

TOWNSHIP OF COLTS NECK
BOARD OF HEALTH
February 1, 2011 Meeting Minutes

Annemarie Delle Donne called the Colts Neck Board of Health meeting to order at 7:30 p.m. and read the following statement: “As Presiding Officer of this meeting of the Board of Health, I hereby declare that the notice requirements of the law have been satisfied by prominently posting on the Township bulletin board a notice of this meeting, and that there has been transmitted by regular mail a notice to the Asbury Park Press and that a copy is on file in the Office of the Township Clerk. I further order that this public announcement be placed in the minutes of this meeting.”

ROLL CALL INDICATED:

PRESENT: Marilyn Boak, Annemarie Delle Donne, Cindy Flood and Sokoler and Dr. Boak,
Dr. Faistl and Michael Tormey

ABSENT: Donna Flood and Liz Iacono

ALSO PRESENT: Tom Frank, Jim Schatzle and Ruth Leininger

Dr. Boak made a motion to approve the January 4, 2011 meeting minutes and this was seconded by Cindy Flood and unanimously carried.

Old Business – Colts Neck Café. John Orrico, property owner, A.J. Garito, Engineer and Janice Rizzo, potential tenant were all in attendance. Mr. Garito told the Board the original Colts Neck Café was given approval by this Board with numerous restrictions. A meter was to be installed to monitor the daily flow rate that was not to exceed 250 gallons per day based on the size of the space. All foods were to be prepared off-site; there was no kitchen facility approved. All dishes and silverware were supposed to be disposable and one dishwasher was approved for sanitary reasons. It appears the monitor was never installed and as time passed all other restrictions were not being strictly adhered to. The property owners have someone who would like to reopen the café and abide by the original restrictions.

Ms. Rizzo explained her vision is to have the café open from 7 a.m. to 7 p.m. 6 ½ days a week. She would like to serve coffee, tea, smoothies, bagels, baked goods, deserts, some prepared food like soup, salad, cold sandwiches, panini’s, bottled drinks and vegan/organic fare. Mr. Frank reminded the Board that “preparing food” deviates from “office use” and may classify the establishment as a restaurant, verses a café. They should keep in mind the amount of water usage but also how the establishment is reasonably classified according to code.

Some Board members thought the process they used for Dunkin Donuts has worked well, there are steps to be taken if any problems arise. Mr. Orrico stated when the café was open they cleaned the grease traps every three months and have never had any septic issues since they opened in 2001. Mr. Orrico also told the Board it is their intension to apply for a NJPDES permit within the next few weeks.

Dr. Boak made a motion to approve the use of the site as a café that is limited to 20 seats and not to exceed 250 gallons per day, as well as provide monthly readings for the first year followed by quarterly readings with results forwarded to the Health Officer. If the quarterly average exceeds 250 gallons at any time the following steps must be followed. 1) increase pumping as required 2) limit hours of operation 3) limit days of operation and 4) the café must be closed. This motion was

seconded by Cindy Flood and unanimously carried. No frying, cooking, grilling or scratch baking is permitted, only a Panini press would be permissible. The owner of the building is responsible for the water monitoring and reporting results to the Health Officer. Mr. Frank stated he would still require various pieces of information sent to him to include, but not limited to, a list of menu items and equipment, fitup/floor plan with location of all equipment. Mr. Frank will send a letter to the owner and tenant outlining this agreement and these obligations.

New Business – John Guinco, Esq., A.J. Garito, Engineer and Brian Dicina, Engineer were in attendance to discuss Overbrook Farm Estates (PB688). Mr. Guinco gave a brief overview of the proposed project. The current horse farm will be subdivided into 23 conforming market rate lots and 8 affordable housing rental homes that are each approximately 3/4 of an acre. There will be two bedroom homes that are 1,000 s.f. and three bedroom homes that are 1,600 s.f. The COAH homes will be owned most likely by a trust or similar and will be rental homes. Mr. Frank said he observed some of the soil logs and they are very tricky – some had very good sandy loomy soils while some others were found with heavy clay layers. Some other lots had a very high water table which will require the lots to be built up, therefore moving the location of the current soil logs (if necessary in the future) must be reviewed very closely. It was stated the layout of the subdivision has morphed because of the locations of the soil log results. Mr. Frank told the Board that Colts Neck has had a policy that any new septic be provided with a dual system and the COAH lots are not large enough to accommodate both systems. Mr. Garito and Mr. Dicina, both licensed engineers, certified that the septic systems they would design for the smaller lots would meet all standards required by NJDEP code for subsurface sewage disposal systems. The Board feels initially that as long as minimum septic standards and COAH requirements remained in effect and adhered to, one system design for the COAH lots only would be a reasonable accommodation. There are also two COAH lots that cannot provide the necessary setbacks for a water well and septic system. Mr. Frank suggested they may want to install the septic system first followed by the water well. The applicant was told however, that they must verify with the DEP that this is legally acceptable. The Board did not have major issues with the application however they wanted to wait for the Planning Board to approve the application first in case there are any changes. Mr. Frank also stated he still needs to review recently received information regarding this application.

Trump Water Allocation. Mr. Frank told the Board the DEP held a public hearing on January 19, 2011 for the application that Trump National Golf Course submitted to the DEP to increase their water allocation permit. The Township Engineer and Planner both read technical statements as well as Mr. Frank and various residents and organizations. The DEP has extended the deadline to accept comments to March 7, 2011. The Board felt it was very important that any correspondence would reflect their concern regarding any public health ramifications that could result. It was decided the Board would first like to review the comments from the Engineer and Planner and they will make a decision at the March meeting.

Due to the severe weather the Board ended the meeting.

Health Officers Report – No report

Liaison Report – No report

A motion to adjourn was made by Annemarie Delle Donne at 9:20 p.m. and seconded by Dr. Boak and unanimously carried. The next scheduled meeting is March 1, 2011.

Respectfully Submitted,
Ruth Leininger