

**EAST AMWELL BOARD OF HEALTH MINUTES**  
**7:30 p.m. East Amwell Municipal Building**  
**May 28, 2019 Regular Meeting**

**Statement of Compliance**

The regular meeting of the East Amwell Board of Health was opened on May 28, 2019 at 7:30 PM. The following notice was read, “In compliance with the Open Public Meetings Act, this meeting was advertised in the December 20, 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 21, 2019.”

**Present:** Tracy Carluccio  
Larry Tatsch  
Les Hamilton  
Janis Grover  
Pauline Serafin  
David Wang-Iverson  
Leonardo DeCandia, Alt. 1

**Absent:**  
Peter Miller  
Jennifer O’Sullivan - Hunterdon County Division of Public Health

**Agenda Review –**

The following items were added to the agenda:

- 7. E NJDEP Letter – Treatment Works Approval 304 Route 31, Blk 42 Lot 12.01 Stryker
- 8. E E&LP, Soil Test Witness Refund, Blk 11 Lot 6 \$200.00
- 8. F Michael Horowitz, Soil Test Witness Refund, Blk 11, Lot 36 \$200.00
- 8. G Ferriero Engineering, Soil Test Witness Fees \$362.00

**Presentation of Minutes –**

March 26, 2019 Meeting Minutes: **A motion by Mr. Hamilton, seconded by Mr. Tatsch, to approve minutes with minor edits was unanimously carried with no objections and Ms. Grover abstained.**

April 23, 2019 Meeting Minutes: **A motion by Mr. Hamilton, seconded by Mr. Tatsch, to approve minutes with minor edits and one correction was unanimously carried with no objections and Mr. Wang-Iverson and Ms. Serafin abstained.**

**Open to the Public –**

**A motion by Mr. Wang-Iverson, seconded by Mr. Tatsch, to close to the public was unanimously carried with no objections or abstention.**

## **Unfinished and New Business**

### **Hunterdon County Division of Public Health Inspector's Report**

Ms. Carluccio said that Ms. O'Sullivan was unable to attend the meeting and had provided an update that Ms. Carluccio read aloud as follows:

“The NOV against Case Nursery, Krista Parsons, EA Zoning and Planning sent over two receipts from Tyrex Resources reporting a total of 647 tires were removed from the property. A follow up inspection by the HCHD on 5/20 confirmed tires had been removed. The remaining solid waste must be removed and receipts of disposal provided by 5/31 or a Final NOV will be issued.

A resident called in a complaint regarding mosquitoes on Ridge and Rileyville Roads. The resident indicated that mosquito production is coming from the road-side ditches on these roads. HC Mosquito and Vector Control inspected the area and found this to be true to some extent. They are assessing whether maintenance of the existing ditches will help to reduce the mosquito production. They will continue to monitor as the summer progresses and will be treating the larval mosquitoes as needed.

Any questions that come up during the meeting tonight please email over and we will try to answer them as quickly as possible. “

Ms. Georgett added that she had received a message from Dan Wyckoff regarding the Black River Railroad Café inspection stating that the health inspectors have been very busy doing inspections on pools in preparation of opening day. Mr. Wyckoff will complete this inspection soon and report back.

Mr. Hamilton asked if there was an update on Speedway and the Monitoring Wells, and Ms. Carluccio said no update on this provided. Mr. Hamilton said that he saw someone working in the wells, and Ms. Carluccio said they were supposed to be closing the old monitoring wells.

Ms. Carluccio said the Board should remind residents that if they see a place where mosquitoes are breeding, it should be reported to the County. Ms. Georgett said we can place an alert on the Township website, and Ms. Carluccio said yes do this and add the County pamphlet on what to do if you see an area where mosquitoes are breeding. She continued that mosquitoes infected with the West Nile have been found in the township in prior years.

### **Preview Committee**

#### **Copeland Block 41 Lot 19.02 – 107 Snyderstown Rd, Hopewell**

Bill Jupinka from Bayer-Risse Engineering stepped forward. He stated the house is a four bedroom house with no expansion, the existing system is failing and there are high water table conditions. He continued that it's in the Mountain Zone and to clear the stream there is limited usable area. Mr. Jupinka said the State standards can be met but once the system is moved away from the well the property line and septic bed are both closer than the East Amwell distance requirements. Everything is being revamped with new septic tank installation. Ms. Carluccio

