

**READINGTON TOWNSHIP BOARD OF HEALTH**

**January 29, 2014**

**REORGANIZATION MEETING**

The Readington Township Board of Health meeting was called to order at 7:05 and announcement was made that all laws governing the Open Public Meetings Act have been met and that this meeting was duly advertised.

**Attendance Roll Call:**

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

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

**REORGANIZATION - The following members read the oath of office:**

Beatrice Muir	- for a term of one year. ( <i>deferred to the February 19, 2014 meeting.</i> )
William C. Nugent	- for a term of three years.
Wendy Sheay	- for a term of two years.

**NOMINATION OF CHAIRMAN, one year term.**

*Mr. Nugent asked for nominations for Chair of Readington Twp. Board of Health for the calendar year 2014.*

A motion was made by Ms. Butula, seconded by Mr. Colburn to nominate William C. Nugent for Chairman of Readington Township Board of Health for the calendar year 2014.

On roll call vote, the following was recorded:

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

*Chair Nugent thanked the board for their confidence and support.*

**NOMINATION OF VICE CHAIRMAN, one year term.**

*Chair Nugent asked for nominations for Vice Chair of Readington Twp. Board of Health for the year 2014.*

A motion was made by Ms. Albrecht, seconded by Ms. Rohrbach to nominate Jane Butula for Vice Chair of Readington Township Board of Health for the calendar year 2014.

On roll call vote, the following was recorded:

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

*Ms. Butula thanked the board for the nomination.*

**APPOINTMENT OF SECRETARY, one year term.**

A motion was made by Ms. Butula, seconded by Ms. Rohrbach to nominate the board's present secretary, Lorraine Petzinger as Secretary of Readington Township Board of Health for the calendar year 2014.

On roll call vote, the following was recorded:

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

*Ms. Petzinger thanked the board members for their appointment.*

**APPOINTMENT OF BOARD OF HEALTH ENGINEER - Resolution BH-R-2014-2.**

Ms. Butula nominated Ferriero Engineering Inc., Chester, NJ as the Readington Township Board of Health Engineer for 2014, according to Resolution BH-R-2014-2. This resolution was seconded by Mr. Colburn.

On roll call vote, the following was recorded:

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

**Resolution BH-R-2014-1. CONFIRMATION OF 2014 BOARD OF HEALTH MEETING DATES FOR THE THIRD WEDNESDAY OF EACH MONTH, BE IT FURTHER RESOLVED, THAT THE FOLLOWING MEETING DATES BE CONFIRMED FOR PUBLICATION:**

o January 29	o April 16	o July 16	o October 15
o February 19	o May 21	o August 20	o November 19
o March 19	o June 18	o September 17	o December 17

A motion was made by Mr. Colburn, seconded by Ms. Butula to approve the meeting dates as stated in Resolution

BH-R-2014-1 as read for Readington Township Board of Health for the calendar year 2014. On roll call vote, the following was recorded:

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

#### **A. APPROVAL OF THE MINUTES**

##### **1. Minutes of 12/18/13. (- Rohrbach, Sheay vote).**

A **MOTION** was made by Ms. Butula to approve the minutes. The motion was seconded by Mr. Colburn.

Ms. Butula asked if all of the follow up material from the applicant engineers had been received ?

Ms. Petzinger stated yes, from RBZ Engineering, Block 44/Lot 36; nothing had been submitted from Biggs Engineering, Block 70/Lot 31.37.

Ms. Butula asked that this be included under Old Business.

