

READINGTON TOWNSHIP BOARD OF HEALTH

December 16, 2015 7:00 p.m.

Readington Township Municipal Building

Municipal Courtroom - Room # 100

509 County Road 523, Whitehouse Station, NJ 08889

Chair Robert Colburn called the meeting to order at 7:07 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	John Kalinich	present	Tanya Rohrbach	present
Jane Butula	present	Beatrice Muir	present	Wendy Sheay	absent
Robert Colburn	present	William C. Nugent	present		

Also in attendance: Board of Health Engineer, Ferriero Engineering representative Joe Kosinski

Not in attendance: Hunterdon County Division of Public Health

RESOLUTION BH-R-2015-04 Acknowledge James P. Chalupa for 20 years of service.

Mr. Nugent read the following RESOLUTION BH-R-2015-04 into the record:

Readington Township Board of Health

Resolution BH-R-2015-04

WHEREAS Pursuant to N.J.A.C. 7:9A, the Readington Township Board of Health (RTBOH) is the Administrative Authority in this matter, and

WHEREAS Pursuant to N.J.A.C. 7:9A-3.1 Ordinances, (a) the Readington Township Board of Health has adopted this chapter by reference as allowed by N.J.S.A. 26:3-69 to 69.6, and

WHEREAS Pursuant to N.J.A.C 7:9A-3.1 Ordinances, (b) For the purpose of this chapter, the term "special ordinance" means any ordinance which differs in any detail from this chapter, and

WHEREAS Pursuant to N.J.A.C 7:9A-3.1 Ordinances, (c) The administrative authority shall not adopt an ordinance which is less stringent than this chapter, and

WHEREAS the Readington Township Board of Health has adopted numerous Special Ordinances which have set requirements for the location, design, construction, alteration or use of individual subsurface sewage disposal systems which differ from and are far more stringent than the requirements of 7:9A, and

WHEREAS Pursuant to N.J.A.C. 7:9A-3.6 Witnessing of soil evaluation and testing, (a) The administrative authority or its authorized agent shall witness the excavation of soil profile pits and borings, in-situ permeability testing or soil sample collection and any other site evaluation procedure relied upon in the design or location of the system, and

WHEREAS Readington Township hired Jim Chalupa 19 years ago in 1996 as the Board of Health's Authorized Agent/Witness, and

WHEREAS Jim Chalupa has earned the trust and respect of 19 different Readington Township Boards of Health and numerous engineers and excavators, and

WHEREAS Jim Chalupa has represented the Readington Township Board of Health and its numerous Ordinances far beyond expectations, often having to teach others about the Ordinances, and has set the standard by which all others are compared, and

WHEREAS Jim Chalupa has trained numerous Board members and witnesses including Ernie Scales, Pete Enea, Joe Bartzak, and Steve Bartzak, and

WHEREAS Jim Chalupa has worked with a plethora of engineers including: Greg Barkley, Theodore Bayer, Erica Busch, James Frace, Douglas Fine, Kurt Hoffman, Bill Jupinka, John Kearney, James Mantz, Stephen Parker, Eric Raes, Stephen Risse, Vincent Ruggiero, John Sullivan, Jess Symonds, Robert Templin, Charles Tiedeman, Gregg Yannaccone, and

WHEREAS Jim Chalupa has witnessed in/around 1,200 applications over his 19 years of service (50-75 applications each year for 19 years), and

WHEREAS Jim Chalupa has participated in digging soil logs to an aggregate depth roughly equivalent to the height of Mount Everest, and

WHEREAS Jim Chalupa has participated in pumping well over half a billion gallons of water roughly equivalent to 5% of the Spruce Run Reservoir or 1% of the Round Valley Reservoir, and

WHEREAS Jim Chalupa has advised the Readington Township Board of Health he is retiring, and

WHEREAS The Readington Township Board of Health wishes Jim Chalupa their best in his retirement, and

WHEREAS The Readington Township Board of Health wishes to honor Jim Chalupa for his years of service, and **NOW THEREFORE BE IT RESOLVED** by the Readington Township Board of Health, that a plaque be ordered and presented to Jim Chalupa at its regularly scheduled meeting or shortly thereafter, and, **BE IT FURTHER RESOLVED** by the RTBOH that this resolution shall take effect immediately.

A motion was made by Ms. Muir to approve and pass this resolution.

