a condition of plan inclusion and that the Applicant will construct off - site improvements made necessary as a direct consequence of the subject development and/or make fair share contribution for such future improvements. Failure to construct such improvements and/or make the fair share contribution subsequent to NJDEP approval shall be grounds for removal of the facility from the SWMP.

NAME: Christina PioCosta-Lahue

TITLE: Founder & President

SIGNATURE: 

DATE: 08/08/2022





APPENDIX A – Property Lease

Blau Road Farm Lease Agreement

A. Names of Parties and Description of Property

This lease is entered into this 1st day of January, 2022 (year), between The Freedom Group, LLC (landowner) of Blau Road, Mansfield Township, NJ 07840 (address) and Vivaria Ecologics, LLC (tenant) of [REDACTED] (address) hereinafter called the landowner and tenant respectively. Under the terms and conditions that follow, the landowner hereby leases to the tenant a farm to use for the purposes of a compost manufacturing facility occupying approximately 21 (acres), situated in Warren County, New Jersey, commonly known as or described as follows: Block 1204, Lot 24, Blau Road, Mansfield Township, NJ 07840.

B. Term of Lease

The term of this lease shall be from January 1 (month day), 2022 (year) to December 31 (month day), 2037 (year) and tenant shall surrender possession at the end of the term or at the end of any expiration thereof. Extensions must be placed in writing on this lease, and both parties agree that failure to execute an extension at least 12 months before the end of the current term shall be constructive notice of an intent to allow the lease to expire.

Amendments and alterations to this lease may be made in writing in the space provided on the back of this form at any time by mutual agreement. In the event of failure to agree on a proposed alteration, the existing provisions of this lease shall control operations.

C. Rental Rates and Arrangements

As rent or partial rent for the farm, the tenant agrees to pay the total sum of \$ [REDACTED] (dollars) per year.

D. Property Rights

Right of Entry. The landowner reserves the right for them, their agents, their employees or their assigns to enter the farm at any reasonable time for purposes of (a) consultation with the tenant, (b) making repairs, improvements and inspection, (c) developing mineral resources, (d) after



notice of termination of the lease is given, for purposes of plowing, seeding or fertilizing and such customary seasonal work, none of which is to interfere with the tenant's operations.

Transfer of Farm: If the landowner should sell or otherwise transfer title to the farm, he or she will do so subject to the provisions of the lease.

No Right to Sublease: The landowner does not convey to the tenant the right to lease or sublease any part of the farm or to assign the lease to any person or persons, unless prior approval is obtained from the landowner.

Heirs and Successors: The terms of this lease shall be binding upon heirs, executors, administrators and successors of both landowner and tenant in like manner as upon the original parties. However, in the event the lease is for more than one year, the heirs and successors of the tenant shall have the option to give written notice of termination effective at the end of the lease year in which death occurs.

E. Non-partnership

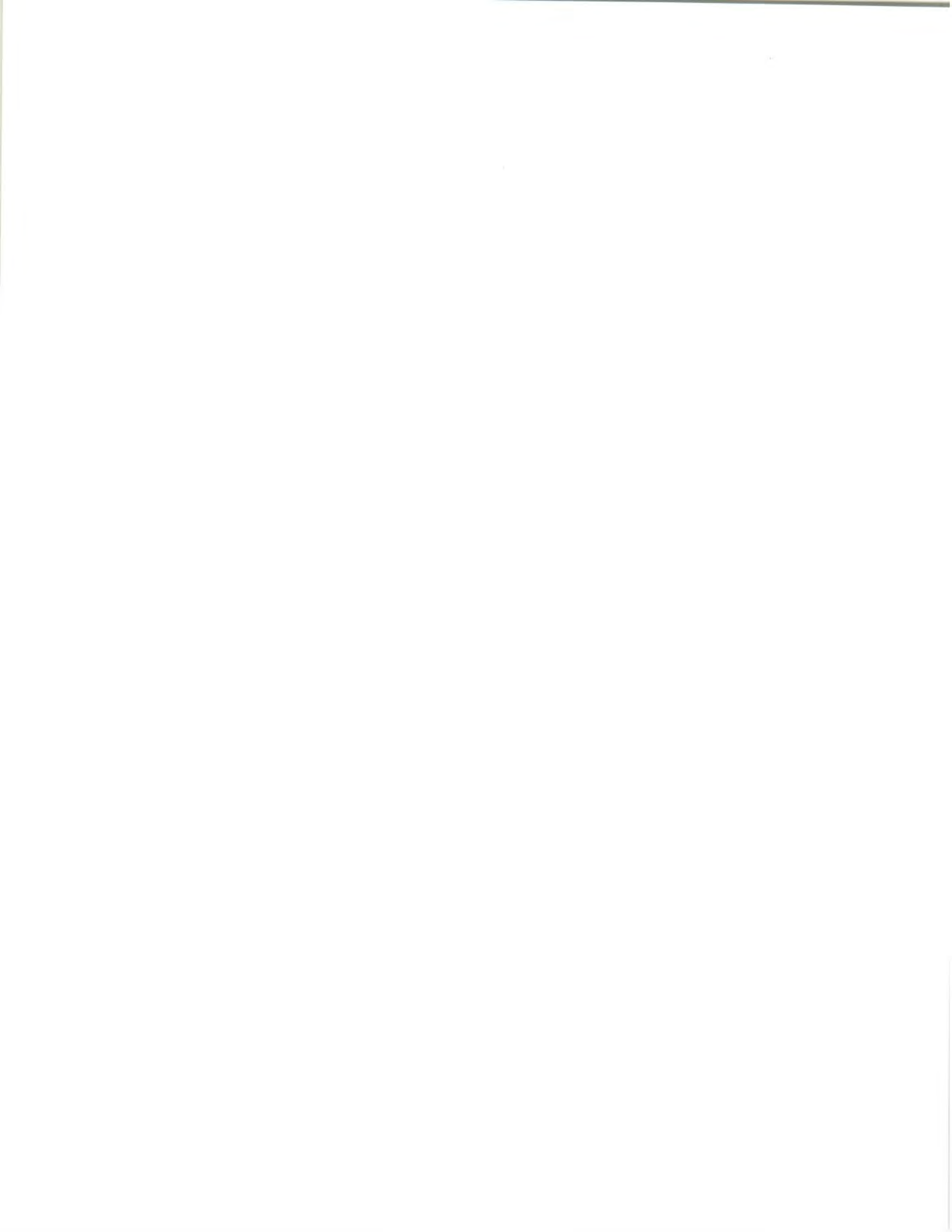
This lease does not give rise to a partnership. Neither party shall have the authority to bind the other without written consent. Neither party shall be liable for debts or obligations incurred by the other without written consent.

F. Arbitration

If parties to this lease cannot reach an agreement on any matter, or problem, the question shall be submitted to an Arbitration Committee for decision. This committee shall be composed of three disinterested persons, one selected by each party hereto and the third by the two thus selected. The decision of the Arbitration Committee shall be accepted by both parties.

G. Default

If either party willfully neglects or refuses to carry out any provision, the other party shall have the right, in addition to compensation for damages, to terminate the lease. He or she shall do so



by written notice on the party at fault, specifying the violations of the agreement. If violations are not corrected within thirty days, the lease shall be terminated.

SIGNED, SEALED AND
DELIVERED IN THE
PRESENCE OF:

LANDLORD: The Freedom Group, LLC

WITNESS: *John W. Hoff*

By: *Robin PioCosta-Lahue*
Robin PioCosta-Lahue, Owner

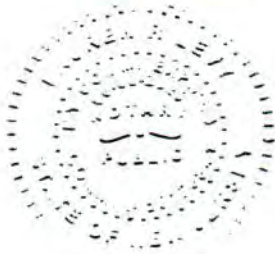
TENANT: Vivaria Ecologics, LLC

WITNESS: *Michael P. Lauer*

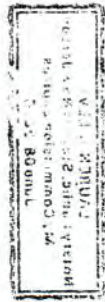
By: *Christina PioCosta-Lahue*
Christina PioCosta-Lahue, President

