

READINGTON TOWNSHIP BOARD OF HEALTH

JUNE 19, 2013

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	absent	Beatrice Muir	absent	Tanya Rohrbach	present
Jane Butula	present	William C. Nugent	present	Wendy Sheay	absent
Robert Colburn	present				

Noted: Board of Health Engineer, Ferriero Engineering, Inc. – Joe Kosinski
Division of Public Health – Deb Vaccarella

A. APPROVAL OF THE MINUTES

1. **Minutes** of May 15, 2013. (- Butula vote).
Deferred.

B. CORRESPONDENCE

1. **NALBOH NEWSBRIEF** – 2ND Quarter 2013.

Ms. Butula noted the webinar on page 5 which applied indirectly to local BOHs. Most of the recommendations mentioned are satisfied through the Partnership.

Chair Nugent noted that there are a couple of educational articles that the board members may be interested in.

2. **Federal Energy Regulatory Commission** – Transcontinental Gas Pipe Line Co. – Environmental Assessment – Docket No PF13-5-000.

3. **ecology and environment, inc.** letter dated 6/7/13 re: Transcontinental Gas Pipe Line Corp. LSE Project Freshwater Wetland LOI: Line Verification. (*complete pkg. on file in Clerk's office.*)

4. **Suspected Hazardous Discharge Notification** letter dated 5/21/13 regarding oil heating #2.

5. **Suspected Hazardous Discharge Notification** letter dated 5/25/13 regarding oil heating #2.

6. **Suspected Hazardous Discharge Notification** letter dated 5/23/13 regarding oil heating #2.

7. **Block 72/Lot 15.02** - Letter dated 4/23/13 – NJDEP no further action.

8. **LINCS - 5/21/13 ADVISORY:** Measles in NYC.

9. **NJDEP – Flood Hazard Area Individual Permit** – Route 22, S. Branch Rockaway Creek.

10. **Block 16.02/Lot 41** – Flood Hazard Area Permit Application.

11. **Flood Hazard Area & Freshwater Wetland Gen. Applications.** (*complete pkg. on file in Clerk's office.*)

12. **LINCS - 6/7/13 INFO:** CDC Vital Signs (June 2013), Listeria Illnesses.

Chair Nugent noted.

13. **LINCS - 6/14/13 ALERT:** NJDOH - Measles exposure of NJ residents.

<http://www.cdc.gov/measles/index.html>

Chair Nugent noted.

Ms. Butula stated that the general population is put at risk in these instances.

14. **DEP Advanced Wastewater Pretreatment Device Manufacturer Offers Free Training for Health Departments**

Chair Nugent noted that this is an invitation for their supplier training course.

C. OLD BUSINESS

1. **Smoke-free air parks and recreation area ordinance examples.**

There was some discussion of what areas in the township would be included, and whether or not it was the Board of Health or the Township Committee's jurisdiction. The board decided to review the material presented as well as ordinance examples, discuss it at the July meeting and construct a recommendation to the Township Committee that they look at it and consider.

Chair Nugent asked the board members to review the material presented and be prepared to offer some input at the next meeting.

D. NEW BUSINESS

1. **Safe Coalition Workshop** – 'One Voice', 6/6/13,

Documentary – 'From Pills 2 Heroin: The Domino Effect', 6/13/13 @ RVCC.

Ms. Butula stated that Hunterdon County Prosecutor Anthony P. Kearns III is working very hard to make the community aware of the increasing heroin problem in Hunterdon County. There is a task force involved, and the Safe Communities Coalition is working with him on this and many issues. 200 people heard the

premier of the documentary, which was excellent. There will be a link from the township webpage so that everyone may watch it. The coordination by the Prosecutor combined the faith based and Safe Communities Coalition for a 1 day workshop to try and bring a voice to the people in Hunterdon County that have not been reached before with accurate information. Three faith based leaders from Readington attended.

E. APPROVALS

Category A. – Single Lots

Time heard: 7:30 p.m.:

1. Block 67/Lot 17 – Parker Engineering, Seibert, Readington Road.

Escrow fees paid 5/17/13, ck.# 2887, \$750.00.

Mr. Steve Parker, NJ licensed engineer appeared before the board. This application is for an alteration to a malfunctioning septic system and is not part of a real estate transaction. The system is a septic tank and a seepage pit to be back filled and abandoned properly. Two soil logs were dug and a pit bail test was dug. A gravity system is proposed using soil logs 1 and 2 and pit bail 1. There are no wetlands within 150' of the area, no wells or septic systems within 100' or 50' of the proposed system.

