

READINGTON TOWNSHIP BOARD OF HEALTH
NOVEMBER 20, 2013

Chair William C. Nugent calls 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	present
Jane Butula	present	William C. Nugent	present	Wendy Sheay	absent
Robert Colburn	present				

Also in attendance: Division of Public Health - Deb Vaccarella.
Board of Health Engineer, Ferriero Engineering representative Joe Kosinski

A. APPROVAL OF THE MINUTES

1. Minutes of October 23, 2013. (- Sheay vote).

A **MOTION** was made by Ms. Muir to approve the minutes of the 10/23/13 meeting. The motion was seconded by Mr. Colburn On roll call vote, the following was recorded:

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

B. CORRESPONDENCE

1. NJLBHA – Fall 2013 newsletter. www.NJLBHA.org

Chair Nugent noted pg. 3 article; pg. 7 Roles & Responsibilities of BOH members; renewal for 2014.

A **MOTION** was made by Ms. Albrecht, seconded by Ms. Muir for renewal of the NJLBHA membership. On roll call vote the following was recorded:

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

2. HCHD LINC'S - Update: Management of Domestic Animal Rabies Exposures

<http://www.state.nj.us/health/cd/techinfo.shtml>

Ms. Butula asked that this be forwarded to the Police Chief.

Chair Nugent noted to the general public that domestic pets that have not been immunized for rabies will still need to be euthanized or placed into a strict 6 month quarantine.

Ms. Vaccarella stated that the 6 month confinement, if you check with your Animal Control, is within the resident's home.

3. Suspected Hazardous Discharge Notification letter dated 10/26/13 regarding oil heating #2.

4. Block 36/Lot 125– NJDEP LOI Presence/Absence Determination.

5. Suspected Hazardous Discharge Notification letter dated 11/6/13 regarding oil heating #2.

Ms. Vaccarella stated that this (and item #3.) were addressed in an email and is a closed issue.

Chair Nugent stated that Ms. Vaccarella's comment/email was very well done.

C. OLD BUSINESS 1. INTRODUCTION of ORDINANCE BH:01-2013.

READINGTON TOWNSHIP BOARD OF HEALTH
COUNTY OF HUNTERDON, STATE OF NEW JERSEY
ORDINANCE BH:01-2013

AN ORDINANCE AMENDING PART III, CHAPTER 268, ARTICLE III, SECTION 23 OF THE TOWNSHIP OF READINGTON CONCERNING BOARD OF HEATH, SEWERS, INDIVIDUAL SUBSURFACE SEWAGE DISPOSAL SYSTEMS, FEES AND CHARGES.

Chair Nugent stated that the changes are underlined and/or struck through. The specific changes to the ordinance as presently written was to slightly increase some of the charges, specifically in Section A., the charges for the Hunterdon County, was increased to \$250., \$225., \$90., and \$50. respectively for items 1., 2.,3., 4. Section B. the minimal advanced fees for services was increased to \$250./lot, and the reference to the fees being escrowed is being removed. In section C., a reference to a certification endorsed by the applicant was struck. Again, monies being held in escrow was struck. The wording didn't follow the current procedures, so was reworded as to what was done. Additionally, the \$30./hour was increased, with the overtime rate being \$40./hour. Those are the only changes to the ordinance as it is currently available online.

A **MOTION** was made by Ms. Muir to introduce the ordinance as presented and published. The motion was seconded by Ms. Albrecht. On roll call vote the following was recorded:

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

2. Rabies Clinic – 10/26/13, @ Three Bridges Firehouse – 51 dogs; 11 cats were inoculated.

Ms. Petzinger stated that 62 animals were inoculated.

Chair Nugent stated as a reminder that the clinics are free.

Ms. Petzinger stated the next clinic is scheduled for January 4, 2014 from 10 – 12 at the Recycling Garage on Mountain Road. www.co.hunterdon.nj.us/health/rabiesclinics.htm

3. Drug Drop Off Box – *Ms. Butula stated that the drug drop off box will be available in the Readington Police Station during the month of December, as final approval was given by the Attorney General and the DEA. At this point there are 6 locations available. The pharmacies will not be involved initially.*

4. In Service Day – *Ms. Butula stated this was on 11/1/13 at RVCC with 150 people attending. On 11/18/13 and 11/19/13 Safe Communities sponsored a drug summit and educated the schools and police forces attended for a drug identification.*

D. NEW BUSINESS

E. APPROVALS

Category A. – Single Lots

Time heard: 7:30 p.m.

1. Block 38/Lot 84 – Bayer-Risse, Shepherd, Sophie Street.

Escrow fees paid 10/31/13, ck.# 119, \$750.00.

Mr. Bill Jupinka, Bayer-Risse Engineering and NJ licensed engineer appeared before the board. This application for Block 38/Lot 84 is a septic alteration for an existing 3 bedroom house with no expansion or change in use. The existing system is roughly 50+ years old, is completely saturated, shallow in the ground, not much to the system just gravel and pipe in the ground. 4 soil tests were done along the southern edge of the property line. Soil logs 1001-2 and 1001-4 were good logs, about 11' below the surface, basin flood was successful at 15'. There was no mottling or groundwater encountered. The proposed area is free of wetlands or wetland transition areas. There are no water courses anywhere within 100' of the proposed system, and no neighboring disposal systems within 50'. A new 2 compartment 1,000 gallon septic tank with effluent filter is proposed, the owner is aware of the maintenance on that filter. It is a gravity system, no pump.

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

There was no response.

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

Block: 38 Lot: 84

Street location: 2 Sophie Street

of Bedrooms: 3

Name of owner: James Shepherd

Map Title: Septic System Alteration Design For James Shepherd, Block 38, Lot 84, Readington Township Hunterdon County, NJ

Pages(map): 1 - 10

Map Date: 10/30/13

Map Revisions: 0

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

Survey(s): Boundary : John J. Vida, NJPLS, 9/24/13

Topographical: John J. Vida, NJPLS

Report(s): Hunterdon County Dept. of Public Safety Div. of Public Health Svcs., 11/7/13

Proposed System Specifications: Proposed alteration with no expansion, bottom lined , gravity installation.

Soil testing results: 10/1/13, Soil log 1001-2, @ 180", no mottling, no seepage, no groundwater. Soil log 1001-4, @ 180", no mottling, no seepage, no groundwater. Permeability is basin flood 1001-1, 10/1/13 – 10/2/13, @ 180" in soil log 1001-2, passing. Regional water level determined by the logs and permeability test. The engineer has testified to notes 1, 2 and 3 and the fact that the owner is aware of the effluent filter and maintenance.

