

The regular meeting of the Board of Health was called to order at 7:33 p.m. Present for this meeting were Tony Berberabe, Tracy Carluccio (Board Chair), Les Hamilton, Pauline Serafin, Larry Tatsch (Vice Chair), Charles Van Horn, and David Wang-Iverson. Ted Peyrek and Bogdan Slecza were absent. Christine Rosikiewicz, Board Secretary, was present. Dan Wyckoff from the Hunterdon County Division of Health was also in attendance.

In compliance with the Open Public Meetings Act this meeting was advertised as a regular meeting in the February 13, 2014 issue of the Hunterdon County Democrat. Notice of the meeting was forwarded to the Township Clerk's office, posted on the Township bulletin board and sent to the Hunterdon County Democrat, the Trenton Times, and the Star Ledger on June 12, 2014.

ANNOUNCEMENTS/AGENDA REVIEW:

Under Unfinished and New Business:

Hunterdon County Division of Public Health Inspector's Report

NOV 6/13/14 B 25 L 11.02

Unfinished Business:

Proposed changes to Chapter 176 – Water Supply – continued discussion

Under Correspondence

East Amwell Township

Letter from NJ DEP re: Treatment Works Approval - East Amwell School

PRESENTATION OF MINUTES –May 20, 2014:

Mr. Wang-Iverson made a motion to approve the minutes as drafted; Mr. Hamilton seconded the motion. All were in favor; the motion passed.

OPEN TO THE PUBLIC

Being no comments from any public Mr. Hamilton made a motion to close to the public; Mr. Van Horn seconded it. All were in favor; the motion passed.

UNFINISHED AND NEW BUSINESS

A. Hunterdon County Division of Health and Safety – Inspector's Report

1. Owens (aka Woody's) B 16, L 11 – update

Mr. Wyckoff reported that this remediation project is ongoing; there are no changes at this time.

2. Final NOV 4/16/14 B 17 L 16.07

Mr. Wyckoff reported that a court date is set for July 14th which will require the property owner to take action.

3. Final NOV 4/12/14 B 11 L 5

Mr. Wyckoff explained that this NOV was for a solid waste complaint. Progress is being made at this property; the lawn was mowed. The deadline to remove the solid waste from the property is today; it has still not been removed. The inspector will visit the property later this week and issue a summons if the solid waste is not disposed of. Ms. Carluccio inquired about who was doing the clean-up. Mr. Wyckoff replied that the property owner is. The Board asked if the property owner could be given more time to clean up the property before going to court as there is progress being made. Mr. Wyckoff will make that recommendation to the inspector.

4. NOV 6/13/14 B 25 L 11.02

This NOV will be tabled as it is very recent.

5. Jersey Fresh

Mr. Wyckoff reported that Jersey Fresh is operating an illegal food operation; he will be visiting the property tomorrow. There is a smoothie bar in the back of the building; the owner did not apply for a food license. Mr. Wyckoff said permission was granted in the past to sell Italian ice.

B. Preview Committee

1. Septic System Alteration Application B 38 L 29.01

Mr. Wayne Ingram introduced himself as the engineer for the applicant. Ms. Carluccio noted that the Preview Committee met.

Mr. Ingram explained that the application is for an existing three bedroom house which is currently serviced by a septic tank and a disposal field located in the front yard. It is believed there is some anaerobic component to the septic tank. The home is currently up for sale.

Soil testing was completed in the rear of the house due to the location of the well. Five soil logs and two tests were performed. The groundwater was shallow with 18 inches being the shallowest although this was far from the hole. Although the shallowest measurement has to be used for the design the other tests weren't bad.

Ms. Carluccio inquired about the distance from the bed for soil log 3. Mr. Ingram said it is 19 feet. The soil log in the field shows the depth to groundwater is 24 inches although the system is designed for 18 inches. Mr. Ingram said there is a deep unsuitable layer between the rock and groundwater; select fill will be needed. There is a 200ft separation distance to the well and a 50ft separation distance to the stream. There is a swale in the rear of the property. The property is approximately 2.5 acres. There is no location on the property where a system would conform to all the setback requirements.