Chair Nugent asked how the old system was flooded and yet older than the proposed system, is it that it is a seepage pit and not a lateral field? And is the homeowner aware of the maintenance of the effluent filter?

Mr. Parker stated yes to the first question and Mr. Seibert is at the meeting this evening, and they will discuss it again. The maintenance interval should be checked every 6 mos. depending on the usage, pumping every 2 – 3 years.

Chair Nugent asked if there were any further comments/questions from the board?

There were no further comments.

A **MOTION** was made by Ms. Butula for approval as follows:

Block: 67 Lot: 17

Street location: 130 Readington Road

of Bedrooms: 3

Name of owner: Thomas Seibert

Map Title: Septic System Design Tax Map Lot 17/Block 67, Township of Readington
Hunterdon County, NJ

Pages(map): 1 - 2

Map Date: 2/8/13

Map Revisions: 4/22/13

Prepared By: Stephen E. Parker, P.E.

Survey(s): Topographical: Daniel E. Parker., P.L.S.
Boundary: H. Clay McEldowney, P.E & P.L.S. 1/4/1994

Report(s): Hunterdon County Dept. of Public Safety Div. of Public Health Svcs., 5/10/13

Proposed System Specifications: Mounded soil replacement, gravity, 1,000 gallon single compartment tank,effluent filter.

Soil testing results: 1/29/13, Soil log 1, @ 104", no mottling, seepage 74" , flooded after 24 hours at 82". Soil log 2, @ 118", no mottling, seepage 66" , flooded after 24 hours at 106".

Permeability test pit bail 1 in soil log 1 @ 104" on 1/30/13, 2.5"/hour.

Regional water is at 66" in soil log 2.

Notes: 1) Engineer testified to General Note 38 to the absence of wetlands.

2) No neighboring wells or septic within 100'.

The motion was seconded by Ms. Rohrbach On roll call vote, the following was recorded:

Ms. Butula	Aye	Ms. Rohrbach	Aye
Mr. Colburn	Aye	Chair Nugent	Aye

Time heard: 7:41 p.m.:

2. Block 46.01/Lot 11.15 – Bayer-Risse Engineering, Lee, Blacksmith Road.

Escrow fees paid 5/29/13, ck.# 888, \$750.00.

Mr. Bill Jupinka, Bayer-Risse Engr., licensed engineer in NJ appeared before the board. This application for Block 46.01/11.15 is a septic alteration for an existing 4 bedroom home with no expansion or change of use. The existing system is failing primarily due to a high water table on the property. The entire system will be replaced. Four soil logs and two pit bails were done on the property, soil logs 521-1 and 521-2 and pit bail 521-1 all in the rear yard. The soil is predominantly silt loam mottled or seepage underlain by fractured shale. The highest mottling was at 48", the pit bail water stabilized at 44" which is used as the regional water table. The location of the proposed disposal system is outside any wetlands or wetland transition areas. There are no watercourses within 100' of the proposed system and no neighboring disposal systems within 50' and no neighboring wells within 100' of the proposed system. A new 1,000 gallon septic tank with effluent filter and 1250 gallon pump tank that will dose the pressure mound to a disposal field. The height of the mound is just under 4'. Both the homeowner and the future homeowner are aware of the deed restriction and maintenance requirements.

Chair Nugent asked if the bed wasn't lined for a specific reason?

Mr. Jupinka stated that the area is sandwiched between the existing system that is malfunctioning to the ground surface and they are trying to avoid it, also there is an easement on the property as well.

Ms. Butula asked why the engineering firm revisited the property on the 21st?

Mr. Jupinka stated that the buyer had plans for the side yard, so the testing was redone in the rear yard.

Chair Nugent asked why the new system would work over the old at the same elevation?

Mr. Jupinka stated that the trenches there are very shallow, 1 1/2' deep so are not getting much room to drain into the shale beneath, it is really caught in the silt loam.

Ms. Butula asked the age of the home?

Mr. Jupinka stated that it was 1978.

Chair Nugent asked if there were any further comments/questions from the board?

There were no further comments.

A **MOTION** was made by Ms. Butula for approval as follows:

Block: 46.01 Lot: 11.15

Street location: 5 Blacksmith Road

of Bedrooms: 4

Name of owner: David and Michelle Lee

Map Title: Septic System Alteration Design for David and Michelle Lee, Block 46.01/Lot 11/15, Readington Township, Hunterdon County, NJ

Pages(map): 1 - 11

Map Date: 5/28/13

Map Revisions: none

Prepared By: Stephen M. Risse, P.E.

