

**BOARD OF HEALTH – TOWNSHIP OF MENDHAM
MEETING MINUTES
OCTOBER 25, 2022 – 7:30 P.M.**

CALL TO ORDER: *Wendy Parrinello, Board Secretary*

STATEMENT OF 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 the Observer Tribune and Daily Record on February 3, 2022. Notice was posted on the bulletin board in the Township offices and notice was filed with the Township Clerk.

SALUTE TO THE FLAG: *Led by Mr. Benjamin Weber*

THOSE IN ATTENDANCE:

Ms. Ann Reale
Mr. Jesse Smith
Mr. Benjamin Weber
Mr. Ken West
Mr. John Atkins (Alternate 1)

APPROVAL OF SEPTEMBER 27, 2022 MEETING MINUTES

Mr. Weber makes a motion to approve the minutes with the correction given. Mr. West seconds the motion.

ROLL CALL: YES

Ms. Reale
Mr. Smith
Mr. Weber
Mr. West
Mr. Atkins

NEW BUSINESS

A. BLOCK 147 LOT 42.06, 42.07, 42.08 & 42.12, 42.13, 42.16 APPLICANT: Lawrence Farmland, LLC

APPLICATION: Septic Feasibility – Project is being reduced from a 21-lot subdivision to 9 lots; Yannaccone, Villa & Aldrich, LLC

- Mr. Ryan Smith is in attendance and is the engineer representing the Lawrence Farmland Septic Feasibility Study. Mr. R. Smith explains that in June the BOH approved the existing 12 lots to be re-subdivided into a total of 21 lots, which is a gain of 9 lots, however, at the request of the applicant, the project has been scaled back so that an existing 6 lots will become 9 lots.

- Mr. Weber would like clarification as to how the 6 lots relate to the 21 lots. Mr. R. Smith explains that 6 of the 12 lots are going to become 9 lots. Most of the lots that were previously approved will be excluded and those lot lines will not be changed. The only lot lines that will be changing are the ones that are illustrated on the revised septic feasibility study map.
- Mr. West states that this is a more conservative plan than what was previously presented.
- Mr. R. Smith explains how the proposed lots will be divided on the northerly and southerly sides of Exmoor Drive and Sutton Place, as demonstrated on the 'C' series of the re-subdivided map. Future lot lines and existing lot lines are also illustrated on the feasibility study map.
- Mr. Mills confirms with Mr. R. Smith that the original approval for the 21 lots happened in 2004-2005. Mr. R. Smith states that the zoning for the subdivision was approved in 2004-2005. The applicant is still before the Planning Board.
- Mr. R. Smith acknowledges that all soil logs, plans and distances to each proposed septic system, proposed well and property lines are in compliance with Ms. Freer and Mr. Korshalla's memos. Mr. R. Smith states that bio-basins will still be used in this subdivision and in the same capacity as described at the Board of Health meeting in June.
- Mr. Mills will draft a resolution to be shared with the Planning Board, indicating that septic and well feasibility can be tolerated.
- Mr. West makes a motion to approve the application. Mr. Smith seconds the motion.

ROLL CALL: YES

Ms. Reale

Mr. Smith

Mr. Weber

Mr. West

Mr. Atkins

B. BLOCK 147 LOT 42.15

APPLICANT: William Bardin/Vanco Construction

APPLICATION: 4 Sutton Place: New Construction of a Septic – Bayer-Risse Engineering, Inc.

- Bill Jupinka is in attendance via Zoom and is the engineer representing the applicant of the septic design project at 4 Sutton Place. Mr. Jupinka states that the septic application is for a five-bedroom new construction home and a one-bedroom apartment. Soil testing results were favorable. The septic system is a pressure dosing system with a 2000g, 2-compartment septic tank. There will be two wells.
- Mr. Smith asks if the one-bedroom apartment is for a family member. Mr. Jupinka is not certain how the one-bedroom apartment will be utilized. Mr. Mills states that a one-bedroom apartment would not be permitted without a variance from the Board of Adjustment and that any approval from the Board of Health would have to be

conditioned on the legality of the apartment. Mr. Mills continues that any secondary dwelling (two principal structures) requires a minimum of 10 acres.

