

## **BOROUGH OF FAR HILLS**

Planning Board Special Meeting

Site Visit – Renard

### **MINUTES**

December 10, 2022

#### **CALL TO ORDER**

Chairman Tom Rochat called the meeting to order at 9:09 a.m. at 20 Spring Hollow Road, Far Hills, NJ and read the Open Public Meetings statement in accordance with the law.

#### **ROLL CALL:**

Present: Chairman Tom Rochat, Vice Chairman Robert Lewis, Mayor David Karner, Councilwoman Sheila Tweedie, Marilyn Layton, Jack Koury, Suzanne Humbert, Andrea Harvey, Alt. #1 and Thomas Swon, Alt. #2

Also Present: David Banisch, Planner; Steve Bolio, Engineer; Shana L. Goodchild, Secretary and approximately 15 members of the public

Absent: John Lawlor

#### **SITE VISIT**

Chairman Rochat announced that the site visit was a public meeting however, it was not part of the public hearing therefore Board members should refrain from discussing the application or its merits. He asked that Board members put any pertinent information or observations on the record at the next public hearing.

The Applicant's Engineer Paul Fox was present along with the owners/applicants, Mr. and Mrs. Renard. Mr. Fox pointed out the areas of the proposed primary and reserve septic fields along with the area of the proposed drywells that were staked out at the request of the Board. He reminded the Board that the applicant offered to utilize the reserve field as the primary field to avoid the variance requested; the field would be closer to the applicant's proposed well but would still maintain the minimum separation of 100 feet. When asked by Mr. Banisch if the new location would require a pump system, Mr. Fox responded in the positive noting that the original location proposed was a gravity system. When asked by Mr. Bolio if the preference is a gravity or pump system, Mr. Fox responded gravity noting that during power outages the pump does not operate. When asked if in his professional opinion, the original location requiring setback relief was the more suitable location, Mr. Fox responded in the positive and noted that no relief from the Board of Health requirements were necessary for the original location, only a zoning variance related to a building setback line. Mr. Bolio made the distinction that the only variance being sought for the original location was a planning requirement vs. an engineering requirement. When asked by Mr. Sobel if the septic system could be placed closer to the wetlands while honoring the 150-foot buffer, Mr. Fox responded in the negative and noted that there were no acceptable soil logs in that location. Mr. Fox noted that the disposal beds will be constructed at grade and there will be no visual of the septic field for those driving by the site. Mr. Banisch pointed out that the Board has taken a conservative view of the definition of structure with respect to sub-surface improvements and he agreed that the Board needs to look at that

interpretation; even though the applicant is in compliance with all State Health regulations, the applicant has generously offered to accommodate the neighbors concern.

Those present walked to the rear of the property to the location of the proposed drywells. Mr. Fox noted that the drywells are required to be at least 50 feet from any well and they are located further from the neighbor's well than that of the applicants. When asked by Mr. Sobel if Planning Board approval is required for any improvement on the lot since it is a non-conforming lot, Mr. Banisch disagreed. Mr. Sobel indicated that Borough staff confirmed that it was a non-conforming lot on multiple occasions. Mr. Banisch explained that the lot falls below the 10-acre minimum as a result of the right of way dedication required as part of the pending application. When asked by Mr. Sobel if drywells ever fail, Mr. Fox was not aware of any failures in his experience. He went on to explain that the overflow is directed away from the neighbor's property and well. When asked by Mr. Sobel if there is any other conforming location on the lot for the drywell, Mr. Fox responded in the negative.

Addressing a question regarding the location of the existing septic system, Mr. Fox pointed to a pink flag near the rear fence line. When asked by Susan Rubright (Attorney for Mr. Sobel) why the existing septic system could not be utilized, Mr. Fox explained that they could not use a non-conforming system for a new structure and the current system is located at the edge of the wetlands and not permitted under NJDEP regulations.

When asked by Mr. Banisch if raising the first-floor elevation of the house would eliminate the need for a pump system, Mr. Fox indicated that he would need to review the engineering.

Those present were invited by Jonathan Sobel, owner, to walk his property located at 44 Spring Hollow Road. Mr. Sobel welcomed those present and pointed out the location of his existing well and the main pasture in the front of the property. He noted that the pasture is saturated from the runoff and the existing drainage issues from the neighboring property. When asked by Mr. Fox the depth of his well, Mr. Sobel was unaware. When asked by a neighbor if the applicant's property has an existing drainage system, Mr. Fox responded in the negative. Mr. Sobel noted that his well provides water to every pasture. When asked if the well is a good producer, Mr. Sobel responded in the positive. When asked to confirm that an existing PVC pipe on the property was a drywell for his new garage addition, Mr. Sobel responded in the positive. When asked the distance from his drywell to the existing wellhead, Mr. Sobel noted that the drywell is located at a lower elevation from his well.

**ADJOURNMENT:**

There being no additional questions, the meeting was adjourned by a motion of Mayor Karner and seconded by Councilwoman Tweedie at 9:52 a.m.

Respectfully submitted,

  
Shana L. Goodchild  
Planning Board Secretary

**APPROVED 1/3/23**