

WEST AMWELL TOWNSHIP BOARD OF HEALTH
October 27, 2016

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

The meeting was called to order at 7:35 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 29, 2016, 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, Jim Cally, Brian Mundhenk and Lora Olsen. Rick Kropp, Zach Rich and Stephen Bergenfeld were excused. Public in attendance included Paul Harenberg, Bill Jupinca, and Alex Mikos

Mr. Cally and Mr. Mundhenk are full voting members this evening.

PRESENTATION OF MINUTES

The August 25, 2016 minutes were approved on motion by Dale, seconded by Mundhenk.

AGENDA REVIEW

No additions or deletions were made.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

No one came forward.

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

None

NEW BUSINESS:

Request for Waiver – Block 52 Lot 4

Paul Harenberg of Engineering & Land Planning Associates, Inc., as engineer of record, came forward to discuss the waivers requested in the County's August 31st letter and the on-site situation. A UV treatment is proposed for protection. The lot is less than .5 acre and slopes from front to back. The well is located in the front of the property. Due to the age of the development, no well records have been located as to depth of casing. The proposed system is a gravity, mounded replacement. Soil witnessing was conducted in June with 4 soil logs and 3 basin floods conducted and the results favorable only in BF #3. A high water table was also encountered. A mounded system has been designed for a location with the best permeability that is also outside well buffers.

Chair Hart inquired about whether there was a buffer missing on the right side and was advised that this is the Mountain View Road side. No notice to neighbors was deemed needed, although a UV was favored.

BOH RESOLUTION #16-2016

WHEREAS, a septic system alteration request has been referred to the Township Board of Health for Block 52 Lot 4 for an existing 3 bedroom dwelling with no expansion; and

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

1. The toe of the mound will end at the property line which does not meet the County policy of 10 feet. The engineer shall inspect the grading to ensure all work is within the property lines and there is no increase in offsite water runoff.
2. The proposed disposal bed will be only approximately 81.2 feet from the existing well on the property which does not meet the minimum separation distance of 100 feet. As per 7:9A=4.3, distance can be reduced to 50 feet provided there is 50 feet of casing in the well. The engineer has provided a letter to the Board stating that a well search for this property at both the state and County did not come up with any records. The engineer also states that due to the age of this development they did not believe that there is 50 feet of casing in the well. The applicant has agreed to install an ultra violet (UV) device on the well for added protection. Checking for the well casing would not make sense in this situation since a UV device is already being proposed. Therefore, the Board can consider the waiver request with the request with the requirement of a UV device being installed.
3. The Basin flood test did not drain completely within the 24 hour requirement. The tests did run partially and the engineer believes there is some permeability. The engineer shall provide testimony to the Board that this is the best design for the soil conditions on this lot.

WHEREAS, this is a malfunctioning system with no expansion, according to 7:9A 3.3€ 2i+ii, the proposed alteration will be closer to being in conformance with this chapter, the Board can consider the waiver approvals.

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that waiver #1 above is hereby granted as the design engineer will inspect the grading to ensure all work is within the property lines and that there will be no increase in offsite water runoff; and

BE IT FURTHER RESOLVED that waiver #2 above is hereby granted conditioned on the submission to the County Division of Health proof of the installation of an ultra violet treatment system and proof of potable water prior to construction permit

BE IT FURTHER RESOLVED that waiver #3 above is hereby granted as the Engineer has explained the property conditions to the satisfaction of the Board, including his belief that there is some permeability as well as that this is the best design for the soil conditions on this lot; and

BE IT FURTHER RESOLVED that the Board and County shall be held harmless for the approval of the system.

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 Dale.

Request for Waiver – Block 38 Lot 2

Bill Jupinka of Bayer-Risse spoke to the issues encountered on this small lot, in particular that the 100 foot well circle covers the whole property. The test conducted in the front was good. A Hoot system to treatment the effluent is recommended. There will be a slight mound that will involve a pump system. An attempt to finding casing depth was unsuccessful. The existing system entail a single lateral. Passing perc was located to the front of the property but tests in the rear failed. The current distance to a neighboring well is 55 feet. This new design will increase the distance to 59 feet. Mr. Jupinka noted that this is a 2 bedroom home and that current distances to neighboring homes maintained.

