
Stovel and Associates Inc.
Planners, Agrologists and Environmental Consultants

January 3, 2014

Township of Puslinch
7404 Wellington Road 34
Guelph, ON
N1H 6H9

RECEIVED
JAN 08 2014
Township of Puslinch

**RE: Comments from Mill Creek Subwatershed Community Liaison Team
Proposed Puslinch Pit Expansion
Part of Lot 13
Concession 4
Township of Puslinch
County of Wellington
(Cox Construction Limited)**

Stovel and Associates Inc. has been requested to respond to the 40 questions raised by the Mill Creek Subwatershed Community Liaison Team in their letter dated October 16th, 2013. Some of the comments/questions that are listed in the October 16th correspondence do not relate to the proposed Zoning By-law Amendment application being considered by the Township of Puslinch.

In preparing this response letter, I felt that it is important to note the following:

- the Proposed Puslinch Pit Expansion is not located in the Mill Creek Subwatershed;
- Cox Construction Limited ("Cox") has previously submitted correspondence to the Township of Puslinch that establishes the extent of rehabilitation at the main Pit. This was an important issue that the Planning Advisory Committee wanted Cox to document before the Committee was prepared to make a recommendation to Council to hold a public meeting; and
- both the Grand River Conservation Authority ("GRCA") and the City of Guelph do not object to the proposed re-zoning application.

Question #1: When shall a notice for the proposed license application be posted on the EBR Registry for public comment purposes?

The posting of the notice on the EBR is not the responsibility of the applicant. Subsequent to the Public Meeting, I requested the Ministry of Natural Resources (MNR) to post the notice, as it is the MNR's responsibility to post such notices on the EBR. The notice was posted on November 27, 2013.

Question #2: Why did Cox Construction apply for a zoning by-law amendment in 2002 to establish an above-water pit on both the north and south part of Lot 13, Concession 4 but the former Township of Puslinch would not approve a change in land use for the north part of Lot 13 when the change in land use was approved on April 18, 2007?

Cox revised their zoning by-law amendment request to remove the northerly portion of the site. It was a business decision.

Question #3: As Policy 6.6.6 of the County Official Plan requires that information about the quality and quantity of the aggregate resource be made available to the public, what is the quality and quantity of the aggregate resource on the north part of the Lot 13?

Information about the quality and quantity of aggregate resource on the north part of Lot 13 is available for the public to review. These data include:

-
- The subject property is mapped within the Mineral Aggregate Area overlay of the Township of Puslinch. As set out in the County of Wellington Official Plan, the Mineral Aggregate Areas are areas of high potential for mineral aggregate extraction. These lands have been identified using information provided by the Ministry of Natural Resources. The documents submitted by the applicant state that the area is mapped within the Mineral Aggregate Area;
 - The Planning Report indicates that there is over 1 million tonnes of sand and gravel available at the site. This report also indicates that the aggregate is considered to be high quality, being capable of producing coarse and fine aggregate for asphalt and concrete production;
 - The Hydrogeologic Assessment includes borehole logs for wells drilled on and adjacent to the subject property. These borehole logs provide a description of the materials encountered during the drilling program.

Question #4: Why wasn't a geological technical report prepared by a professional geological firm to determine the actual quality and quantity of aggregate on the site submitted by the applicant.

The borehole logs were completed by Dominion Soils Investigations. A copy of these logs is included in the Groundwater Science Corp report.

Question #5: What is the proposed depth of extraction in metres and what is the proposed depth of the pit lake when extraction is completed?

The proposed depth of extraction is variable (depending on depth of topsoil/subsoil/overburden and depth of deposit). The maximum extent of extraction is anticipated to be approximately 316 masl. The depth of the lake is estimated to range between 4-6 m. The depth of above water extraction is estimated to range between 2-4 m.

Question 6: Groundwater Science Corp. states that the pit lake on Lot 13 is to be approximately 14.5 ha in size. Is the lake on Lot 13 to be increased in size with the addition of the pit ponds on Lots 11 and 12.

As shown on the Rehabilitation Plan, the pit pond within the proposed expansion area will remain separate from the existing approved Cox pit.

Question 7: What is the volume of water that shall be contained in the pit lake when final rehabilitation occurs?

We did not calculate this and we do not see how this is relevant to the proposed application.

Question 8: Is the terrestrial buffer and wildlife corridor approved for the Provincially Significant Wetland in the northwest area of the Mast Snyder site at the boundary of the Cox Pit going to be adversely affected?

There will be no adverse effects on the terrestrial buffer on the Mast Snyder Pit.

The proposed rehabilitation for the proposed pit expansion will enhance this vegetated buffer.

