

**WEST AMWELL TOWNSHIP BOARD OF HEALTH**  
**August 28, 2014 – 7:30 p.m.**

The West Amwell Township Board of Health met on the above date and was called to order at 7:30 p.m. George A. Fisher, substituting for the chair, declared the meeting in compliance with the Open Public Meetings Act. Notice of this meeting was included in the Resolution faxed to the Hunterdon County Democrat and Trenton Times on January 24, 2014, was posted on the bulletin board in the Municipal Building on said date and has remained continuously posted as required under the Statute. A copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Present: George Fisher, John Dale, Jim Cally, Brian Mundhenk and Lora Olsen. Rick Kropp, Ken Hart, Zach Rick were excused. Public in attendance included Mr. & Mrs. Berrien, Dan Beck and engineers Erica Busch and Kurt Hoffman.

Alternates James Cally and Brian Mundhenk are full voting members this evening, making a quorum for Board action.

**PRESENTATION OF MINUTES**

The minutes of the May 22, 2014 regular meeting were approved on motion from Cally, seconded by Fisher. Motion carried unanimously.

**AGENDA REVIEW**

No additional business was added.

**OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA**

Other than the professionals and affected homeowners, there was no public in attendance.

**INTRODUCTION OF ORDINANCES AND/OR PUBLIC HEARING AND/OR SPECIAL PRESENTATION**

**NEW BUSINESS**

Waiver Request – Block 52 Lot 3: Kurt Hoffman came forward and identified himself as the design engineer. He explained that the system at 14 Circle Drive is to be replaced. The Board was directed to #2 on the design whereby soil logs 1, 2 & 3 were subjected to pit bail testing with passing results. The proposed alteration involves an aerobic treatment system which will pump into a traditional field. The raised mound will be about 2 ½ feet high with this technology and the County's letter was referenced as to waivers to be acted upon. The first has dealt with reduction in treatment zone to 18 inches, but Mr. Hoffman noted that the reduction is 24 inches. As for not meeting the County's standard of 10 feet from the property line, it was relayed that the distance is only 7 feet but that the system cannot be moved. This is another reason for the aerobic system in that the reduction in elevation pulls in the toe. A question about the possibility of re-orienting the system was answered in the negative as there is distance to neighboring wells to be considered. The inability to meet the 25 foot setback was also addressed in that location is limited. Mr. Hoffman relayed that this is the best choice for the site and the utilization of the pre-treatment, which involves a 3 chamber tank, makes for cleaner effluent. There will also be burial on site of the existing system, which is also noted on the plan.

The requirements for a deed restriction, maintenance contract, etc. were briefly touched upon. These items have to be filed with the County prior to any release of final approval.

BOH RESOLUTION #08-2014

WHEREAS, a septic system alteration request has been referred to the Township Board of Health for Block 52 Lot 3 for an existing 3 bedroom dwelling with no expansion; and

WHEREAS, the use of an advanced technology system called the Norweco Aerobic treatment unit has been incorporated into the design; and

WHEREAS, this advanced treatment device is a new alternative technology that has been approved by the DEP, which has provided a revised guidance document dated January 2008 to be used by the local Board of Health when reviewing these plans; and,

WHEREAS, 7:9A was revised on April 2, 2012 and incorporated the aerobic systems in the code and now are not considered alternative technologies but rather Advanced Wastewater Pretreatment according to 8.3 of the code; and

WHEREAS, this design incorporates a 960-500 which is a correct unit for a 3 bedroom dwelling; and

WHEREAS, the Board can approve the proposed design since the DEP has given local Boards of Health authority to approve these technologies; and,

WHEREAS, the following approvals will need to be acted on by the Board

1. The zone of treatment can be reduced to 18 inches at the discretion of the Administrative Authority when Advanced Wastewater Pretreatment is being proposed. The design shows a 24 inch zone of treatment which is allowed by code
2. The toe of the mound will be only 7 feet from the property lines which does not meet the County's policy of 10. (The Engineer will be inspecting the final grade and provide certification the County Division of Health that there has not been any off site water problems.)
3. The disposal will be only 15 feet from the existing dwelling which does not meet the minimum 25 foot setback requirement by code.

WHEREAS, all requirements and conditions for Advanced Treatment Units are listed in the general notes on pages 1, 3,4 and 5 of the plot plan including a maintenance agreement, deed notice; and, NEHA certification for the system installer and manufacturer certification of the design engineer; and

WHEREAS, this is a malfunctioning system, the Board can consider waivers and special approvals since the system, per 7:9A 3.3(e) 2ii is more in conformance with the code; and

WHEREAS, the design engineer, Kurt Hoffman of Kurt Hoffman Engineering has reviewed the proposed system to the satisfaction of the Board

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that the approvals listed in #1, 2 & 3 above as outlined in the County's July 1, 2014 letter be granted.

BE IT FURTHER RESOLVED that a copy of the maintenance agreement, deed notice; and, NEHA certification for the system installer and manufacturer certification of the design engineer be provided to the West Amwell Board of Health in addition to the Hunterdon County Division of Health

BE IT FURTHER RESOLVED that the maintenance agreement be provided to the owner and kept with the house

BE IT FINALLY RESOLVED that this resolution be forwarded to the Hunterdon County Division of Health, the engineer of record and the applicant.