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

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

Time heard: 7:42 p.m.

2. Block 12/Lot 12 – Bayer-Risse, Lee, Cedar Road.

Escrow fees paid 10/31/13, ck. # 44752839, \$750.00.

Mr. Bill Jupinka, Bayer-Risse Engineering and NJ licensed engineer appeared before the board. This application for Block 12/Lot 12 is a septic alteration for an existing 6 bedroom house that is a real estate transaction and has a cesspool. Testing was done in the rear yard of the property and did not have a successful basin flood test, it was near the cesspool. Testing was done in the front, there was a change in the soils to a gravelly sand material. In the area of the proposed system the soils encountered were more of a silt loam and underlain by a very nice K4 loamy sand, a textural analysis of those was done. It will be a flush grade system, a pump system will be incorporated into the design. The proposed area has no water courses within 100', no wetlands or wetland transition areas within the area of the proposed systems although wetlands have been confirmed onsite, that was discovered as part of the subsystem when it was done and is encompassed in the conservation easement that was part of the property to the northwest corner. There are no neighboring wells within 100' and no neighboring disposal systems within 50'. The location of the disposal area on lot 12.02 exceeds 100'. The whole system is being redone, a 1500 gallon 2 compartment tank with effluent filter is proposed. The current owner is aware of the maintenance requirements of the effluent filter and the deed restriction filing and reporting requirements of the pump system.

Chair Nugent stated that the length of the pipe is pretty long.

Mr. Jupinka stated it is a long run, it makes for more trenching and a stronger pump. It looks like an awkward way to get to that point, they wanted to avoid the well line. When out in the field it made the most sense due to the driveways.

Ms. Butula asked if the buyer was in the home right now, her concern is the gap between the seller and buyer and the deed restriction being recorded.

Mr. Jupinka stated the current owner is aware, and usually the attorney's involved are aware of that information.

Chair Nugent asked if there were any consideration given to sleeving or anything to the pipe that runs near the driveway?

Mr. Jupinka stated no, typically they don't sleeve unless it crosses the driveway. At the depth that it is, he hasn't seen any pipes crushed, the schedule 40 holds its own.

Ms. Butula stated that the LOI has been presented, and is a conservation area.

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

There was no response.

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

Block: 12 Lot: 12

Street location: 38 Cedar Road

of Bedrooms: 6

Name of owner: William & Mary Lee

Map Title: Septic System Alteration Design For William Lee, Block 12, Lot 12, Readington Township Hunterdon County, NJ

Pages(map): 1 - 12

Map Date: 10/28/13

Map Revisions: 0

Prepared By: Theodore H. Bayer, P.E.

Survey(s): Boundary : Wayne F. Holman, NJPLS, 5/9/05

Topographical: Charles A. Saladin Jr., NJPLS, 10/28/13

Report(s): Hunterdon County Dept. of Public Safety Div. of Public Health Svcs., 11/6/13
Proposed System Specifications: Proposed alteration with no expansion, pressure distribution, soil replacement, bottom lined.

Soil testing results: 9/19/13, Soil log 919-3, @ 126", no mottling, no seepage, no groundwater. Soil log 919-4, @ 126", no mottling, no seepage, no groundwater. Permeability was a textural analysis A & B, 9/19/13 @ 96" in soil log 919-3, results K4. Regional water level determined by the depth of the soil logs and permeability test. The engineer has testified to notes 1, 2, 3 and 4 on page 4 of 12 regarding water courses, wetlands, neighboring disposal systems and wells and about the pump and effluent filter requirements which are known to the current owner and that the pump will require a deed restriction recorded at the County Clerk's office, and a copy returned to the BOH office within 90 days. The engineer has included in the submission an LOI dated 7/8/04. This property is a stream land corridor conservation easement that is permanent.

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

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

Chair Nugent noted that the application which is listed last on the agenda, Block 46/Lot 5.04 will be carried to the December 18, 2013 meeting due to a late submission and full agenda. Noticing was done, therefore the audience will be polled for any residents wishing to speak to that application.

Time heard: 7:57 p.m.

3. Block 67/Lot 21 – Bayer-Risse, Holmgren, Readington Road.

Escrow fees paid 10/31/13, ck. #1811, \$750.00.

Mr. Bill Jupinka, Bayer-Risse Engineering and NJ licensed engineer appeared before the board. This application for Block 67/Lot 21 is a septic alteration for an existing 2 bedroom house that is seeking a system upgrade. The current system is not failing, it is just old and deteriorated.

There was some discussion of the condition of the existing system. Ms. Vaccarella stated that she was at the property in June 2013 and there were no laterals, the tank just emptied out onto shale.

Mr. Jupinka stated there is only one area on the property to use which is outside of all the well setbacks, neighboring well and septic setbacks. The area is free of wetlands or wetland transition areas, there are no watercourses within 100' of the proposed system. Two soil logs and a basin flood had positive results to 8'. It is very fractured well drained shale. They were able to get a gravity system, and are leaving the existing tank which is a 2 compartment tank with effluent filter.

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

There was no response.

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

Block: 67 Lot: 21

Street location: 404 Readington Road

of Bedrooms: 2

Name of owner: Mitchell Holmgren

Map Title: Septic System Alteration Design For Mitchell Holgrem, Block 67, Lot 21, Readington Township Hunterdon County, NJ

Pages(map): 1 - 10

Map Date: 10/31/13

Map Revisions: 0

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

Survey(s): Boundary : George Riehman, NJLPS, 7/16/91

Topographical: Charles A. Saladin Jr, NJPLS, 10/31/13

Report(s): Hunterdon County Dept. of Public Safety Div. of Public Health Svcs., 11/6/13

Proposed System Specifications: Proposed alteration with no expansion, bottom lined, soil replacement gravity installation, 2 compartment septic tank with effluent filter.

Soil testing results: 10/3/13, Soil log 1003-1, @ 120", no mottling, no seepage, no groundwater.

Soil log 1003-2, @ 120", no mottling, no seepage, no groundwater. Permeability is basin flood

1003-1, 10/3/13 – 10/4/13, @ 96” in soil log 1003-1, passing. Regional water level determined by the depth of the logs and permeability test. The engineer has testified to notes 1, 2 and 3 regarding wetlands, wetland transition areas, water courses, distance of neighboring disposal systems and wells. The owner is aware of the effluent filter and maintenance. The existing tank and effluent filter will remain at the time of the installation of the rest of the system. A corrected sheet for basin flood done in 1003-1 was included. The motion was seconded by Ms. Muir. On roll call vote, the following was recorded:

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

Time heard: 8:08 p.m.