Question #9: A provincially significant wetland complex is located in the northwestern part of the Mast Snyder Pit and extending north of Laird Road (2 PSW wetlands, Tributary A, Tributary B, Pond A, Pond B. What is the catchment area for the Provincially Significant Wetland located on the Mast Snyder Pit in close proximity to the boundary of North part of Lot 13, Concession 4?

The catchment area of the isolated PSW wetland on the CBM Mast-Snyder Pit adjacent to the proposed Puslinch Pit Expansion current extends primarily within the CBM property. The proposed CBM pond will intercept any potential runoff from that site (in addition to any potential runoff from the proposed expansion area) that would have otherwise reached the wetland. The proposed Cox pit expansion will not affect this condition. The final pond level surrounding the wetland is expected to ensure the availability of water to the isolated wetland.

Question #10: Why did Stan Denhoed recommend that a culvert be installed under the berm that is to be constructed along the boundary of the Mast Snyder Pit and North part of Lot 13, Concession 4?

This question is best answered by Stan Denhoed.

Question #11: Why hasn't a professional engineering plan, risk analysis, and long-term monitoring and maintenance program been prepared or submitted by the applicant for the proposed silt barrier and step pools to control groundwater drawdowns, the leveling effects on the two lakes, the protection of natural heritage features etc.?

It is our opinion that no additional documentation is required. We are of the opinion that the proposal meets the requirements of the ARA.

Question #12: Section 2.3 of the Natural Environment Levels 1 and 2 Report prepared under the Aggregate Resources Act by Stovel and Associates Limited dated March 2011 consists of one paragraph under the title "Field Studies". Why were no full-season or partial-season surveys of wildlife habitat, wildlife corridors, fish habitat and flora not completed for the site and the adjacent lands at least within 120 m of the subject lands as required under Policies 2.1.4, 2.15 and 2.1.6 of the Provincial Policy Statement.

The Natural Environment Report has more than one paragraph.

The level of data collection and analysis was determined by the extent and presence of significant natural heritage features on the site and on adjacent lands. The site is entirely comprised of cultivated agricultural lands. The adjacent land uses include existing licensed pits on three sides and a township road to the north. Adjacent significant natural heritage features are well buffered from the proposed land use. The report meets the requirements of the PPS and the ARA. No further work was deemed necessary.

The Natural Environment Report was peer reviewed by Greg Scheifele and the GRCA. Both peer reviewers are satisfied with the report and Site Plans and have no concerns with the proposal. The MNR also reviewed the Natural Environment Report and had no concerns with it.

Question #13: When is the mixed hardwood woodland that was cut down and destroyed sometime by Cox Construction in the past 6 years to be re-established on the south part of Lot 13, Concession 4?

It is anticipated that the pit will be rehabilitated and reforested this upcoming year.

Question #14: To what extent has Groundwater Science Corp. been involved with the ongoing water monitoring program at the Puslinch Pit, the Beatson, Love and Snyder pit and the proposed pit on North Lot 13, Concession 4?

Groundwater Science Corp. completes monitoring at the Puslinch Pit related to the Permit To Take Water.

Question #15: Why hasn't the applicant addressed the water policies in Section 2.2.1 of the Provincial Policy Statement that require the watershed to be used as the ecologically meaningful scale for planning?

It is our respectful opinion that the proposed application is consistent with the Provincial Policy Statement ("PPS"), 2005.

Question #16: Why has Cox Construction not conducted a water quality monitoring and reporting program for its licensed pits, particularly as extraction below water has occurred on the adjacent Cox Construction Puslinch Pit and possibly the Snyder, Love and Beatson Pit and the unregulated/non-legislated importation, storage and processing asphalt and concrete waste has taken place in both pits and there has been a well-documented history of the dumping of contaminated snow within the Puslinch Pit over the years?

Asphalt and concrete may be imported to the site and re-processed as part of the ongoing recycling

efforts employed by Cox. These activities were approved by the MNR. Recycling of asphalt and concrete is an activity that is promoted by the Province.

Asphalt and concrete are not dumped on the site.

Historically, Cox has completed water quality testing at selected locations.

Question #17: What are the implications and consequences in respect to the mistake made by Groundwater Science Corp. in incorrectly identifying Wellhead Protection Area B (WHPA-B) and stating that the travel times for contaminates was 10-25 years instead of less than two years? (Reference GRCA letter dated January 9, 2013).

