

**MINUTES  
BOARD OF HEALTH  
TOWNSHIP OF CHATHAM  
SEPTEMBER 9, 2003**

President James Brown called the regular meeting of the Board of Health to order at 7:30 p.m.

Answering present to the roll call were Dr. Marano, Mrs. Hoag, Dr. Shelley, and Mr. Brown. Mr. Nachtigal was absent. Attorney Marisa Taormina was present for Attorney Perlowski.

**Adequate notice** of this meeting of the Board of Health was given as required by the Open Public Meetings Act as follows: Notice was given to both the Chatham Courier and the Morris County Daily Record on January 15, 2003; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 15; and notice was filed with the Township Clerk on January 15, 2003.

**Approval of Minutes**

Mrs. Hoag moved to approve the minutes of May 13, 2003. Dr. Shelley seconded the motion and it carried unanimously.

**Reports**

Registered Environmental Health Specialist- Irena Bairova reviewed the reports prepared by the Madison Health Department for June, July and August.

June Report- Mrs. Bairova advised that both Charlie Brown's and Pat's Pizza were conditional upon first inspection, but both were satisfactory upon re-inspection in June. Mrs. Bairova advised she had done septic inspections at 8 Loantaka Lane North, 23 Loantaka Lane South and 23 Loantaka Lane North. A complaint was received about heavy growth and debris for a house on Robin Hood Lane.

July Report- In July, Hickory Pizza was conditional upon first inspection, but satisfactory when re-inspected a few days later. Mrs. Bairova witnessed soil logs at 406 Green Village Road on July 10, 2003. A complaint was received about a possible rodent problem on Edgewood Drive at the end of July. Mrs. Bairova reported that only one dead crow was found in July and it tested negative for West Nile Virus.

August Report- In August, all the food inspections and swimming pools were satisfactory. A raccoon tested positive for rabies concerning an incident on Fairmount Avenue. Mrs. Bairova witnessed a percolation test at 552 River Road on August 19, 2003. A complaint about an overflowing dumpster at one of the condo's was rectified. Seven dead crows were tested for West Nile Virus during the month of August and none were positive.

Registrar of Vital Statistics- Mrs. Wiley distributed the following information concerning the issuance of licenses to the Board members:

|   |             |
|---|-------------|
| <u>May</u>                                |             |
| 6 Marriage Licenses                       | \$168       |
| 2 Certified copies of Marriage Licenses   | \$8         |
| 12 Certified copies of Death Certificates | <u>\$48</u> |
| Total                                     | \$224       |

|   |             |
|---|-------------|
| <u>June</u>                               |             |
| 11 Marriage Licenses                      | \$308       |
| 17 Certified copies of Marriage Licenses  | \$68        |
| 10 Certified copies of Death Certificates | <u>\$40</u> |
| Total                                     | \$416       |

|                     |      |
|---------------------|------|
| <u>July</u>         |      |
| 3 Marriage Licenses | \$84 |

|  |             |
|--|-------------|
| 16 Certified copies of Marriage Licenses | \$64        |
| 9 Certified copies of Death Certificates | <u>\$36</u> |
| Total                                    | \$184       |

|   |              |
|---|--------------|
| <u>August</u>                             |              |
| 6 Marriage Licenses                       | \$168        |
| 40 Certified copies of Marriage Licenses  | \$160        |
| 25 Certified copies of Death Certificates | <u>\$100</u> |
| Total                                     | \$428        |

Secretary- Mrs. Wiley advised the Board that the following correspondence had been received:

1. Information from the Morris County Extermination Commission.
2. Letter from the State of NJ DEP regarding Stormwater Discharge New Master General Permit for the Asphalt Concrete Industry.
3. Letter from the State of NJ DEP regarding Freshwater Wetlands and Upland Buffer Protection.

Mr. Brown moved to accept the reports. Mrs. Hoag seconded the motion and it carried unanimously.

Mrs. Hoag also mentioned that the Chatham Township web site has a link to the Morris County Mosquito Extermination Commission.

**Old Business**

1.

**RESOLUTION BH-2003-9**

**RESOLUTION OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, CERTIFYING SOILS TESTING AND SEPTIC LOCATION PLAN OF JAMES HAGNER PROPERTY, BLOCK 62, LOT 85 – 400 RIVER ROAD**

**WHEREAS**, James Hagner has filed an application for certification of a subdivision of premises known as Block 62, Lot 85, said premises consisting of approximately 6.894 acres; and

**WHEREAS**, the proposed subdivision would divide the premises into two (2) lots, Lot A of approximately 5.846 acres and Lot B of approximately 1.048 acres; and

**WHEREAS**, the proposed subdivision is outlined on a map entitled “Soil Log Location Plan” prepared by Richard B. Schommer, Jr., P.E., dated April 25, 2003; and

**WHEREAS**, the Applicant proposes to have the premises served by individual sewage disposal systems and public water supply;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Health of the Township of Chatham, County of Morris and State of New Jersey, that it hereby certifies, for matters within its purview, the soils testing and septic location plan heretofore referenced, subject to the following conditions:

1. This Resolution is conditioned upon a finding and certification by the Township Planning Board to the effect that no septic systems or parts thereof shall be located less than ten (10) feet from any property line.
2. This Resolution is passed in reliance on the certification by the Applicant’s professional engineer to the effect that there are no wetlands on the subject premises.
3. This Resolution pertains only the soils testing and locations of septic systems referred to above. The actual design of the septic systems shall be subject to the further approval of the Board of Health.

