

WEST AMWELL TOWNSHIP BOARD OF HEALTH

May 25, 2017, 7:30 p.m.

The West Amwell Township Board of Health met on the above date.

The meeting was called to order at 7:30 p.m. Chair Hart 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 27, 2017, 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: Ken Hart, John Dale, Stephen Bergenfeld, Jim Cally, Denise Balog and Lora Olsen.
Absent: Rick Kropp, Zach Rich, Gary Hoyer, and Brian Mundhenk. Public in attendance included Alex Mykos, Jim Ceglia, Kevin Brakel, and Wayne Ingram.

No Oaths of Office were administered

Denise Balog is a full voting member this evening.

PRESENTATION OF MINUTES

The March 23, 2017 minutes were approved on motion from Dale, seconded by Cally. Motion carried unanimously.

AGENDA REVIEW

Nothing was added.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

No one came forward at this time.

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

None

NEW BUSINESS

TWA, Block 12 Lot 9 – Authorization for Division of Public Health Sign-Off

Wayne Ingram, of Engineering and Land Planning, came forward to address the request. The property consists of 5 one bedroom apartments and one additional one bedroom unit. All units are existing and occupied. Although the design shows full compliance, a treatment works approval is needed from NJDEP due to exceeding the 2000 gpd threshold.

BOH RESOLUTION #08-2017

WHEREAS, a septic alteration design, prepared by Engineering & Land Planning dated March 4, 2017, was received by the Hunterdon County Division of Health for an existing 1 bedroom dwelling on Block 12 Lot 9; and

WHEREAS, there are also 5 individual apartment units on the property, the total gallons per day of sewage is 2,100 gpd which will require a TWA permit from the DEP; and

WHEREAS, the County's letter of March 20, 2017 stated that as part of the permit process, the Administrative Authority needs to also review the application; and

WHEREAS, the Board will need to act or acknowledge the following as a condition of making the application to the DEP

- 1) Since the total amount of sewage for the entire site is 2,100, a Treatment Works Approval permit from the DEP will be required

WHEREAS, in order to proceed, the Board needs to authorize their agent, the County Division of Public Health Services, to sign the TWA form in order for the DEP to review the TWA application; and,

WHEREAS, the engineer of record appeared before the Board to discuss the foregoing

THEREFORE BE IT RESOLVED, by the West Amwell Board of Health, that the item listed above is hereby acknowledged and approved for submission to DEP for a TWA

The Resolution was unanimously approved on motion by Bergenfeld, seconded by Dale.

Request for Waiver – Block 13 Lot 70

Mr. Ingram relayed that the owner is proposing an increase in bedrooms from two to six. Testing has met State standards but no reserve testing was conducted. He indicated that there was nothing in the ordinance to require this. Although County Health agrees, the question was raised about the Board's intention in that the ordinance says 'new.' Mr. Ingram also relayed that there were not many places to test due to the stream buffer and steep slopes but that an excellent passing test was obtained. It was noted that at the previous meeting this question was mentioned and determined it was for new construction, not an expansion.

BOH RESOLUTION #09-2017

WHEREAS, soil testing was performed on Block 13 Lot 70 for the expansion of an existing two bedroom dwelling to a proposed six bedroom dwelling; and

WHEREAS, on September 27, 2006, an ordinance was adopted requiring a reserve septic area be provided; and

WHEREAS, no soil testing for a reserve was undertaken; and

WHEREAS, the County Division of Health in their letter of March 20, 2017 states that the following waiver will need to be acted on by the Board:

1. West Amwell ordinance H states that a reserve area is required for all expansions, however, the wording after this sentence refers to a new dwelling unit. This department's interpretation is that for any expansion a reserve area testing will be required. This application states that there will be a proposed expansion from 2 to 6 bedrooms.

WHEREAS, the design engineer was in attendance and explained why no reserve area testing was done and presented the design and waiver request to the Board's satisfaction; and

WHEREAS, it is the position of the Board of Health that the requirement for a reserve refers to a new dwelling unit, not an expansion

THEREFORE BE IT RESOLVED, by the West Amwell Board of Health, that no waiver for the proposed project is needed.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Hunterdon County Division of Health, the engineer of record, the applicant, and the Construction department.

