

**MINUTES  
BOARD OF HEALTH  
TOWNSHIP OF CHATHAM  
APRIL 11, 2006**

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

Answering present to the roll call were Mr. Newby, Mr. Nachtigal and Mr. Brown. Mr. Hartford arrived a few minutes after the meeting started. Dr. Marano was absent.

**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 12, 2006; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 12, 2006; and notice was filed with the Township Clerk on January 12, 2006.

**Approval of Minutes**

Mr. Brown moved to approve the minutes of March 14, 2006. Mr. Newby seconded the motion and it carried unanimously.

**Reports**

**Registered Environmental Health Specialist-** Mrs. Bairova reported that during the month of March all the retail food inspections were satisfactory. The owner of 6 dogs on Green Village Road was sent a notice of violation for not licensing the dogs. Mrs. Bairova investigated a problem when a homeowner on River Road advised she constantly heard running water in her basement. Following several tests, it was determined to be an artesian well. A complaint received about the noise from an air conditioning unit on Meyersville Road was rectified since the new owner will create a buffer to minimize the noise. Mrs. Bairova also advised she attended a seminar in Atlantic City and met with the Darcy School concerning a summer camp program. Mrs. Bairova also distributed information on the NJ Smoke Free Air Act and advised she had mailed notices to all the restaurants in the Township. Any violations should be reported the Board of Health. The Board suggested a link to the NJ website and a summary of the Smoke Free Air Act could be placed on the Township website.

**Registrar of Vital Statistics-** Mrs. Wiley reported the following licenses were issued in March:

17 Certified copies of Marriage Licenses	\$ 68
2 Marriage Licenses	56
10 Certified copies of Death Certificates	<u>40</u>
Total	\$164

**Secretary-** Mrs. Wiley reported the only correspondence received had been from Metcalf & Eddy, Inc.

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

**New Business**

1. **Septic Application, Block 144, Lot 20, 769 Shunpike Road-** The engineer, Greg Yannaccone, for the Kirby property was not present. Carrie Feuer, P.E. of Metcalf and Eddy, Inc. informed the Board that this property was approved for a subdivision in 1996, but they decided not to subdivide. Mrs. Feuer advised that the proposed application was for a failed septic system and the applicants were proposing a soil replacement disposal field with pumping to gravity dosing. Mrs. Feuer said that although this property has lots of wetlands and water, a spot with good soils was found on the property to locate the septic system. An LOI was done on the property in 1996 and the septic system is outside the transition area. The engineer noted that since the LOI was done, the property has not been modified. Mrs. Feuer said the engineer had done a good job and referred to Metcalf and Eddy's letter dated April

11, 2006. There is only one comment that needs to be addressed: that the Disposal Field Note #3 is revised so it is not in conflict with Note #4.

Mr. Brown moved to conditionally approve the septic system application for Block 144, Lot 20, 769 Shunpike Road, contingent upon the comment noted in M&E's letter being submitted to the satisfaction of Metcalf & Eddy. Mr. Newby seconded the motion.

Before voting on the application, the Board briefly discussed the fact that the soil logs were done during the proper time frame with regard to the water table.

**Roll call:** Dr. Marano, Absent; Mr. Hartford, Aye; Mr. Newby, Aye; Mr. Nachtigal, Aye; Mr. Brown, Aye.

Before discussing the next septic application, Mrs. Feuer updated the Board on the Saunders property on Spring Valley Road and that Dig Engineering would be conducting additional soil logs on April 17, 2006.

2. Septic Application, Block 63, Lot 20, 463 River Road- Mrs. Feuer provided a brief history on the Ferreira property and advised the septic system design was approved by the Board of Health for a two-bedroom house in 2002. Mrs. Feuer explained that the septic system was built under the Township's old regulations and the bed size for Chatham Township was almost double the State requirements. Mr. Brown advised the Board later found out from the State that the septic system was built in the transition area and the State rejected any increased flow to the system even though it could handle a four-bedroom house. Mrs. Feuer explained the homeowners now intend to demolish the house, move the location of the house and the septic system. The area is difficult to design a septic system due to steep slopes, soils and a spring. Additional soil log information was provided to the Board. Mrs. Feuer advised that usually with new construction, no variances are allowed. Mrs. Feuer distributed a letter from the engineer, Thomas Olenik of Semester Consultants, Inc. dated April 7, 2006 requesting the Board of Health explore some variances from Chatham Township's code before they move forward with their design. The Board then reviewed the plans and discussed the request for the four variances. The Board thought the first request for a variance to reduce the setback distance from the front property line to meet the current New Jersey rather than Chatham Township's requirements was not a problem. The second request for a variance to reduce the setback distance from the side property line to meet the current New Jersey, rather than Chatham Township requirements was a concern to the Board since it would affect the location of the septic system on the existing dwelling on the other side of the property line. Mr. Brown advised the only time the septic system was allowed within 10 feet of the side property line was when there was a failed system and the adjacent neighbors were notified. Following the discussion the Board determined the applicant must meet the Township's regulations. The third request for possible relief from the grading requirements of Section 8 of the Chatham regulations was discussed and the Board thought the applicant must meet the Township's requirements. The Board discussed the fourth request for a variance for relief from the slope requirements of Section 14 of the ordinance and thought the applicant should try to stay as close as they can to the 15 % township requirement, but still stay within the State regulations of 25 %. The Board reviewed the drawings, test logs and transitional area markings and tried to determine if there was a better location for the septic system. The Board asked Mrs. Feuer to convey to Mr. Olenik at Semester Consultants that this is an unofficial review.

### **Introduction of Ordinances**

#### **ORDINANCE BH-2-06**

#### **AN ORDINANCE OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM SETTING THE FEES FOR THE ISSUANCE OF CERTIFIED COPIES OF VITAL STATISTIC RECORDS**

**WHEREAS** Boards of Health are required under the provisions of N.J.S.A. 26:8-1 et

seq., to provide for the registration of vital statistic records and to issue certified copies of such records, upon request;

**BE IT ORDAINED**, by the Board of Health of the Township of Chatham in the County of Morris and State of New Jersey as follows:

**CHAPTER 1. FEES FOR THE ISSUANCE OF CERTIFIED COPIES OF VITAL STATISTIC RECORDS**

1. The fees for the issuance of certified copies of vital statistic records, including but not limited to death records, marriage records, birth records, certificates of domestic partnership, and vital statistic correction forms, shall be \$10.00 (ten) dollars for the first page and \$5.00 (five) dollars for each and every page thereafter.
2. This Ordinance shall take effect 30 days after final publication, in accordance with the laws of the State of New Jersey.

Before introducing the ordinance, the Board determined the ordinance would take effect 30 days after the final publication, rather than first publication.

Mr. Brown moved to introduce Ordinance BH-2-06. Mr. Nachtigal seconded the motion.

**Roll call:** Dr. Marano, Absent; Mr. Hartford, Aye; Mr. Newby, Aye; Mr. Nachtigal, Aye; Mr. Brown, Aye.

The public hearing will be scheduled for May 9, 2006.

Mr. Brown opened the meeting to the public. Hearing no one, Mr. Brown closed the public hearing.

Mr. Brown moved to adjourn the meeting at 9:45 p.m. Mr. Newby seconded the motion and it carried unanimously.

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Joy M. Wiley  
Board of Health Secretary