Consideration was provided to the potential for adverse impacts through the original hydrogeologic assessment and subsequent peer review (e.g. GRCA, Township of Puslinch, etc.). As noted by GRCA, although original information reviewed indicated the site was within a 10 to 25 year time of travel Well Head Protection Area, subsequent revised information suggests the site is within a 2 year time of travel zone. However, based on the setting, groundwater within the unconfined sand and gravel unit in which the extraction is proposed, and in which extraction is occurring or proposed within the surrounding area, moves primarily toward the Speed River Valley and not toward the municipal well. A thick protective aquitard occurs between the upper unconfined sand and gravel unit and the deep confined bedrock municipal aquifer unit in this area. Due to the presence of the aquitard, the WHPA zone time of travel applies to the confined aquifer. In other words, despite the WHPA classification, the source water protection study results do not indicate that groundwater could potentially travel naturally from the unconfined sand and gravel within the extraction area (or surface), through the aquitard into the confined aquifer and to the municipal well within that time frame.

Question #18: What are the risks caused by below water extraction and the construction and future maintenance of a deep lake of approximately 14.5 ha in size to the City of Guelph's Downey Road Well and the City's drinking water supply?

The potential for adverse effects was assessed through the original hydrogeologic assessment and subsequent review. None of the referenced activities are proposed within the expansion area. A policy discussion is provided in the technical review completed by Harden Environmental (January 27, 2012).

Question #19: What was the reason for Cox Construction requesting a substantial increase in water-taking when it applied for a new PTTW in 2012 (490,000 litres per day to 2,998,037 litres per day)?

Groundwater Science Corp. assisted with the permit application. The requested increase was related to washing equipment upgrades and capacity.

Question #20: Why did the MOE only issue a Permit To Take Water for a three year period rather than the requested 10 year period?

It is recommended that you direct this question to the Ministry of the Environment (MOE).

Question #21: Has Cox Construction complied with the water monitoring program and annual reporting imposed by the MOE in PTTW 4125-8W6QZS in August 2012?

Groundwater Science Corp. is completing the groundwater monitoring program specified as part of the permit; the monitoring complies with the permit.

Question #22: It is obvious that Stan Denhoed is concerned about the monitoring needs for the proposed pit and the necessity for cooperative commitments by both CBM and Cox Construction to undertake a comprehensive water monitoring and reporting program? Why did Groundwater Science Corp. advise the GRCA that the implementation of impact monitoring and mitigation plans "cannot be enforced by Cox construction on adjacent operators as part of this application?"

The responsibility for coordinated data collection, and assessing that data, across sites is poorly defined

in the Best Practices Paper. The reality is that Cox Construction Limited cannot “force” another landowner or operator to collect or provide monitoring data or implement mitigation plans specified on other Licenses. Cox Construction Limited can, as specified within the proposed monitoring program, commit to cooperating with the MNR, GRCA and/or Township to ensure that the data collected within the expansion area is available to any future cumulative impact assessment.

Question #23: Is Cox Construction planning to coordinate the water monitoring and reporting program for both the PTTW issued by the MOE and any water monitoring and reporting required for the licensed areas and the proposed new pit lands under the Planning Act and the ARA?

The monitoring programs will be coordinated to the extent possible given measurement and reporting frequency. Individual reporting requirements will be met.

Question #24: Why do you have a note on the site plans stating that topsoil and overburden shall be removed from the site?

The note states that: “Topsoil or overburden not needed for berm construction or rehabilitation may be removed from the site”. This note is needed since the site is relatively small in size and since it will be extracted below the water table. Therefore, there may be insufficient area to store this soil and there may be no need for all of the soil to be used for onsite rehabilitation. If the subject property has excess soil, the soil would then be stored on the adjacent pit owned by Cox and used in the rehabilitation program to maximize the agricultural rehabilitation efforts on these adjacent lands. This approach is in keeping with the provisions of the PPS.

Question #25: What is the history of the progressive and final rehabilitation on the other Cox Construction site located within the Township of Puslinch (e.g. delayed rehabilitation, quality and appropriateness of rehabilitation)?

Cox has progressively rehabilitated over 100 acres of the existing pit. The Township of Puslinch has been informed as to the status and quality of progressive rehabilitation. Cox is proud of the rehabilitation work that they have completed at their pit and they will complete more progressive rehabilitation in 2014.

Question #26: Has the applicant addressed the modification to the site plan in respect to progressive and final rehabilitation plans recommended by Greg Scheifele in a letter dated January 18, 2012?

Yes, it is our opinion that Mr. Scheifele’s comments have been addressed satisfactorily in the Site Plans.

Question #27: Why hasn’t an air quality technical report been submitted by the applicant?

