

**WARREN BOARD OF HEALTH
MINUTES
October 28, 2015 – 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 Mrs. Susan Cooper, Vice President

Flag Salute

The Opening Statement: Adequate notice of this meeting was given on February 12, 2015 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-	Present	<u>Alternate #1</u>	
Mrs. Cooper-	Present	Mr. Rosenman-	Present
Mr. Morlino-	Absent	<u>Alternate #2</u>	
Dr. Sarraf-	Present	Mrs. Dealaman-	Present
Mr. Lazo-	Present (Arrived 7:07pm)		
Mr. Riley-	Present	Mr. Plager-	Present (Arrived 7:03pm)

Privilege of the Floor: None

Approval of Minutes: September 9, 2015

Mr. Riley felt that the minutes should reflect that the reason the Board did not require a split system for Case one was that the existing house was not plumbed for a split system. There was testimony to that effect on the application.

Motion was made by Mr. Riley second by Mrs. Dealaman to adopt the September 9, 2015 minutes as amended.

Voice Vote:

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

Opposed: None

Abstentions: None

Correspondence: Please See Correspondence File

The meeting was handed over to Mr. Plager, Chairman at 7:10pm

Old Business:

Resolution 2015-17

125 King George Road

Block 56, Lot 7

Application: Variance from Warren Septic Ordinance

Owner/Applicant: Mr. Eugene Smith

Engineer: Stephen E. Parker, PE

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Motion was made by Mrs. Cooper second by Mr. Riley to approve Resolution 2015-17 as read.

Roll Call:

Dr. DeMarco-	Abstain
Mrs. Cooper-	Yes
Dr. Sarraf-	Abstain
Mr. Lazo-	Yes
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Mrs. Dealaman-	Yes
Mr. Plager-	Yes

Resolution 2015-18

San Road and Mt. Bethel Road
Block 86.01, Lots 28.04, 29, & 30
Application: Major Subdivision
Owner: The Hollows at Warren, LLC
Subdivider: The Hollows at Warren
Engineer: Kevin G. Page, P.E.; Page Engineering Consultants, P.C.
Attorney: Joseph Murray, Esq.

Mr. Plager asked for a clarification on the TWA permit and if it needed to be obtained before the resolution was adopted. Counsel stated it is a condition already in the resolution, and nothing can be done on the site without obtaining it. The TWA was a condition imposed by the Sewerage Authority Resolution.

Motion was made by Dr. Sarraf second by Mrs. Cooper to approve Resolution 2015-18 as read.

Roll Call:

Dr. DeMarco-	Abstain
Mrs. Cooper-	Yes
Dr. Sarraf-	Yes
Mr. Lazo-	Yes
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Mrs. Dealaman-	Yes
Mr. Plager-	Yes

Resolution 2015-19

41 Old Stirling Road
Block 88, Lot 26
Application: Minor Subdivision
Applicant/Owner: P.J. Ferrara
Engineer: Kevin G. Page, PE
Attorney: Vincent Bisogno, Esq.

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Motion was made by Dr. Sarraf second by Mrs. Cooper to approve Resolution 2015-19 as read.

Roll Call:

Dr. DeMarco-	Abstain
Mrs. Cooper-	Yes
Dr. Sarraf-	Abstain
Mr. Lazo-	Yes
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Mrs. Dealaman-	Yes
Mr. Plager-	Yes

New Business:

Case #1 – October 28, 2015

24 Plainfield Avenue
Block 97, Lot 55
Block 101, Lot 4.04
Block 96, Lots 37 & 38.01
Application: Minor Subdivision
Applicant: Dan Gallic
Owner: Victor Sordillo
Engineer: W. Leland Titus, PE

Mr. W. Leland Titus, PE, of Titus Engineering and Mr. Dan Gallic, Applicant, were present and sworn in to testify.

Mr. Gallic testified that the application is to subdivide the above referenced properties consisting of 4.8 acres to create two (2) lots with no variances. One house is proposed to be constructed in each lot (one is currently under construction) and each will be served by public sewer and private well. Zoning is R20, ½ acre. This application has already received approvals from all other Boards.