Survey(s): Topographical: Charles E. Saladin Jr., P.L.S. 5/13/13

Boundary: Robert Horvath, P.L.S. 7/10/1996

Report(s): Hunterdon County Dept. of Public Safety Div. of Public Health Svcs., 6/4/13

Proposed System Specifications: Alteration, no expansion, mounded soil replacement, effluent filter, deed restricted pump system.

Soil testing results: 5/21/13, Soil log 521-1, depth 88", no mottling, seepage 54" and below, flooding @ 44" after 24 hours. Soil log 521-2, depth 86", mottling 48 – 86", seepage 66" and below, Permeability test 521-1, 5/21/13, 79", K= 0.9"/hour. Regional water determined by soil log 521-1 with flooding at 44".

Notes: 1) Engineer testified to General Notes 1, 2, 3 and 4.

2) The deed restriction is to be filed with Hunterdon County Clerk and a copy returned to the BOH office within 90 days.

3) The engineer testified that the current and future homeowners are aware of the maintenance involved with the deed restricted pump system and also on the care and maintenance of the effluent filter.

The motion was seconded by Mr. Colburn. On roll call vote, the following was recorded:

Ms. Butula	Aye	Ms. Rohrbach	Aye
Mr. Colburn	Aye	Chair Nugent	Aye

3. Block 46.02/Lot 2 – Kurt Hoffman Engineering, Hendrickson, County Rte. 523.

Escrow fees paid 5/28/13, ck.# 1554, \$750.00.

Mr. Kurt Hoffman, NJ licensed engineer appeared before the board representing Block 46.02/Lot 2, Hendrickson. This is a soil replacement fill enclosed system including soil logs 1, 2 and basin flood 1. This is an existing 3 bedroom dwelling with no expansion, also on the site is an existing cesspool that is in non-functioning order at this time. This is not a home sale transaction, the homeowner is encountering problems with the existing cesspool. The well is located behind the home, indicated on the plan with the 100' well circle leaving very little area on the site for the disposal system design. They are requesting 2 waivers, 1) distance from property boundary to the disposal bed 6' rather than 15'. 2) toe of mound to property boundary of 3' rather than 10'. Soil logs were conducted 4/10/13, including basin floods. Noticing was given to the neighbor on parcel Lot 5.31 John and Debra Killian, certified return receipt provided to the BOH office.

Chair Nugent noted that Ms. Killian was in attendance.

Ms. Butula asked that Mr. Hoffman make a statement regarding the topography from the bed 50' out.

Mr. Hoffman stated that the topography as it lays on the parcel itself starting at elevation 230 down to the existing cesspool at 228 continuing towards Lot 1, Nelson Santos elevation 226, final elevation 224 prior to going off the property. The general slope of the property is toward the adjacent property #1 with a slight grade toward the rear property Lot 5.31 John and Debra Killian.

Chair Nugent asked regarding the existing well, is there any information on the depth of casing, or test results.

Mr. Hoffman stated that it was checked, there is less than 50' of casing that is why he is outside the 100' circle.

Chair Nugent asked what assurances could Mr. Hoffman offer to the adjoining property owner that the items requiring waivers would not negatively impact their property.

Mr. Hoffman stated that as part of the installation there will be silt fence to keep any type of materials which a storm event would cause from getting onto their property. Long term, the silt fence should stay in place until long after the seeding is established and mowable.

Ms. Butula asked what assurance is there that the installer will follow those recommendations?

Mr. Hoffman stated he would be inspecting the installation and providing certification that it has not lead to any off site water problems, per County letter 6/5/13.

Ms. Vaccarella stated another assurance is that the contractor and County do not want to get calls from the neighbor with a problem.

Chair Nugent asked what the height of the mound was?

Mr. Hoffman stated zero on the high side and closer to soil log 1 on the low side, 13", the majority of it would drain to Lot 1.

Ms. Vaccarella stated because of the topography on the property, it doesn't look like an opposite slope would be created.

Mr. Hoffman stated they are absolutely not changing the drainage pattern on the slope, the water will drain exactly as before. The things to be mindful about potentially happen during construction but he would be supervising that carefully.

Ms. Vaccarella stated that Soil Conservation would also be present.

Chair Nugent asked why the board would want to grant the 2 waivers.

