

## READINGTON TOWNSHIP BOARD OF HEALTH

JULY 17, 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	present	Beatrice Muir	present	Tanya Rohrbach	absent
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).

A **MOTION** was made by Ms. Muir to approve the minutes of the 5/15/13 meeting. Chair Nugent complimented Ms. Petzinger on the minutes.

The motion was seconded by Mr. Colburn.

On roll call vote, the following was recorded for approval of the 5/15/13 minutes:

Ms. Albrecht	Aye	Mr. Colburn	Aye
Ms. Muir	Aye	Chair Nugent	Aye

#### 2. Minutes of June 19, 2013. (-Albrecht, Muir, Sheay vote).

*Deferred.*

*Ms. Butula noted corrections on pages 2 and 8. Ms. Butula congratulated Ms. Petzinger on the new format for the motions.*

### B. CORRESPONDENCE

#### 1. Suspected Hazardous Discharge Notification letter dated 6/25/13 regarding oil heating #2.

*Ms. Butula asked Ms. Vaccarella if there were any reason for concern? Ms. Vaccarella stated that it has been investigated by the County and found that there was nothing to be concerned about.*

#### 2. 6/27/13 letter from T & M Associates re: Combined Flood Hazard Area Individual Permit & Freshwater Wetland General Permits.

#### 3. NJLBHA – Newsletter, Spring 2013.

*Ms. Butula noted page 2, the article endorsing tobacco resolution.*

*Chair Nugent asked that this be placed on the August 21, 2013 agenda for further discussion.*

*Ms. Butula noted the article on page 4.*

*Chair Nugent stated that it may be beneficial to have copies of this article available to the public.*

#### 4. Block 21.13/Lot 6 – NJDEP Authorization for Freshwater Wetlands LOI.

### C. OLD BUSINESS

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

*Examples mailed with 6/19/13 agenda packet.*

*Chair Nugent asked if the board had suggestions on how to move forward.*

*Ms. Albrecht stated that based on the discussion in May she had no problem if the board decided to go forward with a local ordinance, however she was concerned with the necessity of the ordinance.*

*Ms. Butula stated that this is the Township Committee responsibility. This board could put together their goals and forward it to the Committee. Ms. Butula stated that the board members could offer their input, she would coordinate and forward it to the BOH office.*

### D. NEW BUSINESS

#### 1. Soil Witness salary.

Chair Nugent stated that this board last reviewed and altered the witness compensation in 2003.

Background information has been provided to the board including ordinance information stating that the witness compensation is based on the applicant's fees which cover the witness costs. It is

Chair's intention that the board consider increasing the amount of the witness' compensation and that recognizing that our witness, Mr. James Chalupa is phenomenal and does a great job. He is often referenced by the engineers as his information is what they use, and has been this board's representative in the field for

many years and continues to be exemplary in the work that he does. Mr. Chalupa has also trained the other witnesses that the township uses. Chair Nugent suggested a less than 1% increase over the 9 years since this was last done comes out to be about \$2.50, Chair proposed a \$2.00 increase per hour. This will necessitate that the board increase the witnessing fees by revising the ordinance. This is a 2 part process, 1) recommending to the committee that the rate paid to the witness is increased 2) this Board will amend their ordinance to cover the increase. There was some discussion of the timeframe involved in the ordinance amendment to increase fees by the Board of Health, and the approval and increase in witness salary by the Committee.

Chair Nugent stated that if this board is in agreement with both increasing the salary and slightly increasing the fees to cover that salary then he would suggest that the procedure to do so could be presented to this board next month.

A **MOTION** was made by Ms. Butula to proceed with undertaking the process of developing an amended ordinance that will incorporate better language and also that any verbage conflicting with the Hunterdon County Health Department be removed from the ordinance and also make revisions to increase the fees.

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

Ms. Albrecht Aye Ms. Butula Aye Mr. Colburn Aye Ms. Muir Aye Chair Nugent Aye

## E. APPROVALS

### Category A. – Single Lots

*Time heard: 7:43 p.m.:*

#### 1. Block 67/Lot 6 – Fine Engineering, Schuyler, Readington Road.

Escrow fees paid 5/24/13, ck.# 1479, \$750.00.

Mr. Doug Fine, designer and NJ licensed engineer appeared before the board. This application is for an existing 3 bedroom dwelling, the home has been on the market and is under contract. The system is malfunctioning indicated by a wet area in the front yard, completely saturated, the trenches were shallow. The soil testing coincided with a higher water table causing the problem. Four soil logs were performed, encompassing a good portion of the property. There is enough pitch to run it by gravity with no need for a pump.