Mr. Plager asked about the high tension wires on the property. Mr. Gallic testified that you drive under them to reach the properties. Mr. Plager wanted to know if any property under the wires is part of the acreage. Mr. Gallic testified yes, but there are restrictions that no permanent structures can be put up within that easement.

Mr. Gallic testified that the power lines are 485,000 volts. He is very aware of the voltage since he is an Electrical Engineer. Mr. Gallic testified that realistically there are no health concerns to the existing house already built 120 feet into the woods. The other property will also be placed as far back into the woods as possible. Mr. Gallic testified that parking is ample for both houses. The wells will be placed in the most easterly part of the properties.

Mr. Titus testified that he backs up all the testimony from Mr. Gallic, and sees no health issues with the high tension wires and the lot subdivision.

Mr. Gallic testified the easements under the high tension wires would not affect the two dwellings.

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Case #1 – October 28, 2015 (Continued)

Mr. Sumner asked that revised plans be submitted to the Board of Health with the correct Block and Lot in the title block.

Motion was made by Dr. Sarraf second by Mrs. Dealaman to approve the application was presented.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Cooper-	Yes
Dr. Sarraf-	Yes
Mr. Lazo-	Yes
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Mrs. Dealaman-	Yes
Mr. Plager-	Yes

Case #2 – October 28, 2015

101 Berry Hill Road

Block 160, Lot 3.02

Application: Variance from septic ordinance

Owner/Applicant: Doug Jamieson

Engineer: Stephen Parker, PE

Mr. Stephen Parker, PE, of Parker Engineering was present and sworn in to testify.

The applicant proposes to construct a new on-site sewage disposal system to provide service for a proposed 5-bedroom house on a new 2.264-acre lot created by a subdivision previously certified by the Board of Health in June 2013 by way of Resolution 2013-15. The property is also proposed to be served by private well. The proposed on-site sewage disposal system complies with state law but requires variances from Warren Township Board of Health ordinances.

Mr. Parker testified that this property was once on Stirling Road, but has since been subdivided into two lots; one on Stirling Road containing the existing dwelling and the vacant lot on 101 Berry Hill Road.

Mr. Parker testified that he designed a split septic system to service a new 5 bedroom dwelling, and is seeking the following variances:

- Warren Ordinance 7:9A-5.2 (h) requires a hearing before the Board of Health when excessively coarse soils are identified for variance approval.
- Warren Ordinance 7:9A-6.1a requires testing at the level of infiltration.
- Warren Ordinance 7:9A-6.1.1 (5) requires the system be designed based in the permeability of the native soil. The system is designed based on the permeability of the fill material.
- Warren Ordinance 7:9A-10.1 (b) stating that mounded disposal fields are not to be permitted except upon formal hearing and approval by the Board of Health.

Mr. Plager asked about the slope of the 4 to 1. Mr. Parker testified that he usually likes to show only what is required, but feels the actual drop off will be less with the grading.

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Case #2 – October 28, 2015 (Continued)

Motion was made by Mrs. Cooper second by Dr. Sarraf to approve the application was presented.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Cooper-	Yes
Dr. Sarraf-	Yes
Mr. Lazo-	Yes
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Mrs. Dealaman-	Yes
Mr. Plager-	Yes

Case #3- October 28, 2015

Oak and Elm Avenues
Block 12, Lots 21, 22, 23, 24, 25, 26
Block 19, Lot 3; Block 20, Lot 1; Block 21, Lot 2, Block 22, Lot 2
Application: Major Subdivision
Owner/Applicant: Oak and Elm Associates, LLC
Engineer: Robert C. Moschello, PE; Gladstone Design, Inc.
Attorney: Lloyd Tubman, Esq.

Mr. Robert Moschello PE and Matthew Draheim of Gladstone Design, Inc. and Mr. Jerome and Stephanie Spivack, owner and applicant were present and sworn in to testify.

