

## READINGTON TOWNSHIP BOARD OF HEALTH MEETING

April 20, 2011

Chair William C. Nugent called the meeting to order at 7:10 p.m. and announced that all laws governing the Open Public Meetings Act have been met and that this meeting has been duly advertised.

### Attendance Roll Call:

Christina Albrecht	present	William C. Nugent	present	Wendy Sheay	absent
Jane Butula	present	Tanya Rohrbach	present @ 7:12	Donna Simon	absent
Beatrice Muir	present				

**Also Present:** Board of Health Engineer, Ferriero Engineering, Inc. representative Joe Kosinski

*Chair Nugent announced that the agenda order would be rearranged to hear the approvals first, terminating at 9:00p.m.*

### A. APPROVAL OF THE MINUTES

1. **Minutes** of February 16, 2011.

*Deferred.*

2. **Minutes** of March 16, 2011.

*Deferred.*

### B. CORRESPONDENCE

1. **HCDH letter dated 3/25/11** - regarding Pesticide Control Regulations.

2. **Block 57/11.05** – NJDEP –dated 3/21/11 – No further action letter.

3. **Suspected Hazardous Discharge Notification** letter dated 3/12/11 regarding oil heating #2.

4. **NJLBHA** – 2011 membership. [WWW.NJLBHA.ORG](http://WWW.NJLBHA.ORG)

*Chair Nugent noted that the new membership cards were included in this mailing.*

5. **NJLBHA** – BOH member certification program 4/9/11. (*emailed 3/30/11*).

6. **Block 8/Lot 3** – letter dated 3/28/11 regarding response action outcome.

7. **Suspected Hazardous Discharge Notification** letter dated 4/5/11 regarding oil heating #2.

8. **HCDH** - Annual report 2008 – 2011.

9. **DEP Advisory:** 4/13/11 - Public Hearing Scheduled on Proposed Waiver Rule.

10. **HCDH LINC**S - 4/15/11 Advisory: Two cases of measles – Morris County, NJ.

### C. SEPTIC REPAIRS

### D. OLD BUSINESS

1. **Facebook** – *see 3/16/11 agenda item B. 1. NALBOH – NEWSBRIEF - 1<sup>st</sup> Quarter/201, pg.9.*

*Chair Nugent asked if any members had looked into this.*

*Ms. Butula stated that based upon the fact that our township and board has a very active website, this may be redundant.*

*Chair Nugent stated that it seems unanimous that the board agrees to pass on this.*

2. **Ned E. Baker** – lecture.

*Ms. Butula stated that this lecture was excellent and applies to the Safe Communities Coalition.*

### E. NEW BUSINESS

1. **NJDEP proposed revisions to 7:9A.** Comments in to NJDEP by 5/7/11.

*Chair Nugent stated that Ferriero Engineering has reviewed the numerous amendments to the state code and was prepared to discuss the items that this board would want them to comment back to the state on.*

*Mr. Kosinski stated that just about every subchapter of the code has been amended in some form, either to correct typographical errors or to provide clarification. Some of the items that will affect the board are on*

*the administrative end. Subchapter 3 proposes that the Board of Health evaluate the status of non-compliant septic systems. Non-compliance is a new term being used by the DEP to identify a system as either malfunctioning or otherwise failing. As the board is aware, septic system inspectors usually prepare a report using guidance that is often not standardized in terms of evaluation methods, although there are guidance documents produced by the state. The state has recognized that septic system inspectors are not authorized to determine whether or not a system is malfunctioning, failing or otherwise non-compliant. The state is recommending that the administrative authority or the department are the only two agencies that can evaluate a septic system report and deem a system non-compliant. That is an additional administrative burden on behalf of the administrative authority because they also have a 10 day time period with which to respond. Under the old code, malfunctioning meant the release of effluent onto the ground. The new term, non-compliance, means a system that is either malfunctioning under the old definition or is not in compliance otherwise with the provisions of 7:9A. The liability comes into play when for example, a septic system is evaluated by an inspector, the administrative authority reviews this report and determines that the system is compliant, 2 months down the road the system fails, then who is held liable for saying the system was compliant.*

