

**WARREN BOARD OF HEALTH
MINUTES
September 10, 2014 – 7:00 P.M.
2ND FLOOR CONFERENCE ROOM – MUNICIPAL BUILDING
46 MOUNTAIN BOULEVARD, WARREN**

Call to Order: The regular public meeting of the Warren Township Board of Health was called to order at 7:02 p.m. by Malcolm Plager, Chairman.

Flag Salute

The Opening Statement: Adequate notice of this meeting was given on January 14, 2014 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	-Absent	Mr. Rosenman	-Present
Mr. Morlino	-Absent	<u>Alternate #2</u>	
Dr. Sarraf	-Present	Mrs. Dealaman	-Present
Mr. Lazo	-Present		
Mr. Riley	-Present	Mr. Plager	-Present

Privilege of the Floor: None

Approval of Minutes:

Motion was made by Mr. Riley, second by Dr. Sarraf to approve the May 14, 2014 minutes as amended.

Voice Vote:

In Favor: Dr. Sarraf, Mr. Lazo, Mr. Riley, Mr. Rosenman, Mrs. Dealaman, Mr. Plager

Opposed: None

Abstentions: None

Correspondence: Please See Correspondence File

New Business:

Case # 1 – September 10, 2014

72 Mountain Avenue

Block 202, lot 2

Application: Minor Subdivision

Applicant: Jonathan Eng

Owner: Jonathan Eng

Attorney: Joseph Murray, Esq.

Engineer: Kevin G. Page, PE

Case # 1 – September 10, 2014 (Continued)

Applicant proposes to subdivide this 1.12 acre lot into two lots of 0.598 and 0.503 acres, respectively. The current lot is served by public water and public sewer and the new lots are proposed to be served in the same manner. Warren Township Sewerage Authority has granted preliminary and final approval by way of Resolution No. 14-63 and a will serve letter from New Jersey American Water dated May 21, 2014 has been provided.

Ms. Catherine Mueller, PE, Page Engineering, and Jonathan Eng, Applicant/Owner, and Joseph Murray, Esq. Schiller & Pittenger were present and sworn in to testify.

Mr. Murray stated that he contacted the secretary of the Planning Board to obtain confirmation of the status of the subdivision. The resolution was adopted and Mr. Murray provided a copy to the Board.

Mr. Murray stated that an easement for the County will be granted as part of this application. Ms. Mueller testified that per Township Engineer Chris Kastrud's letter to the Planning Board, the easement will be private. Both neighbors will have the right to access and maintain the drainage ditch.

Mr. Sumner reminded the Board that the application process has changed allowing the applications to go before the Planning Board first. We found out about this application when it came to the Board of Health for compliance review and yet the application was never heard by the Board of Health prior to tonight.

Mr. Sumner stated that the Board of Health records indicate the presence and use of a well to serve the property. The application stated that public water also services the property. Mr. Sumner stated that the well needs to be permitted as an irrigation well or abandoned.

Mr. Sumner stated that the Board of Health also needs documentation relative to the leaking underground storage tank that was reported to NJDEP in 2007 with a Hazardous Substance Discharge Notification. The application states that the remediation was completed in 2008. No records of this are in the Board of Health file. Ms. Mueller testified that Page Engineering has contacted the remediation company and were told that the site was remediated, but the paperwork to obtain a No Further Action Letter from DEP was never filed. Mr. Sumner stated that the Board could still act on the application, with a condition in the resolution subject to receipt of a No Further Action letter.

Mr. Plager asked Mr. Eng if he understood the Board's concern with the Underground Storage Tank. Mr. Eng testified that he did.

Ms. Mueller testified that the property has no wetlands in the area of the proposed house. Mr. Riley asked about the dry well. Ms. Mueller testified that the plans show a conceptual design for a house with a dry well. Once a plot plan is finalized and submitted to the town, it will identify the exact location of the house and dry well.

Case # 1 – September 10, 2014 (Continued)

Motion was made by Mr. Riley seconded by Dr. Sarraf, to approve the application as presented subject to the following conditions: issuance of a permit for an irrigation well, DEP No Further Action Letter, and the location of the dry well.

Roll Call:

Dr. Sarraf-	Yes
Mr. Lazo-	Yes
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Ms. Dealaman-	Yes
Mr. Plager-	Yes

Case # 2 – September 10, 2014

Washington Valley Road
Block 75, lot 3.02
Application: Site Plan & Variance
Applicant: Rootopedia, LLC
Owner: Rootopedia, LLC
Attorney: Joseph Murray, Esq.
Engineer: Kevin G. Page, PE

Applicant proposes to renovate the former Warren Township Post Office building to be used as office space for the business known as Rootopedia, LLC. Property is proposed to be served by public water and public sewer and the applicant has submitted a will-serve letter from New Jersey American Water Company dated January 31, 2014 and a Warren Township Sewerage Authority Resolution (No. 14-85) granting a waiver to utilize the one (1) EDU of capacity already associated with the property. Applicant seeks relief from Board of Health Ordinance No. BH-7 et seq. requiring a solid waste enclosure of 10' X 20'.

Ms. Catherine Mueller, PE, Page Engineering, and Ted Koo, Applicant/Owner Rootopedia, were present and sworn in to testify. Joseph Murray, Esq., Schiller & Pittenger was present.

