

The regular meeting of the Board of Health was called to order at 7:36 p.m. Present for this meeting were: Chairwoman Tracy Carluccio, Tony Berberabe, Les Hamilton, Jim Rosso, and David Wang-Iverson. Members absent: Tim Martin, Larry Tatsch and Ted Peyrek III. Also present: Carolyn Fritsch, BOH Administrative Officer.

In compliance with the Open Public Meetings Act, this meeting was advertised as a regularly scheduled meeting in the January 28, 2010 issue of the Hunterdon County Democrat. Notice of the meeting was sent to the applicants, filed with the Township Clerk, posted on the Township bulletin board and sent to the Hunterdon County Democrat and the Trenton Times, on July 14, 2010.

ANNOUNCEMENTS/AGENDA REVIEW

Ms. Fritsch announced she had received a communication dated July 20, 2010 from the Hunterdon County Health Department regarding an adult male feral cat, from the area of Lindbergh Road, which had tested positive for rabies on July 19th. Ms. Fritsch said she will ask DPW to distribute and/or post the information associated with this issue in the vicinity of Lindbergh Road.

PRESENTATION OF THE MINUTES - June 15, 2010

Mr. Hamilton motioned to approve the June 15, 2010 minutes as presented with no revisions, seconded by Mr. Wang- Iverson, and carried by unanimous vote, with two abstentions, Mr. Berberabe, and Mr. Rosso.

OPEN TO THE PUBLIC (limited to 15 minutes for items not on the agenda)

Mr. Wang-Iverson motioned to close the public comment portion of the meeting, seconded by Mr. Hamilton, and carried unanimously.

UNFINISHED AND NEW BUSINESS

A. Hunterdon County Department of Health Inspector, Dan Wyckoff

1. MTBE - HESS GAS STATION / RINGOES DONUTS-

Mr. Wyckoff stated the treatment plant has been completely dismantled.

The water testing will still be done on a regular basis. The Health Department will make sure the Board receives copies of the quarterly water testing reports. Mr. Wyckoff submitted to the Board the second quarter results of the testing. VOC and bacteriological testing will continue to be performed quarterly.

2. OWENS - AKA WOODY'S - B 16, L 11 - 202 OLD YORK ROAD -

No further update.

3. 542 SPRING HILL ROAD - COMPLAINT # C082109

Hunterdon County Health Inspector Enea went out to the property in early July and found no seepage from the drain pipe. The homeowner had contacted Bayer-Risse Engineering. A problem with a pipe underneath the home had been identified and Bayer-Risse was reported to have repaired it. Inspector Enea is in the process of contacting Bayer-Risse to determine what repair was done.

With regard to the Board's request to have another dye test done:

Inspector Enea felt from what he had observed when the original dye test was performed, he was confident that a new dye test was not warranted.

Mr. Hamilton said "I think that when the local Board of Health asks for the dye test to be repeated, (we can't order it to be done but) I think it would be prudent to have done that."

Mr. Wyckoff said the complaint has not been closed out. There will be a repair report from the Engineer, Bayer-Risse.

4. ANONYMOUS COMPLAINT # C-02-02-09, -

Abandoned Vehicles on Property at 12 Dutch Lane.

Mr. Wyckoff stated that once the complaint was referred to the Township Construction Code Official, the Hunterdon County Health Inspector closed it out in May of 2010. Ms. Fritsch will contact Stewart Doddy for a status report.

The report from the Hunterdon County Inspector indicated the property owner was reluctant to remove any more of the vehicles from the property.

The property owner is in violation of not only the State Solid Waste Ordinances, but the East Amwell Ordinances as well. Mr. Wyckoff said he thinks that standard operating procedures are to refer the complaint to the Municipality if the Municipality has a similar Ordinance as the State.

B. Preview Committee

1. Pittore, B 24, L 1.01, 14 Van Lieus Rd., Septic System Alteration for a malfunctioning system with no expansion.

Doug Fine, of ACT Engineering, introduced himself for the record.