4. Block 13/Lot 59.01 – Parker Engr., Schiavone, Lamington Road.

Escrow fees paid 11/4/13, ck.# 1709, \$750.00.

Mr. Steve Parker, NJ licensed engineer appeared before the board representing this application. The application is for a septic system alteration with no expansion, for the sale of the property. There are two dwelling units on the property, the 5 bedroom house and detached 1 bedroom apartment. There are two separate septic systems which will be combined into one. Soil logs and a basin flood were performed. No evidence of groundwater or mottling were found. The basin flood was so quick that they couldn't get any water to accumulate in the bottom, it ran right out. The Rockaway Creek is on the property, but is greater than 100' away and according to the i-Map there are no wetlands in this area and there is no development on any of the adjoining properties. A pump is required in the system for the main house. The separate apartment will flow by gravity from the existing tank to the new field. They are proposing a 4" line from the apartment tank into the new disposal field and then the 2" force main will tie into that outside the bed, with the gravity line going into the distribution box in the field itself. There is no where on the property that they could design a system and eliminate the need for a pump. The further they go downhill the closer it is to the stream and Rockaway Creek.

Chair Nugent asked about the dual lines coming into a connection. What will prevent the pumped effluent from going up the gravity line from the other system?

Mr. Parker stated it may go up a little way, but it is going uphill so would obviously flow back down, that line is going to be pitched to flow into the distribution box. The connection for that, the force main is actually going to be underground, will be coming up and will pump into the gravity line. It may go up a little while there is turbulence from the pump. Once the pump is off, it will drain back down. From the tank to the distribution box in the field is about 230' so it is not going to pump back up.

Mr. Colburn stated that you could put a baffle in the d-box to dissipate that force.

Mr. Parker stated that is why they had it flowing by gravity into the d-box rather than the force main and having two lines going into the box. It is a 2" to 4" fitting, comes into the top of the line.

Ms. Vaccarella stated so you are actually fitting the force main into and slowing it down at the connection. If there is a sweep in that it wouldn't go up anyway.

Ms. Butula asked for an explanation of the site limitation of flood plains regarding vegetation, the inspection, etc. Mr. Parker stated that the area tested is maintained as a lawn. The area behind the pool up towards the tennis courts is lawn. The proposed system is in the corner of this lawn/field that is there now. The system is going to be about 150' away from the edge of the creek. There is a gentle slope, basically where the 100' setback line is becomes steeply sloped down to the stream. The Rockaway Creek is a studied stream which means the state DEP has determined and delineated the flood boundaries for that. The 100 year flood map is not even close to the proposed location.

Chair Nugent, Ms. Butula and Mr. Parker reviewed the map entitled State of NJ Dept. of Environmental Protection Div. of Water Resources Bureau of Flood Plain Management Delineation of Floodway and Flood Hazard Area Rockaway Creek State Code 2180+002 Station 2244.00 Readington Twp., Hunterdon County, New Jersey, plate RC-2 September 1982. Mr. Parker identified the main house, driveway, barn and apartment on the map, and the location of the proposed disposal system. The subject property is slightly above scale and to the left of the word plan.

Ms. Butula stated that the legend on the map is identified as the flood elevation determined in 1977 and the 100 year flood limit and demonstrated the flood hazard area limit.

Mr. Parker confirmed that the proposed system is well outside of the 100 year flood limit.

Ms. Muir asked how old the lateral and septic tank are for the 1 bedroom apartment ?

Mr. Parker stated that he didn't know.

Ms. Schiavone, owner of the property stated that her husband bought the property in 1967, however she was not involved then. She has been there about 34 years and it has been there as long as that.

Ms. Muir stated concern as to the apartment and whether or not it is a legal apartment, she will check with the tax office.

Ms. Butula asked if the future owner is known, and if Mr. Parker would make every effort to pass on the deed restriction requirement information.

Mr. Parker stated that he would, he has not to date had a conversation with the new homeowner.

Ms. Schiavone stated that the prospective homeowner is aware of the application being heard by the board this evening.

Mr. Parker stated that the information has been forwarded to the attorney.

Chair Nugent stated that part of the approval is for a pump system which requires electric, and it is the intention of the board to make the new homeowners aware of it. There is also a maintenance requirement.

There was some discussion of a survey by Clay MacEldowney. Mr. Parker reviewed the survey with the board. Chair Nugent asked if there were any questions or comments from the board ?

There was no response.

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

Block: 13 Lot: 59.01

Street location: 39 Lamington Road

of Bedrooms: 6 (5 – house, 1 – apartment in barn)

Name of owner: Jean R. Schiavone

Map Title: Septic System Design Tax Map Block 13, Lot 59.01, Township of Readington, Hunterdon County, NJ

Pages(map): 1 - 2

Map Date: 11/4/13

Map Revisions: 0

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

Survey(s): Boundary : Clay MacEldowney, NJPLS, 7/29/1987 (HCHD has on file)

Topographical: Daniel E. Parker, NJPLS, 10/29/13

Report(s): Hunterdon County Dept. of Public Safety Div. of Public Health Svcs., 11/6/13

Proposed System Specifications: Proposed alteration with no expansion, fill enclosed, soil replacement, with pump. Both building will use the same bed.

Soil testing results: 10/29/13, Soil log 1, @ 130", no mottling, no seepage, no groundwater.

Soil log 2 @ 124", no mottling, no seepage, no groundwater. Permeability was basin flood 1, @ 100", 10/29/13, passing . Depth determined by logs, @ 100" permeability. The engineer has noted that this property involves a flood plain and a pump system. The engineer gave testimony that there were no neighboring wells or other septic systems within the unacceptable area, they are all acceptable distances away. A copy of the NJDEP 100 year flood plain map was presented by the engineer, dated 1982. The entire information was entered into record. Testimony that the pump and effluent filter information has been given to the new buyers attorney, and the current owner will pass the information on to them. The pump requires the recording of a deed restriction at the County Clerk, a copy returned to the BOH office within 90 days, and the maintenance of the pump system acknowledged. The house is utilizing the pump system, the apartment will use gravity to the system. The proposed force main connects to the proposed gravity line and flows by gravity to the distribution box.