Mr. Hoffman stated that the biggest reason is to resolve an existing potential health problem. The cesspool is exposed for pumping and covered with a tarp. This is an issue that needs to be resolved. In his opinion this is the best solution to the problem.

Ms. Butula stated that the disposal bed is going to be 9' closer than the existing ordinance and the toe of the grade is going to be 7' closer than a recommendation of the County, and only 4' closer per State Code from the bed to the property boundary.

Chair Nugent stated that noticing has been provided and asked if there was anyone in the audience wishing to speak to this concern?

Ms. Debra Killian, 3 East Dreahook Road addressed the board. Ms. Killian stated that since she does not have a background in this area and knowing how diligent Readington Township is, she is relying on the Board of Health to keep her property safe and untouched. There are 2 visual concerns, 1) a minor concern is that there is a large tree outside of the adjoining properties fence which the roots of may be compromised in some fashion. In wanting to be a good neighbor, it looks like the property slopes downward from the applicant property onto a wooded area which is her property, then rises to her cut grass and septic area. It is her opinion that she would prefer her property to not get saturated, she does not want a septic that is not according to code. What assurances are there that this will not happen? What are the recourses if her property is flooded? Is the system an elevated field design and is the proposed system above or below grade ?

Ms. Vaccarella directed Ms. Killian to the design of the system, indicating the location of the proposed system in relation to the Killian property, Lot 5.31. The existing grade line does go downhill. The proposed system is not elevated out of the ground. The only thing that is changing because it is going downhill is that it will go back to existing grade 6' from the Killian property. The effluent is not going to be coming out of the ground in an elevated mound type field.

Ms. Killian stated that she understands that this is a better system for the homeowner, which she is supportive of, but she prefers that her property not be impacted.

Chair Nugent stated that this board is governed by township ordinances that this board historically put into place to protect the property that is being impacted, but also adjoining properties as well as the state which has instituted legislation that helps protect both properties. One of the things that has been done is to allow for a buffer between any activity going on and the property line so that it minimizes if not eliminates the chance of having any negative impact on adjoining properties. In this particular case, you are lucky relative to the other systems being put in in Readington Twp.. Many of them are, because of the topography, etc., being mounded up out of the ground. This particular system is actually virtually non-mounded, it will not change the height of the ground that is now seen there with the exception to a slight area on the right hand side. If there were any water that usually cascades towards Lot 5.31, it will likely be reduced because of the slight mound which will divert water more towards the right hand side. The reason for the waivers is that in this particular case, the normal distance between the property line and the septic system that the board tries to enforce is being requested that the board authorizes that reduction to allow for a better system and yet in neither case will it ever be directly on Lot 5.31. The installation will observe the property line and not encroach on 5.31 whatsoever. Those buffers were set up to help assure that as excavation is going on there is no chance of encroaching on 5.31. What the board has historically done and the engineer has testified to is to obligate him to be there for the installation and to insure that it does not infringe on the neighbors property.

Ms. Killian asked where the silt would be? And is the fence coming down during construction?

Mr. Hoffman stated it would be right at the fence line. The fence is actually 2 – 3' into their property, so that boundary is on 5.31 by about 3'. The fence is not planned to come down during construction. The silt fence will be along that and wrap around the low side adjacent to Lot 1 so that no materials would get onto Lot 1 or Lot 5.31.

Ms. Killian stated that considering the gazebo, pool, concrete slabs, large jungle gym in that yard, were there other areas considered?

Mr. Hoffman stated the biggest deciding factor was the well, and being outside the 100' circle. Had there been a well casing of 50', they probably would have asked for a waiver for that and put the system closer to the well.

Ms. Butula stated that the board is only considering the well, they do not consider any of these adornments as an issue for a variance.

Ms. Killian asked how they would get equipment into the back yard?

Mr. Hoffman stated Lot 3 has already granted permission for crossing their property.

Ms. Killian stated so my property will not be impacted at all.

Mr. Hoffman stated it will not be touched at all during installation

Ms. Butula stated that the question of the tree is still open.

Mr. Hoffman asked how far from the fence is the tree?

Ms. Killian stated it is about 2 -3' onto her property, if the roots were affected and the tree came down, it could hit the applicant's house.

Chair Nugent stated that given the canopy of the tree and the root structure extending approximately that far, it is unlikely that the tree would be affected.

Ms. Vaccarella asked Ms. Killian if her 2nd concern had been addressed?

Ms. Killian stated yes, it was the drainage issue.