Ms. Butula asked for testimony on notes 1 and 2 of pg. 2? And how far away from the proposed bed is soil log 4? Mr. Fine stated based on the NJ mapping and on site investigation no wetlands or buffers have been identified that impact this property. And there are no other wells or septic within 100' of the proposed system except for 6.01 which they are outside of the 100' well circle of.

Mr. Fine described the location, testing and results of the testing.

There was some discussion of the elevation of mottles, ground surface elevations of soil logs 1 and 4.

Chair Nugent stated that what they are looking at is the elevation in inches of the proposed design based on soil log 4 depth to ground water in relation to soil log 1.

Mr. Fine stated there is a 14" difference between soil log 1 and 4.

There was some further discussion on the mottling elevation and the proposed design, the regional zone of saturation set by the mottling at 33" in soil log 4, but because of the gradient of the property the bottom of the zone of treatment is going to be set at 19" to compensate for the elevation differences.

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:   6  

Street location:   110 Readington Road  

# of Bedrooms:   3  

Name of owner:   Donald and Joi Schuyler  

Map Title:         Septic System Alteration Design for Block 67/Lot 6, Readington Township  
                          Hunterdon County, NJ for Donald and Joi Schuyler, 110 Readington Road,  
                          Whitehouse Station, NJ 08889  

# Pages(map):     1 - 11  

Map Date:         5/29/13  

Map Revisions:   7/2/13, pg. 6  

Prepared By:     Douglas Fine, P.E.  

Survey(s):         Topographical: Mr. Newton

Boundary: George A. Sniffin, 9/17/94

Report(s): Hunterdon County Dept. of Public Safety Div. of Public Health Svcs., 7/3/13, 7/8/13

Proposed System Specifications: Mounded soil replacement, gravity, fill enclosed.

Soil testing results: 5/9/13, Soil log 1, @ 108", mottling @ 52" and below, seepage 92", flooding @ 74" after 24 hours. Soil log 3, @ 109", mottling @ 53 – 72", seepage 94" and below. Soil log 4, @ 92", mottling @ 33 - 40", 40" and below to 92". Seepage @ 69" and below.

Permeability test pit bail 1 in soil log 1 @ 108" on 5/9/13, 1.62"/hour.

Regional water is at 66" in soil log 2.

Notes: 1) Engineer testified to General Notes 1 and 2 regarding absence of wetlands.

2) No neighboring wells or septic systems within 100' of the proposed disposal field.

3) The new owners will be advised of the effluent filter and maintenance information.

The regional water for installation of this proposed system will be determined by the 52" in soil log 1, the highest ground water based on the mottling in soil log 1 at the highest is 91.42. It is the mottling which indicates ground water, the system is designed according to the topography. This is also covered in the County report. The engineer has agreed to be present to supervise this installation.

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

Ms. Albrecht Aye Mr. Colburn Aye

Ms. Butula Aye Ms. Muir Aye Chair Nugent Aye

*Time heard: 8:20 p.m.:*

**2. Block 70/Lot 31.39 – Fine Engineering, Hager, Hoagland Road.**

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

Mr. Doug Fine, designer and NJ licensed engineer appeared before the board representing Block 70/Lot 31.39, 3 Hoagland Road. This application is for an alteration to correct an old malfunctioning system. This is a real estate transaction. The property is on the corner of Hoagland and Pleasant Run, bound by a very low lying wet area with a small creek beyond the rear property line. Four soil logs and a couple basin floods were performed one of which was abandoned in lieu of the faster draining test and to conserve water. Soil log 3 and 4 in the disposal field, the basin flood was performed at 68" in soil log 4. In soil log 3 there was a second test.

The design is based on soil logs 3 and 4 in the bed. There are no issues with set backs or slopes.

There was some discussion of the abandoned test in soil log 1.

Ms. Butula asked why wouldn't this have been a good case to have a wetlands investigation done?

Mr. Fine stated due to the elevation change, the property is much higher topographically than the wetland area depicted. The distance between the tank and the wetlands is 110'; from the wetlands to the disposal bed is 160'.

There are no wetlands or wetland buffers impacted by the installation of this septic system as proposed. The buffer of 50' indicates wetlands of ordinary value. There are no wells or septic systems within 100' of the proposed disposal field. The effluent filter mentioned on page 4 of 12 requires periodic cleaning, the polylok 625 oversized filter allows homeowners to go 2 – 3 years between clean outs to coincide with the pump out of the tank. The system is a pump, so it will require a deed notice.