Mr. Ingram reported that the tank locations are compliant with State law but not Township code. To put the tanks 100ft away would place them further from the residence and there is not a lot of drop

in grade which would cause the tanks to be buried deep. The new tanks will be located further away from the well than the existing tanks are.

Mr. Carluccio noted that there is a mistake on #3 in the County letter; it should read 200 foot separation from the well rather than 100 foot.

Mr. Ingram commented favorably on the perk tests. Mr. Tatsch inquired if the layer of unsuitable soils were clay. Mr. Ingram believes they are with a low rock content. He believes it possibly could have passed testing but there was not enough rock to consider testing it.

Ms. Carluccio noted that the application states the cause of malfunction is "disposal area, end of service life". She inquired if the age of the system is known. Mr. Ingram did not know. Mr. Carluccio asked how the location was determined for the prior disposal area which is to be abandoned in place. Mr. Ingram said this was determined when an inspection was done. Ms. Carluccio inquired about the existing system and if there were laterals. Mr. Ingram replied that there were; they are not elevated. The existing system is under water seasonally six months of the year. Mr. Wang-Iverson inquired if the existing system will be left in place. Mr. Ingram said it will be as it is cost prohibitive to remove it. Ms. Carluccio noted that it is not required by code to remove the existing system; it just needs to be disconnected. Ms. Carluccio inquired about the existing tank. Mr. Ingram said it will be pumped out and crushed.

Mr. Wang-Iverson inquired about the marker to be put on the tanks. Mr. Ingram said this is part of the new State code. He explained there are different ways to comply. The tank will have an information placard screwed onto it.

Ms. Carluccio confirmed that the setback from the well to the septic tank meets the fifty foot State requirement. She asked if there are any neighboring wells impacted on either side of the property within 200ft. Mr. Ingram said their weren't.

Mr. Tatsch inquired if this was a pressure dosing system. Mr. Ingram said it is.

Ms. Carluccio asked if there was any further discussion on this application. There was none.

Mr. Wang-Iverson moved to approve this system with the four waivers outlined in the County letter with one correction in waiver #3 which should read 200 feet instead of 100 feet. Mr. Tatsch seconded the motion. All were in favor; the motion carried.

2. Septic System Alteration Application B 40.02 L 23

Mr. Craig Patterson from Septics by Patterson approached the dais and introduced himself. This application is an alteration with no expansion to correct a malfunctioning system. The house is for sale; the current system is the original system and well over thirty years old. The initial inspection showed high water levels in the tank.

Mr. Paterson went over the soil testing; he noted the high water table on the mountain. He had to design for a 12 inch water table and a groundwater rating of 24 inches for the pit bail test. Although

the new system will be further from the well than the current system it will still be within 200 feet of it. The neighboring well is 182 feet from the proposed system.

Ms. Carluccio said this property is in the Mountain District. Mr. Patterson said the tanks were moved further away and will be outside the 100 foot setback. He said this will be a pressure dosed system with a five foot mound. The mound will blend in as the garage is four feet higher than the system.

Mr. Tatsch inquired about the permeability. Mr. Patterson said it was good for the Mountain District and spoke about hitting clay and rock.

Mr. Wang-Iverson asked if note #7, which reads "there are no existing wells or septic within 200 feet of the proposed septic system unless otherwise noted", could be deleted since it is inaccurate. Mr. Patterson will remove it.

Ms. Carluccio inquired if there was any room to move the system further from the wells. Mr. Patterson noted that the new system will be further from the wells than the existing system was. He said he could move it further from the neighboring well but that would move it closer to the well on the property. The property's well is currently 154 feet away; moving it would make it 144 feet away from the well on the property and 200 feet away from the neighboring well. The remainder of the lot is sloped downhill with exceptionally large boulders and was wet when Mr. Patterson looked at it. Ms. Carluccio asked if Mr. Patterson believed there would be an advantage to moving the system. Mr. Patterson didn't believe there would be and explained that when he tried to dig there was rock.