Applicant proposes to subdivide this 23.816-acre tract of land into three (3) lots of 14.393 acres, 2.118 acres, and 7.305 acres. Each subdivided lot is proposed to have a single residential dwelling to be served by individual subsurface sewage disposal system and private well. Applicant has conducted field analysis demonstrating that the construction of a septic system is possible, though certain variances are likely to be required. During the site assessment for on-site sewage disposal systems, the applicant conducted high water table testing by standpipes indicating that the groundwater is greater than 24" below the ground level, as required. The applicant has submitted a NJDEP Letter of Interpretation verifying the presence of wetlands of ordinary and intermediate value on the subject properties. The conceptual design of the dwellings, on-site sewage disposal systems, and wells do not occur in these wetlands. Applicant seeks approval of the subdivision with the understanding that a reappearance before the Board of Health will be required if the proposed septic system requires approval of variances from local ordinance. Conceptual designs of the systems have been submitted based on the permeability of suitable fill allowing design of split systems, with reserve areas. The conceptual plans submitted contain minor technical issues that can be addressed at the time of final design proposal and do not affect the potentially ability to install an on-site sewage disposal system.

Mr. Moschello testified that this subdivision is made up of paper streets. The application is for a three lot minor subdivision, which already has Planning Board approval. The subdivision would vacate the shaded streets on the plan and make three lots. The overall current track of land consists of 10 lots with 19.2 acres along with the areas for the right of ways for 4.5 acres that will be vacated.

Case #3- October 28, 2015 (Continued)

The Board asked where the firehouse is located. Mr. Moschello testified to the west of the property off Elm.

Mr. Moschello testified that he has no history of the other prior proposed subdivision in the same area. This application is a not related.

Mr. Moschello testified that there are many environmental constraints due to wetlands on the property and identified on the plan. An NJDEP LOI has been received delineating the wetlands and those wetlands have 50 foot buffers associated with them. In addition to the wetlands there is a series of ditches that are regulated under the flood hazard area rules therefore you have riparian zones. The riparian zones shown on the map are 150 foot riparian zones. The applicant was also asked as part of compliance from the Planning Board to put in two conservation easements to be deeded to the Township.

Mr. Moschello testified that he has done soil logs at all the locations of the proposed septic systems. There is enough room to place a split system on each lot. All the monitoring wells showed water below the approved water levels.

Mr. Sumner stated that the conceptual design for the spit systems does not currently meet the requirements of the Board of Health. The black water will require 100% of the design size; the state requires 75% and the Grey Water systems were under sized as well. The question is can the applicant comply with those provision and still maintain the setbacks necessary.

Mr. Moschello testified that they plan to build a 4 bedroom home on the two smaller lots and a 5 bedroom home on the larger lot.

Mr. Draheim testified that he looked at the conceptual design to try to bring the design up to compliance at 100%. Using the slower permeability rate for sizing, block 19, L 3.01 and block 22, L1.03, septic systems would increase from having a black water area of 1050 sq feet to 1350 sq. feet. The gray water would go from 612 sq feet to 775 sq feet. They are still able to comply with space on the lots.

Mr. Spivack testified he purchased the property in 1975. They planned on building a home with large garden, but over the years plans changed and they decided to subdivide the property. With the restrictions on building, they were only able to subdivide it into three lots.

Mr. Moschello entered in to exhibit "A1" the color map with all the wetlands and lot lines mapped out.

Motion was made by Mr. Riley second by Mrs. Cooper to approve the application only for the subdivision and not tied into a variance or design of the septic.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Cooper-	Yes
Dr. Sarraf-	Yes
Mr. Lazo-	Yes
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Mrs. Dealaman-	Yes
Mr. Plager-	Yes

Mr. George Lazo left the meeting at 8:27pm

- **Warren Township Septic Ordinance Proposed Changes & Warren Township Board of Health Fee Schedule**

Mr. Sumner stated that he took the Board's comments and proposals and created the new Ordinance 2015-1. He felt that it was the best option to repeal what we currently have, (Ordinance 91-1a, 91- 2a, 91-3a, 2007-2 and 2007-3), and create one ordinance 2015-1 where everything is in one place. The Board would repeal what is current and adopt the State Regulations with these revisions to the State Regulations. Mr. Sumner stated that the new Ordinance would be directly related to the state law. Mr. Sumner deleted items the Board routinely variances.