The site is well separated and buffered from adjacent sensitive uses. The proposed pit expansion will utilize perimeter berming and tree screens to further reduce dust. The site will involve extraction below the water table and the resulting aggregate will be saturated, thus reducing the potential for dust. Processing of material will in all likelihood occur on the adjacent pit. The operator employs a Best Management Plan to reduce dust. Given these facts, an air quality technical report is not needed.

Question #28: Why hasn’t a noise emission technical report been submitted by the applicant?

The site is well separated and buffered from adjacent sensitive uses. The proposed pit expansion will not affect the existing background noise environment. The pit will utilize perimeter berms to buffer noise. Part of the processing will occur on the adjacent approved pit. Given these facts, a Noise Emissions Technical Report is not necessary.

Question #29: Why hasn’t a transportation technical report been submitted by the applicant?

The proposal will not result in an increase in truck traffic by the applicant. The applicant will use the approved entrance and haul route for the existing main pit. There is no need to complete a Transportation Technical Report.

Question #30: Is the requested annual tonnage of 341,000 tonnes for the proposed site in addition

to the tonnage permitted for the other three Cox Construction licensed areas (Puslinch Pit, Snyder, Love and Beatson Pit, South Lot 13, Conession 4)?

Yes, the annual tonnage limit for this proposed pit expansion will be 341,000 tonnes. Given Cox's history, it is unlikely that their licensed pits in the Township will produce more than 341,000 tonnes per year on a cumulative basis.

Question #31: Policy 4.6.2 in the County of Wellington Official Plan requires a "Planning Impact Assessment" Report be submitted. Why hasn't a planning impact assessment report prepared by a qualified consultant been submitted by the applicant?

A Planning Report was submitted by the applicant.

Question #32: Why hasn't a cumulative effects assessment report been submitted by the applicant to address certain matters such as recommended in the GRCA's "Cumulative Effects Assessment for Below Water Aggregate Operations Within Priority Watersheds in the Grand River Watershed Best Practices Paper"?

Information relative to cumulative impacts and adherence to the Grand River Conservation Authority (GRCA) September 2010 *Cumulative Effects Assessment (Water Quality and Quantity) Best Practices Paper for Below-Water Sand and Gravel Extraction Operations in Priority Subwatersheds in the Grand River Watershed* requirements was provided in the original hydrogeologic assessment report and, in response to specific questions regarding the Best Practices Paper, subsequent technical correspondence with GRCA (November 6, 2012 and April 11, 2013). As noted in the GRCA June 11, 2013 letter, as result of the information provided satisfies the GRCA concerns.

Question #33: Policy 4.6.5 in the county of Wellington Official Plan requires the preparation of an Agricultural Impact Assessment. Why hasn't an Agricultural Impact Assessment Report been submitted by the applicant?

It is our opinion that an Agricultural Impact Assessment is not needed with respect to this proposal. The agricultural capability of the subject property was verified through field surveys. The comparative breakdown of soils on the subject property was documented in the Planning Report.

As per the requirements of the PPS, the applicant has demonstrated that there is a substantial quantity of mineral aggregate resources below the water table warranting extraction.

There are no additional planning-related matters that would be assessed through the completion of an Agricultural Impact Assessment report.

Question #34: Policy 2.5.4.1 of the Provincial Policy Statements states that complete agricultural rehabilitation is not required on Prime Agricultural lands were extraction below water is proposed if:

- a) there is substantial quantity of mineral aggregate resources below the water table warranting extraction;
- b) other alternatives have been considered by the applicant and found unsuitable;
- c) agricultural rehabilitation in remaining areas is maximized?

Why has the applicant not complied with this policy?

It is our opinion that the proposed application is consistent with the PPS and conforms to the policies of the County of Wellington Official Plan.

Question #35: Has Cox Construction been granted Environmental Compliance Approvals by the MOE to release contaminants into the air from its hot mix asphalt plant (e.g. drum mixer, cyclone, baghouse, oil heater, asphalt storage tanks, storage silos, diesel generators, combustion

equipment? (EBR REGISTRY Notices 011-0631, 011-7261).

No.

Question #36: Is the proposed establishment and operation of a pit on Part Lot 13, Concession 4 in contravention of the Ministry of Natural Resources Statement of Environmental Values, the Ministry of the Environment Statement of Environmental Values, the Ministry of Municipal Affairs and Housing Statement of Environmental Values, the Ministry of Rural Affairs Statement of Environmental Values issued under the Environmental Bill of Rights Act?

We are unable to provide answers to your questions related to conformity with the Statements of Values for various Provincial Ministries.