Ms. Carluccio referred to the drawings and asked if Mr. Patterson could use a radius to show the well distances. Mr. Patterson agreed to do this on the first page of the drawings.

Mr. Berberabe inquired about the zone of disposal; it was 72 inches instead of 48. Mr. Paterson said this is a result of the test being done at 7 feet and the water table being established at 12 inches. There is a six foot difference. The zone of treatment is from the water table and up. Anything below this is considered the zone of disposal.

Ms. Carluccio referred to page 2 and noted #9 should be "pool backwash".

Ms. Carluccio explained that waivers can be approved by the Board if the new system is an improvement over the existing one.

Mr. Wang-Iverson made a motion to approve this septic system application with the three waivers identified in the County letter. Mr. Hamilton seconded the motion. All were in favor; the motion passed.

3. Septic System Alteration Application B 30 L 10

Mr. Doug Fine, Fine Engineering, introduced himself for the record. This application is for a septic system alteration which requires waivers. Ms. Carluccio noted that the Preview Committee met and reviewed this application.

Mr. Fine explained that the application is for an alteration for an existing malfunctioning septic system with no expansion on a property with two dwellings including a three bedroom home and a small two bedroom cottage. The property is in the Mountain zone so the setbacks are further. The property is 6.3 acres and has wetlands surrounding it. There is a pond on the property and a small swatch of wetlands. The existing system is malfunctioning and completely saturated.

Four soil logs and two pit bail tests were performed. The system will be located on the highest part of the property. There is surface water drainage in the lower areas. The proposed system is sized appropriately for the two dwellings to be tied together as they currently are. The cottage is in use and occupied by a tenant. Mr. Wang-Iverson inquired about the single system for both dwellings. Mr. Fine said that many times when a new system is installed in this situation the two dwellings would be tied together if they weren't already. Ms. Carluccio noted that this used to require a Treatment Works Approval but no longer does as the State regulations have changed.

Mr. Wang-Iverson asked about both tanks being kept, especially the 500 gallon one next to the house. He inquired if keeping that tank is necessary. Mr. Fine said it is necessary because of the amount of space and could cause a problem if excavation is done against the old foundation noting that both dwellings are very old. Mr. Cross said they were built in 1750. Mr. Fine said typically a new tank would be considered but there is concern for digging against the foundation of the home from 1750. There is not enough room to put a conforming tank in that vicinity. Mr. Wang-Iverson inquired if it could be put elsewhere. Mr. Fine expressed concern about carrying raw sewage that far. He noted that the tank is old and non-conforming but is performing a purpose of removing the solids and the property owner would be aware to pump every 18 months due to the size of the tank. The system will contain a second tank with an effluent filter; Mr. Fine believes this will be adequate.

Mr. Wang-Iverson confirmed that there will be two 1000 gallon tanks after the 500 gallon tank. Mr. Fine replied that this is correct. One 1000 gallon tank is existing and one will be new. Ms. Carluccio inquired when the 500 gallon tank was installed. Mr. Fine did not know; it is old. The existing 1000 gallon tank is newer, from around 20-30 years ago. The 500 gallon tank was inspected; Mr. Fine said it seemed more viable to leave it than to do anything with it. Ms. Carluccio said the tank is not addressed in the County letter. Ms. Carluccio said the main issue is that the 500 gallon tank is not in compliance with the code at all since it is too close to the existing well. She noted that effluent is also carried through lines for a distance before it goes into a tank and doesn't believe the distance is an issue. A leak from the old septic tank is a concern as it could affect the well on the property. Mr. Fine said that thus far it hasn't. Mr. Carluccio asked how far the well is from the tank. Mr. Fine did not know; he doesn't believe it's fifty feet. Ms. Carluccio said it doesn't even appear to be fifty feet which violates the State code; even for an existing house the Board isn't allowed to give a waiver for a tank that is less than the State requirement of fifty feet unless there is absolutely no alternative. She said if there is an alternative that would improve this situation then the Board needs to consider that. The old tank, although it hasn't leaked to this date, provides a real concern that the household well would be polluted. Mr. Tatsch inquired if they could just "jump across" the inlet and outlet of the tank. Comments were made from the Board about leaving the tank but having the pipe go through the tank. Mr. Fine said this could be done but then a determination needs to be made about where to have the pipe go.

