

**MINUTES**

**PRESENT:** J. Burke  
M. DeSapio  
S. DeSapio  
T. Kratzer  
R. Phillips  
J. Kopen, Attorney

**ABSENT:**

**CALL TO ORDER**

The meeting was called to order by M. DeSapio at 8:10 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 T. Kratzer to approve the minutes of April 18, 2007, with the following correction:

*Page 3, paragraph 8, 6<sup>th</sup> sentence – Delaware, Franklin and Raritan Townships are considering seasonal testing for septic systems.*

**Ordinance**

**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.** Introduction and adoption on First Reading.

M. DeSapio read aloud the ordinance which was introduced.

The Board discussed last month's question in regard to a provision of a hardship waiver for the seasonal well testing. Possibly a waiver could be applied for with a review and approval by the hydro geologist. The Board also discussed if the waiver request should come to the Board or the hydro geologist. Notification of neighboring properties within 200' for the seasonal waiver was also discussed. J. Kopen responded a provision could be made in the ordinance to require neighboring owners within 200' to be notified prior to any decision by the hydro geologist with a time frame for objections. Discussion followed indicating the hydro geologist should be able to determine if there will be an effect on the neighboring wells without a requirement of the

person coming before the Board. M. DeSapio stated the majority of permits for new dwellings come in winter and early spring so construction can begin by the summer months.

T. Kratzer stated restrictions for well testing are not set in concrete in any township for seasonality. There are seasonality testing requirements for septic systems. T. Kratzer stated the results from Equestrian Village showed fluctuations from the pumping after thirty days of no rain. Seasonality makes a difference in the draw down during a pump test. V. Uhl is in favor of seasonal testing.

J. Kopen suggested specific criteria for the hardship waiver should be included in the ordinance. The hydro geologist would look at the criteria to evaluate whether such a waiver should be granted.

After some discussion, it was decided to obtain the criteria for a hardship waiver from V. Uhl.

S. DeSapio stated the seasonality testing might raise an issue of the availability of contracting with a well driller.

T. Kratzer stated Section 153-34, page 21 – 5a, the sentence referring to the deposit of \$3,000 for each new well should be changed to for each new lot. The fee would not be charged for each well if there was a pre-existing well.

J. Kopen stated the changes discussed this evening are not substantial changes. A substantial change has to go to the overall substance of the ordinance and change the policy of the underlying ordinance.

S. DeSapio inquired about the changes from the last well ordinance and inquired about the number of well failures in the Township. T. Kratzer did not know the number of wells that had failed. S. DeSapio has some concerns about the seasonality and its applicability to a subdivision of two lots. People who have lived here all their lives cannot afford to comply with these regulations. The developers are the only ones who have the money to comply with the regulations.

J. Burke stated the hydro geologist report would not be necessary until they were ready to build. The wording in the chart should have it subject to the building permit process rather than suitability of subdivision. S. DeSapio inquired if the proposed ordinance exceeds the state's requirements. T. Kratzer stated the testing, construction codes, water quality and quantity are covered in the state regulations.

M. DeSapio inquired about the state well permit requirements. The ordinance states the applicant would have to have a state permit prior to the issuance of a Township permit. The ordinance requires the application for a Township well permit must include a copy of the state test results. S. DeSapio stated the testing results should be moved to the next section, 153-24 with the well certification application as a new sub-section.

The current well ordinance requires a plat for the application for a well permit and will be added to the new proposed ordinance.

It was moved by J. Burke, seconded by T. Kratzer and carried to adopt on first reading **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** and M. DeSapio, who **ABSTAINED**.

Consideration of final adoption at a public hearing is scheduled for Wednesday, June 20, 2007 at a meeting beginning at 8:00 PM at the municipal building.

**Septic Ordinances**

There was a brief discussion on the above. T. Kratzer had provided copies of the High Bridge, Alexandria and West Amwell Townships ordinances. An alternate site was discussed.

S. DeSapio inquired about the cause of most septic failures in Kingwood Township. It is possibly because people do not maintain their systems. He would be in favor of requiring all homeowners to have a certificate of compliance every five years from a certified septic disposal firm that the septic was inspected. The Township could be divided into fifths and a letter sent with a time frame of 90 days to comply, or else, to the people who have not complied. T. Kratzer will obtain additional information on a permitting program.

J. Burke suggested the Environmental Commission might provide some information at Community Day on septic maintenance. Possibly a septic pumper might be interested in attending also.

S. DeSapio would be willing to prepare a press release for the Delaware Valley News. T. Kratzer will provide the resource material.

J. Burke will contact D. Gill, Tax Assessor on the idea of instituting a program for certification.

**CORRESPONDENCE**

M. DeSapio reviewed as per the agenda.

**PRIVILEGE OF THE FLOOR**

Jack Mac Connell – Spring Hill Road - commented on the problems in the Township with water quantity.

**ADJOURNMENT**

It was moved by J. Burke, seconded by S. DeSapio and carried to adjourn the meeting at 9:48 PM. All members present voted **AYE** on **ROLL CALL VOTE**.

**Respectfully submitted,**

**Diane Laudenschach, Secretary**