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

Ms. Albrecht Aye Mr. Colburn Aye Ms. Rohrbach Aye

Ms. Butula Aye Ms. Muir Aye Chair Nugent Aye

Time heard: 8:47 p.m.

5. Block 11/Lot 13 – Erica Busch, Lamington River Farms.

Escrow fees paid 8/7/13, ck.# 476, \$750.00.

Ms. Erica Busch, NJ licensed engineer appeared before the board representing this application. Mr. Matt Willigan, Superintendent from Lamington River Farms was also in attendance. Ms. Busch stated that the design

was done for an existing 3 bedroom dwelling which is going to be converted into a rest stop/comfort station and outdoor snack bar. The existing system consists of a cesspool that is malfunctioning. They are proposing a new septic tank and disposal bed. Soil logs were done on 1/31/13, soils were predominantly sandy loam or loams. There was no mottling, seepage, no hydraulically restrictive horizons, no bedrock. The disposal bed location was chosen due to the ease in grading. The golf course is near the reserve area, and they did not want to re-grade onto the golf course, although it can be done. No waivers are required from the State, County or Township, in-season ground water testing was not done because they tested in January and there was no water or mottling or seepage. Chair Nugent confirmed that Ms. Busch had received both Ferriero review letter dated 9/23/13 and the Hunterdon County Dept. of Public Safety Div. of Public Health Svcs. letter dated 10/25/13.

Ms. Busch stated yes, she had both letters. Once this is approved, they will go on to the State to revise their permit for Treatment Works since it is part of the entire facility even though the flow is not 2,000 gallons. The entire facility is 2,000 gallons. The DEP came out to the site and their direction was that once it is approved by the local authority, then the applicant would go to them to amend the permit.

Chair Nugent asked if Ms. Busch had submitted something to the DEP?

Ms. Busch stated no.

Ms. Vaccarella stated that northern enforcement does an inspection of the property as part of their permit they come out once a year, so at that point in time the superintendent may have made them aware of a proposed change and they went and looked at it.

Ms. Busch stated no, that is not what happened. Ms. Busch contacted the DEP and they have never had a situation where they have an existing permit more than 2,000 gallons and this property is a mile from the clubhouse, it is not going to be part of the flows from the clubhouse. The DEP sent representatives out to determine that it is not going to be tied into the existing system.

Ms. Butula stated that it was also in the letter from Ferriero, email from Ron Bannister, date unknown.

Ms. Busch stated that it was sometime in May.

Ms. Muir stated that she has a concern that the proposal is to flip a residence from a residential zone into a business zone without going before the proper Boards/Committees to have a zoning change.

Ms. Busch stated that they need to get the septic approved because they can't re-zone it, they are sort of going together.

Chair Nugent asked if Ms. Busch will or has already submitted to the Board of Adjustment?

Ms. Busch stated that is something that is going to be done, but they need to get the septic approved, why do that if you can't get the septic approved, they are sort of going together.

Chair Nugent confirmed that nothing has been done as of yet.

Ms. Busch indicated yes.

Ms. Muir stated that this board is not approving this for a business commercial enterprise, this would only be approved in a residential zone for residential use, and that should be transmitted to your Board of Adjustment papers so that it is clear that the Board of Health has not approved this for commercial use.

Ms. Busch stated that she did not understand what Ms. Muir was saying.

Ms. Muir stated you cannot just flip a residence in a residential zone into a commercial zone.

Ms. Busch stated they are not, they are just asking for a septic system approval.

Ms. Butula stated that there may be a conflict with this because there is a difference between a residential system and a food preparation system.

Ms. Vaccarella stated that the design, the soil testing, nothing is here except for this board to rule on whether or not the County can sign off on this application going to the DEP as a part of their NJDEPS permit.

Ms. Butula stated so we are not approving the soils here, we are not approving the design, it is just going for a treatment works.

Ms. Vaccarella stated that is correct. The property is under a current NJDEPS permit and are inspected as such and because it is part of a golf course it will continue as such. It doesn't matter if they have 2 gallons or 3,000 gallons of flow for sewage because it is a golf course, the DEP permits it.

Ms. Muir stated that she sees it as a problem that it is her understanding from looking at the zoning maps that this is on our tax map not as a part of the golf course but is in Readington Twp. as part of a residential development.

Ms. Vaccarella stated that is not what the Board of Health's jurisdiction is.

Ms. Muir stated that it is not for us to decide whether it should or shouldn't be. The fact of the matter is that she wants to make sure that the statements here are correct.

Ms. Vaccarella asked if this property is owned right now by Lamington Farms ?

Ms. Muir asked and has been used as a residence up until this point?

Ms. Busch stated no.

Mr. Willigan stated that he has been employed by the club for just over 2 years and in those 2 years it has been used as a – it has been used as an outdoor grill where they prepare hamburgers, hot dogs and chicken.

Ms. Muir stated that is a commercial enterprise in a residential zone.

Ms. Butula stated it is.

Ms. Vaccarella stated that she has a concern that they are already preparing food there and serving to the public, we need to get this all on board, get the well tested because that is a transient water system. There is a whole lot going on here, they are making the steps to go forward with making this legal and the first step is to simply vote as to whether or not your local agent can sign the form.

Mr. Kosinski stated that this board can only grant consent.

Ms. Butula stated so we are never going to look at the soil testing, and she understands Ms. Muir's concerns.

Ms. Vaccarella stated that is correct, this board is not going to look at the soils testing.

Chair Nugent stated that in order for the board to approve anybody to sign the forms for submitting this to the State, part and parcel of that is to attest to the compliance of this application and all of the proposed changes as being 100% compliant with both state and local code.

Mr. Kosinski stated that is correct.

Chair Nugent continued, as a result that is why this went to our engineering firm, Ferriero Engineering, and also to Hunterdon County Dept. of Public Safety Div. of Public Health Svcs.. The engineering firm reviewed the soils testing and the materials associated to that, and the County reviewed the design components. Aside of whether this board is 'approving' the soils or not, this board is responsible for validating that all of the application is 100% compliant to the state and local code. That phrase is included and has been a part of the forms that were signed in the past.

Ms. Butula stated that this board has always made sure that the things that applied to the Board of Health were in compliance.

Mr. Kosinski stated you have to.

Ms. Vaccarella stated Zoning aside.

Chair Nugent stated absolutely.

Ms. Butula stated to go back to the original question in talking about compliance, what would the difference be between a system for a residence and a food service application.