SWORN TO AND SUBSCRIBED TO
BEFORE ME THIS 1 DAY OF
January, 2022

Lauren R. Levy
Notary Public







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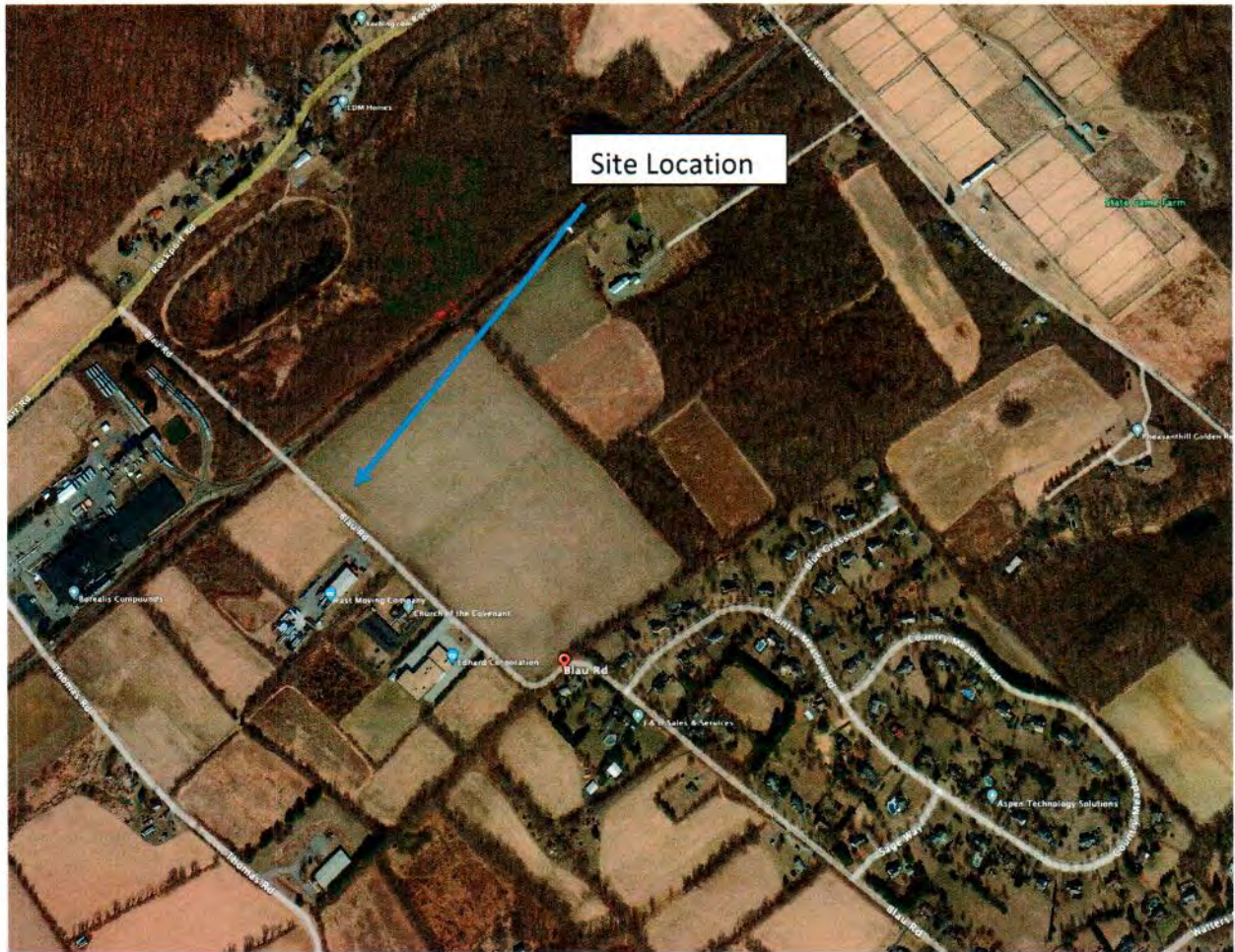
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APPENDIX B: PROPOSED SITE PLAN MAP:







APPENDIX C – TAX MAP

Block 1204 Lot 24, Blau Road, Mansfield Township



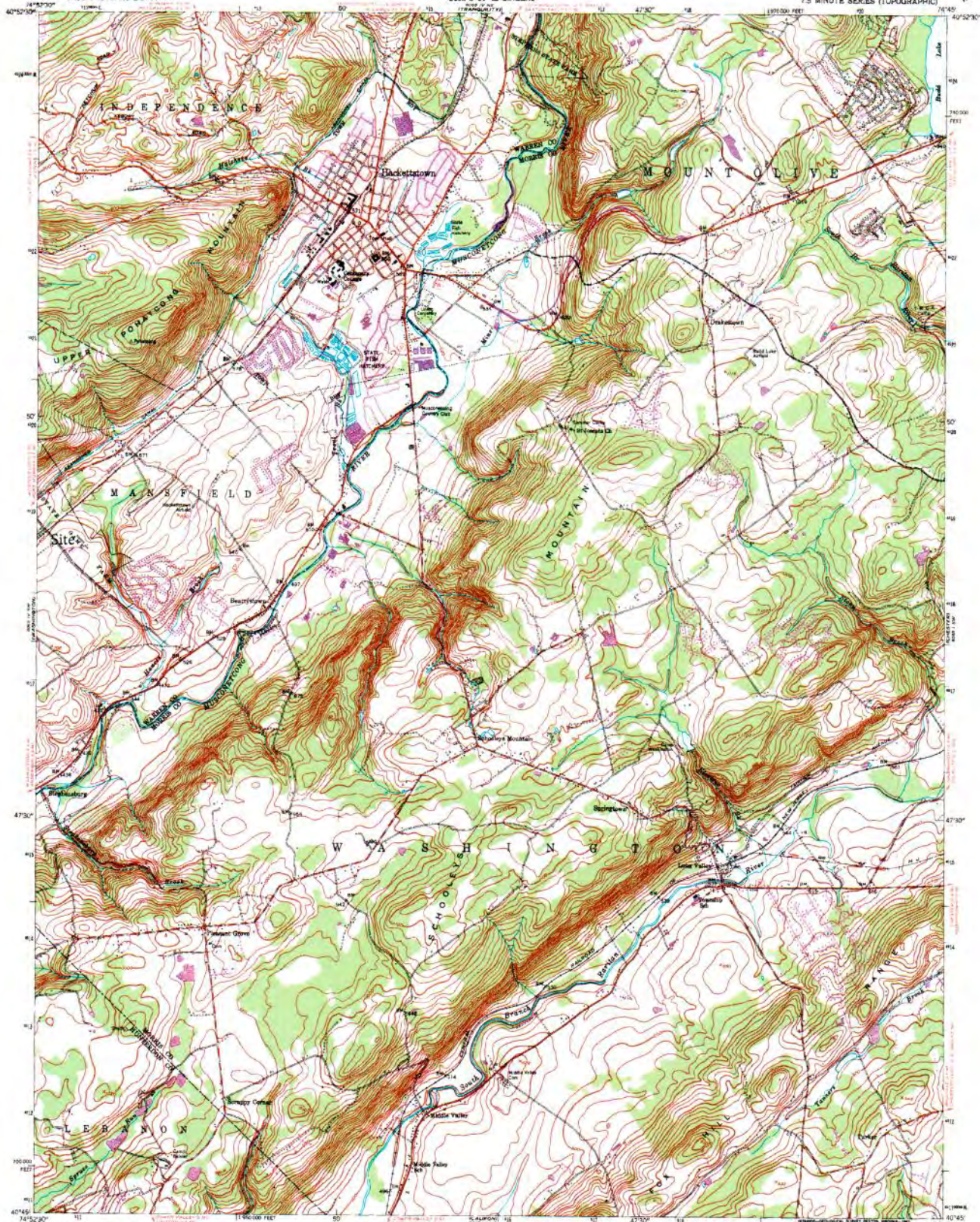
TAX MAP
MANSFIELD TWP.
MORRIS COUNTY
NEW JERSEY
SCALE: 1" = 400' DATE: 3-1-18
SERVED ENGINEERING, INC.
1000 LEXINGTON AVENUE
NEW YORK, NY 10017

APPENDIX D – USGS MAP

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

UNITED STATES
DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS

HACKETTSTOWN QUADRANGLE
NEW JERSEY
7.5 MINUTE SERIES (TOPOGRAPHIC)



Maped by the Army Map Service
Edited and published by the Geological Survey
Control by USGS, USCGS, and New Jersey Geologic Survey
Topography from aerial photographs by stereophotogrammetric
method. Aerial photographs taken 1947. Base chart 1943
Contours revised by the Geological Survey 1953
Polemic projection, 1927 North American datum
10,000-foot grid based on New Jersey coordinate system
1000-meter Universal Transverse Mercator grid ticks,
zone 18, shown in blue
Red font indicates area in which only
interior buildings are shown
Street and highway names controlled by the Geological Survey
from aerial photographs taken 1971. This information
is not shown on this map.