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

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

Mr. Chalupa thanked the board. He stated that he would also like to thank the engineers he has worked with over the years, although there may have been some differences, they were able to work together and complete each job. Mr. Chalupa stated that over the years he has been pleased to see the board work diligently to establish consistent guidelines for soil testing and disposal systems. Finally, Mr. Chalupa stated he would like to thank the Board secretary, Lorraine Petzinger, who kept everything running smoothly, scheduling, collecting fees and applications, and moving this mountain of paperwork through her office and distributing it to the board.

Ms. Butula stated that it has been wonderfully reassuring to have someone that the board could trust emphatically as the eyes and ears of the board out in the field.

Mr. Nugent presented Mr. Chalupa with a plaque to commemorate his 20 years of service.

Mr. Chalupa thanked the board.

A. APPROVAL OF THE MINUTES

1. Minutes of 10/21/15. (- Muir, Sheay vote).

A motion was made by Ms. Butula for approval of the 10/21/15 minutes as corrected.

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

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

B. CORRESPONDENCE

1. NALBOH – newsletter.

A Motion was made by Mr. Nugent to renew the board's membership to NALBOH.

The motion was seconded by Ms. Butula, and passed with a vote of ayes all, nays, none.

2. HC LINCS – dated 11/15/15 Info: Healthcare and Public Health Sector Preparedness Briefing.

3. HC LINCS – dated 10/20/15 Update: Holding Periods for Impounded/Surrendered Animals in licensed pounds and shelters.

4. HC LINCS – dated 11/12/15 Info: Division of Health Report – November 2015.

Ms. Butula complimented Karen DeMarco on maintaining their level of reporting.

5. HC LINCS – dated 11/19/15 Update: Reporting Rabies Post-Exposure Prophylaxis.

6. HC LINCS – dated 12/1/15 Update: NJ VFC Response to Pentacel Allocation.

7. Suspected Hazardous Discharge Notification letter dated 10/15//15 regarding oil heating 2.

8. Suspected Hazardous Discharge Notification letter dated 10/24/15 regarding oil heating 2.

9. Suspected Hazardous Discharge Notification letter dated 11/20/15//15 regarding oil transformer UNK PCB.

10. Suspected Hazardous Discharge Notification letter dated 11/21/15 regarding oil motor.

11. Block 21.21/Lot 46 – NJDEP - No Further Action Letter.

12. Block 69/Lot 13.20 – NJDEP - No Further Action Letter.

13. Request for NJDED Freshwater Wetlands Gen.Permit #1 and Flood Hazard Area Individual Permit:

(copy of application on file @ BOH office)

Property at:

Readington # R-170: Locust Road over Pleasant Run

Tewksbury #T-28: McCan Mill Road over Hollow Brook

Readington # R-168: Barley Sheaf Road over Pleasant Run

Tewksbury # T-38: Homestead Rd over Hollow Brook

Readington # R-24: Mill Road over Rockaway Creek

Readington # R-75: Ridge Road over Chambers Brook

14. **Block 51.02/Lot 38 – LOI application.** *(copy of application on file @ BOH office)*
15. **Block 9/Lot 21 – SUI renewal** – dated 11/2/15. *(copy of application on file @ BOH office)*
16. **Block 21.13/Lot 8 – Quest Env.-** letter dated 11/6/15 re: potable well sampling.
Ms. Butula stated that there had been previous discussion on this and it is good to see the follow-up.

C. OLD BUSINESS

1. Soil Witness – Ferriero Engineering.

Ms. Petzinger stated for the record that soil witnessing will be done by Ferriero Engineering. The witness position will be included in their 2016 contract with their professionals. Engineers wishing to schedule witnessing should still contact the Board of Health office first with their application and fees. The witness position will continue to be advertised. There was some discussion regarding the fees involved.

2. **Block 9/Lot 12–** *(10/21/15 agenda item B.3.)* **Letter dated 9/23/15** – NJDEP classification exception area. *Open Space Map available on Township Website under “Parks, Recreation & Open Space”:*
www.readingtontwp.org/FARMLAND_AND_OPEN%20SPACE-map.pdf

Noted.

3. **Block 14/lot 29.02** – *(10/21/15 agenda item B.1.)* – **Letter dated 9/15/15.** NJDEP proposed amendment to upper Raritan Water Quality Mgmt. Plan.

Noted.