Ms. Vaccarella stated that they haven't made application to the Health Dept. for the food service part of that which is an issue that was previously emailed about. This is supposedly a snack bar, now it seems that they have grilled things. They may need a grease tank/trap. They haven't said how much of a food establishment this is, right now it is described as a rest stop.

Ms. Butula confirmed with Ms. Vaccarella that they also need food site inspections, and the well is a consideration now.

Ms. Vaccarella stated yes, this is going to have to be licensed, it is going to be a transient water system.

Chair Nugent stated perhaps understanding the history of this and how it progressed this far may be beneficial, and asked Ms. Busch to clarify how the DEP got involved initially and also in reference to a hardcopy of an email from Ron Bannister to Ms. Busch, how did the DEP get involved, what material they saw/reviewed, and has that exact material been submitted to this board?

Ms. Busch stated that the applicant already has a NJDEPS permit for the facility, and she contacted them to amend the permit. Ms. Busch was going to submit the plans to the DEP, and their response was that they have never had a situation where this is not going to be tied into the system, which is 1 mile away. Some people came out to confirm that it would never be tied into the system. After 2 months, Ms. Busch received the email from Ron Bannister stating that it should be approved by the local authority and then forwarded to the DEP.

Chair Nugent asked what material the DEP reviewed, if any?

Ms. Busch stated that they reviewed the very first submission without any of the board's input. It was just the plan of what they were going to do, it didn't have soil conservation and all that.

Chair Nugent stated that this board will need all of the material that is specifically related to this email submitted to this board, so that we have specifically what the DEP looked at, even if it is old.

Ms. Busch stated that she did not have that material any more.

Chair Nugent stated that in order for this board to properly adjudicate this email and understand what it was reacting to, we really do need the material that was submitted to them, whatever it was in whatever form, even if it has to be reconstructed, it is important. One of the challenges aside of trying to understand its dating was that it alluded to commercial food service but the application that is presented to this board made no mention whatsoever of a commercial food service. So, what changed between what was originally discussed informally with the DEP, and the application materials that were submitted to this board?

Ms. Busch stated there were just discussions on the phone, Mr. Bannister sent that email stating that the application should go before the local board. Usually when it is a TWA, it is just sent to the DEP. The material sent to the DEP was similar to sheet 2 of 6 of the Septic System Alteration, Block 11 Lot 13.

Ms. Muir stated that she wanted to see exactly what was submitted to the DEP.

Chair Nugent stated that he agreed, this is a request that that material be submitted to this board.

Mr. Kosinski stated that this is a pretty simple determination for the DEP because it is a property that is under common ownership, it is a common development because it is a golf course and they are clearly over 2,000 gallons/day. The only question right now may be whether or not there will be a proposed food service.

Ms. Muir stated that they have testified that there is.

Mr. Kosinski stated that the application should be amended to reflect that, that component should be put in place, but it is common development, common ownership. The DEP would recognize this facility as generating greater than 2,000 gallons/day regardless of whether there was food service or not.

Chair Nugent asked that this be explored. This is a stand alone piece of property that has a specific delineation and is not a golf course. The piece of property, Block 11/Lot 13 is not a golf course, correct?

Ms. Busch stated correct.

There was some discussion of the property, the use, property boundaries, and how it is designated on the map.

Mr. Kosinski stated that it is associated with the golf course. The DEP does not look at property lines when it comes to common ownership.

Ms. Vaccarella stated that the DEP sees it as such.

Ms. Butula stated that we are talking about two different things, Mr. Kosinski is looking at it as the prospective of ownership. On the tax map it is not joined.

Mr. Kosinski stated that we shouldn't look at the property boundaries for now, just focus on the use.

Ms. Muir stated that the property boundaries should be looked at. This is a separate entity that has always been residential, it is taxed as residential and zoned as residential and it is coming before us as a separate septic situation, it is not tying in to any septic situation that is part of the golf course proper. It is separate.

Chair Nugent stated that there are some concerns, referring to Mr. Kosinski's statement that the DEP ignores property lines, would Mr. Kosinski provide some reference information to this board to help the board understand that aspect of the DEP ?

Mr. Kosinski gave an example of another township where the municipal bldg., library and first aid squad are all on separate parcels but they are on contiguous land. They have a NJDEPS permit because cumulatively they are over 2,000 gallons/day. Mr. Kosinski stated he would provide the board with reference of that portion of the code. Aside from that, the focus on approving this septic should be that the food service has not been mentioned at all.

Ms. Vaccarella stated that we are going to ask that the applicant address this on the design.

Chair Nugent stated that a NJDEPS permit was mentioned, and asked Ms. Busch if there is one in effect that is alleged to cover this piece of property?

Ms. Busch stated no, there is one in effect but may not cover this property. The owner of Lamington River Farms owns it so it was part of it but now that they are making a change to the flow a modification should be made.

Chair Nugent asked Mr. Kosinski if a NJDEPS permit would in fact specify block and lot that is covered by that permit?

Mr. Kosinski stated that he believed it would.

Chair Nugent asked Ms. Busch if she has the permit that actually indicates this as a block and lot that is covered therein?

Mr. Kosinski stated that it sounds like part of the problem is that it is not included in the current NJDEPS permit.

Ms. Vaccarella stated that is because it is an unused septic system, it is not used by the golf course at the present time so it would not be included and inspected as part of the permit. Once they start using it then they have to

modify their permit to add it. Regardless of the fact that a family lived in this home previously under a different ownership is a different situation entirely.

Ms. Muir stated that this house was built as a residence in Readington Twp., was lived in as a residence with a septic system in Readington Twp., and it is her understanding that in past testimony it was determined that there were groundskeepers living in this house.

Chair Nugent asked Ms. Busch if she had located the NJDEPS permit and if it indicated this block and lot?

Ms. Busch stated that the only property in Readington that they reference is..., no they do not reference this block and lot.

Chair Nugent asked if there were any in Readington Twp.?

Ms. Busch stated there are a couple but not this block and lot.

Chair Nugent stated so the implication is that at present whether in the future or otherwise, this block and lot is not covered by the NJDEPS permit.

Ms. Busch stated that she believed it is. Isn't the permit for the entire facility?

Ms. Muir stated that the permit is the factual evidence in this case. Just because you believe something or you want something doesn't make it fact.

Ms. Vaccarella stated that the question the engineer asked was "Is the permit for the whole entire golf course?" and the answer is yes.

Ms. Muir stated that is not part of the golf course, it is not even included in the NJDEPS permit that the golf course has.

Mr. Kosinski stated that that is to the best knowledge of the DEP.