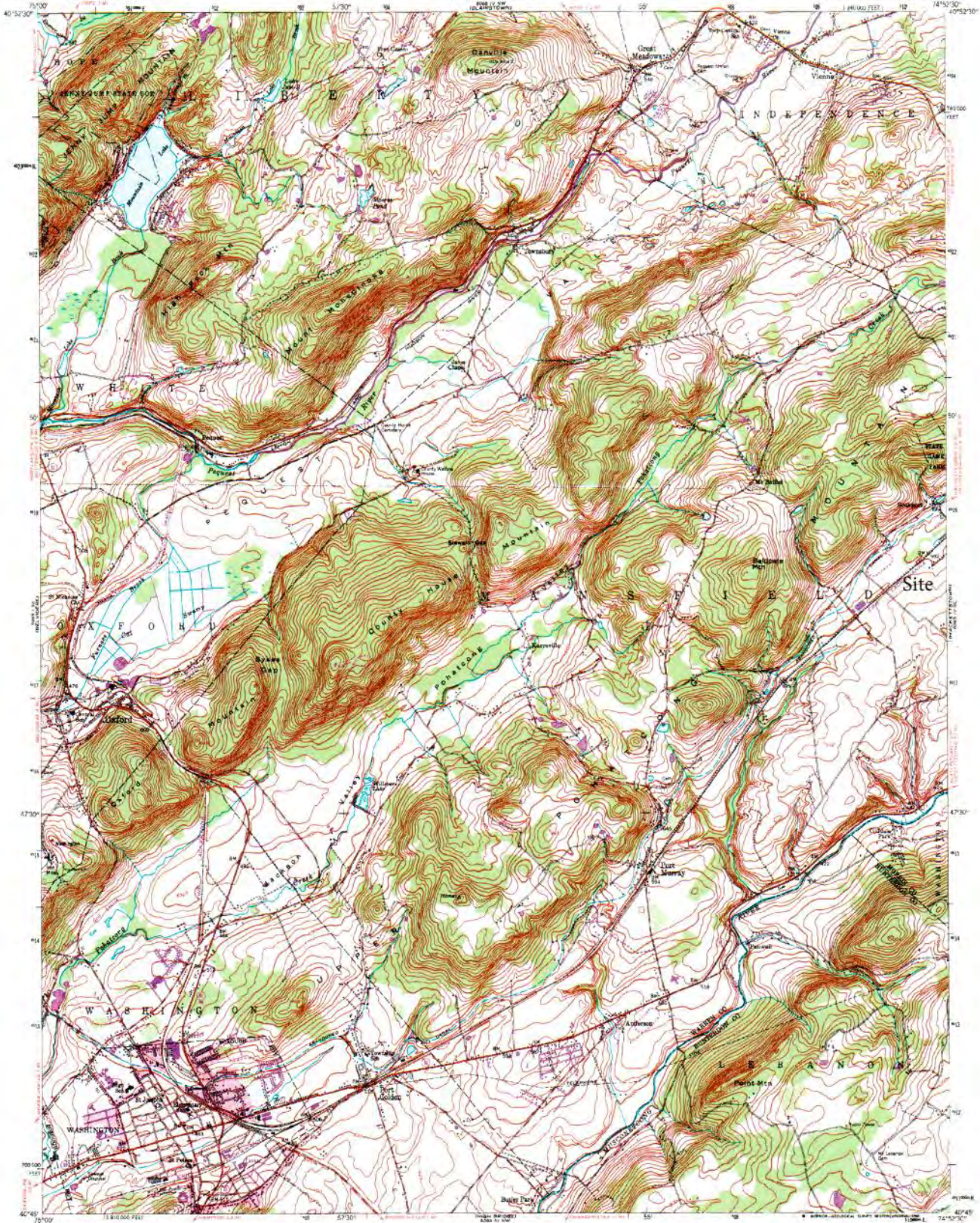
ROAD CLASSIFICATION

Primary highway	Light-duty road, hard or hard surface
Secondary highway	Impaved surface
Interstate Route	Unimproved road
U.S. Route	State Route

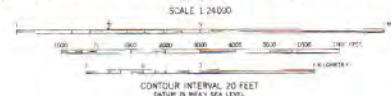
THIS MAP COMPLES WITH NATIONAL MAP ACCURACY STANDARDS FOR SALES BY U.S. GEOLOGICAL SURVEY DENVER, COLORADO, 80202 OR RESTON, VIRGINIA, 20192 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

HACKETTSTOWN, N. J.
40074-02-11-024
PRINTED IN THE U.S.A.
1953
GSA GEN. REG. NO. 100-50000-100





Mapped by the Army Map Service
Edited and published by the Geological Survey
Controlled by USGCS and New Jersey Geodetic Survey
Topography from aerial photographs by stereophotogrammetric
methods. Aerial photographs taken 1942. Field check 1943
Contours revised by the Geological Survey 1954
Polyconic projection. 1927 North American datum
10,000 foot grid based on New Jersey coordinates system
2000 meter Universal Transverse Mercator grid lines
Zone 18, Zone 18 East
Red tint indicates area in which only
boundary markings are shown
Revisions shown on copies compiled by the Geological Survey
from aerial photographs taken 1971. In this revision,
100 foot contours are shown



ROAD CLASSIFICATION

Primary highway	Light-duty road	Hard surface	Unimproved surface
Secondary highway	Unimproved road	Hard surface	Unimproved road
Interstate route	U.S. Route	State Route	

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY
DENVER, COLORADO 80261 OR RESTON, VIRGINIA 20192
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

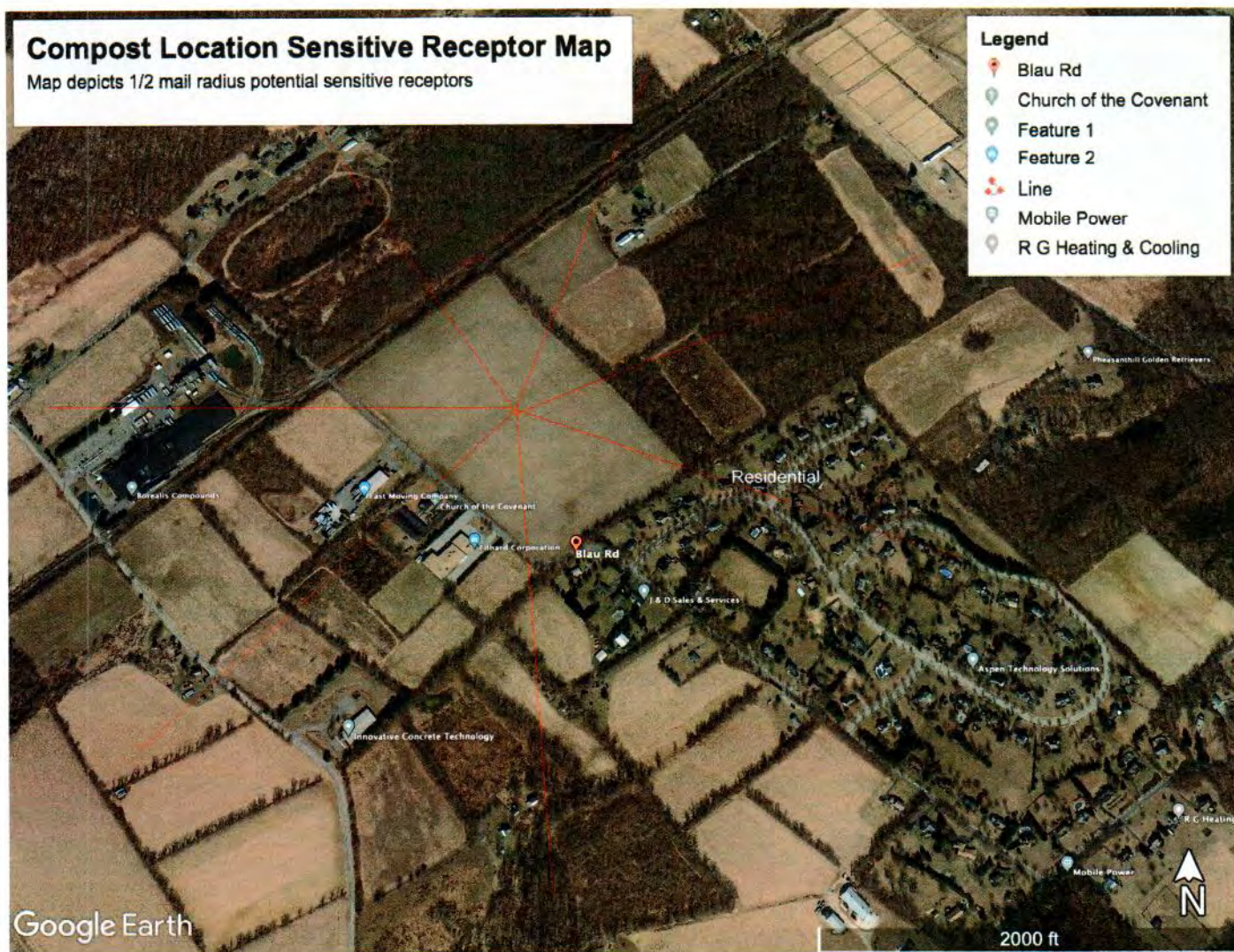
WASHINGTON, N. J.
NAD83-W7452.5/7.5
PHOTOGRAPHIC 1971
1954
UNIMPROVED 1971
AND ALSO IN 7.5-MINUTE SERIES 1952



Compost Location Sensitive Receptor Map

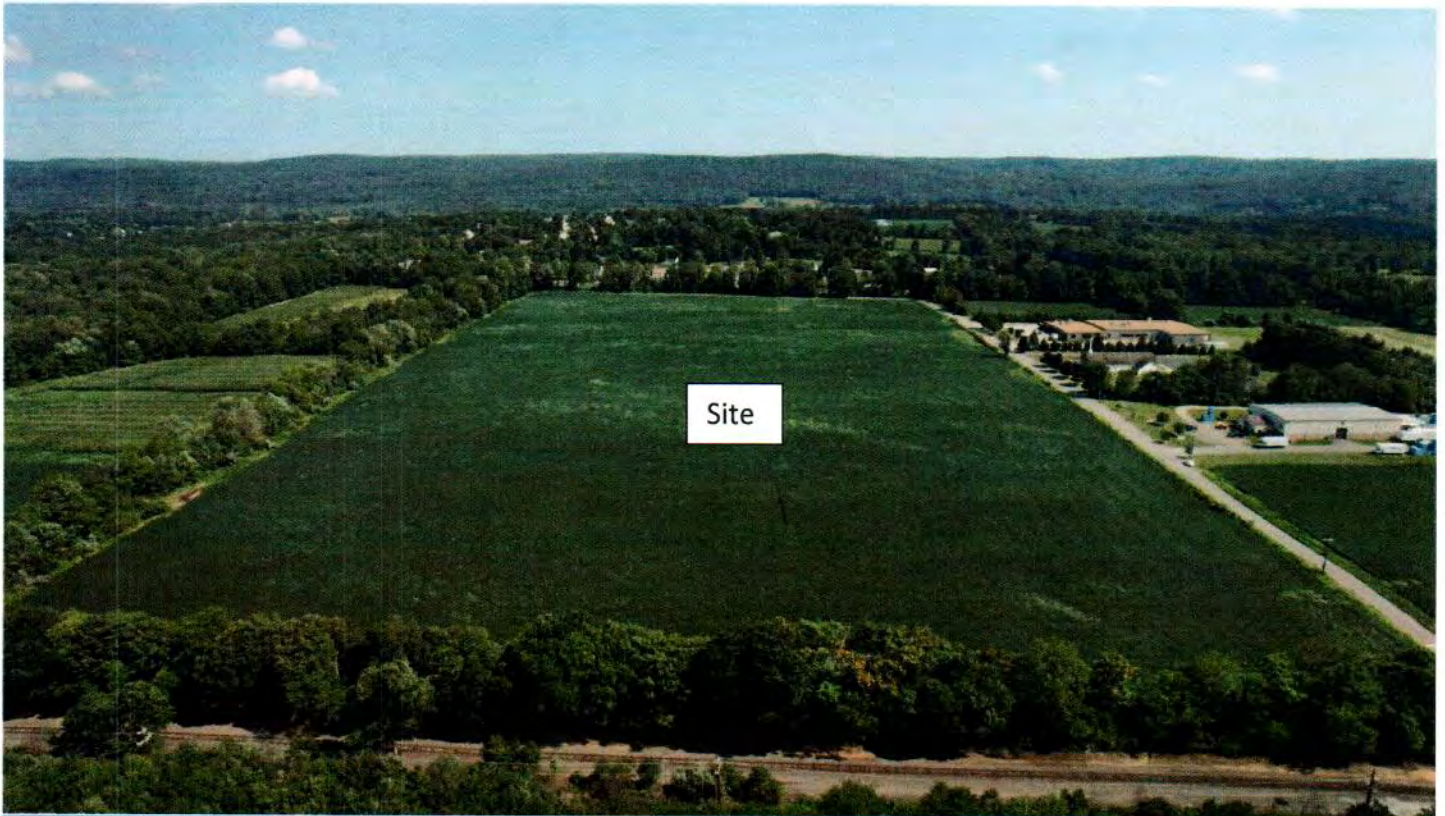
Map depicts 1/2 mile radius potential sensitive receptors