Question # 37 and 38: Isn't the establishment and operation of the proposed Cox Construction Pit totally dependent on the on-going operations and monitoring programs for the adjacent Cox Pit, CBM Mast/Snyder Pit and the construction and the long-term use and maintenance of what is nothing more than an experimental silt barrier wall that may work or may not effective? What legal responsibility and liability arrangements have been made including cost for the parties involved such as Cox Construction, CBM, the MNR and the Township of Puslinch if something should go wrong?

The operation of the proposed pit is not totally dependent on adjacent operations associated with the CBM Mast/Snyder Pit. The operation of the proposed pit expansion, as set out on the Site Plans, is integrated with the existing Cox pit but this is not unusual. Two new monitoring wells will be installed on-site to ensure that there is no direct dependence on the adjacent CBM Pit monitoring results.

The silt barrier is not experimental. The proposed silt barrier and step down ponds are to be constructed through normal operations at the pit, such as extraction below the water table, material movement and backfilling (e.g. for rehabilitation) which do not typically require engineering plans or analysis. The technical effectiveness of the proposal has been reviewed by the consultant for the Township of Puslinch (Stan Denhoed, P.Eng., M.Sc. of Harden Environmental), who is also a professional engineer. In fact, the implementation of the silt barrier as a condition of the Zoning By-law Amendment (and of the License through the Site Plan) was a requirement of the Township Review (January 27, 2012 letter). Long-term monitoring will be in place through the Licence conditions, and in addition any maintenance, contingency or mitigation measures to ensure effectiveness will be implemented through the Site Plan.

It has been proposed, approved and employed at other pits in the Township of Puslinch. Hydraulic barriers using bentonite and/or silt, including half depth barriers, to minimize water level impacts have been implemented successfully at other pits. These measures are not considered experimental.

It is our opinion that no additional legal arrangements are needed.

Question #39: Is it not a fact that the life expectancy of the existing Cox Construction Ltd Pits on Lots 8, 9, 10, 11 12 and the South Part of Lot 13 shall be extended indefinitely if additional extraction is approved on Lot 13, Concession 4 in the Township of Puslinch?

We do not agree. This is not a fact. Cox Construction has progressively extracted and rehabilitated much of Lots 11 and 12. The Township of Puslinch has been provided an update of the rehabilitation efforts.

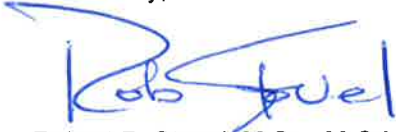
Question #40: There has been piecemeal land use and licensing approvals of the three other Cox Construction Pits over a period of more than 20 years. What is the real reason why Part Lots 13, North and South, Concession 4 were never licensed when the pit was first established on Lots 11-13, following an OMB hearing?

The Township of Puslinch and County of Wellington have been aware since the early 1990's that Cox intended to licence the subject property. Cox provided evidence at the OMB to ensure that its properties were identified in the Township of Puslinch Official Plan. Later, the Township designated these lands Extractive Industrial in their Official Plan. This designation was replaced with the Mineral Aggregate Area

overlay when the new County Official Plan came into force in 1999.

In closing, we would like to reiterate that the Zoning By-law Amendment application, including the technical reports and site plans, provide a comprehensive examination of the proposal based on the provisions set out in the County of Wellington Official Plan. In addition, we have had extensive dialogue with the Township of Puslinch peer review consultants and the GRCA. The GRCA has no outstanding concerns with the application. The concerns of the Township of Puslinch's peer review consultants – hydrogeology and ecology – have been satisfactorily addressed. The City of Guelph has no concerns with the proposal.

Yours truly,

A handwritten signature in blue ink that reads "Rob Stovel". The signature is written in a cursive style with a large, sweeping initial "R".

Robert P. Stovel, M.Sc., M.C.I.P., R.P.P., P.Ag.

Stovel and Associates Inc.
Planners, Agrologists and Environmental Consultants

January 4, 2014

Township of Puslinch
7404 Wellington Road 34
Guelph, ON
N1H 6H9

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JAN 08 2014

Township of Puslinch

**RE: Comments from Ms. Bev Wozniak
 Proposed Puslinch Pit Expansion
 Part of Lot 13
 Concession 4
 Township of Puslinch
 County of Wellington
 (Cox Construction Limited – Zoning By-Law Amendment Application)**

Stovel and Associates Inc. has been requested to respond to the question/issue raised by Ms. Bev Wozniak that was not addressed clearly at the public meeting. I have reviewed the Public Meeting Minutes, and I offer the following answer to the matter raised by Ms. Wozniak.