said this is an existing home with a malfunctioning system, no expansion, and it is a conventional system not an advanced treatment unit. She continued that this system will be an improvement over what is in place now but the Board had some questions. Mr. Hamilton said the bed looks almost square and asked if it were made more rectangular and moved west would it create more space from the bottom property line. Mr. Jupinka said going west would move closer to the stream and there is now 100 feet as required. He continued the further you move down the hill, the steeper the property which would require more aggressive grading. Mr. Jupinka said soil logs were done in various locations to try to meet the distance requirements and the number of soil logs was one of the issues the County raised. He continued it can't be moved east due to the well and can't be moved west due to the stream. Ms. Carluccio asked why is soil log 327-3 so far from the bed, and Mr. Jupinka said it was uncertain how the system would be laid out so that side was canvassed to show the soil is consistent throughout. He continued that once the well location and property line were mapped out, that soil log ended up being further away. Mr. Jupinka said moving down the hill there is more open space but the grade gets more aggressive and it's closer to the stream. Ms. Carluccio asked about the setback for the well and Mr. Jupinka confirmed that was for all adjoining properties.

Mr. Jupinka said the lot behind is wooded and associated with the property across the stream. He continued that the property owner had explored acquiring land to make more space but it was not available. Mr. Wang-Iverson said assuming this is approved would Mr. Jupinka be able to do a fourth soil log to complete the requirements? Mr. Jupinka said it could be done but may require a witness with associated charges. There was discussion regarding whether this would provide needed information beyond what was already available. Mr. Wang-Iverson said the Board has asked other applicants to do this because it completes the requirements, and Ms. Carluccio said that would remove the waiver assuming there is acceptable material. Mr. Jupinka said he didn't know if the applicant had funds for the additional cost as it was already a costly project. Mr. Tatsch said the soil logs are pretty uniform and didn't think a fourth soil log would give new information and he was comfortable with what the Board already has.

#### Waivers:

1. The proposed disposal bed toe of slope is shown 16 feet from the property line which does not meet the minimum 25 foot separation distance requirement by Township Board of Health ordinance.
2. Soil log 327-3 is not within the 15 foot requirement of the proposed disposal bed.

**A motion by Mr. Tatsch, seconded by Mr. Wang-Iverson, to approve the system with two waivers was unanimously carried with no objections or abstentions.**

#### **Unfinished Business**

##### **Petrillo Block 27.01 Lot 22 – Septic System Alteration**

Steve Parker with Parker Engineer and his client Jennifer Petrillo stepped forward and introduced themselves. Mr. Parker said this is the third time they are before the Board for this property. Since the last time the information the Board requested including location of wells and septic systems on adjoining properties was located through County records. Mr. Parker also said the Board had suggested relocation of the well, and it has been moved to the front corner of the

property which allowed increasing the field by around 100 sq. feet. He continued this also increased separation distances of the field from the well, septic tank and advanced treatment tank. Mr. Parker said it is still an advanced treatment unit (ATU), with a pressure dose system and using a cocoa filter. He continued that it is now an L shaped disposal field to make it as large as possible, although it is still a little undersized for what the State requires. Mr. Parker continued that in the County letter dated May 23, 2019 there are a number of waivers that are needed, and he will walk through them. Mr. Parker continued saying first it is an ATU. The disposal bed size under State code is 478 sq. feet and they are proposing 382.5 sq. feet; the East Amwell requirement is about twice that. Ms. Carluccio asked Mr. Parker to provide the figure and he said for a 3 bedroom home it would around 1040 sq. feet. Mr. Parker said 2 soil logs are proposed because there is limited space, and the disposal bed will be 46 feet from the new proposed well which does not meet the 100 foot State requirement. He continued by clarifying that the distance could be approved with additional casing required on the well and therefore 104 feet of casing will be provided.

Mr. Parker said the advanced treatment tank would be 34 feet from the proposed well, which does not meet the East Amwell 100 foot separation distance. He continued that the bigger septic field limits the ability to meet all separation distances for the well, the house, etc. and it has become a matter of balancing these. Mr. Parker referenced item 6 in the County letter stating this should be the distance from the proposed septic tank to the proposed, not existing, well. He confirmed that the old well would be abandoned. Mr. Parker said they will not comply with the certification letter requirement in item 7 because the toe of the mound will only be 5 feet from the property line. He said regarding item 8 a 5:1 slope would go over the property line or require a smaller bed, and the 3:1 slope is in compliance with State Code.

Mr. Parker stated that the septic tank, ATU tank and disposal bed are as far from the storm drain inlet as possible. He continued that disposal bed distance to dwellings A and B is less than required and notes on the map are placed by the graphic scale because the drawing is so complex. Mr. Parker said the disposal bed is 25 feet from existing septic system on neighboring lot 23 and State Code requires 50 feet which can't be met with increasing the size of the bed. Mr. Parker said we can't meet 100 feet separation distance from the existing well on neighboring lot 23 but it will be about what it was before and this is a much better system. He continued the ATU is being proposed to address many of these issues.

