

**WARREN BOARD OF HEALTH
Minutes – Special Meeting
April 13, 2016– 7:00 P.M.
2ND FLOOR CONFERENCE ROOM – MUNICIPAL BUILDING
46 MOUNTAIN BOULEVARD, WARREN**

Call to Order: The special public meeting of the Warren Township Board of Health was called to order at 7:03 p.m. by Mr. Plager, Chairman/President Board of Health

Flag Salute

The Opening Statement: Adequate notice of this meeting was given on March 28, 2016 by posting a copy on the Township Bulletin Board sending a copy to the Township Clerk, Echoes Sentinel and Courier News as required by the Open Public Meetings Act. We plan to adjourn no later than 10:00 P.M.

Roll Call:

Dr. DeMarco-	Absent	<u>Alternate #1</u>	
Mrs. Cooper-	Present	Mr. Rosenman-	Present
Mr. Morlino-	Absent	<u>Alternate #2</u>	
Dr. Sarraf-	Absent		
Mr. Lazo-	Present		
Mr. Riley-	Present	Mr. Plager-	Present

Privilege of the Floor:

Approval of Minutes: March 9, 2016

Motion was made by Mrs. Cooper second by Mr. Riley to approve the March 9, 2016 minutes amended.

Voice Vote:

In Favor: Mrs. Cooper, Mr. Riley, Mr. Rosenman, Mr. Plager

Opposed: None

Abstentions: Mr. Lazo

Correspondence: Please See Correspondence File

New Business: None

Old Business:

Resolution 2016-10

10 Marian Lane

Block 96, Lot 10

Application: Variance from Ordinance 88-1A requiring connection to sewers

Applicant: Mrs. M. Colucci

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Motion was made by Mrs. Cooper second by Mr. Rosenman to approve Resolution 2016-10 as read.

The Board discussed the time period of the resolution. They felt that three years guaranteed that the septic system would be properly maintained and that the applicant was still the owner of the residence. A new deed would need to be filed with the resolution.

The Board Attorney stated that the only financial documents submitted to her firm are the tax returns that have not changed from year to year.

Roll Call:

Mrs. Cooper-	Yes
Mr. Lazo-	Abstain
Mr. Riley-	Abstain
Mr. Rosenman-	Yes
Mr. Plager-	Yes

Resolution 2016-11

23 Conklin Lane
Block 62, Lot 13.01
Application: Minor Subdivision
Owner/Applicant: CRC Communities at Conklin Lane, Inc.
Engineer: Robert Gazzale, PE of Fisk Associates
Attorney: Richard Sasso, Esq.

Motion was made by Mr. Riley second by Mrs. Cooper to approve Resolution 2016-11 as read.

Mr. Plager asked about the locations of the wells. Mr. Sumner stated they have not been drilled yet.

Roll Call:

Mrs. Cooper-	Yes
Mr. Lazo-	Abstain
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Mr. Plager-	Yes

Resolution 2016-12

84 Liberty Corner Road
Block 24, Lot 7.03
Application: Minor Subdivision
Owner/Applicant: America and Sara Sousa
Engineer: Robert Gazzale, PE of Fisk Associates
Attorney: Erwin Schnitzer, Esq.

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Motion was made by Mr. Riley second by Mrs. Cooper to approve Resolution 2016-12 as read.

Roll Call:

Mrs. Cooper-	Yes
Mr. Lazo-	Abstain
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Mr. Plager-	Yes

Case 4- continued from March 9, 2016 meeting

88 Round Top Road

Block 38, Lot 1

Application: Major Subdivision

Owner/Applicant: 88 Round Top, LLC

Engineer: Titus Surveying & Engineering, PC

Attorney: Vastola, Fackleman & Sullivan

The Board continued the application from the March 9, 2016 meeting. Donald Whitelaw, Esq., was present to represent the applicant.

The Board discussed the draft resolution before they voted on the application.

The Board was concerned about how the resolution would be filed with the deed(s) since this is a three-lot subdivision. Board Counsel stated that it would be recorded as soon as the Planning Board approves the application. Board Counsel stated that this resolution only restricts activities on the one lot with the septic. Mr. Plager stated that at the last meeting, the Board discussed that if the lot were not connected to the sewer the septic system would be replaced.

Mr. Riley asked what happens if the restriction is recorded with respect to the one lot and the applicant sells the one lot after the subdivision was approved. This resolution proposes that if he does that at some point he might even need to put in a new septic system. What happens if: the applicant sells the lot with the deed restriction attached, and a new septic system is installed but the proposed development falls by the way side. If someone subsequently comes in and purchases one of the two other undeveloped lots and that person wants to build a house, do they have to put in the sewer? In addition, does the person who owns the undeveloped lot now have to be responsible for the sewer connection to the existing house? Board Counsel stated that no, as soon as the undeveloped lot is sold, the person who owns the septic system lot has to hook up. The resolution and deed run with the land. Whoever buys the existing house would still be bound by the deed.

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Case 4- continued from March 9, 2016 meeting (Continued)

Mr. Riley asked if a new septic system can be installed on this property? Board Counsel stated that the applicant would need to come back in front of the Board with septic design plans. Mr. Plager stated that the property cannot be sold without a new septic or connection to the sewer.

Mr. Rosenman stated that he would like to change Condition 1 to reflect that the conditions of the resolution apply to sale and to transfer of any interest and that a copy of the resolution will be attached to the deed. Mr. Riley stated he would like Condition 10 to include the wording "which restrictions shall run with the land".

Mr. Whitelaw stated that three deeds would be recorded with the resolution attached to Lot 1.01. and to the subdivision approvals as exhibits in the deeds.

Motion was made by Mrs. Cooper second by Mr. Rosenman to approve the application with discussed conditions.

Roll Call:

Mrs. Cooper-	Yes
Mr. Lazo-	Abstain
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Mr. Plager-	Yes

Resolution 2016-13

88 Round Top Road
Block 38, Lot 1
Application: Major Subdivision
Owner/Applicant: 88 Round Top, LLC
Engineer: Titus Surveying & Engineering, PC
Attorney: Vastola, Fackleman & Sullivan

Motion was made by Mrs. Cooper second by Mr. Rosenman to approve Resolution 2016-13 as amended.

Mr. Rosenman stated Conditions 1c and 9 need to be consistent and both need to say "Transfer of Interest".

Roll Call:

Mrs. Cooper-	Yes
Mr. Lazo-	Abstain
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Mr. Plager-	Yes

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Adjournment:

**Motion was made by Mr. Riley second by Mrs. Cooper at adjourn the meeting at 8:26pm.
Motion carried by unanimous voice vote.**

**Respectfully submitted,
Barbara Streker, Clerk, Warren
Township Board of Health**