

EAST AMWELL BOARD OF HEALTH MINUTES - DRAFT
7:30 p.m. East Amwell Municipal Building
May 22, 2018 – Regular Meeting

Statement of Compliance

The regular meeting of the East Amwell Board of Health was opened on May 22, 2018 at 7:32 PM. The following notice was read, “In compliance with the Open Public Meetings Act, this meeting was advertised in the February 8, 2018 issue of the Hunterdon County Democrat. Notice of this meeting was forwarded to the Township Clerk’s office, posted on the Township bulletin board, and sent to the Hunterdon County Democrat on May 15, 2018.”

Present: Tracy Carluccio
Les Hamilton
David Wang-Iverson
Pauline Serafin
Leonard DeCandia, Alt. 1

Excused: Larry Tatsch
Janis Grover, Alt. 2
Dan Wyckoff - Hunterdon County Division of Public Health

Absent: Peter Miller

Announcements/Agenda Review:

None

Ms. Carluccio stated that Dan Wyckoff could not be here from Hunterdon County tonight, and we have a written report that she will review.

Presentation of Minutes –

Ms. Carluccio said review of the April 24, 2018 minutes is being deferred to the June meeting.

Open to the Public

Ms. Carluccio asked if any member of the public would like to bring up something to the Board. She invited Ms. Scheffmeyer forward.

Ms. Darlene Scheffmeyer of 167 Cider Mill Rd, Ringoes stepped forward and proceeded to share details regarding a complaint she filed against her neighbor who resides at 171 Cider Mill Rd. Ms. Scheffmeyer stated that she lost the sale of her home due to a graphic website on Facebook about features of 171 Cider Mill Rd. Her complaint includes slaughtering of animals, not cleaning up properly afterward with blood remaining on the driveway and improper disposal of the carcasses. Ms. Scheffmeyer described the odor of pigs while they were using their pool, but now they are gone. In addition there is a trailer on property that Ms. Scheffmeyer believes is being rented without proper water/waste disposal including a compost toilet, and a shower without proper hook up to the septic system. Further she stated that people don’t just stay for the weekend, last year one gentleman stayed for six months and a woman with four children stayed for three months.

Ms. Scheffmeyer had spoken with Dan Wyckoff at Hunterdon County Board of Health and believes he investigated the property. Ms. Carluccio stated that there are items that we could consider because the Hunterdon County Board of Health report only covered the composting toilet. The other matters about slaughtering of animals, and carcasses on the property could come under an ordinance or state code.

Ms. Carluccio stated there was a complaint filed about 171 Cider Mill Rd, the neighbor's home and read the Health Inspector's report as follows: The property owner is purported to have a "composting toilet" on the property. It was questioned that this type of toilet might be prohibited by local ordinance. The inspector went to the site and met with the property owner. The property owner stated that he did not have a composting toilet, but he did have a "decorative outhouse". The owner took the Inspector assigned to the complaint around the property and he was shown the "outhouse". The inspector indicated on his report that there were no issues, declared the complaint not valid, and closed it out.

Ms. Carluccio continued that the Report from the County states that inspector did not review Chapter 168 of the East Amwell Ordinances which addresses "Sanitation Units and Chemical Toilets, Portable". If in fact, there is a composting toilet on said property it may fit the description of a Portable Sanitation Unit which would require a permit and could not be utilized on a temporary basis for more than nine months. Should the East Amwell Board of Health deem that a composting toilet is in fact a "portable sanitation unit", the complaint can be reopened and a different inspector will revisit the property to verify the previous findings. If there is a portable sanitation unit on the property, then a notice of violation will be sent to the property owner ordering the removal of the unit.

Mr. Wang-Iverson asked if we really know what he is using and Ms. Scheffmeyer said on the website it states there is a composting toilet and shower with pictures and videos. Ms. Carluccio said the Board would need to review the ordinance to see if the composting toilet meets the definition of portable sanitation unit or not, and there must be adequate sanitation on the property. Ms. Carluccio said the State code (NJAC7:9A) requires that every residence have an approved septic system, but there is nothing against composting toilets in State law as a supplement. The question is whether there is a use on the property that is creating sewage that is not being treated properly and using water that is not permitted.

Mr. Wang-Iverson asked Ms. Scheffmeyer if she spoke with the zoning officer, and she replied yes but did not learn anything helpful. Ms. Scheffmeyer further stated that the neighbor is digging a trench and putting a pipe/line into the septic. Ms. Carluccio said that is a different kind of complaint and can be lodged with the County Department of Health.