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

Request for Waiver – Block 33 Lot 1

Alex Mykos of Goldenbaum Baill offered that a high water table was found. A mounded system has been designed for this existing 518 store that is currently service by its own small septic. The house on the property has its own system. There are two wells on the property which are 100 feet away. The design complies with the State code with the exception of the regional water table, for which a waiver is needed. Although the bed is more than 10 feet from the property line, the toe of the mound is less than County policy. Given the four foot separation provided by the mound, the consensus was that this was the best than can be done on the former. As to the toe, the distance from the property line to the road plus the shoulder and ditch, should provide for any run off.

BOH RESOLUTION #10-2017

WHEREAS, a septic system alteration request has been referred to the Township Board of Heath for Block 33 Lot 1; and

WHEREAS, this is to correct a malfunctioning system to an existing 2,600 square foot office with a total of 325 gallons per day of sewage; and

WHEREAS, the design meets all aspects of the code except for the following item that will need to be acted on by the Board:

1. The regional water table has been determined to be 16 inches in soil log 1 which is less than the maximum level allowed by code of 24 inches from existing grade. The design will still have a minimum of 48 inches of separation from the regional water table and proposed level of infiltration
2. The toe of the mound will be only 4.9 feet from the road ROW which does not meet the County policy of 10 feet. The engineer shall inspect the grading and provide certification that all grading was done outside the road ROW and has not led to any off site water problems.

WHEREAS, the design shows a mounded installation; and

WHEREAS, this is malfunctioning system with no expansion, according to 7:9 A3.3I 2 i + ii, the proposed alteration will be closer to being in conformance with this chapter, the Board can consider the wavier approval

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 March 31, 2017 be granted

BE IT FURTHER RESOLVED that the design engineer has confirmed the obligation as cited in #2

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

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

Change of Use/System Design Capacity – Block 16 Lot 17.02

Jim Ceglia of Site Works relayed that Rago Realty is under contract to buy this former church property. An application for change of use was approved by the Zoning Board conditioned on septic approval from the Board of Health. Calculations to the County to establish the new flow were provided with Mr. Ceglia advising that the current system was designed for 1875 gpd. The new use is lower than that of the original design. The actual date of the existing system was unknown but a repair to the pump was made in 2008. The buyer plans to test the system but has not yet done so. Chair Hart requested that those test results be provided. Mr. Ceglia continued that the auction operation currently located in Lambertville is to be moved to the 518 site. There are 40 employees with 48 anticipated. Events are held monthly.

BOH RESOLUTION #11-2017

WHEREAS, a change of use for Block 16 Lot 17.02 was approved by the Zoning Board of Adjustment, with a condition for Board of Health review; and

WHEREAS, the new use will generate 686 gpd compared to the original design for the property of 1,875 gpd; and

WHEREAS, there is a provision in 7:9A(a)3 that allows if the primary activity is not identified in the table, then the engineer can provide additional sources of sanitary activities to the Administrative Authority as noted in the County Division of Health's letter dated April 27, 2017; and

WHEREAS, this information has been provided as required and the Board of Health can consider approving the proposed use and total of 686 gpd of sewage for the site; and

WHEREAS, this change reduces the use of the property as well as the intensity of same

THEREFORE BE IT RESOLVED, by the West Amwell Township Board of Health, that new data provided by the engineer for Block 16 Lot 17.02 is hereby accepted for the change of use

BE IT FURTHER RESOLVED, that a copy of septic testing/inspection results on the current septic system be provided to the Board.

The Resolution was unanimously approved, as amended, on motion by Bergenfeld, seconded by Dale.

Request for Waiver – Block 20 Lot 9.01

Kevin Brakel of Princeton Junction Engineering advised of the proposed expansion from 2 to 4 bedrooms on this 2 acre existing Rock Road property. Two waivers are requested. He explained mottling in the two soil logs questioned and the hanging/perched conditions, noting these are within the DEP guidelines. Also noted was the bisecting stream on the property. A pre-treatment unit has been incorporated into the design. There will be a slight mound but one that blends in. The 18 inches of select fill above the water table provides for the lower mound situation. If a reserve is required, it would have to be located east of the stream. A maintenance agreement is required for this system and the unit comes with a two year contract.