*NJAC 7:9A now proposes additional record keeping and reporting.*

*There do not seem to be any grandfathering clauses within the proposed amendments, and also a concern that the administrative authority needs to be concerned with is how are the costs going to be covered.*

*Mr. Kosinski stated that Mr. Ferriero is prepared to make comments on behalf of the board.*

*Chair Nugent stated that in order to get the boards comments to the state by the deadline, the board may want to consider having Ferriero Engineering submit their comments back to the state on the boards behalf. Ms. Muir stated that there are really three prongs to this, one is from the engineering firm, one is the boards perspective of added burden both monetary and time consuming whether we have the resources to do that sort of thing, and the third would be from the homeowners perspective this has to be kept to some sort of reasonable arena.*

*Ms. Butula stated that if someone files a complaint about ponding, that is a health and safety issue, and they can be forced to remedy it.*

*Ms. Butula asked Mr. Kosinski if he saw anything that may be more lenient, or may not be as environmentally cautious as the previous version, including the proposed waiver rule?*

*Mr. Kosinski stated that he did not see anything that would indicate that they are taking a softer stance on the environment. Regarding the proposed waiver rule, in the context of the changes, they are more conservative.*

*Chair Nugent stated that it is incorporating the advanced engineering systems as part of the code, the peat systems, the drip dispersal systems.*

*Mr. Kosinski stated that they can be proposed for new construction now because they are part of 7:9A.*

*The main concerns of the board are related to the review of the septic system inspections, the record keeping and reporting, the administration and the monetary compensation. There are other amendments to this code that are proposed that are going to directly affect how this board reviews soil testing, which will be outlined in their report to the board.*

*A MOTION was made by Ms. Butula that the Readington Township Board of Health authorize the Board of Health Engineer, Ferriero Engineering, Inc., to respond to the NJDEP on their new proposal. A brief summary here of the concerns that the board feels they should be involved with and the board demonstrates their trust in Ferriero Engineering, Inc. and that they represent the board, and that the board gives Ferriero Engineering, Inc. definite authority to respond to the NJDEP on issues that concern the Readington Township Board of Health.*

*This motion was seconded by Ms. Rohrbach, on roll call vote, the following was recorded:*

<i>Ms. Butula</i>	<i>Aye</i>	<i>Ms. Rohrbach</i>	<i>Aye</i>
<i>Ms. Muir</i>	<i>Aye</i>	<i>Chair Nugent</i>	<i>Aye</i>

## 2. Correspondence item B. 9.

*Mr. Kosinski stated items A through C haven't been changed, so there are no significant changes with regard to reporting requirements as proposed.*

*Ms. Butula stated that her concern is that there may be an excessive use of waivers in order to defeat the existing rules that protect the environment. The use of this could be prudent and wise or it could be outrageously abused.*

*Chair Nugent stated if is instituted as written, there are so many caveats that would allow it to be used, it would likely not be a problem.*

## F. APPROVALS

*Heard @ 7:15 p.m.:*

### Category A. – Single Lots

#### 1. Block 94/Lot 19 – Parker Engineering, Bugasch, Lazy Brook Road.

Escrow fees paid 1/28/11, Ck# 112, \$750.00.

Previously heard 3/16/11.

Mr. Stephen Parker, NJ licensed engineer appeared before the board. Mr. Bugasch, the owner of the property was also in attendance. This application was heard by the board last month. This is the Kanach Farm, farmland preservation property, new construction of a single family 7 bedroom home. The only change on the plan presented tonight is the relabeling of the soil logs which were done by this firm. All the other plans previously submitted to the board remain the same. In addition, new Form 2b's were submitted for the logs re-excavated by this firm. The plans are dated originally 1/26/11, the latest revision is 3/18/11, reflecting the additional soil log notations.

Ms. Butula referred to comment #38. on the map regarding the LOI extension, and asked if there was an example of that document?

Mr. Parker stated that the plan submitted by the firm indicates the wetlands which are several hundred feet northeast of the exception area.

Ms. Butula asked that Mr. Parker testify on items #27., 33., and 36 in the general notes.

Mr. Parker stated note #27. Proposed disposal bed is 50' minimum from streams adjacent disposal systems and storm sewers and 100' from adjacent wells. #36. States that there is an existing well which the applicant intends to continue using.