Ms. Vaccarella stated that as far as the installation goes, it is never pretty during and directly after construction but after the grass starts to grow, which will also help by absorbing some water, it looks much better.

Ms. Killian asked if an inspector would be checking the installation?

Ms. Vaccarella stated that is the County's responsibility, they would be at the site for inspection.

Mr. Colburn stated that there are set times at which the County will be out to inspect.

Chair Nugent asked if the board had alleviated Ms. Killian's concerns?

Ms. Killian stated yes, she understands that this is a better system.

Mr. Hoffman stated that this is the best solution for the situation at hand for the property owner, and the adjoining property.

Ms. Butula confirmed that Mr. Hoffman would discuss the maintenance of the effluent filter.

Mr. Hoffman stated yes, they had already discussed it.

Chair Nugent asked if there were any further comments/questions from the board?

There were no further comments.

A **MOTION** was made by Ms. Butula for approval as follows:

Block: 46.02 Lot: 2

Street location: 604 County Road 523

of Bedrooms: 3

Name of owner: Todd Hendrickson

Map Title: Septic Design for Todd Hendrickson, Block 46.02/Lot 2, Readington Township
Hunterdon County, NJ

Pages(map): 1 - 6

Map Date: 5/30/13

Map Revisions: 6/4/13

Prepared By: Kurt Hoffman, P.E.

Survey(s): Topographical: David M. Newton, P.L.S. 5/2013

Location: Glenn R. Kantorski, P.L.S. 10/3/06

Report(s): Hunterdon County Dept. of Public Safety Div. of Public Health Svcs., 6/3/13

Proposed System Specifications: Alteration, no expansion, soil replacement, fill enclosed, gravity,
mounded, effluent filter, two compartment tank .

Soil testing results: 4/10/13, Soil log 1, depth 112", no mottling, seepage, no ground water.

Soil log 2, depth 110", no mottling, seepage, no ground water.

Permeability test Basin flood 1-1, 4/10 – 4/12/13, @ 72", passing results. Regional water determined
by depth of soil testing.

Notes:

- 1) Wetlands investigation report dated 6/12/13 from Jeff Tariela, determining there are no freshwater wetland or wetland transition areas present within 150' of the proposed replacement septic system for 46.02/Lot 2.
- 2) Applicant will require 2 variances 1) Toe of grade will be 3' from property line when the County's requirement is 10'. 2) Disposal bed will be 6' from the property line when the Township's ordinance is 15' and the State requires 10'.
- 3) Engineer testified to General Notes 3., Septic system requires maintenance and should be pumped out, etc.
 4. Septic system has been designed to not lead to any off site water problems due to installation or grading.
- 4) The engineer will inspect grade and provide certification once the system is installed that the system has not lead to any off site drainage issues.
- 5) The engineer believes that the Killian well is at least 100' from the proposed system.
- 6) Questions from the property owner Killian, Lot 5.31 included concerns of the drainage and saturation on that property, the height of the mound at 13", distance to a large tree very near their property line which probably will not be a problem. The boards opinion was that the proposed system will be an improvement over the existing system for the homeowners, neighboring properties and the health of the neighborhood.

Ms. Butula stated that she feels strongly about the health and safety of getting a better system in there. The

consideration of why they went to the variances, they considered the state of the well on the applicants property which only has 14' of casing which makes it more important to maintain the 100' distance. All things taken into consideration, this is the best possible solution.

The motion was seconded by Mr. Colburn. On roll call vote, the following was recorded:

Ms. Butula	Aye	Ms. Rohrbach	Aye
Mr. Colburn	Aye	Chair Nugent	Aye, with the explanation that this board takes granting waivers as an obligation to the property and adjoining properties, and in this instance granting the waiver is in fact the best choice for the health and well being of the property and adjoining property, and with the assurances that there will be no impact to the adjoining property.

Chair Nugent thanked Ms. Killian for attending the meeting.

Time heard: 8:40 p.m.:

4. Block 44/Lot 13.03 – Kurt Hoffman Engineering, Weinschenk, Dreahook Road.

Escrow fees paid 5/31/13, Ck. # 3012, \$750.00.

Mr. Kurt Hoffman, NJ licensed engineer appeared before the board representing Block 44/Lot 13.03, John Weinschenk. This is an existing 3 bedroom dwelling comprised of 1.83 acres. This is a non-sale related septic alteration. There is a problem with the existing single lateral which the homeowner wishes to solve by installing a new disposal system. Soil logs 1, 2, and 3 were performed as indicated on the design. The 1,000 gallon concrete tank will be utilized and upgraded with new baffles, effluent filter and risers to grade, will flow via gravity to the disposal field in front of the property. It is a mounded system with no encroachments neighboring properties. This is probably the first property in Readington Twp. with samples.