- Legend**
- Blau Rd
 - Church of the Covenant
 - Feature 1
 - Feature 2
 - Line
 - Mobile Power
 - R G Heating & Cooling

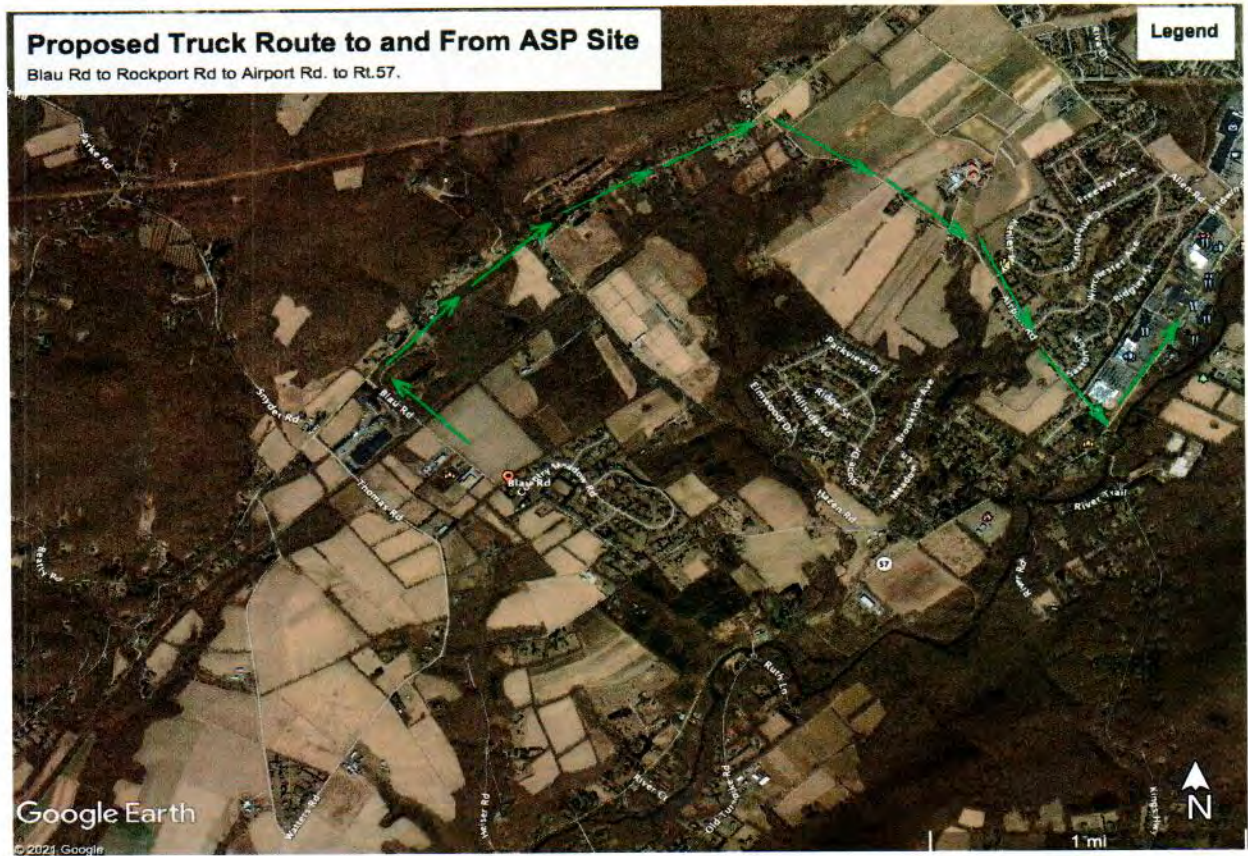




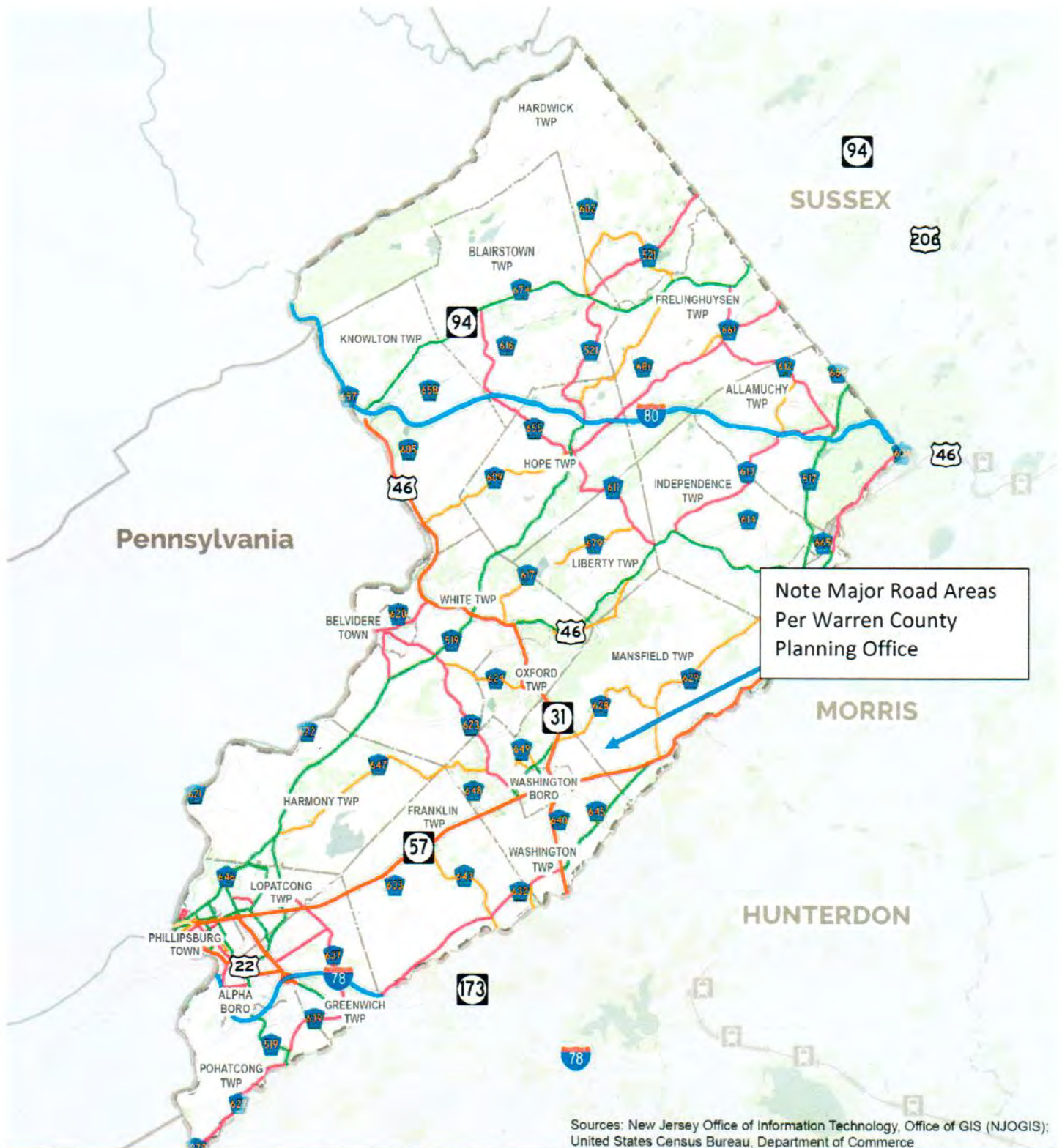
APPENDIX E – AERIAL PHOTOGRAPHS



APPENDIX F – TRAFFIC ROUTES







Note Major Road Areas
Per Warren County
Planning Office

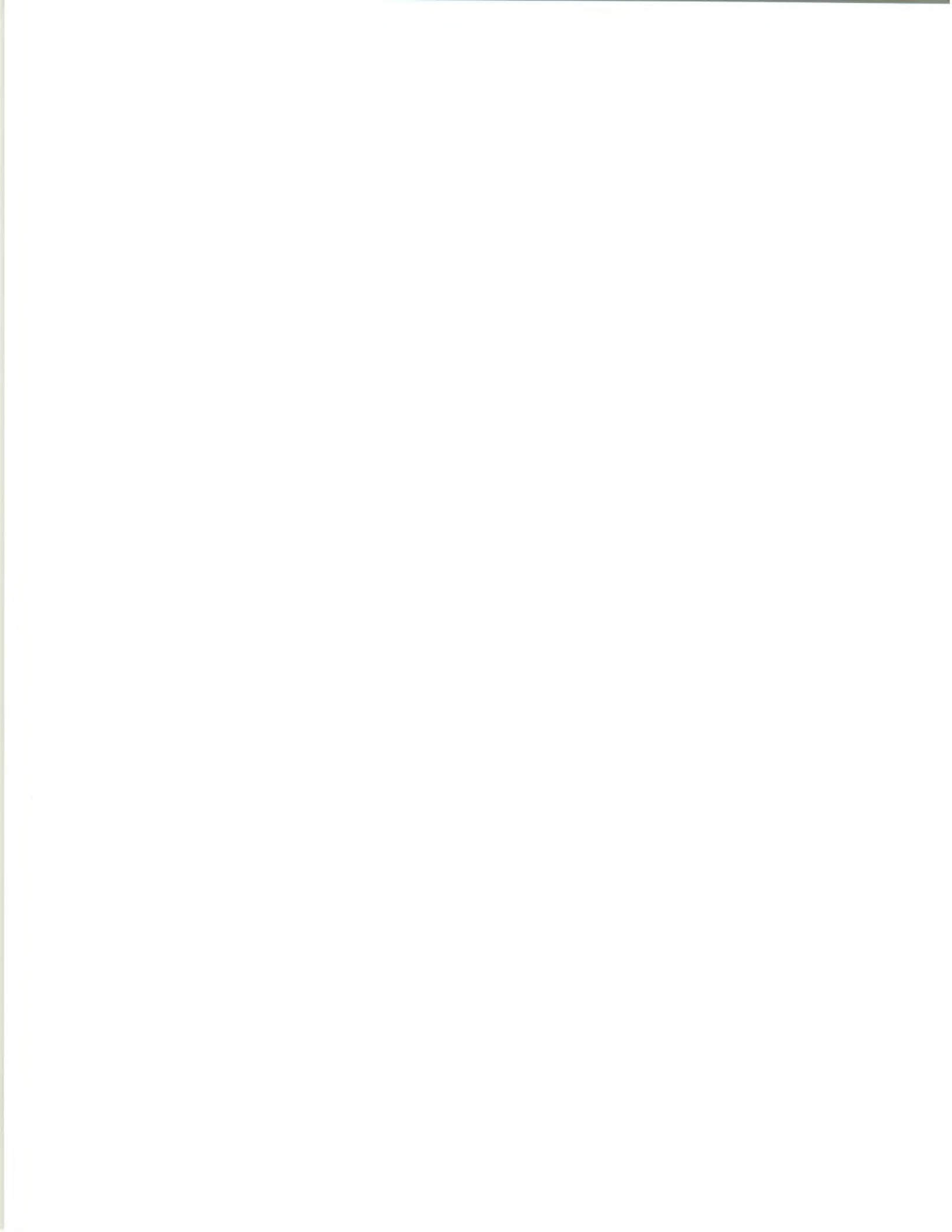
Sources: New Jersey Office of Information Technology, Office of GIS (NJOGIS);
United States Census Bureau, Department of Commerce