Mr. Bugasch stated that the well testing company had indicated that the well water would be potable. Chair Nugent asked Mr. Parker to clarify the issue of the test holes dug relative to the position of the old ones, and that he would read into the record the response from the BOH witness.

Mr. Parker stated that rather than deepen the soil logs that were there, they dug right next to it, inches away and in the course of making the holes deeper, they ended up getting bigger. A larger area was opened up.

Chair Nugent read the witness' response "Both Steve Parker and I were right to some degree. The soil logs were excavated right alongside the original logs down to refusal. In order to get deeper, the machine had to expand the width of the soil log from one bucket wide to three buckets wide. The end result was that we were alongside the original log as well as under the original log."

Mr. Parker stated that he concurred with that statement.

Chair Nugent asked Mr. Parker to comment on the soil log where the regional zone of saturation was lower than the existence of mottling.

Mr. Parker stated that in soil log 3, there was a mottled horizon from 37 – 39". That horizon is a silt loam horizon that is on top of a fractured excessively course fractured shale. The mottling observed there is due to a perched or hanging water condition where water gets into the soil from rain or snow that gets hung up due to capillary pressure in the soil and its retained in the fine grain soil material, and underneath

it is completely dry. This is a classic case of that because of the 8 weeks of monitoring and seasoned testing done in a different year, with no indication of any ground water in all cases. Given that information, this is a clear indication of a hanging condition. The fractured shale that is there is free draining.

There was some discussion of note #42. on the map, indicating Hatch Mott MacDonald performed testing, and would be initialed to include that Parker Engineering had also performed testing. Also, a copy of the 2006 concept map would be submitted to the BOH office.

Chair Nugent asked if there were any other questions.

There was no response.

A **MOTION** was made by Ms. Butula for approval for Block 94/Lot 19, 84.018 acres on Lazy Brook Road. The proposal is to construct a 7 bedroom house. The map is named Septic System Design from Tax Map Lot 19/Block 94, Readington Township, Hunterdon County, New Jersey, dated 1/26/11, revisions 2/22/11, 3/16/11 and 3/18/11, prepared by Stephen E. Parker, NJ licensed professional engineer. The surveyor was Pamela L. Matthews, licensed land surveyor. The topographical survey is dated 2/16/10, revision 7/20/10. Ferriero Engineering reports are dated 2/3/11, 2/28/11, 3/2/11 and 4/5/11. This is new construction, gravity, mounded, select fill enclosed system. For the primary, soil log 1 done on 1/20/10, @ 105"; soil log 1 by Parker Engr., @ 126", 1/20/11, no mottling, no seepage, no hydraulically restricted horizon. Soil log 3 done on 1/20/10, @ 101"; soil log 3 by Parker Engr., @ 120", 1/20/11, no seepage, no hydraulically restricted horizon, mottling @ 37 – 39", which testimony in depth by the engineer stated it is a perched zone of saturation. The permeability test is basin flood 7, @ 60", 1/20/10, passing. The in season ground water monitoring was done 1/23/10 – 3/13/10, soil logs 1 and 3 were dry. For the reserve area soil log 4 done on 1/20/10, @ 101"; soil log 4 by Parker Engr., @ 122", 1/20/11, no mottling, no seepage, no hydraulically restricted horizon. Soil log 6 done on 2/17/10, @ 105"; soil log 6 by Parker Engr., @ 109", 1/20/11, no mottling, no seepage, no hydraulically restricted horizon. Basin flood 4, @ 56", 2/17/10 – 2/18/10, passing, @ 4.67'. The in season ground water monitoring was done 1/23/10 – 3/13/10, soil logs 4 on 1/30/10 revealed water at 71" and determines the regional ground water at 71". The original application had an LOI dated 2002, case # 1022-22-0002.1FWW020001. Note 38 indicates a concept plan, dated 11/17/06, revisions 12/7/06 and 12/15/06, by Taylor Wisemen, Mark S. Matthew, professional engineers in NJ, states that there are no wetlands or wetland transition areas within the 2 acre exception area, the location of the wetlands on this property were verified by the LOI stated previously. Mr. Parker testified to notes 27. and 36.