BOH RESOLUTION #12-2017

WHEREAS, septic plans for an expansion from 2 to 4 bedrooms has been received for Block 20 Lot 9.01; and

WHEREAS, the design meets all aspects of the code except for the following item which will need to be reviewed by the Board, according to the May 18, 2017 letter from the County Division of Health

1. Soil logs sl 012617-01 and sl 012617-02 showed mottling in the upper horizons from 3-24 and 19-35 inches which is in the firm loam and silty clay loam horizon. Even though the soil horizons are not hydraulically restrictive by definition, the soils appear to be more restrictive than the deeper clay loam from 67-107 inches which showed a .95 in/hr Pit bail test. The soil permeability class rating samples showed K1 permeability rate which is slower rate than the pit bail rate. The engineer has also explained that the 24 hour water readings in the Pit bail tests were established at 46.5 and 49 inches which showed this is a true regional water table and the mottling is a perched/hanging condition. Based upon the DEP guidance document, a hanging water condition can be recognized by the administrative authority provided the horizon below the mottling is at a higher permeability, the slope is less than 5% and a fill enclosed installation is proposed. The design appears to satisfy all of these conditions. The engineer shall explain further to the satisfaction of the Board why the mottling is a hanging condition which is allowed by the DEP rather than regional water table.
2. West Amwell Board of Health ordinance requires, for expansion, that a reserve area is tested and shown on the plot plan. Engineer shall explain to the Board why a reserve area could not be tested for on this property.

WHEREAS, the design engineer, Kevin Brakel, has satisfactorily explained the soil conditions and the Board has accepted the hanging water condition, as documented; and

WHEREAS, the design engineer was in attendance and explained the situation concerning a reserve area; and,

WHEREAS, the septic system expansion integrates an Advanced Wastewater Pretreatment Device (NORWECO; Singular 960-750) into the design; and,

WHEREAS, all requirements and conditions for Advanced Treatment Units are listed in the plot plan including a maintenance agreement, deed notice, engineer and NEHA certification for the system installer

THEREFORE BE IT RESOLVED, by the West Amwell Board of Health, that situation in #1 was reviewed and accepted as presented

BE IT FURTHER RESOLVED, that it is the position of the Board of Health that the requirement for a reserve refers to a new dwelling unit, not an expansion

BE IT FURTHER RESOLVED, that proof of the maintenance contract and any required reports on monitoring be provided to the West Amwell Board of Health and Hunterdon County Division of Health and that a maintenance agreement be provided by the owner and kept with the house as maintenance will be required by a service provider for the life of the system

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Hunterdon County Division of Health, the engineer of record, the applicant, and the Construction department.

The Resolution was unanimously approved on motion by Bergenfeld, seconded by Dale.

UNFINISHED BUSINESS

Update on Salt Testing – No update at this time.

Continued Discussion on RO's – The point of use RO has been installed in the Pearson residence. A water test from the lab will be scheduled. Brief discussion over criteria to shut down testing at each location once verified potable water is obtained. Contact has been made with Attorney Faherty concerning a legal sign off.

ADMINISTRATIVE REPORTS:

Bill List for May 25, 2017

BILL LIST May 25, 2017

DATE	VENDOR	AMOUNT PAID
April 19, 2017	John Luyber	300.00
	Shanahan's (name plate)	20.95
May 17, 2017	John Luyher	1,200.00
	Affordable Pumping Service	225.00

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

Soil Test Witness Report March and April 2017

BOARD OF HEALTH
SOIL WITNESSING REPORT
Month of: March 2017

Tests Performed:

<u>Name</u>	<u>Block Lot</u>	<u>Address</u>
Lang	17/20.04	166 Rock Road West
	17/20.08	160 Rock Road West
A.Town LLC	17/16	105 Rocktown-Lamb.

Monies Received and Deposited: \$ 1,550.00
Fees Refunded: \$ 0.00

BOARD OF HEALTH
SOIL WITNESSING REPORT
Month of: April 2017

Tests Performed:

<u>Name</u>	<u>Block Lot</u>	<u>Address</u>
Ruggieri	13/61.07	214 Rocktown-Lamb. Road

Monies Received and Deposited: \$ 1500.00
Fees Refunded: \$ 315.00

Website Review – Verification of current membership is to be checked.

The foregoing reports were accepted as presented with no further discussion.

CLOSED SESSION & RESULTS, IF ANY: None

CORRESPONDENCE:

The correspondence, as listed on the Agenda, was ordered filed.

DISCUSSION:

None

ADJOURNMENT:

There being no further business before the Board, the meeting was unanimously adjourned at 8:18 p.m. on motion from Cally.

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Respectfully submitted,

Lora Olsen, Secretary

APPROVED: September 28, 2017