D. NEW BUSINESS

1. **Rabies Clinic – Saturday, February 6, 2016, 10:00 a.m. – 12:00 noon, @ RT Recycling Garage, 287 Mountain Road, Whitehouse Station.** www.co.hunterdon.nj.us/health/rabiesclinics.htm

Ms. Petzinger stated that the clinic will be held as stated due to the recycling garage schedule. The dog licensing official is aware of the date.

E. APPROVALS

Alteration/No Expansion:

Time heard 7:40 pm

1. **Block 14/Lot 43 – Charles Tiedeman, Lentine, 21 Clark Lane.**

Escrow fees paid 12/1/15, ck.#0000, \$750.00

Mr. Charles Tiedeman, NJ licensed engineer appeared before the board. This application is a septic system alteration for Mr. Lentine at Block 14/Lot 43, an existing 4 bedroom home. The existing system is a converted cesspool with 1 lateral. Permeability was found with a basin flood, 2 soil logs were found to be suitable with no mottling. The proposed design is for a gravity system with 100’ distance from the well. There are no variances from either Readington Twp., or State code.

Mr. Nugent asked why the excess distance beyond the 100’ well circle, and are there proposed cleanouts in that line?

Mr. Tiedeman stated that the distance is for accessibility, and the cleanouts were not shown on the plan, but the standard 75’ distance is planned.

Ms. Butula asked if the engineer has inspected for wetlands and transition areas?

Mr. Tiedeman stated yes, he walked the property and as indicated on the map, the wetlands in the corner at 210’ separation distance was shown on the NJDEP Geoweb map. There was no vegetation or indication that there are wetlands.

Mr. Tiedeman stated that he has discussed with his client the fact that the effluent filter will require regular inspections and maintenance. The proposed filter is a 4” Polylok PL-68.

There was some discussion of the frequency of maintenance of the filter. The homeowner should be advised that the first maintenance occurrence should be sooner than 3 years in order to establish the timespan for this particular homeowner.

There was some discussion of the street name correction on the documentation.

Chair Colburn noted that the clean outs should be included on the building sewer drawings on sheet 2, also the frequency of maintenance, and a revised copy returned to the BOH office.

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

Block: 14 Lot: 43

Street location: 21 Clark Lane # of Bedrooms: 4

Name of owner: John Lentine

Map Title: Septic System Alteration Block 14, Lot 43, Readington Township, Hunterdon Co.NJ. ,

Pages(map): 1 - 6

Map Date: 7/8/15 Map Revisions: 8/13/15, 10/2/15; HCHD letter dated 11/9/15

Prepared By: C. F. Tiedeman, P.E.

Survey(s): Boundary: Frank Bohren, 5/1968 Topographical: C. F. Tiedeman, P.E.

Report(s): Hunterdon County Dept. of Public Safety Div. of Public Health Svcs., 11/9/15 .

Proposed System Specifications: Proposed alteration with no expansion, mounded soil replacement gravity flow 1,000 gallon new single compartment tank with effluent filter.

Soil testing results: 5/26/15, Soil log 1, @ 108", no mottling , no groundwater. Soil log 2, @ 98", no mottling , no groundwater. Permeability was BF1, 5/26 – 28/2015, @ 76.8", passing. There is no regional water, the depth is determined by the depth of excavation of the permeability test @ 76.8".

Wetlands testimony by the engineer states that the entire boundaries were walked, 210' from the proposed system there are wetlands according to the DEP Geomap, which is an acceptable distance.

Testimony was given that the present and future homeowners were advised of the maintenance of the effluent filter. Three corrections were requested on page 2, the engineer should return these to the BOH secretary within 5 business days: the cleanout in the line; scale added to map; frequency of maintenance. Also, the correct street address on all documents should be provided.

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

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

Time heard 8:00 pm

2. Block 39/Lot 49.01 – Parker Engineering, Miccio, 8 Chambersbrook Road.

Escrow fees paid 12/0/15, ck.#1037, \$750.00

Mr. Stephen Parker, NJ licensed engineer appeared before the board. This application is for a septic system alteration for a malfunctioning system, the inspection was the result of a home sale. They were not able to locate an area with acceptable permeability so they are proposing an advanced treatment unit with a coco filter the system is mounded and includes a pump. There is no expansion proposed. Approval is requested for the system and the pump, including the waivers for the lack of acceptable permeability on the property. Mr. Parker read into the record the County Health Dept. letter dated 12/10/15 outlining the waivers .