Chair Hart commented on the improvement over the single lateral and that the location of the mound will favor the neighbor's side. The neighbor is to receive the notice about testing their well. Mr. Dale inquired about whether there was a mound and was advised that the proposed will be approximately one foot above existing grade.

BOH RESOLUTION #17-2016

WHEREAS, a septic system alteration request has been referred to the Township Board of Health for Block 38 Lot 2 for an existing 2 bedroom dwelling with no expansion; and

WHEREAS, the use of an advanced technology system called the Hoot H-500A 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 HOOT H-500A which is appropriately sized for this site; 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 waivers will need to be acted on by the Board

1. The toe of the mound will be less than the County policy of 10 feet to the property lines. The engineer will inspect the grading and provide a statement that the grading has no adversely impacted off site areas.
2. The proposed disposal bed will be only 50 feet from the existing well on the property which does not meet the minimum separation distance of 100 feet. A waiver is being requested from the West Amwell Township Board of Health by the design engineer for the well less than 100 feet from the proposed disposal bed. The engineer is proposing to increase the separation distance which is now 43 to 50 feet. The engineer also performed a well search request with the DEP to obtain casing information on the well. Unfortunately, due to the age of the well, there was no information available. The

3. Advanced Treatment design is being proposed to address the well distance issue by having a superior system further treat the effluent. As per 7:9A 3.3(e)2ii, since this is a malfunctioning system with no expansion and the system is being brought as close to full conformance as possible with the chapter as the administrative authority determined. Therefore, the Board can consider the waiver request
4. The neighboring well on Lot 3 will be only 59 feet from the proposed disposal bed which is less than the 100 foot setback distance. A waiver is being requested from the West Amwell Board of Health by the design engineer for the well less than 100 feet from the disposal bed. The engineer is proposing to increase the existing separation distance which is now 55 feet to 59 feet. The engineer also performed a well search request with the DEP to obtain casing information on the well. Unfortunately, due to the age of the well, there was no information available. The Advanced Treatment design is being proposed as a way to address the well distance issue by having a superior system further treat the effluent. As per 7:9A (e)2ii, since this is a malfunctioning system with no expansion and the system is being brought as close to full conformance as possible with the chapter as the administrative authority has determined. Therefore the Board can consider the waiver request. In addition, the engineer shall send a notification to the owner of Lot 3 of the proposed waiver requests.
5. The proposed disposal bed will be only 7 feet from the property line which does not meet the minimum setback distance of 10 feet by state code.

WHEREAS, a passing water test from a NJ certified lab was obtained on April 5, 2016 which showed the sample meets primary and secondary contaminants for drinking water; and,

WHEREAS, all requirements and conditions for Advanced Treatment Units are listed in the general notes numbers 29-32 on page 9 of the plot plan, including a maintenance agreement, deed notice, and NEHA certification for the system installer

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that waiver #1 above is hereby granted as the design engineer will inspect the grading to ensure all work is within the property lines, that there will be no increase in offsite water runoff and provide a statement as to same; and,

BE IT FURTHER RESOLVED that waivers #2, #3 and #4 above are hereby granted as this is a malfunctioning system and, per 7:9A 3.3 (e) 2ii, is in more conformance with the code

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 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 Mundhenk, seconded by Dale.

Request for Waiver – Block 35 Lot 2

Mr. Jupinka spoke to conditions on this lot, located on the right side of 179 South, which are almost the same as the previous. A failing system on a three bedroom house, with a similar problem as to well circle. A Hoot system is recommended for treatment purposes. The distance from a neighboring well is being increased from 61 feet to 67 feet. There are no records at the State as to length of well casing for old 1940-1950's wells. The existing system is shallow with no penetration. The proposed mound is 1.5 feet above ground level. A notification to Lot 3 about well testing was requested.

