

**TOWNSHIP OF MENDHAM - BOARD OF HEALTH**  
**October 24, 2016**

**MEETING MINUTES**

**CALL TO ORDER:**

The Board of Health meeting was called to order at 7:38 pm by Mr. West.

**ADEQUATE NOTICE:**

"Adequate Notice of this meeting of the Board of Health of the Township of Mendham was given as required by the Open Public Meetings Act as follows: Notice was given to both the DAILY RECORD and the OBSERVER TRIBUNE on January 28, 2016. Notice was filed with the Township Clerk, and notice was posted on the bulletin board in the Township Hall on January 28, 2016."

**ROLL CALL: PRESENT:** Mrs. Reale, Dr. Watson, Mr. Weber, and Mr. West

**ABSENT:** Ms. deMontigny, Mrs. Desbiens

**ALSO PRESENT:** Mr. John Mills, III, Board Attorney, Mr. Joel Coyne

**SALUTE TO THE FLAG:** Led by Mr. West

**MINUTES – APPROVAL OF SEPTEMBER 26, 2016**

Mr. West motioned to approve the minutes and Dr. Watson seconded.

**Upon Roll Call Vote:**

**Yes:** Mrs. Reale, Dr. Watson, Mr. Weber, Mr. West.

**Abstain:**

**OLD BUSINESS: None.**

**NEW BUSINESS:**

- A. BLOCK 127, LOT 49:** 63 Woodland Road
- APPLICANT:** Gardner Ave Newton LLC
- APPLICATION:** Septic alteration / waiver request
- PRESENT:** Robin Sellito / Careaga Engineering

Robin from Careaga Engineering introduces herself and her client to the board. She states that currently this property has two houses on a single lot. It's serviced by one well and each dwelling has a cesspool. What we are proposing to do is to tie the two houses into one system; the system will be a pre-treatment system. It will consist of a Norweco treatment tank, it will be a pressurized system, so we have a 1500 gallon pump tank and it will be going to a disposal field. We are here before the Board to ask for a few variances. Two of them are for the setbacks to the neighbor's property. First I will discuss lot 48; this lot was seen before the Board and did get approval for their septic to be 10 feet off the property line. It did make it difficult because of the location of our well to be 25 feet off the property line, we are asking for a variance for their septic. Septic to septic, the required distance is 50 feet, we held the Mendham requirement to 25 feet off the property line and with that we were only able to get 36 ft. to the neighbors septic. The neighbors system required 50; we have 36.7 ft. that's the 13.3 ft. variance. Tricia Cowell at Bernards Township contacted the DEP with regards to this to see if in any case they ever allow less than 50 ft. to a neighbor's septic, and Mark Miller at the DEP said that it is allowed as long as we are doing everything that we possibly can to make the bed size as small as you can and to make the variance the least amount.

The other variance is in regards to lot 50. We are only 13.5 off the property line so we do meet the state requirement of 10 feet but not Mendham Township's requirement of 25 ft. The final variance is for taking the reduction for pressure dosing system.

Robin reviews Masers review letter,

1. This is a statement of what I just discussed with regards to distance to the property line.
2. Chris Korshalla is asking for soil erosion measures and silt fencing illustrated on the plans and Careaga will address that.
3. Statement that we are 100.1 feet from the well.
4. Statement that the system design flow is 850 gal/day for a 3 bedroom house and also a one bedroom house.
5. Architectural plans were not submitted because we are not planning to do any with the house and we are not adding bedrooms.
6. Statement that there is (K3) soil.
7. Statement that the proposed grading is on the plan.
8. Piping lengths are shown and cleanout is provided.

Bernards Township review letter,

Tricia Cowell states exactly what variances were asking for. It does note the conversation that Tricia did have with the DEP. I did provide notification to both lots 50 and 48.

1. Statement that we are proposing a Norweco treatment tank.
2. The zone of treatment has reduced to 1.5 feet, which is allowed by code.
3. The owners have been notified.
4. The contractor will have to provide certification to the Health Department showing they are certified to install pre-treating systems **prior** to the start of construction.
5. There is an advanced treatment and pressure dosing dispersal which allows the field area to be reduced.
6. A deed restriction is required whenever there is pre-treatment so you can have a conforming bed on the property not meeting all the setback requirements. Attached to our clients deed will be a restriction.
7. Soil samples were taken.
8. Zone of disposal is reduced by 2 feet based on K3 soil ratings.
9. The existing well is 100.1 feet away from the new disposal field.

Mr. West asked if Robin knew anything about the casing on the well, Robin replied, we don't. She said there is very minimal casing on this well. There is a note on the plan of 6 inch steel casing. Mr. West asks are there other wells involved, Robin replies, the wells on lot 48 and 50 are in the front of their house. For lot 50, if anything ever did happen to their septic they do have the room in the back of the property to still meet the 50 ft to our septic, the 100 ft to their well.

Mr. West comments the only alternative he sees is to move it closer to the well and without digging a new well I would think that it is better to compromise the distance between, because nobody seems to know why 50ft is important from the distance to the well. I therefore argue that the compromises are reasonable in this difficult situation and they clearly meet the criteria of a dramatic improvement over what is there now.

Mr. West moves to approve with the minor changes with Joel's note about the perk test with suitable fill and the silt fence installation. And the "proof of service" needs to be supplied in order to get the final approval as well as a copy of the contractors CIOWTS. Mr. Weber seconded the motion.

**Upon Roll Call Vote:**

**Yes:** Mrs. Reale, Dr. Watson, Mr. Weber, Mr. West

**HEALTH OFFICER’S MONTHLY REPORT:**

Mr. Coyne stated that the September report is relatively straight forward with regards to septic reviews, as-built inspection, one food inspection at Alcott Manor, septic alteration work, one new septic, septic repair work, soil testing, well casings and one rabies control case for a dog bite.

A motion was made to approve the September Health Officer’s Monthly Report and was seconded by Dr. Watson.

**Upon Roll Call Vote:** Mrs. Reale, Dr. Watson, Mr. Weber, and Mr. West.

John Mill asks Mr. President that we call for a motion to recess into closed session under the litigation section rather than have a public discussion.

Mr. Mills reminds Sue not to sign off on the tonight’s septic system until we receive the deed.

Mr. West moves to recess into closed session and Mr. Weber seconded the motion.

**SUCH MATTERS THAT MAY RIGHTFULLY COME BEFORE THE BOARD:**

Shared Health Services Agreement: Discussion in closed hearing.

**GENERAL CORRESPONDENCE:** None.

**ADJOURNMENT** – A motion was made to adjourn the meeting and seconded. The meeting was adjourned at 8:56 pm.

Respectfully Submitted,

Sue Piscitello  
Board of Health Secretary