Ms. Carluccio inquired about the age of the well. Mr. Cross did not know the age of the well or if there was casing. Ms. Carluccio noted that the well could be at risk and chances shouldn't be taken with the well water. The Preview Committee discussed the 100 foot well radius and the line going from the house to the system and questioned the value of using the existing two tanks. She noted that the cottage was not addressed in the County letter and inquired if the flow from the cottage was figured in to the flow for the system. Mr. Fine confirmed that it was. Ms. Carluccio inquired if there was a line from the cottage to the tank. Mr. Fine confirmed that there was; the flow was confirmed although the location of the line was not. It is unknown exactly how the house and the cottage are connected. Ms. Carluccio asked if then it may not be necessary to go through the cottage with the effluent pipe from the house as the cottage is hooked up; the pipe could go through the existing tank and the line from the three bedroom house could go separately. Mr. Fine agreed it could. Ms. Carluccio said if that was done it could be outside the 100ft. well radius. Mr. Wang-Iverson inquired if a line could be run directly from the house to existing 1000 gallon tank. Mr. Fine said it wouldn't be easy as there are rock retaining walls, a fenced in area, and walkways on the property. There was not another location on the property that would make sense to put a tank even with a new pipe run. The tank should be in proximity to the house but then it would be closer to the well. There isn't a location further from the cottage to put the tank. He noted that he didn't want to eliminate the 500 gallon tank and pipe through it as he is concerned about a long run carrying raw sewage. Ms. Carluccio said that if it can be done the tank needs to be further away from the well. She noted the rock walls but believe the water quality was more important. Mr. Hamilton suggested the 500 gallon tank be left, filled and the pipe should go through it and the remaining lines used. Mr. Tatsch noted Mr. Fine's concern about a long run of pipe with untreated effluent. Mr. Wang-Iverson asked if the tank could be moved north and the line go across the driveway. Mr. Fine noted that would be uphill. Mr. Wang-Iverson suggested another location for the tank while referring to the drawing. Mr. Cross said there was a hedgerow in that area and went over the location with Mr. Fine. Mr. Cross said he did not like the idea of raw sewage going that far and the possibility of clogs. Mr. Fine asked Mr. Cross if he would install a UV system on his well; Mr. Cross said he would.

Mr. Tatsch said it needs to be known exactly how far the existing 500 gallon tank is to the well. Ms. Carluccio read from State code; the Board cannot approve use of the tank if it is within fifty feet of the well. Mr. Fine said this tank is existing; he is not requesting a waiver for placement of the tank as the tank exists. Ms. Carluccio said when this application is approved it is for the system. Waivers are permitted on existing homes if the system is improving what is in place. The new system will be an improvement as there will no longer be a malfunctioning septic field and a new septic tank will be installed. The Board has to address a septic tank that is less than fifty feet to the existing well and in its approval of the entire system. Ms. Carluccio offered to call DEP and find out if the Board can approve it. Mr. Fine said there will be an improvement as a UV system will be installed on the well. Ms. Carluccio said this waiver has been granted in the past when wells were close to the septic tank and there was absolutely no other place to put the tank. In this case there are other locations to put the tank although it would be disruptive and an added expense.

Mr. Wang-Iverson said the current 500 gallon tank is approximately 25 feet from the well.

Mr. Hamilton suggested the line go through the tank and a UV light should be installed as a protection against a leak on the long run. Whether the 500 gallon tank is used or not the UV light would offer protection but if the tank is further away the system would be compliant with State code.

Ms. Carluccio inquired if there was a limit to how long the pipe can be from the house to the septic tank. Mr. Fine did not believe there were any specifications by septic code.

Mr. Fine said if the 500 gallon tank is abandoned a new location for the new tank will need to be determined and noted that there would be a long run. A UV light would be installed.