*The Resolution was unanimously approved on motion by Cally, seconded by Mundhenk.*

Waiver Request – Block 11 Lot 30: Erica Busch came forward as the design engineer for the Berrien's new system. There is no expansion for this three bedroom dwelling. The system design meets code in all areas except for mottling in a couple of the soil logs. Ms. Busch explained the difference between 'hanging' and 'perched' conditions and that the mottling is due to the amount of time water drains to fractured rock. The design is for a closed system with no mound. Board members questioned the amount of stone (2 inches) and the age of the system (1958). The Berrien's are thinking of moving and wish to be pro-active with the septic issue.

BOH RESOLUTION #09-2014

WHEREAS, a septic system alteration request has been referred to the Township Board of Heath for Block 11 Lot 30 for an existing 3 bedroom dwelling with no expansion; and

WHEREAS, the design will be a fill enclosed installation and meets all aspects of the code except for the following item; and

WHEREAS, a waiver is requested for the following:

1. Soil logs 2 and 5 showed mottling in the upper horizons, the engineer performed soil permeability class rating tests in the clay loam horizon was more restrictive than the Basin flood test. The permeability rates were K1, however, the basin flood test which was in a shale horizon drained very fast, therefore, the engineer has demonstrated that the upper horizons are more restrictive and shows the mottling in this horizon to be a hanging water condition which is allowed to be classified under the guidance document issued by the DEP. (The engineer shall explain the soil conditions in order for the Board to accept the hanging water condition. The requirements for hanging water condition to be considered is that the upper horizon must have slower permeability than the lower horizon and a fill enclosed system shall be designed and this has been documented.)

WHEREAS, the design engineer, Erica Busch, has satisfactorily explained that the soil conditions and the Board has accepted the hanging water condition as documented; and

WHEREAS, this is an alteration to a malfunctioning system with no expansion, the Board can consider approving the waiver request under 7:9A-3.3(e)2 ii as the proposed alteration is closer to being in conformance with this chapter than the original components prior to the alteration

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that the waiver requested in #1 above and listed in the County's letter of July 28, 2014 be granted

BE IT FURTHER RESOLVED that this resolution be forwarded to the Hunterdon County Division of Public Health Services, the engineer of record and the applicant.

*The Resolution was unanimously approved on motion by Cally, seconded by Mundhenk.*

Waiver Request – Block 11 Lot 5.12: Kurt Hoffman came forward to pinch-hit for Doug Fine who had been called away from the area rather suddenly. Mr. Hoffman relayed that he and Mr. Fine have been associates for a long time. Together with Mr. Hoffman was homeowner Dan Beck. Mr. Beck proceeded to provide background information on this relatively new home (2006). They had planned to move in 2012 but the system failed inspection. Mr. Fine was retained and a complete replacement of the system was undertaken. However, this past December the field flooded again. Bayer-Risse was brought in for an independent evaluation of the failure, testing was done and Mr. Fine brought back for further evaluation. The test pits found anomalies and it was concluded that there is no permeability for a traditional system. Mr. Hoffman proceeded to explained what was found and, due to the lack of consistency, a two-fold alternating aerobic drip system to treat and disperse the effluent was designed to compensate for the lack of permeability. A drip design is usually employed when permeability is found at 10 to 13 inches. There will be lots of pipes in the system and two beds. Mr. Hoffman noted that the traditional system was a failure as was the first replacement, both of which were due to a lack of permeability of the soils at the bottom—from day one. A brief discussion of the workings of the system ensued with Mr. Hoffman relaying that the system, as designed, is the best that can be done considering what was found at the site. Mr. Beck agreed with this assessment based on his personal research. The development's history, that included blasting for foundations and fissures, was mentioned with the latter being something that kills permeability. Also noted was that septic regulations changed after 1999 but the testing was done under those in effect in 1989. There were also lot adjustments that took place after perc tests were done.

#### BOH RESOLUTION #10-2014

WHEREAS, a septic alteration request has been referred to the Township Board of Health for Block 11 Lot 5.12 for an existing 4 bedroom dwelling with no expansion; and

WHEREAS, the use of an Advanced Treatment Unit (ATU) called the Ecopod aerobic tank and drip dispersal system

WHEREAS, 7:9A was revised on April 2, 2012 and incorporated the aerobic and drip dispersal into the code and now are not considered alternative technologies but rather Advanced Wastewater Pre-treatment according to 8.3 of the code; and

WHEREAS, this design incorporates an Ecopod E60 1,500 gallon aerobic tank and drip dispersal by American Manufacturing, both devices are NSF approved according to standards 40 and 245; and

WHEREAS, the Board can approve the proposed design since the DEP has given local Boards of Health authority to approve these technologies; and,

WHEREAS, the engineer has provided a total of ,536 feet of disposal area which is 25% over designed; and

WHEREAS, the engineer has also used all 5 soil logs in the design and the system will be a mounded disposal drip since the highest water table was at 20 inches in soil log 2; and

WHEREAS, the following approvals will need to be acted on by the Board

1. The use of the ATU pre-treatment tank and drip dispersal system requires acceptance by the Board
2. Soil logs 1, 2, 3 and 4 are more than 45 feet from the drip field which is greater than the maximum of 15 foot radius per code (The engineer shall further explain the reasons why the soil log could not be conducted closer to the field to the satisfaction of the Board.)
3. The highest regional water table was established at 20 inches in soil log 1 which is higher than the maximum allowed by code of 24 inches from the surface. The engineer has designed a drip mounded soil replacement to address this issue.