Overflow

If an outlet on the Cox Puslinch Expansion Area is required (although there is no suggestion that we would need it), it should go west to the pond in the main (existing) pit area. There are two existing outlets in Puslinch Pit that could be utilized if necessary; one outlet drains water to the west across Sideroad 10 and the other drains water in a northerly direction across Laird Road.

Yours truly,



Robert P. Stovel, M.Sc., M.C.I.P., R.P.P., P.Ag.

Stovel and Associates Inc.

Planners, Agrologists and Environmental Consultants

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JAN 08 2014

Township of Puslinch

January 4, 2014

Township of Puslinch
7404 Wellington Road 34
Guelph, ON
N1H 6H9

**RE: Comments from Ms. Laura Murr
Proposed Puslinch Pit Expansion
Part of Lot 13
Concession 4
Township of Puslinch
County of Wellington
(Cox Construction Limited – Zoning By-Law Amendment Application)**

Stovel and Associates Inc. has been requested to respond to the questions/issues raised by Ms. Laura Murr at the public meeting. I have reviewed the Public Meeting Minutes, and I offer the following answers to the various matters raised by Ms. Murr. If I have missed something, please let me know and I will prepare a supplemental response.

Dust

Cox Construction Limited ("Cox") developed a Dust Management Plan ("DMP") in 2012. The implementation of the DMP has assisted in minimizing dust at their operations. The Puslinch Pit operates in conformity with the DMP. It is my expectation that if there were any dust complaints related to the Puslinch Pit, these complaints must have occurred prior to the implementation of the DMP.

With respect to the current proposal, it is important to recognize that the material being extracted will be saturated and will be processed offsite for the most part. Dust from the aggregate stockpiles will not be a concern. The perimeter berms will be seeded with an appropriate grass/legume mixture. Once the berms are established, there should be no dust coming from the perimeter berms.

It is our understanding that silica is not a concern of sand and gravel pits in this portion of Puslinch Township.

It is my understanding that the Ministry of Natural Resources ("MNR") has not cited Cox for dust concerns.

Nigro Pit

Cox purchased the Nigro Pit in 2013. The Nigro Pit is an active pit. Cox has initiated progressive rehabilitation at this pit. The Nigro Pit has approved accesses on Sideroad 12 and Forestell Road. Cox's trucks are permitted to use these roads.

Cox has an approved entrance on Sideroad 10. Cox's trucks are permitted to haul on this road.

Service Entrance

Cox has a service entrance to its main pit on Forestell Road. Trucks, farm equipment and other equipment are permitted to enter and exit the site from this entrance to undertake such activities as agricultural cultivation, servicing of equipment and agricultural rehabilitation as needed.

Stovel and Associates Inc. 297 Briarhill Drive, Stratford, ON N5A 7T1 Phone: 519 272-2884

Haul Route

Cox's gravel trucks utilize Laird Road as the main haul route for the Puslinch pit operation. Once the trucks enter Laird Road, they turn east or west and then utilize the County road network. Concession 9 is not part of the haul route.

It is important to recognize, however, that Cox operates additional pits in the area that are permitted to use Forestell Road and Sideroads 10 and 12 for a portion of their respective haul routes. As well, Cox is permitted to use township roads to provide aggregate for local municipal contracts or to service residents' needs in the Township.

Why Were These Lands Not Part of the Original OMB Decision

The original application occurred over 25 years ago. The determination of what lands will form part of the application was a business decision that was made long ago. The original application has no relevance to the current proposal.

Water Monitoring

The water monitoring information is contained in the Hydrogeological Report that was filed with the Township as part of the Zoning By-law Amendment application. The attached map illustrates the location of the monitoring wells. Please note that Cox will install two additional monitors at the site.

The Hydrogeological Study prepared in support of this application has proven that there will be no significant impact on the water table. This report has been reviewed by the GRCA. The GRCA has no objections to the proposal.