This motion was seconded by Ms. Albrecht, on roll call vote, the following was recorded:

Ms. Albrecht	Aye	Ms. Muir	Aye
Ms. Butula	Aye	Ms. Rohrbach	Aye
		Chair Nugent	Aye

Mr. Parker endorsed the Board of Health file map with the correction for note 42.

*Heard @ 7:45 p.m.:*

**Category B. – Subdivisions**

**1. Block 38/Lots 54, 74 & 75 – James R. Frace, Renda Subdiv. Pearl St. & Ridge Rd.**

Escrow fees paid 12/20/06, Ck# 849 \$500.00.  
Escrow fees paid 12/22/06, Ck# 857 \$1000.00.  
Escrow fees paid 9/19/07, Ck# 1037 \$1500.00.  
Escrow fees paid 7/13/09, Ck# 1470 \$1500.00.  
Escrow fees paid 3/15/11, Ck# 1794 \$1500.00.

Ms. Lloyd Tubman, Archer & Greiner represented Ridge Road Realty and Michael and Maria Renda, the owners of this property which has preliminary subdivision approval for 12 lots. Mr. Robert Templin, NJ

licensed engineer, reviewed the soil tests and prepared the reports also appeared. The site plan and subdivision was done by John Cilo Jr. and Associates. There was no one from that firm in attendance. Ms. Tubman stated that they had received the preliminary subdivision approval on 7/26/10. The subdivision has a cul-de-sac that comes off of Sophie Street, which will itself be improved. It ends in the cul-de-sac to avoid crossing the stream property that was otherwise suitable for individual lots. A number of soil logs are shown off to the southwest corner of the property. There is access off of Ridge Road, the plan shows DEP wetlands, riparian corridors, riparian buffers. There is an LOI on the property. The redesign has avoided getting the stream encroachment, now riparian zone approvals. This was very sensitively designed to avoid the environmental constraints on the property. The extension of Sophie Street is double loaded to avoid crossing the stream and wetlands.

Chair Nugent asked if Pearl Street would also be extended?

Ms. Tubman stated that there would be a contribution in lieu of widening Ridge Road. Pearl Street would not be improved. There is a paper road, Pearl Street extension, in the event that in the future the township would want to obtain wetlands permits necessary to do that extension. They have consented to provide the price of a footbridge to connect Pearl Street to the Sophie Street extension contingent on the township obtaining any DEP permits and doing the design themselves.

There was some discussion of wetland areas. South of Lot 54.10, where Lot 54.14 is proposed, is where the detention basin is proposed.

Ms. Rohrbach asked if the detention basin would be within the 100' of the proposed well location on Lot 54.10?

Chair Nugent stated that the detention basin on the map appears to fill up all of the space south of 54.10, almost adjacent to the property line, therefore the 100' proposed well circle of 54.10 appears to cascade 40' into the detention basin.

Chair Nugent asked, referring to the on-site wastewater disposal plan dated 10/12/06, revision to 11/2/10, key map area on left side of map note 2, the house box shown is not the actual dwelling footprint?

Ms. Tubman stated that is because the houses have not been designed, the lots are conforming with the township subdivision ordinance, the houses will be sited and individual lot grading plans submitted at the point in time in which the house has been designed.

Chair Nugent stated that his question is related to the disposal areas that are placed on the map, and any approval granted regarding those would necessitate a revisit to this board in the event that they were moved.

Ms. Tubman stated not necessarily, as long as the code provisions are met.

Ms. Muir stated that the placement of driveways, and the pipes that service the septic area that this board takes into consideration with any movement of a structure.

Chair Nugent stated the setback requirements of the soils testing have to be considered by this board.

Ms. Tubman stated that the setback requirements are addressed in individual lot plans, reviewed by Ferriero Engineering, but do not come back to this board for a second location of the house. The municipal land use law states that site plan review for individual lots is not allowed.

Chair Nugent stated that the board is not concerned with the house location, but is concerned with the septic components, so if there is a change in the placement of the reserve or primary disposal field and any components, that they would have to come back before this board.

Ms. Tubman stated if they had to relocate a septic bed outside of the approved test, or the use of a pump requiring a variance, absolutely.