Ms. Vaccarella stated we don't know if that was modified, that application was a previous modification, it could have mentioned that specific lot and when they stopped using that septic system it was amended and taken off.

Ms. Muir stated that that is a lot of supposition. Ms. Busch has the document right in front of her, and the block and lot are not on it.

Ms. Vaccarella stated we are now discussing current conditions.

Ms. Muir stated it is not changed.

Chair Nugent stated that he is hearing what the board engineer and County are suggesting, but struggles at understanding how a residential piece of property whether adjoined to a golf course or not is to be perceived as golf course property and therefore the proposed septic system automatically falls into that. The way that Ms. Busch can help the board understand that is to provide the board the information that goes along with the email from Ron Bannister, so that the board can see what the DEP was looking at and understand that, and also the NJDEPS permit which was referenced before, provide a copy of that so that the board can see what that references. The board has to be able to make the connection and unless they can, the board could never approve this as being proposed.

Ms. Busch asked what this has to do with the soils ?

Chair Nugent stated that this board is responsible for every aspect of a septic system, soils testing through design, through construction and approval thereof. We delegate some of those responsibilities to other agencies. In this case we also delegate that responsibility to the State if this falls underneath that jurisdiction by virtue of signing the form that says that it complies with every aspect of State and local ordinances.

Ms. Busch stated that is why they're here, so the board can review the soils and design and make a determination on that.

Chair Nugent stated the board has to be able to approve all of that and without the additional information that we are discussing, we are having a problem with this application.

Ms. Busch asked what does what this actual permit says and where the lot lines are have to do with the soils?

Chair Nugent stated it is all of the previously stated things, not just the soils, it is the design also.

Ms. Busch stated we are talking about administrative things, it was her understanding that the board was here to discuss the design and the soils.

Chair Nugent stated and to be able to approve everything that is presented before us that is compliant with code. If this falls under a TWA if falls one way, if it falls under normal jurisdiction it goes another and doesn't even require a TWA.

We have an email that proposes to be from someone at the State that purports to be based on a review of some material, none of which we have before us, so trying to put the pieces together is very, very difficult.

Ms. Busch stated that it was just like the sheet, pg. 2 of 6 as mentioned earlier.

Chair Nugent stated that Ms. Busch has been asked to present the material as exactly what was presented to the state.

Ms. Busch stated that she does not understand what that is going to do, what if the sheet that she sent them, the septic bed is a little bit smaller or bigger, then what ?

Ms. Muir stated that this board has to determine if this is going to be a commercial food service as indicated in our email from the State, so that we can determine how to move on it one way or another.

Chair Nugent stated as a 'take away' this evening, this board is asking Ms. Busch to provide the exact material which was provided to the state for their review. If you cannot provide that, then that will be folded into our judgment on what we can do with this application, so it is asked that Ms. Busch makes a note of that so that we can move on.

Ms. Busch stated that we are asking you to review the soils and the design.

Chair Nugent stated that is understood, so let us now move on to other questions about this application.

Mr. Kosinski stated that a problem is that they have now testified that there will be food service and they haven't provided any documentation on that.

Ms. Busch stated that Matt Willigan can speak to that.

Ms. Butula stated that it was mentioned in Ferriero's report and she has a conflict with not having in-season ground water testing on this.

Mr. Kosinski stated that as commented in the letter, the soils map indicates that there may be certain constraints with the subsurface soils as mapped in the USDA soils survey and the onsite testing proves otherwise. This may be one of those situations because this soil type indicates it has severe constraints for septic systems due to shallow bedrock and the soil logs went in excess of 10- 11'.

Ms. Butula stated that they went to 149".

Mr. Kosinski stated the log verified the absence of fractured bedrock.

Chair Nugent asked Ms. Busch, the soils that were encountered during testing, were they consistent with the soils survey map?

Ms. Busch stated yes, except the soil survey map shows the septic system design would be moderately restrictive due to bedrock 4 – 7+ feet. So they are in the +, there is no restriction due to ground water, the restriction is just bedrock.

Chair Nugent stated that he understands that Ms. Busch is saying that the soils are consistent with the soils survey map?

Ms. Busch stated yes, the same type of colors and soils and course fragment. The only thing that is different is the bedrock and the depth to bedrock.

Chair Nugent asked how is that then, if the soils are consistent with the soil survey map....

Ms. Butula stated that is incorrect, they are consistent to a point except for....

Mr. Kosinski stated the board recognizes in the Passaic formation sediments the silt stones that mottling does not form in non-soil conditions. The board has always had a concern with shallow bedrock with regard to the formation of Redoximorphic features such as mottling in the soils when you have non-soil. In this case there is soil, there was no bedrock, and he would ask Ms. Busch to verify that there was no mottling in the soil or any potential to have those Redoximorphic features not appear in the case that there was some type of high water table or something like that.

Ms. Butula stated that we should look at the soil logs to confirm that that is what he is saying.

Chair Nugent stated that he wanted to go in a different direction for a moment. Our ordinance requires in-season groundwater monitoring for 3 days in moderate soils.

Mr. Kosinski stated soils mapped in the USDA soils survey for moderate soils, that is correct.

Chair Nugent stated that our ordinance does not disallow a greater than anticipated bedrock encounter as long as the soils still match the soils survey map, is that correct?

Mr. Kosinski stated he is not absolutely sure it is worded quite that way in the ordinance, but the board would reserve the right to grant relief from that if that shallow bedrock were not present.

Chair Nugent stated that technically the way the ordinance is written, it requires as long as the soils encountered match the soils map, even if it is the plus, it is matching the soils map then it actually requires the 3 days of season testing.

Mr. Kosinski stated technically the board may have to grant relief if the soils observed in the logs are consistent as mapped in the survey and are listed as having moderate constraints.

Ms. Busch stated as a correction, this ordinance is talking only about groundwater and being moderate or severe, it says nothing about bedrock, so you are talking about groundwater here, not bedrock.

Chair Nugent stated that it actually annotates the necessity that the soils encountered match the map and as long as they do..

Ms. Busch stated in reference to groundwater though, because it says 'recognition of zones of saturation', so it is not necessarily moderate or severe for everything.

Chair Nugent stated that Ms. Busch had encountered soils that would dilute the boards concern and as long as she can testify that there is absolutely no evidence of any indication of regional zone of saturation at any level within that depth then all that needs to be done is to come back to this board asking for a waiver of the 3 day monitoring requirement and you have justification enough for the board to most likely grant that waiver.