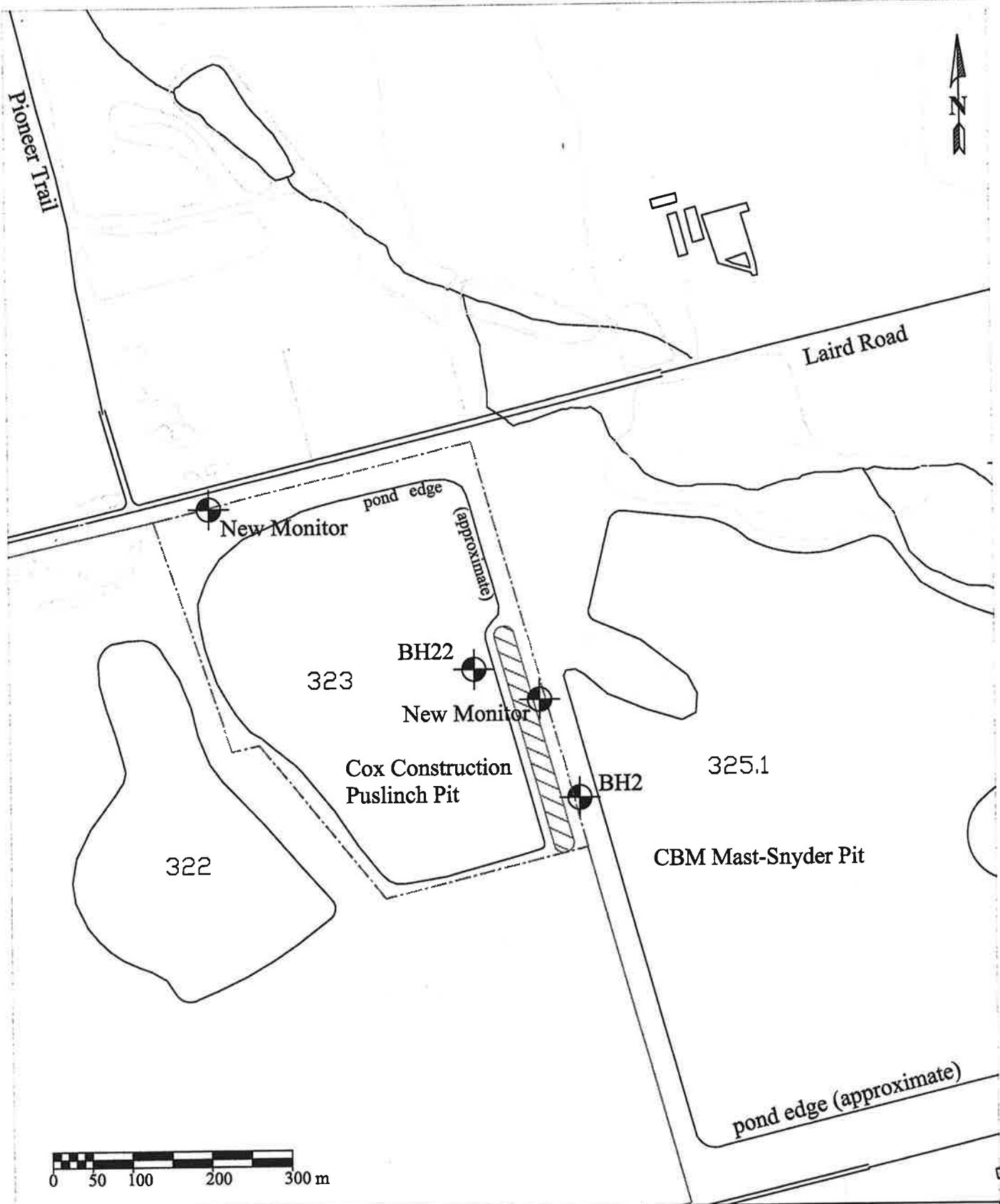
Impact on City of Guelph Business Park





It is our opinion that there will be no impact on the City of Guelph Business Park. The City of Guelph has no concerns with the proposed zoning application.

Yours truly,



Robert P. Stovel, M.Sc., M.C.I.P., R.P.P., P.Ag.



<ul style="list-style-type: none">  anticipated ponds (projected elevations as shown)  proposed Silt Barrier location (approximate)  monitor locations <p style="font-size: small; margin-top: 10px;">modified from: Site Plan (Stovel and Associates Inc.); and, 1:10,000 OBM Mapping UNDER LICENSE, WITHOUT PREJUDICE OR ENDORSEMENT FROM THE QUEEN'S PRINTER OF ONTARIO</p>	<p>December 2013 Scale: as shown Hydrogeologic Assessment</p> <p> <i>Groundwater Science Corp.</i></p>	<h2 style="margin: 0;">Monitoring Locations</h2> <p style="margin: 5px 0 0 0;">Cox Construction Limited Proposed Puslinch Pit Expansion Part Lot 13, Con. 4, Township of Puslinch</p>
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Stovel and Associates Inc.
Planners, Agrologists and Environmental Consultants

January 4, 2014

Township of Puslinch
7404 Wellington Road 34
Guelph, ON
N1H 6H9

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JAN 08 2014

Township of Puslinch

**RE: Comments from Ms. Kathy White
Proposed Puslinch Pit Expansion
Part of Lot 13, Concession 4
Township of Puslinch, County of Wellington
(Cox Construction Limited – Zoning By-Law Amendment Application)**

Stovel and Associates Inc. has been requested to respond to the questions/issues raised by Ms. Kathy White at the public meeting. I have reviewed the Public Meeting Minutes, and I offer the following answers to the various matters raised by Ms. White.