Ms. Carluccio said some things here will rise to the level of action and some that will not, and invited comment from the Board. Mr. Wang-Iverson stated that using a trailer as an apartment/rental could be a zoning issue, and he's not sure if a composting toilet would be allowable for that unit. Ms. Carluccio said we can ask DEP to be clear and informed Ms. Scheffmeyer that it is important that she already filed a complaint, and we will follow up. Ms. Scheffmeyer further discussed the over growth of weeds, to which Ms. Carluccio responded that those are not Board of Health issues. Further the Board of Health issues would be: is there a second residence, is there a portable sanitation unit, is there an illegal hook up to the septic. Mr. Wang-Iverson said we can ask Dan Wyckoff to reopen the complaint and address.

There was some conversation about the issues that arise from improper slaughter & handling of the carcasses. Ms. Scheffmeyer stated Richard Wolfe said at the Township Committee meeting that he had

walked an adjoining property and saw a pile of carcasses, and that her main concern is the cleanup of the property so she can sell her home, and Ms. Carluccio thanked Ms. Scheffmeyer for coming, said the Board we will get back to her after speaking with Dan Wyckoff regarding next steps.

The meeting was open to the public for comment. There being no comments, there was a motion to close for public comment made by Mr. Hamilton and seconded by Mr. Wang-Iverson. All were in favor, none opposed and the motion was carried to close to the public.

Unfinished and New Business

HUNTERDON COUNTY DIVISION OF PUBLIC HEALTH INSPECTOR'S REPORT

Ms. Carluccio read the report regarding Speedway as follows:

Speedway – Block 15.01, Lot 2: Attached find copies of the Pump Receipt and Proof of inspection of the Hoot System at Dunkin Donut/Speedway. It was reported that the Contractor that installed the system was going to try to complete the repairs to the Disposal Field by April 26 or 27. That did not occur. We will follow up to determine when the disposal field will be repaired and requesting copies of the May pumping and inspection. There have been no observed breakouts at the system. He doesn't say anything about the forensic analysis.

Mr. Wang-Iverson asked if there were any repairs and Ms. Carluccio said they needed to fix where it had eroded.

PREVIEW COMMITTEE

Ms. Carluccio stated next item is King Construction revised Septic Plan for 1 Ridge Road, Block 38 Lot 16. Wayne Ingram P.E. introduced himself as representative for the applicant.

Copies of the County letter and a new septic plan were distributed to board members. Ms. Carluccio stated these are new plans as well as a new letter from the County and the preview committee has questions. Mr. Ingram said in summary they took comments received earlier and made as many changes as they could with the primary change being repositioning of the well and septic to maintain a buffer to the existing fields and the 25 foot set back. These are referenced in the Count letter. Ms. Carluccio said the new plan is on sheet one and on sheet two it has the well buffer and location of existing neighboring systems as well. Other sheets have notes about the system itself and the HOOT treatment system.

Ms. Carluccio said the preview committee compared the old to the new and looked at items raised by the County. Regarding the testing only two soil logs were used and the soil permeability class rating was used while the East Amwell ordinance states how many soil logs are need. Mr. Ingram explained why he used the soil permeability class rating test. Discussion followed regarding the date of the soil tests (2001) and the lack of Walt Wolfe's witness notes. Ms. Carluccio agreed that Ms. Georgett will search Township files for the witnessing notes. Discussion followed about soil tests. Mr. Ingram agreed that if the testing was not witnessed, it would need to be redone.

Ms. Carluccio said that in the State code the types of testing done to determine permeability area explained. Discussion followed about language in the State code and how the tests can show that there will be disposal of the sewage into the ground. Ms. Carluccio stated item number two in the County letter

addresses the need to get a passing percolation test. Mr. Wang-Iverson asked that because you can't do these tests in these soils due to rock, can a pit be dug into the bottom of where you plan to excavate and then run tests at that level? Mr. Ingram said that is really the issue because the soil logs where the material was taken is 13 to 17 feet deep. That is where the passing soils are. He continued there aren't many areas on the mountain you can dig that deep without hitting rock on the mountain, so we are clearly in soil. The pit bale is specifically for tests in rock and the code is very clear regarding the conditions and which tests to run. He continued that here under these conditions grab samples are taken and analyzed in a lab. That analysis was done here and is the appropriate test anywhere in the State, avoiding having to go into a hole at that depth. Aside from safety issues, it is not what you would do for soils like this.