Four soil logs were performed in the area of the proposed disposal field. Also, a few "hand-dug" soil logs were performed at the back of the property, looking for an area with less mottles. The back of the property is wet, had more mottles and the water table is less than 12 inches in this area. Consequently, the rear of the property was not chosen for the disposal field.

The waiver being requested is for the highest regional water table being established at 18 inches. Everything else is conforming. The septic system is designed for a 5 bedroom house, which is why it is so large. The system is sized at 2.08 square feet/per gallon/per day, and the grading is at 5:1.

A 48 inch zone of treatment will be provided above the 18 inch water table.

Homeowner Phil Pittore identified himself for the record. He stated the existing septic system is to the left of the proposed system, and he believes about 80-90 feet away from the house.

Ms. Carluccio said the key is that they were able to get 48 inches of separation from the highest regional water table to the level of infiltration in the design.

When performing the four soil logs, fractured shale was encountered at about 2 to 3 feet. There was seepage throughout the zone of disposal in the fractured shale.

The old septic tank will be pumped, crushed and backfilled with clean soil. A new 1500 gallon two compartment septic tank and 1500 gallon pump tank will be placed 100 feet from the existing well, meeting East Amwell's requirements.

Mr. Hamilton motioned to grant the waiver for the highest regional water table being established at 18 inches. The motion was seconded by Mr. Wang-Iverson and carried unanimously.

2. Healy, B 12, L 18, 54 John Ringo Rd., Septic System Alteration for a malfunctioning system with no expansion.

Charles Tiedeman, licensed Engineer, identified himself for the record.

The property at 54 John Ringo Road is 1/3 of an acre, with a 2 story, 3 bedroom dwelling, a large garage and a swimming pool.

There is an area in the back corner of the property to locate a disposal area.

Four soil logs were conducted on the property. There was no mottling or shallow ground water. Two successful pit bail tests were performed. Soil permeability class ratings were also conducted to check the whole zone of disposal.

Mr. Tiedeman chose to base the septic design on the State's requirement of 1.61 square feet/per gallon per day in order to reduce the size of the bed. He also used the State's requirement of 3:1 for the toe of the slope, due to the site limitations. The toe of the mound is only 3 feet from the rear property line. The proposed disposal bed is only 14 feet from the in-ground pool which does not meet the State requirement of a 20 foot setback. A 30 mil thick PVC liner could be placed along that side of the pool. All neighboring wells are the required distance away, and toward the front of the properties.

Mr. Tiedeman's design had the proposed new two compartment septic tank only 52 feet and pump tank only 62 feet from the existing well.

Mr. Wang-Iverson asked if the tanks can be moved closer to the 100 foot separation distance. Mr. Tiedeman said he could move them closer to the tree and maintain an 80 foot separation between the well and the septic tank and the pump tank will be even further away.

The soil logs were fine. The pool is currently not in use.

Ms. Carluccio stated there are 5 waivers as outlined in the June 24, 2010 letter from the County having to do mainly with distance from the property lines, separation distances, the 3:1 instead of the 5:1 slope, and the 1.61 sizing was used instead of the 2.08 sf/gpd. There were also two conditions discussed as well.

Mr. Hamilton motioned to grant the following 5 waivers, and impose the 2 conditions discussed. The motion was seconded by Mr. Wang Iverson and carried unanimously.