BOH RESOLUTION #18-2016

WHEREAS, a septic system alteration request has been referred to the Township Board of Health for Block 35 Lot 2 for an existing 3 bedroom dwelling with no expansion; and

WHEREAS, the use of an advanced technology system called the Hoot H-500A 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 HOOT H-500A 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 waivers will need to be acted on by the Board

6. The toe of the mound will be only approximately 3 feet from the property line which is less than the County policy of 10 feet. The engineer will inspect the grading and provide a statement that the grading has not adversely impacted off site areas.
7. The proposed disposal bed will be only 67 feet from the existing well which does not meet the minimum separation distance of 100 feet. A waiver is being requested from the West Amwell Township Board of Health by the design engineer for the well less than 100 feet from the proposed disposal bed. The engineer is proposing to increase the separation distance which is now 61 to 67 feet. The engineer also performed a well search request with the DEP to obtain casing information on the well. Unfortunately, due to the age of the well, there was no information available. The Advanced Treatment design is being proposed to address the well distance issue by having a superior system further treat the effluent. As per 7:9A 33(e)2ii, since this is a malfunctioning system with no expansion and the system is being brought as close to full conformance as possible

with the chapter as the administrative authority determined. Therefore, the Board can consider the waiver request

8. The neighboring well on Lot 3 will be only 76 feet from the proposed disposal bed which is less than the 100 foot setback distance. A waiver is being requested from the West Amwell Board of Health by the design engineer for the well less than 100 feet from the disposal bed. The engineer is proposing to increase the existing separation distance which is now 71 feet to 76 feet. The engineer also performed a well search request with the DEP to obtain casing information on the well. Unfortunately, due to the age of the well, there was no information available. The Advanced Treatment design is being proposed as a way to address the well distance issue by having a superior system further treat the effluent. As per 7:9A (e)2ii, since this is a malfunctioning system with no expansion and the system is being brought as close to full conformance as possible with the chapter as the administrative authority has determined. Therefore the Board can consider the waiver request. In addition, the engineer shall send a notification to the owner of Lot 10 of the proposed waiver request.

WHEREAS, a passing water test from a NJ certified lab was obtained on August 8, 2014 and June 10, 2015; however, the test date is over 2 years old. A new water test for coliform is hereby recommended.

WHEREAS, all requirements and conditions for Advanced Treatment Units are listed in the general notes numbers 29-32 on page 9 of the plot plan, including a maintenance agreement, deed notice, and NEHA certification for the system installer

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that waiver #1 above is hereby granted as the design engineer will inspect the grading to ensure all work is within the property lines, that there will be no increase in offsite water runoff and provide a statement as to same; and,

BE IT FURTHER RESOLVED that waivers #2, and #3 above are hereby granted as this is a malfunctioning system and, per 7:9A 3.3 (e) 2ii, is in more conformance with the code; and

BE IT FURTHER RESOLVED that a new water test for coliform is hereby required and the installation of an ultra violet device required if said test fails; and

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 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 Dale, seconded by Mundhenk.

Request for Reserve Area Waiver & TWP Permit – Alex Mikos of Goldenbaum Baill stated that this is a new lot requiring a waiver for high water table. A waiver for a reserve is also requested. He explained that this is a 27 acre lot with streams running on both sides. The soils are not good although the area in back could support a septic. He's looking for a waiver from the State and that there was a 24 hour, non-conforming basin flood test. He spoke about access problems due to the streams.

Chair Hart indicated no problem with the reserve waiver noting that the rest would be on DEP for their sign off. Questions raised by Board members included whether DEP is ok with an alternate system and if all available areas were attempted. As to the former, this depends on the particular reviewer, is not a given, and additional conditions may be imposed. As for the latter, it appears that a fair effort has been made.

BOH RESOLUTION #19-2016

WHEREAS, soil testing was performed on Block 31 Lot 5 for new construction for a proposed 4 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, soil logs and permeability tests showed no passing basin flood tests; and

WHEREAS, with no passing permeability on this property, the proposed system is not in full conformance with 7:9A; therefore, the applicant will need to apply to the DEP for review of a Treatment Works approval (TWA), per the County's October 14, 2016

WHEREAS, a waiver is sought from the requirement for reserve testing; and

WHEREAS, it has been acknowledged by the engineer that the Division, and the West Amwell Board of Health, cannot approve the soil testing; and

WHEREAS, consideration by the Board of waiving the reserve requirement is needed prior to a submission to DEP for design approval through a TWA permit; and

WHEREAS, the Board of Health heard this request at their meeting of October 27, 2016 and acknowledges that the soil testing cannot be approved by the County or West Amwell Township; and

WHEREAS, it has been determined that a reserve area does not need to be established in accordance with the Township ordinance

THEREFORE BE IT RESOLVED that the requested waiver be granted as to a reserve area for Block 31 Lot 5.

