

MINUTES

PRESENT: J. Burke
M. DeSapio
S. DeSapio
T. Kratzer
R. Phillips

CALL TO ORDER

The meeting was called to order by M. DeSapio at 8:01 PM.

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 the Minutes

It was moved by J. Burke, seconded by R. Phillips and carried to adopt the minutes with the following correction:

Page 2 of 3 – on the discussion of well failures – “since the records have not been required by the Township” is to be added.

All members present voted **AYE**.

Septic System Proposal – Block 8, Lot 50

D. Fine, professional engineer, was present for the application this evening. The property is located on Route 12 next to the auto repair shop. The property has been unused of some time and has been found to be completely saturated and undersized. The new owner is R. Kocsis. He is renovating the building and will continue the commercial use on the first floor with a residential use on the second floor. The property is small in size. The proposed peat moss septic system will help to mitigate the present problems. The applicant is requesting the Township to act acknowledging the use of the peat moss technology, waiver for the distance to the existing well and a water table of less than 24”. The proposed system is 100’ from the surrounding

properties' wells but 79' from Lot 50s well. He has designed approximately 45 of these systems. The oldest one is 2 years old. They have been involved in the annual maintenance of the system. Every system is evaluated after 90 days and then an annual maintenance is performed. He has reviewed 45 of the 90 day evaluations, 20 at one year and it is just coming up to the two year mark, in a couple of weeks. The maintenance regiment is held with a representative of the manufacturer. They do not test the effluent from the system. He has designed several on small lots, under a .25 of an acre. The peat system can reduce the mound system by 2 feet. The property has a water table at 8". The only part of the system above grade is the peat moss itself. The current system has a single pipe distribution system. The requirements for testing are two soil logs and one permeability test. The system is within 15' of the permeability test. The system can be moved closer to the permeability test but then it would also bring it closer to the well. The wastewater comes to the pump tank and then into the peat moss filter. The required maintenance is to remove the distribution plate, get in with a rake and level and then replace the plate. The peat will need to be replaced when it no longer functions. The manufacturer has the system in the ground for 12 years. Soil log #1 encountered mottling at 22' and soil log #2 at 13". The County Department of Health's letter incorrectly states 8". The system will have 18" of select fill above the 13" mark. The maintenance is performed by NJ Septic Management Group, who is the New Jersey distributor of the system. They will hold the maintenance contract. The system will be maintained annually. The Township can require effluent testing. The system would require the installation of a port on the effluent side of the system. Influent can be tested from the pump area. The initial testing parameters will be for TSS, BOD and dissolved oxygen level of the effluent. They have not tested for nitrate or bacteria but can. Disinfection qualities of the peat offer a very high 99% bacteria reduction. The system is a living vessel. There are micro organisms which are a little bit higher than some of the anaerobic systems. The system is aerated and contains fungi. The testing can be handled by this company. He provided a copy of the approval by the DEP of the system. The DEP provided a guidance document allowing the use of the peat systems. There will be an effluent filter in the septic tank. Maintenance is performed on the system as a whole.

It was moved by M. DeSapio, seconded by J. Burke to approve the application with the following conditions:

- Permission for the use of the Eco Pure System;
- Waiver for the water table less than 24" from the surface;
- Waiver from the required 100' from the existing well to the septic and allow 79';
- Require a six-month effluent testing;
- Require effluent testing on a yearly basis;
- Proof of maintenance contract & reports on the monitoring shall be provided to the Board and County;
- Maintenance agreement shall be provided to the owner and kept with the house;
- Plans shall state this is an alteration to correct a malfunctioning system and the granting of the waivers or approval of the Puraflo technology;
- Kingwood Township and Hunterdon County Health Department assumes no responsibility for the system and shall be held harmless;
- The design shall be sent to the DEP and any comments or requirements will be incorporated into the design;
- The septic and pump tanks shall be tested for water tightness by the design engineer and certification provided to this department;
- Testing for nitrate, fecal chloroform, 5 BODs , TSS and nitrates;
- Deed restriction;
- Require a 50' casing on the well or in the case of it being less, the

installation of an ultraviolet system for the well.