Chair Nugent asked Ms. Busch if she were testifying that she encountered no evidence of regional zone of saturation at all in those soils testing ?

Ms. Busch stated yes, she is testifying that absolutely, positively there is no evidence of groundwater either perched or regional.

Chair Nugent stated that when Ms. Busch comes back before this board, she will have had to annotate a request for a waiver from that particular requirement of our ordinance. Does that make sense ?

Ms. Busch stated yes.

Chair Nugent asked if Ms. Busch was familiar with Table 4.3 of the ordinance giving distances from components, particularly the 100' setback from the well to the tank?

Ms. Busch stated that she did not have a copy of that table.

There was some discussion of the challenges sometimes presented in adhering to the 100' setback.

Ms. Busch stated that she would like to get a waiver from that because it is not right to put it that far away.

Ms. Butula stated that since they would be serving food to the public, they must prove to the board that there is 50' of casing on that well.

Chair Nugent stated at present, it does not comply with the ordinance on the setback of the tank, and if a waiver were requested, the proof of 50' casing would be the minimum information required.

Ms. Busch stated she would be requesting the waiver because it is just better engineering to do it that way.

Chair Nugent stated the setback distances are to protect the well. Another concern of this application, is a reference to there being a potential of 165 players going through this facility on a day to day basis. According to calculations of the state code, the effluent calculation using table 7.4b should be 5 gallons/person, and an additional 5 gallons/food service, regardless of the type of food service.

Mr. Kosinski stated that Ferriero Engr. had questioned that as well, under General Comment #3 of their 9/23/13 letter.

Ms. Busch stated that this is not a sit down place to stop, it is just a grab it and go place.

Chair Nugent stated that per the state code, there is no distinction between what type of food service it is. In the email from NJDEP, it references a commercial food service which ties into 7.4b which indicates that there should be an increase of 5 gallons per person per day in the effluent calculation.

Ms. Busch stated that the NJDEP email was provided to show that the NJDEP determined that they needed local approval, it in no way confirmed that there will be a commercial food service.

Ms. Muir stated that the email says there is going to be commercial food service, and read into the record "Also, because there is going to be commercial food service, a TWA is required in accordance with NJAC 7:9A-7.4(f)." That is what it says.

Ms. Busch stated that the reason she provided that email was so that the board would know that the state wanted this board to approve the application on a local basis first.

Ms. Rohrbach stated regardless of the reason the email was provided to the board, the board needs to acknowledge what the email says.

Ms. Busch stated that the information has changed. This will be submitted to the DEP eventually.

Ms. Rohrbach stated that since the board does not have the information that was submitted with it, we don't know what has changed.

Ms. Vaccarella excused herself @ 9:30 p.m.

Chair Nugent stated that food service is confirmed, not only anticipated and planned but present.

Ms. Rohrbach asked what happens in the interim if this is not an approved use?

Ms. Muir stated that it is an illegal business that does not have a permit and does not meet the ordinances of the township.

Chair Nugent stated that by virtue of our County representative being present earlier tonight, as well as our Committee person, it will be brought to the attention of the proper agencies. Continuing on with the application regarding the food service, on sheet 4 of 6, there is a reference to a 3 bedroom dwelling. Is this remaining as a 3 bedroom dwelling?

Ms. Busch stated no.

Chair Nugent asked that it would be razed or converted completely to a rest stop facility?

Ms. Busch stated yes.

Ms. Muir asked if any plans have been presented to the Planning Board for that change?

Mr. Willigan stated no.

Chair Nugent questioned the calculation for the number of gallons for the food service. Are the 5 employees for the food service, at a total calculation of 900 gallons/day? On sheet 5 on the right side under **Septic Tank Size** a reference to 900 gallons/day is indicated, how does that exceed 2,000 gallons/day?

Ms. Busch stated yes to the 5 employees, and as far as exceeding the 2,000 gallons/day, that is for the whole facility.

Chair Nugent stated that the note on sheet 3, #20. references the entire property exceeding 2,000 gallons does not apply only to the block and lot we are reviewing, that is for the whole facility.

Ms. Busch stated yes, that is right.

Mr. Kosinski stated that the word 'facility' rather than 'property' would clarify that.

Chair Nugent stated that the note needs to be clarified so that the entire facility is indicative of the golf course, name it specifically, and further clarify that it is the assumption that this block and lot is incorporated therein.

Ms. Butula stated that the reference to #6. 'Golf Course midway restroom stop' is incomplete, Ms. Busch needs to indicated the food service, and what happens to the house. There is more going on if there are 5 employees.

Mr. Willigan stated that of the 5 employees, 3 drive beverage carts that are stationed out of this building. There is someone that grills outside. It is not a sit down establishment, there aren't even tables and chairs. The food service is outside, 2 or 3 propane grills. There are no plates, glasses, forks and knives.

Ms. Muir asked if they will be using the refrigeration and water in the kitchen, and for what purpose?

Mr. Willigan stated that he doesn't have the answer as to how that operation works at that level of detail, he is a golf course supervisor, and can't answer that question

Ms. Butula stated that it was indicated that the house would be razed, but actually it will be repurposed, is that correct?

Mr. Willigan stated yes.

Ms. Muir asked if the house would be used for a residence in any way in addition to being a commercial food building?

Mr. Willigan stated no.

Chair Nugent stated going back to sheet 5, what does the septic tank calculations information on the left side of that sheet imply? There is a reference to installing 2 1500 gallon septic tanks in series.

Ms. Busch stated that that is a typo, it shouldn't be there.

Chair Nugent asked if Ms. Busch were saying that the whole calculations underlined area on the left hand side of sheet 5 inclusive of the daily flow of the total volume of 1125 and the therefore, are incorrect, and a pure copy error? Also, there is a reference to two septic tanks that should be corrected.

Ms. Busch stated the calculation area should be taken out, and also any reference to two tanks.

Ms. Butula stated when you are making revisions, put the soil permeability class rating, which soils samples they were from.

Ms. Rohrbach asked if the soils from where the proposed system is very different from the soils where the existing cesspool is?

Ms. Busch stated no, not very different, the upper horizon near the reserve areas was more of a clay loam and over where the existing bed is, is more of a loam. The existing system is old, it can't take any more water.

Mr. Colburn asked that due to the food service and grease trap, don't they have to come under a NJDPES permit anyway?

Mr. Kosinski stated that that was discussed previously it wasn't mentioned anywhere in the application.