Ms. Carluccio said the Board needs to know there is going to be a zone of disposal. Mr. Wang-Iverson asked if the septic bed was going to be 13 feet deep? Mr. Ingram said yes, we are going to dig down deep to penetrate those soils to those places and depth. There is a 10 or 12 foot dig to get to that material. A question was asked about the plan showing a 132" zone of fill. Mr. Ingram replied that this system is a little different because normally you have a zone of treatment that is four feet and a zone of disposal of four feet when the layers are contiguous. Here there is a water table so the zone of treatment is 18". We then have a giant void with no permeability so have to dig that all the way to good soil beneath. That is the material we will use for the zone of disposal. Mr. Ingram continued the soil tests that were done in the lab show a permeability of .62' per hour rate, adequate for design of a septic system. This system is sized significantly larger than that would require. There was further discussion about the soil testing, insitu permeability testing and the wet conditions on the site.

Ms. Carluccio said that the Township will look for the witness notes and that Walt Wolfe searched his files but found no records. Mr. Wang-Iverson confirmed that if there are no notes the applicant would do new tests and follow the requirements to ensure the soils are consistent, and Mr. Ingram agreed. Mr. Ingram stated the old tests showed there is consistency in the soil and the same material was found in all four logs. Mr. Carluccio said soil logs can vary and that is why the Board requires two tests for a basin flood test and four pit bales to show consistency. The tests only show one soil log in the middle of the bed and no in place permeability. Mr. Ingram stated the soil logs are about 50 feet separated, one for the primary and one for the reserve. Ms. Carluccio said the East Amwell ordinance requires more. Discussion followed regarding the tests and hydraulically limiting zone, and the use of soil class rating tests. Ms. Carluccio stated that there needs to be verification of the location of the fresh water wetlands on the site and that the LOI is needed from the State. Discussion followed and Mr. Ingram agreed to get the LOI right away.

Ms. Carluccio said we have gone through the letter and will get back to you with advice regarding additional testing, the witnessing and what we find out during our search of the archive files from 2001 and we'll go from there. Ms. Carluccio thanked Mr. Ingram for coming in.

New Business – none

Items of Discussion:

Ms. Carluccio asked if there were any items of discussion, and there were none.

Ms. Georgett stated as Board Secretary's Report that we have a sample letter of commendations for Mr. Van Horn and will solicit input from the Board to populate the letter appropriately. Ms. Carluccio stated we will send an email asking for input and do research to fill in other data & details. There will be letters for Ted Peyrek, Tony Berberabe, Charlie Van Horn and Bogdan Slecza.

Ms. Georgett provided an update regarding the Township website and that it will be more user friendly and have space to put pictures, etc. The existing Board of Health data will migrate to the new site, and the Board will then revise the content, appearance, etc. The Website committee will come to meet with the Board of Health and gather feedback.

Correspondence

Ms. Carluccio stated there was an animal bite report, domestic cat. There was no further discussion on this report.

There was also a report for a Peat System. Mr. Wang-Iverson asked is the County tracking the Annual Advanced Treatment System Maintenance reports and Ms. Carluccio replied affirmatively. Mr. Hamilton asked if this Board can look at Hunterdon County report and be sure it's complete? Ms. Carluccio said the County has a list and follows up, and yes we can request the report.

There was a May 2nd letter that didn't arrive in a timely manner about a compressor system in Franklin Township. Mr. Hamilton asked if we knew the determination, and Ms. Carluccio said we can find out.

Bills of the Evening:

Ms. Georgett stated that the items listed were payment received/deposited and not invoices to be paid. Ms. Carluccio instructed Ms. Georgett regarding this agenda item needs to be invoices to be paid. Mr. Hamilton stated that we should not approve Bills that weren't on the agenda with proper disclosure. After some discussion all agreed the bills would be placed on the June agenda to reviewed at that meeting. No action was taken.

Open to the Public:

There being no members of the public present, motion by Mr. Hamilton, seconded by Mr. Wang-Iverson, and carried to close to the public.

Adjournment

There being no further business, motion by Mr. Wang-Iverson, seconded by Ms. Serafine, and carried unanimously to adjourn the meeting at 8:45 p.m.

Rosemary Georgett
Board of Health Secretary