Chair Nugent asked about the two circles indicating the well on the design?

Mr. Hoffman stated the inner circle is the 50', the outer is the 100' circle, showing that the existing tank is conforming to State septic code, it is not conforming to Readington Code of being outside of the 100', but because it is existing it can be reused as long as it is upgraded. The dimension of 67' on the drawing indicates from well to tank.

Chair Nugent confirmed that Mr. Hoffman discussed the maintenance of the effluent filter.

Mr. Hoffman stated yes, they had already discussed it in detail and it is noted on the plans which is the larger 6" filter and pumping should be done every 3 years at minimum or more so if necessary.

Mr. Colburn asked if the existing tank could be upgraded, is it sound?

Mr. Hoffman stated the tank was exposed when an excavator was onsite for a clogged system. The tank was totally visible and upgradable when he was there. That excavator is the one that will do the install, and was discussed during the soils testing.

Chair Nugent asked if there were any further comments/questions from the board?

There were no further comments.

A **MOTION** was made by Ms. Butula for approval as follows:

Block: 44 Lot: 13.03

Street location: 77 Dreahook Road

of Bedrooms: 3

Name of owner: John Weinschenk

Map Title: Septic Design for John Weinschenk, Block 44/Lot 13.03, Readington Township
Hunterdon County, NJ

Pages(map): 1 - 5

Map Date: 5/30/13

Map Revisions: 6/4/13

Prepared By: Kurt Hoffman, P.E.

Survey(s): Topographical: David M. Newton, P.L.S. 5/28/13

Property Survey: Bohren & Bohren 5/2013

Report(s): Hunterdon County Dept. of Public Safety Div. of Public Health Svcs., 6/5/13

Proposed System Specifications: Alteration, no expansion, soil replacement, gravity,

mounded, effluent filter, upgraded existing concrete tank .

Soil testing results: 5/16/13, Soil log 1, depth 128", mottling 72 – 128", seepage @ 42", no hydraulically restricted horizon. Soil log 2, depth 120", mottling 74 – 128", seepage @ 84", no hydraulically restricted horizon. Soil log 3, depth 1280", mottling 78 – 128", seepage @ 38", no hydraulically restricted horizon. Permeability test grab samples for soil class rating, 5/16/13, sample 1-1A, 1-1B in soil log 1 @ 108", 3-1A and 3-1B @ 108", results K3. Regional water determined by the seepage @ 38" in soil log 3.

Notes:

- 1) Engineer testified that the neighboring well on Lot 13.02, Fazio is at least 150' from the proposed system.
- 2) Wetlands investigation report dated 6/3/13 from Jeff Tariela, determining there are no freshwater wetland or wetland transition areas or state open waters are present on or within 150' of the proposed replacement septic system for 44/Lot 13.03.
- 3) General notes pg. 1, 3, 4 stated the maintenance of the effluent filter and will lead to no offsite water problems due to installation and grading.

The motion was seconded by Ms. Rohrbach. On roll call vote, the following was recorded:

Ms. Butula	Aye	Ms. Rohrbach	Aye
Mr. Colburn	Aye	Chair Nugent	Aye

Time heard: 8:53 p.m.:

5. Block 14/Lot 29 – Andrew Holt, P.E., - Ryland Inn, Route 22 West. Resolution # BH-R-2013-04

Escrow fees paid 5/6/13, # 5050, \$750.00.

Data previously mailed with 5/15/13 agenda packet.

Mr. Bryan Slota, P.E., and Mr. Gabe Bailer, PP, AICP, LEED-GA appeared before the board representing Block 14/Lot 29, Ryland Manor LLC, 111 Old Hwy. 28 and requesting a waiver to build an addition and enclose an existing well. Mr. Bailer stated they are expanding the Ryland Inn and were approved for an addition for a banquet hall space for approximately 5,000 square feet. They would like to add a food storage area for kitchen use, measuring 120 square feet, 1 story high, approximately 10' with a flat roof. There is an existing well there which they would like to enclose.

Chair Nugent asked that Mr. Bailer summarize the communications between the County and BOH.

Mr. Bailer stated that the County reviewed and determined that because of the existing well they could not approve this phase of the construction. The application was split up into two phases, 1) the catering hall addition and 2) the 120 sq. ft. storage area. The County requested that the applicant go before the BOH to request a waiver to begin construction for stage 2.