Mr. Koo testified that his company performs research on the roots of English words for publication companies. He currently employs 5 people. This facility is not an actual store and does not create actual books on site. The research is sold to publishing companies. The facility may at time have clients that will come to the facility for information or presentations.

Mr. Koo testified that the facility will be open Monday-Friday from 9:00 am-4:30 pm. No large volume printing will be done on site.

Mr. Murray stated that the Planning Board has this application scheduled for later this month.

Case # 2 – September 10, 2014 (Continued)

Mr. Koo testified that the only change to the exterior of the facility will be enclosing the exterior back porch.

Ms. Mueller testified that the impervious coverage of the lot will be increased by 995 square feet, but is still under the threshold of the storm water management rules and does not need a variance. There is an existing drain to the rear of the property along the western curb line. Historically, it drained to the west and was piped to the stream. The pipe has been crushed leading to the inlet and is not functioning. Therefore, they are proposing to remove the inlet, plug the pipe and install a new inlet closer to Washington Valley Road. The rear of the property will be pitched toward the new inlet which would carry the water to the existing storm water system in Washington Valley Road. The pipe will be a 24 inch pipe under the road. Ms. Mueller testified that they have spoken to the county and have a verbal approval for this plan.

Mr. Rosenman asked how much trash is being generated at the current location of the company. Mr. Koo testified not more than a household can or two. Most of the trash comes from discarded copy paper. Mr. Plager stated that the county requires that paper, cardboard, and plastic materials be recycled. Ms. Mueller testified that moving forward the applicant will have a trash can and recycle bin. Mr. Plager asked where the garbage cans will be stored. Mr. Koo testified that the bin will be stored inside the facility and the garbage company will pick up similar to a residential household.

Mr. Plager asked if there is a kitchen facility in the building. Mr. Koo testified no.

Mr. Plager asked if this is a privately held or government owned organization. Mr. Koo testified private. They are a research facility who produces a product to be used in articles or books. Nothing is printed on site.

Ms. Mueller testified that they are required to have 24 parking spots for this application. They have expanded the parking in the front of the building and have proposed two spots in the rear to be banked.

The Board expressed concerns over granting the dumpster variance. They questioned what if the garbage gets out of hand and starts to be dumped or if the building had new tenants. Mr. Sumner stated that if the Board chooses to grant the variance for the dumpster, they may grant the variance conditioned upon the fact that if at any time in the future a site visit or verified complaint cannot be corrected then the Board or Health Department has the opportunity to require the dumpster.

Ms. Mueller testified that the original plan showed a location for a dumpster. When the plans were amended the dumpster was removed. The utility plan still shows the water line previously proposed for the dumpster. They are now proposing to remove the line. Mr. Plager suggested the applicant consider installing the water line to have for future needs.

Ms. Mueller testified that the building would have a small kitchenette with a refrigerator, microwave and a sink in the rear of the building.

Case # 2 – September 10, 2014 (Continued)

Mr. Plager asked if this facility would be smoke free inside and out. Mr. Koo testified yes.

Motion was made by Dr. Sarraf second by Mr. Rosenman to approve the application as presented.

Roll Call:

Dr. Sarraf-	Yes
Mr. Lazo-	Yes
Mr. Riley-	Yes, accepts testimony of applicant, but prefers the dumpster enclosure. As long as the Board is fine with it, he is in favor of the application.
Mr. Rosenman-	No
Ms. Dealaman-	Yes
Mr. Plager-	Abstain

The Board took a recess from 8:17-8:19pm

Mr. Lazo left the meeting at 8:19pm

Old Business:

Resolution 2014-12

6 Cory's Brook Road

Block 84, Lots: 1, 3 & 4

Application: Minor Subdivision

Owner/Applicant: Mr. Ralph Markham

Engineer: Kevin G. Page, PE, Page Engineering Consultants, PC

Motion was made by Mr. Riley second by Dr. Sarraf to amend Resolution 2014-12 to include the size of Lot 3 which is to remain.

Roll Call:

Dr. Sarraf-	Yes
Mr. Riley-	Yes
Mr. Rosenman-	Abstain
Ms. Dealaman-	Yes
Mr. Plager-	Yes

Mr. Plager, Chairman, left the meeting at 8:38pm. Vice President Mr. Riley took over the meeting.

Middle-Brook Regional Health Commission Report

Mr. Riley showed the Board the pool assessment video he created. The video is currently airing on the Township TV Station.

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Mr. Riley deferred the rest of his report until the next meeting.

Report of Employees/Health Officer Report

Mr. Sumner reported that he is currently working to have the massage therapist licensing moved from the Township Clerk's office to the Board of Health.

Mr. Sumner reported that the septic system at Wagner Farms will begin to be installed next week.

Mr. Sumner reported that the Commission has had two animals test positive for rabies: a bat in South Bound Brook and a skunk in Bound Brook. No people were exposed in either case.

Financial Reports:

Mr. Riley, Vice President, deferred the Financial Report until the next meeting.

Adjournment:

Motion was made by Mr. Rosenman, second by Dr. Sarraf to adjourn the meeting at 8:54pm. Motion carried by unanimous voice vote.

Respectfully submitted,

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