Chair Nugent stated on sheet 5 top right hand, suggests installing an effluent filter that has a capacity of 800 gallons/day, correct? Isn't the capacity already at minimum 900?

Ms. Busch stated yes, it should be a 6" filter.

Chair Nugent stated going back to table 7.4b in state code 7:9A, his calculation suggests that you are now looking at 1650 gallons of effluent from the 165 players, along with the 75 gallons from 5 employees. With that in mind, aren't the 2 2-compartment tanks back in the picture.

Ms. Busch stated yes if you have the food service at 5 gallons/day.

Chair Nugent stated that since the state code doesn't make a distinction between a sit down establishment or not, as a result, the capacity has to take into account the fact that there is food service, and there doesn't seem to be any other way of interpreting it. Does Mr. Kosinski have any input on this?

Mr. Kosinski stated the only thing that the applicant can do is indicate on the WQMO6A form that it is not 100% compliant with NJAC 7:9A with regard to the volume calculation and the DEP may agree with the applicant in that regard that there is not a significant increase in flow from the type of food service that they are proposing.

Chair Nugent stated that we would have to have signed, sworn to testimony that indicates what the planned food service is in order to be able to refer it to the stated.

Mr. Kosinski stated yes, it would have to be reflected on the WQMO6A form.

Ms. Muir stated that just because they believe something doesn't mean that it is going to be, and this board may just put together the numbers that we've come up with, and there is a great possibility that this would be the usage and we would caution the DEP to approve anything that has numbers applied to it because we believe the calculation with the larger number is the one that is appropriate.

Mr. Kosinski stated that the DEP may reject it. This board has to grant consent.

Chair Nugent stated that it should be recognized that that is another aspect of this application that is not compliant with state code. If the applicant's desire is to pursue without the additional 5 gallons/golfer, then that is an additional waiver request that is required.

Ms. Butula said that it may not be approved by the state, or this board may vote to make some statement to accompany it.

Chair Nugent stated that as mentioned previously, the state code as interpreted by himself about a grease tank or trap could be construed to require or not require in this instance, however, the county would require it.

Mr. Kosinski stated that it has been their experience that even if there is no plate service, there is some wash up of utensils, etc., so typically you would see a grease trap incorporated into the plan. It is under the plumbing code, a suggestion would be to check with the county.

Chair Nugent stated it is between the house and the tank and doesn't fall under the 100' regulation.

Chair Nugent referred back to the DEP email and noted the circular reference of the order in which the applicant should proceed. Is the second part of that communication negating the applicants need to apply for a TWA first?

Ms. Muir stated that as Mr. Kosinski stated, in order to get a TWA, you have to have the local board's consent, that is the law.

Chair Nugent stated Mr. Kosinski is referencing this board's granting to an applicant the permission to go to the state and that is required because the state wants to know that the applicant has come before the local authorities and has addressed all the issues that the local authorities have considered.

Ms. Busch stated that the DEP told her they had never had an application like this and there were many emails back and forth for months before an answer was given.

Chair Nugent stated that he is struggling with understanding what communications occurred with the DEP and needing to separate is this or is it not part of the golf course and separately what is the effluent output of this proposal which sounds like part of what made this more complex is someone combined it with the golf course and it didn't need to be. The challenge this board has is trying to figure out what it can, should and is allowed to do in this situation.

Ms. Busch stated that the plan that this board gives consent to is the one that goes to the state. An overall view was provided to the state.

Chair Nugent stated if the board is to depend on the email DEP communication from Ron Bannister, then we need to know what surrounded this communication. That is the challenge.

Mr. Kosinski stated that this section of the code was added during the last amendments because the DEP recognizes that golf courses, hospitals and facilities such as that that incorporate food service are very tough to

nail down in terms of volume, so that is why the DEP requires a TWA for these types of facilities and took the responsibility away from the administrative authority.

Ms. Muir stated that is fine, but this piece of property is not part of the golf course.

Mr. Kosinski stated that is why Mr. Bannister indicates the two issues, over 2,000 gpd, and they are incorporating food service and the last round of code amendments indicated if this type of facility is a golf course incorporates food service then they (DEP) has to approve that design.

Ms. Butula stated that we can ask for a clarification from Mr. Bannister.

Chair Nugent stated he had covered all of the big issues, and there is a lot of work to be done and resubmitted to this board. Do any other board members have any concerns so that all of the issues can be cleared up at once?

Ms. Muir stated that state law does not allow the board to take cost into consideration, and she is not agreeing with Chair's statement, she is not trying to create additional cost, but she is not trying to minimize it either. In our considerations, we are not allowed to consider that.

Ms. Butula asked if Ms. Busch had walked the property in determining there are no wetlands or wetland areas? and how far away is Rockaway Creek? And regarding the well, this board will need verification of the 50' casing.

Ms. Busch stated yes, she had walked the property and Rockaway Creek is 1 mile away.

Mr. Colburn stated on the land survey, part of the property has golf course labeled on it, is that actually part of the golf course?

Ms. Busch stated there is a T, and part of it is a green.

Chair Nugent stated that this board is trying to understand what exactly has been submitted to us and this particular application is very confusing. In order for this board to do anything, it needs to understand what has been presented. If the application engineer can clear up as much of the confusion as possible, it will allow the board to possibly take action, and allow the engineer to service her client.

Chair Nugent asked if there were any concerns, thoughts, from anyone ?

There were no other concerns.

Chair Nugent asked if Mr. Kosinski had any thoughts?

Mr. Kosinski suggested checking with the Hunterdon County Health Dept. regarding the grease trap requirement, and the food service in terms of volume. The DEP will evaluate the volume regardless of what is proposed because this type of facility doesn't fall neatly into table 7.4.

Chair Nugent stated if it did fall under 7.4. that is compliant to the code and eliminates that as an issue.

Mr. Kosinski stated perhaps the golf course will have a representative at the next meeting to provide the details for the board.

Chair Nugent asked if there was anything else?

There was no comment.

Chair Nugent stated this concludes the hearing on Block 11/Lot 13, and thanked the engineer and Mr. Willigan for their time.

The following application was carried to the 12/18/13 Board of Health agenda.

6. Block 46/Lot 5.04 – Parker Engr., Meade, Route 523.

Escrow fees paid 8/21/13, ck.#3681, \$750.00.

F. ADJOURNMENT

A *MOTION* was made by Ms. Muir to adjourn at 10:30 pm, seconded by Ms. Rohrbach with a vote of Ayes all, Nays none recorded.

Respectfully submitted:

Lorraine Petzinger