WHEREAS, all requirements and conditions for Advanced Treatment Devices are listed in the engineer's general notes on pages 2 and 3 of the plot plan including signed maintenance agreements, deed notices; and, NEHA certification for system installer and engineer certification for being knowledgeable to design system and comply with manufacturers requirements; and

WHEREAS, this is a malfunctioning system, as per 7:9A 3.3(e) 2ii, and is closer to conformance with the requirements of this chapter, the Board can consider the approval of the proposed design

WHEREAS, the design engineer, Doug Fine, was unable to be present and authorized Kurt Hoffman of Kurt Hoffman Engineering to review the proposed system on his behalf

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that

- A. waiver request #1 above is hereby accepted
- B. the greater radius of soil logs and drip field distance in #2 was explained to the satisfaction of the Board
- C. the issue in #3 above has been addressed by the engineer and the waiver is hereby granted in line with the County's August 27, 2014 letter

BE IT FURTHER RESOLVED that copies of signed maintenance agreements, deed notices, etc. as listed above and filed with the Hunterdon County Division of Health be provided to the Board; and

BE IT FURTHER RESOLVED that the maintenance agreement be kept with the house; and

BE IT FINALLY RESOLVED that this resolution be forwarded to the Hunterdon County Division of Health, the engineer of record and the applicant.

*The Resolution was unanimously approved on motion by Cally, seconded by Fisher.*

### **UNFINISHED BUSINESS**

Update on Salt Testing: Results of the July well testing were received and briefly reviewed. They were not in the direction hoped for as there were increases in all but two wells. Another testing round will be set up for late September.

### **ADMINISTRATIVE REPORTS**

#### Bill List for August 2014

DATE	VENDOR	AMOUNT PAID
May 28, 2014	Enviro-Process Systems (Emergency Service; ¼ Membrane Replacement)	\$2,000.70
	Russell Reid, Inc (pump-outs)	678.85
	James P. Chalupa (STW)	1,200.00
June 25, 2014	Russell Reid, Inc (pump-outs)	1,017.25
July 23, 2014	Russell Reid, Inc (pump-outs)	338.81
	James P. Chalupa (STW)	800.00

NOTE: The above invoices were received and paid from the BOH line item and are provided for informational purposes.

#### Soil Test Witness Report for May, June, July, August 2014

BOARD OF HEALTH  
SOIL WITNESSING REPORT  
Month of: May 2014

Tests Performed:

<u>Name</u>	<u>Block Lot</u>	<u>Address</u>
Hicks	16/18	684 Brunswick Pike

Monies Received and Deposited:	\$ 700.00
Fees Refunded:	\$ 0.00

BOARD OF HEALTH  
SOIL WITNESSING REPORT  
Month of: June 2014

Tests Performed:

<u>Name</u>	<u>Block Lot</u>	<u>Address</u>
Berrien	11/30	156 Rocktown-Lamb. Road

Monies Received and Deposited: \$ 700.00  
Fees Refunded: \$ 0.00

BOARD OF HEALTH  
SOIL WITNESSING REPORT  
Month of: July 2014

Tests Performed:

<u>Name</u>	<u>Block Lot</u>	<u>Address</u>
Texas Eastern	5/6	1325 Route 179

Monies Received and Deposited: \$ 850.00  
Fees Refunded: \$ 0.00

BOARD OF HEALTH  
SOIL WITNESSING REPORT  
Month of: August 2014

Tests Performed:

<u>Name</u>	<u>Block Lot</u>	<u>Address</u>
Hines	32/28	18 Barry Road

Monies Received and Deposited: \$ 1,500.00  
Fees Refunded: \$ 0.00

Website Review - Held

**CLOSED SESSION & RESULTS, IF ANY:**

**CORRESPONDENCE**

The correspondence as listed on the Agenda was ordered filed.

**DISCUSSION**

Mr. Cally spoke about the recent Planning Board Quick Chek discussion and raised some recycling aspects found at other establishments but not apparent here. Although the company has dumpsters for recycling and garbage, there is nothing for the consumer. He proposed that a letter be sent to Quick Chek.

August 28, 2014 Board of Health Meeting  
Page 8

**ADJOURNMENT:**

There being no further business before the Board, the meeting was unanimously adjourned at 8:35 p.m. on motion from Cally.

Respectfully submitted,

---

Lora Olsen, Secretary

APPROVED: October 23, 2014