Train Station	Water	Interstate
Rail	Open Space	Other Freeway/Expressway
Warren County Municipalities	New Jersey Counties	Other Principal Arterial
Pennsylvania Counties		Minor Arterial
		Major Collector
		Minor Collector
		Local

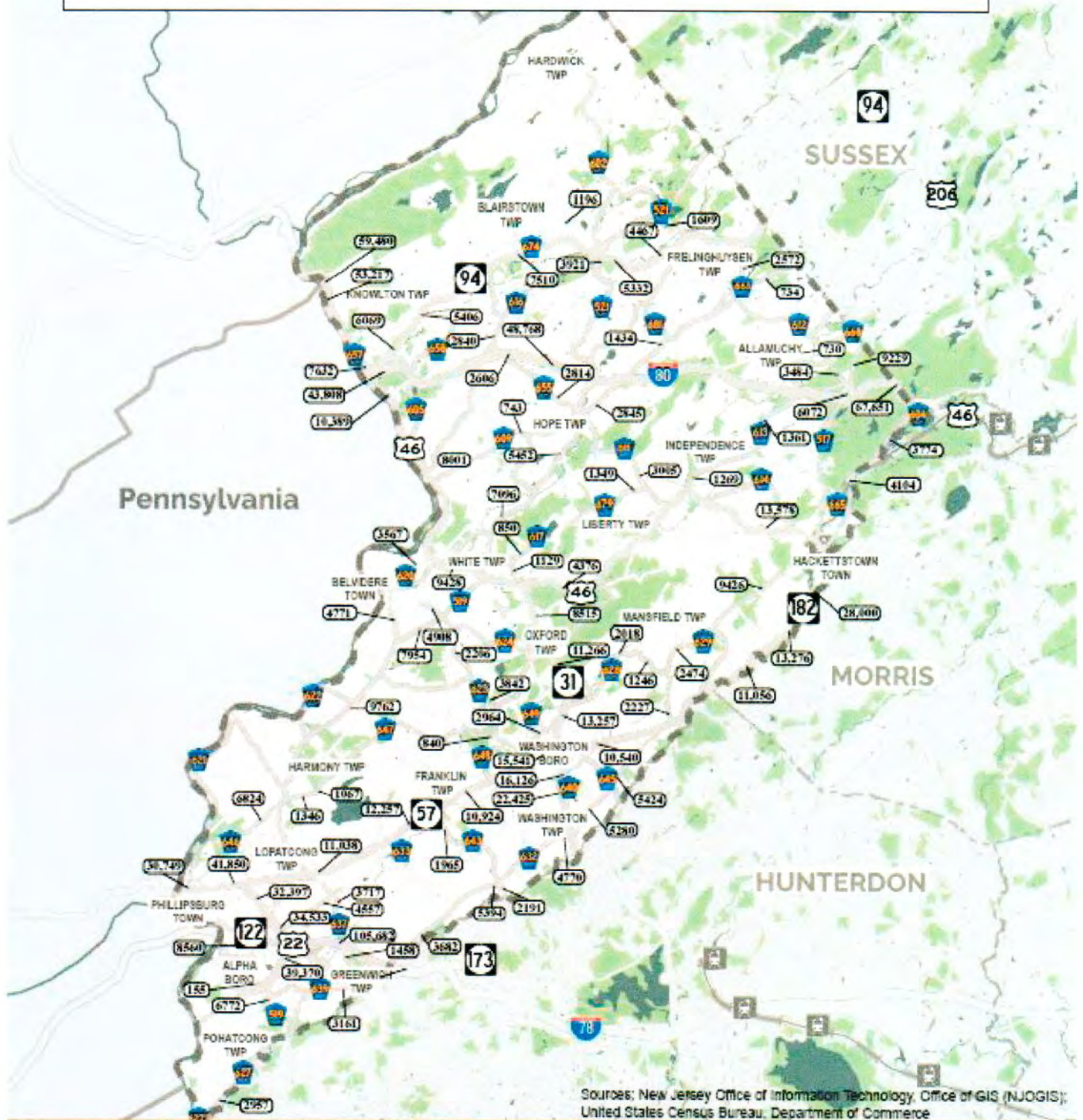
0 2 4 6 8 Miles

N






Warren County Daily Traffic Volumes per Warren County Planning Board.



Sources: New Jersey Office of Information Technology, Office of GIS (NJOGIS); United States Census Bureau, Department of Commerce