Chair Nugent asked that Ms. Vaccarella thank Mr. Dan Wyckoff on behalf of the BOH for his correspondence and involvement in this application. As background, the initial correspondence regarding this application made some reference to the State Code that this application would fall underneath and therefore be applicable to this board. The 6/11/13 Ferriero Engineering review letter makes reference to the applicable code, 7:10-12.5. Item #1. of that letter requires addressing by the applicant engineer.

Ms. Vaccarella stated that if you are looking for a waiver on 7:10, you aren't looking for a waiver on 9D. The board is asking for that statement to be clarified so that they can proceed.

Mr. Slota stated that they are asking for approval from the board to deviate from the one standard that says you can't build a realty improvement over a well, which there are a lot of wells in the state that are in a well house subject to not being in a flood zone, the elevation of the casing being such that it is not subject to flooding. Essentially it revolves around the protection of the water supply and the water distribution. By raising the casing up above the floor the intent is that they are protecting the water supply and the distribution of water from said well.

Mr. Kosinski asked if Mr. Slota would testify and agree that by raising the well casing and providing an access hatch that they will be in compliance with the construction standards at 7:9D and that as a result of these modifications they are not requesting any deviations from the standards in 7:9D, would Mr. Slota agree to that?

Mr. Slota stated yes, he would agree to that.

Chair Nugent asked if there were anything about the construction of the well, proposed or existing that is

a concern to the health and quality of that well?

Mr. Slota stated no, that by raising it up it is protecting that well, water source and the health quality.

Chair Nugent asked for an overview of their ability to maintain the well.

Mr. Bailer stated there would be a hatch to access the well if necessary. They have provided a letter from a licensed well driller stating that they would be able to remove the well if necessary. The well will be inspected and maintained on a quarterly basis.

Ms. Butula referenced the 5/23/13 letter from Suburban Consulting Engr. Inc. design which increased the height of the well casing.

Mr. Slota stated that this is a pitless well cap, it is extending the well casing with a pitless cap. The cap will be removed, the casing installed, extended and then the reinstallation of the pitless cap. Mr. Richard Stothoff is the well driller that has provided a letter dated 5/1/13 stating that the pump can be removed.

Chair Nugent confirmed that the well would be in the storage area which is for dry food only and ventilated.

Mr. Bailer confirmed that it would be.

Chair Nugent stated that there was a well water test performed, with one failure of a recommended test level.

What was that for, and is there a treatment involved?

Mr. Slota stated that the pH was that test level and as a secondary standard, there isn't any intent to treat for pH on the system.

Ms. Vaccarella stated that they are a transient water so they are only required to test for coliform quarterly and an annual nitrate. pH would be part of a water quality standard for instance at a school and only then would it be required only after a high lead and copper level was found. In this case it doesn't matter.

Ms. Butula asked how the well was sampled after this was done.

Ms. Vaccarella stated that they don't sample from the well after this, it's a potability sample.

Ms. Butula asked Ms. Vaccarella if this had been done anywhere in Hunterdon before, and did the County anticipate any problems? And how often was the well monitored?

Ms. Vaccarella stated yes, it has been done before. It has been her experience that wells inside of buildings, if they are in a pit and there is no sump pump, historically they go bad, however the fact that this well will be above grade gives hope that there won't be a problem. In the nature of what they are doing, there is no guarantee that there won't be a problem. For that reason there are Federal regulations that trickle down to the County that require testing and sanitary surveys to be done. The well is monitored quarterly. The communication that the County has had with the new owners is very promising, this owner is only trying to improve the property.

Ms. Butula stated that this facility and water supply will hopefully serve large amounts of people, and the board's concern is that there is never a public health issue.

Mr. Kosinski stated that comment #1. as stated in Ferriero Engr. 6/11/13 letter has been testified to and satisfied.

Chair Nugent asked if there were any further comments/questions from the board?

There were no further comments.

Chair Nugent stated that a proposed resolution was drafted and has been reviewed by the board, and asked if Mr. Slota and Mr. Bailer had reviewed the draft resolution BH-R-2013-04?

Mr. Slota and Mr. Bailer stated yes.

