

**MINUTES**

**PRESENT:** M. DeSapio  
T. Kratzer  
S. Zdepski  
J. Novak, Attorney

**ABSENT:** R. Phillips  
S. Trstensky

**CALL TO ORDER**

The meeting was called to order at 8:11 PM by M. DeSapio

**NOTIFICATION**

In order to ensure full public participation at this meeting, all members of this Board, and members of the public are requested to speak only when recognized by the Chair so that there is no simultaneous discussion or over-talk, and further, all persons are requested to utilize the microphones which are provided for your use by the Township. Your cooperation is appreciated.

Notification of the time, date and place of this meeting has been published in the Delaware Valley News and Express Times and sent to the Hunterdon County Democrat, and has been posted in the Kingwood Township Municipal Building at least 48 hours prior to this meeting and has been filed with the Municipal Clerk.

**NEW AND PENDING MATTERS**

Approval of Minutes of February 6, 2006

It was moved by S. Zdepski, seconded by T. Kratzer and carried to approve the minutes of February 6, 2006 and place on file. All members present voted **AYE**.

**Well Ordinance**

T. Hauck provided the Board with a copy of a report from M. Zdepski, hydrologist for Deer Run and Equestrian Village. M. Zdepski requested clarification on the number of wells required to be pumped for the test. P. Althoff stated all three wells had to be pumped. T. Hauck stated the ordinance is not clear on the proper procedure. T. Hauck stated in Section 153-26, Applicability 1, Section B it is not stated how many wells or observation wells are required. It references another section and links back to Section 153-28. Those sections pertain to the wells within the subdivision. T. Hauck stated he is not enough of a hydrologist to understand if you pump one well and you test the ones around the well, whether you should pump each one and test each one around it. If you drill five wells, pump for eight hours at 25 gallons per minute and measure the drawdown for the other wells, he is not sure if you should do it for each of the wells and see how it affects the other four. He stated results might differ in the shale and argillite soils of the township. Does the Board feel P. Althoff's interpretation of the ordinance is what was intended in the ordinance?

S. Zdepski stated the purpose of this meeting this evening is to have a discussion and offer the public an opportunity to state their comments on the current well ordinance.

J. Novak stated he has not open comments. He stated the ordinance has been in place and has been amended twice. The Board has a report from their consulting geologist.

J. MacConnell – stated he would like the well ordinance to require wells being dug prior to the construction of the residence. He stated consideration should be given to the house size if adequate water is not present. He expressed concern about what recourse was available to homeowners if a development should impact their water. He suggested the Board require excavators to replace the rock first and then the top soil in replacing the soil after percolation tests. He commented the Township should require the weight and trip tickets for the fill in septic systems. He stated he would like the 2500' notification for interference to remain in the ordinance. He requested a special meeting of the Planning Board be held to discuss the water well ordinance.

W. Pandey – commented on the drought of the 50's which lasted for three years. At the time Round Valley and Spruce Run were built to provide water. The Township has to prepare for three or four years of drought. He stated there are a lot of sulfur wells. He feels the ordinance is good planning. His personal well has dropped 40' since it was drilled in the 1950's. He commented 24% of the wells tested in Kingwood have failed.

A. Hauck – commented all Pennsylvania ordinances have a depletion allowance. They require a developer to put in \$10,000 in escrow for 10 years to help alleviate any problems the development might cause with the wells in the area. A. Hauck stated when R. Canace spoke the year before last, he stated the purpose of a water well ordinance was to identify marginal wells that might go dry in a drought and to protect the township from a lawsuit. A. Hauck stated Dr. Horden wrote less than 5 gallons is marginal. The Township has wells with yields less than .5 gallon per minute. The testing should apply to every well drilled with a constant rate pump test pumping for three hours. He stated argillite is clay rich and very dense. The only permeability of the argillite soil is by fractures. The Township has not addressed nitrate dilution. Franklin Township zoned for seven acres due to nitrate dilution in the argillite. Allowing clustering in a development will not address nitrate dilution. It will benefit the Township if the Planning Board is educated in nitrate dilution and the water well ordinance so that when the Planning Board receives a report from their hydrologist, they will understand her comments. He stated the Mendham septic ordinance allows for a license for three years. After three years, it must be pumped out. Commercial eating establishments must have their septic pumped every year. He suggested the Planning Board appoint a sub-committee to work with the Board of Health on the well water ordinance.

J. Novak stated the installation of a septic system is inspected by the County Health Department. The standard of what is installed in the ground is monitored by the County. The County signs off on the well and the septic design, installation and final completion. The Township's consulting hydrologist has made some recommendations to the existing ordinance. The Board recognizes that changes will need to be made to the ordinance. There is a lawsuit pending on the ordinance. Additional language is needed in the notice to neighbor section. The Board needs to look at the model ordinances in the Environmental Toolbox but recognizes in the end it is one of enforcement and the person who is doing the inspection and enforcement. He stated many towns require the developer prove there is adequate water and septic capacity for the development. There is an ordinance pending before the Township Committee to increase the lot size to seven acres.

S. Palopoli, Deer Run and Equestrian Village – inquired if P. Althoff has provided direction to M. Zdepski. J. Novak responded P. Althoff has provided direction in her response to M. Zdepski and has signed the letter as Consulting Hydrologist for Kingwood Township.

S. Zdepski stated the comments received this evening were interesting. He believes any changes in the ordinance need to come from the Planning Board. He stated there will be a joint meeting with the Planning Board, beginning at 7:00 PM, on March 14, 2006.

**CORRESPONDENCE**

**PRIVILEGE OF THE FLOOR**

**ADJOURNMENT**

It was moved by S. Zdepski, seconded by T. Kratzer to adjourn the meeting at 9:03 PM.