Chair Nugent stated that there was an LOI extension applied for and granted and approved.

Mr. Kosinski stated that it is noted in Ferriero Engineering letter dated 4/4/11.

Ms. Tubman stated that the DEP refers to the preliminary site subdivision plans, not to the septic plans, they will add the LOI # to the plan.

Ms. Butula asked about the change between the original wetlands LOI and the extension. The language was 'in order to determine the limits of any riparian zone on site, the applicant may obtain a flood hazard

area verification which determines the areas regulated under FHA, CAR' if the applicant would explain what they are and if it is necessary.

Ms. Tubman stated that that is just like an LOI which under the statute is missing. It allows you to apply to the state to determine the depth of the riparian zone along any stream on site. A pre-application meeting with DEP determined to design out of any flood hazard area jurisdiction, they are comfortable that they have and they do not have to apply for a verification.

Mr. Kosinski stated that the flood hazard area regulations are different and separate from the wetlands regulations and you can request a verification from the state as to the extent of the riparian buffer typically it is measured from the top of the bank of any regulated stream so you can apply to the DEP to find out where that buffer is.

Ms. Butula asked Ms. Tubman to explain why they are not applying, and when should the board be interested in obtaining that.

Mr. Kosinski stated if there is a difference of opinion on the size of the riparian buffer, if an applicant were suggesting that only a 50' riparian buffer were necessary for a particular stream, you would want a verification from the DEP that perhaps a 300' riparian buffer wasn't applicable in that case. If there is any question that the Board of Health may have as to how big the riparian buffer should be you can direct the applicant to get verification from DEP.

Ms. Tubman stated that this is not a C1 stream that would qualify for a 300' buffer, and with all due respect, that is not this boards' jurisdiction.

Ms. Butula stated that they were just concerned as to when they should be concerned about that type of note in the LOI.

Ms. Tubman stated that they were concerned as well, that is why they decided to design out of flood hazard area jurisdiction.

Chair Nugent asked Mr. Kosinski how the board would know whether or not they wanted one?

Mr. Kosinski stated that sometimes there are questions as to how and if a stream is regulated, and the board may want verification and the correct classification of a watercourse from the DEP.

Ms. Butula stated that her concern is that the septic systems that are in place are not affected in any negative way by wetlands or vice versa.

There was some discussion of the existing system on Lot 81.

Ms. Butula asked Mr. Kosinski if there were any concerns regarding the railroad, especially for 54.01?

Mr. Kosinski stated that in conversations with Mr. Hansen, there were no specific concerns with regard to the railroad as it is located on this plan in relation to the septics. The only concern would be if there were easements on the property that were dedicated to the operation of the railroad.

Ms. Muir asked how far away the right of way for the railroad was located? And also NJP&L?

Ms. Tubman stated that the right of way is offsite, it does not extend into the lots. NJP&L has trim rights on the property, they are outside of the well and septic locations, in fact NJP&L gave the township the site triangle easement for the exit from Lot 54.12.

Ms. Butula stated that she would need input from Ms. Vaccarella, and HCDH regarding the various plumes in this area of town. There was some work done by the DEP in this area previously. This concern would have to be addressed.

Ms. Tubman stated that there are no monitoring wells anywhere in this area, it is further up Ridge Road, the DEP provided the POET systems.

Chair Nugent stated that they would start working lot by lot for the approvals, with 54.02, which is also referred to as 11 Pearl Street and Block 38/Lot 75. This property has an existing 4 bedroom dwelling, septic and well. The water tests, dated 6/24/10 indicate that the water is potable. Based on the septic report dated 9/2/06, the septic system is functioning.

Mr. Templin stated that the system they are proposing if one were built would be mounded slightly, and it may need to be pumped because it would be further away from the house.

Chair Nugent confirmed with Ms. Tubman that the lot number is 54.02.

Ms. Tubman stated that all the lot numbers have been approved by the tax assessor, this lot is Lot 54.02, and the Block is 38.

