

7:30 P.M.

MINUTES

PRESENT: I. Kyd
R. Phillips
T. Ciacciarelli
P. Mikes, Alt #1

ABSENT: J. Golden
N. Marmorato, Alt. #2

CALL TO ORDER

The meeting was called to order at 7:31 PM by R. Phillips.

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, Courier News on January 24, 2019 and posted in the Kingwood Township Municipal Building on January 24, 2019 and has been filed with the Municipal Clerk.

NEW AND PENDING MATTERS

ORDINANCE NO. BOH-01- 2019

**ORDINANCE AMENDING CHAPTER 153, SEWAGE DISPOSAL SYSTEMS;
NONPUBLIC WATER SYSTEMS AND WELLS OF THE TOWNSHIP OF KINGWOOD,
COUNTY OF HUNTERDON AND STATE OF NEW JERSEY**

WHEREAS, Kingwood Township does not utilize a public water supply and Township residents rely exclusively upon a high quality supply of groundwater from private wells, and

WHEREAS, the Township of Kingwood has previously adopted well and aquifer testing requirements with respect to the subdivision of land and other developments; and

WHEREAS, the aquifer testing requirements currently apply when there is a subdivision that creates two or more new lots can be avoided by the use of consecutive subdivisions creating one new lot over time, and

WHEREAS, the staggering of single lot subdivisions, however, does not change the cumulative potential adverse effect of the aggregate development upon the aquifer and the aquifer testing ordinance needs to be revised to take such aggregate development into account so as to protect the aquifer and groundwater resources of Kingwood Township.

NOW, THEREFORE BE IT ORDAINED by the Board of Health of Kingwood Township as follows:

Section 1. Chapter 153, Sewage Disposal Systems; Nonpublic Water Systems and Wells, Article II, Nonpublic Water Systems and Wells, Subsection 153-29, Aquifer test and hydrogeologic report is hereby amended as follows:

A.-D. No Change

E.

- (1) The number of observation wells required per aquifer test is specified in Table 3. Observation wells may be located such that they can be used as future water supply wells but they shall be located in such a manner that will yield the most accurate information concerning the aquifer. For purposes of determining the number of new lots involved in a proposed subdivision the number of proposed new lots and the number of new lots created from the subject property since August 31, 2019 shall be added together and that total shall be the number of new lots used to determine the number of test wells required in accordance with Table 3.

Table 3: Number of Test Wells Required

No Change

(2)-(5) No Change

F.-K. No Change

Section 2. Chapter 153, Sewage Disposal Systems; Nonpublic Water Systems and Wells, Article II, Nonpublic Water Systems and Wells, Attachment 1, Township of Kingwood Table 1, Applicability and Timing for Types of water use is hereby amended as follows:

Type of Water Use and Daily Demand Value	Applicability for Certification of Well		Timing of Well Certification
	§ 153-28 Three-Part Pump Test	§ 153-29 Aquifer Test and Hydrogeologic Report	
Existing improved or unimproved residential lot with a proposed daily	Yes	N/A	

demand of less than or equal to 900 ¹ gallons ³			Prior to issuance, renewal or extension of building permit
Existing improved or unimproved residential lot with a proposed daily demand of greater than 900 gallons	N/A	Yes	
Residential lot that is part of an approved subdivision with an approved hydrogeological report	Yes	N/A	
Change in use ² that requires additional water when the total daily demand will be greater than 900 gallons, unless the well has been previously certified for the amount of water proposed	N/A	Yes	Prior to approval of change in use ²
Subdivision creating one new lot ⁴	Yes	N/A	Prior to issuance, renewal or extension of building permit
Subdivisions creating two or more new lots ⁴	N/A	Yes	Prior to approval as to suitability of subdivision

KINGWOOD CODE

Type of Water Use and Daily Demand Value	Applicability for Certification of Well		Timing of Well Certification
	§ 153-28 Three-Part Pump Test	§ 153-29 Aquifer Test and Hydrogeologic Report	
Agricultural subdivision creating one new lot ⁴	Yes	N/A	Prior to issuance, renewal or extension of building permit
Agricultural subdivision creating two or more new lots ⁴	N/A	Yes	Prior to issuance, renewal or extension of building permit
Nonresidential or multiple residence uses less than or equal to 900 gpd	Yes	N/A	Prior to preliminary site plan approval
Nonresidential or multiple residence uses greater than 900 gpd	N/A	Yes	
Any use greater than or equal to 100,000 gpd	Obtain NJDEP water allocation permit		
Public water systems			

NOTES:

¹ An equivalent of four bedrooms (200 gpd/bedroom) as per New Jersey Geological Survey Ground-Water Report Series No. 1, Two-Part Pump Test for Evaluating the Water Supply Capabilities of Domestic Wells.

- ² Any new or expanded water use that was not part of the original well certification (i.e., providing an off-site water supply, addition of bedroom(s), and other noncertified water uses), or in addition to the estimated water use (based on N.J.A.C. 7:10-12.6) if no certification was required at the time the well was installed. Off-site water supply shall only be conveyed to an adjacent single-family residence.
3. Exemption for the construction of an ECHO unit of a three part pump test.
4. For purposes of determining the number of new lots involved in a proposed subdivision the number of proposed new lots and the number of new lots created from the subject property since August 31, 2019 shall be added together and that total shall be the number of new lots used to determine the requirements to be satisfied under Table 1.

Section 3. – REPEALER: All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 4. – SEVERABILITY: Each section, subsection, sentence, clause and phrase of this article is declared to be an independent section, subsection, clause and phrase, and the finding or holding of any such portion of this article to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this article.

Section 5. – EFFECTIVE DATE: This Ordinance shall take effect immediately upon final adoption and publication according to law.

It was moved by P. Mikes, seconded by I. Kyd and carried to open the public hearing on Ordinance BOH 01-19. All members present voted **AYE**.

Public Comments: None

It was moved by I. Kyd, seconded by P. Mikes and carried to close the public hearing on Ordinance BOH 01-19. All members present voted **AYE**

It was moved by T. Ciacciarelli, seconded by P. Mikes and carried to adopt Ordinance BOH 01-19. All members present voted **AYE** on **ROLL CALL VOTE**.

Approval of Minutes

It was moved by P. Mikes, seconded by T. Ciacciarelli and carried to approve the minutes of July 17, 2019. All members present voted **AYE** on **ROLL CALL VOTE**.

CORRESPONDENCE

PRIVILEGE OF THE FLOOR

ADJOURNMENT

It was moved by I. Kyd, seconded by P. Mikes and carried to adjourn the meeting at 7:34 PM. All members present voted **AYE**.

Respectfully submitted,

Diane Laudenschick, Secretary