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: 70 Lot: 31.39

Street location: 3 Hoagland Road

# of Bedrooms: 4

Name of owner: James and Brenda Hager

Map Title: Septic System Alteration Design for Block 70/Lot 31.39, Readington Township Hunterdon County, NJ for James and Brenda Hager, 3 Hoagland Road, Whitehouse Station, NJ 08889

# Pages(map): 1 - 12

Map Date: 6/11/13

Map Revisions: 7/2/13, pg. 2 & 6

Prepared By: Douglas Fine, P.E.

Survey(s): Topographical: Mr. David M. Newton, 6/11/13

Boundary: VanCleeef Engineering, 12/6/83

Report(s): Hunterdon County Dept. of Public Safety Div. of Public Health Svcs., 7/3/13

Proposed System Specifications: Alteration with no expansion, mounded soil replacement, pump, 2 compartment 1300 gallons, effluent filter. This is a pump system with deed restriction requirement of filing with the Hunterdon County Clerk's office and a copy returned to the BOH office within 90 days of installation. Information will be given to the current homeowner by the engineer.

Soil testing results: 5/23/13, Soil log 3, @ 108", no mottling, no seepage, no hydraulically restricted horizon, no groundwater. Soil log 4, @ 100", no mottling, no seepage, no hydraulically restricted horizon, no groundwater. Permeability test basin flood 1 abandoned because of cave in possibilities, basin flood 2 @ 68" in soil log 4, passing, 5/23/13 – 5/24/13. There was no regional water. The design is based on the depth of the soil logs and permeability tests.

Notes: 1) Engineer testified to General Notes 1 and 2 regarding distance to wells and septic.

2) There is an absence of wetlands.

3) NJDEP mapping shows wetlands about 50' off property line horizontally from the proposed system.

4) Engineer will personally pass along to the new homeowner the deed restriction and effluent filter information.

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

Ms. Albrecht Aye Mr. Colburn Aye

Ms. Butula Aye Ms. Muir Aye Chair Nugent Aye

Chair Nugent noted that regarding the next application, there are 3 board members living near this property, himself being one of them Chair Nugent stated that he felt he could hear this application without biased.

Ms. Butula stated that she is a neighbor about 275' from this property, has no personal or business relationship with the Kopec family, and would have no problem being impartial and following every applicable law.

Ms. Muir stated that she is more than 200', knows the Kopec's as neighbors, has no personal or business ties with them and would be able to make impartial decisions regarding this application.

*Time heard: 8:43 p.m.:*

**3. Block 64/Lot 24.13 – Fine Engineering, Kopec, Old Forge Road.**

Escrow fees paid 7/2/13, ck.# 12714347, \$750.00.

Mr. Doug Fine, designer and NJ licensed engineer appeared before the board representing Block 64/Lot 24.13, 2 Old Forge Road. This application is for an alteration to correct a malfunctioning with no expansion. The initial inspection was during one of the deluge rainfalls, a manmade drain was discovered that was moving water that the homeowner had crossed the lateral with. The system may have been flooded out with rainwater. The soil permeability testing was performed in the rear of the property on the corner of Old Forge and Farmersville Rd. There is a storm sewer that runs parallel to the edge of Farmersville Road which presented the 100' setback pushed back away from Farmersville Road and the proximity of the existing laterals left 1 area for positioning the system. Soil logs 2 and 3 are utilized for design, placed both within the boundaries of the disposal field. Pit bail 1 was performed in soil log 3, high water tables, 24 hour static water table in pit bail settled in at 36" below the ground surface. The mottling is the limiting factor, soil log 2 at 18", soil log 3 @ 20". The design is based on the highest level of mottling at 18". A 4' zone of treatment above that level of the mottling, and a full zone of disposal below were provided extending to the level that the pit bail test was started. This is a mounded pressure dosing system utilizing a pump, the applicant has been informed of the deed restriction filing and maintenance. This is a real estate transaction under contract.

There was some discussion of the placement of the system.

Ms. Butula confirmed that the decision was made based on the fact that the natural runoff into a ditch was a consideration.

Mr. Fine stated yes, after observation of a heavy deluge rainfall into the ditch.

Chair Nugent asked how the ditch was defined?

Mr. Fine stated that the definition of a water course is any stream or surface water body, any ditch or subsurface drain that will permit drainage into a surface water body. This does not include swales or roadside ditches which convey only direct runoff from storms or snow melt, and storm sewers designed and constructed that will prevent infiltration of ground water into the pipe. Mr. Fine stated that he would define this as a ditch conveying direct runoff from a storm, it is not a subsurface drain.

There was some discussion of the system which was installed at Block 64/Lot 24.12 in 2008. The testimony at the time was that upon inspection, it appeared that a seasonal water course that looks like a drain which goes under the road into a 6 – 8” pipe that may be a storm sewer or drain pipe. This testimony agrees with Mr. Fine’s observation agreeing that it appears to be a seasonal watercourse.