On roll call vote, the following was recorded for approval of the 12/18/13 minutes:

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

#### **B. CORRESPONDENCE**

##### **1. Block 43/Lot 4 – Letter dated 12/6/12 – NJDEP – Termination of MOA.**

##### **2. Block 43/Lot 4 – Letter dated 12/14 – NJDEP no further action.**

*Chair Nugent noted both NJDEP reports for the same property.*

##### **3. Suspected Hazardous Discharge Notification letter dated 12/19/12 regarding oil heating 2.**

##### **4. Suspected Hazardous Discharge Notification letter dated 12/31/12 regarding oil heating 2.**

##### **5. Suspected Hazardous Discharge Notification letter dated 12/17/12 regarding oil heating 2.**

##### **6. T & M Assoc. letter dated 12/20/13 re: Application to NJDEP for improvements to County Road 637 (Readington Road).**

##### **7. NJLBHA – letter dated 12/23/13, ballot for 2014 – 2016 term.**

##### **8. NALBOH – President’s Report – 1/9/14. (emailed w/link to full report).**

*Ms. Butula noted the financial difficulties increasing are troubling because this is an important organization that does wonderful work. Chair Nugent stated that this is a very informative organization, and this board has gleaned valuable information from the materials provided.*

#### **C. OLD BUSINESS**

##### **1. Follow up material not received from Biggs Engineering for Block 70/Lot 31.37.**

*Ms. Butula stated that she would like to remediate this with a letter and phone call if necessary.*

*Ms. Petzinger stated that she had contacted them with a reminder, and would contact the engineer again.*

##### **2. Block 12.01/Lots 14, 15.**

*Chair Nugent thanked Mr. Kosinski for their review and confirmation that the soils testing although done in 2003-2004 is still valid; and thanked Ms. Petzinger for putting together all of the background data.*

#### **D. NEW BUSINESS**

##### **1. Free Rabies Clinic, RESCHEDULED DATE: Saturday, 2/1/14, 10 a.m. – 12 noon, Readington Twp. Recycling Garage, 287 Mountain Road. [www.co.hunterdon.nj.us/health/rabiesclinics.htm](http://www.co.hunterdon.nj.us/health/rabiesclinics.htm)**

*Ms. Petzinger stated that this clinic was rescheduled from 1/4/14, it will be held at the Recycling Garage on Mountain Road.*

#### **E. APPROVALS**

*Time heard: 7:30 p.m.*

##### **3. Block 46/Lot 5.04 – Parker Engr., Meade, 618 Route 523.**

Escrow fees paid 8/21/13, ck.#3681, \$750.0 Data mailed with November 2014 approval packet.

Previously heard 12/18/13.

Mr. Richard Meade, homeowner appeared before the board. Mr. Steve Parker was unable to attend this meeting. Mr. Meade stated that they were here, heard testimony and reviewed the facts last month. The board wanted to consider the issue and there was extensive conversation about the various points that were relevant including

some that were approved in 2001. The delay has been very frustrating because they are anxious to get construction started at the house. It seemed that the issues and facts had been discussed last time. If the board feels that there is enough information, perhaps there is a way that it could move on.

Chair Nugent stated that the approach that the engineer has taken with this application was very unique and was completely misunderstood by everyone including the board engineering firm in the way it was presented. The board was able to work through most of that at the last meeting, but it did require a substantial amount of correspondence to fully clear things up. There are still some outstanding questions that this board is obligated to make sure that the applicants engineer testifies to on the record. Unfortunately that is where this application stands, and Chair sympathizes with the situation.

Ms. Vaccarella that this application was heard in 2005, was the reserve area testing done as part of that application?

Mr. Kosinski stated no, the 2005 application was for an alteration to a malfunctioning system.

Ms. Butula confirmed that that was not part of the homeowners repair or alteration.

Ms. Vaccarella stated that at that time, the application was for the 3 bedroom house, and the chiropractic practice that was there. There was no information in the file that any application had been made for the chiropractic practice.

Chair Nugent stated that the board had discussed some of these issues in December, as a board we appreciate the fact that the homeowner is looking to comply with its use and size, as a result of increasing the number of bedrooms.

Because of the alteration with expansion it is also introducing the necessity of the reserve area.

Ms. Butula stated that this board had no knowledge of the previous use.

Ms. Vaccarella stated that perhaps the board could make the applicant aware of the questions, so that they do not have to wait another month to answer the questions.

Mr. Meade stated he would appreciate that.