Waivers:

- 1. The tow of the mound is only 3 feet from the rear property line, and not the required 25 foot setback distance as per East Amwell ordinance.**
- 2. The septic tank and pump tank will not be the required 100 foot distance from the well as per East Amwell ordinance.**
- 3. The toe of the slope will be 3:1, instead of the required 5:1, as per East Amwell Board of Health ordinance, due to site limitations.**
- 4. The design is being based pm 1.61 sf/gpd and not the 2.08 sf/gpd, as required by East Amwell Board of Health ordinance, due to site limitations.**
- 5. The proposed disposal bed will be only 14 feet from the in-ground pool and not the required 20 foot setback requirement by State Code.**

The two conditions:

1. A 30 mil liner would be installed, as per the Engineer's design, between the disposal field and the swimming pool.
 2. The septic tank and pump tank will be moved further away from the well to get as much distance as possible, with a goal of about 80 feet.
3. **Dorio, B 41, L 12, 349 Route 31, two pressure dosed mounded soil replacement systems with no expansion for a two unit apartment and a 3 bedroom dwelling.**

Ms. Carluccio brought the Board up to speed regarding this application.

When the Preview Committee reviewed the application in January, several deficiencies in the application were noted. A deficiency memo was generated and sent to Mr. Mazzella, the designer of the system. One item that was needed was a GP25 (wetlands permit) which had to be obtained from NJDEP. Mr. Mazzella did get the GP25 permit, dated June 17, 2010, from the DEP, for the above referenced property. A new letter from Hunterdon County, dated July 6, 2010, outlining the waivers needed for both the 2 unit apartment and the 3 bedroom dwelling was received.

Mr. Mazzella stated ELM was hired to determine if there were any wetlands in the vicinity of the proposed septic system. ELM determined there were not, but they could not definitively say that the transition area was not in the wetlands.

Two isolated sections of wetlands were flagged, and the determination had to be made whether more than $\frac{1}{4}$ of an acre would be affected. Mr. Mazzella calculated only 7000 square feet would be affected, which is equal to approximately $\frac{1}{8}$ of an acre.

Then, the habitat of the Barred Owl came into question. DEP came out to the sight and realized the Barred Owl was not in the area. Because there was not a threatened and endangered species in the area, a 50 foot transition area was used, as required by State wetlands regulations.

Mr. Mazzella obtained verification the stream in the rear of the property is not a C-1 stream.

Mr. Mazzella revised the original plan, placing the tanks further away from the wetlands. The revision date on the plan is June 11, 2010. This is the plan that will be used.

Ms. Carluccio reviewed the deficiency memo which had been created by the Preview Committee.

Ms. Carluccio asked Mr. Mazzella if the applications were repairs of malfunctioning systems. Mr. Mazzella said "Yes."

Ms. Carluccio told Mr. Mazzella for a malfunctioning system, the applications must be marked as such on both the first page and on page 12, #2A of the applications.

There was a question about how many septic fields already exist on the property and locations must be marked on the site plan. Mr. Mazzella did mark the two fields on the plan.

All soil test results, soil logs, permeability tests, calculations for design etc., and all locations of all tests, failed and passing were submitted to the Board and located on the site plan.

Ms. Carluccio asked Mr. Mazzella to please explain the soil tests and "K" value results that give him confidence the system will work under "artesian conditions."

Mr. Mazzella said he had excellent permeability of the soils, good "K" values and passing pit bails.

Mr. Mazzella explained that there is no obligation, to the intended purchaser of the property, to put in a new well. The existing well is certified for 8 gallons per minute, and can support both the main house and the apartment building. The second well, located behind the 3 bedroom dwelling, was being abandoned. The separation distances between the well(s) and all sewage infrastructures are now noted on the plan. The GP25 has been obtained from DEP.

There will be a 10 foot separation between the water well line and the septic field. The Board felt it would be a good management practice to have a separate water line for both the main house and the apartment units, but this could not be required.

Tom Stover, of Stover's Wells and Pumps, introduced himself for the record. He stated there was one cold water tank for both dwellings located in the apartment's basement, and the filtration system on the current well is there to filter sulfur and iron. It is located in a walk-in basement, and is accessible to the owner at all times.

Mr. Mazzella stated he had to design the septic system of the two unit apartment to handle 350 gallons for each apartment, per day. The other system for the main house was designed to handle 500 gallons per day.

Mr. Mazzella said the pump tank will be 1500 gallons.