BE IT FURTHER RESOLVED that the BOH hereby authorizes the signing of the TWA application package by its authorized agent in order for the applicant to submit plans to the DEP for their review and approval

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

Soil Test Witnessing Program – John Luyber’s participation as a township witness was confirmed. The question of whether to advertise for an additional witness for the program was not seen as necessary, although verification of current soil witness participation in 2017 will be sought. Also noted was that the requested letter to engineering firms concerning the change in contact for witness scheduling has gone out. If there is a change in contacts, another mailing will be required.

BOH Registry Requirement for January 2017 – The NJ Department of Health letter received earlier concerning registration requirements per N.J.A.C.8:52-1.5 was briefly reviewed. Information to be collected was relayed.

UNFINISHED BUSINESS

Update on Salt Testing – Mr. Cally reported on his meeting with Mr. Morandi and the membrane system utilized. The neighbor’s POE system was specifically noted. Information was requested as to this particular system with the following response: *Water treatment for iron and manganese for the whole house. Also an RO system for kitchen sinks and refrigerator for drinking water. Each kitchen sink has 2 faucets, so it’s 2 systems. Outside hose bibs are not treated.* Mr. Cally continued that Mr. Morandi has been handling the system breakdowns and would prefer that the current system go away in favor of one like that of the neighbor as it is less intrusive and involves less maintenance. His preference is to treat just the drinking water. However, he questioned whether the change would bring liability as to a secondary pollutant if discharge is to the septic system. If this change is made, it would mean that the cost of Russell Reid would go away. Mr. Cally questioned whether the Board can entertain the change; whether this is something the Township can buy and the resident maintain; and, what filters might cost. Getting rid of this expensive system was seen as a win-win. Chair Hart offered that it would be acceptable from a health perspective but was uncertain about the existing agreement and possible liability on something new. Further discussion is needed and Mr. Kropp’s input is to be sought. Mr. Morandi will be requested to attend the December meeting. Also mentioned was the earlier indication for the other RO system to go back on line. Mr. Pierson will also be requested to attend the December meeting. A hold was placed on changing the pump-out contractor.

A review of latest water test results met with the suggestion that a recalibration of the results should be checked against a formal lab testing. This is to be scheduled.

ADMINISTRATIVE REPORTS: **Bill List for October 2016**

BILL LIST October 27, 2016

DATE	VENDOR	AMOUNT PAID
September 21, 2016	Russell Reed, Inc (3 pumps)	993.27
	Maser Consulting (STW)	3380.00
October 19, 2016	Russell Reed, Inc	663.00
	Maser Consulting (STW)	320.00

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

Soil Test Witness Report for August & September 2016

BOARD OF HEALTH
SOIL WITNESSING REPORT
Month of: August 2016

Tests Performed:

<u>Name</u>	<u>Block Lot</u>	<u>Address</u>
Sheppard	38/2	15 Old York
Ollio	35/2	1519 Route 179
Suez	16/3	756 Brunswick Pike

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

BOARD OF HEALTH
SOIL WITNESSING REPORT
Month of: September 2016

Tests Performed:

<u>Name</u>	<u>Block Lot</u>	<u>Address</u>
Suez	16/3	756 Brunswick Pike

Monies Received and Deposited: \$ 800.00
Fees Refunded: \$ 0.00

Website Review – No comment

CLOSED SESSION & RESULTS, IF ANY:
None needed.

CORRESPONDENCE:
The correspondence as listed on the Agenda was ordered filed.

DISCUSSION: Chair Hart spoke to the special meeting issue. Although the Board has done these in the past, he is of the opinion that it is up to the engineer to plan according to the Board's schedule and that these not be considered, with the County to be advised of same. It was the consensus of the Board that special meetings be eliminated from the annual meeting resolution.

ADJOURNMENT:
There being no further business before the Board, the meeting was unanimously adjourned at 9:04 p.m. on motion from Mundhenk.

Respectfully submitted,

Lora Olsen, Secretary

APPROVED: December 15, 2015