Ms. Butula stated that she has one remaining question, referring to the letter of January 7, 2014 from Ferriero Engineering. It was established for the primary that they would be using soil log 1, pit bail 1, soil log 2, soil log 0210-1 and 0210-2, then for the permeability they would use pit bail 1. In the original motion they approved and incorporated the soil log connected to it pit bail 0210-1. That is not on the approval list, how could they exclude that pit bail when they are using the soil log and that that pit bail was in the original motion in 2005?

Mr. Kosinski stated in the correspondence dated January 7, 2014, that log is described on pg. 2, SL 0201-1: #7. Passing pit-bail test PB0210-1 was conducted at 112" in the log.

Ms. Butula stated the K was 12.2"/hour, at 112"; the other one is at 117" and is 6.1, does that have any relationship, the difference in the permeabilities in this situation?

Mr. Kosinski stated that it suggests that the fracture sizing may have been different between the two logs. In fractured rock or unconsolidated sediments, soils in NJ are both inisotropic and heterogenous in that they would have similar permeabilities vertically or laterally. Identified is zone of saturation, ground water table and suitable soils because permeability was recorded in both tests, it is a function of the fractures basing in 2 different locations. This would not affect the design which is based on the permeability of the select fill.

Chair Nugent stated to reiterate for the applicant and engineer, the engineer needs to testify regarding the difference between the permeability tests of SL1/PB1 and SL0210-1/PB0210-1, and what does that do to the resultant bed, changes to the bed and the difference to the viability of those two areas.

Chair Nugent stated the other thing the applicant engineer needs to confirm is that the soil logs and permeability tests for the primary disposal area and for the reserve disposal area being proposed and designed are exactly what has been annotated in Ferriero Engr. 1/7/14 letter.

Chair Nugent stated that the engineer was very creative in trying to minimize the number of holes and tests that he had to perform, he was reusing some older tests. There was nothing that helped this board of the board engineering firm to understand what the goal and objective was. At the last meeting a lot of ideas were discussed and 2 new versions of the board engineer's report was submitted in order that the board understood exactly what was being proposed by the applicant engineer.

Mr. Meade asked if that was needed as actual testimony, or could it be submitted by letter?

Chair Nugent stated it would be given as testimony at a meeting.

Mr. Meade stated that he is very concerned that there may be a time constraint if additional testing should be required.

Ms. Vaccarella stated as a follow up, the 8 weeks of monitoring done in 2013 is not being questioned.

Chair Nugent stated no, he hasn't heard any board member voice concern.

Ms. Butula stated that the board engineer has assured the board that there is no problem with that.

Chair Nugent stated that noticing has been done for this application, and is carried to the 2/19/14 meeting.

*Time heard: 7:45 p.m.*

**1. Block 66/Lot 9 – Fine Engr., Tscherwinski, 126 Cole Road.**

Escrow fees paid 12/20/13, ck.#213, \$750.00.

Mr. Doug Fine, NJ licensed engineer appeared before the board. This is a real estate transaction, an existing home. The existing system is original to the home and was found unsatisfactory by an inspection company. This is an alteration to an existing malfunctioning system, no expansion. The lot is 2 ¾ acres and is bisected by a stream, leaving less than an acre to work with. A wetlands investigation and report by Jeff Tariela indicates a 50' buffer with the wetlands ditch. 2 soil logs and a basin flooding test were done, the basin flood was in soil log 1, the accompanying log within the disposal bed is soil log 4, exhibiting very good permeability. The proposed field requires the use of a pump tank and associated deed notice, which the current homeowner is aware of. No contact has been made with the prospective owners. This information will be passed on to the attorney. The proposed is a pressure dosed distribution field 100' from the well. The design complies with state code, although not with Readington Twp. They are asking for relief from the 10 ½' from the property line and 70' from the ditch. Readington Twp. requirement is 15' from the ditch, the 10' is State requirement. There was some discussion of the grading of the system.

Chair Nugent noted that there would be a bit of a bump about 12" higher than before which will be about 10' from the edge of the property line.

