

CALL TO ORDER

Chairman Laul stated that in compliance with the Open Public Meeting Act this is a Regular Meeting of the Township Board of Health as published in the Hunterdon Review, the agenda has been posted at the Municipal Building and distributed to the Hunterdon Review, Courier News, the Express Times, the Hunterdon County Democrat and the Star Ledger.

ROLL CALL

Present – Marc Laul Beverly Koehler Tom McKee
 Mike Schmidt Brian Wunder

Absent - Assessor Erica Brandmaier

Also present – Dr. Nicholas Avallone and Secretary Karen Sandorse via telecom

PRESENTATION OF MINUTES

Minutes of the July 1, 2020 Meeting

Motion by Ms. Koehler, seconded by Mayor Schmidt and carried by unanimous favorable roll call vote, the Board of Health approved minutes of the July 1, 2020 meeting.

PUBLIC COMMENTS – for agenda items only.

Motion by Ms. Koehler, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Board opened the Public Comment portion of the meeting.

There were no comments from the public.

Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Board closed the Public Comment portion of the meeting.

NEW BUSINESS

**Septic System Alteration Waivers
Municipality: Lebanon Township
Block: 20 Lot: 24
Location: 128 Raritan River Road**

Robert Vaccarella of the Hunterdon County Health Department and Engineer Steve Parker present via telecom.

Mr. Parker stated that the property is located at 128 Raritan River Road and it backs up to the river. It is a small lot with little room available for the placement of the septic system. As a result, there are a number of waivers that are being requested. The applicant is seeking relief for the following items as outlined in the Hunterdon County Health Department's September 10, 2020 correspondence.

1. The proposed septic tank will be only 35 feet from the existing well, which does not meet the minimum setback requirement of 50 feet.
2. The proposed ATU tank will be only 42 feet from the existing well, which does not meet the minimum setback requirement of 50 feet.
3. The proposed disposal bed will be only 17 feet from the existing catch basin storm drainage on Raritan River Road, which does not meet the minimum setback requirement of 50 feet from a water course. as per code.
4. The proposed disposal bed will be only 7 feet from the Right of Way Line which does not meet the minimum setback requirement from a property or ROW line of 10 feet.
5. The proposed disposal bed will be only 42.8 feet from the existing well which does not meet the minimum setback requirement of 100 feet. Since there is no information on the amount of casing and age of the well it is unlikely there is 50 feet of casing, therefore a Ultra Violet device shall be installed on the well for further protection as a condition of approval by the Board.

Due to the size of the property and the location of the well there is no other location on the property to construct or design a system without the need for waivers. In order to make the system as small as possible, an Advanced Treatment System (ATS) was designed with the smallest footprint possible by State code. The ATS will have a pressure dosed system. In Mr. Vaccarella's letter, it was recommended that a UV Light be installed to treat the water. The current homeowner is going to sell the property; therefore, the system needs to be fixed for the purchaser. The well is off to the side, as far away from the back as it can be.

This application will need to go to the DEP for approval also, but must have Township approval first. The DEP approvals are required based on the need to place fill in the flood zone. The property has an existing 2-bedroom house with no proposed expansion. The house has been flooded in the past and has since been raised 10 feet above the ground.

Mayor Schmidt asked if there is a seepage pit/cesspool currently. Mr. Parker stated that there is septic tank with a small lateral. This is not close to what is required but it works because the soil is very permeable. However, the system is not functioning as it should. Mayor Schmidt also asked if there would be a deed restriction to include the UV light. Mr. Vaccarella stated that there will be a deed restriction for the ATS and the UV light for the well can be added. Mayor Schmidt asked if there should be any buffer zone between the field and the basin. Mr. Vaccarella stated that there will be a two-foot buffer, with suitable fill, but a liner can be placed close to the catch basin. This will be an improvement for the neighbors. The new system will provide a much

higher level of treatment than the current system. Mr. Vaccarella said there are no waivers that relate to the neighbors, all waivers are on the site.

Motion by Mayor Schmidt, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Board of Health approved the waiver requests with the condition that the UV light be included in the deed restriction and for a liner to be installed near the catch basin.

Septic System Waiver Request
Municipality: Lebanon Township
Block: 69 Lot: 32.01
Location: 142 Musconetcong River Road

Engineer Kurt Hoffman present.