- Mr. Jupinka clarifies that the apartment is not for rental use, rather personal use and for overnight guests – it's more of pool house/workshop. Mr. Smith points out that the application indicates that this is a one-bedroom apartment.
- Mr. Weber reviews the architectural drawings with the Board and states that the second structure houses a garage, a game/living room, an outdoor porch, office, a kitchen and a full bathroom and also a powder room.
- Mr. Weber would like clarification that the three-bedroom dwelling is being sized for five-bedrooms. Mr. Jupinka confirms that that is correct. The 800 gallons per day is for five bedrooms and 350 gallons is allotted for the second structure. Mr. Weber cautions that if in the future a five-bedroom home is proposed, Board of Health approval would be required, and that the project would be subject to the conditions of the Board at that time.
- The Board is concerned with the one-bedroom 'garage/apartment' and hesitates to approve the project in its entirety. The Board questions the legality of the second structure and suggests that the approval of the primary structure be granted on the condition that there is no plumbing or septic connection between the two structures.
- Mr. Mills states that whatever action the Board takes should be memorialized in a resolution and submitted to the Building Department.
- Mr. West points out that the application notes that 350g are to be allocated for the apartment and if the Board approves the application, the Board is giving permission for the project, as a whole, to move forward.
- Mr. Weber asks Mr. Mills if it's okay to approve only the primary structure and not the secondary structure. Mr. Mills states yes and also cautions the Board that it's not a good idea to approve any health- related matters concerning the one-bedroom apartment at this time and that it is best to approve the conventional portion of this application only.
- Mr. Weber states that the Board is not granting approval for any septic use in the apartment.
- Mr. Jupinka acknowledges the memos provided by Mr. Korshalla and Ms. Freer and agrees to revise the septic plans so that the following are reflected.
 1. Revise plan to include dimensions from the proposed wells to both side lot and front lot lines.
 2. Increase the size of the bed in the reserve by making them each 4ft. wider and within the set-back requirements, and so that the bed meets the 1.61 sq. ft. /gpd requirement.
 3. Include a swale upgrade of the bed.
- Mr. Weber would like the Board to consider a proposal that would include resubmitting the septic design plans with the three qualifications noted above. In addition, an approval of the primary dwelling with up to five-bedrooms, with the condition that if two more bedrooms are to be added, that they must meet Board requirements at that time.

- Mr. Weber and the Board are not approving use of the apartment/garage. Mr. Weber directs Mr. Mills to draw up a resolution which expressly denies the plumbing and septic connection from the primary to the secondary structure. Mr. Mills will include an addendum to the resolution, to provide that any addition of sanitary facilities to the secondary structure would require action before the Board of Health.
- Mr. West struggles with the certainty of the approval and the communication between the Boards and departments. Mr. Mills directs Wendy to ensure that Mr. Len Perre, building official, receives a copy of the final resolution.
- In addition to the resolution and the addendum included on the resolution, the Board agrees that notes on the design plans that refer to a one-bedroom apartment be removed, and that the solid tank and the pump tank be disconnected from the apartment. It should also be noted on both septic and architectural design plans that no sanitary facilities are to be installed in the proposed secondary structure without approval from the Board of Health.
- Mr. Weber makes a motion to approve the primary structure with the noted qualifications. Mr. Atkins seconds the motion.

ROLL CALL: YES

Ms. Reale

Mr. Smith

Mr. Weber

Mr. West

Mr. Atkins

HEALTH OFFICER'S MONTHLY REPORT

Reviewed by Ms. Freer. Full reports available in the Board of Health Office

September, 2022

- Dr. Carlos Perez continues to work with Atlantic Health System regarding continuance of health education activities to increase vaccination uptake and confidence.
- Dr. Perez continues to work with the public health nurse to set up covid and flu vaccine clinics in schools and towns.
- Ms. Freer stated that the public health nurse indicated that the Monkey Pox infection rates have dropped significantly.
- Assistant Health Officer organized and attended a learning session on "Bringing Health Equity to our Communities" for the New Jersey Association of County and City Health Officials. Health Equity is achieved when every person has the opportunity to attain his or her full health potential and no one is disadvantaged from achieving this potential because of their race, gender, social and economic circumstances.
- No animal bites reported.
- The Health Education, Field Representative held the Food Handlers course and presented on proper food handling for retail food establishments. The course had low attendance.

- Mr. Smith asks if there have been any updates with regards to the septic system at Brookside Beach. Ms. Freer states that Careaga Engineering has provided a letter, which states that the system and disposal field is fine and is working as designed. Additionally, Ms. Freer states that a pipe from the building to the tank needs repair and once completed the system can be used as is. Peach Brothers has provided an estimate for the repair.
- Mr. Smith asks if there is any information about RSV. Ms. Freer will ask the Health Educator to put together a fact sheet that can be displayed on the Township website.
- Mr. Smith make a motion to accept the health officers report as presented. Mr. West seconds the motion.

ROLL CALL: YES

Ms. Reale

Mr. Smith

Mr. Weber

Mr. West

Mr. Atkins

SUCH MATTERS THAT MAY RIGHTFULLY COME BEFORE THE BOARD

Mr. Jesse Smith will step down from the Board of Health after the last meeting scheduled in November, 2022. A regular Board position will be available to an alternate.

GENERAL CORRESPONDENCE

Meeting Adjourned

9:03 pm