

**HARDING TOWNSHIP  
BOARD OF HEALTH  
THURSDAY, October 13, 2022**

**Meeting Minutes**

Dr. Lacz, Vice Chair, called the regular meeting of the Harding Township Board of Health to order on October 13, 2022, at 7:33 p.m., and announced the meeting was called in accordance with the laws of the State of New Jersey.

**ROLL CALL:**

Secretary Sharp called the following Board of Health members in attendance.

**BOH Attendance:** Mr. DeNave, Dr. Lacz, Mrs. McKittrick, and, Mr. Platt (via telephone)

**Absent:** Dr. Cervone, Dr. Kao, and Mrs. DiTosto

**Health Department Attendance:** Mrs. Lisa Sharp and Mr. George Byrnes

**County of Morris Attendance:** Miss Shelby Meyers

**BOH Counsel:** Joseph Sordillo, Esq.

**Public:** 2

---

**REQUEST TO APPEAL HEALTH DEPARTMENT RULING ON A VARIANCE  
APPLICATION FOR: WEICHERT, BLOCK 13, LOT 1.01, 72 WOODLAND ROAD**

Mr. Sordillo, BOH Attorney, administered the swearing in of Mr. Ryan Smith, Engineer with Yannaccone Villa & Aldrich and Mr. James Weichert, applicant.

Mr. Smith, Engineer, explained the property is developed by a principal dwelling, two barns, a shack, and an accessory residence. The accessory residence is the subject of tonight's presentation. The septic system for the accessory residence was designed, approved, and installed in 1978. The 1978 septic system was design for two (2) apartments totaling six (6) bedrooms. The current configuration of the structure is four (4) bedrooms. This project went before the Board of Adjustment and was approved for a renovation and garage addition to configure as a two (2) bedroom single family residence. A condition of the Board of Adjustment approval is that Board of Health approval is required. In a letter from the Harding Township Health Department, the project was rejected siting 7:9a-3.3(B), which stated because this project is a reconstruction, it must be brought up to current code for the septic. The applicant is requesting approval siting 7:9a-3.3(C) which is the next section of the code.

Mr. Smith read that portion of the code 7:9a-3.3(C); "When an existing system is serving an existing structure and is not malfunctioning and the owner proposes a change to the structure or the use in the structure that will change in any way, the estimated volume of sanitary sewage or type of waste generated, the system may continue to be used if it is demonstrated that the waste water generated will not exceed the treatment and disposal capability of the existing system by submission of either:

as defined under the UCC Code as determined by the Township's Construction Official.

Mr. Byrnes explained Section 3.3 B is there for when an applicant completely guts a structure to ensure the applicant does not forget about the septic system. Prior to 1996, an applicant would need to bring the system up to code. This is a system that is 44 years old, on the older side, but it is up to the Board of Health to decide if they should follow criteria B or C. A discussion ensued regarding the age and maintenance of the septic system.

Mr. DeNave reported he conducted research on this and his initial thought was to deny the application because in general the code is right in saying something from 1978 should be rehabbed. The fact that the applicant is reducing the number of bedrooms will be arguably less flow even. Though the regulations have gotten stricter, the applicant is 23.5 square feet off. Mr. DeNave asked the applicant if he would maintain the system. Mr. Weichert responded with yes. Mr. DeNave explained this is a family property and if the system goes bad, it would be affecting the applicant's family. Mr. Weichert commented the system will be maintained. A discussion amongst the Board members ensued.

Mr. Sordillo explained a vote granting the appeal would not be necessarily overruling the Construction Official. The Board of Health has no authority over the Construction Official and if the Construction Official believes it is a reconstruction project, under the UCC code and building projects, that is a separate matter. This appeal this evening would be a determination that the approval can be granted under Section 3.3C versus Section 3.3B.

Mr. Platt made a motion to grant the appeal under Section 3.3 C, seconded by Mr. DeNave, and with a roll call vote of all ayes, none opposed, the appeal was granted for the criteria under Section 3.3 C.

---

#### **MINUTES OF SEPTEMBER 8, 2022:**

Dr. Lacz asked if there were any questions with regard to the September 8, 2022 minutes. Upon a motion made by Mr. DeNave, seconded by Mrs. McKittrick, and with votes of all ayes, none opposed, the minutes for the September 8, 2022 meeting were accepted.

---

#### **MONTHLY REPORT FOR SEPTEMBER 2022:**

A discussion ensued regarding several septic repairs; one repair was where the installation of a septic was installed backwards from tank to house. A discussion ensued regarding advanced septic systems.

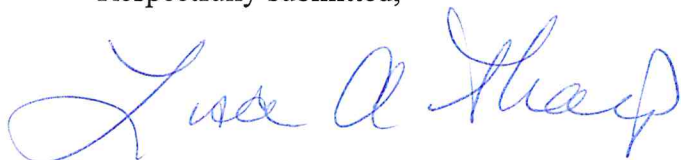
Mrs. Sharp reported that the rabies clinic will be held on November 5, 2022 from 9 am to 11 am at the New Vernon Volunteer Fire Station. The Board asked for an ad to go into the paper and the thumbnail. Mrs. Sharp will place an ad in the Observer Tribune and send the information to the Thumbnail as well as place the information on the Police Message Board.

With no further comments, Dr. Lacz asked for a motion to accept the September 2022 monthly Health Department report. Upon a motion made by Mrs. McKittrick, seconded by Mr. DeNave, and with a vote of all ayes, none opposed, the monthly Health Department report for September 2022 was accepted.

**ADJOURNMENT:**

With no further comments, a motion was made by Mr. DeNave, seconded by Mrs. McKittrick, and with a vote of all ayes, none opposed, the meeting adjourned at 8:02 pm.

Respectfully submitted,

A handwritten signature in blue ink, reading "Lisa A. Sharp". The signature is fluid and cursive, with the first name "Lisa" being the most prominent.

Lisa A. Sharp  
Secretary, Board of Health