Ms. Butula asked what is the distance from the end of drainage easement of 24.12 to the beginning of the proposed system?

Mr. Fine stated 5’ to the toe, 12 ½ to the property line assuming 7 ½ on the other side of the drainage easement a notation was added that there are no improvements on that easement.

Ms. Butula asked regarding the wetland identification, why did Mr. Fine determine to not have a wetlands expert come in?

Mr. Fine stated that he did not see any indicative species, or standing water, and looked at overlying maps and previous testimony on other properties.

There was some discussion of distances, Mr. Fine stated that he did not anticipate any problems with runoff from the mound on 24.12. He expected the runoff to run parallel to their common line and run east to the ditch. The height of the mound will be 99” at the highest grade, the finished top is 102”, approximately 3’ higher on the high side, on the low side is 97” at the lowest.

Chair Nugent confirmed that noticing had been done according to specifications, and asked if there were anyone present wishing to speak to this application?

There was no response from the audience.

Ms. Butula asked Mr. Fine to confirm that there were no other suitable areas on this property.

Mr. Fine stated there were no other suitable areas. A waiver from the state code is requested due to the limiting zone for design basis is only 18” below the ground surface, where state code requires a minimum of 24” below the ground surface.

Chair Nugent asked if the proposed system was an expansion, or are any realty improvements planned for the home ?

Mr. Fine stated no.

Chair Nugent referred to the state code 7:9A 3.3(e)2ii “if it is not possible to bring the system into conformance the system shall be brought as close to conformance with the requirements of this chapter as the administrative authority determines is possible provided the system has improved results in a discharge that is protective of the human health and the environment”. Would Mr. Fine testify that this is what he is proposing?

Mr. Fine stated that his testimony is that this situation is applicable to that section of the code and this system has been placed in such a fashion that they are in the best available soils location setback location from the storm sewer which is considered a water course. They are avoiding all storm water, surface water runs and natural storm drainage that would impact the septic system, they have proposed the best possible location, they are 73’ from the existing mounded disposal field on the neighboring Lot 24.12. The proposed toe of slope on the proposed mound will be approximately 52 – 55’ from the existing toe of slope of the mound on 24.12. The physical inspection of the property allowed indicating note #1. on sheet 2 that he does not believe there are any wetlands or wetland buffers which would be impacted by the installation and placement of the proposed septic system. There are no other wells or septic systems which encroach on the placement of the proposed system as well.

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:              64   Lot:  24.13 

Street location:   2   Old Forge Road 

# of Bedrooms:       4   

Name of owner: Victoria Kopec

Map Title:        Septic System Alteration Design for Block 64/Lot 24.13, Readington Township  
Hunterdon County, NJ for Victoria Kopec, 2 Old Forge Road, Flemington, NJ 08822

# Pages(map):     1 - 12 

Map Date:         7/1/13 

Map Revisions: 7/17/13 revision of sheet 2 of 12

Prepared By:     Douglas Fine, P.E.

Survey(s): Topographical: Mr. David M. Newton, 7/1/13

Boundary: VanCleeef Engineering, 12/6/83

Report(s): Hunterdon County Dept. of Public Safety Div. of Public Health Svcs., 7/3/13

Proposed System Specifications: Alteration with no expansion, no intended real estate improvements, mounded soil replacement pressure dosed , pump, 2 compartment 1300 gallons, effluent filter. This is a pump system with deed restriction requirement of filing with the Hunterdon County Clerk's office and a copy returned to the BOH office within 90 days of installation. Information on the maintenance of the pump will be given to the engineer for forwarding to the appropriate people, including the instructions for the maintenance of the effluent filter. A variance is granted for the soils testing with the regional ground water determined @ 18" in soil log 2. As stated in state code 7:9A 3.3(e)2ii this is the best possible situation to obtain a new and properly functioning septic system on this property to protect the health and safety of the homeowners and adjoining property owners and the citizens of Readington Twp. The engineer has given testimony that the placement of this system is the best possible place and solution to this situation. All distances from water courses have been considered and the fact that a swale would not be effective or necessary on this property. The engineer will supervise the installation and final grading of this system. Notice has been given to the adjoining property owners, 64/24.12 and 24.14. No communication was received from them.

Soil testing results: 6/19/13, Soil log 2, @ 72", mottling @ 18 – 31", seepage @ 53", 24 hour seepage @ 44"; Soil log 3, @ 72", mottling @ 20", seepage @ 48", 24 hour seepage @ 36". Permeability test is pit bail 1 in soil log 3 @ 72", 6/19/13, results 1.97"/hour. Ground water monitoring was not applicable. Regional water was determined in soil log 2 with mottling @ 18".