ORDINANCE NO. BOH 2007-01

Ordinance No. BOH 2007-01, AN ORDINANCE OF THE TOWNSHIP OF KINGWOOD TO AMEND CHAPTER 153, ARTICLE 2 - "NON-PUBLIC WATER SYSTEMS AND WELLS", TO EXPAND THE EXISTING CODE TO INCLUDE AMENDED STANDARDS, AND INCORPORATE NEW PERFORMANCE AND INTERFERENCE TEST REQUIREMENTS – Public Hearing and Final Adoption.

M. DeSapio read the Ordinance aloud by title. This Ordinance was introduced and adopted on first reading at a meeting of the Kingwood Township Board of Health on May 23, 2007. The Ordinance was then published in the Delaware Valley News on June 7, 2007 and has been posted in the Kingwood Township Municipal Building on June 7, 2007. Copies of the Ordinance have been available for inspection by the public since June 7, 2007.

It was moved by J. Burke, seconded by T. Kratzer and carried to open the public hearing for the proposed Ordinance. All members present voted **AYE**.

G. DeSapio made the following suggestions the Board might want to consider:

- Necessity of requiring a pump test for a single property owner;
- Notices to adjoining property owners, 300' of the boundary is required, suggested 300' of proposed well;
- 4 weeks notice prior to testing – suggested a shorter time period because the testing is dependent on the weather;
- Unintended consequences for larger developments – the requirements should match the zoning ordinance;
- Definition of a minor subdivision should match the zoning ordinance;
- Not require observation wells and test wells for minor subdivisions;
- Possibility of the Planning Board changing the lot lines and not being able to utilize the test well;
- Notice to property owners within 2500' – if the technical data justifies the distance;
- Notification of the desire to participate in the well testing to be provided to the Township as well as the developer;
- Liability issues for the person who volunteers – responsibility is on the homeowner;
- Escrow requirements and Township liability;
- Burdensome or costly to a person who is not a major developer.
- Suggested changing the ordinance when it came to smaller applications.

J. MacConnell reviewed the process for monitoring of wells. He indicated there is no intrusion into the well. The 2500' requirement was because there has been shown, in the past, some interference at that distance.

W. Pandy supported the need for the ordinance.

L. Schmid stated the farthest legitimate distance should be used for the notification for interference.

A. Hauck stated the idea of putting money in escrow for 10 years is in order to ensure that a development will not utilize too much water. The depletion requirement is an excellent one. Kingwood is the only township in Hunterdon County that has the requirement.

J. Mathieu stated the proposed well ordinance is very similar to many ordinances in New Jersey, New York and Pennsylvania and throughout the country. He was in favor of adopting the ordinance.

S. McNicol thanked the Board for working on the ordinance. The ordinance protects the residents. She hopes the Board will pass the ordinance this evening.

It was moved by M. DeSapio, seconded by J. Burke and carried to close the public hearing. All members present voted **AYE**.

It was moved by J. Burke, seconded by T. Kratzer and carried to adopt on final reading **Ordinance No. BOH 2007-01, AN ORDINANCE OF THE TOWNSHIP OF KINGWOOD TO AMEND CHAPTER 153, ARTICLE 2 - "NON-PUBLIC WATER SYSTEMS AND WELLS", TO EXPAND THE EXISTING CODE TO INCLUDE AMENDED STANDARDS, AND INCORPORATE NEW PERFORMANCE AND INTERFERENCE TEST REQUIREMENTS.**

All members present voted **AYE** on **ROLL CALL VOTE**, except S. DeSapio, who voted **NAY**.

The subcommittee will review the comments of G. DeSapio and address the seasonality testing. The subcommittee will report back for next month's meeting.

CORRESPONDENCE

M. DeSapio reviewed as per the agenda

PRIVILEGE OF THE FLOOR

J. MacConnell thanked the Board for adopting the ordinance.

ADJOURNMENT

It was moved by J. Burke, seconded by R. Phillips and carried to adjourn the meeting at **9:15 PM**. All members present voted **AYE**.

Respectfully submitted,

Diane Laudенbach, Secretary