Mr. Templin stated on Lot 54.02, soil log 80 is the primary disposal area, performed 2/11/08, found a rock substratum at 60" an excessively coarse horizon between 60 – 156", down to 156", no mottling in this soil log, however there was seepage at 108" and below. There were no hydraulically restrictive horizons. The ground water monitoring performed had a high ground water reading on 3/21/08 at 76". At 156" there was a hard bottom and machine refusal. For the soil log, a regional zone of saturation at 76" would be used. This was the highest reading in the ground water observation period. Also, for that primary disposal area, in soil log 81 a pit bail was performed on 2/11/08, a fractured rock substratum was encountered at 84", an excessively coarse horizon between 84 – 156", down to 156", machine refusal, no mottling, seepage at 112", no hydraulically restrictive horizons. On 3/9/08, the ground water monitoring showed a height of water at 86".

Mr. Templin stated for this particular soil log, they would mound the soil, 6" to 1' tops. For the existing house, if constructed, a line to the system would require a pump. In the reserve area, soil log 82, pit bail was performed on 2/11/08, a fractured rock substratum at 60", excessively coarse horizon between 60 – 156", machine refusal at 256", no mottling was recorded, there was seepage at 108". A high ground water reading of 87" during the monitoring period was on 3/9/08. The regional zone of saturation was at 87". Soil log 83 is also used in the reserve area, recorded on 2/11/08, rock substratum at 72", excessively coarse horizon between 72 – 156", machine refusal, no mottling was recorded, there was seepage at 132". A high ground water reading on 3/9/08 of 75" which is the regional zone of saturation. This system would need to be a slight mound, and would be further away from the dwelling so would need a pump in the future.

Chair Nugent asked if there were any other questions or concerns regarding this lot.

There were no further questions.

A **MOTION** was made by Ms. Butula for **approval** for Block 38/Lot 54 - 74 and 75, 11 Pearl Street. This is an existing 4 bedroom home. The map is Onsite Wastewater Disposal Plan for Major Subdivision, Lots 54, 74 and 75, Block 38, Readington Township, Hunterdon County, New Jersey, dated 10/12/06, revisions 6/18/07, 7/25/08, 2/3/09, 12/21/09, 6/25/10, 11/2/10, prepared by Debra D'Amico, a licensed professional engineer in NJ. The surveyor is Thomas Strong, licensed professional land surveyor, topographical is 3/8/10, dates 5/24/07, 10/20/08, 1/11/10, and 3/8/10. Ferriero Engineering reports are dated 3/30/07, 10/1/07, 11/24/08, 8/20/09, 10/21/10, 11/17/10, 1/10/11, 2/15/11, 4/4/11.

This lot is also known as 54.02, originally designated as Lot 12 for testing. On a report about the existing septic system it was designated as Block 38/Lot 75 and also can be referred to as a portion of Lot 75.

This has an existing septic system, if the option is taken to put in a new one, will be a possible proposed mounded system with the possible use of a pump which will require the applicant to return for a variance.

This is part of new construction major subdivision. For the primary, tested on 2/11/08, soil log 80 @ 156", no mottling, no hydraulically restricted horizon, seepage @ 108". Soil log 81, @ 156", no mottling, no hydraulically restricted horizon, seepage @ 112". Permeability test, pit bail 1, @ 156", soil log 81, 2/12/08, passing, K=61.65"/hour, 132", in-season groundwater monitoring was done 3/1/08 – 4/20/08, soil log 80 @ 76" on 3/21/08, soil log 81 @ 86" on 3/9/08, regional water for this primary is designated by soil log 80 @ 76". Reserve area 2/11/08, soil log 82 @ 156", no mottling, no hydraulically restricted horizon, seepage @ 108". Soil log 83, @ 156", no mottling, no hydraulically restricted horizon, seepage @ 132" and below. Permeability test, pit bail 1, @ 132", soil log 82, 2/12/08, passing, K=45.50"/hour, in-season groundwater monitoring was done 3/1/08 – 4/20/08, soil log 82 @ 87" on 3/9/08, soil log 83 @ 75" on 3/9/08, regional water for this reserve is @ 75". The LOI dated 11/9/05, case # 1022-05-0004.1 (FWW-050001). The extension was granted 2/28/11, case # 1022-05-0004.1 (FWW-10001), states that the wetlands on subject property are of intermediate resource value which requires a standard transition area or buffer of 50'. The department has identified state open waters on the property, noted on the referenced plan as state open waters in 3 areas, not associated with wetlands. The