— — Rail

Water

Open Space

Warren County Municipalities

New Jersey Counties

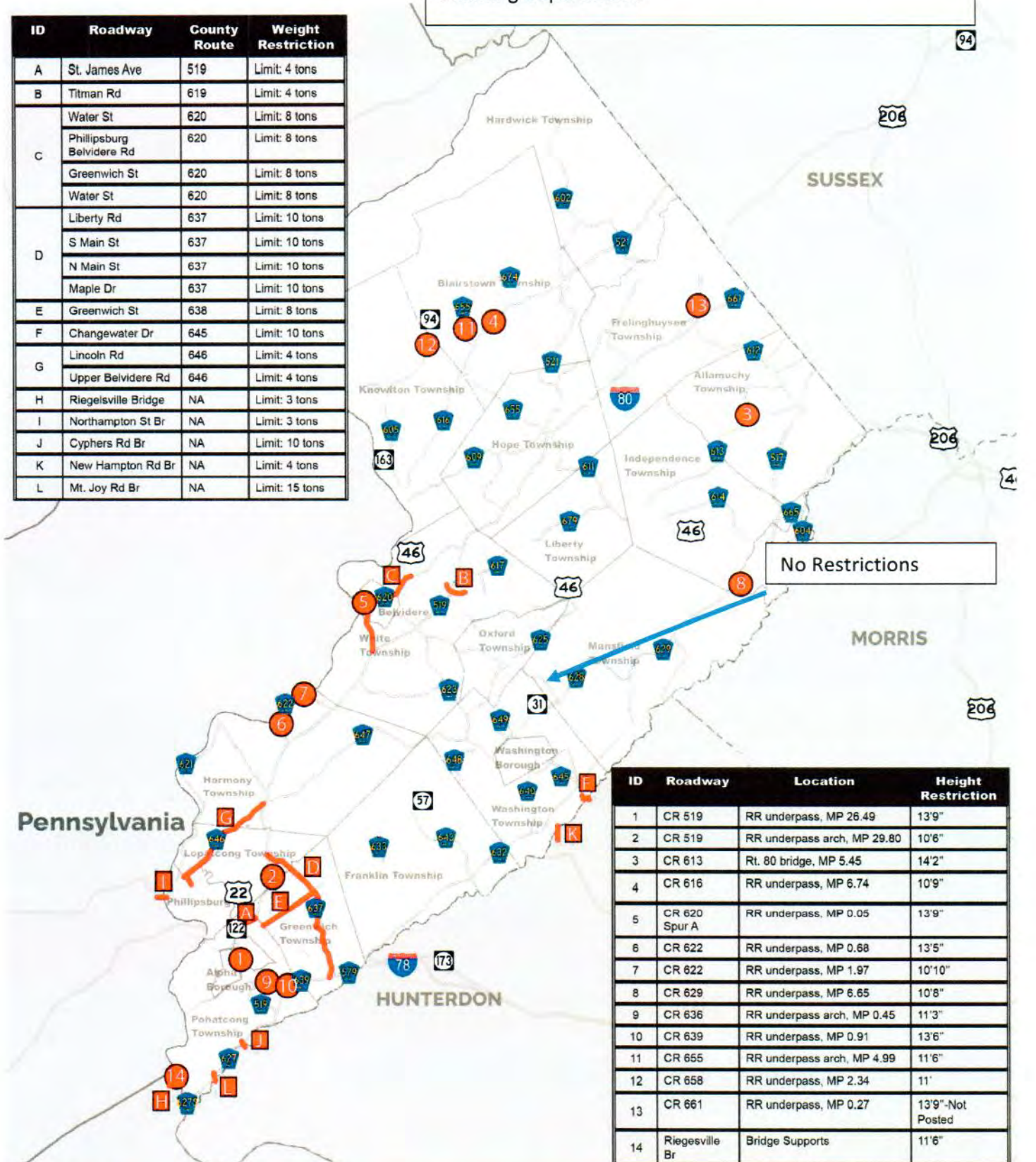
Pennsylvania Counties

Traffic Volume

0 2 4 6 8 Miles

Height and Weight Restrictions per Warren County Planning Department.

ID	Roadway	County Route	Weight Restriction
A	St. James Ave	519	Limit: 4 tons
B	Tiltman Rd	619	Limit: 4 tons
C	Water St	620	Limit: 8 tons
	Phillipsburg Belvidere Rd	620	Limit: 8 tons
	Greenwich St	620	Limit: 8 tons
D	Liberty Rd	637	Limit: 10 tons
	S Main St	637	Limit: 10 tons
	N Main St	637	Limit: 10 tons
	Maple Dr	637	Limit: 10 tons
E	Greenwich St	638	Limit: 8 tons
F	Changewater Dr	645	Limit: 10 tons
G	Lincoln Rd	646	Limit: 4 tons
	Upper Belvidere Rd	646	Limit: 4 tons
H	Riegelsville Bridge	NA	Limit: 3 tons
I	Northampton St Br	NA	Limit: 3 tons
J	Cyphers Rd Br	NA	Limit: 10 tons
K	New Hampton Rd Br	NA	Limit: 4 tons
L	Mt. Joy Rd Br	NA	Limit: 15 tons



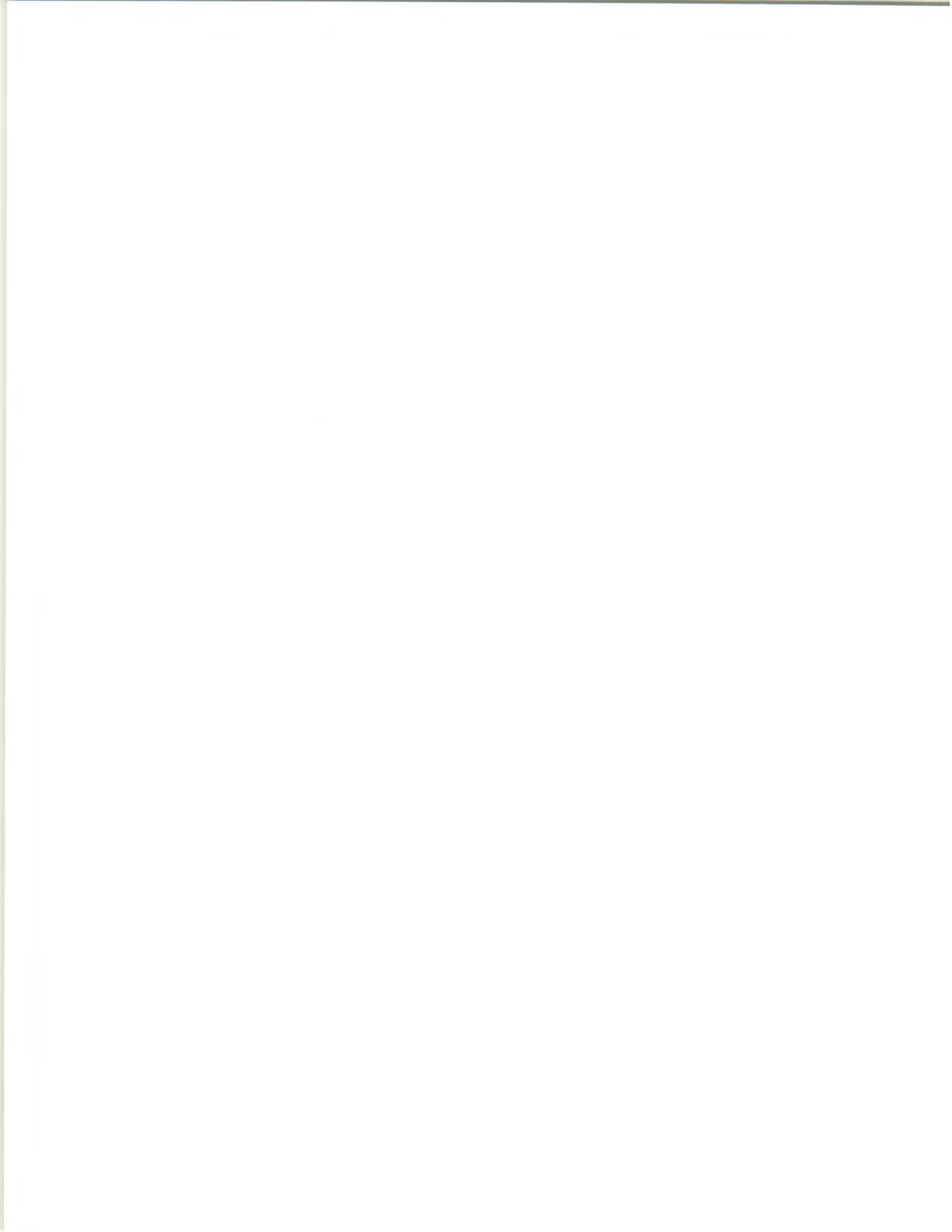
ID	Roadway	Location	Height Restriction
1	CR 519	RR underpass, MP 26.49	13'9"
2	CR 519	RR underpass arch, MP 29.80	10'6"
3	CR 613	Rt. 80 bridge, MP 5.45	14'2"
4	CR 616	RR underpass, MP 6.74	10'9"
5	CR 620 Spur A	RR underpass, MP 0.05	13'9"
6	CR 622	RR underpass, MP 0.68	13'5"
7	CR 622	RR underpass, MP 1.97	10'10"
8	CR 629	RR underpass, MP 6.65	10'8"
9	CR 636	RR underpass arch, MP 0.45	11'3"
10	CR 639	RR underpass, MP 0.91	13'6"
11	CR 655	RR underpass arch, MP 4.99	11'6"
12	CR 658	RR underpass, MP 2.34	11'
13	CR 661	RR underpass, MP 0.27	13'9"-Not Posted
14	Riegelsville Br	Bridge Supports	11'6"



- Warren County Routes
- Warren County Municipalities
- New Jersey Counties
- Pennsylvania Counties

