

**MINUTES**

**7:30 PM**

**PRESENT:** J. Golden (7:50)  
I. Kyd  
P. Lubitz  
P. Mikes, Alt #1  
N. Marmorato, Alt #2

**ABSENT:** R. Phillips

**CALL TO ORDER**

The meeting was called to order by N. Marmorato at 7: 35 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 Hunterdon County Democrat and Courier News on January 26, 2017, and has been posted in the Kingwood Township Municipal Building on January 26, 2017 and has been filed with the Municipal Clerk.

**NEW AND PENDING MATTERS**

**Block 38, Lot 35 – 148 Federal Twist Road – Alteration Waiver**

G. Barkley, engineer, was present for the application this evening. His firm had conducted a basin flood test and the results did not achieve the 12” drop overnight. The system is being designed for an existing 2 bedroom house. There is a single well on the property. The material underlying the ground surface is shale and very hard. The results of the basin flood were 8-10” in a 24-hour period. He doesn’t believe that there is any other area on the property that will get a better result. The disposal field is 576 sq ft. The design flow of 350 gallons per day over a 576 sq ft are would result in 1” of water. The design flow is twice what you would actually see in most homes. The basin flood drained 150 gallons overnight. The waiver the applicant is requesting is for a non-passing basin flood test. The results are the best they will get on this property. The Lockatong Creek is in the back of the property. The system is proposed to be located 160’ from the creek. The normal required septic setback is 100’. If there are wetlands present the setback is 150’. He stated they encountered no mottling or ground water. There was some clay loom underlying the topsoil. Since they encountered no high water table there will be no need for a mound system. He indicated there is a 10’ or more drop off from the septic system to the stream.

*The County Department of Health provided the following required waiver and approval:*

*The following waivers and approvals will need to be acted on by the Board:*

- 1. There was no passing permeability on this property; Basin Flood Test 1 was attempted on February 28, 2017. Only 8-10 inches of water drained in the first 24 hours which is not an acceptable test, however*

*there was some movement during that period of time. The engineer shall provide testimony to the Board on the soil testing encountered on this property and why he believes this is the best design considering the soil encountered on this property.*

*Since this is a malfunctioning system, the Board can consider the waivers, since the system, as per 7:9A 3.3(e) 2ii, is in more conformance with the code.*

The Board discussed the close proximity to the Lockatong Creek and requested the engineer to design an Alternate Treatment System rather than a traditional one.

G. Barkley stated in both the anaerobic and peat systems there is pre-treatment of the effluent water. The disposal field is relied on less for filtration. The effluent that comes out of the bottom of the peat or anaerobic systems is exceptionally clear. The effluent from a traditional septic tank contains approximately 100 BOD but the effluent from an anaerobic/peat system contains on 25 BOD. The filed is utilized to percolate rather than treat.

It was moved by P. Lubitz, seconded by I. Kyd and carried to approve the requested waiver and require the applicant install an Alternate Treatment System. All members present voted **AYE** on **ROLL CALL VOTE**.

*J. Golden entered the meeting at 7:50 PM.*

### **Well Ordinance – Waiver Criteria**

P. Lubitz stated he had contacted the building department and they stated they have not received any other complaints except the one.

It was moved by P. Lubitz, seconded by N. Marmorato and carried to authorize the Board attorney to prepare an ordinance for the following waiver criteria:

Replacement of or alteration to a well in the event of well failure due to:

#### **1. Well Yield Diminishment:**

Waiver Criteria:

- a. Yields less than the minimum yields as set forth in the table below.

***Table \_\_\_: Minimum Yield Requirements for wells (adapted partially from Table 2 of the ordinance)***

<i>Well Yield from Constant Rate Test</i>	<i>Residential Water Use</i>
<i>2 to 3 gpm</i>	<i>up to 4 bedrooms</i>
<i>1.5 to 2 gpm</i>	<i>up to 3 bedrooms</i>
<i>1 to 1.5 gpm</i>	<i>up to 2 bedrooms</i>

Requires licensed well driller or consultant verification of current well yield.

#### **2. Water Quality Problems:**

Waiver Criteria:

- a. Presence of total coliform or e-coli bacteria (after well has been chlorinated).
- b. Turbidity, sediment, or odor issues.
- c. Other drinking water constituents exceeding standards.

All members present voted **AYE** on **ROLL CALL VOTE**.

### **Portable Chemical Toilets – Draft Ordinance**

P. Lubitz stated the Township does not currently have any regulations that pertain to portable chemical toilets. There was a situation in the Township where someone purchased a property and unknown to the Township had an existing toilet with a tank, which is not permitted. The owner of the property had indicated that he would discontinue the use of the toilet with the tank and utilize portable chemical toilets instead. The owner was working on getting the perc and soils completed so that a septic system could be installed. Currently, there is no process for a permit or how long you can have a portable chemical toilet. The Township had the attorney review other ordinances in the County. These types of ordinances have to be introduced and adopted by the Board of Health. The proposed ordinance does not have a lot of conditions, requires an inexpensive permit and sets limits on the amount of time a portable chemical toilet is permitted. The limits are not very stringent. The ordinance provides for a fine of \$1,000 per day if a violation occurs. The building department is the enforcing agency that would issue the violation notice and collect the fine.

The Board discussed that it would like to see a provision in the ordinance for the maintenance of the portable chemical toilet. The Board would like a report provided to them by the owner of the property monthly of the maintenance performed on the unit.

The Board authorized the Board attorney to prepare an ordinance for their review at the next meeting with the addition of the maintenance of the unit added to the draft already prepared.

### **Approval Minutes**

It was moved by P. Lubitz, seconded by P. Mikes and carried to approve the minutes of April 19, 2017 and place on file. All members present voted **AYE**, except N. Marmorato, who **ABSTAINED**.

### **CORRESPONDENCE**

### **PRIVILEGE OF THE FLOOR**

### **ADJOURNMENT**

It was moved by P. Mikes, seconded by N. Marmorato and carried to adjourn the meeting at 8:20 pm. All members present voted **AYE**.

**Respectfully submitted,**

**Diane Laudenschick, Secretary**