Since the property is located in the Mountain District, a waiver will be needed for the required 200 foot separation distance between the well(s) and the sewage system. Mr. Mazzella stated because of the wetlands, and the property being only 197 feet deep, he could not locate the septic system any further back on the property.

Ms. Carluccio asked Mr. Mazzella what the slope of the mound would be. He said it would be 5:1 and he did not think he would need a waiver for the slope. Ms. Carluccio requested this information be noted on the plan.

Ms. Carluccio told the Board that she had spoken to Bob Vaccarella regarding the risk of the existing artesian condition. Good soil permeability reduces the risk. Mr. Mazzella did explain to the Board he had good "K" values, passing pit bails and good permeability. "Hold-harmless" language will be included in the paperwork for the septic approval, along with wording that the Board of Health has the right to inspect at any time. Mr. Mazzella stated inspection and monitoring ports are included in the plan. All structures on the property will be referred to the Zoning Officer.

Mr. Wang-Iverson motioned to grant the following waivers and requirements, as stated in the July 6, 2010 letter from Hunterdon County, and impose the 7 conditions discussed. The motion was seconded by Mr. Berberabe and carried unanimously.

Waivers and Requirements

2 Unit Apartment design:

- 1. There is not a 48 inch separation from the bottom of the hydraulically restrictive horizon and the highest regional water table. Therefore, by definition, an artesian condition exists as per 7:9A-5.8 (f) 3. (Waiver)**

2. The property is in the mountain district which requires the well to be 200 feet from the disposal bed. The proposed system would only be 101 feet from the well. (Waiver)
3. East Amwell ordinance requires the septic and pump tanks be a minimum of 100 feet from the well. The tanks would only be approximately 50 feet from the well. (Waiver)
The Engineer shall provide exact distance tanks would be to the well. The location of the waterline from the well must be marked on the "As-built." (Requirement)

Three bedroom dwelling

1. There is not a 48 inch separation from the bottom of the hydraulically restrictive horizon and the regional water table. Therefore, by definition, an artesian condition exists, as per 7:9A-5.8(f). (Waiver)
2. The engineer will need to sign and seal all HCHD soil data sheets. The applicant will state to the Board which engineer will revise the plans, inspect the system, provide a certificate of compliance and provide final as-builts to the Board. (Requirement)

Conditions:

- A.) The slope of the mound, being 5:1, must be noted on the plan.
- B.) Hold Harmless language will be included in the paperwork for the septic approval.
- C.) East Amwell Township Board of Health reserves the right to enter the property at any time.
- D.) All structures included in this application will be referred to the East Amwell Township Zoning Officer.
- E.) Engineer, John Waldner, will revise the plans, inspect the system, provide a certificate of compliance and provide final as-builts to the Board.
- F.) An EPA water tightness test is required in-situ on all 4 tanks.
- G.) Since Mr. Mazzella stated these were malfunctioning systems, the applications will be marked as such on both the first page and on page 12, #2A of each application.

ITEMS OF DISCUSSION

- A. Education and Health Issues
No comments
- B. Administrative Officer's Report

Incorrect application fees were collected and processed for 15 septic alteration applications from September 2004 through June 2009. The Hunterdon County checklist states: An alteration is a new system installed on a property as a replacement to an existing system. After reviewing the files, letters were sent out to the applicants who overpaid with vouchers attached. The reimbursement monies will be paid from surplus as per CFO, Jane Luhrs.

Mr. Wang-Iverson moved to approve the “Bills of the Evening” seconded by Mr. Hamilton and carried unanimously.

OPEN TO THE PUBLIC

Mr. Wang-Iverson moved to close the public session of the meeting. The motion was seconded by Mr. Berberabe and carried unanimously.

ADJOURNMENT

Mr. Wang-Iverson motioned, seconded by Mr. Rosso to adjourn the meeting at 9:28 p.m. The motion carried unanimously.

Respectfully submitted,

Carolyn Fritsch, Administrative Officer
East Amwell Township Board of Health