Mr. Parker stated that the coco filter was the best option. This system will require a pump.

Ms. Muir asked if this system has been approved by the State?

Mr. Parker stated yes, it is certified by NSF.

There was some discussion as to whether or not the State maintains a list of alternative systems.

Mr. Nugent asked if the coco material is equivalent to peat moss?

Mr. Parker stated that it works the same way. The test results for the certification process were similar if not better than peat moss, the coco mat actually lasts longer than peat. This company is actually Ecoflo, one of the peat moss providers, they actually don't use peat at all anymore.

Ms. Butula asked if there were a wetlands report for the property?

Mr. Parker stated that he had walked the property and there were no wetlands or wetland areas on the property.

Ms. Butula asked if there were any other areas on the property tested for permeability?

Mr. Parker stated yes, there were some tested that were not recorded. The ones recorded were the best, there was just no area on the property which was suitable. The homeowner asked that the front yard not be dug up since it would be a mounded system.

There was some discussion of the number of waivers/variances required.

Mr. Nugent noted that there was no passing permeability test on this property, which would require a tank that is pumped on a regular basis. If the water doesn't go anywhere, it doesn't matter if it is a peat moss or coco system. Mr. Parker stated that the State discourages using holding tanks for wastewater. There is a system there now which failed a home inspection, there is no effluent surfacing or backing up into the house, so the water is going somewhere it just doesn't meet today's standards. What they are proposing is better than a holding tank as a permanent solution. Mr. Nugent stated that the basin flood was performed at a depth of 60", which is the zone of disposal. It dropped a total of 2" in 24 hours, which is probably 50 – 60 gallons at best, so where will the water go, since 50 gallons/day could easily be reached with regular use?

Mr. Parker stated there is no passing permeability test out there, he cannot guarantee that it will work, but it will be an improvement over what is there now.

Ms. Albrecht asked how it is currently failing ?

Mr. Parker stated from a lay perspective you would say it is not failing. There is no breakout on the ground, and it doesn't backup into the house.

Mr. Kosinski stated that the new code designates this system as being non-compliant since there is mottling recorded at 24", there is no zone of treatment for the current system.

Ms. Butula asked why this proposed system should be approved when it hasn't been proven to be an improvement over what is there now?

Mr. Nugent stated that he did not see it as an improvement, because the system there now is not breaking out to the surface. Has anyone done a soil boring X number of feet from the existing disposal area and evaluated the quality of the effluent that has gotten that far?

Mr. Parker stated no.

Mr. Nugent stated for all intents and purposes the existing septic system is working, water is dissipating. By contrast, the permeability test, the basin flood indicates that that water will go nowhere, which means that even if the Ecoflo coco system is installed on top of the ground, the water is not going to go anywhere.

Mr. Parker asked what he should recommend to his client, if there is not permeability out there, this is the best solution for his client.

Mr. Nugent stated since testing was not performed in front of the home, we don't know if permeability exists on the property.

Mr. Parker stated if that is what the board requires, they can do that.

Mr. Nugent stated that in observation, the proposed disposal bed location is further down gradient than the existing system, so by logical conclusion, if the existing system is not breaking out to the surface then moving further up gradient is likely going to get even better.

Mr. Parker stated that he did not follow that conclusion.

Mr. Nugent stated that the front yard has not been tested, so every area on the property has not been exhausted.

Mr. Parker stated that the system he is proposing is a higher level of treatment than what is there.

There was some discussion by the board of options, including testing in the front of the house, the side of the house, closer to the existing well than the 100' setback. More testing is required to find permeability.

Mr. Parker stated that he suspects the existing system is relatively shallow, about 30" deep, which was typical of that era, which is a relatively shallow system. Based upon the soils in the area, it worked ok for awhile, then because of the heavy clay soil, it just stopped working.

Mr. Nugent asked if permeability was non-existent, why wouldn't the proposed design at least have met the square foot per gallon per day requirement of 1.61? Why would the bed size have been reduced?

Mr. Parker stated that the State has determined that with the advanced treatment unit you can reduce the size of the field.

Mr. Nugent stated that that is a presumption that the treatment aspect of that bed is not required because the pre-treatment unit performs that action, but you have no permeability which requires a greater surface area in order to stand any chance of that water dissipating.

Mr. Parker stated that it was designed 25% bigger than what the State code requires, but is still sized according to the Readington code.