- Height Restricted Road
- Weight Restricted Road

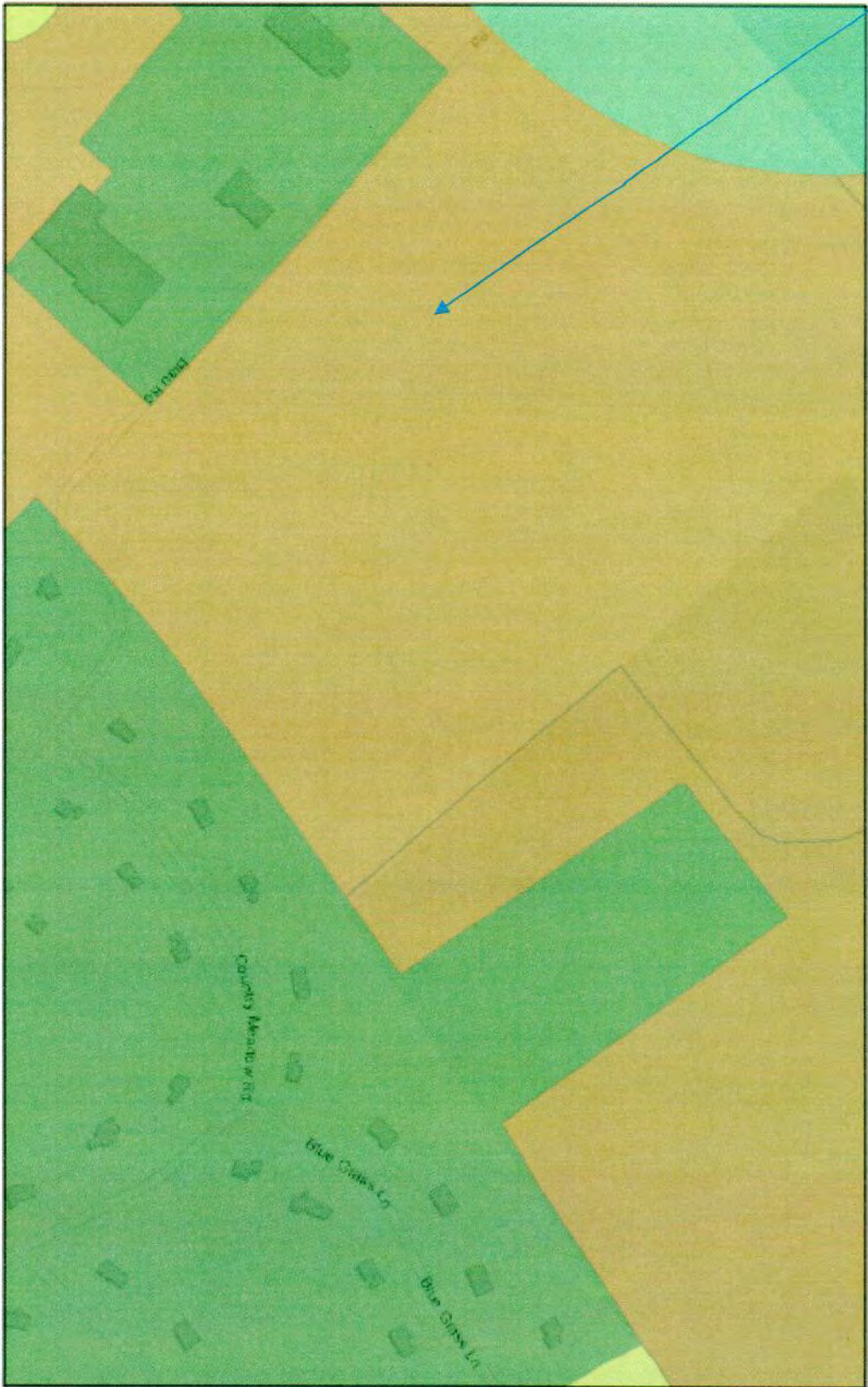




APPENDIX G – ENVIRONMENTAL MAPPING FOR WETLANDS.

ArcGIS Web Map

Site



4/21/2022, 8:45:43 PM

Vernal Habitat - Landscape Project 3.3

Potential vernal habitat area

Skylands - Species Based Habitat - Landscape Project 3.3

Rank 1 - Habitat specific requirements

Rank 2 - Special Concern

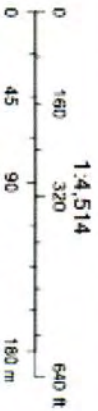
Rank 4 - State Endangered

Landscape Regions - Landscape Project 3.3

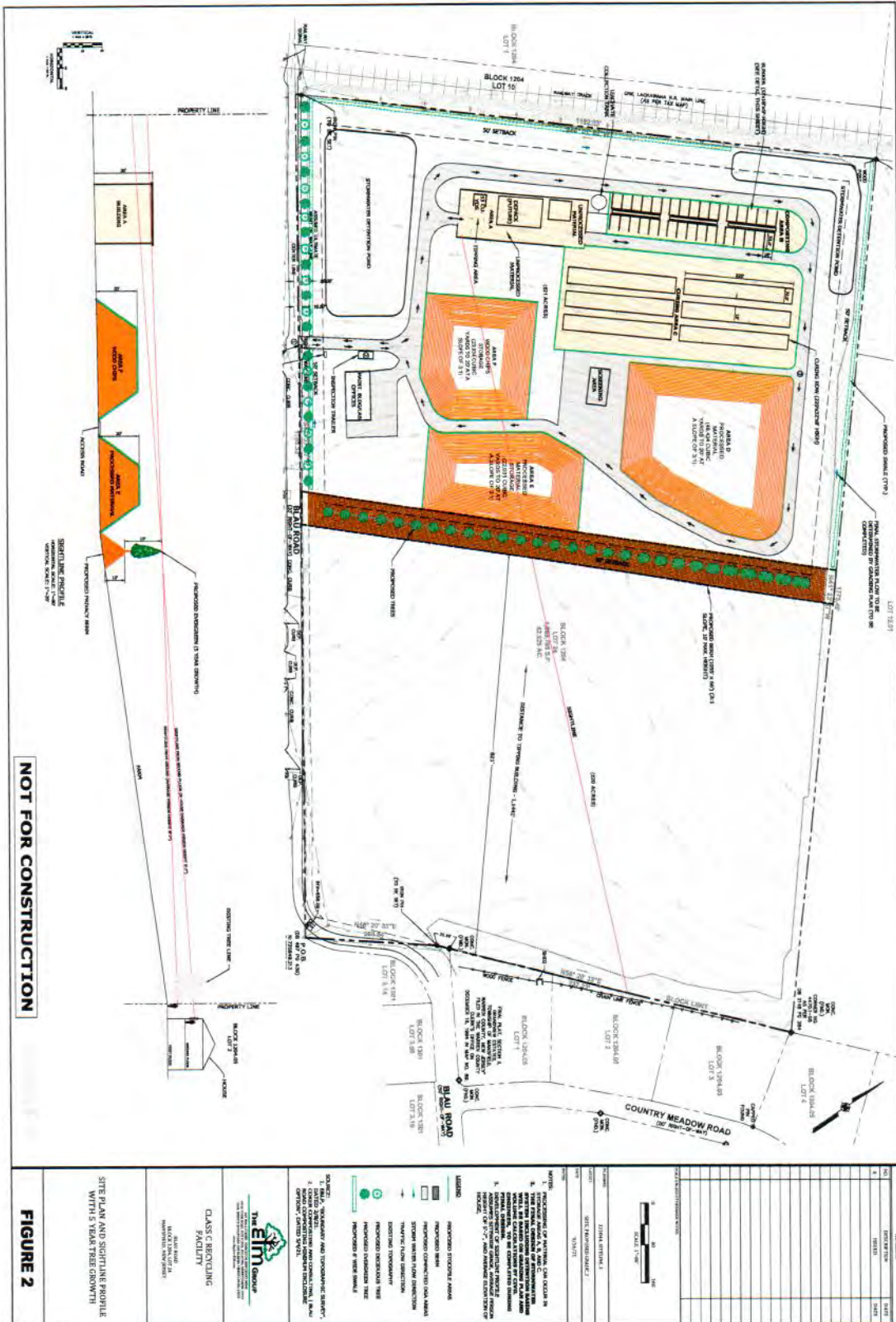
Skylands Landscape

State of New Jersey, Esri, HERE, Garmin, GeoEye, IGN, GeoEye, Inc., USGS, EPA, USDA, New Jersey Office of Information Technology, (NJ OIT), Office of Geographic Information Systems | NJ Office of Information Technology, Office of GIS (NJ OGIS), ArcGIS Web AppBuilder

Source: Esri, HERE, Garmin, (Pentam) Corp., GEBCO, USGS, FAO, NPS, NRCAN, DeLorme, IGN, Esri, Swisstopo, Swisstopo, Esri