Ms. Carluccio said the Board should review some of the remedies from the last meeting, and suggestions were to purchase property from behind to expand onto the Fire House or ballfield, to remove the garage to reduce the footprint of buildings on the property; reduce from 3 to 2 bedrooms; and to a drill new well that would be located at a greater distance from the septic system components and to provide extended casing. She continued that the option of a holding tank was to be considered, and the L shaped bed was suggested by Mr. Tatsch. Ms. Carluccio said the Board sees that steps have been taken. The Board was suggesting ways to get as close to the State Code's 478 square foot bed as opposed to the 1040 square foot East Amwell requirement.

She continued asking if it is possible to provide another lateral which would add square footage to the field. Ms. Carluccio explained ideas for where this could be placed on the property. Mr. Parker said he did look at that but it would put the system closer to the house, and when doing the calculations the amount of square footage he could pick up wasn't worth the tradeoff. He

continued that reducing the usable backyard would be a hardship. Mr. Hamilton asked about adding laterals and Mr. Parker said having different sized laterals would be problematic. There was further discussion regarding placement and size of the laterals including how close a new one would be to the garage. Mr. Tatsch asked what the cellar walls of the dwelling are made of and Ms. Petrillo said stone. Mr. Tatsch said that gives him concern about moving the lateral closer to the house and recalled issues at one time in the Municipal Building with odor seepage through the basement walls before the new system was put in.

Ms. Carluccio said another suggestion was moving the bend in the elbow toward the road and moving the proposed well toward the driveway. She said the 2 pit bails were done but not 4 soil logs and asked why more soil logs were not done. Mr. Parker said additional soil logs were not done due to proximity to the well. Ms. Carluccio said she was concerned about the soil near where the extension in the system was added and that the Board does not have information regarding the uniformity of the soils. Mr. Parker said based on existing soil tests it is consistent in this small area and there were not any bad soil tests performed. Mr. Tatsch said that because the space without a soil log must be used to bring the bed size closer to state code, the results of a soil log performed there would be moot.

Ms. Carluccio said the well is only proposed and if it were moved toward the driveway, would that get to the State minimum. Mr. Parker said that would bring it closer to the house, and Mr. Tatsch said he's concerned getting any closer to the house. Ms. Carluccio said the Board's goal is to get to a full State code bed, and Mr. Parker said balancing the well, the bed, the dwelling, is difficult and this system is multiple times better than what was there before. He continued that this system will be more than adequate, and ultra violet treatment is being proposed to address ground water contamination concerns. Ms. Carluccio said the Board would like to see the wells and well radius to see the distances, and Mr. Parker said he will add this. Ms. Carluccio asked if the location of the septic system and well on lot 19 is known. She continued that the lots across the street are numbered the same and should be corrected. There was discussion regarding placing well and septic location for all adjacent properties on the map, and Mr. Parker testified the locations and agreed this will be noted on the design map. There was further discussion regarding where the wells were likely located, the efforts Mr. Parker took to find the information including getting records from the County. The County record was wrong for one of the lots, indicating a public water line. Mr. Parker also looked around the property and knocked on the neighbor's door with no answer.

Discussion continued regarding how Mr. Parker could obtain exact location of the well on lot 19 and where it could possibly be located. Mr. Parker said as long as the well is on their property it will be at least 100 feet from the proposed septic field. Mr. Tatsch confirmed that the location of a well is not contained on the East Amwell well certification but it would say who drilled it. Mr. Parker said he will stop by the house again, and get this information. Mr. Tatsch asked if the property was unobstructed and Mr. Parker said yes and the well pipe would have been visible.

Ms. Carluccio asked if there is a reason for placement of well, and Mr. Parker referenced various distances including the house. Mr. Hamilton asked if Ms. Petrillo had spoken with the fire house about buying property. Ms. Petrillo said no because there would be costs associated with that and considering the house has been under contract for months, it didn't seem like a feasible solution. Mr. Hamilton suggested adding use of water saving devices to the deed. Ms. Carluccio

repeated the conditions that were discussed and that these would be included with the Township letter. She continued that the lot numbers also need to be corrected.

Ms. Carluccio asked if there were questions from the Board about the waivers and additional conditions. Mr. DeCandia asked if the well casing will be increased to requirements and Mr. Parker said yes, the well casing will be 104 feet. Mr. Tatsch said this is a difficult property to work with, the Board made suggestions and the applicant has come back with a plan that is reasonable for the site. He continued that he feels the way it is presently design it is the best we can get for this site, and recognized the applicant increased the system size. Mr. Tatsch said moving the well is also a plus.