Ms. Carluccio inquired if the line between the three bedroom house and cottage would be used and asked if the location was known and if the condition of the line was sound. Mr. Fine said during excavation a camera will be used to make sure the line is adequate and it will be replaced as needed.

Ms. Carluccio inquired about the age of the cottage. Mr. Cross replied that it is old. He recalled that a dye test was performed when he purchased the property to determine where the septic system was located.

Ms. Carluccio confirmed with Mr. Fine that during construction of the new system he will check and to make sure the lines to the cottage are sound. Mr. Fine said that would be part of the construction process.

Ms. Carluccio inquired why the 1000 gallon tank is being kept. Mr. Fine replied that it is adequate. Ms. Carluccio asked the age of the tank. Mr. Fine believes it is around twenty-five years old and is a "modern" tank. Ms. Carluccio said an in situ water tightness test would be required. She commented on the low cost of a new tank compared to the cost of the rest of the system.

Mr. Wang-Iverson inquired if the new tanks would be installed where the old field was. Mr. Fine said they will be adjacent to it. Ms. Carluccio asked if any problems would be anticipated putting the new tanks into the area where the existing system is. Mr. Fine said the tanks would be adjacent to this area and noted gravity flow needs to be maintained. It was noted that there was one lateral present; Ms. Carluccio asked that this be shown on sheet 2 of 12.

Mr. Carluccio asked if there were any questions. Mr. Wang-Iverson asked if there was an agreement on abandoning the 500 gallon tank. Mr. Fine said yes. Mr. Hamilton asked about the in situ water tightness tests. Mr. Fine agreed these would be done on the existing tank and if it is not water tight it would be replaced.

Mr. Tatsch inquired if coliform tests had been completed on the well water in the house. Mr. Cross said they have not been done. Mr. Tatsch suggested testing be performed before the system is installed to provide a baseline. Ms. Carluccio explained that a second test could be done at a later date. Mr. Cross inquired about specifics of the test. Mr. Tatsch explained that there are three parts; total coliform, fecal coliform, and total plate count. He directed Mr. Cross to contact a certified laboratory and have them come out to the property to sample. He does not recommend the homeowner take the sample themselves for this type of test. If there is an issue the ultraviolet light would remedy it. He believes the Board will recommend an ultraviolet light regardless due to the proximity of the line to the well. Mr. Tatsch commented on the effectiveness of a ultraviolet system.

Ms. Carluccio asked if there were any other questions. She inquired if the line that is going past the well will be kept at least ten feet as required by State Code. Mr. Fine agreed.

Mr. Tatsch asked if the Board wants to require an ultraviolet system to be installed on the well. There was a consensus to do this.

Ms. Carluccio summarized the waivers necessary; the first two waivers are from the County letter, the third should be changed to read "continued use of the 1000 gallon septic tank shown on sheet 2 of 12". A fourth waiver would be added stating to plum through the 500 gallon septic tank then abandon the tank in place and fill with suitable backfill. The fifth waiver would be for a water tightness test to be performed on the 1000 gallon septic tank that will remain in use; if the tank is not sound it will be replaced with a new tank. The sixth is to require an ultraviolet light system on the existing drinking water well. The seventh is a recommendation to perform a well water quality test for baseline data before construction of the system and a water quality test after construction and annually thereafter.

Ms. Carluccio said this action will put the system more compliant to State Code than before.

Mr. Tatsch moved to approve the system with the seven waivers as noted. Mr. Wang-Iverson seconded the motion. All were in favor; the motion passed.

4. Septic System Alteration Application B 27.01 L 31

Mr. Doug Fine, Engineer, introduced himself for the record. He introduced Mr. Martin, who is purchasing the property.

Ms. Carluccio summarized that this is a septic system alteration to correct a malfunctioning system in an existing dwelling on Wertsville Road with no expansion.

Mr. Fine said there is a 19 inch water table and a lack of space due to the size of the property. The property is a triangle shape and .7 of an acre. There is a stream between this property and the gas station it is next to. There is an existing well on the corner of the property and a neighboring well just over the property line to the northwest of the home. There are limitations on the property including stream setbacks, well setbacks, and a high water table.