Mr. Fine stated that the other waiver needed would be the distance to a watercourse of 100', the State code is 50'. They are maintaining 70' out of necessity, which is an addition of 10' from the old lateral to the creek. Additional testing was performed uphill but the soils were not acceptable.

There was some discussion of runoff onto Lot 9.01. Mr. Fine stated that it would be negligible, it shouldn't be increased.

Mr. Fine stated that the existing tank is original to the house, not watertight, may be handmade, is inadequate and is approximately 70' from the creek, the new tanks proposed are 61 and 62'. They are monolithic concrete tanks that will be water tightness tested once they are set in place. They will be certified to be water tight and not leaking. Chair Nugent asked if there had been any consideration of placing the proposed system on the other side of the creek in order to avoid these waivers?

Mr. Fine stated that avoiding these waivers would require other waivers, such as getting equipment and trucks across the creek would not be easy, in addition to applying for stream encroachment permits as well as piping in addition to applying to the State. The existing structures negate the feasibility of it.

Mr. Kosinski stated that a GP25 or a wetland permit would be required from NJDEP to cross the stream. It looks like all the soil types are the same, without testing in that area there is no guarantee that there would be better soils there. There are disadvantages to doing that.

Chair Nugent asked Mr. Fine to clarify the width of the stream and whether or not he observed water in it ?

Mr. Fine stated there is water in it that appears to increase in flow during heavy rain and runoff, it is about 5' wide.

Mr. Derosssett, Block 66/Lot 8, 124 Cole Road addressed the board. The stream starts in his woods, of 16 acres, in the middle of the summer it is sometimes completely dry. It runs heavily during storms, but normally is just a trickle. The maximum width was about 10' during a storm.

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

There were no further comments.

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

Block: 66 Lot: 9

Street location: 126 Cole Road

# of Bedrooms: 4

Name of owner: Alexander Tscherwinski

Map Title: Septic System Alteration Design Block 66, Lot 9 in the Township of Readington, County of Hunterdon State of New Jersey for Alexander Tscherwinski, 126 Cole Road, Flemington NJ 08822

# Pages(map): 1 - 12

Map Date: 11/30/13

Map Revisions: 12/16/13 – per HCHD review

Prepared By: Douglas E. Fine, P.E.

Survey(s): Boundary : Salvatore Miklowcic, L.S. 10

Report(s): Hunterdon County Dept. of Public Safety Div. of Public Health Svcs., 12/20/13, 12/12/13, wetlands investigation by Jeff Tariela, 11/4/13 stating no wetlands or state open waters within 50' of proposed septic area.

Proposed System Specifications: Proposed alteration with no expansion, installation of a 1300 gallon 2-compartment septic tank, soil replacement, fill enclosed disposal field, effluent distribution pressure dosed, 1250 gallon pump tank, deed restriction to be filed with the county clerk and a copy returned to the Board secretary within 90 days of installation, effluent filter.

Soil testing results: 10/8/13, Soil log 1, @ 120", no mottling, no seepage. Soil log 4, 10/9/13, @ 108", no mottling, no seepage. Zone of saturation @ 108". Permeability basin flood, BF 1, soil log 1, 10/8/13 – 10/9/13, @ 86" results positive. 4 setback distance waivers are granted from Readington Twp. ordinances, all are in compliance with the State Code. 1) disposal bed 10.5' from property line. 2) Septic tank distance 61' from stream. 3) Pump tank 62' from stream. 4) Disposal bed 70' from stream.  
The information regarding the deed restriction will be forwarded to the sellers attorney to be forwarded to the prospective homeowner.

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

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

Mr. Fine thanked the board.

*Time heard: 8:40 p.m.*

**2. Block 67/Lot 19.10 – Fine Engr., Kelly, 14 Shepherds Lane.**

Escrow fees paid 12/30/13, ck.#116, \$750.00.

Mr. Doug Fine, NJ licensed engineer appeared before the board. This is an existing 5 bedroom house, the pre-existing septic system was inspected by another company, failing the hydraulic load test. There are only 2 occupants in this large home, and the proposed new owners will fully utilizing the dwelling, therefore, a different usage pattern on the septic system. The test did not pass, was redone by Fine Engineering with the same results. There was some discussion of whether or not the person/firm doing the hydraulic load test must be a licensed engineer.