state open waters are noted on the reference plan and also between the following wetland points, W35, W52, W19, W51 and W45 to the northern property line. A buffer is not required adjacent to state open waters under the Freshwater Wetlands Act but a riparian zone is required under the Flood Hazard Control Act. Referring to wetlands survey Lot 75, 74, 54 of Block 38 dated 9/29/05, revisions 5/12/04, 2/24/05, 9/29/05. A report on the condition of the existing septic system for Block 38/Lot 75, 11 Pearl Street during an onsite inspection on 10/2/06, concluded that on the day of inspection this disposal field appeared to be functioning as designed. The results dated 6/24/10, of the well water test met primary and secondary contaminant standards for drinking water.

This motion was seconded by Ms. Albrecht, on roll call vote, the following was recorded:

Ms. Albrecht	Aye	Ms. Muir	Aye	
Ms. Butula	Aye	Ms. Rohrbach	Aye	Chair Nugent Aye

Chair Nugent stated that that concludes the first lot, they would move on to proposed Lot 54.03.

Mr. Templin stated Lot 54.03, testing performed on 2/3/10, was excavated to 138", pit bail at 138", from 0 – 8" there was topsoil, from 8 – 64" reddish brown .5yr/4 silt loam, subangular blocky, moist friable 30% shale fragments. From 64 - 138" reddish brown 2.5yr 4/4 fractured shale 1" – 5" pieces, 10% clay loam. Seepage at 108", 24 hour reading of 120". During the groundwater monitoring, water was recorded at 48" on 3/20/10. Soil limiting zones were fractured rock substratum at 64", excessively course horizon at 64 – 138". Regional zone of saturation at 48". This was soil log A, pit bail 1, the primary disposal area. Soil log 42A was performed on 2/3/10, to 144", 0 – 8" topsoil, from 8 – 64" reddish brown silt loam, subangular blocky, moist friable 20% shale fragments. From 64 - 144" reddish brown fractured shale, 1" – 5" pieces, 10% clay loam. Seepage at 132", 24 hour reading of 123". The shallowest groundwater reading was at 65" on 4/3/10. Limiting zone of fractured rock substratum at 64", excessively course horizon from 64 – 144". Regional zone of saturation at 65". In the reserve area, Soil log 39A, pit bail 1, was recorded on 2/3/10, to 120", pit bail at 120". Reading in soil log was 0 – 8" topsoil, from 8 – 72" reddish brown silt loam, subangular blocky, moist friable 30% shale fragments. From 72 - 120" reddish brown fractured shale, 20% clay loam, grey with N60 mottles, common medium distinct from 60 – 72". Seepage at 87", 24 hour reading of 67". The shallowest groundwater reading was at 32" on 4/3/10. Limiting zone of fractured rock substratum at 72", excessively course horizon from 72 – 120". Regional zone of saturation at 32", which was the highest groundwater reading during the monitoring period.

Ms. Butula asked Mr. Templin if the pit bail for the primary 720.7 was correct?

Mr. Templin stated that the water was coming in so fast it was unbelievable, the time period for the readings was down to 30 seconds. The other pit bail performed in soil log 39 was a bit more reasonable, 3.3, done over 5 minute test period.

Ms. Butula asked what the regional zone of saturation was on soil log 42A?

Mr. Templin stated that soil log 40A was excavated on 2/3/10, depth 138", readings were 0 – 8" topsoil, from 8 – 66" reddish brown silt loam, subangular blocky, moist friable 20% shale fragments. From 66 - 138" reddish brown fractured shale, 1 – 3" pieces, 10% clay loam. Seepage at 108", 24 hour reading of 96". The groundwater reading was 37" on 3/6/10. Limiting zone of fractured rock substratum at 66", excessively course horizon from 66 – 138". Regional zone of saturation at 37". Both the primary and reserve areas are required to be mounded fill enclosed pump systems.

Ms. Butula stated that the owner of the house has to be fully aware that there is a pump involved, with deed restriction, and maintenance requirements. How does the follow up work?

Ms. Tubman stated that she would inform the homeowners, the board secretary would keep track, and at final subdivision approval, the deed restriction would be recorded, as she has done for many in Readington, it goes right into the chain of title.