Mr. Wang-Iverson inquired if a full size field could still be constructed. Mr. Fine replied that it could. Permeability numbers were good. Two pit bail tests were completed resulting in nine inches an hour and three inches an hour. The height of the mound will provide the zone of treatment above the water table. The water table is 19 inches; this will require a waiver as it is shallower than 20 inches below grade. The tank locations have been balanced between well setbacks and stream setbacks. The tank is turned 90 degrees to maximize setbacks between the stream and wells. This is an improvement in distance from the neighboring well; the system will be outside of the fifty foot well radius. The existing tank and lateral is located behind the house. Ms. Carluccio noted that the proposed system will be an improvement in distance from both wells.

Mr. Wang-Iverson referred to note #3 on the County letter addressing the distance from the well. He asked Mr. Fine if he had any information on the well and well casing. Mr. Fine did not have any

well information and noted that the home was owned by the same person for the past 60 years. Mr. Wang-Iverson asked the Board if they would be recommending ultra violet treatment on the well. Ms. Carluccio noted the benefit of the system being outside the fifty foot well circles. Mr. Tatsch asked if the well water had been tested. Mr. Martin noted that the seller would test it via the Private Well Testing Act; no other test has been done.

Ms. Carluccio raised a question regarding soil log 2 which was 19 inches. Mr. Wang-Iverson said that this soil log was used as the system is designed to the smallest number. It was noted that mottling was not shown until 25 and 62 inches in soil lot 2. The nineteen inches came from the depth after 24 hours during the pit bail test. This 19 inches becomes the highest regional water table.

Ms. Carluccio noted the cause of the malfunction was an "old system" and confirmed that there has not been a breakout. Mr. Fine said the house has been vacant for a while; there is no active malfunction. He noted the poor condition of the current system.

Mr. Tatsch summarized that the only waiver needed in the addition to the County waivers would be for the recommendation of an ultra violet system on the well. Ms. Carluccio said a recommendation for water testing could also be made.

Ms. Carluccio confirmed with Mr. Fine that there was no way around the distance setbacks due to the triangle shape of the property. She referred to #3 from the County letter regarding well distance; it is unknown whether the well can be fifty feet away from the proposed system. This will be addressed by an ultra violet system. Ms. Carluccio asked Mr. Fine if he could supply the well casing information to the Board Secretary if it is obtained and noted that this information is not required if it cannot be obtained.

Ms. Carluccio asked if there was any further discussion on the waivers. She noted the last two on the County letter are for setbacks which the Board can consider as the proposed system will be an improvement over the existing one. The seventh waiver to be added is for the requirement of an ultraviolet light system on the water well and to recommend water well testing after construction and annually thereafter. It was noted that testing due to the sale of the property would provide a baseline.

Mr. Wang-Iverson moved the system be approved with the waivers and the recommendation for water testing. Mr. Van Horn seconded the motion. All were in favor; the motion passed.

C. New Business

There was no New Business.

D. Unfinished Business

1. Proposed change of mobile food license ordinance to include vineyards as a permitted location – report on Township Committee and Planning Board input.

Ms. Carluccio explained that a memo was provided to the Planning Board and Township Committee regarding the considered change to the mobile food license ordinance. There were no objections. Mr. Wang-Iverson reported that there were no comments on this item at either meeting. First reading of the proposed change will take place at the July meeting.

1. Proposed changes to Chapter 176- Water Supply – continued discussion

Ms. Carluccio recalled that this item was discussed at the May meeting. The Ordinance Committee met and recommended changes. These proposed changes will be circulated to the Board. The changes could be considered for introduction at the August meeting.

ITEMS OF DISCUSSION

A. Education and Health Issues

There were no comments on any Education and Health Issues.

B. Hess Application

Ms. Carluccio reported that she spoke to the engineer for Hess today and provided copies of e-mail correspondence and water bills provided by him regarding their upcoming application to the Board. She recalled that the Dunkin' Donuts will be closed and a convenience store put in its place at the Hess location. Hess is proposing to expand the number of pumps from 8 to 12 and change their configuration. It is unclear whether the current building will be used or a new one constructed in its place.