A **MOTION** for approval was made by Ms. Butula for the applicant Ryland Manor, LLC, Block 14/Lot 29 for well modification at 111 Old Hwy 28. This is Readington Township Board of Health Resolution BH-R-2013-04. WHEREAS Pursuant to N.J.A.C. 7:10, the Readington Township Board of Health (RTBOH) is the Administrative Authority in this matter, and

WHEREAS on May 1, 2013 the RTBOH did receive an application which proposed to alter an existing public non-community transient water supply well located on lot 29 in block 14 along Old Route 28, with the Engineer indicated as Andrew Holt PE, and the Applicant indicated as Ryland Manor LLC, 675 Garfield Avenue, Jersey City, NJ 07305 also indicating a request for a variance 'to be determined', and

WHEREAS related to this May 1, 2013 RTBOH application was correspondence from Hunterdon County Department of Public Safety Division of Public Health Services dated March 28, 2013 and May 2, 2013 both authored and signed by Daniel E. Wyckoff, REHS, and

WHEREAS also related to this May 1, 2013 RTBOH application was email correspondence titled 'RE: Ryland Inn (Block 14, Lot 29 renovations)' from the RTBOH Chair to the RTBOH Secretary dated April 30, 2013, and

WHEREAS also related to this May 1, 2013 RTBOH application was correspondence from Suburban Consulting Engineers, Inc, Andrew S. Hold, PE, PPP, CME Vice President dated May 1, 2013 and May 23, 2013, and WHEREAS presented with the May 1, 2013 RTBOH application were PWTA water tests conducted by Agra Environmental and Laboratory Services a a report prepared and dated September 27, 2011 on 'Well #1' which annotated only 'pH' as having exceeded the standard, and
WHEREAS also related to this May 1, 2013 RTBOH application was correspondence from Landmark Developers, Gabe Bailer, PP, AICP, LEED-GA dated May 28, 2013, and
WHEREAS presented with the May 1, 2013 RTBOH application were plans titled 'Ryland Inn Expansion Existing Well No.1 Location – Modification Plan' Dated May 1, 2013 with no revisions, and
WHEREAS also presented with the May 1, 2013 RTBOH application were revised plans titled 'Ryland Inn Expansion Existing Well No.1 Location – Modification Plan' Dated May 1, 2013 with one revision dated May 23, 2013 with a description of 'rev. as per engineer', and
WHEREAS also presented with the May 1, 2013 RTBOH application were 'roof hatch detail roof plan detail' plans titled 'Ryland Inn – Banquet Hall 1' dated May 28, 2013, with no apparent revisions, and
WHEREAS Ferriero Engineering, Inc. 180 Main Street, P.O. Box 571, Chester, NJ 07930, phone (908) 879-6209, email address mail@FerrieroEngineering.com , is contracted by the Readington Township Board of Health to review applications submitted to the RTBOH, and
WHEREAS Ferriero Engineering, Inc. did review the application materials and provide a review dated May 13, 2013 and June 11, 2013, and
WHEREAS on June 19, 2013, the RTBOH considered the application, and
WHEREAS Landmark Developers represented this applicant and appeared before the Readington Township Board of Health and provided testimony to assert the proposed modifications do not constitute a deviation from the standards and thereby NOT subject NJDEP approval pursuant to N.J.A.C. 7:9-2.8(b), and
WHEREAS The Readington Township Board of Health reviewed the application materials with regard to the architectural plans and compliance with State code and Municipal ordinances, and
WHEREAS Readington Township Board of Health ordinances incorporate N.J.A.C. 7:9A by reference,
NOW THEREFORE BE IT RESOLVED the Readington Township Board of Health (RTBOH) finds the application as submitted, with a 2nd design for the well with the raised well casing and access roof hatch, conforms to N.J.A.C. 7:9D and N.J.A.C. 7:10 and all Municipal ordinances, and
BE IT FUTHER RESOLVED the Board finds the proposed modifications do not constitute a deviation from the standards and thereby the application is NOT subject to N.J.A.C. 7:9-2.8(b), and
BE IT FURTHER RESOLVED pursuant to N.J.A.C. 7:10-12.5, the RTBOH hereby approves the application's 2nd design with the raised well casing and access roof hatch, and
BE IT FURTHER RESOLVED by the RTBOH that this resolution shall take effect immediately.

Mr. Bailer and Mr. Slota thanked the board.

Chair Nugent asked if there were any further business.

There was no comment.

F. ADJOURNMENT

A *MOTION* was made by Mr. Colburn to adjourn at 9:30 pm, seconded by Ms. Rohrbach with a vote of Ayes all, Nays none recorded.

Respectfully submitted:

Lorraine Petzinger