Ms. Butula asked if the prospective new owners are aware of the testing, the pump system, deed restriction and the effluent filter?

Mr. Fine stated yes, they are currently Readington Township residents, going from sewer to septic.

There was some discussion of a typo in the County letter, the address reads 116 Readington Road, but should read 14 Shepherds Lane.

Mr. Fine stated that a new system is proposed, correctly sized for the house. Two soil logs were performed, both exhibited similar soil conditions. Within soil log 1, a basin flooding test was performed at 8' with positive results. The system has a pump, going from the existing septic tank which was upgraded with a monolithic tank requiring a repair permit a few years ago. The water tightness will be tested and effluent filter will be added. It will be piped to a proposed 1500 gallon dosing tank, from there they will pump around the above ground pool and deck to the proposed soil replacement bottom lined pressure distribution disposal field. Regarding Note 24., pg. 8, no off-site wells within 100' and no off-site disposal fields within 50' of the proposed system. They are not in close proximity to any neighbors. Mr. Fine walked the site to determine that there are no wetlands.

Chair Nugent asked about the bed shape vs. the gradient lines, it seems to be squared off to the property lines.

Mr. Fine stated the gradient is very flat, the alignment is pretty close. They are keeping the proximity of the disposal field to the pool in mind, that 24' shown and the 30' to the property line, and so that they don't have to remove trees. There was some discussion of the topographical map, and the data source.

Chair Nugent asked if the old bed was annotated on the map.

Mr. Fine stated it is not indicated on the map, there is a small disposal field, following the orientation of the existing tank, out the center, it continues in a straight line towards the property line, there is a disposal field on that side. It sits between the note on the map " 4" sch 40 pvc connecting line" and the note that says "proposed 1500 gallon.." There is an existing approximate 22' x 40' disposal bed that sits in there.

Chair Nugent asked if the maintenance of the effluent filter had been discussed with the prospective homeowners.

Mr. Fine stated yes, they are aware of 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: 67 Lot: 19.10

Street location: 14 Shepherds Lane

# of Bedrooms: 5

Name of owner: Christine & Michael Kelly

Map Title: Septic System Alteration Design Block 67, Lot 19.10 in the Township of Readington, County of Hunterdon State of New Jersey for Michael & Christine Kelly, 14 Shepherds Lane, Whitehouse Station, NJ, 08889

# Pages(map): 1 - 12

Map Date: 12/23/13

Map Revisions: none

Prepared By: Douglas E. Fine, P.E.

Survey(s): Boundary and Topographical : Salvatore Miklowcic, L.S. 12/14/13

Report(s): Hunterdon County Dept. of Public Safety Div. of Public Health Svcs., 1/10/14, correction on the address from 116 Readington Rd. to 14 Shepherds Lane.

Proposed System Specifications: Proposed alteration with no expansion, soil replacement, bottom lined, utilizing the existing single compartment tank, effluent filter, pump system

Soil testing results: 12/5/13, Soil log 1, @ 127", no mottling, no seepage, no groundwater. Soil log 2, @ 124 mottling 83" and below, no seepage, no groundwater. Permeability basin flood, BF 1, 12/5/13, @ 96" results passing. Regional water is determined by soil log 2 @ 83". Testimony from the engineer on pg. 8, #24. ', no off-site wells within 100' and no off-site disposal fields within 50' of the proposed system. Mr. Fine walked the site to determine that there are no wetlands or wetland transition areas. The purchasers of the property are aware of the deed restriction filing and a copy returned to the board secretary within 90 days, and maintenance and the care of the effluent filter.

The board is requesting that Mr. Fine correct the map to include the existing disposal field, and provide the board with a corrected copy within 5 business days.

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

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

Mr. Fine thanked the board.

## F. ADJOURNMENT

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

Respectfully submitted:

Lorraine Petzinger