

**MINUTES**

**PRESENT:** J. Burke  
M. DeSapio  
T. Kratzer  
R. Phillips  
S. Stryker  
J. Kopen, Attorney (8:29 PM)

**CALL TO ORDER**

M. DeSapio called the meeting to order at 8:04 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**

The secretary announced J. Kopen would be arriving at approximately 8:30 PM.

Approval of Minutes

It was moved by J. Burke, seconded by R. Phillips and carried to approve the minutes of January 16, 2008. All members voted **AYE**.

It was moved by J. Burke, seconded by S. Stryker and carried to approve the minutes of January 16, 2008 Executive Session Minutes. All members voted **AYE**.

It was moved by J. Burke, seconded by T. Kratzer and carried to authorize the release of January 16, 2008 Executive Session Minutes. All members voted **AYE**.

Block 17, Lot 16.04 – Yard Properties – Septic Waiver

M. Textores of Van Cleef Engineering Associates was present for the application. Block 17, Lot 16.04 contains 2.73 acres and is located in the POR zone. The property currently contains a three bedroom dwelling. It is the applicant's intent to renovate the dwelling into an office use and construct a 7200 sq. ft. storage building at the rear of the property. The regional zone of saturation is 6-10". The proposed design is based on a regional zone of saturation of 6". It will be a pressure dosing system. The flows on the property are currently projected to be 500 gallons per day. With the use the applicant is proposing, the calculated flow is 349 gallons per day. There

will be a reduction of effluent to the septic system. There is currently a system on the site but he is unaware of the condition of it. Since he is constructing an additional building and changing the use of the existing structure, he intends to construct a new system as part of the improvements to the property. The well is located in the front portion of the property. He has submitted, to DEP, a request for an LOI but has not received it as yet. The plans reflect the existence of wetlands in the rear and side and show the 50' buffer. He is in agreement with the comments of the Hunterdon County Health Department. He is aware that many of these types of applications go to the State for approval as well. They tested the soils at ten sites but indicated on the plat six logs. Sheet 1 of 6 shows the location of the logs. Soil tests 1, 2 & 3 were in the rear portion of the property and 4, 5 & 6 were in the front portion of the property. The laterals are 1.25'' with holes drilled along the pipes. When the pump goes on, it pressurizes the whole field. There are two schools of thought on this type of system. One thought is the design is not dependent on gravity and provides an equal flow through out the system. The State allows the system to be made a little smaller. The system pumps the effluent to a distribution box and then flows by gravity into the system. The system is fully dependent on the pump. The system would not be able to be utilized if there is no electricity. There is 4' of select fill above the zone with a mound of 6'. The State permits the design of a system based on the select fill and not the actual percs. The testing was done during the wet season, January 21 & 22. There will be no bathrooms in the accessory building. There will be approximately 4-5 people in the office and 12 plumbers in the rear building, with most of them gone for the day. The efficiency for the removal of bacteria and nitrates is the same as a standard system. There are four inspection ports.

T. Kratzer inquired if the applicant would be willing to providing a water quality sampling, BOD, total choloform, nitrogen and TSS, for three years. T. Kratzer stated, in the past, the Board has requested an initial sampling before the system is used at all four ports, semi-annually for the next two years and the last two on an annual basis. The applicant responded he would be willing to do the testing. The applicant agreed to revise the plans.

It was moved by J. Burke, seconded by R. Phillips and carried to grant the requested waiver with an additional stipulation being added for water test sampling. All members voted **AYE** on **ROLL CALL VOTE**.

#### Development of Septic Ordinance

The Board of Health decided to form an adhoc committee for the possible creation of a septic ordinance. The following are on the adhoc committee: S. McNicol, J. MacConnell, T. Kratzer and J. Burke.

#### County Reports

The Township has not received any response from the County in regard to their request for monthly or quarterly reports on septic systems for Kingwood Township. The Board of Health requested another letter be sent to the County Health Department.

#### Well Ordinance – Modification

The Board of Health has received comments from an individual, who is constructing a home in Kingwood, of her difficulties in complying with the requirements of the current ordinance. She spent an exorbitant amount of money in engineering and surveying fees.