The Board had a discussion and felt that they need more time to review the ordinance and fee schedule change before they could pass a first reading. Mr. Plager asked Mr. Sumner to provide the Board with a marked up copy showing what was removed and from where. This would help them understand the changes better.

The Board reviewed the fee ordinance and decided that they would discuss it further at the next meeting. The only proposed change was including the current alternative septic system fees in with the fee ordinance. This way all the fees will be in one spot.

The Board could have a first reading of the Warren Township Septic Ordinance Proposed Changes & Warren Township Board of Health Fee Schedule at the next meeting.

- **Requested Modification to Connection Requirements Specified in Board of Health Ordinance 88-1A.**

Mr. Sumner stated that this letter from the Sewerage Authority informs the Board that they have begun to install low pressure sewer lines with pressure from the dwellings to operate. The current Board of Health Ordinance says that if an individual has to pump to get to the sewer line, the Board shall grant a variance to do so. The Sewerage Authority is now asking the Board of Health to review that Ordinance. Mr. Sumner felt it was appropriate to have someone from the Sewerage Authority come to a meeting, which they have offered, and explain to the Board what the design of the system is and how much capacity the pumps need to operate.

The Board had questions about the force main sewer and thought it was a good idea to have the Sewerage Authority Engineer come to the next meeting to answer questions for the Board.

Mr. Sumner stated he would reach out to the Sewerage Authority with the Board's comments and ask that the Engineer attend the next meeting.

The Board of Health decided to have a Special Meeting on December 2, 2015

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Financial Reports:

Treasurer's Report: Receipts –September 2015

Receipts for Registrar:	\$946.00
Health	\$45.00
Application Fees	\$175.00
Septic and Well	<u>\$845.00</u>
Total Health	\$2,011.00
Dogs	\$103.00
Cats	<u>\$0.00</u>
Total Animal	\$103.00
Grand Total:	<u>\$2,114.00</u>

Disbursements: September 2015

Health:

Vital Records Safety Paper	\$73.50
Electronic Signature Pad	\$225.99
Chair Mat	<u>\$99.19</u>

Total Health Disbursement September 2015 **\$398.68**

Animal Control:

State Dog License Fee- September	\$6.60
Animal Tags for 2016	<u>\$202.50</u>
Total Animal Control Disbursements	<u>\$209.10</u>

Total Disbursements – September 2015 **\$607.78**

Motion was made by Mrs. Cooper second by Mr. Plager to approve the September 2015 Financial reports as read.

Voice Vote:

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

Opposed: None

Abstentions: None

Middle-Brook Regional Health Commission Report

Mr. Riley stated that the Commission Finance committee had a meeting and recommended a proposed budget. The budget is made up of wages and fixed costs. The committee recommended wage increases of 1.75% for the Commission employees.

Mr. Riley stated that Bound Brook is considering increasing the current Health Inspector from Part-time to Full-time.

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Middle-Brook Regional Health Commission Report (Continued)

Mr. Riley stated that the overall budget if the employee remains part-time would be \$436,510 for 2015. The Proposed amount for 2016 is \$441,814. That represents a 1.22% increase for each town. If the employee were to go full time, the proposed budget would be \$468,516 with a 1.69% increase for each town from the 2015 budget. Bound Brook would also pick up the additional cost of the full-time employee salary.

Reports of Employees/Health Officer Report

None

Adjournment:

Motion was made by Mrs. Cooper second by Mr. Rosenman to adjourn the meeting at 9:47pm. Motion carried by unanimous voice vote.

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