APPENDIX H – SITE LINE ANALYSIS



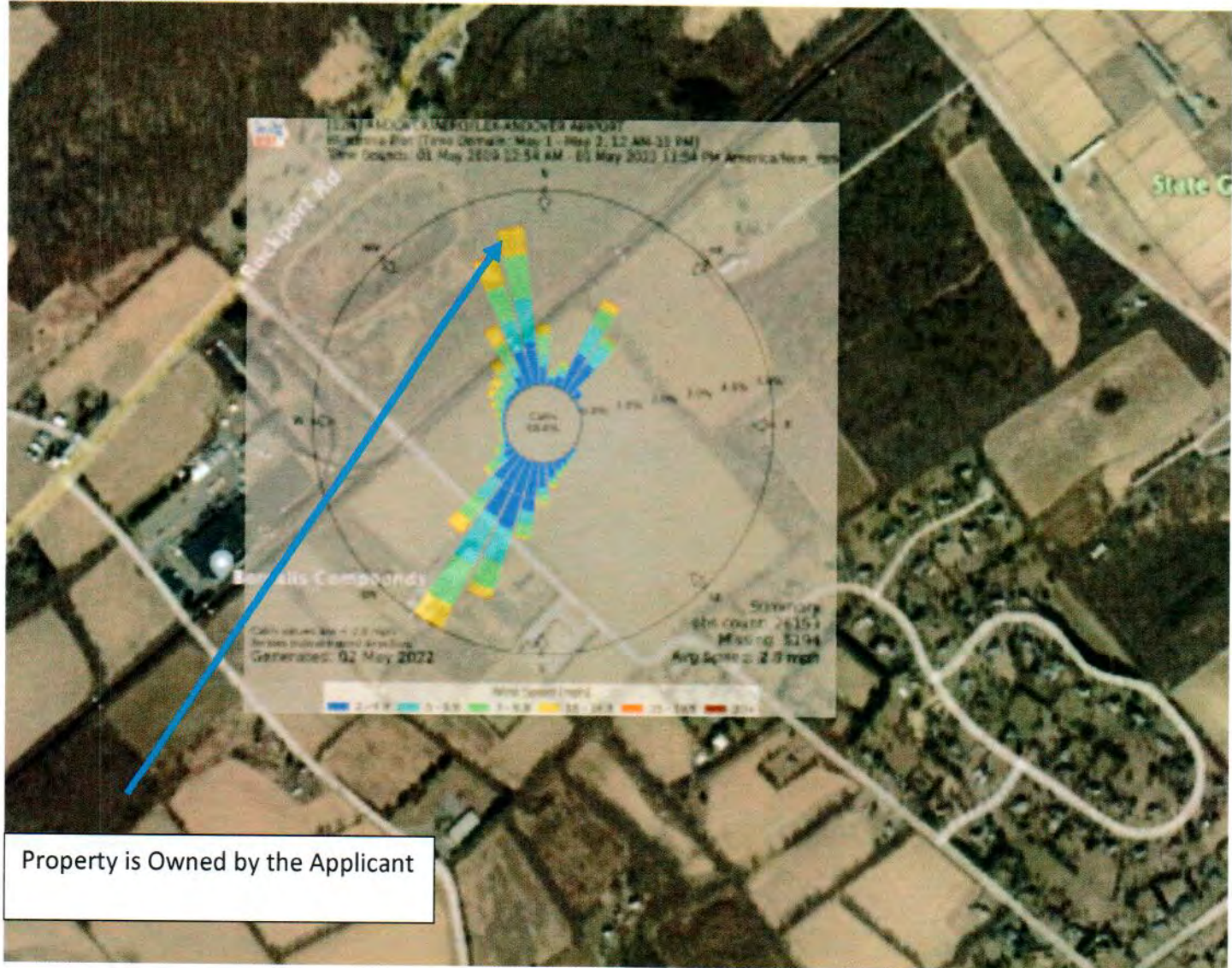


Sample Berm from a Compost Site Located in Somerset County, NJ.



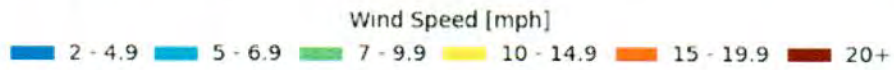
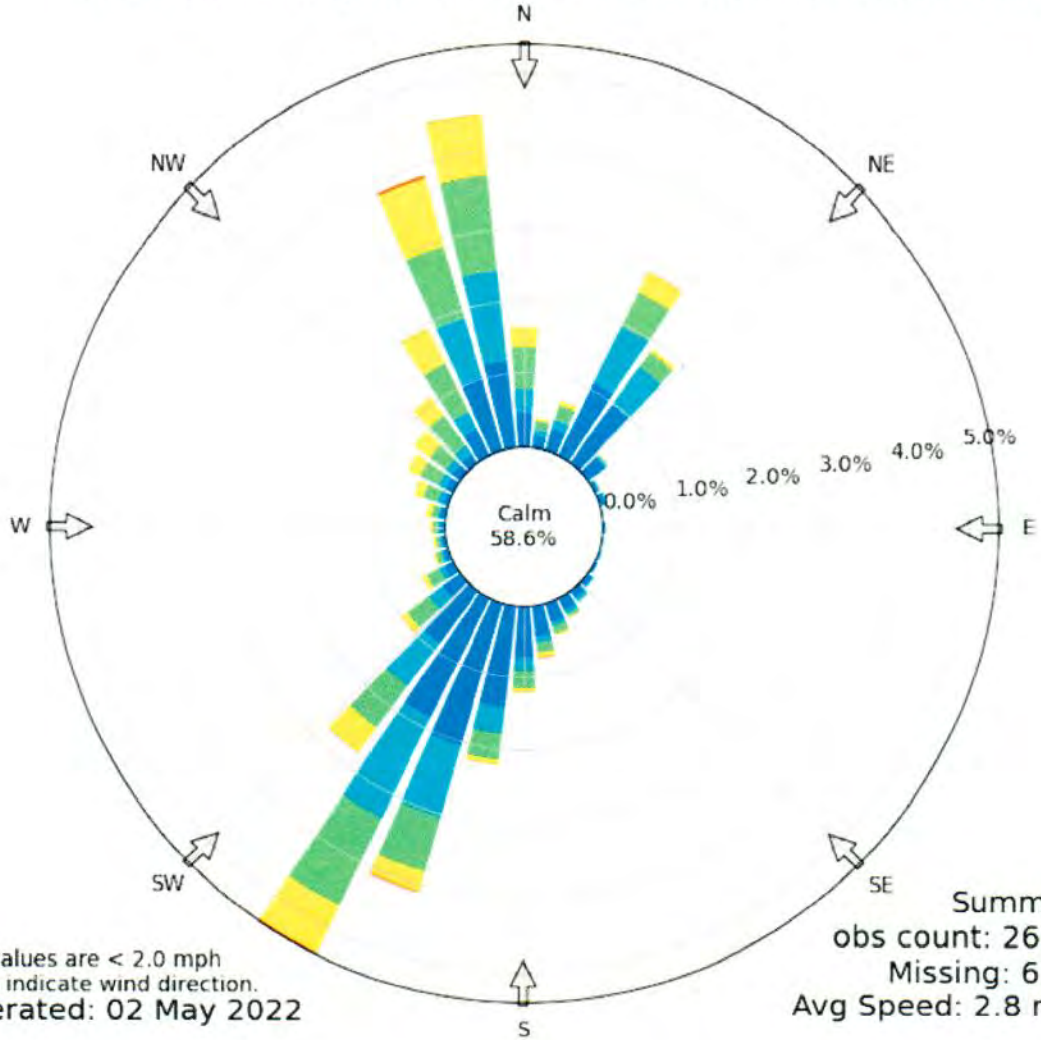


APPENDIX I – ODOR DISTRIBUTION ANALYSIS





[12N] ANDOVER/AEROFLEX-ANDOVER AIRPORT
Windrose Plot [Time Domain: May 1 - May 2, 12 AM-11 PM]
Time Bounds: 01 May 2019 12:54 AM - 01 May 2022 11:54 PM America/New_Yo





APPENDIX J – COMMENTS RECEIVED ABOUT THE PROPERTY



429 Riverview Plaza
Trenton, NJ 08611
609-392-8899/609-396-6571
njfc@njfoodcouncil.com

May 16, 2022

Dear members of the Warren County Solid Waste Advisory Committee:

I am writing to offer the support of the New Jersey Food Council for Vivaria Ecologics's application before the committee to develop a composting facility at the Blau Road Farm in Mansfield. The New Jersey Food Council represents food retailers, convenience stores and their supplier partners. In reviewing the project, we believe that it can serve as a model for food scrap composting statewide.

As you may be aware, New Jersey has a food recycling mandate that went into effect in 2021. The law requires that large producers of food scraps, like our members, must separate and recycle if there is a facility within 25 miles. No such facility currently exists in Warren County, which impacts our members' ability to utilize food waste recycling and reduce the amount of food scraps that are sent to landfill. The New Jersey Food Council has approximately 16 members in Warren County. The Vivaria Ecologics facility will fill the large and unmet need that currently exists in the region.

More broadly, we recognize that when food waste goes to landfill, it negatively impacts all of us and are committed to finding sustainable solutions that also benefit the economy. Food waste is a largely untapped agricultural resource. Food doesn't just appear on supermarket shelves, it must be grown and transported. With unprecedented pressures on our food supply chains, local agriculture is even more crucial. Widely available compost provides a clean, natural soil-enhancer that helps improve local food production.

Ms. PioCosta-Lahue has demonstrated that she is committed to developing an innovative world-class facility. Warren County has a unique opportunity to show leadership in addressing food waste, while creating new economic value.

Thank you for your consideration.

Sincerely,

Linda Doherty
President & CEO



Jairo Gonzalez
President
New Jersey Composting Council
PO Box 265
South Orange, NJ 07079

To the Warren County Solid Waste Advisory Commission,

We are writing to affirm our support for the Vivaria Ecologics composting facility's inclusion in the Warren County Solid Waste Plan.

The New Jersey Composting Council's (NJCC) mission is to advance compost manufacturing, compost utilization, and Organics Recycling to benefit our members, society, and the environment in the state of New Jersey. We are also a state chapter of the national United States Composting Council. We believe that New Jersey is falling behind our neighbors in our efforts to divert organics from landfills, missing on the environmental, economic and job growing benefits of such efforts. We can only achieve these gains if there are facilities to do the work. Facilities such as this one.

Any discussion of compost facilities in NJ must acknowledge a history that has some high profile failures, but we would point to two important factors that will assure this project is different. The first is technology. Covered Aerated Static Pile technology is among the fastest growing organic recycling technologies for its ability to process organic material quickly, in a limited footprint, without odor and runoff issues. This is a proven technology in urban highly populated settings, and will be designed and installed by premier national experts in the field.

Perhaps more importantly the second factor is people. The project lead and CEO, Christina PioCosta-Lahue is a committed composter. She has attended every training and educational opportunity the NJCC has to offer. She understands the commitment to the community that she is making to be a responsible neighbor. Christina is also a highly successful businesswoman and understands that a well maintained site is good for business.

While there is no perfect site for managing waste, this project is a good site with great technology and leadership. We give our highest recommendation for approving this project.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'Jairo E. Gonzalez', is written over a faint, light-colored background.

Jairo E Gonzalez, President
NJ Composting Council
Cell: 210-914-3633