Ms. Carluccio spoke to the engineer as he is concerned that under State code sections 7.4A and B there is a large amount of water required per pump. If the State calculations are used for the 12 pumps the requirement goes from 1065gpd (present flow) to 1810gpd. It was noted this is still under 2000gpd but is an increase in flow of 205gpd. The engineer maintains that he has gone to other Boards regarding this requirement as he believes it is really excessive and not what is actually used. He provided examples of stations that have pumps and convenience stores including one in Berkley, NJ which has an average GPD of 286.5 which is much less than the State calculations.

Mr. Wang-Iverson asked if the original numbers are based on 125gpd per pump. Ms. Carluccio confirmed that they were. Comments were exchanged about this being a large amount. Ms. Carluccio advised the engineer that if expansion is being proposed it must be brought up to code and noted that a meter was not required when the Dunkin Donuts was built but would be required now. The engineer felt this was reasonable and would report monthly to the Board on water use.

Mr. Tatsch inquired if the Board could accept the engineer's numbers which violate State code. Ms. Carluccio referred to the language in the State code which says estimation can be used. The State code would need to be reviewed by the Board. Ms. Carluccio briefly went over the examples of other Hess stations and their water usage; the engineer used municipal water bills to determine the amount of water used. She noted that the engineer had stated that much less water is used at a convenience store than a restaurant and said in her conversation with the engineer he explained that unlike a restaurant food is not being prepared at a convenience store, it arrives prepackaged.

Dunkin' Donuts will be a franchise inside the Hess Mart where there will be a station for coffee. Donuts will be brought in from the Flemington Dunkin' Donuts; this is the same as in the existing Dunkin' Donuts on the property. Less water is required with a convenience store as there is less food preparation. Dunkin' Donuts currently has more food preparation than the new Hess Mart will be designed for.

Ms. Carluccio said the engineer is asking the Board to not use the State code. The County has advised the engineer that a NJDES permit (New Jersey Pollution Discharge Elimination System Permit) would be needed. Ms. Carluccio will speak to the County regarding this and report back to the Board.

Ms. Carluccio recalled that she read in the paper that Hess is planning to close down its retail facilities to focus on gas and oil development. The engineer confirmed that this is true but will take a very long time; it has not been confirmed that the retail facilities will be sold.

Mr. Wang-Iverson asked for clarification about the approval being requested. Ms. Carluccio said they would need a Board of Health approval to not comply with the State code and use an alternate calculation. The State code reads that other calculations can be used but they need to be approved by the administrative authority. The Board is only discussing this issue informally tonight and would consider this formally and for action if and when Hess submits an application and the applicant's engineer is in attendance.

Since this is a construction project the Board had previously sent Hess and the County a letter indicating that the Board has concerns including a major groundwater cleanup at the site and the limited septic system. The Board asked in the letter to be made aware of any changes to the site. The Board has an agreement with the County that any non-residential/commercial application needs to go to the Board of Health, even if it is a repair or other application not normally reviewed by the Board.

Ms. Carluccio will follow up with the County.

C. Board Secretary's Report

There was no report.

CORRESPONDENCE

A. East Amwell

1. 5/9/14 Lab Report from Garden State Laboratories, Inc. re: Drinking Water, Clawson Park

Mr. Tatsch said this report looks very good. He noted it said the sample was taken from the "kitchen sink" instead of "men's room sink"; the Board Secretary will call to determine where the sample was taken from.

BILLS OF THE EVENING

Mr. Hamilton made a motion to pay the bills of the evening; Mr. Wang-Iverson seconded it. All were in favor; the motion carried.

OPEN TO THE PUBLIC

Being no comments from any public present Mr. Tatsch made a motion to close the meeting to the public; seconded by Mr. Hamilton. All were in favor; the motion carried.

ADJOURNMENT

Ms. Serafin motioned, seconded by Ms. Tatsch, to adjourn the meeting at 9:14 p.m. The motion carried unanimously.

Respectfully submitted,

Christine A. Rosikiewicz