

7:30 P.M.

MINUTES

PRESENT: I. Kyd
T. Ciacciarelli
N. Marmorato, Alt #2
J. Moscagui, Attorney

ABSENT: J. Golden
R. Phillips
P. Mikes, Alt #1

CALL TO ORDER

The meeting was called to order I. Kyd 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. 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 February 24, 2022 and posted in the Kingwood Township Municipal Building on February 24, 2022 and has been filed with the Municipal Clerk.

Due to continuing COVID19 precautions, the Board of Health Meeting is a virtual meeting held online. The meeting is hosted on Zoom and the link can be found on the Kingwood Township website under Current Agendas.

NEW AND PENDING MATTERS

Block 8, Lot 38 – Septic Waiver – 1032 County Road 519

C. Kozoh from Bayer Risse was present for the application this evening.

The engineer reviewed the letter from the Hunterdon County Health Department:

This department has septic alteration plans with the most recent revision date of May 3, 2022 dated April 15, 2022, designed by Bayer-Risse Engineering, Inc., correct a malfunctioning system to an existing 2,300 square foot building which is designed for 350 gallons per day with no expansion as stated on the application.

The design incorporates an Advanced Treatment unit called the Norweco Singular Green Advanced Treatment Unit which is NSF approved according to standard 40 and 245. The design is in full conformance with 7:9A, "Standards for Individual Subsurface Sewage Disposal Systems" except for the following waivers that will need to be acted on by the Board:

1. The proposed disposal bed will be only 50 feet from the existing well on this property, which does not meet the minimum separation distance of 100 feet. As per 7:9A-4.3, the distance can be reduced to 50 feet provided there is 50 feet of casing in the well. A well record shows that the well was drilled in 1977 by Samuel Stothoff and has 50

feet of casing, therefore the Board can approve the waiver request.

2. The proposed disposal bed toe of mound will only be 3 feet from the property line, which does not meet the minimum 10 foot set by County policy. The engineer will inspect the grading and certify that the grading has not adversely impact any offsite water conditions. In addition, the proposed retaining wall will be inspected by the engineer and shall provide certification on the final as-built.
3. Please note, the highest regional water table is at 12 inches, which is less than the maximum allowed by code of 24 inches from the surface, however the Board previously has addressed this with resolution 2015-01, therefore is no formal action required by the Board, just acknowledgement of this condition.

In addition, all the requirements for Advanced Treatment Unit shall be met, including engineer certifications, service provider maintenance contract, deed notice and auto dialer/ telemetry device.

Since this is a malfunctioning system, and according to 7:9A 3.3(e) 2 i and ii, and the system is closer to being in full conformance with the chapter than the original system, the Board can consider the waiver request.

N. Marmorato inquired if the well casing is 50', does the Township require well water testing because of the reduced length. C. Kozoh responded usually when there is 50' that is sufficient.

N. Marmorato inquired if the neighbor has been notified of the proposed disposal bed toe of the mound being only 3' from the property line. C. Kozoh responded that she hasn't heard of any issues. They would inspect the grading and not create any drainage issues on the neighboring property.

It was moved by I. Kyd, seconded by N. Marmorato and carried to approve the above waivers. All members present voted **AYE** on **ROLL CALL VOTE**.

Memo & Proposed Draft Ordinance – Lavery, Selvaggi, Abromitis & Cohen

AN ORDINANCE OF THE BOARD OF HEALTH OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AMENDING PART III, "BOARD OF HEALTH LEGISLATION," CHAPTER 153 "SEWERAGE DISPOSAL SYSTEMS, INDIVIDUAL," OF THE CODE OF THE TOWNSHIP OF KINGWOOD TO CREATE SECTION 15 "WAIVERS FROM STRICT COMPLIANCE"

J. Moscaguirri stated the draft ordinance was presented to the Township Committee at their June meeting. The draft ordinance puts the actual decisions for waivers from the process into the Engineer's hands. It will take some liability away from the Board. The Engineer is more knowledgeable in septic designs. J. Moscaguirri understands that some times there may be an issue with a quorum for a meeting. If you are buying or selling a house and you have to wait an additional 30 days that may seem like a lifetime. It is the same draft ordinance that has been adopted in several municipalities.

T. Ciacciarelli indicated that the Board does not always have a quorum. The Board really is a rubber stamp on any of the waivers. The Board will still have the authority and a resident can appeal to the Board of Health the Engineer's decision.

J. Moscaguirri stated if an application comes up for an appeal, the Board would have the Engineer's expertise to rely on for their decision.

I. Kyd inquired how the process would be different going forward.

J. Moscaguirri stated the Engineer is being granted the power to approve the waivers.

I. Kyd stated the engineer is the expert and it would make sense for them to approve the waiver.

J. Moscaguirri stated if the Engineer said no to the homeowner and the homeowner has a problem with the Engineer's decision, the Board of Health can weigh in with a fully informed decision. The Board would have the ability to override his decision.

I. Kyd confirmed that the Engineer's services would be covered by the \$300.00 fee. She stated it makes sense to approve the draft ordinance.

N. Marmorato stated the draft ordinance makes sense as the Board does not meet that frequently. It is best to defer to the experts. The Board members are lay people as far as septic waivers.

J. Moscaguirri stated the Board should list it on the next meeting agenda for introduction. It would then be adopted in August.

Approval of Minutes

It was moved by I. Kyd, seconded by T. Ciacciarelli and carried to approve the minutes of March 16, 2022 and place on file. All members present voted **AYE** on **ROLL CALL VOTE**, except N. Marmorato, who **ABSTAINED**.

CORRESPONDENCE

PRIVILEGE OF THE FLOOR

ADJOURNMENT

It was moved by T. Ciacciarelli, seconded by N. Marmorato and carried to adjourn the meeting at 7:45 PM. All members present voted **AYE**.

Respectfully submitted,

Diane Laudenschach, Secretary