T. Kratzer reviewed the areas that needed clarification in the narrative:

Section 153-23 (3) – In regard to the next to last sentence, he believes the original intent was the distance from the outer boundary of the applicant’s property and any wells or septic systems within 200’ of the outer boundary not referring to any adjoining property within 200’. Regarding the scale of the map, possibly making the scale to be adjusted so the plat will fit on an 8.5 x 11” paper will be a better requirement for a single family home.

J. Burke suggested the Board designate a contact person who would be able to decipher the ordinance for the applicant. Also, possibly the Board can provide a sample letter for the applicants.

After a lengthy discussion between the Board members and the public in attendance, S. McNicol and J. MacConnell, the board authorized the attorney to amend the ordinance by the following:

1. Section 153-23 (3) “Map”, shall be deleted in its entirety and replaced by the following:

3. Map. Scale of 1 inch equals 100 feet, prepared by a licensed surveyor, provided on 8.5 by 11 inch paper. All applications shall include five (5) copies of a plot plan showing the location measured from at least two property or main structure corners, of all new well(s), all pre-existing well(s), all existing subsurface disposal areas and all soil test points (e.g., percolation test pits) for potential subsurface disposal areas. All identifiable pre-existing wells and existing subsurface disposal areas that are located within two hundred (200) feet of any boundary of the subject property, whether located on the subject property or on an adjoining property, shall be depicted on the plot plan. If the lot that is the subject of the application is a flag lot, the distance indicated previously in this paragraph shall be measured from the main body of the lot, and the “stem” of the flag shall not be included in calculating such distance.

2. Section 153-28, “Three Part Pump Test”, of Chapter 153 shall be amended by adding the following sentence to the end of Section 153-28 (1) (a):

If the lot that is the subject of the application is a flag lot, the distance indicated previously in this paragraph shall be measured from the main body of the lot, and the “stem” of the flag shall not be included in calculating such distance.

3. Section 153-29, “Aquifer Test and Hydrogeologic Report”, of Chapter 153 shall be amended by deleting the first sentence of 153-29 (7) (a) and replacing it with the following:

a) Map. Scale of 1 inch equals 100 feet, prepared by a licensed surveyor.

All Board members were in agreement for V. Uhl to prepare, in consultation with J. Kopen, a summary sheet for the ordinance.

QC – Results of re-testing at park

J. Burke responded the results were passing.

Block 6, Lot 55 – Well Testing Results

M. DeSapio acknowledged the receipt of the results.

Kingwood Township Planning Board – Request for Ordinance Amendment

M. DeSapio reviewed the letter from the Planning Board regarding the replacement of the soil after permeability testing.

It was moved by J. Burke, seconded by T. Kratzer to amend the Sewage Disposal Systems, Non-Public Water Systems and Wells to require the replacement of the soil horizons in the same manner as removed after permeability testing. All members voted **AYE** on **ROLL CALL VOTE**.

Block 19, Lot 14.02 – Resident complaint of iron color in water

D. Kratzer requested it be listed on the agenda. T. Kratzer stated iron is a natural occurrence or there could be something buried in the area.

**CORRESPONDENCE**

M. DeSapio reviewed as per the agenda.

Hunterdon County Department of Health – Annual Report;  
NJ Local Boards of Health – Membership application -  
National Association of Local Boards of Health;  
Rutgers – Community Noise Enforcement – J. Kopen stated there are some instances where noise issues can be resolved under a nuisance issue. There are cases which found parts of the Public Nuisance Code to be unconstitutional. If there is a very clear circumstance that is definite proof of a nuisance, your zoning officer can issue violations in certain instances. The Township cannot have a lesser requirement than the State’s requirements. The Township would have to have equipment and people available to measure the noise when it is occurring.

NJ Local Boards of Health Association – Newsletter – Spring 2008;

**PRIVILEGE OF THE FLOOR**

J. MacConnell thanked J. Burke for the work he has done in preserving the Horseshoe Bend Road property.

T. Kratzer requested V. Uhl provide the well testing results.

**ADJOURNMENT**

It was moved by M. DeSapio, seconded by T. Kratzer and carried to adjourn the meeting at 9:38 PM. All members voted **AYE** on **ROLL CALL VOTE**.

**Respectfully submitted,**

*Diane Laudenschick*

**Diane Laudenschick, Secretary**