Ms. Butula stated that she did not understand why he did that.

Mr. Nugent stated that other applicants have come before the board with low permeability that have increased beyond the code requirement.

Mr. Parker stated that the State has determined though that the 1.233 is an appropriate number with the advanced treatment.

Mr. Nugent stated that the States reduction allowance is with regular permeability.

Mr. Parker stated that is why they overdesigned it by 25%.

Mr. Nugent stated that it is his opinion that the application cannot be approved tonight, more testing should be done, the bedsize has to meet township requirements, it cannot be reduced, and based on the results of permeability, should be increased. This board is being asked to rubber stamp something that cannot work, that the engineer has testified that he cannot be absolutely sure will work.

Ms. Butula stated that she felt the application is premature, further testing has to be done, a variance for downsizing was never an option.

There was some discussion of a certification from the company. The board is looking for the following:

- Letter or document from the company stating that this is NSF certified.
- Letter stating that the installer is certified.
- Copy or example of the maintenance contract.
- Notification of neighbors within 200'.

Mr. Parker stated that the County letter indicates that a waiver is required for the Township ordinance requirement of the zone of treatment to be 48" not being met. Is that waiver that the board would grant?

Mr. Nugent stated that he would recommend that a reduction to the zone of treatment or disposal be granted.

Ms. Butula stated that these conditions would seem to require maximum treatment.

Mr. Kosinski stated that the treatment is contained within the peat itself, the disposal is the deficiency here. It is designed to treat 750 gallons/day. A 3 bedroom dwelling only generates 500 gallons/day.

There was some discussion that in absence of permeability, an overdesign of the system should be considered, the maximum expansion horizontally.

Mr. Parker asked the board if they had covered everything required?

Chair Colburn stated that the drawing of the pump unit wasn't clear.

Mr. Parker stated that that was due to the amount of detail, which would be clarified in the revisions.

Time heard 9:00 pm

3. Block 11/Lot 9.01 – Kurt Hoffman, Vrabel, 39 Cedar Road.

Escrow fees paid 12/9/15, ck.#7239, \$750.00

Mr. Kurt Hoffman NJ licensed engineer appeared before the board. This proposed system is for an existing 4 bedroom home which is a rental with the intent of a real estate transaction. The septic system is being upgraded due to past issues. Soil logs, testing and the design were done as a result. Soil logs 1 and 2 with a basin flood in soil log 2 were done with favorable results. This is a no expansion, gravity system utilizing the existing 1,000 gallon existing concrete tank which was replaced within the past couple years, no change of use. A 6" or larger effluent filter will be installed, the homeowner is aware of the maintenance on the filter. A letter from Mr. Jeff Tariela, wetlands consultant states that no freshwater wetlands, freshwater wetland transition areas or State open waters are present on or within 150' of the proposed replacement septic system on Block 11/Lot 9.01.

Chair Colburn asked if there were any other questions or concerns from the board?

There was no response.

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

Block: 11 Lot: 9.01

Street location: 26 Meadow Road # of Bedrooms: 4

Name of owner: Stephen Vrabel

Map Title: Septic Design for Stephen Vrabel , Block 11/Lot 9.01, Readington Township Hunterdon County, NJ.

Pages(map): 1 - 5

Map Date: 12/7/15 Map Revisions: 0.

Prepared By: Kurt Hoffman, P.E.

Survey(s): Topographical & Boundary: David M. Newton, 12/5/15

Report(s): Hunterdon County Dept. of Public Safety Div. of Public Health Svcs., 12/9/15.

Proposed System Specifications: Proposed alteration with no expansion, bottom lined, soil replacement, gravity flow, utilizing existing 1,000 single compartment tank upgraded with effluent filter. The current homeowner is aware of the maintenance of the filter.

Soil testing results: 11/17/15, Soil log 1, @ 132", no mottling, no groundwater. Soil log 2, @ 144", no mottling, no groundwater. Permeability was Basin Flood 2-1 @ 102", results passing.

Wetland report date 11/23/15 by Jeff Tariela states that there are no wetlands or wetland transition areas or state open waters are present on or within 150' of the proposed replacement septic system.

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

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

F. ADJOURNMENT

A *MOTION* was made by Mr. Kalinich to adjourn at 9:15 pm, seconded by Ms. Muir with a vote of Ayes all, Nays none recorded.

Respectfully submitted:

Lorraine Petzinger