Mr. Brown moved to pass Resolution 2003-009. Dr. Shelley seconded the motion.

**Roll call:** Dr. Marano, Aye; Mrs. Hoag, Aye; Dr. Shelley, Aye; Mr. Nachtigal, Absent; Mr. Brown, Aye.

2. Letter regarding Ferreira Septic Application, Block 63, Lot 20, 463 River Road- Mr. Brown distributed a draft of the letter to Ms. Lockwood at the New Jersey Department of Environmental Protection for the Board to review. Mr. Brown advised that the Board had previously discussed this issue in January and February and provided some background information. The present septic system built for a two-bedroom house is large enough for a four-bedroom house. Originally the National Wetlands map indicated wetlands approximately 325 feet from the proposed system and the septic system was built. However, recent wetlands delineation shows that half of the septic field is actually in a wetlands transition area. The letter was asking the NJDEP for assistance regarding the septic system in the wetlands transition area. Engineer Carrie Feuer from Metcalf and Eddy suggested two changes to the letter: the letter should indicate that the system is only for a pressure dosed design and that approval is contingent upon minor modifications of the system. Some of the Board members were concerned about increased flow through the wetlands transition area. Following discussion, Mr. Brown explained that the design was based on soil types there, that it was built due to failure and that it met all the Board of Health requirements. The Board decided to insert the words “pressure dosed” before septic system in the third paragraph of the letter. The Board also discussed the best way to indicate that the Ferreira application is contingent upon NJDEP approval and additional information concerning pump levels. It was suggested that the file could be flagged that it be contingent on the pump pit. The Board decided to amend the sentence: “On September 9, 2003, the Township of Chatham Board of Health approved the use of the existing pressure dosed septic field for a four bedroom house with contingencies, one being NJDEP approval for the additional flow to the field which is partially in the wetlands transition area.”

Mrs. Hoag moved approval of the Ferreira Septic System contingent upon:

1. NJDEP approval
2. Additional pump pit documentation provided by applicants engineer and approval by Metcalf and Eddy.

Mr. Brown seconded the motion.

**Roll call:** Dr. Marano, Aye; Mrs. Hoag, Aye; Dr. Shelley, Aye; Mr. Nachtigal, Absent; Mr. Brown, Aye.

Mrs. Feuer relayed a discussion she had with Mark Patalive regarding a septic application that will require approval by the NJ DEP.

### **New Business**

1. Septic Application – Block 140, Lot 2.02, 7 Loantaka Lane North- Mary Ann Conway was present for the owner, Harvey Caplan. Also present was the engineer Vincent Iacampo from Vipe Engineering, P.A. Carrie Feuer, P.E. from Metcalf and Eddy (M&E) explained that this was a septic application for new construction since the existing septic system and house would be demolished. Mrs. Feuer said that the 7 feet of silty clay would be excavated as well as the zone of disposal even though it is K3. Mrs. Feuer thought the design is reasonable, but lacks some detail. Mr. Iacampo advised that there was no water in soil logs 3 or 4. Mrs. Feuer said the fact that there is no water in these two logs during the last day of the wet period is very important and would take precedence over mottling at 10 inches to the surface. With regard to wetlands, Mrs. Feuer informed that Board that it doesn't have the soil or water characteristics that would indicate wetlands. Mrs. Feuer advised that the owner proposes to construct a fill-enclosed soil replacement disposal bed with gravity distribution. Mrs. Feuer then reviewed the minor comments listed in M&E's letter dated September 9, 2003. Mrs. Feuer said that all setbacks, depths for design and area for design are all satisfied. Mary Ann Conway then advised the house would be located in a different location and therefore Mrs. Feuer requested that the drawings be revised and be resubmitted to the Board of Health.

### **Discussion**

1. Septic System Management- Mr. Brown said he had discussed with Health Officer John These the letter forwarded from Sally Dudley at ANJEC about the system that Harding Township uses requiring anyone applying for a building permit to get a prior approval from the Board of Health as well as the Zoning Officer. The applicant must complete a

form and pay \$50 for review. The Health Department in Harding then reviews the form and checks the septic system if necessary. Mr. Brown thought most of Harding has septic systems, whereas less than 300 homeowners have septic systems in Chatham Township and therefore this might not be necessary. Mr. Theese had told Mr. Brown that this procedure might be helpful in checking set back requirements with regard to septic systems when a swimming pool or tennis courts are being put in. Following discussion, the Board decided that Mrs. Hoag should check with the Construction Official and the Zoning Officer to discuss construction permits and find out if septic/sewer is on their checklist.

2. Well Ordinance- Attorney Taormina advised that Attorney Perlowski would provide a draft for the next meeting.
3. Healthy Lawns and Landscapes pamphlet- Mrs. Hoag advised that she had received a copy of this pamphlet from Kathy Abbott on the Environmental Commission. Mrs. Abbott thought the town might be interested in publishing their own version of this pamphlet and thought it might be more effective if it came from the Board of Health and Environmental Commission. The Board discussed the fact that most homeowners use lawn services, but thought the pamphlet still might be helpful since the homeowner might then question the lawn service about what is being used on the lawns. The Board agreed it would be a good idea to distribute this information. Mrs. Hoag will work with Kathy Abbott and report back at the next meeting.

Mrs. Hoag moved to adjourn at 9:25 p.m. Dr. Shelley seconded the motion and it carried unanimously.

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Joy M. Wiley  
Board of Health Secretary