#### Waivers:

1. The use of an advanced treatment unit Ecoflo Coco filter EC-7-700 gallon pretreatment tank and design is proposed.
2. The proposed system is based on the formula used for aerobic systems which is .956 sf/gpd for pressure dose systems which is less than the 2.08 sf/gpd required by the East Amwell Township Board of Health Code.
3. The proposed system is 382.5 square feet and does not meet the minimum size of 478 square feet for a three (3) bedroom dwelling required by State Code NJAC 7:9A.
4. The proposed disposal area is 46 feet to the proposed new well which is less than 100 feet required by the East Amwell Township Board of Health Code and less than the 50 feet required by State Code NJAC 7:9A.
5. The proposed Ecoflo ATU tank is 34 feet from the proposed new well which is less than the 100 foot minimum required by the East Amwell Township Board of Health Code.
6. The proposed 1,500 gallon septic tank is 40 feet from the proposed new well, which is less than the minimum 100 feet required by the East Amwell Township Board of Health Code.
7. The proposed toe of the disposal mound is shown 5 feet from the property line which does not meet the minimum 25 foot separation distance requirement by Township Board of Health ordinance.
8. The proposed mound slope is 3:1 which exceeds a slope of 5:1 required by Township Board of Health Ordinance.
9. The proposed septic tank is 52 feet from the existing storm drain which is less than the minimum setback distance of 100 feet from a water course required by the East Amwell Township Board of Health Code.
10. The proposed Ecoflo ATU tank is 48 feet from the existing storm drain which is less than the minimum setback distance of 100 feet from a water course required by the East Amwell Township Board of Health Code.
11. The proposed disposal bed is 59 feet from the existing storm drain which is less than the minimum setback distance of 100 feet from a water course required by the East Amwell Township Board of Health Code.
12. The proposed disposal bed is 11 feet from existing dwelling B and 20 feet from existing dwelling A, which are less than the minimum 25 foot separation distance required by the East Amwell Township Board of Health Code.
13. The proposed disposal bed is 25 feet from the neighboring septic system which is less than the minimum separation distance of 50 feet required by the East Amwell Township Board of Health Code.
14. The proposed disposal bed is 70 feet from the neighboring well which does not meet the minimum 100 foot separation distance required by Township Board of Health Ordinance.

15. The proposed design shows only two (2) soil logs and when pit bail tests are proposed, a minimum of four (4) soil logs shall be performed and submitted to the East Amwell Board of Health and Hunterdon County Health Department.

Conditions:

1. There will be 104 feet of casing on the well and a well record stating this will be filed with the Board of Health and the Hunterdon County Department of Health.
2. The Engineer shall inspect the disposal bed grading during and after system installation and provide a certification letter to the East Amwell Township Board of Health and Hunterdon County Division of Health that all grading has not lead to any offsite water issues.
3. The Septic map will be updated to include: the radius around the proposed well, distance to and location of neighboring wells and septic systems including a notation that they are greater than the separation distance requirements in the East Amwell Township Board of Health code. The block and lot information for the property across the street will be corrected.
4. Utilization of an ultra violet light for the well as well as use water saving appliances will be added to the Deed for the Property.

**A motion by Mr. Tatsch, seconded by Mr. Wang-Iverson, to approve the system with fifteen (15), ATU standard requirements, and four (4) conditions discussed was unanimously carried with no objections or abstentions.**

Ms. Carluccio noted that the Board did do calculations on how close the field size came to required State Code and the last design was 60% while the current application increased to 80%.

### **Items of Discussion**

#### **Education and Health Issues**

#### **Road Salt Monitoring Results for 2019**

Mr. Tatsch did a review of the Road Salt and Chlorine data for 2019 and said long term trending continued to show that there is no observable change in salt showing up in any of our monitoring well. He continued that there is year to year variability but when you look over time they even out. Ms. Carluccio thanked Mr. Tatsch for doing this.

#### **Board Secretary's Report:**

Nothing to report

#### **Correspondence:**

No Comment

#### **Bills of the Evening:**

Ms. Carluccio said the Board has three additional bills added to agenda. Mr. Hamilton asked to see copies of the bills added to agenda and reviewed these documents.