Chair Nugent asked if there were any other questions or concerns regarding this lot.

A **MOTION** was made by Ms. Butula for **approval** for proposed Lot 54.03; proposed 5 bedroom dwelling, Block 38/Lot 54-74-75; new construction, major subdivision, fill enclosed mounded pump system. The map is Onsite Wastewater Disposal Plan for Major Subdivision, Lots 54, 74 and 75, Block 38, Readington Township, Hunterdon County, New Jersey, dated 10/12/06, revisions 6/18/07, 7/25/08, 2/3/09, 12/21/09, 6/25/10, 11/2/10, prepared by Debra D'Amico, a licensed professional engineer in NJ. The surveyor is Thomas Strong, licensed professional land surveyor, topographical is 3/8/10, dates 5/24/07, 10/20/08, 1/11/10, and 3/8/10. Ferriero Engineering reports are dated 3/30/07, 10/1/07, 11/24/08, 8/20/09, 10/21/10, 11/17/10, 1/10/11, 2/15/11, 4/4/11.

For the primary, testing was performed 2/3/10, soil log 41A, 138", no mottling, no hydraulically restricted horizon, seepage @ 108". Soil log 42A, 144", no mottling, no hydraulically restricted horizon, seepage @ 132". Permeability test is pit bail 1 in soil log 41A, 2/3/10, results 720.75"/hour. In season groundwater monitoring was done 2/20/10 to 4/10/10 revealing soil log 42A highest reading 65" on 4/3/10, soil log 41A highest reading 48" on 3/20/10, regional water is determined by the monitoring with soil log 41A @ 48" on 3/20/10. Reserve area testing was done 2/3/10, soil log 39A @ 120", mottling @ 60 - 72", seepage @ 87", 24 hour 67" with no hydraulically restricted horizon. Soil log 40A, @ 130", no mottling, no hydraulically restricted horizon, seepage @ 108", after 24 hours, 96". Permeability test is pit bail 1 in soil log 39A, 120", 2/3/10, results 3.31"/hour. In season groundwater monitoring was done 2/20/10 to 4/10/10 revealing soil log 39A highest reading 32" on 4/3/10, soil log 40A, near soil log 39A, highest reading 37" on 3/6/10, regional water is determined by the monitoring with soil log 39A @ 32" on 4/3/10. The LOI dated 11/9/05, case # 1022-05-0004.1 (FWW-050001). The extension was granted 2/28/11, case # 1022-05-0004.1 (FWW-10001), states that the wetlands on subject property are of intermediate resource value which requires a standard transition area or buffer of 50'. The department has identified state open waters on the property, noted on the referenced plan as state open waters in 3 areas, not associated with wetlands. The state open waters are noted on the reference plan and also between the following wetland points, W35, W52, W19, W51 and W45 to the northern property line. A buffer is not required adjacent to state open waters under the Freshwater Wetlands Act but a riparian zone is required under the Flood Hazard Control Act. Referring to wetlands survey Lot 75, 74, 54 of Block 38 dated 9/29/05, revisions 5/12/04, 2/24/05, 9/29/05. A report on the condition of the existing septic system for Block 38/Lot 75, 11 Pearl Street during an onsite inspection on 10/2/06, concluded that on the day of inspection this disposal field appeared to be functioning as designed. The results dated 6/24/10, of the well water test met primary and secondary contaminant standards for drinking water. This proposed lot will require the use of a pump for either the primary or reserve areas, a variance is granted for the pump to be used in the mounded fill enclosed system. A deed restriction will be filed by applicant's counsel within 60 days of the final major subdivision approval.

This motion was seconded by Ms. Albrecht, on roll call vote, the following was recorded:

Ms. Albrecht	Aye	Ms. Muir	Aye	
Ms. Butula	Aye	Ms. Rohrbach	Aye	Chair Nugent Aye

## G. ADJOURNMENT

A **MOTION** was made by Ms. Muir to adjourn at 9:50 pm, seconded by Ms. Rohrbach with a vote of Ayes all, Nays, none recorded.

Respectfully submitted:

Lorraine Petzinger  
Board of Health Secretary