

MINUTES

7:30 PM

PRESENT: J. Golden
D. Haywood
R. Phillips
S. Stryker
E. Niemann, Alt #1
J. Kopen, Attorney
V. Uhl, Hydrogeologist

ABSENT: R. Patel

CALL TO ORDER

The meeting was called to order by S. Stryker at 7:31 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, 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

Report of Well Subcommittee

E. Niemann stated the subcommittee had met in February and March to address the ongoing concerns of the Township and some members of the community regarding the usage of water in a private personal manner for animals such as horses, etc. Usage by these animals, as written in the current ordinance, would put the owner of a property with four bedrooms over the 800 gpd permitted in the ordinance. The resident would be required to perform an aquifer test. The subcommittee has been looking at how the Township may allow some additional water usage without requiring an aquifer test making sure the Township protects the neighboring water resources and wells.

V. Uhl had made the following suggestions:

- a. Change the trigger for the aquifer test from 800 to 1000 per day;
- b. Utilize the PA Department of Agriculture water consumption chart to compute water usage;
- c. If the well yield is greater than 3 gpm, an allowance for livestock up to a certain number or gpd of water demand (might be too vague);
- d. Amend the 3 part pump test to include the water demand for a certain number of bedrooms and a certain number of livestock;

He stated the first option has ramifications throughout the ordinance. The Township might want to consider an amendment that just has one statement and does not get too convoluted.

E. Niemann stated in the subcommittee's discussions, V. Uhl's fourth option seemed like the one which was the most straightforward.

J. Golden inquired if someone already had the testing done and sometime later gets livestock, would it trigger the need for new tests? V. Uhl responded he would have to review the original test and see if there was available water and if there wasn't sufficient water, a 3 part pump test would have to be redone.

E. Niemann stated the chart distributed by the NRCS and a NJ data sheet indicate under "horse" no water usage is indicated in the pasture category.

There was a lengthy discussion between the Board members and members of the public in regard to possible scenarios which could occur and may result in additional testing.

The consensus of the Board members was that the ordinance should allow a water usage of 900 gpd without triggering the need for an aquifer test.

It was moved by E. Niemann, seconded by D. Haywood and carried to authorize the Board attorney and hydrogeologist to confer and prepare a draft ordinance amendment for the April meeting. All members present voted **AYE** on **ROLL CALL VOTE**.

E. Niemann stated there are some administrative items which need to be amended in the ordinance:

Section 153-25 – typo second line – “he” should be “be”; and
Provide for a fee for hydrofracking (V. Uhl will provide to J. Kopen);

A. Belle stated the discussion from last September was to eliminate the escrows and make them flat fees. He said providing for them as an escrow make them subject to replenishment. J. Kopen stated she does not remember the decision made on the escrows. She can research and will report back to the members with her findings and if the Board decides to make those changes, another amendment can be done.

Approval of Minutes

It was moved by E. Niemann, seconded by J. Golden and carried to approve the minutes of January 16, 2013 and place on file. All members present voted **AYE** on **ROLL CALL VOTE**, except D. Haywood, who **ABSTAINED**.

APPLICATION STATUS

CORRESPONDENCE

S. Stryker reviewed as per the agenda.

PRIVILEGE OF THE FLOOR

ADJOURNMENT

It was moved by E. Niemann, seconded by D. Haywood and carried to adjourn the meeting at 8:48 PM. All members present voted **AYE**.

Respectfully submitted,

Diane Laudenbach, Secretary