**A motion by Mr. Wang-Iverson, seconded by Mr. Tatsch, to approve bills of the evening was unanimously carried with no objections and no abstention.**

**Open to the Public:**

Ms. Carluccio said a draft letter she wrote to NJDEP was distributed to the Board and posted on the Township website. She continued that the letter speaks for itself and since then a fact sheet was provided by the State because the rule is in some ways complex. Mr. Hamilton asked Ms. Carluccio to review for the public and she said this ruling is about New Jersey nominating streams for Category 1 status under the state's surface water regulations. The comment letter would go from East Amwell Township to NJDEP in support of the proposal to increase protection of the stream segments that are in East Amwell Township to Category 1.

She continued that there are two stream segments that are nominated. The first stream segment is more substantial. Ms. Carluccio said it is the segment of the Neshanic River from Back Brook to South Branch Raritan River including all tributaries based on its exceptional ecological significance as a water body that supports an exceptional aquatic community. She continued that many pages describing these terms are in the rule, and the letter explains why the Neshanic River qualified for an upgrade from C2 to C1 water, which has more protective regulations and standards.

Ms. Carluccio said the life in the stream and ecological systems in the stream are healthy, which meets the requirements of a C1 stream designated by DEP. It was assessed to have optimal habitat. The percentage of impervious surface also has requirements supported by scientific studies and this requirement is also met. There are many negative impacts when impervious surface in a sub-watershed exceeds 10%. The Neshanic River is 1.8 % impervious surface in our township.

Ms. Carluccio said that because East Amwell has individual well and septic systems, there are less restrictions that come with C-1 designation than for those communities with a sewage treatment plant. She continued that these constraints connected with a sewage treatment plant will not affect East Amwell. Ms. Carluccio continued by explaining the restrictions that would or would not be imposed and that there is a federal requirement that waterways are not degraded. Ms. Carluccio said the letter explains how this will help us by requiring buffers on either side of the waterway, and existing uses within 300 feet of the stream do not need to change. She continued that "de minimis" uses are allowed, and a fact sheet provided by the state outlines these – such as mowing, a shed or garden – as long as they are small. Ms. Carluccio said some actions such as putting in a bridge could require a special permit and would be evaluated on a case by case basis.

Ms. Carluccio said the C-1 rules are also connected with other State regulations regarding waterways. She continued that the State is required to do detailed analysis for this, and salient parts are included on page 2 and 3 in the letter. Ms. Carluccio said the second nominated stream segment is for Cattail Brook; there are three headwater tributaries in our Township. She continued these are heavily wooded with 1.7% impervious surface in the sub-watershed and that the stream is nominated because of its exceptional water quality and habitat. The stream flows to Rock Brook in Montgomery Township which is nominated for C1 designation.

Ms. Carluccio asked if there were any questions from the Board, and Mr. Wang-Iverson said all the waters to the west are already C1. Ms. Carluccio said they flow to the Delaware River Watershed and are C1. She continued that those in East Amwell are nominated for the first time. Mr. Tatsch said there is a mistake that shows the Neshanic River for an unnamed tributary on the

map and this should be corrected by USGS. He continued that this unnamed tributary which is labeled as Neshanic River have three fingers off to the south and are coming off the Sourland Mountains so it should be good quality as well.

Ms. Carluccio opened to the public and Ms. Mary Lou Ferrara who lives in Hopewell Borough stepped forward as a Sourland Conservancy Trustee. She said that she was present on behalf of Dante DiPirro, Chair of the Sourland Conservancy and an East Amwell Township resident. She read a letter of support for East Amwell's position on the C1 designation. Ms. Frances Gavigan, current Chair of East Amwell Environmental Commission, said she wanted to put into the record that there was unanimous support of the letter by the Environmental Commission.

**A motion by Mr. Wang-Iverson seconded by Mr. Hamilton, to close to the public was unanimously carried with no objections or abstention.**

Ms. Carluccio said first the Board should vote on the letter and how it be submitted. Because there will not be another Township Committee meeting before the submission date, Mayor Wolfe, who was in attendance, said the Township Committee wants to have the Board of Health send the letter and he has authorization to provide a letter of endorsement. Mayor Wolfe said the letter would be submitted by the Township Committee. Mr. Tatsch said the Board should include in the letter EC endorsement.

**A motion by Mr. Hamilton seconded by Ms. Grover, endorsing sending the proposed letter from the Board of Health with a cover letter from the Township Committee by June 3, 2019 to the NJDEP was unanimously carried with no objections or abstention.**

#### **Adjournment**

There being no further business, **a motion by Mr. Wang-Iverson, and seconded by Ms. Serafin, to adjourn the meeting at 9:04 p.m. was unanimously carried with no objections or abstentions.**

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Rosemary Georgett, Board of Health Secretary