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

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

*Time heard: 9:34 p.m.:*

**4. Block 60/Lot 12.01 – Parker Engineering, Castela, Stanton Road.**

Escrow fees paid 5/28/13, ck.# 1053, \$750.00.

Initial submission mailed with 6/19/13 agenda packet.

Mr. Stephen E. Parker, NJ licensed engineer appeared before the board. This application is for the construction of a new home on a vacant property. This lot was part of a 2 lot subdivision approved in 2006. The reserve system was approved back in 2006, testing was done for the new primary. The soil logs for the primary and reserve, soil logs 1, 2, 3 and 4 were done 3/3/05 and approved in 2006 were done between the proposed home location and Stanton Road. Those tests will not be used because they cannot get gravity flow. They retested in the lowest corner of the property. A pit bail test was done which was successful, 8 weeks of monitoring was done. Soil logs 1 and 2, and pit bail 1 are being used for the new primary area. A gravity system is proposed, fill enclosed system due to the fractured rock less than 5' from the surface is designed for a 5 bedroom home. The shallowest ground water was 77" during the monitoring. The system is not mounded, it is a below grade gravity system.

Chair Nugent noted that when this application was before the board in 2006, it was requested of the engineer to provide testimony regarding the the proposed primary mottling in the 6 – 7" area being due to a hanging water table. Did Mr. Parker observe any problems or concerns regarding the reserve area as previously approved ?

Mr. Parker stated that he did not go back to that area, so no he did not observe anything.

Chair Nugent asked in the event that a reserve area were required, is there sufficient room and would Mr. Parker expect the soils testing to result in a satisfactory placement of a reserve area closer to the new primary than where the current one is ?

Mr. Parker stated most likely, if this system fails in 30 or so years, he would put in the reserve right next to the location of the primary.

Ms. Butula confirmed that the property owner is aware of the effluent filter maintenance.

Mr. Parker stated yes, he knows about it.

Chair Nugent stated that if the reserve area were ever needed on this property, either of the other soil logs that are available, it would likely result in a pump system, which was not approved in 2007.

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:            60 Lot: 12.01

Street location:   190 Stanton

# of Bedrooms:    5

Name of owner:    Steven Castela

Map Title:         Septic System Design Tax Map Lot 12.01 Block 60 Township of Readington  
Hunterdon County, NJ

# Pages(map):     1 - 2

Map Date:         5/17/13

Map Revisions:   6/12/13, pgs. 1 and 2

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

Survey(s):        Topographical: Apgar Associates, 12/12/05

Boundary: Apgar Associates, 12/12/05

Correspondence: Lloyd Tubman, 8/6/2007

Report(s):        Ferriero Engineering, 6/11/13, 6/21/13.

Proposed System Specifications:   New construction, 5 bedroom residence, fill enclosed, gravity fed, single compartment 1250 gallon tank, effluent filter.

Soil testing results:   Primary - 2/26/13, Soil log 1, @ 125", no mottling, no seepage, no hydraulically restricted horizon. Soil log 2, @ 114", no mottling, seepage 94", no hydraulically restricted horizon. Permeability test is pit bail 1 in soil log 2 @ 114", 2/26/13, results 1.4"/hour. Ground water monitoring was done 3/4/13 – 4/22/13, highest in soil log 2, 77" on 3/25/13 determines the regional water.

Reserve area was approved by Readington Twp. Board of Health on 3/21/07 as noted in the minutes of that meeting on page 9.

The engineer has testified that the homeowner is aware of the effluent filter and maintenance, and the distance to lot lines at 15' to each of the corners.

This is an application to determine a new primary area which is not the original primary approved as soil log 2 and 4 of 3/21/07, tested on 3/3/05.

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

Ms. Butula     Aye            Mr. Colburn   Aye            Ms. Muir     Aye

Chair Nugent   Aye, This primary is much better than the previously approved primary.

Chair Nugent asked if there were any other matters before the board?

Mr. Colburn stated that he had attended the Advanced Wastewater Pretreatment Device Mfg. meeting, and is qualified to install them.

Chair Nugent stated the question of education for the board members and where that can be used and provide value is something he will look into.

Ms. Butula stated that this has always been encouraged for the board members.

## **F. ADJOURNMENT**

A **MOTION** was made by Ms. Muir to adjourn at 10:15 pm, seconded by Mr. Colburn with a vote of Ayes all, Nays none recorded.

Respectfully submitted:

Lorraine Petzinger