Nigro Pit

Cox purchased the Nigro Pit in 2013. The Nigro Pit is an active pit. Cox initiated progressive rehabilitation at this pit in 2013. The Nigro Pit is permitted to receive fill/soil for the purposes of rehabilitation. The Nigro Pit has approved accesses on Sideroad 12 and Forestell Road. Cox's trucks are permitted to use these roads/entrances and they did so in 2013.

Service Entrance and Haul Route

Cox has a service entrance to its main pit on Forestell Road. Trucks, farm equipment and other equipment are permitted to enter and exit the site from this entrance to undertake such activities as agricultural cultivation, servicing of equipment and agricultural rehabilitation as needed.

Cox's gravel trucks utilize Laird Road as the main haul route for the Puslinch pit operation. Once the trucks enter Laird Road from their main pit entrance, they turn east or west and then utilize the County road network.

It is important to recognize that Cox operates additional pits in the area that are permitted to use Forestell Road and Sideroads 10 and 12 for a portion of their respective haul routes. Cox is permitted to use township roads to provide aggregate for local municipal contracts and to service local needs for the residents of the Township of Puslinch.

2002 Rezoning Application

The subject property formed part of the re-zoning application in 2002. At the time, the Township of Puslinch was dealing with a re-zoning application for the Mast-Snyder property. The Mast-Snyder property subsequently was referred to the OMB. Cox made a business decision to remove the subject property from that application and only pursue rezoning of the southerly portion. This was a business decision.

Yours truly,



Robert P. Stovel, M.Sc., M.C.I.P., R.P.P., P.Ag.

Stovel and Associates Inc.
Planners, Agrolgists and Environmental Consultants

January 04, 2014

Dave and Dorothy Short
6784 Laird Road West
Guelph, ON
N1H 6J3

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JAN 08 2014
Township of Puslinch

COPY

SUBJECT: Puslinch Pit Expansion – Cox Construction Limited

Further to the Public Meeting on October 16th, 2013, I offer the following responses to the matters that you raised at the meeting.

1. Is the Proposal for a New Licence or an Expansion to the Existing Licence

Cox has applied for a new licence for the subject property but the site will be operated as an expansion to the existing pit.

2. Water Table

Based on the analysis presented in our Hydrogeological Assessment, short-term seasonal water level variations of up to 2 m have been observed, however no long-term trend (rise or decline) in water table level is observed.

The Hydrogeologic Assessment that was completed in support of the proposed application indicates that there should be no significant impact on your well or adjacent ponds. We note that the GRCA and Township Hydrogeologist have reviewed the application (and supporting documentation). The GRCA does not have any objections to the rezoning application and Stan Dehoed does not have any further concerns.

I have reviewed Laverne Hartung's notes with respect to his meetings with you (i.e. your concerns with respect to your well). I was not aware that you had concerns with your pond. I note that none of the visits has occurred in the summer time. I think that it would be best to set up a summertime meeting. January is not an appropriate time to inspect a pond due to frozen conditions.

I will contact you this week to discuss this matter further.

3. Trucks

Cox Construction Limited implements a Trucking Policy. At the start of each operational season, truckers are advised of the policy. All truckers using the Cox pit are informed of the need to comply with haul route provisions, the need for road safety and the need to respect for our neighbours. As part of this, truckers are educated about the entrance requirements. Each scale ticket that a trucker receives provides entrance/exit directions. Cox has also installed a sign at the scale stating "*if headed west, use the west entrance /exit*". In addition, a No Left Turn sign is posted at the east entrance/exit.

Scale personnel continually remind truckers about the requirement to use the appropriate entrance/exit.

If a driver demonstrates continued non-compliance, they will be banned. As far as Cox is aware, no trucker has demonstrated continued non-compliance.

Cox will ensure that the appropriate gates remain open during operational hours.

It is important to keep in mind, however, that not all of Cox's trucks in the area use the main entrance at Puslinch Pit near Mr. Short's residence. The Nigro Pit, for instance, uses Forestell Road to Sideroad 10 to Laird Road for the approved haul route. These trucks would drive by your house if they were headed in an easterly direction.

Should you have any concerns or questions, or if there is anything that I can assist you with, please do not hesitate to contact me.

Yours truly,



Robert P. Stovel, M.Sc., M.C.I.P., R.P.P., P.Ag.

cc. Donna Tremblay
Aldo Salis
Regan Cox