Mr. Hoffman stated that the house is for sale and the owners are aware that they have a septic issue that needs to be resolved prior to selling. The applicants hired Mr. Hoffman before putting the house on the market and the house is now currently under contract. It is a 2-bedroom home with no expansion as it is restricted due to the size of property and well location. Mr. Hoffman has performed Soil Log 1 and Soil Log 2 on the site. He is proposing to put the system in the same location as the current one with a 1300 gallon, 2-compartment tank. As designed, there is one violation of code. Due to lot limitation, the proposed disposal bed will be only 20 ft. from the existing dwelling which does not meet the minimum separation of 25 ft. The proposal includes a 10 ml liner that will run along the house side of the disposal bed. This will mitigate any potential movement of affluent toward the foundation or into the basement.

Mr. Wunder asked if there was going to be a bury area. Mr. Hoffman stated that they are going to attempt to bury any old septic material along with the septic tank. He does not feel that there is much left to bury.

Motion by Mr. Wunder, seconded by Mayor Schmidt and carried by unanimous favorable roll call vote, the Board of Health approved the application for Block: 69 Lot: 32.01, 142 Musconetcong River Road as outlined in the Hunterdon County Health Department's October 21, 2020 correspondence.

Septic System Alteration Waivers
Municipality: Lebanon Township
Block: 72 Lot: 8
Location: 19 Musconetcong River Road

Engineer Wayne Ingram present via telecom.

Mr. Ingram stated that the property is a postage stamp lot, about 1/10 of an acre of land with an existing 1-bedroom home. The property has a cesspool and shares a well with the neighbor. Mr. Ingram noted that with a lot this size there is nowhere to build a conforming system. The applicant is seeking relief for the following items as noted in the Hunterdon County's October 21, 2020 correspondence.

1. The proposed disposal field will not have the required 100 feet to the existing well on Lot 9. Sheet 1 of the plan indicates this is a shared well with Lot 8. The existing well is shown 53 feet to the proposed disposal field. The advanced treatment is also being used to address this setback issue. This department has no information on the well located on Lot 9. As per 7:9A-4.3, the distance can be reduced to 50 feet provided there is 50 feet of casing in the well. In the past the board has approved a passing water test and/or a UV light placed on the well if the casing is less than 50 feet.
2. The proposed disposal field is not the required minimum distance of 10 feet to the property line along side Lot 9 and Lot 10. The proposed disposal field is shown 9 feet along side Lot 9's property line and 5 feet along side Lot 10's property line.
3. The proposed disposal field is not the required 50 feet to the neighboring septic disposal areas on Lot 9 and Lot 11. The proposed disposal field is shown 22.1 feet to Lot 9's disposal area and 40 feet to Lot 11's disposal area.

Mr. Ingram stated that the new system will be placed as close as possible to where the existing system is. By installing an Advanced Treatment System, it will provide substantially cleaner water into the ground. Mr. Ingram said that what further complicates the design is that approximately 80% of the lot is in the flood plain so there is no option of doing anything different. The only system that they can get approved is one that mimics the existing ground surface.

Mr. Wunder asked if the cesspool that is going to be pumped, crushed and abandoned and if it will be put outside of the new system area. Mr. Ingram stated that a fraction will be located inside the bed, but he is hoping to crush and push it outside of the bed area.

The Board would like a UV light installed on the property and to request for one to be placed on the neighbor's lot also. Mr. Vaccarella stated that the County will draft a letter to have the neighbor sign as to whether he wants the UV light or not. The neighbor will be made aware of the proposed system and that the applicant has offered him UV treatment. The neighbor will have to sign yes or no. The UV light is to be added to the deed notice along with the ATS. Mr. Ingram noted that this is a repair, Permit by Rule, so there is no need to go to the DEP for approvals.

Motion by Mayor Schmidt, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Board of Health approved the waivers for Block 72 Lot 8 as outlined in the County's letter with the condition that the UV light be included in the deed notice and that a letter be sent to the neighbor offering a UV light for their well.

PUBLIC COMMENTS

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Board of Health opened the Public Comment portion of the meeting.

There were no comments from the public.

Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Board of Health closed the Public Comment portion of the meeting.

ADJOURN

Having no further business to come before the Board a motion was made by Ms. Koehler and seconded by Mr. McKee to adjourn the meeting at 6:57 p.m.

Respectfully submitted,

Karen J. Sandorse,
Secretary

Marc Laul, Chairman

Approved: December 2, 2020